



CITY COUNCIL MEETING
Thursday, August 23, 2018
7:30 p.m.

CITY COUNCIL CHAMBERS
680 Park Avenue
Idaho Falls, ID 83402

*Thank you for your interest in City Government. If you wish to express your thoughts on a matter listed below, please contact Councilmembers by email or personally **before** the meeting. Public testimony on agenda items will not be taken unless a hearing is indicated. Be aware that an amendment to this agenda may be made upon passage of a motion that states the reason for the amendment and the good faith reason that the agenda item was not included in the original agenda posting. Regularly-scheduled City Council Meetings are live streamed at www.idahofallsidaho.gov, then archived on the city website. If you need communication aids or services or other physical accommodations to participate or access this meeting, please contact City Clerk Kathy Hampton at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 as soon as possible and they will accommodate your needs.*

1. **Call to Order.**

2. **Pledge of Allegiance.**

3. **Public Comment.** *Members of the public are invited to address the City Council regarding matters that are **not** on this agenda or already noticed for a public hearing. When you address the Council, please state your name and address for the record and please limit your remarks to three (3) minutes. Please note that matters currently pending before the Planning Commission or Board of Adjustment which may be the subject of a pending enforcement action, or which are relative to a City personnel matter are not suitable for public comment.*

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

A. Items from Municipal Services:

- 1) Treasurer's Report for the month of June, 2018
- 2) Street Department Purchase of Used Paver

B. Item from the Fire Department:

- 1) Fire Engine Lease Agreement for Wildland Fires

C. Items from the City Clerk:

- 1) Expenditure Summary for the month of July, 2018
- 2) Minutes from the July 12, 2018 Council Meeting; July 13, 2018 Council Budget Session; July 17, 2018 Council Budget Session; and, July 20, 2018 Council Budget Session
- 3) License Applications, all carrying the required approvals

RECOMMENDED ACTION: To 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. Municipal Services

1) Adoption of 2018/2019 Proposed Fees, Including New Fees and Fee Increases: Municipal Services respectfully requests Mayor and Council approval of the 2018/19 proposed fees including new fees and fee increases.

RECOMMENDED ACTION: To approve the Resolution adopting 2018/19 proposed fees, including new fees and fee increases, and give authorization for the Mayor and City Clerk to sign the necessary documents (or take other action deemed appropriate).

2) Adoption of 2017/18 Fiscal Year Budget: For consideration is the proposed annual 2018/19 fiscal year budget that was tentatively approved on August 16, 2018 by the Mayor and City Council. Municipal Services respectfully requests formal adoption of the 2018/19 fiscal year budget, in the amount of \$206,598,558, appropriating the monies to and among the various funds.

RECOMMENDED ACTION: To approve the Annual Appropriation Ordinance for the 2018/19 fiscal year budget under the suspension of the rules requiring three complete and separate readings and 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, or reject the Ordinance).

3) Sales Agreement with Bonneville County for Two Street Sweepers: It is the recommendation of the Municipal Services and Public Works Departments to sell two (2) used street sweepers from the City's surplus equipment to Bonneville County. Under the sale agreement, Bonneville County will pay the City of Idaho Falls \$20,000.00 for each sweeper, for a total of \$40,000.00.

RECOMMENDED ACTION: To approve the Sales Agreement with Bonneville County for two (2) street sweepers in the amount of \$40,000 (or take other action deemed appropriate).

B. Fire Department

1) Idaho State University Paramedic Instruction Agreement: For consideration is the annual contract between Idaho State University and the City for providing paramedic instruction and clinical experience for Idaho State University's Paramedic program. This is the third year of the program and reflects a small increase from last year.

RECOMMENDED ACTION: To approve the contract with Idaho State University and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

C. Community Development Services

1) Business Improvement District (BID) Management Agreement with Idaho Falls Downtown Development Corporation (IFDDC) for FY2018-2019: For consideration is the BID Management Agreement with IFDDC for FY2018-2019. Each year the BID has existed the City has entered into such an agreement with IFDDC. The agreement requires IFDDC to report on their plans and expenditures, hold meetings with its membership, and outlines the payment schedule for tax assessment collections within the BID boundaries.

RECOMMENDED ACTION: To approve the BID Management Agreement with IFDDC for FY2018-2019 and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

2) Long Cove Drive Right-of-Way Plat: For consideration is a Right-of-Way plat for a portion of Long Cove Drive. This plat will establish necessary right-of-way between the Sand Pointe and Darcy Steward subdivisions. The reason for having a separate right-of-way plat is that the property line between the two subdivisions bisects the proposed roadway. This method of platting allows the right-of-way to be established without both developments providing the full plat, as one of the developers is not ready to do so.

RECOMMENDED ACTION: To approve the Right-of-Way plat for Long Cove Drive, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).

3) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, T&T Park Addition: For consideration is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for T&T Park Addition. The Planning and Zoning Commission considered this item at its June 5, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Development Agreement for T&T Park Addition, and give authorization for the Mayor and City Clerk to execute the necessary documents.
- b. To approve the Final Plat for T&T Park Addition, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
- c. To approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for T&T Park Addition, and give authorization for the Mayor to execute the necessary documents.

4) Public Hearing – Form-Based Code Amendments: For consideration is an ordinance amending three sections of the Idaho Falls Form Based Code. The changes include a small amendment to façade requirements to match the Downtown Design Guidelines, the addition of two building types in the Edge C Subdistrict, and a minor change to a reference in the chapter on sign requirements. The Planning and Zoning Commission considered this item at its June 19, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTION: To approve the ordinance amending sections of the Idaho Falls Form Based Code under the suspension of the rules requiring three complete and separate readings and 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, or reject the Ordinance).

5) Public Hearing – Zoning Ordinance Amendments: For consideration is an ordinance amending various sections in Chapters 2 and 3 of the zoning ordinance. The changes are primarily related to allowed uses and their definitions, but there is also a small change to the requirements for accessory dwellings and lot sizes in the Traditional Neighborhood Zone. The Planning and Zoning Commission considered this item at its June 19, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTION: To approve the ordinance amending various sections of the zoning ordinance under the suspension of the rules requiring three complete and separate readings and 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, or reject the Ordinance).

6) Public Hearing – Rezone from R&D to R1, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Heritage Hills Division No. 3: For consideration is the application for rezoning from R&D to R1, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Heritage Hills Division No. 3. The Planning and Zoning Commission considered this item at its June 19, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the ordinance rezoning Heritage Hills Division No. 3 under the suspension of the rules requiring three complete and separate readings and 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, or reject the Ordinance).
- b. To approve the Reasoned Statement of Relevant Criteria and Standards for the rezone of Heritage Hills Division No. 3, and give authorization for the Mayor to execute the necessary documents.

6. Announcements and Adjournment.

CONSENT

AGENDA:



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: August 20, 2018

RE: Treasurer's Report for June 2018

Pursuant to Resolution 2018-06, attached for review is the Treasurer's Report for June 2018. Highlights for the June Treasurer's Report include:

- Total investments reconciled to the June bank investment statements were reported at \$94,271,833.40, of which \$325,264.42 is designated as cash or equivalent and \$93,946,568.98 were in invested funds.
 - During the bank reconciliation process, it was determined that two matured investment proceed checks from one of the City's brokers were deposited into a City operating account in error. The investment proceeds earned of \$512,678.30 were transferred to the City's investment account on August 16, 2018 and will be recorded on the August Treasurer's report.
- Total revenue (receipts) received and reconciled to the general ledger were reported at \$9.8M. Due to system issues, the total revenue (receipts) does not include electronic deposits from ambulance Wittman collections estimated at \$738,648.07. These deposits will be recorded on the July Treasurer's Report.
- Total expenses reconciled to the general ledger were reported at \$15.9M. An increase in general fund expenditures for the month of June were the result of three payrolls (June 1, June 15 and June 29) as well as several park project payments. The summary of expenditures for salaries and benefits, operating expenses and capital outlay were not available at the time the Treasurer's Report submittal was due.

Respectfully,

Pamela Alexander
Municipal Services Director

CITY OF IDAHO FALLS MONTHLY TREASURER'S REPORT

JUNE, 2018

FUND	BEGINNING CASH AND INVESTMENTS	TOTAL RECEIPTS ⁽¹⁾	TOTAL EXPENSES ⁽²⁾	NEW INVESTMENTS	CASH AND INVESTMENTS
GENERAL	7,352,418.58	1,899,255.34	4,710,922.51	-	4,540,751.41
HEALTH & ACCIDENT INSUR.	2,472,573.43	-	-	-	2,472,573.43
STREET	2,110,816.10	59,775.88	344,437.93	-	1,826,154.05
RECREATION	(81,439.33)	114,210.71	159,671.25	-	(126,899.87)
LIBRARY	1,879,679.91	41,627.14	252,375.45	-	1,668,931.60
AIRPORT PFC FUND	87,360.13	42,524.40	42,524.40	-	87,360.13
MUNICIPAL EQUIP. REPLCMT.	16,728,001.05	153,401.67	834,985.22	-	16,046,417.50
EL. LT. WEATHERIZATION FD	2,627,519.80	117,523.10	73,476.53	-	2,671,566.37
BUSINESS IMPRV. DISTRICT	100,795.41	302.71	15,000.00	-	86,098.12
GOLF	(206,401.66)	274,196.18	303,818.27	-	(236,023.75)
GOLF CAPITAL IMPROVEMENT	154,866.17	-	-	-	154,866.17
SELF-INSURANCE FD.	2,835,452.66	107,454.62	55,759.18	-	2,887,148.10
SANITARY SEWER CAP IMP.	1,813,718.07	6,516.70	-	-	1,820,234.77
MUNICIPAL CAPITAL IMP.	1,344,375.62	11,933.57	117,278.93	-	1,239,030.26
STREET CAPITAL IMPROVEMENT	1,047,033.90	-	-	-	1,047,033.90
BRIDGE & ARTERIAL STREET	470,742.28	5,220.00	-	-	475,962.28
WATER CAPITAL IMPROVEMENT	3,251,103.52	9,450.00	33,808.39	-	3,226,745.13
SURFACE DRAINAGE	129,331.09	2,337.90	-	-	131,668.99
TRAFFIC LIGHT CAPITAL IMPRV.	1,196,091.58	31,295.58	1,056.41	-	1,226,330.75
PARKS CAPITAL IMPROVEMENT	234,561.74	-	-	-	234,561.74
FIRE CAPITAL IMPROVEMENT	(3,406,926.33)	6,331.70	-	-	(3,400,594.63)
ZOO CAPITAL IMPROVEMENT	721,150.69	170,000.00	-	-	891,150.69
CIVIC AUDITORIUM CAPITAL IMP.	607,456.20	-	4,980.00	-	602,476.20
AIRPORT	2,255,950.26	201,508.48	280,970.03	-	2,176,488.71
WATER	25,689,932.03	847,273.25	301,486.71	-	26,235,718.57
SANITATION	2,100,462.01	389,607.84	394,049.87	-	2,096,019.98
AMBULANCE	(1,401,817.29)	235,229.51 ⁽¹⁾	702,400.46	-	(1,868,988.24)
IDAHO FALLS POWER	18,074,367.55	4,211,705.72	4,771,583.19	-	17,514,490.08
IFP RATE STABILIZATION FD	20,100,016.81	-	-	-	20,100,016.81
IFP CAPITAL IMPROVEMENT	11,995,091.90	-	-	-	11,995,091.90
WASTEWATER	2,295,059.45	928,119.01	2,510,539.40	-	712,639.06
PAYROLL LIABILITY FUND	330,766.33	-	-	-	330,766.33
POOL CASH FUND	(11,886.10)	-	-	-	(11,886.10)
TOTAL ALL FUNDS	124,898,223.56	9,866,801.01	15,911,124.13	-	118,853,900.44

Footnotes:

(1) Due to system issues, electronic deposits estimated at \$738,648.07 in Ambulance Wittman collections were not included in the total receipt amount. These deposits will be reported on the July Treasurer's Report.

(2) Increase in general fund expenditures due to three payrolls in June.



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: August 13, 2018

RE: Street Department Purchase of Used Paver

It is the recommendation of the Municipal Services Department and Public Works to request authorization to purchase one (1) used 2014 LB Performance/Leeboy Asphalt Paver, Model PF1510, with approximately 1,200 hours from Cate Equipment of Pocatello, Idaho for a total price of \$120,000. The purchase of this used paver will allow the Street division to perform larger spot repairs without the need to contract out the paving portion. Funds to purchase the used paver is budgeted in the Street Department 2017/2018 budget for \$140,000.

Respectfully,

Pamela Alexander
Municipal Services Director



CATE EQUIPMENT COMPANY
CONSTRUCTION, MINING, INDUSTRIAL EQUIPMENT

2747 GARRETT WAY · POCATELLO, ID 83205

PHONE (208) 232-7001 · FAX (208) 232-7062

www.cateequipment.com

Date: 8/9/18

Offer Expiration Date: 9/9/18

To: City of Idaho Falls- Street Department
Attn: Brian Cardon- Street Superintendent
Phone: (208) 612-8490
E-mail: bcardon@idahofallsidaho.gov

From: Scott Kearn, Territory Manager

Re: Paver Offer(s)

Cate Equipment Company is pleased to offer you the following equipment for your review and consideration, all existing terms & conditions to apply. Prices are subject to change without notice – a steel surcharge may apply for new equipment purchases. **All equipment is subject to prior sale & availability.** All offers are subject to State and Federal taxes where applicable. All freight is F.O.B. Pocatello, ID unless otherwise stated. Cate Equipment Company reserves the right to correct all clerical and verbal quote errors.

USED:

One (1) each **LB Performance/ Leeboy model PF1510 Asphalt Paver**, Used 2014 model with approx. 1,200 hrs. Currently at our Salt Lake location:

PURCHASE PRICE: \$119,000.00

Freight: SLC-POC: \$800.00 SLC-IF: \$1,000.00

We appreciate this opportunity to gain your business. Please contact us should you have any additional questions.

Sincerely,

Scott Kearn





Idaho Statutes

Print Friendly

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 28

PURCHASING BY POLITICAL SUBDIVISIONS

67-2803. EXCLUSIONS. The procurement requirements established in this chapter shall not be applicable to:

(1) The acquisition of personal property when the procurement duplicates the price and substance of a contract for like goods or services that has been competitively bid by the state of Idaho, one (1) of its political subdivisions, or an agency of the federal government;

(2) Contracts or purchases wherein expenditures are less than fifty thousand dollars (\$50,000), provided such contracts or purchases shall be guided by the best interests of the political subdivision procuring the goods and services as determined by the governing board;

(3) Disbursement of wages or compensation to any employee, official or agent of a political subdivision for the performance of personal services for the political subdivision;

(4) Procurement of personal or professional services to be performed by an independent contractor for the political subdivision;

(5) Procurement of an interest in real property;

(6) Procurement of insurance;

(7) Costs of participation in a joint powers agreement with other units of government;

(8) Procurement of used personal property;

(9) Procurement from federal government general services administration (GSA) schedules or federal multiple award schedules (MAS);

(10) Procurement of personal property or services through contracts entered into by the division of purchasing of the department of administration of the state of Idaho;

(11) Procurement of goods for direct resale;

(12) Procurement of travel and training;

(13) Procurement of goods and services from Idaho correctional industries;

(14) Procurement of repair for heavy equipment;

(15) Procurement of software maintenance, support and licenses of an existing system or platform that was bid in compliance with state law;

(16) Procurement of public utilities;

(17) Procurement of food for use in jails or detention facilities; or

(18) Procurement of used equipment at an auction if authorized by the governing board.

History:

[67-2803, added 2005, ch. 213, sec. 37, p. 669; am. 2009, ch. 174, sec. 1, p. 554; am. 2010, ch. 123, sec. 1, p. 269; am. 2011, ch. 320, sec. 1, p. 937; am. 2016, ch. 290, sec. 1, p. 820; am. 2017, ch. 197, sec. 4, p. 484.]

How current is this law?

Search the Idaho Statutes and Constitution



MEMORANDUM

TO: Mayor Casper, City Council, and City Clerk Hampton

FROM: Fire Chief Dave Hanneman

DATE: Aug. 16, 2018

RE: Council Item for Aug. 20th meeting

Mayor and Council Members,

Attached please find an agreement between the CITY and Bonneville County. Currently, the CITY and County have a mutual aid agreement to assist the Sheriff on wildland fires in the area of the County not covered by a fire district. The mutual aid agreement is beneficial in order to extinguish fires when they are small. This agreement provides that the County will purchase a wildland engine for the CITY to use to help extinguish fires in the County. This will be provided through a lease agreement between the CITY and County. Legal has written the agreement and approves the language. The Fire Department respectfully requests approval of the lease and authorization for the Mayor and City Clerk to execute the necessary documents.

Respectfully,

A handwritten signature in dark ink that reads "Dave W. Hanneman". The signature is written in a cursive, flowing style.

Fire Chief

FIRE ENGINE LEASE AGREEMENT BETWEEN
CITY OF IDAHO FALLS, IDAHO AND BONNEVILLE COUNTY

THIS FIRE ENGINE LEASE AGREEMENT BETWEEN CITY OF IDAHO FALLS, IDAHO AND BONNEVILLE COUNTY (hereinafter "Agreement") is made and entered into this ____ day of _____, 2018, by and between the CITY OF IDAHO FALLS, IDAHO, a municipal corporation of the State of Idaho, (hereinafter "CITY") and Bonneville COUNTY a political subdivision of the State of Idaho, (hereinafter "COUNTY"), effective _____, 2018, (the "Effective Date").

WHEREAS, CITY is a municipal corporation organized under the laws of the State of Idaho; and

WHEREAS, COUNTY is a subdivision of the State of Idaho; and

WHEREAS, CITY owns and operates a fire and public ambulance service as part of the City of Idaho Falls Fire Department; and

WHEREAS, CITY and COUNTY have entered into a joint services agreement where CITY has agreed to provide fire protection services to COUNTY; and

WHEREAS, COUNTY has purchased a fire engine for the protection of the county's landfill, and

WHEREAS, COUNTY owns a fire engine and other equipment, described in Exhibit "A" to this Agreement that it desires to lease to CITY for CITY's use in operating its fire and public ambulance service, including the services CITY renders to protect sheriff property; and

WHEREAS, nothing in this Agreement is intended to or should be interpreted to be a Joint Powers Agreement otherwise allowed by the Idaho Code.

NOW THEREFORE, pursuant to the authority vested in the parties by Idaho Code Section 67-2332, the parties agree as follows:

1. Term. The term of this Agreement shall commence on execution date of this Agreement and shall terminate on December 31, 2020. This Agreement shall automatically renew for a two (2) year term unless either party provides written notice of termination within thirty (30) days prior to the termination date.
2. Lease of COUNTY's Equipment. COUNTY agrees to lease to CITY, for the entire term of this AGREEMENT, the Leased Equipment described in Exhibit "A," (hereinafter "Leased Equipment") attached hereto and incorporated herein. The rental for such Leased Equipment shall be the sum of One Dollar (\$1.00) per year.
3. Use of Leased Equipment. CITY may use the Leased Equipment to provide fire protection services within the geographical limits of Bonneville County and the area defined within any mutual aid agreement executed by the Bonneville County Commissioners or the Bonneville

County Sheriff. Said equipment may be used for City's normal fire protection operations, wild fire responses, and protection of Sheriff lands. City may deploy for said purposes only. County shall have authority to request, by the Sheriff or other designated County officials, deployment of said equipment. The parties hereby acknowledge that the County landfill shall receive priority.

4. Maintenance of Equipment. CITY agrees to keep and maintain the Leased Equipment in a good state of repair throughout the term hereof, and CITY further agrees to purchase and maintain property damage insurance for at least the actual cash value thereof, and shall provide COUNTY with a certificate of such coverage from the Idaho Counties Risk Management Program (ICRMP).

In the event of any loss or damage to Leased Equipment, such that the Leased Equipment substantially loses its ability to operate in a safe, efficient or economical fashion, the parties agree that they will meet in good faith to discuss whether the Leased Equipment should be replaced.

CITY agrees to forthwith surrender all Leased Equipment described in Exhibit "A" to COUNTY, upon termination of this AGREEMENT.

5. Major Expenses for Replacements or Repair. COUNTY agrees to be responsible for major expenses for replacement or repair to the Leased Equipment. The Parties agree that major repair is defined to be non-aggregate expense of Five Thousand Dollars (\$5,000) or more.
6. Interpretation of Agreement. This Agreement has been mutually drafted and reviewed by legal counsel for both parties hereto. In the event of any ambiguity in the terms and conditions hereof, no adverse construction shall be drawn against the drafter hereof, it being the parties' intention that this Agreement be construed solely in accordance with the parties' intent as may be evidenced by any extrinsic circumstances demonstrating such intent.
7. Venue and Jurisdiction. This Agreement shall be governed by the laws of the State of Idaho. The venue for any action arising out of this Agreement shall be exclusively in the COUNTY Court of the Seventh Judicial of the State of Idaho, Bonneville COUNTY or in the United States COUNTY Court for the COUNTY of Idaho.
8. Complete Agreement. This writing evidences the complete and final agreement of the parties regarding this subject matter and no other statement, representation or understanding shall be binding, except as expressly set forth in this Agreement or in another written agreement. In particular, this Agreement is intended to supersede all previous Fire Engine Agreements, by and between the parties hereto, regarding the Leased Equipment described in Exhibit "A."

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

ATTEST:

CITY OF IDAHO FALLS

By _____
Kathy Hampton, City Clerk

By _____
Rebecca L. Noah Casper, Mayor

ATTEST:

COUNTY OF BONNEVILLE

By _____
COUNTY Clerk

By _____
Roger Christensen, Chair, Board of COUNTY
Commissioners

STATE OF IDAHO)
) ss.
COUNTY of Bonneville)

On this _____ day of _____, 2018, before me, the undersigned, a notary public for Idaho, personally appeared Rebecca L. Noah Casper, known to me to be the Mayor of the City of Idaho Falls, Idaho, the municipal corporation that executed the foregoing document, and acknowledged to me that she is authorized to execute the same for and on behalf of said City.

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

Notary Public for Idaho
Residing at Idaho Falls
My Commission Expires: _____

(SEAL)

STATE OF IDAHO)
) ss.
COUNTY of Bonneville)

On this _____ day of _____, 2018, before me, the undersigned, a notary public for Idaho, personally appeared Roger Christensen known to me to be the Chairman of the Board of COUNTY Commissioners for the COUNTY of Bonneville, the COUNTY that executed the foregoing document, and acknowledged to me that he is authorized to execute the same for and on behalf of said COUNTY.

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

Notary Public for Idaho
Residing at Idaho Falls
My Commission Expires: _____

(SEAL)

City of Idaho Falls
Expenditure Summary
From 7/01/2018 To 7/31/2018

Fund	Total Expenditure
General Fund	1,335,212.51
Street Fund	190,595.33
Recreation Fund	27,276.85
Library Fund	36,696.94
MERF Fund	103,042.50
EL Public Purpose Fund	42,336.68
Golf Fund	47,248.42
Self-Insurance Fund	43,211.74
Street Capital Imp Fund	60,365.08
Traffic Light Cap Imp F	2,958.00
ZOO CAPITAL IMPROVEMENT	2,211.20
Civic Auditorium CIP	4,485.00
Airport Fund	347,978.77
Water Fund	614,987.01
Sanitation Fund	16,853.18
Ambulance Fund	85,360.14
Electric Light Fund	2,624,411.30
Wastewater Fund	180,404.26
Payroll Liability Fund	3,319,026.84
	9,084,661.75

July 12, 2018 - Unapproved

The City Council of the City of Idaho Falls met in Regular City Council Meeting, Thursday, July 12, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue, Idaho Falls, Idaho at 7:30 p.m.

Call to Order:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember Jim Francis
Councilmember Jim Freeman
Councilmember John Radford
Councilmember Shelly Smede
Councilmember Michelle Ziel-Dingman

Also present:

All available department directors
Michael Kirkham, Assistant City Attorney
Kathy Hampton, City Clerk

Pledge of Allegiance:

Mayor Casper requested Jackie Flowers, outgoing Idaho Falls Power Director, to lead those present in the Pledge of Allegiance.

Public Comment:

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

James Fleming, Idaho Falls, appeared. Mr. Fleming believes the City needs a splash park. He understands Reinhart Pool is being demolished and believes kids need a safe place to play in the summer. He indicated no lifeguard would be needed for a splash park only. Mr. Fleming believes there is a great sense of community and something is needed for our City to stand out. He requested consideration and discussion.

Dixie Oswald, Idaho Falls, appeared. Ms. Oswald stated she received a letter from the City regarding the weeds on her property. She indicated she called the City for inquiry as she has wildflowers around the mailbox. City personnel visited Ms. Oswald's residence and pointed out grass amongst the wildflowers. She reviewed the several grass types and the wildflowers. Ms. Oswald then called the Mayor's Office and was referred to Community Development Services Director Brad Cramer who indicated the three alternatives included the arbitration board, prove they were flowers (already attempted), or call the City Forester. Ms. Oswald chose to call Councilmember Smede who reviewed the surrounding area with Ms. Oswald. Councilmember Smede indicated she saw no reason for Ms. Oswald to cut her flowers and she would talk to Director Cramer. Shortly after Councilmember Smede left, Ms. Oswald stated she received a phone call from the City Forester who then visited her property. He stated he would compromise and give Ms. Oswald a grass killer. She stated she did not want a grass killer and told him to get off her property. Ms. Oswald stated she has taken care of her property for 20+ years. She indicated an additional call to the Mayor's Office proved fruitless as she was told she could not have an appointment with the Mayor without a specific subject. She does not understand why a Mayor could not meet with someone in an arbitrary appointment. Ms. Oswald believes the City group needs to look in the mirror before harassing about flowers. She also believes whoever reported her should be reprimanded for causing a problem when there really wasn't one.

Suzanne Neilson, Idaho Falls, appeared. Ms. Neilson stated she has lived on the west side of town for more than 30 years and her children spent many hours at Reinhart Park enjoying the pool. She believes it would be prudent to use the current facilities for a splash park.

Consent Agenda:

Municipal Services requested approval of Quote 18-105, Fire Department Administration Vehicle Equipment Up-fit; Quote 18-106, Maeck Education Center Furniture; and, Bid Award IF-18-25, Decorative Street Light Poles and Luminaire.

The City Clerk requested approval of minutes from the June 14, 2018 Idaho Falls Power Board Meeting; June 25, 2108 Council Work Session; and, June 26, 2018 Annual Public Works Department Utility Meeting; and, license applications, all carrying the required approvals.

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

Regular Agenda:

Municipal Services

Subject: Idaho Falls Civic Center for the Performing Arts Ordinance for Donations

The Idaho Falls Civic Center for the Performing Arts Committee is recommending an ordinance to City Council. As part of the committee's role in the development of a long-term financial plan, the ordinance empowers the committee to seek outside funding and in-kind donations for Civic Center projects, which may include programs and capital improvements. The development and acceptance of outside funding donations would be subject to approval by the City Council and in accordance with City budget procedures.

Councilmember Radford stated this item was presented at the June 25, 2018, Council Work Session. He indicated this is an excellent example of private/public partnership.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to approve the Idaho Falls Civic Center for the Performing Arts Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

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

ORDINANCE NO. 3197

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 2, CHAPTER 9 TO ALLOW THE IDAHO FALLS CIVIC CENTER FOR THE PERFORMING ARTS COMMITTEE TO SEEK FUNDING FOR CIVIC CENTER PROJECTS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Idaho Falls Power

Subject: Approve a Joint Development Agreement with PacifiCorp for 161 kV Sugarmill to Paine Transmission Project

Idaho Falls Power accepts delivery of its power supply at two points of delivery that are interconnected to PacifiCorp. Additionally, Idaho Falls Power (IFP) and PacifiCorp, doing business as Rocky Mountain Power, collocate distribution and transmission circuits on common pole lines where possible in and around the City to minimize encumbrances on public right-of-way (known as joint use). At its December 21, 2017 meeting, the City Council approved a Memorandum of Understanding (MOU) to commit both parties to continue working towards

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Definitive Agreement(s) on the matters identified in the MOU. This Joint Development Agreement is the first such agreement.

Councilmember Radford believes this is a historic moment.

It was moved by Councilmember Radford, seconded by Councilmember Hally, to approve the Joint Development Agreement with PacifiCorp for 161 kV Sugarmill to Paine Transmission Project, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smede, Hally, Radford, Dingman, Freeman, Francis. Nay – none. Motion carried.

Subject: Approve the Asset Purchase Agreement with Rocky Mountain Power Along Holmes Avenue

For consideration is the Asset Purchase Agreement between the City of Idaho Falls and Rocky Mountain Power related to transfer of services to the Century Link and Cable One on Holmes Avenue south of 49th South. Rocky Mountain Power has requested this transfer to facilitate removal of their old alignment which is necessary to expand this section of Holmes Avenue. Rocky Mountain Power is proposing to waive the fees associated with the transfer.

Councilmember Hally stated purchase agreements are common. This item was discussed at the July 12, 2018, IFP Board Meeting

It was moved by Councilmember Hally, seconded by Councilmember Radford, to approve the Asset Purchase Agreement with Rocky Mountain Power, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

Subject: Approve a Master Services Agreement with the Idaho Regional Optical Network

The Idaho Regional Optical Network (IRON) owns and operates fiber optic network infrastructure throughout Idaho for the purpose of transporting telecommunications traffic serving the state's unique education, research, health care and government needs. IRON has leased fiber from Idaho Falls Power since approximately 2012, using that pair to connect higher education facilities in Idaho Falls. As Idaho Falls Power has been finalizing plans to expand fiber service within our territory, we have identified IRON as a critical strategic partner in a variety of scenarios including expansion of services to the newly developed College of Eastern Idaho. The Master Services Agreement is the blanket agreement governing all work between IRON and the City of Idaho Falls dba Idaho Falls Power.

Councilmember Radford stated the City is trying to find ways to provide fiber to homes in the community, a pilot project will be beginning soon.

It was moved by Councilmember Radford, seconded by Councilmember Hally, to approve the Master Services Agreement with the Idaho Regional Optical Network, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

Subject: Permission to Contract with Mountain West Electric for Electric Upgrade at BEA Facilities

Battelle Energy Alliance (BEA) requested conversion of certain facilities from Small Industrial to Commercial service. As a part of the conversion, it was necessary to upgrade and replace certain facilities in order to be compliant with Idaho Falls Power (IFP) system requirements for reliability and safety. Informal bids were solicited from qualified electrical contractors. Staff respectfully requests City Council award the bid to the lowest responsive, responsible bidder Mountain West Electric in the amount of \$147,870.00.

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Councilmember Hally stated this item was also discussed at the July 12, 2018, IFP Board Meeting. Councilmember Radford expressed his appreciation for these facilities in our community. He recognized the work of the State legislature and the local power system to make this possible.

It was moved by Councilmember Hally, seconded by Councilmember Radford, to award the electric upgrade bid to the lowest responsive, responsible bidder, Mountain West Electric, in the amount of \$147,870.00. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

Community Development Services

Subject: Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Sandstone Estates Division No. 1

For consideration is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Sandstone Estates Division No. 1. The Planning and Zoning (P&Z) Commission considered this item at its May 1, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

Councilmember Smede stated the plat includes nine (9) single-dwelling lots and one (1) common lot, and there is a potential shared-use path tying into the Connecting Our Community Plan. She reviewed the access points. Councilmember Francis questioned the additional outlined area on the map. Director Cramer stated the additional lines are preliminary only for future development.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Development Agreement for Sandstone Estates Division No. 1, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Final Plat for Sandstone Estates Division No. 1, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

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

Subject: Annexation and Initial Zoning of I&M, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E

For consideration is the application for Annexation and Initial Zoning of I&M, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E. The Planning and Zoning Commission considered this item at its June 5, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

Councilmember Smede stated this property is currently partially developed. This is a Category A annexation and is similar to other developments in the adjacent area. Councilmember Smede indicated the IM Zone is not a precise fit for this area although the IM uses are allowed. The IM Zone is consistent with current zoning and land uses in the area. Councilmember Freeman questioned the educational uses. Director Cramer stated the Higher Education Center designation recognizes the community college (College of Eastern Idaho (CEI)) although the bulk of higher education is in closer proximity to University Boulevard with connections to other educational institutions,

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including research uses with the lab. As the campuses grow, the support uses for the lab will spread into that general area to allow for research.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Ordinance annexing M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

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

ORDINANCE NO. 3198

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 3.54 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 Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Dingman, Radford, Francis, Smede, Hally, Freeman. Nay – none. Motion carried.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to assign a Comprehensive Plan Designation of Higher Education Centers and to approve the ordinance establishing the initial zoning for M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E, as I&M Zone, under the suspension of the rules requiring three complete and separate readings and 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. Roll call as follows: Aye – Councilmembers Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

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

ORDINANCE NO. 3199

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 3.54 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS I&M ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of I&M Zone for M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Smede, Dingman, Freeman, Francis, Radford. Nay – none. Motion carried.

Subject: Public Hearing - Annexation and Initial Zoning of RE, RP, R1, R2, and LC, Annexation and Zoning Ordinances, Annexation Plan, and Reasoned Statements of Relevant Criteria and Standards, M&B: Approximately 58.6 Acres, Sections 31 and 32, T 2N, R 38E

The application for Annexation and Initial Zoning of RE, RP, R1, R2, and LC, Annexation and Zoning Ordinances, Annexation Plan, and Reasoned Statements of Relevant Criteria and Standards, M&B: Approximately 58.6 Acres, Sections 31 and 32, T 2N, R 38E. This is a City-initiated annexation being processed as a Category B annexation.

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The Planning and Zoning Commission (P&Z) considered this item at its May 1, 2018, and June 5, 2018, meetings. In May, the Commission recommended the item be tabled so staff could provide additional information to clarify questions brought up during the hearing. In June, the Commission recommended approval by unanimous vote. Staff concurs with this recommendation.

Mayor Casper stated this item is a Category B annexation which is a City-initiated annexation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record.

Director Cramer reiterated the Category B annexation with a variety of initial zonings proposed. He believes this is the first Category B annexation the City has processed. Director Cramer stated in 2014, while working on the Area of Impact (AOI) with Bonneville County, the question came up whether or not the City could or should extend utilities into the County prior to annexation. There are approximately 300 parcels currently receiving at least one (1) City utility (sewer, water, or power). As this significant number of parcels were reviewed, it was determined some parcels had agreements to annex once contiguous, some did not, and some agreements did not exist. The Council at the time requested staff to proceed forward with annexations to those parcels that were receiving the City utility. The policy was to begin with Category A annexations. Category A must be less than 100 parcels that are all a residential land use, and completely surrounded or enclaved by existing City limits. Category A's were annexed shortly thereafter. The second directive was to review Category B annexations. Director Cramer stated there is a variety of Category B annexations. He indicated if it were not for two (2) parcels in this particular boundary, this item would be considered a Category A annexation. Due to the commercial uses within this boundary, it cannot be considered Category A unless the property owner requests the annexation. The property contains less than 100 parcels and is completely surrounded by the City. The City has taken the extra requirements, including a detailed annexation plan, and Local Land Use Planning Act (LLUPA) requirements. Director Cramer indicated the State recognizes growth of cities and authorizes the cities to proceed with annexations. Category B holds the City to higher standards for due process and planning for annexation. He stated in previous hearings and meetings it was noted not all parcels currently receive a City utility. If only those particular properties with a City utility are annexed, County islands will continue to exist. The rationale for annexation is not just about utilities, annexation also provides an efficient provision of services and equitable taxation. The City public safety services and roads/streets can only be served to the City area. Therefore, County taxpayers pay the additional services to these islands. It did not make sense to leave the County islands. Director Cramer stated receipt of a City utility is not considered a State qualifier. State Code states if a property is receiving a City utility, and had an agreement to annex once contiguous and that agreement was recorded, that is considered implied consent. Director Cramer indicated that none of the agreements, to staffs knowledge, were recorded. The principle of receiving a City service in an area where the City has grown implies those properties will be brought into the City.

Director Cramer appeared with the following:

Slide 1 – Properties under consideration in current zoning, there is a variety of zoning

Director Cramer stated adjacent properties will be considered in the future as there is currently no internal sewer or water to these adjacent properties.

Slide 2 – Aerial photo of properties under consideration

Slide 3 – Additional aerial photo of properties under consideration

Slide 4 – Aerial photo with proposed zoning designations of LC, RE, RP, R1, and R2

Director Cramer explained the reasoning within each zone. He noted it is unlikely residential could be developed on commercial properties due to the lack of ingress/egress.

Slide 5 – Aerial photo of current Bonneville County zoning designations

Slide 6 – Future Land Use of the Comprehensive Plan

Slide 7 – Utility composite map

Director Cramer noted with the exception of four (4) parcels, the remaining parcels receive a City utility or have an agreement for City utility.

Slide 8 – Photos of properties along Sunnyside Road

Slide 9 – Additional photos of properties along Sunnyside Road

Slide 10 – Photos of Sunnyside Road and Rustic Lane (Rustic Lane would remain a private road)

Slide 11 – Photos of properties along Holmes Avenue

Director Cramer stated two (2) public hearings were held by the P&Z Commission to discuss the variety of zonings. The P&Z ultimately approved the annexation. Councilmember Freeman questioned the single annexation versus two (2) annexations. Director Cramer stated staff was unsure what dividing the annexation would accomplish as the annexation answer was the same. Councilmember Radford questioned the canal company included in the annexation. Mayor Casper believes the canal is operated by the Idaho Irrigation Company. Councilmember Francis questioned dividing Category A and Category B annexations. Director Cramer stated due to only a portion of the Category A enclave being annexed, it made sense to provide the higher standard and include that portion in the Category B annexation.

Mayor Casper requested any public comment.

Melanie Smith, S. Holmes, appeared. Ms. Smith appeared with comments on behalf of a neighbor, Diane Baird, who was unable to attend. Ms. Baird's property comprises the southernmost two (2) plots of the large area on the west side of Holmes Avenue. Two issues of concern include: the rural residential properties on the west side of Holmes Avenue, which have been included along with properties on the south side of Sunnyside Road, are zoned as commercial or medium density. These two (2) areas have nothing in common in terms of zoning or the issues in the annexation process; and, the properties are part of a larger enclaved area which includes properties to the south and east on Holmes Avenue. These are rural residential properties which have common issues. Ms. Baird stated few of the residents use City services as access to City services is complicated and cost prohibited for many, and impossible at this point for others. The elevation of the sewer system is incompatible with the properties and there is an open irrigation ditch which impacts access to City services. Ms. Baird requested the City consider a more comprehensive long-term planning approach. It is well known the City is expanding to the south and as a consequence Holmes Avenue will be widened. At such time the City will need to address the irrigation ditch, exposure of sewer and water lines and access to the adjacent property. Ms. Baird also requested the Council to consider the timing of this forced annexation for cost effectiveness for land owners as well as the City. The annexation would be more equitable for all properties in the enclaved area. Ms. Baird does not want to be annexed as she sees little value, however, if the City wishes to pursue the annexation she requested fair consideration as she will be asked to pay City taxes for City services which are truly not accessible. She believes when Holmes Avenue is widened money may have been spent unnecessarily. If the annexation occurs the taxes will increase by 250% and there will be no real access to City services. Ms. Baird, once again, requested the City not pursue annexation of properties on the west side of Holmes Avenue until Holmes Avenue is widened which will then provide access to City services.

Ms. Smith stated she concurs in large part with Ms. Baird's comments. She indicated several P&Z Commissioners recognized that the forced annexation on the southwest area of Holmes Avenue and Sunnyside Road represented a different category. These properties generally do not have City services, defined as water, sewer, and electrical power. The majority of these properties would have trouble accessing those services. Ms. Smith currently relies on irrigation, septic tank, a well, and Rocky Mountain Power (RMP). She indicated City staff has stated this forced annexation is not about increasing City revenue although Ms. Smith believes this does relate to economics. The County tax is 0.04 rate and the City tax is 0.095 rate, there is a concern for the tax rate. Ms. Smith stated an adjacent neighbor recently sold her property due to the concerns of the additional tax. Ms. Smith is not opposed to the annexation, although she requested the Council to consider creating a transitional tax levy for these properties, particularly for those who do not have City services and for those expensive City services to access. Access to water and sewer would be cost prohibited. She understands, per previous Prestwich Estates annexation, the buyout for IFP was extremely expensive, although a buyout amount for this area is currently unknown. She believes whatever Council action occurs will be precedent to the adjacent properties.

Russ Bishop, S. Holmes, appeared. Mr. Bishop stated his resident is approximately 200' off the main road. Some residents have no City services and no realistic option to access water or sewer as it is cost prohibitive. He indicated a pump station would need to be installed for the septic tank. He believes an equitable tax would be commensurate with services received. Mr. Bishop pleaded to consider a tax rate for those who do not have access to City services as he believes this will have a negative impact on property value.

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Travis Waters, Idaho Falls, appeared. Mr. Waters reviewed parcels that are proposed to be zoned as LC. He indicated his property includes three (3) shallow lots, which he views as one (1) property with three (3) acres. He has been using his property for agricultural purposes and does not want to lose that opportunity. Mr. Waters is not opposed to the annexation as he understands the cost savings although he wants a use that makes sense. He believes his property should be zoned PB versus a group of LC. Mr. Waters wishes to use the property as agricultural purposes until the property is sold or developed. He reviewed the LC requirements as well as adjacent properties with regard to the size of the properties.

Director Cramer reappeared. Councilmember Dingman questioned the number of parcels with no City services and the potential pump stations. Director Cramer stated there are a total of five (5) parcels that have no City service. He indicated, per discussion with Public Works Director Chris Frederickson, an individual pump station would be required for some properties, although there are currently a number of lots within the City with a similar issue. Any pump station would be paid by the homeowner. Director Cramer noted property owners would not be forced to connect. Councilmember Smede questioned the 250% tax rate increase as indicated by Ms. Smith. Director Cramer does not agree with that tax rate increase. He also stated if a customer switches from RMP to IFP there is a required buyout including a prorated cost of the infrastructure. IFP will pay half of the infrastructure cost. RMP will not give an estimate of costs until the property is annexed. He noted the \$95,000 cost for Prestwich Estates is spread out over all the parcels, this is not an individual charge. IFP also spreads the surcharge fee over time, this rate was lower overall than the RMP rate. Councilmember Freeman questioned Mr. Waters properties. Director Cramer does not disagree with Mr. Waters' request for PB zoning. He indicated staff concern was the change of zoning in a similar area. He stated anything that is currently legal in the County, such as agricultural use, can continue and will remain legal in the City until that use changes. Mayor Casper requested clarification of the tax consideration. Mr. Kirkham stated State legislature does not allow an option of a change in the tax levy rate. He indicated a Local Improvement District (LID) is the closest thing to a separate tax. A LID could be explored. Director Cramer clarified sewer and water services are fee-supported services, not tax-supported services. Councilmember Francis questioned if this item could be tabled to explore spreading out the cost of utilities. Director Cramer believes a LID is the only way to spread out utility costs. He reiterated there is no forced connection to utilities. Councilmember Dingman clarified the only immediate cost for the annexation is the tax levy rate. Director Cramer indicated there are cost savings for City utility services. Councilmember Radford questioned the widening of Holmes Avenue. Director Cramer stated he is unaware when Holmes Avenue would be widened although he does not believe any costs would change. Councilmember Smede questioned the remaining number of Category A and Category B annexations. Director Cramer indicated there are no neighborhood Category A annexations, there are approximately 200 parcels included in Category B, with a potential of eight (8) public hearings. Councilmember Dingman questioned a property owner's remedy of a disagreement with the proposed zoning. Director Cramer indicated the property owner would need to apply for a rezone, with the required public hearings. Councilmember Francis reiterated a property owner would not have to change to City services. Director Cramer stated RMP would require a request from all residents to change to IFP. Director Cramer stated County residents currently pay Fire District and Library fees, which would be reduced as a City resident. He believes there are benefits derived to annexation, the value is already being received on some level by the City.

Travis Waters reappeared. He believes the shallow lots should all be zoned LC, which will save him from requesting a rezone.

Don Rydalch, Summerfield Circle, appeared. Mr. Rydalch expressed his concern for the lots proposed as R2 and he questioned the access. He indicated there is vehicular traffic day and night due to a State facility in close proximity and the only entrance includes a curve. He believes the zoning needs to be less than LC due to the extra commercial-type of business and vehicles. He reiterated access to the area is a problem and would only be more difficult with additional commercial development.

Josh Jackson, Idaho Falls, appeared. Mr. Jackson concurred with Mr. Waters regarding the LC zone as this would conform with current businesses along Sunnyside Road.

Mayor Casper closed the public hearing.

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Councilmember Smede reiterated P&Z and staff due diligence. She stated the Council has adopted a policy to annex eligible properties. She feels empathy for the affected individuals although she believes the taxes are a trade-off for the location. Councilmember Smede stated these properties are enclaved by City although she is unsure of the proposed zoning. She prefers the Council decision to be clean, fair, and address those concerns. Councilmember Dingman understands the frustration and concern (in the public hearing) for the lack of information in the various areas. She believes the issue is with the zoning designations as she does not believe the zoning designations are consistent with recent Council action related to the Comprehensive Plan. She is supportive of the annexation but is not supportive of the zoning designations as proposed as she believes this would put an undue burden on the property owners for any potential rezone application. She would prefer staff to reconsider the zoning. Brief discussion followed regarding a modified motion. Director Cramer clarified the zoning ordinance and the Reasoned Statement of Relevant Criteria and Standards would need to be modified in the event of a modified motion. Councilmember Freeman reiterated City services are fee-based services and are unrelated to taxes. Councilmember Smede expressed her concern for amending the zoning designations based on the posted agenda and Council discussion. Mr. Kirkham stated Council is allowed to modify a recommended action per the Open Meeting Law.

It was moved by Councilmember Smede, seconded by Councilmember Radford, to approve the Ordinance annexing M&B: approximately 58.8 Acres, Sections 31 and 32, T 2N, R 38E, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Smede, Hally, Radford, Francis. Nay – Councilmembers Dingman, Freeman. Motion carried.

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

ORDINANCE NO. 3200

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 58.8 ACRES DESCRIBED IN EXHIBITS A-F 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 Councilmember Smede, seconded by Councilmember Radford, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for M&B: Approximately 58.8 Acres, Sections 31 and 32, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smede, Francis, Hally, Radford. Nay – Councilmembers Dingman, Freeman. Motion carried.

It was moved by Councilmember Smede to assign a Comprehensive Plan Designation of Estate, Low Density Residential, and Planned Transition and to approve the ordinance establishing the initial zoning for M&B: approximately 58.8 Acres, Sections 31 and 32, T 2N, R 38E, as RE, RP, R1, R2, and LC Zones, under the suspension of the rules requiring three complete and separate readings and 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 seconded by Councilmember Radford with amendment to Lots 946, 960, and 980 as LC Zone. Councilmember Francis seconded the amended motion and requested Councilmember Radford's reason for the amendment. Councilmember Radford believes the LC Zone is more consistent with the Comprehensive Plan. Roll call on the amended motion as follows: Aye – Councilmembers Dingman, Freeman, Hally, Radford, Smede. Nay – Councilmember Francis. Motion carried. Roll call on all zoning designations as follows: Aye - Councilmembers Hally, Radford, Francis, Dingman, Smede, Freeman. Motion carried.

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

ORDINANCE NO. 3201

AN AMENDED ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 58.8 ACRES DESCRIBED IN SECTION 1 AND EXHIBIT A OF THIS ORDINANCE AS RE, RP, R1, R2, AND LC ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the amended Initial Zoning of I&M Zone for M&B: approximately 58.8 Acres, Sections 31 and 32, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

Subject: Public Hearing - Rezoning from R3A, R2, and RP to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Lots 1-2, Block 1, Hatch Division No. 1 and Lots 21-23, Block 1, Hatch Division No. 5

For consideration is the application for Rezoning from R3A, R2, and RP to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Lots 1-2, Block 1, Hatch Division No. 1 and Lots 21-23, Block 1, Hatch Division No. 5. The Planning and Zoning Commission considered this item at its June 5, 2018 meeting and recommended denial by a 4-2. However, this vote is not indicative of the discussion and staff strongly recommends reviewing the minutes for this meeting. The staff report to the Planning and Zoning Commission recommended approval, but with the caveat that the Commission and now the Council carefully consider the policies of the Comprehensive Plan and the standards in the LC zone designed to reduce nuisances on adjacent properties. Staff supports the Commission recommendation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record.

Director Cramer appeared with the following:

Slide 1 – Property under consideration in current zoning

Director Cramer stated the rezone is consistent with other zones on the three (3) corners in this area as well as the surrounding property.

Slide 2 – Aerial photo of property under consideration

Slide 3 – Additional aerial photo of property under consideration

Slide 4 – Additional aerial photo of property under consideration

Slide 5 – Comprehensive Plan Future Land Use Map

Slide 6 – Potential development of site map

Director Cramer stated buffering requirements are important for the rezone. Minimum standards include a 20' landscape buffer along all public streets and, buildings are required to be set back from all public streets 30' although there is an exception to encourage buildings to be closer to public right-of-ways (the setback and landscaping could be reduced to 10' if there is no asphalt in between the landscape and the building and there is a pedestrian connection). The landscaping could also be reduced with an appropriate fence. Director Cramer reviewed potential additional landscaping, service areas, lighting requirements, and, proposed access area.

Slide 7 – Photos of existing office building

Slide 8 – Photos of commercial uses on First Street and Woodruff Avenue

Slide 9 – Photos of homes on Carol Avenue

Slide 10 – Additional photos of homes on Carol Avenue

Slide 11 – Additional photos of homes on Carol Avenue

Additional slides will be submitted by the applicant.

Director Cramer stated staff's recommendation for approval has to do with the principles of the Comprehensive Plan as the Comprehensive Plan encourages services and higher density residential on arterial corners; addresses access to minimize disruptive efforts on traffic flow; buffers commercial uses from residences; and, ensures

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industrial and heavy commercial traffic does not occur through neighboring residential areas. Director Cramer believes the Comprehensive Plan had more policies to support the rezone to the commercial zone. He indicated this was a very difficult issue for P&Z.

Director Cramer stated emails were received by staff in addition to the information previously submitted. He read the following emails into the record:

Dear Mayor and Council Members,

We are writing in regards to the proposed zone change for the two lots at the south end of Carol Avenue. We support the Planning and Zoning Commission's recommendation to deny the request. We ask that you too, concur with the recommendation and deny the request.

Everything possible needs to be done to maintain the current residential zoning on those two lots. Residential structures need to be maintained to retain a dignified and attractive entrance to our subdivision. This entrance to our subdivision is the most important of the four entrances because of its proximity to the major intersection of First Street and Woodruff. Granting an LC re-zone on the two residential lots would open up too many potential uses with negative consequences that would adversely affect our subdivision.

Another major issue is cut-through traffic on Carol Avenue when westbound traffic is backed up on First Street at the intersection with Woodruff. We live on Ruth Avenue. Our street is already being adversely affected when drivers cut off at Hatch and proceed west on Masters, having both Ruth Avenue and Carol Avenue to travel north to Caribou. Some turn on Ruth. Some turn on Carol. They go to Caribou, turn right at the light, and go north on Woodruff by-passing the traffic light at First and Woodruff.

If this LC rezone request is approved, the quality of life for families living in the subdivision will be adversely affected. Our property values will go down. You will put us all on a slippery slope. What's to stop re-zone requests at the intersections of Kearney and Woodruff, Caribou and Woodruff, and Hatch and First Street?

Please do the right thing for our subdivision, Bruce and Rita Rose.

Greetings Mr. (Kerry) Beutler (Assistant Community Development Services Director),

We reside in the Hatch Division that is being considered for rezoning. Our address is 243 Ruth Ave which is the next street over from Carol Avenue.

We apologize for this late email as we are recently new to Idaho Falls and we're trying to navigate the process to voice our opinion regarding this rezoning issue. Peggy spoke with Brian this morning from your office who was very helpful in showing us where to find the information that we needed.

We would like to express our opposition to the encroachment onto Carol Avenue. When we purchased our home in this division a year and a half ago the appeal for us was that this was an established residential neighborhood with the neighborly feel that we both grew up with in the Midwest. Our concerns if you allow commercial access to Carol Street are as follows:

1. We would lose the feel of a neighborhood.
2. We have a deaf child on Masters Street who's house is close to the corner of Carol Ave, this child rides his bike in this area.
3. The school bus picks up children on the corner of Masters and Ruth Ave which is close to Carol Ave. We have several new families with small children in our neighborhood.
4. Having business access to Carol Street would result in more traffic on Caribou Street which is at the other end of Carol Street.

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5. An increase in street noise. Our backyard faces Carol Street and we utilize our deck in the summer and we currently have plenty of noise not only from the Maverick station but the traffic on 1st and Woodruff.
6. If the first two houses on Carol Ave are rezoned for commercial where does it end? Will the developer come back and want more?
7. What is the business the developer wants to put in this area? We have asked the planning office, searched the agenda and minutes from previous meetings and cannot find anywhere where it states what it is?

We would like to also point out that the developer sent a representative around to our neighborhood today (July 11th) to speak with the neighbors. Our neighbor to the south of us on Ruth Ave said he came to his door between 1:00 and 2:00 pm. We both work and this is the first time we have heard of them coming into our neighborhood to discuss the rezoning. We found this an odd time as many residents work during the day.

We ask that you please pass our concerns onto the City Council before they vote on this rezoning issue on Thursday July 12th. Thank you for your time, Gus and Peggy Mohr.

Mayor Casper requested the public outreach process. Director Cramer stated, from the staff level as required by State Statute, signs are posted on the property, legal ads are published in the newspaper, and a legal notice is sent to all residents within 300' of the parcel. Councilmember Dingman requested clarification how the Comprehensive Plan standards for LC Zone have been factored into staff's decision. Director Cramer stated complaints and concerns have been received for a number of years regarding traffic, noise, lighting, and, visualization. He indicated the LC Zone was specifically written to address these concerns. Staff believes if the rezone is done correctly, the zone would be appropriate near residential uses. He also indicated, per the staff report, some Comprehensive Plan policies suggest this may not be the best location for LC because of the traffic.

Councilmember Smede questioned the vacancy of the two (2) homes located in the proposed rezone. It was determined the homes are currently occupied.

Councilmember Radford questioned access from the other businesses onto First Street. Director Cramer stated access will be determined during site planning. He indicated any access to First Street would require at least 660' away from the intersection, there is not sufficient space at this location. He also noted that cannot be a requirement of the rezone. Councilmember Francis questioned why the owner is not required to demonstrate intent. Director Cramer stated there is a legal right to develop anything allowed in a zone. Some communities allow contract zoning, this is not an option in the City.

Mayor Casper requested any public comment.

Robert Cairns, Idaho Falls, appeared. Mr. Cairns indicated he also spoke at the P&Z public hearings regarding his family's concerns. He believes Carol Street will be used as an access road. He requested help to save the neighborhood. Mr. Cairns believes this is not similar to Walgreens, as noted with the zoning committee, as there are no exit points into the neighborhood.

Dillon Erickson, Carol Avenue, appeared. Mr. Erickson stated he has small children and does not want increased traffic on Carol Avenue. He also does not want greater risk to his family or neighbors. Mr. Erickson believes the proposed zoning is unnecessary and is a bad idea. He also believes the goals of the Comprehensive Plan are already being met. He requested to keep the neighborhood as a safe neighborhood.

Don Beckman, Masters Drive, appeared. Mr. Beckman believes there is currently too much traffic cutting through the neighborhood to miss the current bottleneck on First Street and Woodruff Avenue. He stated the neighborhood does not need additional commercial businesses as well as de-valuation of property. Mr. Beckman requested rejection of the proposal.

Laura Wallington, Idaho Falls, appeared. Ms. Wallington stated this is a complete family neighborhood with families, young children, and elderly. She indicated the neighbors cannot get out on First Street or Woodruff

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Avenue with the traffic. Ms. Wallington stated the property owner currently owns the two (2) homes as well as the corner business. She believes this property will be sold and it is unknown what will be built. She also believes the property values will go down as encroachment occurs.

Bob Haskins, Joan Drive, appeared. Mr. Haskins stated he was notified after very recently moving onto Joan Drive that a strip mall was going to be put into the neighborhood. He indicated he would not have purchased the home if he would have known about the development. Mr. Haskins believes the zoning is a level playing field and should be left the way it is. Only one will win if the strip mall is developed, the rest will lose. He requested Council consider if they want this in their backyard.

Duane Oswald, Carol Avenue, appeared. Mr. Oswald stated his home was one of the first homes built in that area. He indicated Dr. John Hatch promised him that it would never be zoned as commercial, even though there is a dentist office behind his home. Mr. Oswald believes a speed trap needs in place with the traffic. He also believes it would be a poor thing to rezone as the price of the homes will go down. He stated we have a great City and it should be left as is with great neighborhoods.

Eva Hynes, Carol Avenue, appeared. Ms. Hynes stated the amount of noise from the Maverik gas station is already horrific, even through the nighttime. She indicated any business would affect all the neighbors. She believes a good nights sleep and peace in the neighborhood is needed to stay healthy and well.

Crary Davis, Caribou, appeared. Mr. Davis stated it's difficult driving on Carol Avenue due to the trees overshadowing the road, and watching for children is a concern. He believes there will be an accident from the two (2) entrances.

Teresa Pope, Carol Avenue, appeared. Ms. Pope stated there are currently no businesses who have access onto Carol Avenue, therefore, this is a fairly safe neighborhood. She agrees with the other comments. Ms. Pope requested denial of the application.

Amanda Batchelor, Carol Avenue, appeared. Ms. Batchelor stated, along with the other comments regarding the traffic and decreased home value, she requested the Council to ask themselves how they would want the Council to vote if this was their homes.

Keith Hughes, Hatch Avenue, appeared. Mr. Hughes stated he is opposed to the rezone. He also stated, regardless of access on Carol Avenue or not, traffic will incur a large burden for those businesses. He indicated he has had vehicles onto his property. Mr. Hughes stated there is no elementary bus access and the heavy traffic is during the school hours. The kids must go to First Street due to the canal, there are no crosswalks, and this is a large safety burden for the kids. Mr. Hughes stated he has not been approached by the current owner or the developer. He believes the current owner could gain a respectable profit without rezoning.

Shakti Cain, Idaho Falls, appeared. Ms. Cain stated commercial business already has a huge presence in relationship to the intersection at First Street and Woodruff Avenue. She does not believe more business is needed as this is a residential conflict. Ms. Cain stated the Council represents the City, which is a business. The City has its interests as a business, we all live inside that business, and residential neighborhoods are to house the people that work for the business by paying our taxes. Ms. Cain stated where we live is important, even though the business may not see that as meaningful. She stated the residents are here to express themselves and to request not to do this. Ms. Cain stated the business doesn't ask the employees about the plan, as that doesn't matter, it's how the business feels. She requested consideration of feelings of the residential area that is safe, not just to support the corporation.

Dixie Oswald, Idaho Falls, appeared. Ms. Oswald believes the area was built as a residential area with beautiful homes. She believes the homes should not be sold to make money commercially.

Dean Mortimer, Idaho Falls, appeared. Mr. Mortimer stated he has owned the office building property since 1993. He purchased the two (2) adjacent residences to preserve the neighborhood, which he has renovated. He has also

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renovated the office building multiple times, which has continued to deteriorate in quality of the tenant. He believes the property is in transition with things that need to happen. Mr. Mortimer stated he respects the neighborhood and the residents. He hopes these people recognize this is a difficult position for all involved. He indicated traffic increases, buildings get old and need to be replaced, and, businesses need to be replaced. He believes the corner needs upgraded with a new business that is better than the current one. This could increase the traffic flow on Carol Avenue. Mr. Mortimer stated there is only one (1) parcel adjacent to the rezoning and the proper buffer would limit the effect on that property. He indicated this is a hard decision to improve a corner property although he believes the increase of a building would not negatively affect the neighborhood, with the exception of possible traffic. Mr. Mortimer stated he tried to visit with all neighbors who received the public hearing notification. He believes this would be a good change for the City.

Debby Irick, Caribou Street, appeared. Ms. Irick stated all the neighborhood kids come to her house. She believes the light needs to be changed with the WinCo traffic as people don't stop at the light.

Nancy Seamons, Carol Avenue, appeared. Ms. Seamons stated Carol Avenue is a narrow, dangerous street and is unsafe for everyone. She believes this rezone would make the homes go down in value. Ms. Seamons begged the Council not to approve.

Chip Swarze, Chamber of Commerce, appeared. Mr. Swarze stated he empathizes with the residents in this community. He believes the big issue is traffic control, not whether the use is consistent with the City's long-term plan. Mr. Swarze stated business is good for the community as they promote growth and provide the opportunity to provide things for our children. He advised the Council to separate the issue. He questioned whether the property owner is asking for something inconsistent with the City's long-term planning or against zoning rules and ordinances. Mr. Swarze stated the businesses have a right to be there, although the traffic issue needs addressed. He believes the traffic flow could change at this intersection. He questioned the denial of the owners' rights if the use is consistent with the Comprehensive Plan.

Don Beckman, reappeared. Mr. Beckman stated he sympathizes with Mr. Mortimer as a property owner. He questioned the sale of the property that could better the neighborhood. Mr. Beckman believes a business should be built in a commercial area, not a residential area. He does not want the residential district rezoned to commercial.

Travis Benson appeared. Mr. Benson currently has the corner property under contract. He stated precedence for zoning has already been established within the City, referring to the Maverik on the adjacent corner. He also stated the biggest concern is traffic. He indicated, according to a Bonneville Metropolitan Planning Organization (BMPO) traffic study, First Street and Woodruff Avenue intersection estimated 33,760 vehicles per day in 2014. This amount is projected to increase 18% by 2025, and 39% by 2040. Mr. Benson stated through redevelopment rezoning, there is opportunity to solve this problem. The opportunity would be similar to Walgreens as there is room to expand the intersection. This would include a right-hand turn lane to cut down on the amount of traffic that backs up at Carol Avenue. The access point on First Street would be eliminated, which would increase the safety at that intersection. The access point would be located on Woodruff Avenue further north, access would not be included on Carol Avenue.

Brent Butikofer appeared. Mr. Butikofer is the commercial broker for this corner property. He believes this property needs redeveloped. The property, as it currently sets, outweighs any benefit he can provide to any potential tenant. He stated the access points are too close to the intersection. He also stated the property is 40 years old, the access points made sense at that time. Mr. Butikofer believes the rezone will be part of the solution of the problem that the homeowners are concerned about. He also believes the turn lane proposal takes insights, takes rezone, takes progression, takes development, and takes companies with pockets for redevelopment. Mr. Butikofer stated the problem is the increase with traffic. He believes this problem will continue if not rezoned. If rezoned, there will be more mandated trees, more mandated landscaped, and could be made safer with the access points. Mr. Butikofer believes this is a challenging issue, although it is consistent with the zoning on the other three (3) corners and the Comprehensive Plan. It's also consistent with growth and redevelopment. He believes if the property is not rezoned, it will become a pigeon palace. He believes rezoning could attract more business.

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Sharmin Tibbitts, Masters, appeared. Ms. Tibbitts stated the other blocks have businesses, this is a residential area. She wants the area to stay residential, not business.

Mayor Casper reminded the Council that this issue is rezoning, not development. She closed the public hearing.

Councilmember Smede reiterated the Comprehensive Plan policies although the impacts on the residential neighborhood should be carefully considered. She stated the LC Zone is consistent with the four (4) corners, including the intersection at Woodruff Avenue and First Street, but it is not consistent with the residential land uses to the north and east. Councilmember Smede believes all information shared was concrete and transparent. She stated there is a list of vigorous development requirements that would need to be met to mitigate the negative impacts if rezoned to LC. She believes this could be an attractive lot but is concerned for the residents if the rezone is not approved as the owner could allow the lots to sit or the owner could remove the structures and leave the lots empty. Councilmember Smede stated the Councilmembers need to do what's best for Idaho Falls and to ensure the zoning laws are fair, consistent, and respected. She indicated this a tough decision. She questioned whether the benefit of turning the lots into commercial would be considered better or worse.

Councilmember Hally also believes this is a tough decision. He stated growth is going to happen and businesses gravitate to more activity. He believes the developers want to make this a nice piece of property as well as mitigate access on First Street. He also believes it will be inevitable that this property will be developed. The development may not have an impact on the neighborhood that the neighbors think may happen.

Councilmember Radford questioned if the intersection is on the Federal project list as he believes the intersection is clearly a problem. He indicated he would be supportive of the rezone if the two (2) homes were not included. He believes the risk is the two (2) homes.

Councilmember Dingman concurred with Councilmember Radford. She also reiterated this issue is about zoning and not development, therefore, any development promises are not applicable to the conversation. These decisions can live perpetuity and there are no guaranties the property could be bought and sold again with the developer changing that plan, although any plan could change based on the standards of the LC Zone. Councilmember Dingman strongly believes commercial uses should be allowed to encroach on residential areas to support neighborhood services. She indicated the size of the lots and the location was a deciding factor.

Councilmember Francis believes a rezone, which has been in place for multiple years, is very serious as residents have committed to that zoning. He also believes this will impact the neighborhood.

Councilmember Radford stated the Council wants to be supportive of development. He wants to protect the interest of the neighborhood along with protecting the interest of the property owners. He would like to see the property developed.

It was moved by Councilmember Smede, seconded by Councilmember Hally, to approve the ordinance rezoning Lots 1-2, Block 1, Hatch Division No. 1 and Lots 21-23, Block 1, Hatch Division No. 5., from R3A, R2, and RP to LC, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmember Hally. Nay – Councilmembers Freeman, Smede, Dingman, Radford, Francis. Motion failed.

Announcements and Adjournment:

Mayor Casper stated Wines in the Wild will be held at Tautphaus Park Zoo on July 13, 2018.

There being no further business, the meeting adjourned at 10:55 p.m.

CITY CLERK

MAYOR

July 13, 2018 Budget Session - Unapproved

The City Council of the City of Idaho Falls met in Special Council Meeting (Council Budget Session), Friday, July 13, 2018, at the City Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 1:00 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember Shelly Smede
Councilmember Jim Francis
Councilmember Jim Freeman
Councilmember Michelle Ziel-Dingman
Councilmember John B. Radford

Also present:

Pamela Alexander, Municipal Services Director
Bruce Young, Accountant
Ryan Tew, Human Resources Director
Michael Kirkham, Assistant City Attorney
Greg Weitzel, Parks and Recreation Director
Ronnie Campbell, Parks and Recreation Assistant Superintendent for Parks and Cemeteries
PJ Holm, Parks and Recreation Superintendent of Recreation
Rick Cloutier, Airport Director
Jayme Verish, Airport Operations Manager
Elizabeth Knowles, Airport Administration Manager
Dave Hanneman, Fire Chief
Duane Nelson, Deputy Fire Chief
Eric Day, Division Fire Chief
Scott Grimmett, Fire Marshal
Jon Drollinger, Fire Inspector
Kerry Hammon, Public Information Officer
Bryce Johnson, Police Chief
Steve Hunt, Police Captain
Royce Clements, Police Captain
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 1:00 p.m. with the following:

It was moved by Councilmember Dingman, seconded by Councilmember Francis, to amend the agenda to include a brief review of Parks and Recreation (P&R) fees. Roll call as follows: Aye – Councilmembers Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

Director Weitzel introduced Mr. Campbell and Mr. Holm. He stated, as fee related, 496 cowboys and cowgirls have registered for the upcoming War Bonnet Roundup Rodeo. He indicated each participant pays a \$200 entry fee which goes into the prize money for the rodeo.

Director Weitzel reviewed proposed new fees for P&R. Proposed fees includes a rental rate for the Maeck Education Center (MEC). He stated the fees are based on market rate although the fee can be lowered from the maximum rate for any profit/non-profit organization. Councilmembers Dingman and Radford expressed their concern for the amount of the rental fee. They also questioned the rental timeframe and facility use. Director Weitzel indicated he will review the rental fee with staff. Councilmember Dingman stated fees needs to be cost-based for service. Director Weitzel briefly reviewed proposed fee increases for the Golf Division. He indicated these fees are minor adjustments. Mr. Holm reviewed the Aquatic Center proposed fee increases with general comments throughout.

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Mayor Casper reminded the Councilmembers that any new fee or proposed fee increase of greater than 5% are required to be published for a public hearing.

Airport:

Director Cloutier introduced Ms. Verish and Ms. Knowles. He indicated, being a new Director, most of the budget had been prepared prior to his arrival.

Director Cloutier presented the following:

Funding Sources	2017/18 Budget	2018/19 Proposed Budget	Increase or Decrease
Total	\$12,008,595	\$6,035,105	(\$5,973,490)

The Airport is not proposing any increase in rates or charges. Lease Rates and Charges include land leases and rates associated with airline services. Grants include entitlement funding from the Federal Aviation Administration (FAA) discretionary funding. This funding will be utilized for Terminal 1 Expansion as well as an offset to police services. Ms. Verish stated the Airport is currently in the second year of a multi-year project.

Expenditures	2017/18 Budget	2018/19 Proposed Budget	Increase or Decrease
Total	\$12,375,517	\$6,377,045	(\$5,998,472)

Wages and Benefits includes a small increase for staff relative to similar airport staff wages. Capital Outlay reduction is due to the cycle of FAA grants.

Councilmember Radford stated the airport has not been subsidized from the General Fund.

Priorities –

1. 2018/2019 FAA Capital Improvement Projects - \$3,000,000

Bottom Line –

Revenues	Expenditure	Request	Total
\$6,035,105	\$6,377,045	\$341,940	\$6,377,045

Current Airport Capital reserves = \$2.1m.

Director Cloutier believes reserves should be used for major capital projects that may not be funded by other means. He prefers to have three (3) years of operating costs in reserves.

Director Alexander and Mayor Casper reviewed the tentative schedule for additional upcoming budget sessions. Following brief discussion, there was consensus to adjust discussion items and extend the timeframe for the July 17 Budget Session.

Fire Department:

Chief Hanneman stated the Fire Department consists of two (2) funds - General Fund and Ambulance Fund.

Chief Hanneman presented the following General Fund:

Funding Sources	2017/18 Budget	2018/19 Proposed Budget	Increase or Decrease
Total	\$2,119,576	\$2,272,550	\$152,974

Charges for Services include Fire Prevention fees, there is an additional increase due to Fire Plan Review. Inter-Governmental includes the second year of a two-year agreement with the Fire District. There is also an opportunity for a Homeland Security Grant for an air compressor (80%/20%). Miscellaneous (Firefighter Retirement Fund) will be eliminated in the future.

Expenditures	2017/18 Budget	2018/19 Proposed Budget	Increase or Decrease
Total	\$10,041,260	\$10,903,797	\$862,637

Wages and Benefits amount is higher than the normal step increase due to the number of newer hires. \$350,000 has been budgeted for overtime (training and special events only), this is the same amount as the previous two (2) years.

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Personnel costs are 90% of overall budget. Operational Expenses includes a second set of turn-outs for firefighters, this is the highest priority. Municipal Equipment Replacement Fund (MERF) was readjusted in the previous year. Inter-Fund Transfers include funds transferred from Airport, Idaho Falls Power, and the Ambulance Fund. Chief Hanneman stated Fire Prevention is requesting a new staff member to assist with Fire Prevention inspectors and new business licensing.

Chief Hanneman presented the following Ambulance Fund:

Funding Sources	2017/18 Budget	2018/19 Proposed Budget	Increase or Decrease
Total	\$7,264,239	\$7,325,067	\$60,828

Charges for Services (Fees) include a 10% increase. Inter-Governmental (State) includes the wildland deployment revenue offset. Inter-Governmental (Local) includes a percentage increase for contracts with Bonneville, Jefferson, and Bingham counties as well as partnership with Idaho State University paramedic program.

Expenditures	2017/18 Budget	2018/19 Proposed Budget	Increase or Decrease
Total	\$10,041,280	\$10,903,797	\$494,764

Wages and Benefits increase is also higher than the normal step increase due to the number of newer hires. Inter-Fund Transfer pays for the Public Information Officer (PIO) position.

Fee Schedule - General Fund –

Chief Hanneman stated there will be no increase to Fire Prevention fees. Fees were right-sized in the previous year based on State market. He briefly reviewed other proposed fees for inspections. New fees include a proposed Fire Prevention Business License, which is anticipated to begin in January 2019. There are approximately 3000-5000 businesses owned and operated in Idaho Falls, the goal is to provide inspection to all business, which would help identify high hazard areas. Fire Marshal Grimmert stated there has been frustration with businesses and the lack of appropriate safety measures.

Fee Schedule – Ambulance Fund –

Chief Hanneman briefly reviewed proposed fee increases. New fee includes a single resource with medical kit.

Chief Hanneman stated the Ambulance Fund has historically run in the red (previous year = \$994,000, currently = \$1.3m) as 82% of calls received are for Ambulance services. He indicated the fee and County increases are not keeping up with the costs. Chief Hanneman stated options are to reduce the service (not a good option), change State law (created in 1976), or use more City tools to change the collection amounts. He believes a consultant could provide collection assistance to proceed forward for a long-term result. General comments and discussion followed.

Police Department:

Chief Johnson, realizing there is always competition for limited resources, commended the other Department Directors for their willingness to forego additional projects/budget requests and allocate that said funding to the Idaho Falls Police Department (IFPD) needs.

Chief Johnson stated proposed fee increases include fees for services, fines, and parking enforcement. There is not intent to run the Police Department as a revenue-generated department. Proposed fee increases also include Animal Control Services fees. Brief discussion followed regarding the crematory services for Animal Control Services as well as cat licensing.

Chief Johnson presented the following:

Funding Sources	2017/18 Budget	2018/19 Proposed Budget	Increase or Decrease
Total	\$626,877	\$1,184,750	\$1,159,287

Inter-Governmental includes funds transferred from the Fire Department. Grants are being pursued to help offset costs from the General Fund. Miscellaneous has been moved to Inter-Governmental transfer.

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Expenditures	2017/18 Budget	2018/19 Proposed Budget	Increase or Decrease
Total	\$13,930,805	\$14,980,126	\$1,049,321

Wages and Benefits are the vast majority of expenditures. It was noted the IFPD has been authorized 90 officers. Operational Expenses include training, equipment (body cameras for all officers), specialty pay, and facilities. Capital Outlay includes equipment replacement (15 patrol vehicles). Chief Johnson indicated the vehicle replacement schedule should be reduced to approximately seven (7) years. Brief discussion followed regarding individual vehicles versus fleet vehicles, as well as lease options. MERF Contribution does not include the requested new patrol vehicles.

Councilmember Hally believes the expenditures are needed as a long overdue catch up for the IFPD. Mayor Casper believes the support from the other Department Directors for the IFPD is genuine. Councilmember Dingman believes public safety should be number one priority. Councilmember Radford concurred. Councilmember Freeman commended the Department Directors as well.

There being no further business, the meeting adjourned at 4:22 p.m.

CITY CLERK

MAYOR

July 17, 2018 Budget Session - Unapproved

The City Council of the City of Idaho Falls met in Special Council Meeting (Council Budget Session), Tuesday, July 17, 2018, at the City Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 12:30 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember Jim Francis
Councilmember Michelle Ziel-Dingman
Councilmember Jim Freeman
Councilmember John B. Radford
Councilmember Shelly Smede

Also present:

Pamela Alexander, Municipal Services Director
Mark Hagedorn, Controller
Bruce Young, Accountant
David Pennock, Zoo Superintendent
PJ Holm, Parks and Recreation Superintendent of Recreation
Ronnie Campbell, Parks and Recreation Assistant Superintendent for Parks and Cemeteries
Chris Fredericksen, Public Works Director
Dave Hanneman, Fire Chief
Duane Nelson, Deputy Fire Chief
Kerry Hammon, Public Information Officer
Brad Cramer, Community Development Services Director
Bryce Johnson, Police Chief
Ryan Tew, Human Resources Director
Michael Kirkham, Assistant City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 12:30 p.m. with the following:

Opening Remarks:

Mayor Casper commended Director Alexander, Mr. Young, and Mr. Hagedorn.

Budget Basics (Including Property Valuation, Levy Rates, Foregone Review, etc):

Mr. Hagedorn presented the following with general discussion throughout:

Property Tax Overview:

- Title 63 of Idaho State Statutes outlines taxation – information on property taxes and, major source of funding for the General Fund (roughly 54% of Idaho Falls General Fund revenue budget)

Mr. Hagedorn stated property tax is stable and predictable versus sales tax.

Levy Types:

- Temporary Override Levy – can increase beyond the 3% statutory amount for two (2) years
- Permanent Override Levy – would take a $\frac{2}{3}$ vote to go above the 3% statutory amount
- Foregone Levy – would require special requirements, including a public hearing

Mr. Hagedorn stated to his knowledge, these are the only levies allowed.

Mr. Hagedorn reviewed the multiple taxing units. He stated the City uses Capital Improvement Funds, Streets, Recreation, and Library taxing units. Streets levy can exceed the statutory 3% amount. Mr. Hagedorn stated the Council decides which taxing units to levy, levy rates differ within the individual cities due to the services offered.

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Property Tax Certification:

- The City certifies dollars (in 2017 the City certified \$31,481,473)
- The County sets levy rates based on the valuation determined by the Assessor's Office (in 2017 the City's levy rate was .00951318)

Property Tax Calculation Factors:

- Previous years budget – highest of three (3) years
- Annexation – added as a growth factor
- New Construction – new buildings or additions
- Property Tax Replacement (Personal Property) – property tax exemption and sales tax
- Statutory allowable increase – 3%
- Additional levies (overrides or foregone)

Mr. Hagedorn reviewed a property tax calculation example based on the previous years budget. The foregone balance increases if the maximum 3% levy is not taken on an annual basis. Brief discussion followed regarding the preference to utilize the maximum 3% levy on an annual basis, which helps with infrastructure. Mr. Hagedorn briefly reviewed the history of levy rates for the previous 30 years. He noted in 2010 through 2014, there was no levy increase. Mayor Casper stated when growth and annexation is not taken there is no property tax revenue for City services to new properties. Mr. Hagedorn stated operating expenses can be delayed when the levy rate is not taken. This can result in additional consequences.

Property Tax Application:

- Conversion of certified dollars to rate based on valuation
- Determination of valuation is based on:
 - Increased value of existing properties
 - New properties added in the previous year
 - Personal property exemption
 - Urban renewal districts (falls into new construction, not part of the 3%)

Mr. Hagedorn reviewed property tax valuation history for the previous five (5) years, which increases with the economy. This reflects an increase to valuation to existing properties and addition to new properties.

Valuation Types include residential, commercial, personal property, other, utilities, and, agriculture which equals the estimated total valuation.

Mr. Hagedorn reviewed property tax levy rates for the previous four (4) years. He stated as values increase, levy rates decrease.

Property Tax Levy Rates Applied:

- 2018 estimated value \$3,551,216,468
- Potential property tax certification
 - No increase in levy – amount = \$31,481,473, rate = .008864983
 - Annexation and new construction – amount = \$32,004,586, rate = .009012288
 - 3% allowable increase – amount = \$32,949,030, rate = .009278238
 - Foregone – amount = \$39,260,600, rate = .011055536

The current 2017 levy rate is .009513842

Mr. Hagedorn reviewed property tax scenarios based on an average residential home for the potential property tax certification. He believes there is an advantage in taking foregone amount although not all foregone could be allocated to the General Fund. It was noted foregone is significantly less expensive than bonding and would save taxpayer money.

Mr. Hagedorn reviewed property tax scenarios based on \$1m commercial property for the potential property tax certification. He stated most commercial businesses do not have the personal property exemption. Mayor Casper believes the elected officials need to be mindful of both businesses and residents. General comments followed. Mr.

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Hagedorn stated new construction adds a broader tax base. He indicated revenues are not market based. It can take five (5) years to collect property taxes.

Fees and Charges Overview:

Mayor Casper stated the Council questioned the Maeck Education Center (MEC) rental fees as discussed at the July 13 Budget Session. Mr. Pennock stated the use of the MEC is unknown at this time, therefore, staff reviewed all possible fees that could be applied for the use of the entire MEC, the number of classrooms, and the timeframe of use. It was noted the proposed fees, \$500/day per classroom, \$1500/day all three classrooms, would be the maximum fees assessed although the fees could be lowered at any time. General comments and discussion followed including cost of services. Mr. Pennock stated the fees will be reviewed after one (1) year of use. Mr. Holm stated a fee waiver request could be submitted through the appropriate committee. Brief discussion followed regarding Guest Speaker Series fees. It was determined a maximum fee for guest speakers would be established at \$50.

Director Fredericksen stated Public Works is in the process of evaluating fees. The largest change will be the Wastewater Connection Fee which will be based on the size of the service connection. He believes these fees are comparable to other communities. An Idaho Department of Environmental Quality (DEQ) fee is also proposed at \$0.15/month.

Brief discussion followed regarding additional proposed fees from other departments. It was noted that fees should be user based as much as possible. There were no additional concerns.

Administration's Budget Overview:

Director Alexander stated the administration budget was based on consensus of proposed capital projects; programs; personnel funding prioritized to include projects that are 100% grant and/or donation funded followed by those that have a portion of grant and/or donated funds; spending that is required for safety or accreditation; and, repair and/or replacement of existing equipment and buildings (versus new projects and obligations).

Director Alexander reviewed the proposed 2018/2019 budget which is based on department presentations: total revenue = \$169,100,932, total budget = \$203,183,666. This amount is based upon annexation, new construction, and the 3% levy increase.

The proposed budget includes a list of recommendations as noted by departments. Enterprise Fund departments do not impact the General Fund. General discussion and comments followed regarding grants, Parks and Recreation (P&R) items, and, Idaho Falls Police Department (IFPD) equipment.

Unfounded Capital and Operating Request Review:

Mayor Casper stated department requests were categorized by priority from 1-4. She believes priorities need to be linked to City vision. Councilmember Radford requested Councilmembers priorities followed by director input.

Councilmember Hally believes additional officers need to be included for multiple reasons; foregone should be used for revenue; and, Human Resources (HR) should include training.

Councilmember Dingman requested discussion regarding a splash park. Mayor Casper stated she has preferred a splash park for a number of years. She indicated discussion had occurred in 2013 and 2014 although it was determined a process needed to occur. A splash park was not considered a priority at that time. Mayor Casper indicated Reinhart Park was initially identified as a location for a splash park although it was determined there were issues with parking and power infrastructure. She stated any splash park plans should proceed in a proper manner with all considerations. Councilmember Dingman prefers to include an encumbered amount as a consulting planning and design fee for a splash pad at Reinhart Park as a commitment to the community. She believes there would be a cost savings by locating a splash pad at Reinhart Park, although all factors need to be considered for other locations. Following brief discussion and comments regarding a splash park/splash pad, it was determined a maximum amount of \$50,000 should be encumbered with additional \$100,000 encumbered as a grant. Although she is in favor of funding a splash pad, Councilmember Dingman believes a new police station is a higher priority. Councilmember Dingman also requested discussion regarding Funland following a review of the Tautphaus Park Master Plan. She indicated the current lease agreement with Funland will expire at year end. She believes it's in the best interest of the City to own and maintain

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Funland. She believes \$100,000 should be encumbered for the equipment in the event the agreement is not renewed. She also believes Funland could be operated in conjunction with the zoo. Mr. Holm stated he is in favor of the continuation of Funland. Mayor Casper noted that Funland was not considered a priority for the P&R Department. Councilmember Dingman questioned the IFPD expenditures that were not included in the Public Safety Package. She prefers to move the crime scene trailer to the Public Safety Package.

Councilmember Radford is in favor of a splash pad at Reinhart Park in the current year and a splash pad at Tautphaus Park in the following year. He is also in favor of moving the crime scene trailer, as well as hiring additional firefighters, to the Public Safety Package. Councilmember Radford believes a restroom needs to be located near the Farmer's Market, this will be a future request. He concurs with Councilmember Dingman regarding the priority need for a police station.

Councilmember Freeman expressed concern for Funland, the road system as part of the Tautphaus Park Master Plan, the sprinkler system at Pinecrest Golf Course, another sheet of ice at the Ice Arena, and, the Aquatic Center. He believes all these items could be partially funded by foregone money. He is in favor of utilizing the empty bays at City Hall for a Fire Station museum.

Councilmember Francis believes the HR training is considered the second step in the Performance Awareness Conversation (PAC) training. He believes the Idaho Falls Fire Department (IFFD) request for turn-outs should be included in the Public Safety Package and utilize the designated turn-out funds for HR training. Brief discussion followed regarding a training consultant versus an in-house employee, and the training program. \$75,000 was requested for a 10-month training program for HR. Councilmember Francis believes the Tautphaus Park Master Plan needs to be continued, specifically the road system. He also believes the P&R plans needs to be addressed step by step. Brief comments followed.

Councilmember Smede believes there should be a healthy strong community that allows individuals to get better. She also believes in a safe community and is in support of a new police station for the effectiveness of the officers. Councilmember Smede expressed her concern for another sheet of ice at the Ice Arena as well as the Aquatic Center. She believes all items need to be addressed each year. She stated although there is an increase in Community Development Services (CDS) revenue, staff time has increased as well. Brief comments followed regarding the CDS requested new employee at \$39,000.

Director Alexander clarified if any grant is not received, the grant-specific project does not get completed.

Councilmember Radford stated the \$194,000 in requested items could be funded from the excess revenue from permits received in CDS. Mr. Hagedorn stated the permits revenue may not be actual dollar amounts due to unbudgeted amounts which may occur throughout the year, such as vacation/sick payouts to retirees. He indicated expenditures currently exceed revenues. Mayor Casper reminded the Council that the General Fund balance should be maintained per Association of Idaho Cities (AIC) recommendations. To Councilmember Radford's response, Mr. Hagedorn stated the savings from the Health Insurance costs for the self-insurance fund could be utilized for the \$194,000 in requested items. He indicated savings for the self-insurance fund has been occurring for several years. Brief comments followed.

Chief Hanneman questioned the Firefighters Retirement Fund (FRF). Mr. Hagedorn indicated there was a communication breakdown between the State and the City and the FRF was absorbed by Public Employee Retirement System of Idaho (PERSI) approximately five (5) years ago. General discussion followed.

There being no further business, the meeting adjourned at 5:17 p.m.

CITY CLERK

MAYOR

July 20, 2018 Budget Session - Unapproved

The City Council of the City of Idaho Falls met in Special Council Meeting (Council Budget Session), Friday, July 20, 2018, at the City Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember John B. Radford
Councilmember Jim Freeman
Councilmember Shelly Smede
Councilmember Jim Francis
Councilmember Michelle Ziel-Dingman (by telephone)

Also present:

Pamela Alexander, Municipal Services Director
Bryce Johnson, Police Chief
Steve Hunt, Police Captain
William Squires, Police Captain
Andi Anderson, Dispatch Supervisor
Dave Hanneman, Fire Chief
Kathy Hampton, City Clerk

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

Opening Remarks:

Mayor Casper briefly reviewed the agenda as well as the tentative July 24 meeting schedule.

Proposed Public Safety Package Review:

Director Alexander reviewed the proposed Public Safety Package as follows:

Description	Cost
Additional Police Officers	\$273,612
Additional Patrol Vehicles and Up Fit	220,000
Additional Police Officer costs	57,965
Records Clerk (1 position)	52,707
Communications Specialists (3 positions)	164,905
Animal Control Officers (2 positions)	109,269
M-Vac System	34,516
Mini Scope Light Source	12,925
Smart Ray SRV X-ray System	57,000
Crime Scene Trailer	16,000
Fire Department Turn Outs	162,000
Total	\$1,160,899

Beginning foregone balance	\$6,311,570
Total cost of package	\$1,160,899
Less amount covered by Community Oriented Policing Services (COPS) grant (one year)	(\$205,209)
Amount of foregone to request	\$955,690 (15.14%)
Remaining foregone balance	\$5,355,880

Additional Police Officers – Director Alexander stated there is an opportunity to apply for a COPS grant for four (4) officers. The grant would cover 75% of the cost the first year, 50% would be covered the second year, 25% would be

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covered in the third year. It would be the City's requirement to keep officers for the fourth year. Chief Johnson stated in 2014 a staffing needs assessment was performed with the recommendation of 99 sworn police officers and 30 dispatchers. 1.8 is the average ratio of police officers to citizens in cities with a population of 50,000-100,000. Per a similar assessment, he believes there should be 102 officers within the Idaho Falls Police Department (IFPD). Chief Johnson stated the IFPD performs two (2) main functions – patrol/detectives and other. He believes the IFPD is currently reactive, although he prefers the IFPD to be proactive, especially within certain neighborhoods, as a presence in schools, regarding internet crimes against children, and cold cases. He stated the four (4) proposed officers would be assigned to the most pronounced problem areas. He believes this is a good idea with or without the grant, although the grant would help offset the costs. Chief Johnson stated in the event the grant is unsuccessful, only one (1) sworn officer position would be filled. He indicated there are currently 90 sworn officers, two (2) officers are deployed full time at the airport. Brief discussion followed regarding School Resource Officers (SRO).

Additional Patrol Vehicles and Up Fit – Chief Johnson stated vehicles, along with additional equipment, are needed for the officers. Due to the timeframe of hiring and training officers, the purchase of vehicles could be delayed until the following fiscal year.

Records Clerk – Captain Squires stated the Records Division provides more services than any other comparable City. There is currently one (1) supervisor and three (3) staff members to perform these services. Brief comments followed regarding the Records Division.

Communications Specialists – Chief Johnson stated the current dispatch levels were set in 1996. He indicated the recommended number of dispatch is 30 staff members, there are currently 23 staff members. He stated as dispatch is one of two 24/7 operations, there is a tremendous amount of overtime which is burning people out. The additional dispatch operators will help retain the current staff. Chief Johnson believes a multi-year approach (one (1) per year for the next three (3) years) would be appropriate if necessary. Chief Johnson and Chief Hanneman reviewed the formula and number of calls for dispatchers within public safety. Brief discussion followed regarding reducing the Communications Specialists from three (3) to two (2) positions.

Animal Control Officers – Chief Johnson believes the animal ordinance calls are not being enforced as needed. He noted there is not a current evening Animal Control Officer. The requested additional Animal Control Officers would reduce the burden from other Police Officers.

Mini Scope Light Source – Captain Squires stated the mini scope light source would be used for crime scenes. He stated the current system is approximately 30 years old and many times the light source is borrowed from Bonneville County or Idaho State Police.

Smart Ray SRV X-ray System – Captain Squires stated the x-ray system would be a portable device used for the bomb squad. The current x-ray system is not dependable. There is anticipated 50% cost sharing with Bonneville County.

Crime Scene Trailer – Captain Squires stated this item has been requested for at least three (3) previous years. The current crime scene vehicle is a retired ambulance. The vehicle is not driven on a regular basis, therefore, maintenance (jump start and/or towing) is regularly required.

M-Vac System – Chief Johnson stated the M-Vac System is a cutting edge system, Idaho Falls would be the only department in the State of Idaho with this system. This system would assist with the high-profile unsolved cases regarding the collection of DNA. The system could be utilized by other agencies as well. Brief discussion followed regarding the Municipal Equipment Replacement Fund (MERF).

Fire Department Turn Outs – Chief Hanneman stated the requested Idaho Falls Fire Department (IFFD) turn outs would be acquired over the next three (3) years at a cost of \$162,000 per year. This proposed item would provide the recommended second set of turn outs for firefighters. The turn outs would also be included in the MERF for a ten (10) year replacement cycle. Brief discussion followed regarding the useful life and care of turn outs as well as workman compensation claims.

Chief Hanneman requested five (5) vehicles be included in the Public Safety Package for Fire Prevention, logistics officer, training chief and officer, and the Public Information Officer (PIO). These vehicles would be utilized for daytime or nighttime response. Fire vehicles = \$265,000. Councilmember Radford believes the Fire vehicles may need to be acquired in multiple years. Councilmember Dingman concurred.

Mr. Hagedorn reviewed property tax comparison from 2017: base = \$30,072,649; growth = \$506,645; 3% statutory = \$902,179; and, foregone = \$0. He also reviewed proposed scenarios for 2018 including: no increase in levy; growth

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only; growth + 3% statutory; growth, 3% statutory and various foregone amounts; the levy rate; the Public Safety Package option including growth, 3% statutory, and foregone; and, projected property tax rates for residential and commercial properties for each scenario.

Mayor Casper indicated the administration was hopeful to keep any proposed foregone amount less than 10%. She requested Council review the proposed requests and determine if any requests could be achieved over the next several years. She expressed her concern for the tax impact to residents although she recognized the multiple departments that offer City services. She believes there could be several implications of utilizing foregone (for public safety). Councilmember Radford concurred although he noted Idaho Falls is not the first City to take foregone money. Councilmember Hally also concurred with Mayor Casper regarding the foregone implications.

Additional Budget Priorities, Goals and Concerns:

Councilmember Radford believes the ambulance fees are not comparable to the actual costs, these fees are being subsidized by the General Fund. He believes ambulance fees should increase 30% versus the 10% proposed increase. He noted the 30% would increase revenue by approximately \$200,000. Mayor Casper believes this may be a risk with privatizing ambulance services. General comments followed, including Medicare. Councilmember Hally prefers a 15% ambulance fee increase with adjustment to the proposed foregone in the amount of \$750,000. Following additional discussion, there was consensus to leave the ambulance fee increase at 10%. Councilmember Smede stated she values the IFFD but she believes the police station should be higher priority. Councilmember Dingman concurred. Councilmember Francis is in favor of the Public Safety Package minus the IFFD vehicle request. Brief discussion followed regarding vehicles, the ambulance fund, IFFD turn outs, and, the foregone amount. Councilmember Radford believes there is a benefit in taking foregone for public safety. Councilmember Francis believes foregone is not a good way to take reserves. However, he also believes with the current economy, now is the time to take foregone monies. Councilmember Freeman concurred. Councilmember Hally believes there is cost savings during a recession. Councilmember Radford believes portions of foregone should be used for the next 6-7 years. He prefers adding one (1) IFFD vehicle at \$53,000. Following additional discussion, there was consensus to reduce the number of Communications Specialists to two (2) positions; reduce the amount of the Smart Ray SRV X-ray System by 50% due to cost sharing with Bonneville County; and, include one (1) new IFFD vehicle (including light and technology package) with a cost of \$53,000. Total amount of proposed foregone = \$925,222, or 14.66%. Councilmember Radford requested \$2m as a valuation capacity/contingency to be included in the ceiling budget amount. There was also consensus to allocate \$194,000, as discussed/requested at the July 17, 2018 Budget Session, from the health insurance savings account. It was determined the tentative meeting scheduled for July 24 was not necessary.

There being no further business, the meeting adjourned at 5:50 p.m.

CITY CLERK

MAYOR

REGULAR

AGENDA:



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: August 23, 2018

RE: Adoption of 2018/19 Proposed Fees, Including New Fees and Fee Increases

Municipal Services respectfully requests the Mayor and Council approval of the 2018/19 proposed fees including new fees and fee increases. The proposed new fees and fee increases were advertised August 5, 2018 and August 12, 2018 as required by Idaho Code.

The Public Hearing took place on Thursday, August 16, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho.

Respectfully,

Pamela Alexander
Municipal Services Director

RESOLUTION NO. 2018-

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.

WHEREAS, Council has determined that the revised and new fees included in this Resolution are appropriate and are reasonably related to the purpose for which such fees are charged; and,

WHEREAS, a public hearing was held pursuant to Idaho Code § 63-1311A after which the Council considered input given by the public; and,

WHEREAS, the Council, by this Resolution, desires to amend and update only those fees and charges contained in the Attachment to this Resolution, while continuing and approving of other fees lawfully charged by the City that are contained elsewhere and not within the Attachment to this Resolution.

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

1. That the fees set forth in Idaho Falls Fee Schedule – October 2018, “Exhibit A” attached hereto and made a part hereof, be in force and effect in matters relating to fees on October 1, 2018.
2. That this Resolution amends all previous Resolutions and Ordinances regarding fees charged by the City concerning the fees that are contained in this Resolution;
3. That any Resolution or provision thereof that is inconsistent with this Resolution is hereby repealed.

ADOPTED and effective this ____ day of _____, 2018.

CITY OF IDAHO FALLS, IDAHO

Rebecca L. Noah Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

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

That the above and foregoing is a full, true and correct copy of the Resolution entitled, “A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, 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.”

Kathy Hampton, City Clerk

(SEAL)

EXHIBIT 'A'

CITY OF IDAHO FALLS

FEE SCHEDULE

Airport Department.....	2
Community Development Services Department	2
Fire Department	8
Idaho Falls Power	10
Electrical Service Fees	10
Public Fiber Optic Network Fees	13
Library	13
Municipal Services Department	14
Parks and Recreation Fees	19
Police Department	30
Public Works Department.....	31
Engineering Division Fees	31
Sanitation Division Service Fees	31
Street Division Fees	32
Wastewater Division Service Fees.....	32
Water Division Service Fees.....	35
Utility Delinquent Account Fee	36

AIRPORT DEPARTMENT

1. Landing Fee	\$1.30 per 1,000 pound gross weight
2. Fuel Flowage Fee	\$0.05 per each gallon of aviation fuel dispensed into any general aviation aircraft
3. Passenger Facility Charge	\$4.50
4. Customer Facility Charge, On-Airport Car Rental Companies	\$4 per transaction, per day

COMMUNITY DEVELOPMENT SERVICES DEPARTMENT

1. Erosion Control	
a. Initial Erosion Control Contractors Certificate	\$50
b. Erosion Control Contractors Certificate Renewal	\$25
c. Erosion Control Plan Permit – Plans less than One Acre	\$50
d. Erosion Control Plan Permit – Plans One Acre or More	\$100
2. Print and Digital Data Costs	
a. Paper	
i. Zoning Map – 36” X 50”	\$6
ii. Street Map – 36” X 36”	\$5
iii. Street Map – 24” X 24”	\$3
iv. Subdivision Map – 42” X 36”	\$5
v. Aerial Map – 36” X 48”	\$12
vi. Aerial Map – 36” X 36”	\$9
vii. Aerial Map – 24” X 36”	\$6
viii. Print (Per Print More than 5) – 8.5” X 11” or 8.5” X 14”	\$0.50
ix. Print (Per Print More than 5) – 11” X 17”	\$1
x. Custom Size Print	\$0.50 per Square Foot
xi. Custom Size Aerial Print	\$1 per Square Foot
b. Mylar	
i. Custom Size Print	\$1 per Square Foot
ii. Custom Size Aerial Print	\$2 per Square Foot
c. Digital Data	
i. CD	\$1 per Disk
ii. DVD	\$2 per Disk
d. Shipping and Handling (US Postal Service)	
i. Envelope	\$2
ii. CD-Mailer	\$2
iii. Map Tube	\$10
3. Subdivision Fees	

a. Site plan review and processing (review of civil site plans other than single-family residence)	\$300
b. Site plan resubmittal (review of civil site plans not completed after 3 reviews)	\$100
c. Preliminary Plat Review and Processing Fee (review of preliminary plats)	\$500
d. Preliminary plat resubmittal (review of preliminary plats not completed after 3 reviews)	\$150
e. Final Plat Review and Processing (review of final plats)	\$500 + \$15 per lot
f. Final plat resubmittal (review of final plats not completed after 3 reviews)	\$150 + \$5 per lot
g. Zoning compliance report (researching historical land uses of properties)	\$50
h. Advertising fee (fee to cover cost of legal advertisement for public hearings)	\$50
i. Improvement drawings review and processing (review of improvement drawings)	\$350
j. Improvement drawings resubmittal (review of improvement drawings not completed after 3 reviews)	\$150
k. Utility reviews – non-franchise (review of non-franchise utility improvement plans)	\$20
l. Iona Bonnevillle Sewer District reviews (review of sewer improvement drawings with Sewer District)	\$50
m. Vacation (Review and processing of applications to vacate right-of-way, easements, and other public utilities)	\$350
n. Appeals (Appeal decisions by Board or Adjustment or Planning Commission)	\$150
4. Annexation Fees	
a. Bridge and Arterial Streets Fee	\$100 per required parking space
b. Surface draining fee per square foot of assessable land	\$0.0075
5. Application Fees	
a. Variance Application	\$350
b. Rezoning Application	\$550
c. Planned Transition Zone Application	\$550
d. Comprehensive Plan Amendment	\$250
e. Conditional Use Permit (Either Planning Commission or City Council)	\$225
f. Conditional Use Permit (Both Planning Commission and City Council)	\$325
g. RSC-1 Zone Site Plan Review	\$150
h. Planned Unit Development	\$300
6. Residential Building Permit Fee Valuation Table	
Valuation Range	
\$1 to \$499	\$27.44
\$500 to \$999	\$61.19
\$1,000 to \$9,999	\$120.38
\$10,000 to \$19,999	\$149.97
\$20,000 to \$29,999	\$179.57
\$30,000 to \$39,999	\$209.17

\$40,000 to 49,999	\$238.77
\$50,000 to \$ 59,999	\$268.37
\$60,000 to \$69,999	\$297.97
\$70,000 to \$79,999	\$327.56
\$80,000 to \$89,999	\$357.16
\$90,000 to \$99,999	\$386.76
\$100,000 to \$104,999	\$416.36
\$105,000 to \$109,999	\$445.96
\$110,000 to \$114,999	\$475.55
\$115,000 to \$119,999	\$505.15
\$120,000 to \$124,999	\$534.75
\$125,000 to \$129,999	\$564.35
\$130,000 to \$134,999	\$593.95
\$135,000 to \$139,999	\$623.55
\$140,000 to \$144,999	\$653.14
\$145,000 to \$149,999	\$682.74
\$150,000 to \$154,999	\$712.34
\$155,000 to \$159,999	\$741.94
\$160,000 to \$164,999	\$771.54
\$165,000 to \$169,999	\$801.13
\$170,000 to \$174,999	\$830.73
\$175,000 to \$179,999	\$860.33
\$180,000 to \$184,999	\$897.33
\$185,000 to \$189,999	\$920.05
\$190,000 to \$194,999	\$942.77
\$195,000 to \$199,999	\$965.49
\$200,000 to \$204,999	\$988.20
\$205,000 to \$209,999	\$1,010.92
\$210,000 to \$214,999	\$1,033.64
\$215,000 to \$219,999	\$1,056.36
\$220,000 to \$224,999	\$1,079.08
\$225,000 to \$229,999	\$1,101.80
\$230,000 to \$234,999	\$1,124.52
\$235,000 to \$239,999	\$1,147.23
\$240,000 to \$244,999	\$1,169.95
\$245,000 to \$249,999	\$1,192.67
\$250,000 to \$254,999	\$1,215.39
\$255,000 to \$259,999	\$1,238.11
\$260,000 to \$264,999	\$1,260.83
\$265,000 to \$269,999	\$1,283.55
\$270,000 to \$274,999	\$1,306.27
\$275,000 to \$279,999	\$1,328.98
\$280,000 to \$284,999	\$1,351.70
\$285,000 to \$289,999	\$1,374.42
\$290,000 to \$294,999	\$1,397.14
\$295,000 to \$299,999	\$1,419.86
\$300,000 to \$304,999	\$1,442.58
\$305,000 to \$309,999	\$1,465.30
\$310,000 to \$314,999	\$1,488.01

\$315,000 to \$319,999	\$1,510.73
\$320,000 to \$324,999	\$1,533.45
\$325,000 to \$329,999	\$1,556.17
\$330,000 to \$334,999	\$1,578.89
\$335,000 to \$339,999	\$1,601.61
\$340,000 to \$344,999	\$1,624.33
\$345,000 to \$349,999	\$1,647.04
\$350,000 to \$354,999	\$1,669.76
\$355,000 to \$359,999	\$1,692.48
\$360,000 to \$364,999	\$1,715.20
\$365,000 to \$369,999	\$1,737.92
\$370,000 to \$374,999	\$1,760.64
\$375,000 to \$379,999	\$1,783.36
\$380,000 to \$384,999	\$1,806.07
\$385,000 to \$389,999	\$1,828.79
\$390,000 to \$394,999	\$1,851.51
\$395,000 to \$399,999	\$1,874.23
\$400,000 to \$404,999	\$1,896.95
\$405,000 to \$409,999	\$1,919.67
\$410,000 to \$414,999	\$1,942.39
\$415,000 to \$419,999	\$1,965.10
\$420,000 to \$424,999	\$1,987.82
\$425,000 to \$429,999	\$2,010.54
\$430,000 to \$434,999	\$2,033.26
\$435,000 to \$439,999	\$2,055.98
\$440,000 to \$444,999	\$2,078.70
\$445,000 to \$449,999	\$2,101.42
\$450,000 to \$454,999	\$2,124.13
\$455,000 to \$459,999	\$2,146.85
\$460,000 to \$464,999	\$2,169.57
\$465,000 to \$469,999	\$2,192.29
\$470,000 to \$474,999	\$2,215.01
\$475,000 to \$479,999	\$2,238.73
\$480,000 to \$484,999	\$2,260.45
\$485,000 to \$489,999	\$2,283.16
\$490,000 to \$494,999	\$2,305.88
\$495,000 to \$499,999	\$2,328.60
\$500,000 to \$1,000,000	\$2,604.77 for the first \$500,000 valuation, plus \$3.81 for each additional \$1,000 or fraction thereof
\$1,000,001 to Beyond	\$4,520.67 for the first \$1,000,000 valuation, plus \$2.43 for each additional \$1,000 or fraction thereof
7. Commercial Building Permit Fees Valuation Table:	
Valuation Table	
Total Valuation up to \$800	\$27.44
Total Valuation up to \$900	\$29.46

Total Valuation up to \$1,000	\$31.72
Total Valuation up to \$1,100	\$33.99
Total Valuation up to \$1,200	\$36.26
Total Valuation up to \$1,300	\$40.79
Total Valuation up to \$1,400	\$40.79
Total Valuation up to \$1,500	\$43.05
Total Valuation up to \$3,000	\$74.58
Total Valuation up to \$4,000	\$80.44
Total Valuation up to \$5,000	\$97.77
Total Valuation up to \$6,000	\$103.10
Total Valuation up to \$7,000	\$115.57
Total Valuation up to \$8,000	\$126.90
Total Valuation up to \$9,000	\$137.09
Total Valuation up to \$10,000	\$149.56
Total Valuation up to \$11,000	\$160.89
Total Valuation up to \$12,000	\$172.22
Total Valuation up to \$13,000	\$183.55
Total Valuation up to \$14,000	\$194.88
Total Valuation up to \$15,000	\$205.88
Total Valuation up to \$16,000	\$218.67
Total Valuation up to \$17,000	\$230
Total Valuation up to \$18,000	\$242.46
Total Valuation up to \$19,000	\$252.66
Total Valuation up to \$20,000	\$263.99
Total Valuation up to \$21,000	\$276.45
Total Valuation up to \$22,000	\$287.78
Total Valuation up to \$23,000	\$297.98
Total Valuation up to \$24,000	\$310.44
Total Valuation up to \$30,000	\$362.56
Total Valuation up to \$31,000	\$370.49
Total Valuation up to \$32,000	\$377.29
Total Valuation up to \$33,000	\$387.49
Total Valuation up to \$34,000	\$395.42
Total Valuation up to \$35,000	\$404.48
Total Valuation up to \$36,000	\$411.28
Total Valuation up to \$37,000	\$419.21
Total Valuation up to \$38,000	\$429.41
Total Valuation up to \$39,000	\$437.34
Total Valuation up to \$40,000	\$444.14
Total Valuation up to \$41,000	\$454.33
Total Valuation up to \$42,000	\$462.26
Total Valuation up to \$43,000	\$470.20
Total Valuation up to \$44,000	\$479.26
Total Valuation up to \$45,000	\$487.19
Total Valuation up to \$46,000	\$495.12
Total Valuation up to \$47,000	\$504.19
Total Valuation up to \$48,000	\$512.12
Total Valuation up to \$49,000	\$520.05
Total Valuation up to \$50,000	\$529.11

For total valuation between \$50,001 and \$100,000	\$529.11 for the first \$50,000 valuation, plus \$5.55 for each additional \$1,000 or fraction thereof
For total valuation between \$100,001 and \$400,000	\$8201 for the first \$100,000 valuation, plus \$4.26 for each additional \$1,000 or fraction thereof
For total valuation between \$500,001 and \$1,000,000	\$2,604.77 for the first \$500,000 valuation, plus \$3.81 for each additional \$1,000 or fraction thereof
For total valuation of \$1,000,000 and beyond	\$4,520.67 for the first \$1,000,000 valuation, plus \$2.43 for each additional \$1,000 or fraction thereof
8. Plan Check Fee	
a. Residential Plan Check	10% of the permit valuation
b. Commercial Plan Check	65% of the permit valuation
9. New Residential Buildings and Additions Valuation Multiples	
a. Dwelling Unit Valuation	\$85 per Sq. ft
b. Finished Basement Total Valuation	\$20 per Sq. ft.
c. Unfinished Basement/Wood Frame Garage	\$10 per Sq. Ft
10. Commercial Permits Fees:	
a. Commercial Electrical Wiring Permit	1.5% of first \$20,000 of wiring costs, plus 0.75% of wiring costs in excess of \$20,000 (Wiring Costs include the total costs of any and all equipment, materials, and labor for installation governed by the National Electrical Code.
b. Commercial Mechanical Permits	1.5% of the first \$20,000 plus \$0.75% of amounts over \$20,000 of bid amount. The bid amount includes total costs of all equipment, materials, and labor for installation governed by the Uniform Mechanical Code.
c. Commercial Plumbing Permit Fees	1.5% of first \$20,000 plus 0.75% of amounts over \$20,000 of bid amount. The bid amount includes total costs of all equipment, materials, and labor for installation governed by the Uniform Plumbing Code.
d. Commercial Re-Roofing Permit Fee	1% of first \$20,000 of roofing costs, plus .79% of the costs in excess of \$20,000 (Maximum Fee \$3,000)

11. Residential Permit Fees:	
a. Residential Electrical Permits	\$5.32 for each electrical service branch circuit, hot tub, spa; plus \$21.52 for each swimming pool.
b. Residential Mechanical Permit Issuance	\$4.64 Unit Fee per installation or relocation of each mechanical unit
c. Residential Plumbing Permit Fees:	
i. Unit Fee for each Plumbing	\$4.64 Unit Fee per installation or relocation
ii. Unit Fee for each Gas Piping System	\$4.64 Unit Fee per installation or relocation of each gas piping system
d. Residential Re-Roofing Permit	1% of valuation; Minimum fee of \$27.44 Maximum fee of \$100
e. Signs, Outline Lighting Systems or Marquees:	
i. Non Electric Sign	\$60
ii. Electric Sign	\$90
iii. Structural Review if over 30 feet	\$30
iv. Billboard	\$150
v. LED Message Center	\$150
12. Other Inspections and Fees (covers residential and commercial buildings, plumbing, mechanical, and electrical):	
a. Permit Issuance Fee (For Issuing Each Permit)	\$27.44
b. Inspections outside of normal business hours (Minimum 2 hour charge)	\$70 per hour or hourly cost to City, whichever is greatest
c. Re-inspection Fees (Section 305.8)	\$70 per hour hourly cost to City, whichever is greatest
d. Inspection for which no fee is specifically indicated (minimum one-half hour charge)	\$70 per hour hourly cost to City, whichever is greatest
e. Additional plan review required by changes, additions, or revisions to plan (minimum one-half hour charge)	\$35 per hour hourly cost to City, whichever is greatest
f. Residential Combination Mechanical Electrical Plumbing (MEP)	\$0.08 per sq ft. total
g. Residential Combination Energy Code	\$50
h. Code Enforcement Violations	
i. First Offense	\$35
ii. Second Offense, within 1 year of a prior violation	\$75
iii. Third Offense, and any subsequent offense, within 1 year of a prior violation	\$150
iv. Appeal code violation to BOA	\$150
i. Work Commencing before permit fee paid	\$125

FIRE DEPARTMENT

1. International Fire Code Permits and Fees:	
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a. Operational Permit Fee	\$70
b. Construction Permit Fee	\$70
c. Fine for Failure to Comply with Stop Work Order	\$300
d. Life Safety License	\$125
e. Violation of License Requirement Fine	\$300
f. Site Plan Review	\$70
g. Structural Plan Review Fees	16% of Building Permit Valuation
h. Fire Alarm Plan Review Fee	\$70 or \$4 per device, whichever is greater
i. Additional acceptance test field inspections	\$70
j. Fire Sprinkler System Review Fees	\$140 + \$2.25 a head
k. Fire Pump Review Fee	\$140
l. Alarm Response Fee	Maximum \$150
m. Mitigation Reimbursement Fees	Posted fee schedule
2. Other Inspection and Fees	
a. Inspections outside of normal business hours (minimum 2 hour charge)	\$70 per hour or hourly cost to City, whichever is greatest
b. Re-inspection Fees	\$70 per hour or hourly cost to City, whichever is greatest
c. General inspection fee (including, additional plan review required by changes, additions, or revisions to plan) (minimum one-half hour charge)	\$70 per hour or hourly cost to City, whichever is greatest
d. Target Hazard Operational Permits	\$70 per hour, 1 hour minimum for inspection
e. Commercial Hood Inspection	\$70
3. Firework Licensing:	
a. Consumer Fireworks Permit Application Fee	\$70
b. Consumer Fireworks Wholesale Permit Fee	\$140
4. Ambulance Service:	
a. Advanced Life Support	
i. Non-Emergency	\$670
ii. Resident	\$ 830
iii. Non-Resident	\$ 1,062
iv. BLS Non-Emergency	\$ 437
v. BLS Emergency – In District	\$ 707
vi. BLS Emergency – Out of District	\$ 933
vii. ALS-2	\$ 1,196
viii. Critical Care	\$ 1415
b. Mileage:	
i. BLS Mileage and ALS Mileage – Resident	\$ 14.28
ii. BLS Mileage and ALS Mileage – Non-Resident	\$ 17.84
c. Treat and Release:	
i. Basic Evaluate/Treat No Transport	\$195
ii.	
iii. BLS Emergency, no transport	\$325
iv. ALS Emergency, no transport	\$375
d. Ambulance Waiting Time	\$165 per hour
e. Standby	\$150 per hour

f. Empty return leg fee	\$ 160/hr, 1 hour minimum, Standard mileage rate for non- patient transport.
g. Single Resource with Medical Kit	\$80 per hour

IDAHO FALLS POWER

ELECTRICAL SERVICE FEES

1. Meter Service Installation Fee	\$50
2. Meter Accuracy Test	\$50
3. AMI Opt Out – Monthly Charge	\$6.56
4. Tampering Reconnection Fee	\$200
5. Disconnect and Reconnection Fees -	
a. Residential - First Electric Disconnect Fee	\$25
b. Residential - Any Subsequent Disconnect Fee within 12 Months of Preceding Disconnect Order	\$50
c. Non-Residential Electric Disconnect Fee	\$50
d. Non-Residential Electric Reconnect Fee	\$50
6. Short-term suspension of Electrical Utility	
(Vacant for a minimum of 3 weeks or 21 calendar days, but not more than 6 months or 180 calendar days.)	
a. Non remote suspension	
i. Requested within 5 business days, during regular business hours, 8:00 am to 5:00 pm	\$ 25 per request
ii. Requested without 5 business days' notice, or after business hours	\$ 50 per request
b. Remote suspension	No Charge
7. Line Extension for Single Family Home (per lot)	\$1,500
8. Line Extension for Multi-Family Housing (per family unit)	\$600
9. Line Extension for Commercial	Actual Cost
10. High Density Load Distribution Connection Fee	Projected rationed cost of future distribution line & substation based upon customer peak KW
11. High Density Load Credit Risk Deposit	Higher of projected or actual three months bills
12. Secondary Service Connection (per Service)	\$100
13.	
14.	
15. Commercial Rate – Base Energy Charge	\$0.039 per KWH
16. Commercial Rate – Power Cost Adjustment	(\$0.002) per KWH
17. Commercial Rate – Demand Charge	\$ 9 per KW for all KW, with a minimum demand charge of \$26 per month
18. Net Metering Commercial Rate – Base Energy Charge	\$0.039 per KWH

19. Net Metering Commercial Rate - Power Cost Adjustment	(\$0.002) per KWH
20. Net Metering Commercial Rate – Demand Charge	\$ 9 per KW for all KW, with a minimum demand charge of \$26 a month
21. Industrial Rate – Energy Charge	\$0.039 per KWH
22. Industrial Rate – Power Cost Adjustment	(\$0.002) per KWH
23. Industrial Rate – Demand Charge	\$7.25 per KW for all KW
24. High Density Load Rate – Energy Charge	\$0.039 per KWH
25. High Density Load Rate – Demand Charge	\$ 9 per KW for all KW
26. Economic Development Rate (> MW)	Negotiated Rate
27. Residential Energy – Base Energy Charges	\$0.0625 per KWH
28. Residential Transfer Customers (added to the residential base Energy Charge through the term of the resident’s service agreement with IFP, following Rocky Mountain Power Agreement to transfer customer to IFP)	\$0.03
29. Residential Energy – Monthly Service Charge	\$18
30. Residential – Power Cost Adjustment	(\$0.002) per KWH
31. Surge Arrestor – Residential	\$4 per month
32. Surge Arrestor - Commercial	\$7 per month
33. Net Metering Residential Rate – Monthly Charge	\$18
34. Net Metering Residential Rate – Base Energy Charge	\$0.0625 per KWH
35. Net Metering – Power Cost Adjustment	(\$0.002)
36. Net Metering Rate – Energy Credit	Heavy Load Mid- Columbia index price per KWH
37. City Street Light Energy Charge	\$0.0725 per KWH
38. Security Lighting Energy Charges – Monthly Rate – 100 W	\$17.50
39. Security Lighting Energy Charges – Monthly Rate – 200 W	\$20
40. Security Lighting Energy Charges – Monthly Rate – 400 W	\$26.50
41. Security Lighting Installation Fee	\$150
42. EV Charging Station	\$20 per month
43. Temporary or Construction Electric Rate – Base Energy Charge	\$0.0625 per KWH
44. Temporary or Construction Electric Rate – Monthly Service Charge	\$25
45. Temporary Service Installation Charge	One time charge of \$150. An additional \$750 if a transformer is required.
46. Large Power Temporary Construction Rate – Base Energy Charge	\$0.039 per KWH
47. Large Power Temporary Construction Rate – Demand Charge	\$9 per KW for all KW
48. Large Power Temporary Construction Service Installation Charge	\$1,000 per transformer plus labor and material
49. Power Factor Penalty	For those with power factor 85% or lower: Recorded demand + $KW/\sqrt{(KW^2 + KVar^2)}$

PUBLIC FIBER OPTIC NETWORK FEES

1. Fiber Optic Disconnection Fee	\$100
2. Subsequent Disconnection Fee within 12 Months of Prior Disconnection	\$250
3. Maximum Security Deposit	\$4,000
4. Backbone Service Fee, per single pair fiber, per month	\$1,340
5. New Customer Connection Fee per Connection	\$100
6. Construction Costs	Actual Costs
7. Distribution Engineering Fee per Drop	\$100
8. Monthly Distribution Access Fee	\$25
9. Cost Sharing Payments or Credits	Actual Costs

LIBRARY

1. Overdue Fine	\$0.10 per day per item
2. Maximum Overdue Fine	\$5 per item
3. Lost Item	Original retail cost or library's replacement cost, whichever is less
4. Lost or Damaged Barcode	\$1
5. Lost or Damaged RFID Tag	\$1
6. Lost or Damaged Jacket Cover	\$2
7. Lost or Damaged DVD Out of Set	\$19 per DVD if able to be ordered separately otherwise must pay the cost to replace entire set
8. Lost or Damaged CD Out of Set	\$10 per CD if able to be ordered separately otherwise must pay the cost to replace entire set
9. Lost or Damaged Cassette Out of Set	\$10 per cassette if able to be ordered separately otherwise must pay the cost to replace entire set
10. Lost or Damaged Artwork on CD or DVD	\$2
11. Lost or Damaged Case for CD or DVD	
a. 1 to 14 sleeves	\$7
b. 16-30 sleeves	\$11
c. CD/DVD/VHS case single	\$2
d. Cassette Case	\$3
12. DVD or CD cleaning	\$2 per cleaning
13. Torn Page in Book	\$2
14. Lost or Damaged Spine Label	\$1
15. Lost Individual Booklet from an Easy Reader Set	\$5
16. Lost or Damaged Magazine	Cover Price of the Magazine, no Processing Fee Assessed
17.	

18. Non-Resident Card Fee	\$120
19. Inter-Library Loan	\$10
20. Meeting Rooms:	
a. Bonneville County Non-Business Groups	\$15 first hour, \$10 each hour or part thereof after
b. All Other Groups	\$40 first hour, \$20 each hour or part thereof after
c. Cleaning Fee	Actual cost to clean and repair the room (Maximum fee of \$50)
d. Non-Refundable Food Fee	\$50
21. Copies and Printing	
a. Black and White	
i. One sided 8.5 by 11 inch copy	\$0.10 per page
ii. Two sided 8.5 by 11 inch copy	\$0.25 per page
iii. One sided 8.5 by 14 inch copy	\$0.15 per page
iv. Two sided 8.5 by 14 inch copy	\$0.30 per page
v. One sided 11 by 14 inch copy	\$0.20 per page
vi. Two sided 11 by 14 inch copy	\$0.40 per page
b. Color	
i. One sided 8.5 by 11 inch copy	\$0.25 per page
ii. Two sided 8.5 by 11 inch copy	\$0.50 per page
iii. One sided 8.5 by 14 inch copy	\$0.30 per page
iv. Two sided 8.5 by 14 inch copy	\$0.60 per page
v. One sided 11 by 14 inch copy	\$0.50 per page
vi. Two sided 11 by 14 inch copy	\$1 per page
22. Obituary look up on microfilm	\$5 per obituary

MUNICIPAL SERVICES DEPARTMENT

1. Liquor by the Drink:	
a. Liquor by the Drink Annual License Fee	\$562.50
b. Transfer of Liquor by the Drink License	\$100
c. Liquor Catering Permit	\$20
2. Beer:	
a. Beer Annual On or Off Premises Consumption License	\$200
b. Annual Bottled or Canned Beer Off Premises Consumption License	\$50
c. Transfer of Annual On or Off Premises Consumption License	\$100
d. Transfer of Annual Bottled or Canned Beer Off Premises Consumption License	\$25
e. License for Beer Sold or Donated for Benevolent, Charitable, or Public Purposes	\$20

f. Multiple-Event License for Beer Sold or Donated for Benevolent, Charitable, or Public Purposes	\$20
g. License for Wine and Beer Sold or Donated for Benevolent, Charitable, or Public Purposes	Not to Exceed \$20
3. Building Contractors:	
a. Class A License	\$200
b. Class B License	\$200
c. Class C License	\$200
d. Class D License	\$125
e. Out of State Reciprocity License	\$50
f. In-State Reciprocity License	\$0
g. Late Renewal or Reinstatement of License Fee	\$75
h. Inactive Contractor's License Fee	\$100
i. Employee of non-reciprocal contractor continuing education course costs	\$50
j. Reciprocal contractor continuing education course cost	\$100
4. Public Right-of-Way Contractors:	
a. Public Right-of-Way Contractor's License Fee	\$50
b. Public Right-of-Way Work Bond	\$5,000
5. Wine:	
a. Annual Retail Wine License	\$200
b. Annual Wine-By-The-Drink License	\$200
c. License for Wine Sold or Donated for Benevolent, Charitable, or Public Purposes	\$20
d. Multiple-Event License for Wine Sold or Donated for Benevolent, Charitable, or Public Purposes	\$20
e. License Transfer Fee	\$100
f. License for Wine and Beer Sold or Donated for Benevolent, Charitable, or Public Purposes	Not to Exceed \$20
6. Private Patrol Services:	
a. Private Patrol Person Bond	\$1,000
b. Private Patrol Service Bond	\$2,000
c. Private Patrol Service License	\$100
d. Private Patrol Service License renewal	\$50
e. Private Patrol Person License	\$50
f. Private Patrol Person License renewal	\$25
7. Lawn Sprinkler and Water Conditioner Installers	
a. Lawn Sprinkler Contractor License	\$100
b. Water Conditioner/Water Softener Installer License	\$100
c. Water Condition/Water Softener/Law Sprinkler License renewal	\$35
8. Itinerant Merchants, Mobile Food Vendors, Door-to-Door Salesmen:	
a. Idaho Falls Resident Itinerant Merchant's License	\$25
b. Bonneville County Resident – Itinerant Merchant Investigation Fee	\$25
c. Outside of Bonneville County, Idaho Resident – Itinerant Merchant Investigation Fee	\$50
d. Outside of the State of Idaho – Itinerant Merchant Investigation Fee	\$250

e. Itinerant Merchant's Bond	\$1,000
f. Mobile Food Vender's License	\$20
g. Door-To-Door Solicitors	\$20
9. Pawnbroker's License	\$50
10. Secondhand Precious Metals Dealer License	\$30
11. Secondhand Storekeeper License	\$30
12. Scrap Dealer License	\$50
13. Adult Businesses:	
a. Fine – Operating without a valid permit	\$300
b. Application Fee	\$100
c. Annual Permit Fee	\$100
d. Sexually Oriented Business Employee License	\$100
e. License Renewal	\$25
14. Burglary and Robbery Alarms:	
a. Third False Alarm Public Nuisance Alarm System Permit	\$100
b. Fourth False Alarm Public Nuisance Alarm System Permit	\$200
c. Fifth False Alarm Public Nuisance Alarm System Permit	\$300
d. Sixth False Alarm Public Nuisance Alarm System Permit	\$400
e. Seventh and Subsequent False Alarm Public Nuisance Alarm System Permit	\$500
15. Day Care Licensing:	
a. Family Child Care License	\$75
b. Group Child Care License	\$150
c. Child Care Center	\$225
d. Child Care Worker Certification	\$20
e. On-Site Non-Provider Certification	\$20
f. Day Care Workers License, Criminal History Registry Check	\$20
16. Sign Licensing:	
a. Sign Contractor's License	\$25
b. Sign Contractor's Bond	\$1,000
c. Sign Erection Fee	\$60
d. Electric Sign Fee	\$30
e. Structural Plan Review Fee	\$30
17. Bus Stop Bench Permit Fee	\$10
18. Bus Stop Bench Permit Extension Fee	\$5
19. Bus Stop Bench Renewal Fee	\$5
20. Trees and Shrubbery:	
a. Private Tree Service Company License Fee	\$25
b. Fine for the Violation of the Provisions of Chapter 9 – Trees and Shrubbery	\$100
21. License Denial Appeal Filing Fee	\$50
22. Emergency Medical Services Licensing:	
a. EMS Class I Annual License	\$500
b. EMS Class II Annual License	\$500
c. EMS Class III Annual License	\$250
d. EMS Class IV Annual License	\$250
e. Attendant – Ambulance Driver License	\$25
23. Identification Badges:	

a. Public Conveyance Operator	\$8
b. Taxi Operator	\$8
c. Courtesy Vehicle Operator	\$8
d. Door-To-Door Solicitors	\$8
24. Civic Auditorium:	
a. Commercial:	
i. Performance Using Touring Performers (Admission)	
1. Main Performance	Greater of 10% or \$800
2. Each Matinee	Greater of 10% or \$400
ii. Performance Using Touring Performers (No Admission)	
1. Main Performance	\$300
2. Each Matinee	\$175
iii. Performance Using Area Performers (Admission)	
1. Main Performance	Greater of 10% or \$600
2. Each Matinee	Greater of 10% or \$300
iv. Performance Using Area Performers (No Admission)	
1. Main Performance	\$300
2. Each Matinee	\$175
v. Meetings	
1. Main Session	\$800
2. Each Additional Session	\$400
b. Non-Profit:	
i. Performance Using Touring Performers (Admission)	
1. Main Performance	\$1,500
2. Each Matinee	\$1,000
ii. Performance Using Member as Performers (Admission)	
1. Main Performance	\$400
2. Each Matinee	\$200
iii. Performance Using Members as Performers (No Admission)	
1. Main Performance	\$300
2. Each Matinee	\$200
iv. Meetings for Organizations	
1. Main Session	\$300
2. Each Additional Session	\$200
v. Art or Band Room	
1. Art or Band Room Rental at same time as renting main Auditorium	\$100
2. Art or Band Room Cleaning Fee (each rental)	\$25
3. Art or Band Room Rental, 1 to 4 hours, without renting main Auditorium, per hour	\$125
4. Additional Hour, without use of Auditorium	\$25
vi. Miscellaneous Auditorium Fees	
1. Building Facility Fee	\$100
2. Building Rental	\$200
3. Additional Hours	\$20
4. Head Technicians Fee per hour	\$25

5. Assistant Technician Fee per hour	\$20
6. Stage Hand Fee per hour	\$15
7. Marley Floor Use (per installation)	\$60
vii. Concession Sales	
1. Beer and Wine Sales	10% of Total Sales
The Lessee is entitled to occupy eight (8) consecutive hours prior to performance at no additional charge on the day of performance. Any additional time will be based on charges in Paragraph IV.	
c. Bookings/Reservation Deposit Fees:	
i. 1 Day	\$100
ii. 2 Days	\$200
iii. 3 or More Days	\$300
Deposit will apply towards the facility rental fee. Refunds will be made if performance dates are cancelled 90 days prior to date of first reservation.	
d. Additional Fees:	
i. Additional Rehearsal Time and Setting Stage (First Three Hours)	\$90
ii. Each Additional Hour	\$15
A minimum charge of three hours wages is required for all personnel listed above. All personnel must have a fifteen (15) hour notice of cancellation of their services or lessee will be required to pay at least the minimum charge. The cost of labor in arranging the stage must be paid by the lessee. The lessee may furnish its own labor for stage hands, box office manager, ticket takers, and ushers. Sound and lighting personnel will be furnished by the lessor but wages will be paid by lessee.	

PARKS AND RECREATION

1. Sandy Downs – 2702	
a. Admission:	\$1
i. Parking:	\$1
ii. Parking (Event Holder)	\$1
iii. Parking (Events)	\$5
iv. RV Parking Monthly	\$150
v. RV Parking Daily	\$10
b. Rentals Daily:	
i. Grandstand Cleaning Deposit (Each Event \$100 non-refundable)	\$500
ii. Grandstand/Arena	\$700
iii. Fire Pit	\$20
iv. Arena	\$100
v. Water Truck (with operator)	\$200
vi. Tractor (with operator)	\$200
c. Rodeo Setup/Takedown	\$300
d. Stall Arena:	
i. Horseback Riding Permit – Annual Family	\$50 per Family
ii. Stall Daily (24 Hour)	\$10
iii. Stall Monthly	\$45
iv. Tack Room Monthly	\$20
v. Horse Walker Monthly	\$25
vi. Horseback Riding Permit Annual	\$20
2. Parks Rental – 2703	
a. Shelters/Decks Daily:	
i. Application Fee (Non-Refundable)	\$50
ii. Small Shelter	\$75
iii. 6 Hour Blocks for Shelter Rental Full Day (Two Blocks) (8am to 2pm and 2pm to 8am)	\$125
iv. Band Shell	\$200
v. Multi-Purpose Shelter (Per Event)	\$300
vi. Sportsman's Island Deck Area	\$75
vii. Sportsman's Park Reservations	\$500
viii. Jenson Overlook Deck Area	\$75
ix. Memorial Drive Vendor Half-Pad	\$50
x. Memorial Drive Vendor Full Pad	\$100
xi. Full Memorial Dr. Electric Use	\$30 a day
xii. Taylors' Rock Garden (Four Hour Block)	\$100
xiii. IF Resident camping for Special Events	\$50 per Resident
xiv. Non-Resident Camping Fees for Special Events	\$100 per Non-Resident
xv. Camping Fee for South Tourist Park	\$15 per night
b. Rentals:	
i. Picnic Table (6 Tables)	\$50
ii. Additional Picnic Table	\$5
iii. Trash Cans (Each)	\$4
iv. Volleyball Set Deposit	\$10

v. Water Spigot Deposit	\$100
vi. Bleacher (per Unit)	\$40
vii. Fencing for Ballfields	\$200
viii. Fencing (Up to 200 Feet)	\$200
ix. Additional Fencing (Beyond 200 Feet)	\$80.25 per foot
x. Canopy (15' X 15')	\$75
xi. Canopy (20' X 40')	\$250
c. Banners (Set of 10)	\$150
i. Additional Banner(s) (Each)	\$12
d. Special Event/Cleaning Deposit (Over 100 People \$100 non refundable)	\$500
e. Memorials	
i. Memorial Bench	\$600
ii. Remembrance Tree	\$400
3. Weed Control – 2705	
a. Tractor with Operator (Hour)	\$100
b. Hand Work per Operator (Hour)	\$35
c. Enforcement Administration Fee (Per Lien)	\$100
d. Lien Placement Fee (Per Lien)	\$25
4. Idaho Falls Raceway – 2706	
a. Admission	\$1
b. Parking	\$5
c. Parking (Event Holder)	\$1
d. Parking (Events)	\$1
e. Parking RV Daily	\$10
f. Practice Rider/Driver	\$20
g. Practice Rider 10 Punch Pass	\$150
h. Practice Season Pass	\$250
i. Event Rental	\$500
j. Concession Booth Rental (Event)	\$100
5. Horticulture/Forestry – 2707	
a. Tree Trimming/Removal Permit	\$10
b. Arborist (Hour)	\$50
c. Lift Truck with Operator (Hour)	\$100
d. Hand Work per Operator (Hour)	\$35
e. Enforcement Administration Fee (Per Lien)	\$100
f. Lien Placement Fee (Per Lien)	\$25
6. Activity Center – 2708	
a. Small Rental (East and West Rooms 2 Hour Minimum)	\$15
b. Large Rental (South Room 2 Hour Minimum)	\$20
c. Large Reception Rental (3 Hour Minimum or \$175 a Day)	\$35
d. Kitchen Rental (1/2 Day \$50)	\$90
e. Cleaning Deposit/Maintenance/Damage Fee For Large Rentals	\$200
7. Cemetery – 2901	
a. Burial	
i. Saturday/Holiday Burial	\$ 300
ii. After 4:30 p.m. Burial	\$ 300
iii. Opening/Closing Adult/Child	\$ 500

iv. Opening/Closing Infant	\$200
v. Opening/Closing Cremation	\$ 250
vi. Saturday/Late Notice (72 Hours)	\$300
b. Disinterment:	
i. Disinterment Adult/Child	\$1,500
ii. Disinterment Infant	\$ 420
iii. Disinterment Cremation	\$ 200
c. Burial Spaces:	
i. Adult/Child Up-Right Section	\$ 750
ii. Adult/Child Fielding Flat Section	\$ 600
iii. Infant (Under 1 Year)	\$ 300
d. Niche Wall	
i. Niche Wall Top	\$400
ii. Niche Wall Middle	\$300
iii. Niche Wall Bottom	\$200
e. Niche Wall Parkhurst	
i. Niche Wall Top	\$350
ii. Niche Wall Middle	\$400
iii. Niche Wall Bottom	\$350
iv. Memorial Wall Per Line (East and West Side)	\$125
v. Perpetual Grave Space Fee	\$175
vi. Cemetery Plot Ownership Certificate Fee	\$10
vii. Deed Transfer Fee (\$10 for one \$40 max)	\$ 20 - \$40
8. Melaleuca Field	
a. Melaleuca Field Rental	\$1,000 a day
b. Melaleuca Capital Surcharge	\$1 per Entry
c. Melaleuca Field Partial Rental	\$400
9. Tautphaus Park Zoo – 2704	
a. Admission	
i. Regular Admission – Adult	\$7.50
ii. Regular Admission – Child (4-12 Years)	\$4.50
iii. Regular Admission – Senior (62+)	\$6
iv. Regular Admission – 3 and under	Free
v. Educational/Group – Adult	\$6.50
vi. Educational/Group – Child (4-12 Years)	\$4
vii. Educational/Group – Senior (62+)	\$5
viii. Educational/Group – 3 and under	Free
ix. Non-Tax Group – Adult	\$6.17
x. Non-Tax Group – Child (4-12 Years)	\$3.81
xi. Non-Tax Group – Senior (62+)	\$4. 75
xii. Non-Tax Group – 3 and under	Free
xiii. City Rate – Adult	\$5.50
xiv. City Rate – Child (4-12 Years)	\$3.50
xv. City Rate – Senior (62+)	\$5
xvi. City Rate – 3 and under	Free
xvii. Local and Global Conservation Fund	\$0.50 per admission
b. Teacher Summer Continuing Education Classes (2 day class, 16 hours program)	\$75

c. Zumba in the Zoo and Yoga on the Green (Classes twice per week during open season)	\$5
d. Program Fees:	
i. 45 Minute Class – Tots	\$12 or \$10 for member
ii. 60 Minute Class – K through 2 nd	\$15 or \$12 for member
iii. 90 Minute Class – 3 rd through 5 th	\$20 or \$16 for members
iv. 3 Hour Class – 6 th through 8 th	\$25 or \$20 for members
v. 3 Hour Class – Week-long (7-9 Years)	\$85
vi. 3 Hour Class – Week-long (7-9 Years) Members	\$70
vii. 7 Hour Class – Week-long (10-12 Years)	\$140
viii. 7 Hour Class – Week-long (10-12 Years) Members	\$115
ix. Behind the Scenes Tours	\$30
x. Behind the Scenes Tours Members	\$25
xi. Overnight Safari	\$55
xii. Overnight Safari Members	\$45
xiii. Group Overnight Safari	\$50
xiv. Group Overnight Safari Members	\$40
xv. Junior Zoo Crew	\$105
xvi. Junior Zoo Crew Members	\$85
xvii. Late Pick-up Fee	\$5 every 15 minutes
xviii. Penguin Feeding Program (Fee for Fish to Feed Penguins)	\$3
xix. Keeper for a Day	\$100
xx. Guest Speaker Series	\$50 per Participant
xxi. Family Nature Club (once per month events per family)	\$30 per year
e. Rental Fees	
i. Tent (2 Hour Minimum)	\$ 85 an hour
ii. Tent (Additional Hours)	\$ 45 an hour
iii. After Hours Fee (2 Hour Minimum)	\$ 175 an hour
iv. Animal Encounter Show	\$35
v. Animal Interaction (1 Person, 2 Animals, 30 Minutes)	\$ 50
vi. Costume Character Appearance (1/2 Hour)	\$ 40
vii. Tent (10' X 10')	\$ 35
viii. Tent (20' X 40')	\$ 120
ix. Large Tent (40' x 90') Rental	\$1,500 a day
x. Large Tent (40' x 90') 4-Wall Rental	\$500 a day
xi. Wagon/Stroller Rental	\$5
xii. Single Maeck Center Classroom Hourly	\$200 per hour
xiii. Single Maeck Center Classroom Daily (eight-hours)	Maximum \$500 a day
xiv. All Three Maeck Center Classrooms Daily (eight-hours)	Maximum \$1,500 a day
f. Parties and Gatherings:	
i. Birthday Package (only 10 a.m. or 2 p.m.)	\$ 90 (\$25 non-refundable deposit)
ii. Daytime Event	\$ 175 (\$25 non-refundable deposit)
iii. Private Evening Event	\$ 550

iv. Off Season Birthday Party	\$ 120
g. Penguin Interaction:	
i. Adult	\$ 30
ii. Child (4-12)	\$ 20
iii. Group Discount (6 or more people)	20% Discount
h. Volunteer Led Programs:	
i. Onsite Tours (Max 25 People)	\$15
ii. Offsite Outreach (40 people or more)	
1. Within Districts No. 91 and No. 93 (Non-Profit)	\$ 30
2. Within Districts No. 91 and No. 93 (Profit)	\$ 40
3. Outside Districts No. 91 and No. 93 (30 Mile Radius)	\$ 45
4. Any Group Between 30 and 50 Mile Radius of Zoo	\$ 55
5. Any Second Program on the Same Day as First	\$ 25
iii. Assembly Programs (40 – 100 People)	
1. Within Districts No. 91 and No. 93 (Non-Profit)	\$ 75
2. Within Districts No. 91 and No. 93 (Profit)	\$ 90
3. Outside Districts No. 91 and No. 93 (50 Mile Radius)	\$ 90
4. Assembly Programs (Over 100 People)	\$ 120
i. Staff Led Programs:	
i. 50-100 Miles	\$100
ii. 101-150 Miles	\$150
iii. 151-200 Miles	\$200
iv. Additional Programs Fees (Same Day up to 3)	\$50
v. Per Mile Fee (Round Trip Mileage)	\$0.50 a Mile
10. Recreation – 4801, 4802, 4806	
a. Temporary Concession Permit (One Day Per Site/Per Stand)	\$15
b. Special Event Dispensing Permit'	\$50 plus 3% of Gross Sales on Dispensing
c. Ice Arena	
i. Ice Rental Fee	
ii. Ice Rental Fee (Practice)	\$100
iii. Ice Rental Fee (Tournament)	\$130
iv. Special Event Admission	\$10
v. Public Skate Admission	
1. Ages 4-12	\$3.50
2. Ages 13 +	\$4.25
3. Senior	\$3.50
vi. Stick, Shoot, and Freestyle	
1. Youth	\$4
2. Adult	\$5.25
3. Senior	\$4
vii. 10 Punch Pass	
1. Ages 4-12	\$28

2. Ages 13 +	\$38
3. Senior	\$28
viii. 30 Punch Pass	
1. Ages 4-12	\$78
2. Ages 13 +	\$100
3. Senior	\$78
ix. Annual Pass	
1. Ages 4-12	\$245
2. Ages 13 +	\$310
3. Senior	\$245
x. Ski Rental for Youth	\$5
d. Ice Skate Rentals/Lessons	
i. Skate Aide	\$2
ii. Ice Skates	\$3.50
iii. Ice Skating Lessons	\$48
iv. Ice Skating Lesson with Rentals	\$59
v. Adult Skating Lesson (Drop in)	\$13
vi. Adult Skating Lesson (Drop in with Rentals)	\$16
vii. Power Skating and edge control clinic	\$15
viii. Private Ice Skating Instruction	\$30 per half hour
e. Special Event Admission	
i. Laser Light Skate Night	\$5
ii. Halloween Party	\$5
f. Recreation Center	
i. Special Event Admission	\$10
ii. Day use fee @ Rec Center – Youth/Senior Admission	\$2
iii. Day use fee @ Rec Center – Adult Admission	\$3
iv. 10-punch pass @ Rec Center – Youth/Senior	\$18
v. 10-punch pass @ Rec Center – Adult	\$25
vi. Year pass @ Rec Center – Youth/Senior	\$100
vii. Year pass @ Rec Center – Adult	\$125
viii. Yearly Businessmen's Basketball Pass (Noon Ball)	\$75
g. Fitness Class / 4801	
i. Youth/Seniors	\$3.75
ii. Adult	\$4.50
iii. 10-punch – Youth/Seniors	\$28
iv. 10-punch – Adults	\$38
h. Basketball	
i. Basketball Skills	\$33
ii. Summer Camp	\$63
iii. Jr. League Summer	\$45
iv. Jr. League Fall	\$45
v. Jr. League Winter	\$45
vi. Adult League Summer	\$380 Team
vii. Adult League Fall	\$425 Team
viii. Adult League Winter	\$425 Team
ix. Alumni Tournament	\$225 Team
x. Hispanic League	\$375 Team

xi. Women's League	\$375 Team
i. Softball/Baseball	
i. Adult Men's Slow-Pitch Fall	\$515 Team
ii. Fast Pitch Girls	\$515 Team
iii. Adult Softball Men's League	\$790 Team
iv. Adult Softball Comp Co-Ed Fall	\$600 Team
v. Adult Softball Co-Ed	\$515 Team
vi. Bobbie Sox Softball	\$40
vii. Knothole Baseball	\$40
viii. Baseball/Softball Field Use	\$20 per game
ix. Pitching Mound Re-Build	\$150
j. Flag Football	
i. Youth	\$40
ii. Adult	\$450
k. Recreation Program Fee	\$50
l. Specialized Recreation Program Fee (Excessive Resources Used)	\$150
m. T-Ball & Pitching Machine	\$40
n. Soccer	
i. Men's Soccer League	\$55
ii. Clinics 12 U	\$50
iii. Clinics 10 U	\$50
iv. Clinics 8 U	\$35
v. Soccer Field Use	\$20 per game
o. Tennis Lessons	\$20
p. Tennis Camp	\$10
q. Volleyball	\$30
r. Co-ed Sand Volleyball	\$300
s. Taiko Drumming	\$150
t. Dance Lessons	\$35
u. Running Program	\$43
v. Preschool Gym	
i. Single Child	\$1
ii. Family	\$2
w. Lil' Sports Programs	
i. Lil' Sports Programs	\$35
ii. Science Workshops	\$125
iii. Dirt Bike Clinic	
1. Youth	\$75
2. Adult	100
x. Cyclocross Bike Races	
i. Great Pumpkin Cross	\$20
ii. Blue Goose	\$20
y. Breakfast with Santa	\$8
z. Daddy Daughter Date	\$50
aa. Dinner and a Movie	\$30
bb. Skateboard Programs	
cc. Skateboard Competition	\$15
dd. Fishing Buddies Clinic	\$30

ee. Fishing Clinic	\$38
ff. Rentals	
i. Candle Stick Rental	\$2 a day
ii. Candle Stick Replacement	\$40
iii. –A Frame Rentals	\$5 a day
iv. A-Frame Replacement	\$60
v. Posse Program Fees	\$30 per rider
gg. City Market	
i. City Market Membership	\$50 a season
ii. City Market Member Rate	\$10 a week
iii. City Market Non-Member Rate	\$20 a week
11. Wes Deist Aquatic Center Fees – 4803	
a. Special Event Admission	\$10
b. Membership Fees	
i. 1-Month Senior	\$40
ii. 3-Month Senior	\$105.50
iii. 6-Month Senior	\$189
iv. 1-Year Senior	\$280
v. 1-Month Adult	\$45
vi. 3-Month Adult	\$118
vii. 6-Month Adult	\$211
viii. 1-Year Adult	\$312
ix. 1-Month Couple (Couple is 2 People from the Same Household)	\$78.50
x. Month Couple	\$213
xi. 6-Month Couple	\$312
xii. 1-Year Couple	\$400
xiii. 1-Month Family (Family is up to 5 people in the Same Household)	\$113
xiv. 3-Month Family	\$245
xv. 6-Month Family	\$400
xvi. 1-Year Family	\$668
xvii. 1-Month Family Add-On (Add 1 Extra Person to Family Pass, must live in Same Household)	\$17.50
xviii. 3-Month Family Add-On	\$23
xix. 6-Month Family Add-On	\$34
xx. 1-Year Family Add-On	\$56
c. Punch Cards (10-Time Punch Cards for Lap and Public Swims and Fitness Classes)	
i. Adult Everything Punch Card	\$38
ii. Senior/Child (62 + and 12 and Under) Everything Punch Card	\$28
d. Daily Fees	
i. Adult (13 +) Admission	\$4
ii. Senior/Child (62 + and 12 and Under)	\$3.50
iii. Pre-School (3 & Under) – Swim Diaper Included	\$2
e. Fitness Classes Daily	
i. Adult (13 +)	\$4.50
ii. Senior/Child (62 + and 12 and Under)	\$3.75

f. Birthday Parties	\$66
g. Group Rates (Pre-Arranged Groups Only)	
i. 10-19 in Group	\$3
ii. 20-29	\$2.75
iii. 30 +	\$2.50
h. Facility Rentals	
i. Up to 50 Swimmers (Per Hour)	\$120
ii. Up to 100 Swimmers (Per Hour)	\$130
iii. Up to 150 Swimmers (Per Hour)	\$180
iv. Up to 200 Swimmers (Per Hour)	\$230
v. Up to 250 Swimmers (Per Hour)	\$290
vi. Up to 300 Swimmers (Per Hour)	\$360
vii. Up to 350 Swimmers (Per Hour)	\$420
viii. Up to 400 Swimmers (Per Hour)	\$480
ix. Wading Pool Only (During Hours the Main Pool is Already Open)	\$50
x. Wading Pool Only (During Hours the Main Pool is Not Open)	\$60
xi. Room Rental	\$7.50
i. Lessons	
i. Full Size Lessons (8 Days)	\$40
ii. Half Size Lessons (8 Days)	\$74
iii. Private (One ½ Hour Class)	\$20
iv. Semi-Private (One ½ Hour Class)	\$26
j. Schools	
i. School Group Lessons	\$3.50
ii. High School PE Classes	\$1.50
iii. High School PE Aerobics	\$3
iv. Discount Nights (Monday and Junior High Night and Wading Pool and YMCA and Schools (Field Trips)	\$2
k. Kayaking	
i. Open Boat	\$6.50
ii. Group Instructor Fee	\$7.50
l. Triathlons	\$20
m. Late Fees for Programs (for those who register after the deadline)	\$5
n. Daily Themed Programs	\$15
o. Fitness Challenge	\$10
p. Lane Rentals (USA/High School/Non-Profit)	\$11
q. Swim Team Fees	
i. Rental (for a 4 Hour Session with set up and take down)	\$500 per team or \$5 per person
ii. Scoreboard Time System Maintenance Fee	\$5 per season, \$2 per meet
r. Surfer Swim Team	
i. Surfer Team Membership Fee	\$40
ii. Surfer Team Lesson Fee	\$7 per lesson
s. High School Swim Team Fees	
i. High School Swim Team Dual Meets (Per Team Per Hour)	\$120

ii. High School Regional Meets	\$3
iii. Junior High Swim Team	\$130
t. Swim Team Sessions (8 Weeks) 4 times a year New Format Sessions (8 Week Sessions) 4 times a year	
i. 3 Days per Week (Practices)	\$125
ii. 2 Days per Week	\$90
iii. 1 Day per Week	\$55
iv. Add on an Additional Day Session	\$35
u. Multi-Family Program Discounts	
i. (Discounts are for multi-family members living in the same household signing up for the same program – first person is regular price)	
ii. 2 nd Person	5% Discount
iii. 3 rd or More	10% Discount
v. Scouting	
i. Scout Instructor Fee	\$13
ii. Scout Class – CPR Component to Any Merit Badge	\$5
iii. 1 st and 2 nd Class & Cub Scout Aqua Badges	\$7.50
iv. Snorkeling and Scuba	14.50
v. Lifesaving Merit Badge, First Aid Merit Badge	\$30
vi. Swimming Merit Badge	\$30
w. Mermaid Experiences	\$35
x. Mermaid Birthday Parties	\$250
y. Swim Meet Use Fee (Per Swimmer)	\$5
12. Golf Course(s) Fees – 6001, 6002, 6003, 6004, 6005, 6006	
a. Non-Resident Green Fees	
i. Weekday 9 Holes	\$19
ii. Weekday 18 Holes	\$28
iii. Weekend 9 Holes	\$20
iv. Weekend 18 Holes	\$ 29
v. Out-of-State 9 Holes	\$20
vi. Out-of-State 18 Holes	\$36
b. Resident Green Fees	
i. Weekday 9 Holes	\$16
ii. Weekday 18 Holes	\$25
iii. Weekend 9 Holes	\$17
iv. Weekend 18 Holes	\$26
c. Make-Up Green Fees	
i. Make-Up One	\$7.25
ii. Make-Up Two	\$3
iii. Make-Up Three	\$1
d. Resident Season Pass*	
i. First Adult*	\$667.15
ii. Second Adult*	\$543.02
iii. First Senior 5-Day*	\$465.05
iv. Second Senior 5-Day*	\$420.49
v. First Senior 7-Day*	\$576.44
vi. Second Senior 7-Day*	\$531.88
vii. Young Adult Pass*	\$431.63

e. Non-Resident Season Passes*	
i. First Adult*	\$709.58
ii. Second Adult*	\$582.28
iii. First Senior 5-Day*	\$509.61
iv. Second Senior 5-Day*	\$459.74
v. First Senior 7-Day*	\$619.41
vi. Second Senior 7 Day*	\$571.14
f. Junior Season Pass*	
i. Full-Time Junior*	\$220
ii. Part-Time Junior*	\$150
g. Resident Punch Passes	
i. Punch 10-9 Hole	\$148.16
ii. Punch 10-18 Hole	\$229.50
iii. Punch 20-9 Hole	\$280.16
iv. Punch 20-18 Hole	\$433.50
h. Non-Resident Punch Passes	
i. Punch 10-9 Hole	\$176.13
ii. Punch 10-18 Hole	\$256.50
iii. Punch 20-9 Hole	\$332.69
iv. Punch 20-18 Hole	\$484.50
i. Locker	
i. Locker Fee Yearly	\$190.44
ii. Locker Fee	\$14.43
j. Medical Cart Usage Fee Yearly	\$ 229.94
k. Driving Range	
i. Small Bucket	\$4
ii. Large Bucket	\$5.50
iii. Small Bucket 10 Punch Pass	\$34
iv. Large Bucket 10 Punch Pas	\$46.75
l. Short Course	
i. Green Fees	\$4
ii. Punch Pass	\$34
iii. Yearly Pass (75)	\$84
iv. Yearly Pass (115)	\$126
m. Golf Cart Rentals	
i. Golf Cart Per Rider 9 Holes	\$ 7.50
ii. Golf Cart Per Rider 18 Holes	\$ 15
iii. Private Cart Trail Fee per Rider 9 Holes	\$ 7.50
iv. Private Cart Trail Fee per Rider 18 Holes	\$ 15
v. 11 Cart Punch Pass	\$ 74.38
vi. 22 Cart Punch Pass	\$ 143.60
n. Single Rider Cart Pass Annual	\$ 948.38
o. Two Rider (Family) Cart Pass Annual	\$ 1,220.56
p. Cart Pass 1 Rider 1 Course Annual	\$123.60
q. Club Rental 9 Holes	
i. High End Clubs	\$20
ii. Standard Clubs	\$7.95
iii. Push Cart	\$3
r. Club Rental 18 Holes	

i. High End Clubs	\$30
ii. Standard Clubs	\$10
iii. Push Cart	\$5
s. Golf Sponsorship Packages	
i. Eagle Pass/Punch Partner Sponsorship package	\$1650
ii. Birdie Pass/Punch Partner Sponsorship package	\$1095
iii. Par Partner Sponsorship package	\$795
iv. Junior Partner Sponsorship package	\$500
v. Tee Marker Sign Ad - all 3 courses	\$500
vi. Tee Marker Sign Ad #1 Request	\$200
vii. Tee Marker Sign Ad - Short Course	\$150
viii. Golf Cart Ad (June or July or August)	\$500
ix. Golf Cart Ad (May or September)	\$400
x. Golf Cart Ad (April or October)	\$250
xi. Golf Shop Monitor Ad (3 rotating months)	\$200
* All Season Pass Categories, are be subject to an additional \$1 per round USER FEE. Pass Holders will have the option to avoid this per round USER FEE by paying an annual USER FEE of \$60 per Pass Holder.	

POLICE DEPARTMENT

1. Public Parking Fees:	
a. Downtown Resident Parking Permit	\$15
b. Downtown Unlawful Parking Citation	\$20
c. Second Unlawful Parking Citation within 30 days of Prior Citation	\$35
d. Third or subsequent Unlawful Parking Citation within 30 days of Prior Citation	\$50
e. Unlawful Parking in a Spot Designated for Persons with Disabilities	\$50
f. Any other Violation of the Public Parking Ordinance	\$20
g. Violation of Snow Removal Ordinance	\$45
2. Abandoned Vehicle Reclamation – Processing Fee	\$15
3. Fingerprint Background Check Fee:	
a. Public Conveyance Operator	\$45
b. Taxi Operator	\$45
c. Courtesy Vehicle Operator	\$45
d. Child Care Worker Certification	\$45
e. On-Site Non Provider Certification	\$45
f. Door-To-Door Solicitors	\$45
4. On-Duty, Uniformed Extra-Duty Service	Actual Cost
5. City Code Violations	
a. Infraction fine, unless otherwise specified	\$300
b. Misdemeanor fine, unless otherwise specified	\$1,000
6. Animal Control Fees	
a. Licensing Fees	
i. Altered Dog and Cat License	\$2

ii. Unaltered Dog and Cat License	\$4
iii. Duplicate Tag Fee	\$1
iv. Additional Dog Permit Fee	\$90
v. Dog License Permit Fee	\$111
b. Euthanasia and Surrender Fees	
i. Euthanasia – Dogs and Cats	\$25
ii. Euthanasia - Trapped Squirrels	\$3
iii. Animal Surrender	\$22
iv. Additional Animal Surrender	\$7
v. Out of County Stray	\$22
c. Miscellaneous Fees	
i. Microchip	\$20
ii. Microchip Transfer	\$ 10
iii. General cremation (no ashes back)	\$15
iv. Cremation (ashes returned 0-25 lbs)	\$45
v. Cremation (ashes returned 26-60 lbs)	\$65
vi. Cremation (ashes returned 61-100 lbs)	\$115
vii. Cremation (ashes returned over 100 lbs)	\$145
viii. Impound Fee	\$22
ix. Boarding Fee	\$19 per day

Public Works Department

ENGINEERING DIVISION FEES

1. Subdivision Inspection Fees (Schedule based on the estimated total public improvement costs)	<p>If improvement costs are equal to or less than \$100,000, then 4% of improvement costs.</p> <p>If improvement costs are greater than \$100,000 but less than or equal to \$500,000 then \$4,000 plus 1% of improvement costs over \$100,000.</p> <p>If improvement costs are greater than \$500,000, then \$8,000 plus .5% of improvement costs over \$500,000.</p>
2. Right-of-Way Permit Fee	\$50 per permit

SANITATION DIVISION SERVICE FEES

1. Monthly Residential Sanitation Charge:	
a. Cart or Hand-load Container:	
i. Weekly Pickup	\$9.45

ii. Additional Cart, Weekly Pickup (3-Month Minimum Billing)	\$9.45
b. Shared Commercial Container	\$9.45
2. Additional Cart City Delivery Fee (Patron Pickup No Fee)	\$30
3. Monthly Commercial and Industrial Charges:	
a. Cart or Hand-load Container:	
i. Weekly Pickup	\$9.45
ii. Additional Cart, Weekly Pickup (3-Month Minimum Billing)	\$9.45
b. 1 ½ C. Y. Container:	
i. Base Charge	\$30.70
ii. Per Weekly Pickup	\$10.10
c. 3 C. Y. Container:	
i. Base Charge	\$35.80
ii. Per Weekly Pickup	\$13.90
d. 4 C. Y. Container:	
i. Base Charge	\$38.45
ii. Per Weekly Pickup	\$17.65
e. Large Uncompacted Container:	
i. Base Charge	\$35.70
ii. Per Solid Waste Pickup	\$141.75
iii. Per Construction Waste Pickup	\$164.85
iv. County Disposal Fee, Per Load	\$25
f. Large Compacted Container:	
i. Per Solid Waste Pickup	\$129.15
4. Curbside Recycling	
a. Cart Pickup once every two weeks (Monthly fee)	\$ 15
5. Short Term Suspension Vacant for a minimum of 3 weeks or 21 calendar days, but not more than 6 months or 180 calendar days. Container must remain on property and not be serviced	
a. Requested within 5 business days, during regular business hours, 8:00 am to 5:00 pm	No Charge
b. Requested without 5 business days' notice, or after business hours	No Charge

STREET DIVISION FEES

1. Candlesticks and Base replacement	\$50 Each
2. A-Frame replacement	\$65 Each
3. Cones replacement	\$50 Each
4. Sign and Stand replacement	\$300 Each
5. Emergency service/accident support (traffic control & sweeping)	Actual Costs
6. Patching/surface repair	Actual Costs
7. Street Variable Message Board Rental (per hour, 8 hour minimum charge)	\$25

WASTEWATER DIVISION SERVICE FEES

1. Wastewater Service Connection Fees:	
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a. 1" Service Connection	\$ 1,085.00
b. 1.5" Service Connection	\$ 2,170.00
c. 2" Service Connection	\$ 3,472.00
d. 3" Service Connection	\$ 6,944.00
e. 4" Service Connection	\$ 10,850.00
f. 6" Service Connection	\$ 21,700.00
g. 8" Service Connection	\$ 34,720.00
2.	
a.	
b.	
i.	
ii.	
c.	
i.	
ii.	
3. Commercial Buildings Connection Fee:	
a. Per Sewer Service Connection	\$1,074.15
b. Plus per plumbing fixture in excess of 4 fixtures	\$35.90
4. Monthly Idaho DEQ Wastewater Fee (Per Connection)	\$0.15
5. Sewer Main Connection Charge, per front foot of property owned upon street or public right-of-way within which a sewer main is located	\$ 23.80
6. Monthly Non-metered Residential Wastewater Rates:	
a. Single Family Dwellings, including condominium units and mobile homes (excluding separate apartment units within such dwelling), per dwelling or unit	\$ 23.10
b. Duplex, per dwelling or unit	\$ 23.10
c. Apartment Unit (tenant pays bill), per unit	\$ 17.30
7. Monthly Non-metered Commercial Wastewater Rates:	
a. Category 1 (Commercial Apartment Buildings where landlord pays bill) per apartment unit	\$ 18.30
b. Category 2 (Bar, Church, Gym, Office Space, Retail, Salon, Shop, Warehouse), per business	\$ 24.40
c. Category 3 (Big Box Retail, Car Sales, Convenience Store, Day Care, Fast Food, Medical Office), per business	\$ 44.30
d. Category 4 (Hall, Restaurant), per business	\$ 64.75
e. Category 5 (Grocery Store, Hotel or Rest Home with 20 rooms or less), per business	\$ 120.80
f. Category 6 (Hotel or Rest Home with more than 20 rooms), per business	\$ 700.80
8. Monthly Non-metered School Wastewater Rates:	
a. Elementary Schools, per 50 students or fraction thereof	\$ 9.75
b. Junior High Schools, High Schools, Colleges, and Universities, per 50 students or fraction thereof	\$ 12.40
9. Monthly Metered Wastewater Rates:	
a. Base Charge	\$ 3.50
b. Plus per each 1,000 gallons of metered water	\$ 2.17
10. Outside of City Billing Rates	110% of Metered Rates or Non-metered Rates as Set

	Forth Above for City Residents
11. Industrial Rates for Certain Users:	
a. Ingredion Incorporated:	
i. Flow	\$ 0.7622 per 1,000 Gallons
ii. BOD	\$ \$ 0.6236 per Pound
iii. TSS	\$ \$ 0.4020 per Pound
b. Busch Agricultural Resources:	
i. Flow	\$ 0.5336 per 1,000 Gallons
ii. BOD	\$ 0.5958 per Pound
iii. TSS	\$ 0.3850 Per Pound
12. County and City Rates:	
a. City of Ammon	\$ 2.67 per 1,000 Gallons
b. City of Ammon – Monthly Idaho DEQ Wastewater Fee (Per Connection)	\$ 0.15
c. Iona Bonneville Sewer District	\$ 2.67 per 1,000 Gallons
d. Iona Bonneville Sewer District– Monthly Idaho DEQ Wastewater Fee (Per Connection)	\$ 0.15
e. City of Ucon	\$ 1.96 per 1,000 Gallons
f. City of Ucon – Monthly Idaho DEQ Wastewater Fee (Per Connection)	\$ 0.15
13. Violation Fees:	
a. Violation of Wastewater Code Fee	\$1,000
b. Civil Fine for Wastewater Code Violation	\$1,000
c. Misdemeanor Penalty – Criminal Fine for Willful or Negligent Violation of Wastewater Code	\$1,000
d. Misdemeanor Penalty – Criminal Fine for Willful or Negligent Introduction of any Substance into POTW, which causes Injury or Damage	\$1,000
e. Misdemeanor Penalty – Criminal Fine for Knowingly Making False Statement in Any Wastewater Permit Application	\$1,000
14. Maximum Informant Reward	\$1,000
15. Septic Haulers Annual License:	\$105
Septic Hauler Dumping fees (based on truck tank capacity, not quantity hauled)	\$ 45.45
a. $0 \geq 500$ Gallons	
b. $501 \geq 1000$ Gallons	\$90.90
c. $1001 \geq 1500$ Gallons	\$136.35

d. 1501 ≥ 2000 Gallons	\$181.80
e. 2001 ≥ 2500 Gallons	\$227.25
f. 2501 ≥ 3000 Gallons	\$272.70
g. 3001 ≥ 3500 Gallons	\$318.15
h. 3501 ≥ 4000 Gallons	\$363.60
i. 4001 ≥ 4500 Gallons	\$409.05
j. 4501 ≥ 5000 Gallons	\$454.50
k. 5001 ≥ 5500 Gallons	\$499.95
l. 5501 ≥ 6000 Gallons	\$545.40
16. Maximum Fine for Violation of Wastewater Code	\$1,000
17. Maximum Penalty for Violation of Wastewater Code	\$1,000
18. Culvert/Pipe Clean Outs	Actual Costs
19. Jet-Vac Truck Usage	Actual Costs

WATER DIVISION SERVICE FEES

1. Water Service Connection Fees:	
a. 1" Service Connection	\$ 1,890.00
b. 1.5" Service Connection	\$ 4,254.00
c. 2" Service Connection	\$ 7,560.00
d. 3" Service Connection	\$ 17,010.00
e. 4" Service Connection	\$ 30,240.00
f. 6" Service Connection	\$ 68,040.00
g. 8" Service Connection	\$ 120,960.00
2. Short Term Suspension (Vacant for a minimum of 3 weeks or 21 calendar days, but not more than 6 months or 180 calendar days.)	
a. Requested within 5 business days, during regular business hours, 8:00 am to 5:00 pm	\$10 per request
b. Requested without 5 business days' notice, or after business hours	\$20 per request
3. Water Main Connection Charge, per front foot of property owned upon street or public right-of-way within which a water main is located	\$ 40.55
4. Service Call Charge	Actual Cost
5. Water Disconnection/Reconnection Fee (charged per service call)	\$25
6. Monthly Non-metered Residential Water Rates:	
a. Single Family Dwellings and Mobile Homes (excluding separate apartment units within such dwelling), per dwelling or unit	\$ 20.60
b. Duplex, per dwelling or unit	\$ 20.60
c. Apartment Unit (tenant pays bill), per unit	\$ 16.55
7. Monthly Non-metered Commercial Water Rates:	
a. Category 1 (Commercial Apartment Buildings where landlord pays bill) per apartment unit	\$ 16.55
b. Category 2 (Bar, Church, Gym, Office Space, Retail, Salon, Shop, Warehouse), per business	\$ 29.25
c. Category 3 (Big Box Retail, Car Sales, Convenience Store, Day Care, Fast Food, Medical Office), per business	\$ 36.55
d. Category 4 (Hall, Restaurant), per business	\$ 96.50

e. Category 5 (Grocery Store, Hotel or Rest Home with 20 rooms or less), per business	\$ 138.90
f. Category 6 (Hotel or Rest Home with more than 20 rooms), per business	\$ 289.45
8. Monthly Non-metered School Water Rates:	
a. Elementary Schools, per 50 students or fraction thereof	\$ 12.25
b. Junior High Schools, High Schools, Colleges, and Universities, per 50 students or fraction thereof	\$ 15.40
9. Monthly Non-metered Residential Irrigation Water Rate:	
a. Single Family Dwellings and Mobile Homes, per dwelling or separately owned landscape parcel	\$ 11.05
b. Duplex, per dwelling or unit	\$ 5.50
c. Apartment Unit (tenant pays bill), per unit	\$ 2.75
10. Monthly Non-metered Commercial Irrigation Water Rate (All Commercial Categories plus Private Parks, Privately Maintained Common Area or Parcel), per 100 square feet of calculated landscape area	\$ 0.18
11. Monthly Non-metered School Irrigation Water Rate, per acre or fraction thereof	\$ 11.35
12. Monthly Base Metered Water Rates, per size of water meter:	
a. 5/8" Meter	\$26.50
b. 3/4" Meter	\$26.50
c. 1" Meter	\$26.50
d. 1-1/4" Meter	\$35.25
e. 1-1/2" Meter	\$44.25
f. 2" Meter	\$53
g. 3" Meter	\$61.75
h. 4" Meter	\$88.25
i. 6" Meter	\$168.10
j. 8" Meter	\$265
13. Monthly Metered Water Volumetric Rate, per each 1,000 gallons used:	\$0.66
14. Monthly Idaho DEQ Water Primacy Fee (All Non-metered and Metered Categories), per dwelling, unit, business, or metered connection	\$0.25
15. Outside of City Billing Rates	200% of Metered Rates or Non-metered Rates as Set Forth Above for City Residents

UTILITY DELINQUENT ACCOUNT FEE

1. Fee for non-residential delinquent accounts	4% on 31-day balance, minimum of \$5
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MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: August 23, 2018

RE: Adoption of 2018/19 Fiscal Year Budget

Attached is a copy of the proposed annual 2018/19 fiscal year budget that was tentatively approved on August 16, 2018 by the Mayor and City Council. The tentative budget was advertised August 5, 2018 and August 12, 2018 as required by Idaho Code.

The Public Hearing took place on Thursday, August 16, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho.

Municipal Services respectfully requests the adoption of the 2018/19 fiscal year budget in the amount of \$206,598,558 and the attached appropriation ordinance, appropriating the monies to and among the various funds.

Respectfully,

Pamela Alexander
Municipal Services Director

ORDINANCE NO.

THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, FOR THE PERIOD COMMENCING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019, 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

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

SECTION 1. The revenue of the City of Idaho Falls received during the fiscal period beginning October 1, 2018 and ending September 30, 2019 (hereafter the "Fiscal Period") derived from taxes levied therefore is apportioned to the several funds as follows:

General Levy	\$ 25,700,112
Liability Insurance	636,966
Total General Fund	<u>26,337,078</u>
Recreation Fund	663,831
Library Fund	2,108,098
Streets Fund	3,684,891
Fire Station Capital Fund	401,524
Municipal Capital Improvement Fund	740,000
Total Property Taxes	<u>\$ 33,935,422</u>

SECTION 2. From the revenues of the Street Fund collected within the Fiscal Period and any uncommitted fund balance in the Street Fund, the sum of \$7,028,135 is apportioned to the Street Fund.

SECTION 3. From the revenues of the Recreation Fund collected within the Fiscal Period and any uncommitted fund balance in the Recreation Fund, the sum of \$1,899,608 is apportioned to the Recreation Fund.

SECTION 4. From the revenues of the Library Fund collected within the Fiscal Period and any uncommitted fund balance in the Library Fund, the sum of \$4,372,377 is apportioned to the Library Fund.

SECTION 5. From the revenues of the Airport Passenger Facility Charge Fund collected within the Fiscal Period and any uncommitted fund balance in the Airport Passenger Facility Charge Fund, the sum of \$ -0- is apportioned to the Airport Passenger Facility Charge Fund.

SECTION 6. From the revenues of the Municipal Equipment Replacement Fund collected within the Fiscal Period and any uncommitted fund balance in the Municipal Equipment Replacement Fund, the sum of \$6,150,500 is apportioned to the Municipal Equipment Replacement Fund.

SECTION 7. From the revenues of the Idaho Falls Power (IFP) Public Purpose Fund collected within the Fiscal Period and any uncommitted fund balance in the IFP Public Purpose Fund, the sum of \$1,208,000 is apportioned to the IFP Public Purpose Fund.

SECTION 8. From the revenues of the Business Improvement District Fund collected within the Fiscal Period and any uncommitted fund balance in the Business Improvement

District Fund, the sum of \$85,000 is apportioned to the Business Improvement District Fund.

SECTION 9. From the revenues of the IFP Rate Stabilization Fund collected within the Fiscal Period and any uncommitted fund balance in the IFP Rate Stabilization Fund, the sum of \$ -0- is apportioned to the IFP Rate Stabilization Fund.

SECTION 10. From the revenues of the Golf Fund collected within the Fiscal Period and any uncommitted fund balance in the Golf Fund, the sum of \$2,707,937 is apportioned to the Golf Fund.

SECTION 11. From the revenues of the Self-Insurance Fund collected within the Fiscal Period and any uncommitted fund balance in the Self-Insurance Fund, the sum of \$2,340,000 is apportioned to the Self-Insurance Fund.

SECTION 12. From the revenues of the Sanitary Sewer Capital Improvement Fund collected within the Fiscal Period and any uncommitted fund balance in the Sanitary Sewer Capital Improvement Fund, the sum of \$600,000 is apportioned to the Sanitary Sewer Capital Improvement Fund.

SECTION 13. From the revenues of the Municipal Capital Improvement Fund collected within the Fiscal Period and any uncommitted fund balance in the Municipal Capital Improvement Fund, the sum of \$800,000 is apportioned to the Municipal Capital Improvement Fund.

SECTION 14. From the revenues of the Street Capital Improvement Fund collected within the Fiscal Period and any uncommitted fund balance in the Street Capital Improvement Fund, the sum of \$1,900,000 is apportioned to the Street Capital Improvement Fund.

SECTION 15. From the revenues of the Bridge and Arterial Street Fund collected within the Fiscal Period and any uncommitted fund balance in the Bridge and Arterial Street Fund, the sum of \$325,000 is apportioned to the Bridge and Arterial Street Fund.

SECTION 16. From the revenues of the Water Capital Improvement Fund collected within the Fiscal Period and any uncommitted fund balance in the Water Capital Improvement Fund, the sum of \$1,200,000 is apportioned to the Water Capital Improvement Fund.

SECTION 17. From the revenues of the Surface Drainage Fund collected within the Fiscal Period and any uncommitted fund balance in the Surface Drainage Fund, the sum of \$50,000 is apportioned to the Surface Drainage Fund.

SECTION 18. From the revenues of the Traffic Light Capital Improvement Fund collected within the Fiscal Period and any uncommitted fund balance in the Traffic Light Capital Improvement Fund, the sum of \$690,000 is apportioned to the Traffic Light Capital Improvement Fund.

SECTION 19. From the revenues of the Parks Capital Improvement Fund collected within the Fiscal Period and any uncommitted fund balance in the Parks Capital Improvement Fund, the sum of \$2,850,000 is apportioned to the Parks Capital Improvement Fund.

SECTION 20. From the revenues of the Fire Capital Improvement Fund collected within the Fiscal Period and any uncommitted fund balance in the Fire Capital Improvement Fund, the sum of \$-0- is apportioned to the Fire Capital Improvement Fund.

SECTION 21. From the revenues of the Zoo Capital Improvement Fund collected within the Fiscal Period and any uncommitted fund balance in the Zoo Capital Improvement Fund, the sum of \$215,000 is apportioned to the Zoo Capital Improvement Fund.

SECTION 22. From the revenues of the Civic Center Capital Improvement Fund collected within the Fiscal Period and any uncommitted fund balance in the Civic Center Capital Improvement Fund, the sum of \$1,150,000 is apportioned to the Civic Center Capital Improvement Fund.

SECTION 23. From the revenues of the Airport Fund collected within the Fiscal Period and any uncommitted fund balance in the Airport Fund, the sum of \$5,403,015 is apportioned to the Airport Fund.

SECTION 24. From the revenues of the Water Fund collected within the Fiscal Period and any uncommitted fund balance in the Water Fund, the sum of \$10,682,295 is apportioned to the Water Fund.

SECTION 25. From the revenues of the Sanitation Fund collected within the Fiscal Period and any uncommitted fund balance in the Sanitation Fund, the sum of \$4,696,663 is apportioned to the Sanitation Fund.

SECTION 26. From the revenues of the Ambulance Fund collected within the Fiscal Period and any uncommitted fund balance in the Ambulance Fund, the sum of \$8,210,134 is apportioned to the Ambulance Fund.

SECTION 27. From the revenues of the IFP Fund collected within the Fiscal Period and any uncommitted fund balance in the IFP Fund, the sum of \$75,507,782 is apportioned to the IFP Fund.

SECTION 28. From the revenues of the Wastewater Fund collected within the Fiscal Period and any uncommitted fund balance in the Wastewater Fund, the sum of \$12,946,542 is apportioned to the Wastewater Fund.

SECTION 29. From the revenues of the Contingency Fund collected within the Fiscal Period and any uncommitted fund balance in the Contingency Fund, the sum of \$7,200,000 is apportioned to the Contingency Fund.

SECTION 30. From all other revenues of the City of Idaho Falls collected within the Fiscal Period and the uncommitted fund balance in the General Fund, the sum of \$46,380,570 is apportioned to the General Fund.

SECTION 31. From the monies apportioned to the General Fund, the sum of \$19,980,621 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 32. From the monies apportioned to the Street Fund, the sum of \$3,421,500 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 33. From the monies apportioned to the Recreation Fund, the sum of \$1,251,250 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 34. From the monies apportioned to the Library Fund, the sum of \$1,397,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 35. From the monies apportioned to the Airport Passenger Facility Charge Fund, the sum of \$ -0- is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 36. From the monies apportioned to the Municipal Equipment Replacement Fund, the sum of \$3,060,500 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 37. From the monies apportioned to the IFP Public Purpose Fund, the sum of \$1,208,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 38. From the monies apportioned to the Business Improvement District Fund, the sum of \$90,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 39. From the monies apportioned to the IFP Rate Stabilization Fund, the sum of \$ -0- is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 40. From the monies apportioned to the Golf Fund, the sum of \$2,717,711 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 41. From the monies apportioned to the Self-Insurance Fund, the sum of \$1,150,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 42. From the monies apportioned to the Sanitary Sewer Capital Improvement Fund, the sum of \$205,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 43. From the monies apportioned to the Municipal Capital Improvement Fund, the sum of \$1,500 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 44. From the monies apportioned to the Street Capital Improvement Fund, the sum of \$1,030,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 45. From the monies apportioned to the Bridge and Arterial Street Fund, the sum of \$110,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 46. From the monies apportioned to the Water Capital Improvement Fund, the sum of \$430,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 47. From the monies apportioned to the Surface Drainage Fund, the sum of \$20,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 48. From the monies apportioned to the Traffic Light Capital Improvement Fund, the sum of \$677,500 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 49. From the monies apportioned to the Parks Capital Improvement Fund, the sum of \$1,440,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 50. From the monies apportioned to the Fire Capital Improvement Fund, the sum of \$ -0- is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 51. From the monies apportioned to the Zoo Capital Improvement Fund, the sum of \$300,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 52. From the monies apportioned to the Civic Center Capital Improvement Fund, the sum of \$750,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 53. From the monies apportioned to the Airport Fund, the sum of \$4,864,480 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 54. From the monies apportioned to the Water Fund, the sum of \$9,552,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 55. From the monies apportioned to the Sanitation Fund, the sum of \$4,285,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 56. From the monies apportioned to the Ambulance Fund, the sum of \$7,325,067 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 57. From the monies apportioned to the IFP Fund, the sum of \$59,950,446 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 58. From the monies apportioned to the Wastewater Fund, the sum of \$10,575,000 is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 59. From the monies apportioned to the Contingency Fund, the sum of -0- is appropriated for all expenditures lawfully permitted to be made from such Fund.

SECTION 54. This ordinance shall be in full force and effect from and after its passage, execution and publication in the manner required by law.

PASSED BY COUNCIL AND APPROVED BY THE MAYOR THIS ____ DAY OF AUGUST, 2018.

REBECCA CASPER, MAYOR

STATE OF IDAHO)

ss

COUNTY OF BONNEVILLE)

I, Kathy Hampton, City Clerk of the City of Idaho Falls, Idaho do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance entitled "THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, FOR THE PERIOD COMMENCING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019, 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; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE" and that such ordinance was passed by the City Council and approved by the Mayor on the ____ day of August, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City.

(Seal)

KATHY HAMPTON, CITY CLERK



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

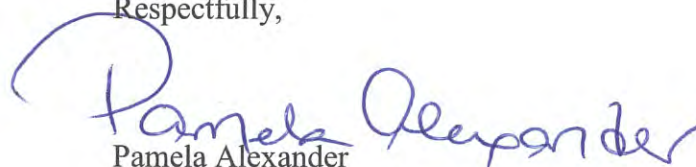
DATE: August 13, 2018

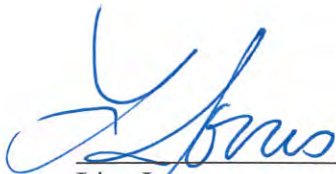
RE: Sale Agreement with Bonneville County for Two Street Sweepers

It is the recommendation of the Municipal Services Department and Public Works to sell two (2) used street sweepers from the City's surplus equipment to Bonneville County.

Under the sale agreement, Bonneville County will pay the City of Idaho Falls \$20,000.00 for each sweeper, for a total of \$40,000.00. Prior to finalizing the sale, the city has published the necessary notices as per State Statute §67-2323. Bonneville County will hold a public hearing on August 22, 2019 to approve the purchase.

Respectfully,


Pamela Alexander
Municipal Services Director



Lisa Jones
Purchasing Agent


Chandra Witt
General Services Administrator

NOTICE

The City of Idaho Falls is selling two (2) street sweepers to Bonneville County. Under the sale agreement, Bonneville County will pay the City of Idaho Falls \$20,000.00 for each sweeper, for a total of \$40,000.00. Prior to finalizing the sale, the City of Idaho Falls will hold a public hearing in order to propose ratification of the sale. The City's hearing will be held at the City Council meeting on August 23, 2018, at 7:30 PM at the City Council Chambers, located at 380 Constitution Way.

Bonneville County will also be holding a public hearing on August 22, 2019 at 10:00 AM at the Bonneville County Court House, in order to propose ratification of the sale.

By: Chandra Witt
General Services Administrator

Published: July 31 & August 7, 2018 (107039)

NOTICE

The City of Idaho Falls is selling two (2) street sweepers to Bonneville County. Under the sale agreement, Bonneville County will pay the City of Idaho Falls \$20,000.00 for each sweeper, for a total of \$40,000.00. Prior to finalizing the sale, the City of Idaho Falls will hold a public hearing in order to propose ratification of the sale. The City's hearing will be held at the City Council meeting on August 23, 2018, at 7:30 PM at the City Council Chambers, located at 380 Constitution Way.

Bonneville County will also be holding a public hearing on August 22, 2019 at 10:00 AM at the Bonneville County Court House, in order to propose ratification of the sale.

By: Chandra Witt
General Services Administrator

Published: July 31 & August 7, 2018 (107039)



Fax Transmittal

To: Post Register, Attn Legal Dept.
Fax No.: 529-3142

From: City of Idaho Falls Purch. Dept.
Phone No. 612-8433

NOTICE

The City of Idaho Falls is selling two (2) street sweepers to Bonneville County. Under the sale agreement, Bonneville County will pay the City of Idaho Falls \$20,000.00 for each sweeper, for a total of \$40,000.00. Prior to finalizing the sale, the City of Idaho Falls will hold a public hearing in order to propose ratification of the sale. The City's hearing will be held at the City Council meeting on August 23, 2018 at the City Council Chambers, located at 380 Constitution Way.

Bonneville County will also be holding a public hearing in order to propose ratification of the sale. The County's hearing will be held

By _____
Chandra Witt
General Services Administrator

Publish:
July 31, 2018
August 7, 2018



MEMORANDUM

TO: Mayor and Council Members
FROM: Dave Hanneman, Fire Chief
DATE: Aug. 17, 2018
RE: Idaho State University Paramedic Instruction Agreement

Mayor and Council Members,

Attached for your consideration and approval is the annual contract between Idaho State University and the CITY for providing paramedic instruction and clinical experience for Idaho State University's Paramedic program. This is the third year of the program and reflects a small increase from last year. This year also includes us providing some didactic instruction.

I respectfully request approval of this contract with Idaho State University and the City for paramedic instruction and clinical experience.

A handwritten signature in black ink that reads "Dave W. Hanneman". The signature is written in a cursive style and is positioned above a horizontal line.

AGREEMENT NO. _____

**AGREEMENT BETWEEN IDAHO FALLS FIRE DEPARTMENT CITY AND IDAHO
STATE UNIVERSITY FOR PARAMEDIC SCIENCE INSTRUCTION AND CLINICAL
EXPERIENCE**

THIS AGREEMENT is made and entered into this _____ day of _____, 2018, between the City of Idaho Falls, a municipal corporation of the State of Idaho, ("CITY") and Idaho State University, on behalf of its College of Health Professions Paramedic Science Program ("PARTICIPANT").

WHEREAS, CITY and PARTICIPANT recognize the need for emergency health professionals in the State of Idaho;

WHEREAS, PARTICIPANT offers a Paramedic Science degree (the "Program") at its Meridian and Idaho Falls campuses and CITY will be providing the instruction and clinical coordination for classes in the Program in conjunction with PARTICIPANT; and

WHEREAS, PARTICIPANT and CITY wish to share educational and clinical resources for the benefit of the students' educational experience;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

I. PARTICIPANT'S DUTIES AND OBLIGATIONS

- A. PARTICIPANT will offer the Program for the 2018-2019 academic year.
- B. PARTICIPANT will appoint the CITY's qualified instructors as ISU Affiliate Faculty for the Program subject to approval by the ISU Department of Academic Affairs:
- C. In accordance with the Family Educational Rights and Privacy Act ("FERPA") requirements and restrictions, PARTICIPANT will provide information to CITY concerning each student applicant and a general description of each student's past academic background, prior to acceptance of a student into the paramedic program. Each party shall not disclose any

student records to a third party without the prior written consent of student, except when permitted or required by law and this Agreement;

D. PARTICIPANT will provide coordination of ISU classroom and Human Patient Simulation Laboratory equipment based on an agreed upon schedule and number of students in the cohort portion of the Program and will provide CITY with access to and use of an ISU classroom, and the Human Patient Simulation Laboratory equipment for instructional experiences with the Program's student cohort;

E. PARTICIPANT will solicit the assistance of the appropriate CITY Preceptor in the evaluation of progress of the individual student throughout the field internship semester;

F. PARTICIPANT shall be responsible for curriculum and curriculum changes in the Program;

G. PARTICIPANT will coordinate with CITY with respect to curriculum development and changes in the Program;

H. PARTICIPANT will work together with CITY on an Advisory Committee that will provide input to curriculum of the Program according to workforce needs;

I. PARTICIPANT will have up to four (4) dedicated admission seats into the Program for CITY employees who have submitted the appropriate application by the application deadline. "Dedicated Seats" is defined to mean that ISU will provide admission to a certain number of CITY employees provided the CITY students meet prescribed admission criteria;

J. PARTICIPANT will give a reasonable degree of care to the facilities and equipment owned by CITY;

K. PARTICIPANT will require students to have their own health insurance coverage and have malpractice insurance coverage with limits of liability of \$1,000,000.00 per occurrence and \$3,000,000.00 general aggregate at the students' own expense. PARTICIPANT will confirm that such insurance coverage for each student assigned to CITY has been obtained prior to

assignment of the student to clinical position;

L. PARTICIPANT will require students to have background checks and drug tests as required by clinical facilities. PARTICIPANT will confirm that such background checks for each student assigned to CITY has been obtained prior to assignment of the student to clinical positions;

M. PARTICIPANT is a state-owned entity. The State of Idaho maintains a self-insurance fund for the purpose of providing protection against certain third party claims; and

N. The PARTICIPANT sponsored student is not an employee, agent, representative, or independent contractor of CITY or PARTICIPANT for any purpose. The PARTICIPANT sponsored student is a student/intern of PARTICIPANT engaged in clinical education experiences as a part of PARTICIPANT'S curriculum.

O. The PARTICIPANT sponsored student will be covered by Worker's Compensation under the Idaho State Insurance Fund during their participation in the program.

II. CITY DUTIES AND OBLIGATIONS

A. CITY, in coordination with PARTICIPANT, will continue to provide didactic, lab, clinical and internship experience components of the course through the termination of this Agreement;

B. CITY will conduct paramedic instruction, clinical practicum (in coordination with ISU clinical coordinator), and field internships in paramedicine in conformity with all applicable curriculum statutes and regulations of Idaho State University, the State of Idaho, the Idaho Department of Health and Welfare, and Council on Accreditation. For purposes of this Agreement, the term "internship" is defined as the supervised practical field training of a student/intern who has successfully completed the classroom didactic and hospital clinical rotations as defined by their paramedic program;

C. CITY will provide a CO-Clinical Coordinator (with ISU's Clinical Coordinator) and a qualified instructor for the Program per Commission on Accreditation of Allied Health Education Programs ("CAAHEP") standards;

D. CITY will comply with the policies and procedures of the PARTICIPANT and work in conjunction with the Program Director and Program Coordinator;

E. CITY will review students' progress toward accomplishing course objectives;

F. CITY will provide adequate instructors and operational staff to assist and support students in performing their lab assignments;

G. CITY will provide specific assignments and a schedule that meets PARTICIPANT'S Program minimums for which a student is enrolled in advance of the instruction, clinical practicum, and internship;

H. During the internship CITY will provide students with workstations and equipment appropriate to the tasks being performed on behalf of CITY and, wherever possible, allow students the use of existing lockers, cloakrooms, restrooms, dining rooms, or

cafeterias while using CITY facilities for internship;

I. CITY will provide adequate Preceptors and operational staff to assist and support students in performing internship assignments of CITY. The student cannot be substituted for CITY staff;

J. CITY will allow instructors in the Program to attend such meetings of the staff within CITY which pertain to the performance of the student or program;

K. CITY will share educational and clinical resources with PARTICIPANT for the benefit of the Program students' educational experience;

L. CITY will allow PARTICIPANT's Program Coordinator and Program Director to conduct on-site visits at CITY for oversight of the Program;

M. CITY will work together with PARTICIPANT in an Advisory Committee that will provide input to curriculum according to workforce needs;

N. During the internship, CITY will allow flexibility in the number of students assigned to the CITY at one time, recognizing that there may be periods when no student will be assigned to CITY. CITY has the right to refuse any particular student, and the right to limit the number of students, depending upon workloads. CITY will not refuse a student on the basis of race, color, religion, national origin, sex, age, disability (as long as they meet the physical requirements), or status as a veteran;

O. Upon request of the appropriate accrediting organization, and with reasonable advanced notice, CITY will allow the appropriate education accrediting body of the

Program to examine the records related to the internship and the student performance in CITY;

P. CITY will retain authority regarding all operations and service activities of CITY; and

Q. CITY is self-insured for the purpose of providing workers' compensation statutory benefits for employees of the CITY.

R. CITY shall provide the appropriate National Registry practical examination at the conclusion of the program.

S. CITY shall provide a certificate of liability to PARTICIPANT indicating CITY insurance coverage for negligence and tort claims.

III. PAYMENTS

PARTICIPANT will pay CITY as follows based on the number of students enrolled in the program in Idaho Falls and stay enrolled past the date that they would be eligible to receive a refund of the enrollment fees for the Program:

IFFD - Paramedic Science Instruction & Clinical Experience				
# of Students	Didactic Instruction	Administrative Activities / Clinical Coordination	Lab Instruction at ISU Idaho Falls	Paramedic Science Total Contract
1 to 6	\$ 2,472	\$ 2,060	\$ 6,592	\$ 11,124
7 to 12	\$ 2,472	\$ 2,060	\$ 13,184	\$ 17,716

For clarity, the amounts referenced above are not additive and are total amounts (not

per student amounts). For example, if 8 students remain enrolled past the date that they would be eligible to receive a refund of the enrollment fees for the Program, then PARTICIPANT would be obligated to pay CITY an aggregate amount of \$17,716 for Didactic and Lab Instruction and Administrative Activities as the total compensation for all of CITY's activities in the Program as described herein. PARTICIPANT will pay the amount owed to CITY in three (3) installments with each installment payable within 30 days after PARTICIPANT's receipt of CITY's invoice therefore but not before September 30, 2018, January 31, 2019, and May 31, 2019 respectively.

IV. GENERAL TERMS AND CONDITIONS

A. The parties hereby acknowledge that this Agreement is mutually beneficial to CITY and PARTICIPANT;

B. CITY and PARTICIPANT will share in the responsibility for accreditation;

C. CITY and PARTICIPANT will share in the responsibility in dealing with unauthorized absence, illness or other problems involving students, as outlined in student policies;

D. CITY and PARTICIPANT will share in the responsibility of paramedic science program application review and student acceptance in the program;

E. CITY and PARTICIPANT will jointly design a student handbook that defines student guidelines; didactic materials, including student the student handbook, developed for the Paramedic Science Course are the sole property of PARTICIPANT.

F. CITY will indemnify PARTICIPANT from and against all liability resulting from the negligence or willful misconduct of CITY, its employees and agents in the providing of services set forth herein. PARTICIPANT shall not be liable for any acts or omission caused by CITY, its officers, employees, or agents, representatives, or volunteers. PARTICIPANT will notify the student insurance carrier for any claims involving a student. PARTICIPANT employees, faculty

and staff are subject to claims to the extent permitted by the Idaho Tort Claims Act.

G. This Agreement may be terminated early by either party, subject to CITY or PARTICIPANT providing no less than thirty (30) days prior written notice of termination to the other party;

H. This Agreement may be terminated immediately in the event either PARTICIPANT or CITY defaults in the performance of a material obligation required under this Agreement and such default is not cured to the satisfaction of the non-defaulting party within thirty (30) days after the defaulting party receives written notice of the default;

I. This Agreement shall be effective on the date it is signed by duly authorized representatives of CITY and PARTICIPANT and shall remain in effect through September 30, 2019, unless sooner terminated as provided by sections G and H, immediately above;

J. This Agreement and its performance shall be construed in accordance with and governed by the laws of the State of Idaho, with venue for any action brought pursuant to this Agreement to be in the Seventh Judicial District of the State of Idaho, in and for the County of Bonneville;

K. Point of Contact: The persons identified below shall be the point of contact for the other party, and any notices shall be mailed or delivered to the persons identified below:

CITY:

PARTICIPANT:

Eric Day, Division Chief EMS
Idaho Falls Fire Department
625 Shoup Ave
Idaho Falls, Idaho 83405
Telephone: (208) 612-8173

General Counsel
Idaho State University
921 S. 8th Ave, Stop 8410
Pocatello, Idaho 83209-8140
Telephone: (208) 282-3234

IN WITNESS WHEREOF, the authorized representatives of the parties have executed
this Agreement on the date(s) set forth below.

ATTEST:

City of Idaho Falls, Idaho

By _____
Kathy Hampton, City Clerk

By _____
Rebecca L. Noah Casper, Mayor

Date _____

Date _____

IDAHO STATE UNIVERSITY

By: _____
Dr. Rex Force
Vice-President for ISU Division of Health Sciences

Date: _____



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brad Cramer, Community Development Services Director

DATE: Monday, August 20, 2018

RE: BID Management Agreement with IFDDC for FY2018-2019

Attached is the BID Management Agreement with IFDDC for FY2018-2019. Each year the BID has existed the City has entered into such an agreement with IFDDC. The agreement requires IFDDC to report on their plans and expenditures, hold meetings with its membership, and outlines the payment schedule for tax assessment collections within the BID boundaries. Staff has reviewed the agreement and respectfully requests approval.

Attachments: Management Agreement

MANAGEMENT AGREEMENT

THIS AGREEMENT, entered into by and between the CITY OF IDAHO FALLS, State of Idaho, a municipal corporation, hereinafter referred to as the “City,” P. O. Box 50020, Idaho Falls, Idaho 83405, and the IDAHO FALLS DOWNTOWN DEVELOPMENT CORPORATION, an Idaho non-profit corporation, 381 Shoup Avenue, Suite 207, Idaho Falls, Idaho, 83402, hereinafter referred to as the “Corporation.”

WITNESSETH:

WHEREAS, the City, pursuant to Ordinance No. 3125 (the “Ordinance”), as authorized by Idaho Code Section 50-2601, *et seq.*, did establish a Business Improvement District, hereinafter referred to as the “DISTRICT,” and

WHEREAS, the Corporation was organized and established for the purpose of revitalizing the Idaho Falls Downtown area and operates primarily within the boundaries of the District as established by the Ordinance, and

WHEREAS, the Corporation is willing to and is capable of providing certain administration and management services to the City regarding operation of the District;

NOW, THEREFORE, for good and valuable consideration set forth herein, the parties agree as follows:

1. Pursuant to Idaho Code Section 50-2611, the City hereby retains the Corporation to provide certain management services as set forth in Exhibit A attached hereto, regarding the management and operation of the District. The Corporation warrants it has adopted By-Laws necessary to fulfill the terms of this Agreement and further covenants such administration complies with all applicable provisions of state and local law including, but not limited to, Chapter 26, Title

MANAGEMENT AGREEMENT

50, of the Idaho Code.

2. The principal office of the Corporation and registered agent thereof is presently located at 381 Shoup Avenue, Suite 207, Idaho Falls, Idaho 83402, and all notices required by this Agreement to be sent to the Corporation shall be mailed to such office or such other address designated in writing by the Corporation to the City.

3. On or before May 1, 2019, the Corporation shall hold a public meeting for the purpose of allowing public comments and input regarding proposed projects, goals, objectives and expenditures of the District for the 2018/2019 fiscal year. Such meeting shall be open to all persons against whom assessments are levied under the Ordinance and all persons who own or operate businesses within the District. The Corporation shall mail a written notice of the meeting stating the date, time, place and purpose of the meeting to all such businesses not less than fifteen (15) days prior to the date of the meeting.

4. On or before June 1, 2019, the Corporation shall provide to the City a projection of anticipated revenues and recommended expenditures of the District for the 2019/2020 fiscal year of the City. The Corporation shall also establish and identify goals, objectives, projects and marketing and advertising campaigns for which BID revenues are to be utilized and shall simultaneously submit such information to the City. The City Council shall thereafter review such reports and recommendations and provide any comments or exceptions to the Corporation.

5. Upon receipt by the City of any appeal of any BID member of his or her assessment pursuant to Section 30 of the Ordinance, the City may forward the same to the Corporation. Upon receipt of such appeal, the Corporation shall forthwith review the appeal and make recommendations to the City Council regarding an appropriate disposition of the appeal.

MANAGEMENT AGREEMENT

6. The Corporation shall keep correct and complete books and records of accounts, shall keep minutes of the regular and special meetings of the Board of Directors of the Corporation and shall keep at the principal office a record of the names and addresses of all BID members. All books and records of the Corporation may be inspected by the City or its agents for any proper purpose at any time during normal business hours.

7. In consideration of the management services provided to the City by the Corporation, the City agrees to pay the Corporation the sum of \$85,000, due and payable as follows:

- a. The sum of \$25,000, due and payable on or before October 1, 2018;
- b. The sum of \$35,000, due and payable on or before January 1, 2019;
- c. The sum of \$25,500, due and payable on or before June 1, 2019.

Notwithstanding the foregoing, in the event the total amount of the assessments collected by the City under the Ordinance as of any of such due dates is insufficient to make such installment payments, the City shall have the obligation to remit only such amounts for which it has received sufficient revenues from assessments against business owners within the District. If the city thereafter receives further assessment payments, it shall thereafter remit, from time to time and as frequently as practical, amounts sufficient to cure such shortfalls. Further, in the event a court of competent jurisdiction holds the Ordinance to be invalid or unenforceable in any respect, then the City and the Corporation shall be released from any and all monetary obligations hereunder and this Agreement shall be deemed null and void.

8. The Corporation shall hire staff as determined by its Board of Directors to coordinate and assist in the administration of the operation of the District.

9. The City shall be responsible for billing and collecting all BID assessments and

MANAGEMENT AGREEMENT

accounting for all revenues to and expenditures of the District in collaboration with the County.

10. The term of this Agreement shall commence on October 1, 2018 and shall terminate on September 30, 2019. The parties may renew this Agreement by mutual consent provided notification of the desire to renew this contract shall be given not less than one hundred twenty (120) days prior to the execution of this proceeding contract term.

11. Whenever used in this Agreement and when required by the context, the singular number shall include the plural, gender shall include the masculine, feminine and/or neuter genders, as may be applicable, and persons shall include corporations, trusts, partnerships or other lawful associations of any kind.

12. This Agreement shall be construed and enforced in accordance with the laws of the State of Idaho.

IN WITNESS WHEREOF, the parties have set their hands and seals hereto on this _____ day of _____, 2018.

CITY OF IDAHO FALLS

IDAHO FALLS DOWNTOWN
DEVELOPMENT CORPORATION

By: _____
Rebecca Casper, Mayor

By: _____
Antonio Meza, Chair

MANAGEMENT AGREEMENT

EXHIBIT A

Idaho Falls Downtown Development Corporation

Mission:

Idaho Falls Downtown Development Corporation (IFDDC) advances our historical downtown as the regional center for commerce, culture and leisure activities for residents and visitors.

Organization:

The Idaho Falls Downtown Development Corporation is a non-profit 501 (c) (6) organization.

A Board of Directors of thirteen has volunteered to implement the goals to achieve the mission. General board meetings are open to the public and held the first Tuesday of every month at 8:30 a.m.

Objectives:

Idaho Falls Downtown Development Corporation Objectives:

1. **Promotion:** Enhance commercial district image development, work with special events and retail promotions, and work with the media.
2. **Economic restructuring:** Conduct a yearly market analysis, focus on business retention and recruitment, encourage real estate development.
3. **Organization:** Fund raising, volunteer recruitment, staff support, financial accounting and program promotion.
4. **Design:** Design education, architectural services, develop incentives for rehabilitation, and plan public improvements.
5. **Executive:** Consists of president, vice-president, secretary and treasurer from the Board of Directors whom oversees the budgeting, staffing, grants and operations of the corporation.

Goals:

The Idaho Falls Downtown Development Corporation has the following goals:

- Branding Downtown
- Business Recruitment & Retention
- Increase Downtown Visitors & Shoppers
- Community Feel Among Merchants & Building Owners
- Improve Broadway Corridor
- Identify Infrastructure Improvements

MANAGEMENT AGREEMENT

Downtown Projects:

The Idaho Falls Downtown Development Corporation has identified the following projects:

- Planter boxes upgraded throughout downtown
- Stamped concrete at crosswalks
- Broadway - new trees and sidewalk
- Merchant sign at Memorial & B and Memorial & A
- Lighted crosswalk signs at Memorial & B (like at EIRMC)
- Murals on buildings
- Alley improvements

Marketing and Advertising Campaigns:

The Idaho Falls Downtown Development Corporation is promoting downtown by increasing the events held downtown. These events market the downtown businesses and area to those who attend. We have launched a Downtown Gift Certificate which can be used throughout downtown. We are also partnering with the Museum of Idaho to market their new exhibits while they in turn market the downtown to their customers. The events planned for 2018 - 2019 are:

- October – Ladies Shopping days
- November – Fall Brew, Tree Lighting Ceremony
- December – Find Santa’s Puppy, Saturday Free Trolley Rides
- January – Winterbrew
- March – Find the Easter Bunny
- April – Springbrew
- May – Family Day Downtown
- July – Taste of Downtown
- August – Rodeo Kick-off Party
- September – Our History Brew



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brad Cramer, Community Development Services Director

DATE: Monday, August 20, 2018

RE: Long Cove Drive Right-of-Way Plat

Attached is a Right-of-Way plat for a portion of Long Cove Drive. This plat will establish necessary right-of-way between the Sand Pointe and Darcy Steward subdivisions. The reason for having a separate right-of-way plat is that the property line between the two subdivisions bisects the proposed roadway. This method of platting allows the right-of-way to be established without both developments providing the full plat, as one of the developers is not ready to do so. This type of plat is not required to be considered by the Planning and Zoning Commission. Staff respectfully requests approval of the plat.

Attachments: Aerial Photo
 Right-of-Way plat

Long Cove Drive Right-Of-Way Plat
A HIGHWAY RIGHT OF WAY PLAT UNDER IDAHO CODE, TITLE 40, CHAPTER 2
CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO
BEING IN A PART OF THE EAST 1/2 OF THE WEST 1/2 OF SECTION 4,
TOWNSHIP 1 NORTH, RANGE 38 EAST OF THE BOISE MERIDIAN,

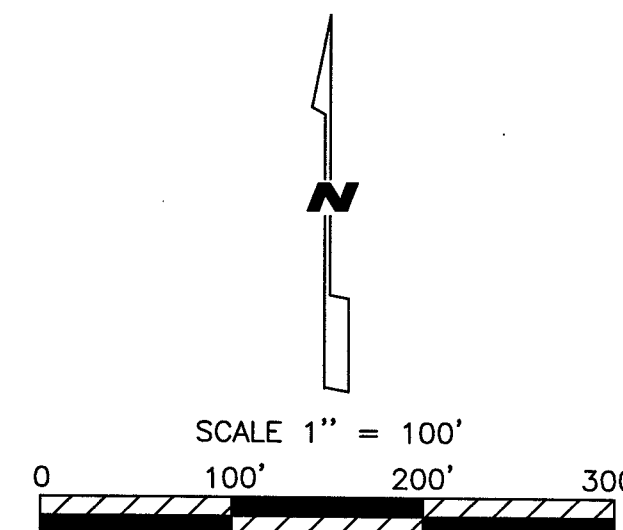
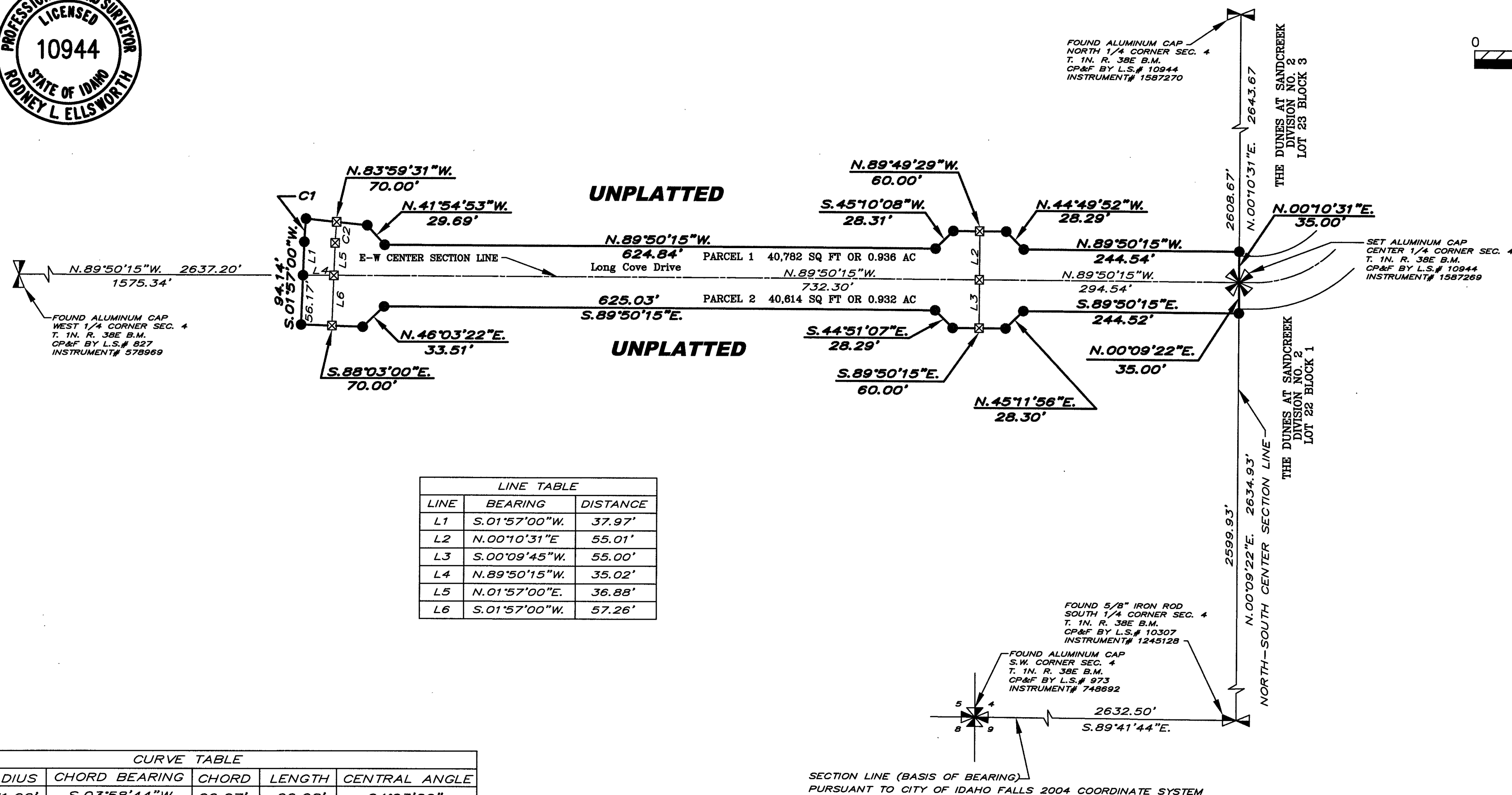
SURVEYOR'S CERTIFICATE

I, Rodney L. Ellsworth, a licensed Professional Land Surveyor in the State of Idaho do hereby certify that the survey of this subdivision, designated as Long Cove Drive Right-of-Way Plat, was made under my direction, and that said subdivision is truly and correctly surveyed and staked as provided by law and in accordance with the accompanying plat as described hereon.



LEGEND & NOTES

- ☒ SET 5/8" ^Ø STEEL RE-BAR WITH ALUMINUM CAP MARKED PLS# 10944
- SET 5/8" ^Ø STEEL RE-BAR WITH PLASTIC CAP MARKED PLS# 10944



RIGHT OF WAY ACKNOWLEDGEMENT

Pursuant to the requirements of I.C. §40-209(i)(E) The City of Idaho Falls does hereby duly acknowledge and accept the Right-of-Way shown on the accompanying plat.

MAYOR

CITY CLERK

CITY ENGINEER
KENT J. FUGAL, PE 9247

CITY SURVEYOR
KENNETH BALDWIN ROBERTS, PLS 9755



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brad Cramer, Community Development Services Director

DATE: Monday, August 20, 2018

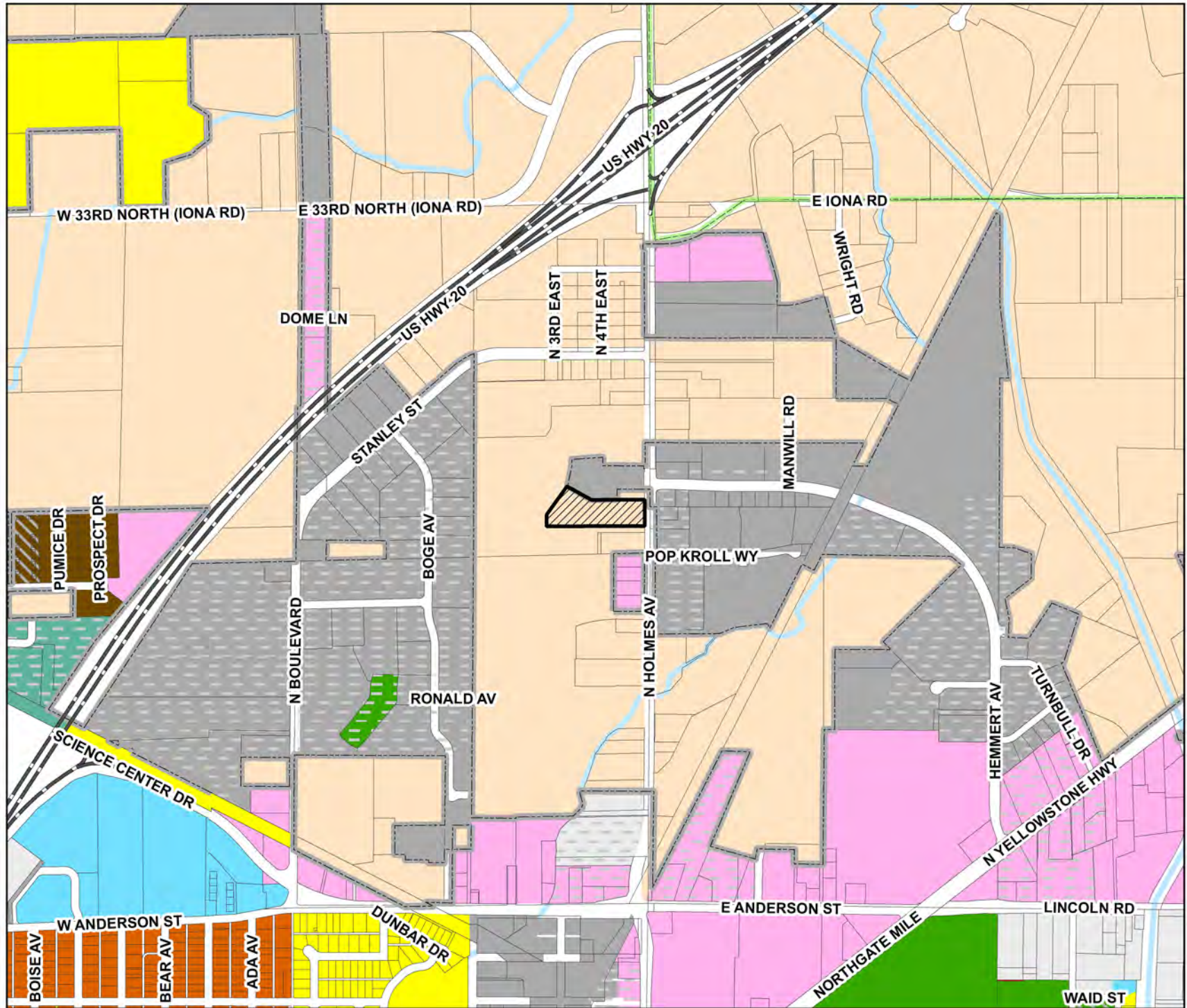
RE: Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, T&T Park Addition

Attached is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, for T&T Park Addition. The Planning and Zoning Commission considered this item at its June 5, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation. This item is now being submitted to the Mayor and City Council for consideration.

Attachments: Vicinity Map
 Aerial Photo
 Comprehensive Plan Map
 Staff Report, June 5, 2018
 P&Z Minutes, June 5, 2018
 Development Agreement
 Reasoned Statement of Relevant Criteria and Standards

Legend

-  Site
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P
- Overlays**
-  PT
-  PT & T-1
-  PUD
-  T-1
-  T-2
-  City Limits
-  Area of Impact





IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT

Final Plat
T & T Park
June 5, 2018



Community
Development
Services

Applicant: HLE

Location: Generally south of E 33rd N, west of N Holmes Ave., north of E Anderson St., and east of US Hwy 20.

Size: Approx. 3.54 acres
Buildable Lots: 1

Existing Zoning:

Site: I&M
North: I&M, County I&M-1
South: County I&M-1
East: I&M
West: County I&M-1

Existing Land Uses:

Site: Commercial
North: Residential, Commercial
South: Vacant/Undeveloped
East: Commercial industrial
West: Vacant/Undeveloped

Future Land Use Map:

Higher Education Centers

Attachments:

1. Maps
2. Aerial photos
3. Final Plat

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

Staff Comments: The property is proposed to be zoned I&M. The plat includes one lot. The proposed lot exceeds the minimum requirements for the I&M zone.

The property has frontage on Holmes Ave., a state right of way. The parcel was partially developed while in the county. There is a home that was converted into a sales office. The sales office was previously used by Squire Brick. Approximately 50% of the parcel has been surfaced with pit run. Redevelopment of the property within the City requires the property to be platted.

The property has frontage on Holmes, a state right of way. Development of the property will require a change to approaches in sidewalks along the street frontage. Surrounding land uses include a mix of commercial, residential, and vacant pasture ground.

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

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

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

Comprehensive Plan Policies:

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

Not only is a compact city convenient but the provision of public facilities is less expensive. Growth does not always occur at the fringe of a community. PG 67

Access to commercial properties shall be designed to minimize disruptive effects on traffic flow.

Every driveway is an intersection. To remove impediments on traffic flow, access should be governed by the principles found in 2012 Updated Access Management Plan prepared by the Bonneville Metropolitan Planning Organization. Besides limiting the number of access drives, shared accesses should also be explored when reviewing new developments. PG 49

Zoning:

11-2-5: ALLOWED USES IN INDUSTRIAL AND SPECIAL PURPOSE ZONES.

Table 11-2-3: Allowed Uses in Industrial Zones

P = permitted use. C = conditional use. A blank denotes a use that is not allowed in that zone. *Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.				
Proposed Land Use Classification	Industrial		Special Purpose	
	LM	I&M	R&D	P
Accessory Use, Storage Yard*	P	P	P	
Building Material, Garden and Equipment	P	P		

11-3-7: PURPOSE OF INDUSTRIAL ZONES

(B) I&M Industrial and Manufacturing Zone. This zone provides an industrial zone in which the primary use of the land is a manufacturing, fabricating, processing, and warehousing. Land zoned I&M should be relatively flat, open land, conveniently located close to transportation, public utilities and other facilities necessary for large employment centers and successful manufacturing operations

11-3-8: STANDARDS FOR INDUSTRIAL ZONES

(A) Dimensional Standards. Table 11-3-7 Dimensional Standards for the LM and I&M Zones shall be used for determining the minimum site area, minimum setbacks, maximum building height and maximum lot and building coverage in that Zone.

Table 11-3-6: Dimensional Standards for Industrial Zones

Table 11-3-6: Dimensional Standards for Industrial Zones

	LM	I&M
Site Area- Minimum in acres		
Setbacks – Minimum in ft.		
Front	30	30
Side	0/20*	0/20*
Rear	0/20*	0/20*
Building Height- Maximum	see sub-sections (2) below	
Lot Coverage- Maximum in %	80	
Building Coverage- Maximum in %	50	
*See explanations, exceptions and qualifications that follow in 11-3-8A (1-2) of this Zoning Code.		

(1) In the LM and I&M Zones, a setback of twenty feet (20') shall be provided from all residential uses, residential zones, the R3A Zone if occupied by residential uses, or from land designated for low or higher density residential in the City's Comprehensive Plan.

(2) Any structure with a height greater than thirty feet (30') shall be set back seventy-five feet (75') from all residential uses, residential zones, the R3A Zone if occupied by residential uses, or land designated for low or higher density residential in the City's Comprehensive Plan, unless approved as a conditional use by the Planning Commission, as set forth in Section 11-6-5B.

(3) For commercial uses, lot coverage shall include all areas under roofs and paved surfaces including driveways, walks, and parking areas. The remaining lot area shall be landscaped as required by this Code.

Table 11-4-1: Minimum Landscaping and Buffer Requirements

Zone	Minimum Landscaping Requirements (% of total lot area)	Minimum Landscaped setback contiguous to a Street (In width)	Commercial and Multi-Unit Residential Minimum Landscaped Buffer from Contiguous Single Unit Residential Zones and Uses (in width)
I&M		15'	30' or (20' with an 8' masonry wall or opaque fence)

June 5, 2018

7:00 p.m.

Planning Department

Council Chambers

MEMBERS PRESENT: Commissioners George Morrison, George Swaney, Gene Hicks, Joanne Denney, Brent Dixon, Margaret Wimborne, Darren Josephson. (7 present with 6 votes).

MEMBERS ABSENT: Julie Foster, Arnold Cantu, Natalie Black, Lindsey Romankiw

ALSO PRESENT: Planning Director, Brad Cramer, Assistant Planning Director, Kerry Beutler, Brent McLane, Mike Kirkham, Esq., and interested citizens.

CALL TO ORDER: George Morrison called the meeting to order at 7:00 p.m. and reviewed the public hearing procedure.

CHANGES TO AGENDA: None.

Minutes: Swaney moved to approve the Minutes for the May 1, 2018, Hicks seconded the motion and it passed unanimously.

PLAT 18-014: FINAL PLAT. T&T Park. McLane presented the staff report, a part of the record. Dixon asked if the sliver to the south would be wide enough to have a street to get to the interior of the property, or if in the future they could take some of the property to make a street. Dixon asked if the plat needs to have an easement on it for future streets. Beutler stated that they met with the property owners and are talking through cross access easements, so they can have shared access at that point, and there would not be a developed street section. McLane added that they try to line up access points, so they are across from each other and the location of that sliver is right between the two roadways and not ideal for access.

Applicant: Daryl Kofoed, 101 S. Park Ave., Idaho Falls, Idaho. Kofoed stated that there is a parcel that is 50' wide and then bigger on the back and some point in time it will develop a road system that goes all the way back through and it won't be needed, but they will gather more property first. Kofoed stated that Napa Auto Parts farther south left 60' to make an access in and out. Kofoed stated that if it is needed they agree to modify the plat and share access.

Dixon moved to recommend to the Mayor and City Council approval of the Final Plat for T&T Park, Wimborne seconded the motion and it passed unanimously.

DEVELOPMENT AGREEMENT
T&T PARK SUBDIVISION

This DEVELOPMENT AGREEMENT, T&T PARK SUBDIVISION (hereinafter called "AGREEMENT"), made this _____ day of August, 2018, by and between the CITY OF IDAHO FALLS, IDAHO, a municipal corporation of the State of Idaho, (hereinafter "CITY"), whose mailing address is P.O. Box 50220, Idaho Falls, Idaho 83405, and T. and T. Holdings, LLC, an Idaho limited liability corporation (hereinafter "DEVELOPER"), whose mailing address is 218 Bassett Road, Roberts, Idaho 83444.

W I T N E S S E T H:

WHEREAS, DEVELOPER is the sole owner, in law or equity, of a certain tract of land in the County of Bonneville, State of Idaho, which land (hereafter referred to as "Subdivision"), is more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof; and

WHEREAS, DEVELOPER desires to develop the Subdivision within CITY and has submitted a plat bearing the Subdivision name described in the caption of this AGREEMENT; and

WHEREAS, City Engineer, and the Idaho Falls Planning and Zoning Commission, have recommended such development be allowed, subject to certain requirements and obligations on the part of DEVELOPER; and

WHEREAS, CITY is willing to allow the development of the Subdivision within City of Idaho Falls, Idaho, subject to the terms and conditions of this AGREEMENT and the Special Conditions attached hereto; and

WHEREAS, CITY has authority to approve Subdivision plats and the construction of streets, utility lines and other public improvements within the CITY; and

WHEREAS, DEVELOPER specifically waives DEVELOPER's right to protest development requirements described in this AGREEMENT, including DEVELOPER's right of judicial review contained in Chapter 52, Title 67, Idaho Code, and pursuant to the standards set forth in § 67-5279, Idaho Code; and

WHEREAS, DEVELOPER understands that the public improvements required herein are standards required pursuant to Idaho Falls City Code, Title 10, Chapter 1, and are authorized by Idaho Code §§ 67-6513 and 67-6518; and

WHEREAS, DEVELOPER and CITY believe that without the public improvements required herein, CITY would not be able to otherwise provide for mitigation of the effects of the Subdivision development on the ability of CITY to deliver services without compromising quality of such service delivery to current CITY residents, or without imposing substantial additional costs upon current CITY residents to accommodate the proposed Subdivision; and,

WHEREAS, CITY desires to ensure that public improvements consisting of those described in this AGREEMENT, including Special Conditions for the Subdivision, are constructed; and

WHEREAS, DEVELOPER understands that a waiver of public improvements is available pursuant to Idaho Falls City Code, but DEVELOPER specifically does not wish to request such a waiver and wishes to enter into this AGREEMENT; and

WHEREAS, DEVELOPER enters into this AGREEMENT of DEVELOPER's own free will and accord, without coercion and without inducement and at DEVELOPER's request; and

WHEREAS, DEVELOPER has read this AGREEMENT, has understood it, and has had the opportunity to avail itself of legal and other counsel prior to entering into this AGREEMENT and prior to signing it; and

WHEREAS, DEVELOPER has submitted a preliminary plat bearing the Subdivision name described in the caption of this AGREEMENT; and

WHEREAS, City Engineer and City Planning and Zoning Commission have recommended such Subdivision be approved subject to certain requirements and obligations on the part of DEVELOPER; and

WHEREAS, CITY is willing to approve the Subdivision to CITY, subject to the terms and conditions of this AGREEMENT and the Special Conditions attached hereto.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

1. Approval of Subdivision. CITY hereby approves the Subdivision plat as described in Exhibit "A" attached hereto and made a part to this AGREEMENT by reference, and agrees that upon DEVELOPER's full and complete performance of the terms and conditions hereto, it will accept and maintain all public facilities and improvements shown in the Improvement Plans for the Subdivision.

2. Improvement, Preliminary, and Final Improvement Plans. "Improvement Plans," used in this AGREEMENT, are engineer-designed plans showing all streets, sewer lines, water lines, storm drains, street signs, traffic control devices, barricades, other public utilities (telephone, gas, electricity, fiber optic and irrigation facilities) and other public improvements contemplated within the Subdivision. "Preliminary Improvement Plans" as used in this AGREEMENT, are those Improvement Plans submitted and considered for the Subdivision development prior to the approval of City Engineer, and not yet approved for construction. "Final Improvement Plans" as used in this AGREEMENT, are those Improvement Plans submitted, considered and approved by City Engineer for the Subdivision development.

DEVELOPER anticipates that development of the entire Subdivision will occur in phases or divisions. DEVELOPER has filed, and City Engineer has approved, Improvement Plans for the public improvements to be constructed within public rights-of-way exterior to the Subdivision, (hereafter referred to as the "Exterior Improvement Plans") showing the width, location and alignment of all streets, sewer lines and water lines within the Subdivision and the size and materials specifications for such water and sewer lines. Prior to the commencement of any construction or development within any phase or division of the Subdivision, DEVELOPER shall also file with, and obtain the approval of, City Engineer Improvement Plans (hereafter the "Interior Improvement Plans") for all streets, sewer lines, water lines, storm drainage facilities, street signs, traffic control devices, barricades and other public improvements contemplated within such phase or division of the Subdivision. The filed Improvement Plans shall also show the proposed location of other public utilities (telephone, gas and electricity), and irrigation facilities affected by the development of such phase or division of the Subdivision. Preliminary Improvement Plans are incorporated herein by reference as though set out in full, and the Final Improvement Plans shall also, upon approval by City Engineer, be deemed to be incorporated herein by reference.

3. Construction of Public Improvements. Unless otherwise agreed in the Special Conditions, DEVELOPER shall, at its expense, design and construct all public improvements shown in the Exterior Improvement Plans and Interior Improvement Plans. Unless otherwise agreed in writing by City Engineer, DEVELOPER shall construct all required public improvements within such Improvement Plans in strict accordance with the approved Preliminary and Final Improvement Plans and CITY Standard Engineering Drawings and Specifications (hereafter referred to as the "Standard Specifications") in effect at the time the construction is accomplished. The Standard Specifications are incorporated herein by reference as though set out in full and compliance to the Standard Specifications is a condition of this AGREEMENT.

4. Permits. DEVELOPER shall obtain all right-of-way, excavation and/or other permits required by local ordinance and comply with all requirements therein with respect to the timely performance of the work governed by such permits.

5. Inspection. DEVELOPER shall retain a professional engineer (hereafter referred to as the "Project Engineer") licensed within the State of Idaho to supervise, inspect and test the construction of all public improvements within the Subdivision in order to ensure such improvements are constructed in accordance with this AGREEMENT, the Improvement Plans and the Standard Specifications. DEVELOPER shall not materially deviate from the Improvement Plans or Standard Specifications without the express written approval of the City Engineer.

6. Corrected Improvement Plans. Prior to acceptance of any phase or division of the Subdivision, DEVELOPER will file "As Constructed"/ "As Built" Improvement Plans (hereafter referred to as the "Corrected Improvement Plans") with City Engineer. Such Corrected Improvement Plans shall be prepared by the Project Engineer and shall show the actual constructed

location of all public improvements within the Subdivision including the horizontal and vertical location of all water, sewer and storm drain lines, individual building service lines curb and gutter alignment and street grades. Such Corrected Improvement Plans shall also specifically show all changes between the Final Improvement Plans and the public improvements as actually constructed. The Project Engineer shall also certify upon the Corrected Improvement Plans that such Corrected Improvement Plans correctly show all public improvements as actually constructed and that such public improvements have been constructed in accordance with the Standard Specifications in effect at the time such construction was accomplished. The Project Engineer shall also deliver to City Engineer all compaction reports, daily construction logs, reports, written tests, analysis and other data as may be necessary to verify or support the certification of the Project Engineer.

7. Acceptance of Subdivision. Upon satisfactory completion of such public improvements and facilities, DEVELOPER's delivery of Corrected Improvement Plans and the filing and approval by CITY of a final plat, CITY will accept that portion of the Subdivision for which a final plat has been approved. Such acceptance shall not be valid unless expressly acknowledged in writing by City Engineer. Except as otherwise expressly provided in the Special Conditions, upon acceptance of any phase or division within the Subdivision, CITY shall assume ownership and control of all public facilities within any dedicated street or public utility right-of-way within the Subdivision and shall execute and record an instrument documenting such acceptance. Acceptance of the Subdivision Improvements and recording the acceptance instrument shall not be deemed as a waiver of DEVELOPER's agreement herein to fully and completely perform the terms and conditions of this AGREEMENT, or as a waiver or release of the warranty set forth below in this AGREEMENT.

8. Warranty. DEVELOPER warrants that the materials and workmanship employed in the construction of all public improvements within the Subdivision shall be good and sound, and shall conform to generally accepted standards within the construction industry. Such warranty shall extend for a period of one (1) year after acceptance of any phase or division of the Subdivision within which such improvements are located, by CITY, provided nothing herein shall limit the time within which CITY may bring an action against DEVELOPER on account of DEVELOPER's failure to construct such improvements in accordance with this AGREEMENT, the Improvement Plans or the Standard Specifications. DEVELOPER, and DEVELOPER's heirs, successors and assigns, shall and do hereby warrant and agree, to defend the quiet and peaceful possession of CITY in all easements, rights-of-way, street dedications or other estates conveyed pursuant to the terms of this AGREEMENT or pursuant to the subdivision plat which is the subject hereof, from and against all claims against DEVELOPER and DEVELOPER's successors or assigns and against every person whomsoever who lawfully holds, or who later lawfully claims to have held, rights in the premises as of the date of this AGREEMENT.

9. Water and Sewer Main Connection Charges. DEVELOPER agrees to pay to CITY at the time any separate sanitary sewer service or culinary water service connection to CITY sanitary

sewer system or culinary water system is requested, all connection fees, main connection charges, and main charges as set forth in the City Code in effect at the time such request for service is made.

10. Failure to Pay Fees. In the event DEVELOPER fails or refuses to pay any of the fees, charges or costs set forth herein, CITY may disannex any property owned by DEVELOPER within the Subdivision or declare the entire unpaid balance immediately due and payable and collect such sums in the manner provided by law, or may pursue any other remedy set forth herein or as may be available at law or in equity. All such remedies shall be cumulative and CITY may pursue the same separately or simultaneously as it deems necessary or appropriate. In the event of such acceleration, all sums due shall bear interest at the rate established by law for judgments entered in the State of Idaho.

11. Participation by CITY. The parties agree that those portions of the water main, the sanitary sewer line, storm drains and street section work (hereafter collectively referred to as the "Shared Work"), the cost of which CITY has expressly agreed to pay pursuant to the Special Conditions, including any water or sewer line or storm line extensions, increased line size or capacity and road width or thickness, are required because of future service needs originating from properties not owned by DEVELOPER and located within the vicinity of the Subdivision, and that sound planning requires construction thereof at the present time in order to accommodate future expansion and development. In recognition of the cost savings which can be accomplished by construction of such excess capacity and improvements concurrently with the facilities to be constructed for DEVELOPER's purposes, and the impracticality or impossibility of constructing such excess capacity and improvements separately or at a later time, DEVELOPER agrees to design and construct such facilities subject to CITY's agreement to reimburse DEVELOPER for a portion of such costs, all as set forth in the Special Conditions. Prior to the commencement of the Shared Work, DEVELOPER shall obtain and deliver to CITY three (3) independent bona fide bids for the performance of such work from qualified and responsible contractors. Such bids shall be solicited and itemized in a manner which allows clear and specific identification of that portion of the construction work for which CITY is responsible. CITY shall have no obligation to pay for any portion of the costs of the Shared work unless prior to the commencement of the work, the parties have expressly agreed in writing to a specific amount for which CITY will reimburse the DEVELOPER. Payment of such costs by CITY shall be due within thirty (30) days from acceptance of the Subdivision by CITY and delivery of an itemized statement to CITY setting forth in detail the total amount of the costs for which CITY is responsible.

12. Special Conditions. In recognition of the unique circumstances relative to this Subdivision the parties agree to the Special Conditions attached hereto as Exhibit "B" and by this reference made a part hereof.

13. Irrigation Facilities. DEVELOPER shall relocate or reconstruct, at DEVELOPER's expense, all ditches, headgate structures, culverts, siphons, drywells or other similar appurtenant structures that will be impaired or otherwise disturbed by the construction of this Subdivision.

DEVELOPER shall also obtain the consent of all persons or entities who have any water right or control over such structures. DEVELOPER shall also indemnify and hold CITY harmless from any action, claim, demand or cost of any kind, including attorney's fees and court costs, arising from the relocation or reconstruction of such facilities or DEVELOPER's failure to properly relocate or reconstruct such facilities.

14. Relocation of Power Lines. DEVELOPER shall relocate at its expense, all existing electric utility poles or other utility lines or fixtures necessary to construct the public improvements within this Subdivision as shown on the Improvement Drawings.

15. Construction Schedule Change. Any modification to the public improvements shown in the Improvement Drawings or to the construction phase limits shall be approved by City Engineer. Prior to said approval, revised Improvement Drawings shall be resubmitted to City Engineering Department showing the proposed changes.

16. Taxes and Assessments. DEVELOPER shall pay all real property taxes and assessments levied or assessed against any interest in real property which DEVELOPER has agreed to convey to CITY pursuant to this AGREEMENT. Such taxes and assessments shall be paid prior to the acceptance by CITY of the public improvements within any phase or division of the Subdivision.

17. Occupancy. No building or structure within the Subdivision shall be used or occupied for any purpose other than for the construction of such building or structure, unless a final plat has been filed and approved and all public improvements within the plat have been completed and accepted by City Engineer. CITY may withhold Certificates of Occupancy until all such work has been completed. Nothing herein shall prevent the use of a model building for the purpose of DEVELOPER's sales promotional efforts provided the building is not occupied for commercial or industrial purposes.

18. Default. In the event DEVELOPER fails to comply with the terms and conditions hereof in any material respect, CITY may, without further notice to DEVELOPER, exercise any or all of the following remedies:

A. Withhold the issuance of any building permit or certificate of occupancy for any structure located within any phase or division of the Subdivision affected by such default;

B. Withhold the connection of water, sewer or electric service to any property located within any phase or division of the Subdivision affected by such default;

C. Refuse to accept public ownership and maintenance of public improvements within any phase or division of the Subdivision affected by such default and record a notice of such action with the Bonneville County Recorder's office;

- D. Issue a stop work order for any building under construction within any phase or division of the Subdivision affected by such default;
- E. Withhold reimbursement of Subdivision inspection fees collected pursuant to Section 10-1-19 of the Idaho Falls City Code; and
- F. Bring an action for damages, injunctive relief, specific performance or any other remedy available at law or in equity.

19. Notices. Any notice required by this AGREEMENT shall be mailed to the receiving party at the address set forth above or such other address as may be delivered to the sending party in writing. Such notice shall be mailed by certified mail, return receipt requested, postage prepaid and addressed as set forth above and shall be deemed received upon its deposit in the United States mail in such manner.

20. Recording Fees. Prior to the execution and approval of this AGREEMENT, DEVELOPER shall pay to CITY all recording fees necessary to record this AGREEMENT with the Bonneville County Recorder's office. Prior to the approval of any final plat within the Subdivision, DEVELOPER shall pay to CITY all recording fees necessary to record such final plat with the Bonneville County Recorder's office.

21. Irrigation District Release. Prior to the approval of the Subdivision plat, DEVELOPER shall obtain a certification upon the plat signed by any irrigation district, canal company, ditch association or other similar water delivery entity who provides or delivers water to any property located within the Subdivision. This certification shall state that the water rights for all property within the Subdivision have been transferred from the property and that all liens and assessments of such water delivery entity have been released.

22. Storm Water Discharge Certification. Prior to the acceptance and approval of Final Improvement Plans for any division or phase of the Subdivision, DEVELOPER shall obtain the certification of any Irrigation District, canal company or other entity into which any storm water from such phase or division will be discharged. The certification shall state that such water delivery entity has reviewed and approved the Final Improvement Plans for such phase or division and that the discharge of storm waters from such area into their canal or ditch in the manner shown in the Final Improvement Plans is approved and accepted by such entity.

23. Conflict With Standard Specifications. In the event of any conflict between the terms of this AGREEMENT or the Improvement Plans and the Standard Specifications, the terms of this AGREEMENT or the Improvement Plans shall prevail over any contrary provision of the Standard Specifications. In the event of any conflict between the terms of this AGREEMENT and the Improvement Plans, the terms of this AGREEMENT shall prevail.

24. Covenants Appurtenant to the Land. All covenants and conditions set forth herein

shall be appurtenant to and run with the Subdivision and shall be binding upon DEVELOPER's heirs, successors or assigns.

25. Governing Law. This AGREEMENT shall be governed by the laws of the State of Idaho. The venue for any action arising out of this Agreement shall be exclusively in the District Court of the Seventh Judicial District of the State of Idaho, Bonneville County or in the United States District Court for the District of Idaho.

26. Entire Agreement. This writing evidences the final and complete agreement between the parties and no other prior statement, representation or understanding shall be binding upon the parties unless expressly set forth herein.

27. Effective Date. This AGREEMENT shall become valid and binding only upon its approval by CITY Council of CITY and upon its execution by the Mayor.

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

ATTEST:

CITY OF IDAHO FALLS, IDAHO

Kathy Hampton, City Clerk

By Rebecca L. Noah Casper, Mayor

T. and T. Holdings, LLC

By Justin Tomchack
Justin Tomchack

STATE OF IDAHO)

) ss.

County of Bonneville)

On this _____ day of _____, 2018, before me, the undersigned, a notary public for Idaho, personally appeared Rebecca L. Noah Casper, known to me to be the Mayor of the City of Idaho Falls, Idaho, the municipal corporation that executed the foregoing document, and acknowledged to me that she is authorized to execute the same for and on behalf of said City.

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

Notary Public of Idaho

Residing at: _____

My Commission Expires: _____

(Seal)

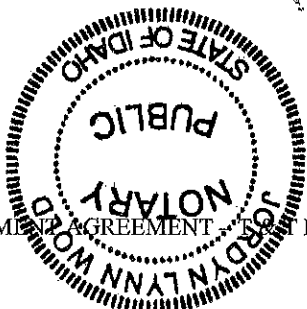
STATE OF IDAHO)

) ss:

County of Bonneville)

On this 10 day of August, 2018, before me, the undersigned, a notary public, in and for said State, personally appeared Justin Tomchack, known or identified to me to be the Managing Member of T. and T. Holdings, LLC, and whose name is subscribed to the within instrument and acknowledged to me that he is authorized to execute the same for and on behalf of said limited liability company.

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



Notary Public of Idaho

Residing at: Idaho Falls

My Commission Expires: 10/5/2023

EXHIBIT "A"

LEGAL DESCRIPTION

T&T PARK SUBDIVISION

PART OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 38 E.B.M.,
BONNEVILLE COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 7; THENCE N 00°08'13" W
399.71 FEET ALONG THE SECTION LINE; THENCE S 89°53'20" W 40.46 FEET TO A POINT
ON A CURVE ON THE WESTERLY RIGHT OF WAY HOLMES AVENUE AND THE POINT
OF BEGINNING; THENCE SOUTHWESTERLY 197.78 FEET ALONG SAID CURVE TO THE
RIGHT, CURVE DATA (RADIUS = 118,371.36 FEET DELTA = 00°05'45") CHORD BEARS S
00°05'16" W 197.78 FEET; THENCE S 89°51'55" W 736.65 FEET; THENCE

N 00°08'32" W 85.54 FEET; THENCE N 35°47'28" E 263.46 FEET TO THE SOUTHERLY
BOUNDARY OF VICKERS ADDITION, DIVISION NO. 1, TO THE CITY OF IDAHO FALLS,
IDAHO; THENCE S 61°11'19" E 208.55 FEET ALONG SAID SOUTHERLY BOUNDARY;
THENCE N 89°53'20" E 400.35 FEET ALONG SAID SOUTHERLY BOUNDARY,
PROJECTED, TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3.540 ACRES, MORE OR LESS.

EXHIBIT "B"

SPECIALS CONDITIONS FOR

T&T PARK SUBDIVISION

S-C 1.00 Arterial Street and Bridge Fee. The Bridge and Arterial Streets fee for Lot 1 in this Subdivision is Eight Thousand Seven Hundred Thirty-Two Dollars and Fifty Cents (\$8,732.50)(3.540 acres zoned Industrial and Manufacturing at \$2,500 per acre); payable as follows:

<u>Due Date</u>	<u>Payment Amount</u>
Upon execution of this Agreement	\$885.00
March 1, 2019	\$1,327.50
September 1, 2019	\$1,327.50
December 1, 2019	\$1,327.50
March 1, 2020	\$1,327.50
June 1, 2020	\$1,327.50
September 1, 2020	<u>\$1,327.50</u>
 TOTAL	 \$8,850.00

S-C 2.00 Surface Drainage Fee. The surface drainage fee for this Subdivision is One Thousand One Hundred Forty-One Dollars and Seventeen Cents, \$1,141.17 (154,202 square feet net area at \$.0075 per square foot) payable as follows:

<u>Due Date</u>	<u>Payment Amount</u>
Upon execution of this Agreement	\$115.66
March 1, 2019	\$173.48
September 1, 2019	\$173.48
December 1, 2019	\$173.48
March 1, 2020	\$173.48
June 1, 2020	\$173.48
September 1, 2020	<u>\$173.46</u>
 TOTAL	 \$1,156.52

S-C 3.00 North Holmes Avenue Access. Access to this Development shall conform to the Idaho Falls and ITD Access Management Policy. DEVELOPER shall provide a Cross Access Easement as shown on the Plat and Improvement Drawings accessible to the South property owner.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FINAL PLAT OF T & T PARK, LOCATED GENERALLY SOUTH OF E 33RD N, WEST OF N HOLMES AVE., NORTH OF E ANDERSON ST., AND EAST OF US HWY 20.

WHEREAS, the applicant filed an application for a final plat on April 19, 2018; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public meeting on June 5, 2018; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public meeting on August 23, 2018 and

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

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 3.540 acre parcel located generally south of E 33rd N, west of N Holmes Ave., north of E Anderson St., and east of US Hwy 20.
3. The property is zoned I&M.
4. The plat includes one developable lot.
5. The proposed development complies with the requirements of the Subdivision and Zoning Ordinances.
6. The Idaho Falls Planning and Zoning Commission recommended approval of this Final Plat as presented.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the Final Plat.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2018

Rebecca L. Noah Casper, Mayor



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brad Cramer, Community Development Services Director

DATE: Monday, August 20, 2018

RE: Form-Based Code Amendments

Attached is an ordinance amending three sections of the Idaho Falls Form Based Code. The changes include a small amendment to façade requirements to match the Downtown Design Guidelines, the addition of two building types in the Edge C Subdistrict, and a minor change to a reference in the chapter on sign requirements. The proposed changes are explained in the attached staff report. The Planning and Zoning Commission considered this item at its June 19, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation. This item is now being submitted to the Mayor and City Council for consideration.

Attachments: Staff Report, June 19, 2018
 P&Z Minutes, June 19, 2018
 Adopting Ordinance

IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT

**Downtown Form Based Code Amendments
June 19, 2018**



Community
Development
Services

Applicant: City
of Idaho Falls

Attachments:

1. Proposed
Amendment
Language

Staff Recommendation: To **recommend** to the Mayor and City Council approval of the amendment language to the Downtown Form Based Code.

Staff Comments: With all new codes there come minor adjustments as they are applied to real life situations. There are three proposed changes in the Downtown Form Based Code.

1. Ground Story Transparency currently is measured between 2' and 8'. The proposed language changes that to measure from 18" to 12'. The reason for this change is to recognize recommendations for storefronts in the Idaho Falls Downtown Design Guidelines: "Storefront windows and transoms Established Patterns The lower portion of the store front are composed of elements that make this space read as a strongly horizontal, mostly transparent band from about 18 inches to about 12 feet in height. Display windows and transoms combined result in about 80% of this space being glass. The majority of the display windows do remain but most were modernized at some point. Smoked and tinted glass and smaller windows have replaced the traditional storefronts as buildings have been remodeled. Downtown Idaho Falls commercial stock still has a great collection of transom windows. These windows are directly above the display window, are the same width as the display window and usually are 18 inches to two feet in height." (pg 26)
2. In the Edge C Subdistrict there was a limited number of Building Types allowed and we didn't intend to restrict it as much as we did. Being sensitive to the adjacent residential neighborhood we restricted the allowed height of the tow proposed Building Types to be allowed in the Edge C Subdistrict. In Chapter 5 Buildings the Storefront Building (5.3) and General Stoop Building (5.4) were added to the Edge C Subdistrict, but with a reduced height to 3 stories.
3. In Chapter 9 Signs, the reference was changed to specify the requirements of the CC Zone shall apply to the Downtown District. Previously, Chapter 9 reference the Sign Code in general but there was nothing in the Sign Code to regulate the Downtown District.

5.0 Buildings

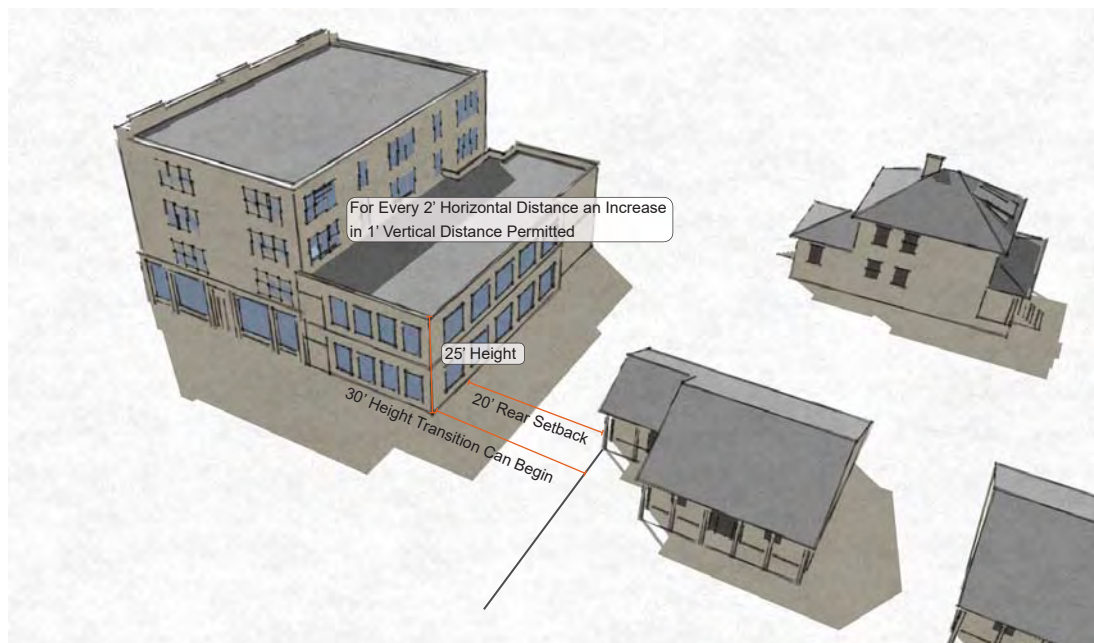


Figure 5.2 (4) Single Family Zones Setbacks

dwelling zones, additional setbacks and graduated setback are required. See Figure 5.2 (4).

- (a) Transitions from Single-Unit Dwelling Homes: A twenty foot (20') setback is required from the property line adjacent to a single-unit dwelling detached home. 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

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 seventy five to ninety percent (75%-90%) 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 ~~two feet (2')~~ **eighteen inches (18")** and ~~eight twelve feet (812')~~ from the average grade at the base of the front facade.
- (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 5.9 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 5.10 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 5.10 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).

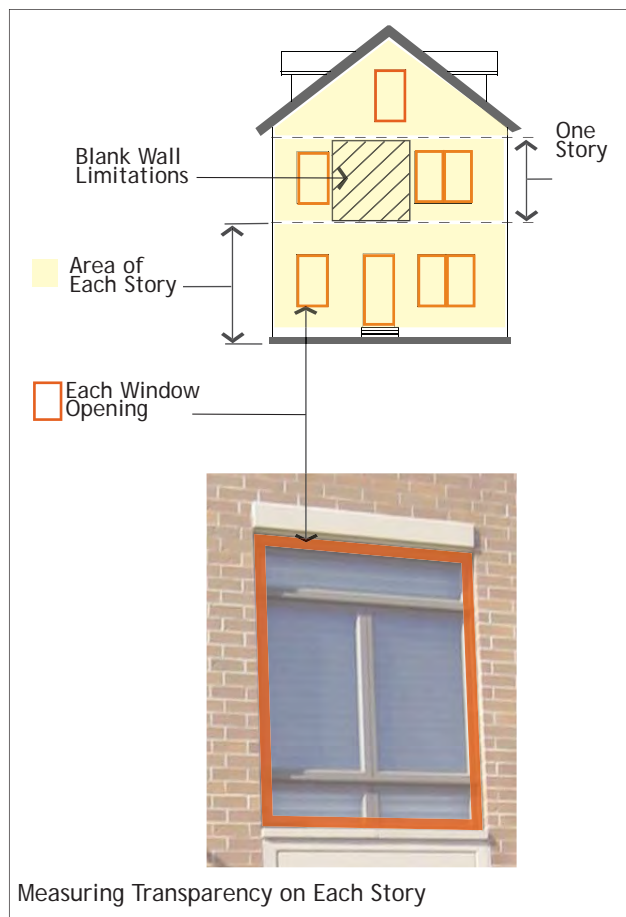
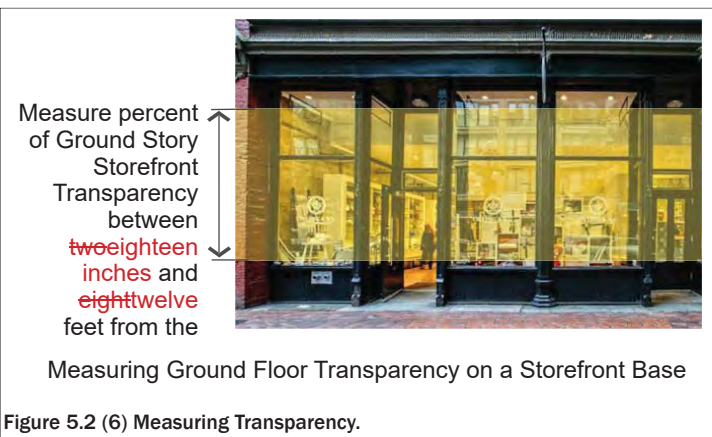


Figure 5.2 (5) Measuring Transparency



5.0 Buildings

5.3 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

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 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.

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					
		Core A	Historic Center	General A	Edge A	Edge B	Edge C
Storefront Building Type Table							
1 Building Siting* Refer to Figure 5.3(1)							
	Multiple Principal Buildings	not permitted	not permitted	permitted	permitted	not permitted	permitted
a	Front Property Line Coverage	90%	90%	70% ¹	80%	70% ¹	75%
	Occupation of Corner	required	required	permitted	permitted	permitted	permitted
b	Front Build-to Zone	0' to 5' ⁴	0' to 5' ⁴	0' to 10' ⁴	0' to 5' ⁴	0' to 15' ⁴	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 Maximum Lot Width	none none	none none	none none	none none	none none	none none
	Maximum Impervious Coverage Additional Semi-Pervious Coverage	90% 10%	90% 10%	75% 25%	90% 10%	75% 20%	75% 20%
g	Parking and Loading Location	rear yard	rear yard	rear and side yard ¹	rear and side yard ¹	rear and side yard ¹	rear and side yard ¹
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 5.3(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 ²	5 stories ²	5 stories ²	5 stories ²	3 stories ²
k	Ground Story: Minimum Height Maximum Height	14' 20' ³	14' 18' ³	14' 28' ³	14' 20' ³	14' 28' ³	14' 20' ³
l	Upper Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'	9' 14'	9' 14'	9' 14'
3 Uses Refer to Figure 5.3(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 5.3(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 5.3(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

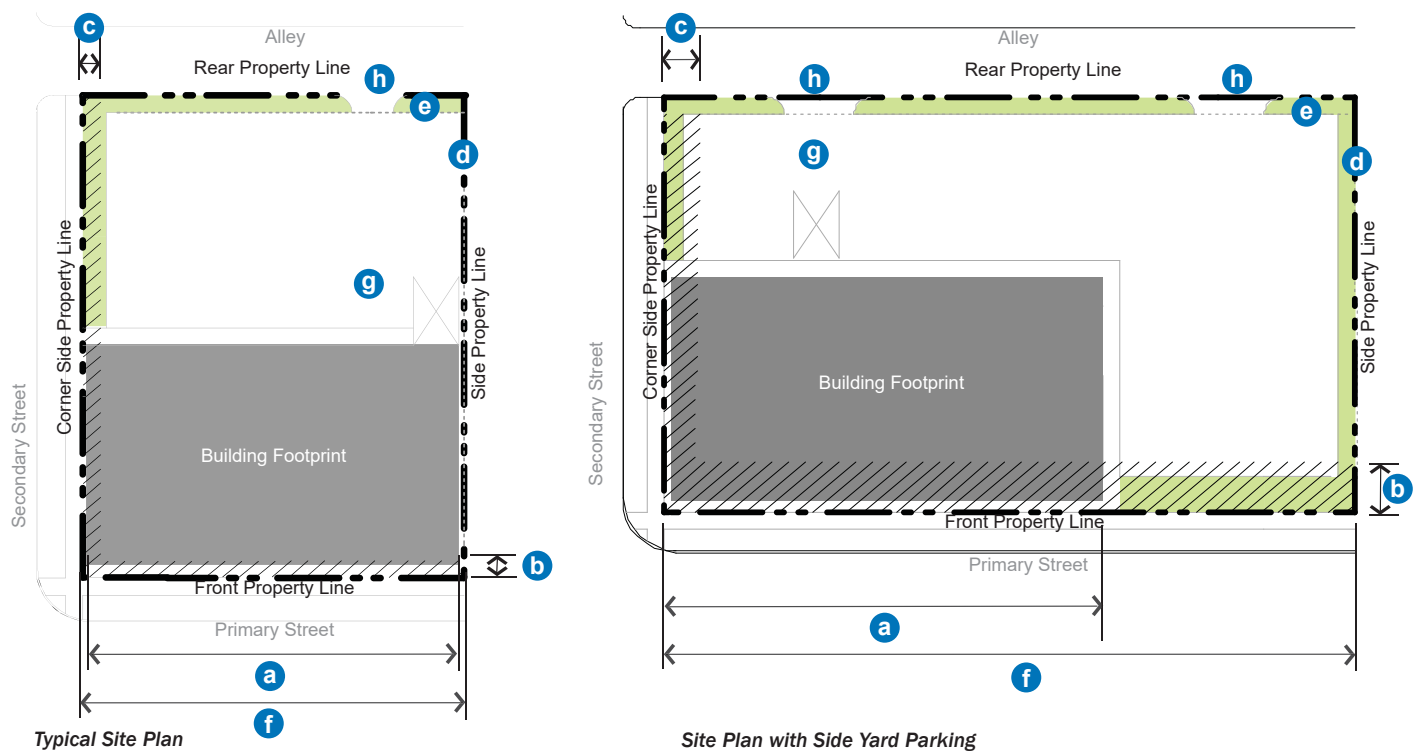


Figure 5.3 (1) Storefront Building: Building Siting.

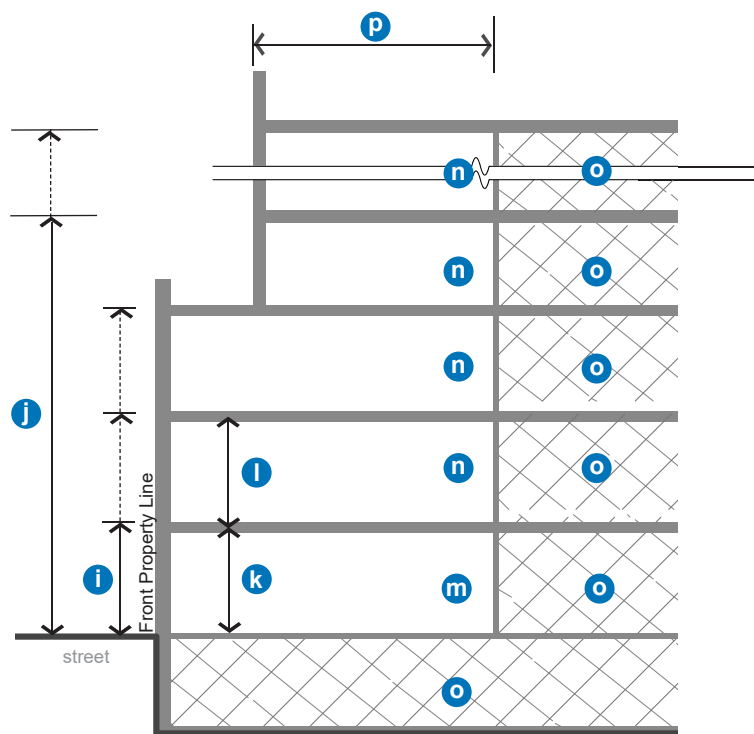


Figure 5.3 (2) Storefront Building: Height and Use Requirements

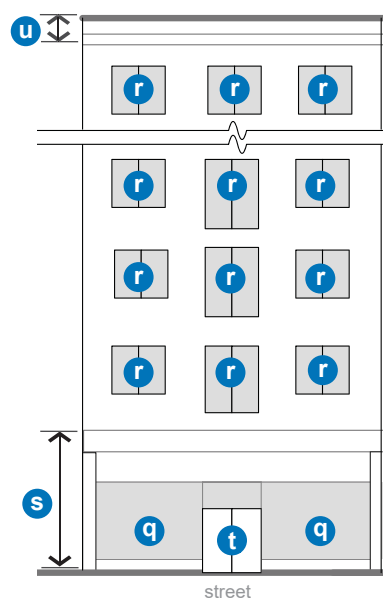


Figure 5.3 (3) Storefront Building: Street Facade Requirements

5.0 Buildings

5.4 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


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 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 5.4 (1)					
	Multiple Principal Buildings	not permitted	not permitted	permitted	permitted
a	Front Property Line Coverage	90%	75% ¹	80% ¹	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 ²	rear and side yard ¹
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 5.4 (2)					
i	Minimum Overall Height	2 story	2 story	2 story	2 story
j	Maximum Overall Height	6 stories ³	6 stories ³	6 stories ³	3 stories ²
k	Ground Story: Minimum Height	14'	14'	14'	14'
	Maximum Height	28'	20'	20'	20' ³
l	Upper Stories: Minimum Height	9'	9'	9'	9'
	Maximum Height	14'	14'	14'	14'
3 Uses Refer to Figure 5.4 (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 5.4 (3)					
q	Minimum Ground Story Transparency Transparency requirements apply to street frontages AND frontages to side and rear parking	75%	65% front and corner-side	75%	75%
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 5.4 (3)					
u	Permitted Roof Types	parapet, flat	parapet, pitched		
v	Tower	permitted, excluded from maximum story			not permitted

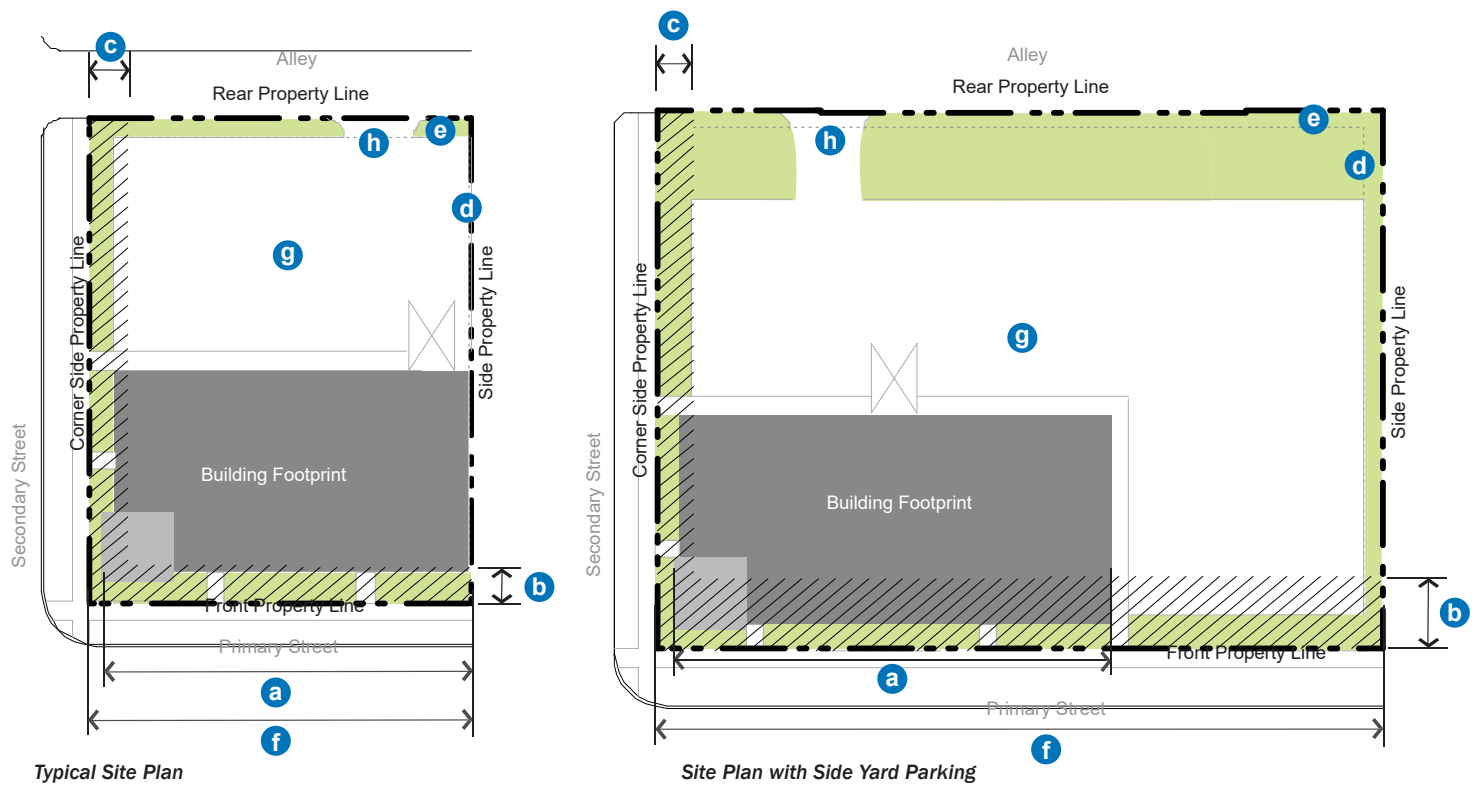


Figure 5.4 (1) General Stoop Building: Building Siting

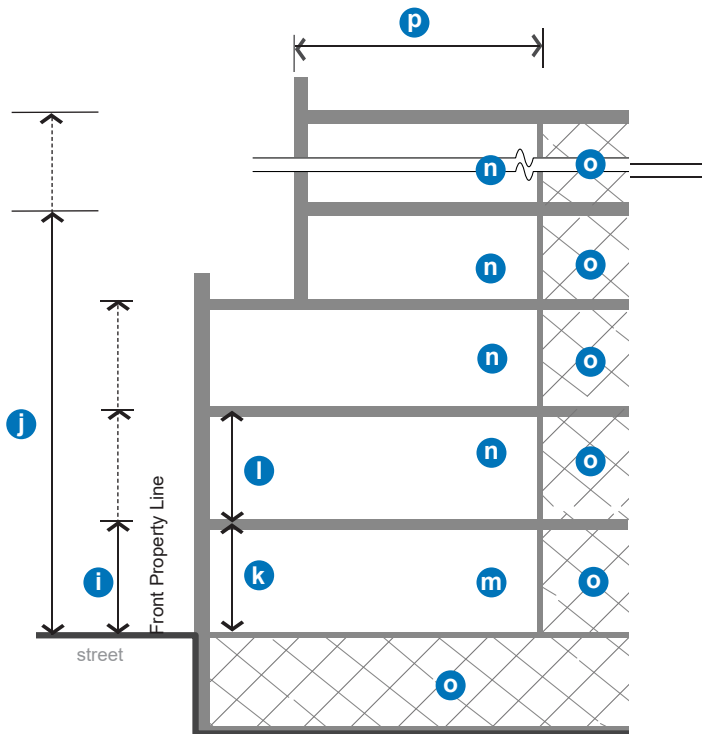


Figure 5.4 (2) General Stoop Building: Height and Use Requirements

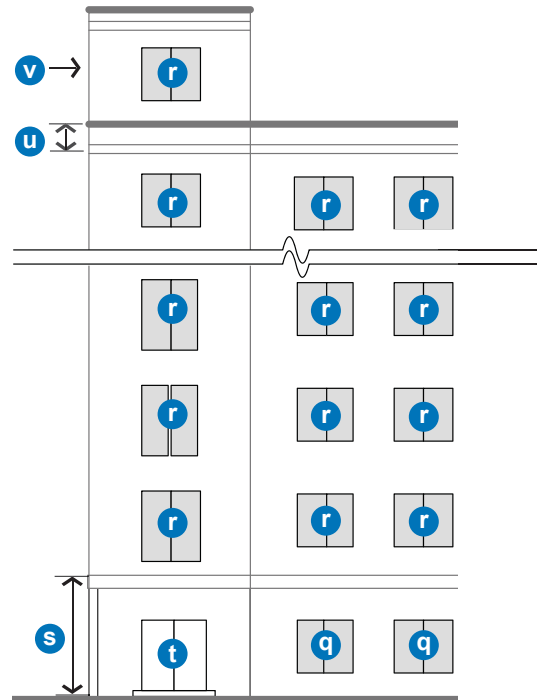


Figure 5.4 (3) General Stoop Building: Street Facade Requirements

9.0 Sign Types



9.0 Signs

9.1 General Requirements.

**1. ~~Refer to the City Sign Code for Regulations~~
All signs located in the Downtown District
boundaries shall adhere to the requirements of
the CC Zone in the City Sign Code.**

June 19, 2018

7:00 p.m.

Planning Department

Council Chambers

MEMBERS PRESENT: Commissioners George Morrison, George Swaney, Gene Hicks, Joanne Denney, Natalie Black, Margaret Wimborne, Arnold Cantu, Darren Josephson. (8 present with 7 votes).

MEMBERS ABSENT: Julie Foster, Brent Dixon, Lindsey Romankiw

ALSO PRESENT: Planning Director, Brad Cramer, Assistant Planning Directors, Kerry Beutler, Brent McLane, Brian Stevens; Randy Fife, Esq., and interested citizens.

CALL TO ORDER: George Morrison called the meeting to order at 7:00 p.m. and reviewed the public hearing procedure.

6. RZON 18-010: FORM BASED CODE CHANGES. McLane presented the staff report, a part of the record.

Morrison opened the public hearing.

Applicant: City of Idaho Falls

No one appeared in support or opposition.

Morrison closed the public hearing.

Josephson moved to recommend to the Mayor and City Council approval of the Form Based Code Amendments as presented, Black seconded the motion and it passed unanimously.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 7 TO TITLE 10 OF THE IDAHO FALLS CITY CODE, ADOPTING THE AUGUST 2018 EDITION OF THE IDAHO FALLS FORM BASED CODE; PROVIDING SEVERABILITY, CONDIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City adopted the adopted the May 2018 edition of the “Idaho Falls Form Based Code” (“Form Based Code”) which was prepared for the downtown area by creating standards to protect and enhance the unique and historic character of downtown; and

WHEREAS, the City desires for the standards, maps, and graphics of the code to be consistent and clear; and

WHEREAS, upon review of the code Planning Division staff has determined there are minor updates needed to improve the consistency and clarity of the code’s standards; and

WHEREAS, changes were made to transparency requirements on buildings, allowed building types in the Edge C Subdistrict, and Chapter 9 Signs; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve the recommended changes on August 23, 2018.

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, Section 1, is hereby amended as follows:

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 July, 2018.

CITY OF IDAHO FALLS, IDAHO

Rebecca L. Noah Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

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

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 7 TO TITLE 10 OF THE IDAHO FALLS CITY CODE, ADOPTING THE APRIL 2018 EDITION OF THE IDAHO FALLS FORM BASED CODE; PROVIDING SEVERABILITY, CONDIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

Kathy Hampton, City Clerk



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brad Cramer, Community Development Services Director

DATE: Monday, August 20, 2018

RE: Zoning Ordinance Amendments

Attached is an ordinance amending various sections in Chapters 2 and 3 of the zoning ordinance. The changes are primarily related to allowed uses and their definitions, but there is also a small change to the requirements for accessory dwellings and lot sizes in the Traditional Neighborhood Zone. The proposed changes are explained in the attached staff report. The Planning and Zoning Commission considered this item at its June 19, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation. This item is now being submitted to the Mayor and City Council for consideration.

Attachments: Staff Report, June 19, 2018
 P&Z Minutes, June 19, 2018
 Adopting Ordinance

IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT



Community
Development
Services

Zoning Ordinance Amendments
June 19, 2018

Applicant: City
of Idaho Falls

Attachments:

1. Proposed
Amendment
Language

Staff Recommendation: To **recommend** to the Mayor and City Council approval of the amendment language to the Zoning Ordinance.

Staff Comments: With all new codes there come minor adjustments as they are applied to real life situations. The following are proposed changes in the Zoning Ordinance.

1. Adding the PT overlay to Table 11-2-2 Allowed Uses in Commercial Zones. This change was made to consolidate where you would need to look for allowed uses for commercial zones. It also allowed the PT overlay uses to become in line with the uses of the other zones, prior they were defined differently.
2. Adding a definition of Vehicle Washing Facility and adding it to Table 11-2-2 Allowed Uses in Commercial Zones and Table 11-2-3 Allowed Uses in Industrial Zones. We have had a lot of interest in this use and realized that it wasn't clear where they were allowed by definition. Staff felt the best way to address this use was to create its own definition.
3. Removing Industry, Light as a permitted use in the LC zone. Staff felt that this was too intense of a use in the Limited Commercial Zone
4. Changing the title and definition of Warehouse, Wholesale. Includes making adjustment in the use tables. The use of the word wholesale was too restrictive in the multiple types of warehousing that might need to be included in this definition.
5. 11-2-6N. Deleting the restriction of a maximum footprint for an accessory dwelling unit. It is redundant as is addressed through square foot restrictions and parking requirements. This change will help to simplify the process for determining how large an accessory dwelling may be on a property.
6. 11-3-4A. Clarifying the way to calculate the average lot size for Subdivisions in the TN zone. Staff felt removing the common lot from the average lot size of a TN zoned subdivision will help to achieve the intent of the zone. Also, lots designated for storm water or landscaped lots do not get calculated into average lot size for other zones.

7. 11-3-4B. Including a rear setback for non-residential uses in the R3A zone. This setback was in the previous zoning ordinance and inadvertently removed with the updates. This change will reestablish the non-residential setback in the R3A zone.
8. 11-3-4D. Correction in Table 11-3-4: Prior RP and RP-A Accessory Building Setbacks. The side and rear setbacks of the RP-A zone need to be corrected to 5 feet for accessory buildings. The table had incorrect information from the previous ordinance for accessory structures in the RP-A zone. This change addresses the issue.
9. 11-3-4E6. Broadening the applicability of development standards for commercial uses in the TN zone to include all commercial uses. The intent of the development standards for commercial uses in the TN zone is to help protect the residential uses. Staff feels that it should apply to all uses and not only specific ones.
10. 11-5-1: PT Planned Transition Zone. These changes were to reduce duplication in standards and align defined uses in the PT zone with the uses for other zones. The PT zone was not adjusted from the previous zone to the new zone and these changes makes these adjustments.
 - a. Referencing uses to Table 11-2-2: Allowed uses in Commercial Zones.
 - b. Adjusting the performance standards to remove anything that is already required for all commercial or multi-unit residential.
11. Adjustments to the definitions of Industry, Heavy and Industry, Light. The definitions didn't address the need for industrial uses to distribute products and parts associated with industrial uses.

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

11-2-4: ALLOWED USES IN COMMERCIAL ZONES.

Table 11-2-2: Allowed Uses in Commercial Zones

P = permitted use. C = conditional use. A blank denotes a use that is not allowed in that zone.					
*Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.					
	Commercial				
Proposed Land Use Classification	PB	CC	LC	HC	PT
Accessory use*	P	P	P	P	P
Amusement Center, Indoor		P	P	P	
Amusement Center, Indoor Shooting Range*		P	P	P	
Amusement Center, Outdoor*				P	
Animal Care Clinic*	P	P	P	P	
Animal Care Facility*				P	
Bed and Breakfast*		P	P		P
Boarding /Rooming House		P	P		P
Building Material, Garden and Farm Supplies			P	P	
Cemetery*		C	C	C	
Club*		P	P	P	
Communication Facility		P	P	P	
Day Care, all Types*	P	P	P	P	P
Drinking establishment		P		P	
Drive-through Establishment *	P*	P	P	P	P
Dwelling, accessory unit *		P	P	P	P
Dwelling, multi-unit*		P	P		P
Dwelling, two unit					P
Eating establishment		P	P		P
Eating Establishment, limited	P	P	P	P	P
Financial Institutions	P	P	P	P	P
Entertainment and Cultural Facilities	P	P	P	P	P
Equipment Sales, Rental and Services			P	P	
Food Processing, small scale				P	
Food store		P	P	P	P
Health Care and Social Services	P	P	P	P	P
Higher Education Center		P	P	P	P

Proposed Land Use Classification	PB	CC	LC	HC	PT
Home Occupation*	P	P	P	P	P
Hospital*	C	C	C	C	C
Industry, craftsman	P	P	P	P	
Industry, light		P	P-	P	
Information Technology	P	P	P	P	P
Laundry and Dry Cleaning		P			P
Live-Work*	C	P	P	P	P
Lodging Facility		P	P	P	P
Mortuary				P	P
Park, and recreation facility*	P	P	P	P	P
Parking Facility		P	P	P	P
Pawn Shop		P			
Personal Service	P	P	P	P	P
Professional Service	P	P	P	P	P
Planned Unit Development*		P	P		P
Public Service Facility*	C	C	C	C	C
Public Service Facility, Limited	P	P	P	P	P
Public Service Use	P	P	P	P	P
Recreation Vehicle Park*				P	
Religious Institution*		P	P	P	P
Residential Care Facility	P	P	P	P	P
Retail		P	P	P	P
School*		P	P	P	P
Short Term Rental*		P	P		P
Fuel Station		P	P	P	
Fuel Station, Super		C	P	P	
Storage Facility, self-service				P	P
Storage Yard*				P	
Transit Station		P	P	P	P
Vehicle and Equipment Sales			P	P	
Vehicle Body Shop				P	
Vehicle Repair and Service		P	P	P	
Vehicle Sales, Rental and Service		P		P	
Vehicle Washing Facility			C	P	P

11-2-5: ALLOWED USES IN INDUSTRIAL AND SPECIAL PURPOSE ZONES.

Table 11-2-3: Allowed Uses in Industrial Zones

P = permitted use. C = conditional use. A blank denotes a use that is not allowed in that zone.				
*Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.				
	Industrial		Special Purpose	
Proposed Land Use Classification	LM	I&M	R&D	P
Accessory Use, Day Care*	P		P	
Accessory use, Fuel Station*	P	P	P	
Accessory use, Wholesale	P	P	P	
Accessory Use, Storage Yard*	P	P	P	
Accessory Use	P	P	P	
Airport	P			
Agriculture*	C	P		C
Agriculture Tourism	C	P		C
Amusement Center	P	P		
Amusement Center, Indoor Shooting Range*	P	P		
Amusement Center, Outdoor*	P	P		C
Adult Business*		P		
Animal Care Clinic*	P	P		
Animal Care Facility*	P	P		
Artist Studio	P	P		
Auction, Livestock		C		
Building Contactor Shop	P	P		
Building Material, Garden and Equipment	P	P		
Cemetery*				C
Club*	P	P		
Communication Facility	P	P	P	
Correctional Facility or Jail	C	P		
Day Care*	P	P	P	
Drinking Establishment	P	P		
Drive-through establishment*	P	P		
Dwelling, accessory unit*	P	P		
Eating establishment	P	P		
Eating Establishment, limited	P	P	P	
Equipment assembly and sales	P	P		
Financial Institution	P	P	P	
Food Processing, small scale processing with or without sales	P	P		
Food Products, Processing, with or without retail sales		P		
Food store	P	P		
Fuel Station, Super	P	P		

Proposed Land Use Classification	LM	I&M	R&D	P
Health Care and Social Services			P	
Higher Education Facilities	P		P	
Hospital*	C	C	C	
Industry, Craftsman	P	P		
Industry, Heavy	P	P		
Industry, Light	P	P		
Information Technology	P	P	P	
Laundry and Dry Cleaning	P	P		
Lodging Facility	P		C	
Medical Support Facilities	P		P	
Parking Facility	P	P	P	
Park and Recreation Facility*				P
Pawn Shop	P	P		
Personnel Service	P	P		
Professional Service	P	P	P	
Public Service Facility*	P	P	C	C
Public Service Facility, Limited	P	P	P	P
Public Service Use	P	P	P	P
Railroad Freight Terminal and Station		P		
Recreational Vehicle Park*				C
Research and Development Business	P	P	P	
Retail	P	P		
Storage Facility, self-service	P	P		
Storage Yard*	P	P		
Terminal Yard, Trucking and Bus		P		
Transit Station	P	P	P	
Vehicle and Equipment Sales	P	P		
Vehicle Body Shop	P	P		
Vehicle Sales	P	P		
Vehicle Washing Facility	P	P		
Warehouse, Wholesale	P	P		
Warehouse, Wholesale with flammable materials	P	P		

- (4) Night lighting on the site shall be directed away from other properties.
 - (5) Safe pedestrian and vehicle access and circulation on the site and between contiguous properties shall be demonstrated as follows:
 - (a) Access by the pedestrian customer shall be provided contiguous to the public right-of-way; and
 - (b) 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.
 - (6) In the PB Zone drive-throughs will not be allowed for eating establishments.
- (N) Dwelling, Accessory Unit.
- (1) The accessory dwelling unit may be configured as follows:
 - (a) As an integral portion of a principal dwelling unit on any floor or basement; or
 - (b) As an attached structure to the principal dwelling unit; or
 - (c) As a separate structure; or
 - (d) As an integral portion of any floor of a structure in an Industrial or Commercial Zone.
 - (2) The accessory dwelling unit shall comply with the following dimensional and design requirements:
 - ~~(a) The maximum footprint of an attached or separate structure that contains an accessory dwelling plus the area of required parking for the accessory dwelling shall not be larger than ten percent (10%) of the lot area.~~
 - (ba) The maximum size of the accessory dwelling is seven hundred and fifty (750) sq. ft., and not more than one (1) bedroom.
 - (b) The structure that contains an accessory dwelling shall meet all required dimensional standards for the zone
 - (c) The accessory dwelling structure shall be well-matched in height, bulk, and site location with the adjoining neighborhood.
 - (d) As an attached structure the accessory dwelling unit shall be designed together with the principal dwelling in such a way as to resemble that of a single-unit dwelling.
 - (e) As an attached or separate structure the accessory dwelling unit shall be designed with the same architectural design, style and appearance of the principal dwelling unit.
 - (f) If included as part of the primary structure, only one (1) entrance to the primary structure may be located on the front building elevation except for structures where multiple entrances already exist. If multiple entrances exist then the accessory dwelling may utilize an existing entrance on the front building elevation.
 - (g) The accessory dwelling unit shall have a separate entrance from the primary dwelling, meet the building code requirements for a separate unit, and be functionally separate from the primary dwelling.
 - (3) One (1) parking space shall be required for the accessory dwelling in addition to the existing minimum parking requirement for the principal dwelling unit. A driveway apron may be used for this requirement. Conversion of a garage into an accessory unit is not permitted unless required parking can be provided on the lot.

maintained in harmony with residential uses. This zone should be located along major streets such as arterials and collectors.

- (H) RMH Residential Mobile and Manufactured Home Zone. This zone provides a residential zone which is characterized by a medium density residential environment. A manufactured or mobile home subdivision, mobile home park, or travel trailer park are special facilities specifically designed to accommodate mobile or recreational vehicles which may not conform to the requirements for permanent location within other residential Zones within the City are allowed within this zone.

11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

Table 11-3-1: Standards for Residential Zones

	RE	RP	R1	R2	TN	R3	R3A	RMH
Lot Area								
Lot Area Minimum in ft ²	1 acre*	12,000	7,000	6,000*	3,000*	5,000*	5,000	5,000
Lot Area Maximum in ft ²			13,500*					
Site Width								
Site Width at Front Setback, Minimum in ft.	150	60	50	50	25	50	50	50
Setbacks, Minimum in ft.								
Front	40	30*	25*	20*	15*	15	15	30
Front Maximum in ft.					20*			
Side	20	7.5/10*	6*	6*	5	6*	6*	10
Rear	40	25	25	25	10	25*	25*	25*
Lot Coverage, Building Height, and Density								
Maximum Lot Coverage in %	30	40	40	80	50	80	80	40
Maximum Building Height in ft*	24	24	24	24	*			24
Maximum Density in gross units/acre	1	4	6	17	15	35	35	8
*See explanations, exceptions and qualifications in Section 11-3-4A,B,C,D of this Zoning Code.								

- (A) Minimum and Maximum Lot Area.

- (1) In the R1 Zone, the maximum lot size shall be thirteen thousand five hundred square feet (13,500 ft²), except for corner lots, wedge-shaped lots in cul-de-sacs, or other unusual shaped lots. This shall also not apply to conditional uses such as schools and religious institutions.
- (2) In the R2 zone, seven hundred and fifty square feet (750 ft²) shall be added to the minimum required area for each additional dwelling unit.
- (3) In the TN Zone, the ~~minimum maximum~~ lot area for subdivisions approved after the adoption of this Code, April 12, 2018, shall be an average of maximum of six thousand two hundred and fifty square feet (6,250 ft²) in order to encourage a mix of lot sizes and dwelling types. ~~Any common open space area shall be distributed equally among the lots in the calculation of the average minimum lot size.~~

(B) Minimum and Maximum Setbacks.

- (1) Properties zoned RP and RP-A prior to the adoption of this Zoning Code shall meet the setbacks required at the time they were approved. A listing of applicable subdivisions can be found in the Section 11-7-2. The applicable setbacks required at the time they were approved are as follows.

Table 11-3-2: Prior RP & RP-A Setbacks

	RP	RP-A
Setbacks – Minimum in ft.		
Front	30	30
Side	20	10
Rear	25	25

- (2) In the RP and R1 Zones, a minimum front setback of twenty feet (20') is permitted for lots which have their principal frontage on a turning circle of a cul-de-sac or the bulb of a ninety degree (90°) turn.
- (3) In the RP Zone, the side setback shall be a minimum of seven and a half feet (7.5') for single-story structures and a minimum of ten feet (10') for two-story structure.
- (4) In the TN Zone, the maximum front yard setback may be exceeded for residences that face a common open space area that fronts on the contiguous street and as otherwise permitted by Supplemental Standards for the TN Zone.
- (5) In the RMH Zone, a minimum rear yard of fifteen feet (15') may be permitted, if one of the required side yards is a minimum twenty five feet (25').
- (6) In the R3A Zone, non-residential buildings shall have a rear setback of at least ten feet (10').

(C) Maximum Lot Coverage, Building Height, and Density.

- (1) Public use, public service facility, school and religious institutions may be erected to any height, provided the building is set back from the required building setback lines at least one foot (1') for each additional foot of building height above the maximum height permitted in the Zone.
- (2) In the RE, RP, R1 and RMH Zones lot coverage shall only include those areas under roofs.
- (3) For multi-unit or commercial uses lot coverage shall include all areas under roofs and paved surfaces, including driveways, walks, and parking areas. The remaining lot area shall be

landscaped as required by this Code.

(D) Dimensional Standards for Accessory Structures in Residential Zones.

Table 11-3-3: Dimensional Standards for Accessory Structures in Residential Zones

	RE	RP	R1	R2	TN	R3	R3A	RMH
Setbacks – Minimum in ft.								
Front	40	30	25	20	25	20	15	25
Side	20	0/7.5*	0/6*	0/6*	0/5*	0/6*	0/6*	0/10*
Rear	40*	0*	0*	0*	0*	0*	0*	0*
Building height- Maximum in ft.		12/24*	12/24*	12/24*	12/24*			12/24*
Lot coverage of the rear yard, maximum %	30	30	30	30	30			30
*See explanations, exceptions and qualifications that follow in Section 11-3-4D (1-5) of this Zoning Code.								

- (1) In residential zones, accessory structures which are more than twelve feet (12') in height must meet the same setbacks as primary buildings.
- (2) In all residential zones, except the RE Zone, side yard requirements for accessory buildings shall be the same as for main buildings, except that no side yard shall be required for accessory buildings which are located more than twelve feet (12') in the rear of the main building.
- (3) The rear yard setback shall be three feet (3') on lots in any residential zone in which the rear yard is contiguous to an alley.
- (4) In the RMH Zone, a minimum rear yard of fifteen feet (15') is permitted if one (1) of the required side-yards is a minimum of twenty five feet (25').
- (5) Properties zoned RP and RP-A prior to the adoption of this Zoning Code shall meet the setbacks required at the time they were approved. A listing of applicable subdivisions can be found in the Section 11-7-2. The applicable setbacks required at the time they were approved are as follows:

Table 11-3-4: Prior RP and RP-A Accessory Building Setbacks

	RP	RP-A
Setbacks – Minimum in ft.		
Front	30	30
Side	20	85*
Rear	25	255*
*See explanations, exceptions and qualifications that follow in Section 11-3-4D(1,3) of this Zoning Code.		

(E) Supplemental standards for the TN Zone.

- (1) Streetscape.
 - (a) In subdivisions recorded after the adoption of this Code, April 12, 2018, sidewalks shall be detached from the curb with planting strips provided to accommodate street tree planting

in accordance with the standards in Section 11-4-4G (3).

- (b) In subdivisions recorded before the adoption of this Code, April 12, 2018, detached sidewalks, planting strips and existing street trees shall be maintained. If trees must be removed because of disease or age, replacements shall be provided by the property owner subject to approval of the City Forester.
- (2) Entryways and Pathway Connections.
- (a) All structures shall have one (1) primary entry that faces the street and a pathway that connects the entry with the sidewalk.
 - (b) Exceptions to the entryway requirements are allowed for dwelling units that face a common open space area which is open to the street.
 - (c) A front porch, with a minimum depth of six feet (6'), may encroach five feet (5') into the front yard setback.
- (3) Building Massing, Scale and Form.
- (a) For in-fill development or additions to existing structures, the building shall not exceed the tallest height or greatest width of other residences on both sides of the street within the same block.
 - (b) For new development (including additions to existing structures), the primary building face that fronts the street shall not exceed twenty five feet (25') in width or the front facade shall be divided into subordinate wall planes or modular sections that do not exceed a total of an aggregate of twenty five feet (25').
 - (c) Building forms shall consist of simple rectangular shapes and height from finished floor to finished floor shall not exceed twelve feet (12').
 - (d) Roof forms shall be gabled, hipped or shed. Flat roofs are not prohibited but discouraged (unless flat roofs are the predominant roof form in the neighborhood).
- (4) Additions to Existing Structures. Additions to existing structures shall be the same or compatible with the existing structure (e.g. building materials, windows, doors, and form of the building and roof).
- (5) Residential Parking Features. In order to prevent parking, garages, driveways and curb-cuts from becoming the primary feature of residential buildings or property, the following shall apply:
- (a) Whenever feasible, driveways, garages, and parking areas shall be accessed from an alley.
 - (b) Garages, with garage doors that face the street, shall not extend forward of the front face of the primary structure.
 - (c) A garage door that is visible from the public street should blend with the façade and architectural elements of the structure.
 - (d) Required parking should be provided from the alley for in-fill development located with alley access.
 - (e) In new development, private alleys are encouraged and can be allowed with a reduced setback from the alley, reduction in parking requirements, or an allowance for tandem parking.
 - (f) Shared garage parking shall not exceed four (4) garage doors per building and shall be

similar in exterior design to the dwelling units in the development.

- (g) Surface parking areas shall not be located in clusters of more than four (4) spaces.
 - (h) Surface parking areas shall be screened from public streets and adjacent residential uses by landscaping or architectural screening.
 - (i) Driveway curb-cuts shall be sized for a single-car width, ten feet (10') maximum. The driveway width shall not increase beyond ten feet (10') until the driveway extends beyond the front setback.
- (6) Commercial Uses in the TN Zone.
- (a) Applicability.
 - (i) These standards apply to ~~the following~~ all non-residential uses in the TN Zone.: ~~Animal Care Clinic; Artist Studio; Day Care, Center; Limited Eating Establishment; Financial Institutions; Food Processing, Small Scale; Food Store; Fuel Station; Laundry and Dry-Cleaning; Personal and Professional Service; and Retail.~~
 - (ii) These standards are in addition to any other applicable ~~requirements to the specific use~~ in all zones.
 - (b) Purpose. The purposes of these standards are to create commercial developments that are:
 - (i) Compatible with the surrounding residential neighborhood;
 - (ii) Pedestrian in scale with buildings massing at the street and intersections; and
 - (iii) Connected to the neighborhood with pedestrian access and with a seamless interface with the surrounding neighborhood.
 - (c) Location of Commercial Uses.
 - (i) Commercial uses in the TN zone shall be a permitted use within existing commercial structures without substantial exterior remodeling or expansion of the existing building; or
 - (ii) Commercial uses in the TN zone shall be a permitted use on parcels that have frontage on Elm, Elva, and G Streets, Holmes Avenue, S. Boulevard, and Lomax Street; or
 - (iii) Commercial uses shall be permitted by conditional use permit for parcels that do not have frontage on Elm, Elva, and G Streets, Holmes Avenue, S. Boulevard, and Lomax Street provided that the use is conducted only within an existing building. Any commercial use requiring the construction of a new building for a use not otherwise permitted shall not be permitted.
 - (d) Dimensional Standards.
 - (i) The maximum building footprint should be five-thousand square feet (5,000 ft²).
 - (ii) Generally, the maximum height of a building shall be two-stories.
 - (iii) Buildings three (3) stories in height are encouraged at the corners of street intersections.
 - (iv) Buildings shall provide a transition in height to contiguous residential use. When a building is located between five feet (5') and twenty feet (20') from a property line contiguous to a residential use, the building height may be a maximum of twelve feet (12'). At twenty feet (20') from the property line, the building may be a maximum of twenty five feet (25') in height. After thirty feet (30') from the property line, a

CHAPTER 5 OVERLAY ZONES REGULATIONS

- 11-5-1: PT Planned Transition Zone
11-5-2: Wireless Communications Towers and Antennas

11-5-1: PT PLANNED TRANSITION ZONE.

- (A) Purpose. The purpose of the PT Planned Transition Zones is designed to maintain land use compatibility and enhance the functioning of arterial streets by requiring conformity to performance standards as set forth in this Section.
- (B) Allowed Uses and Structures. ~~See Table 11-2-2: Allowed uses in Commercial Zones. Multi-unit residential and commercial uses except as noted below, and accessory structures and utilities.~~
- ~~(1) The Standard Land Use Coding Manual, 1977 Edition, shall be used when identifying uses that are not allowed in the PT zone. Uses not allowed include classifications 521 (Lumber and other building materials — retail), 5211 (Lumber yards — retail), 5212 (Building materials — retail), 5252 (Farm equipment — retail), 5511 (Motor vehicles [new and used cars] — retail), 5512 (Motor vehicles [used cars only] — retail), 5520 (Tires, batteries, and accessories — retail), 5591 (Marine craft and accessories — retail), 5592 (Aircraft and accessories — retail), 5599 (other retail trade — automotive, marine craft, aircraft, and accessories, NEC), 582 (Drinking places [alcoholic beverages]), 5820 (Drinking places [alcoholic beverages]), 598 (Fuel and ice — retail), 637 (Warehousing and storage services), 641 (Automobile repair and services), 662 (Special construction and trade services), 674 (Correctional Institutions), 675 (Military bases and reservations), 721 (Entertainment Assembly), 722 (Sports assembly), 731 (Fairgrounds and amusement parks), 739 (Other amusements, NEC).~~
- (C) General Requirements.
- (1) No use shall be made of any property within the PT Zone without prior application and approval as set forth in Chapter 6 Administration of this Code.
- (2) All development in the PT Zone shall comply with the requirements of this Code and the City of Idaho Falls Subdivision Ordinance, except where the performance standards established in this Section impose more stringent requirements, then the performance standards shall control.
- (D) Dimensional Standards.
- (1) Minimum Size. All development sites shall have a minimum size of at least thirty-thousand square feet (30,000 ft²). A waiver from the minimum lot size may be granted subject to the provisions for review set forth in Section 11-6-5H.
- (2) Maximum Lot Coverage. Maximum lot coverage shall be fifty percent (50%) for multi-unit residential uses and seventy percent (70%) for commercial uses.
- (3) Maximum Building Height. Maximum building height shall not be any higher than four feet (4') above the highest point of any building located on any property contiguous to the proposed use.
- (4) Exceptions to the dimensional standards may be approved as set forth in Chapter 6 Administration of this Code.

(E) Performance Standards.

- ~~(1) Access and Connections. All uses shall be designed to provide the following:~~
 - ~~(a) Adequate access for emergency or public service vehicles and equipment.~~
 - ~~(b) Shared functional connections with adjoining uses, including shared access from the street, shared parking and service access, and shared pedestrian circulation between uses.~~
 - ~~(c) Sidewalks along streets and a safe and adequate system of pedestrian circulation within the property.~~
 - ~~(d) Safe vehicular and pedestrian safety access to and from the site.~~
- ~~(2) Traffic Generation. No uses shall generate traffic which:~~
 - ~~(a) Decreases the level of service (LOS) one (1) level on the external street system, as defined in the most recent edition of the "Highway Capacity Manual," published by the Transportation Research Board.~~
 - ~~(b) Is more than the capacity of the public streets serving it or of its own proposed access points to those streets.~~
- ~~(3) Lighting.~~
 - ~~(a) All sources of illumination shall be directed and, when necessary, shielded to avoid direct glare onto adjacent properties.~~
 - ~~(b) No commercial use shall cause a level of illumination exceeding one-half foot (0.5') candles on any part of a contiguous residential area.~~
- (41) Buffering. All uses shall be effectively buffered to screen adjoining streets or uses from sight, sound, micro climatic or other adverse impacts. Such buffers shall be installed in accordance with the standards set forth below:
 - ~~(a) The effectiveness of a proposed buffer shall be evaluated based on its width, height, density, the nature of the materials selected, and plans for its maintenance. Use of fences or walls only as buffers is generally ineffective and should not be allowed except where needed for site security or where space is extremely limited.~~
 - (ba) Whenever practical, existing trees shall be saved and used in buffers or other landscaping on the site.
 - (eb) All commercial uses shall provide an effective buffer along arterial streets that includes street trees in a ten foot (10') wide planting strip, and an effective landscaping or shrubbery buffer between the sidewalk and parking lots and buildings.
 - (dc) Where high density residential uses border an arterial street, parking shall be used as part of a buffer that includes street trees in a ten foot (10') wide planting strip, the sidewalk, and an effective buffer between sidewalk and the parking area.
 - (ed) All uses shall provide a buffer along non-arterial streets, including street trees at forty foot (40') centers in an eight foot (8') wide planting strip between the sidewalk and parking lots or buildings. The buffer shall cause the non-arterial streets to appear residential in character, even when used for access to commercial uses.
 - ~~(f) All uses provide an effective buffer for adjoining residential uses along their side or rear property lines or the alley.~~

~~(g) All parking lots containing twenty-four (24) or more parking spaces shall have an effective buffer from the adjoining street, consisting of a berm, landscaping or a combination of both.~~

(he) Outdoor storage, loading, and service areas shall be screened from public streets or adjoining properties. Separate screening is not required where required buffers fulfill this standard.

(52) Hours of Operation. A commercial use within the PT Zone shall not be open to the public between the hours of 11:00 p.m. and 6:00 a.m.

11-5-2: WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS.

(A) Purpose. The purpose of regulations for wireless communications towers and antennas is as follows:

- (1) Protect residential areas and land uses from potential adverse impacts of towers and antennas.
- (2) Encourage the location of towers in non-residential areas.
- (3) Minimize the total number of towers throughout the community.
- (4) Strongly encourage the joint use of new and existing tower sites as a primary location rather than construction of additional single-use towers.
- (5) Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal.
- (6) Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques.
- (7) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.
- (8) Consider the public health and safety of communication towers.
- (9) Avoid potential damage to contiguous properties from tower failure through engineering and careful siting of tower structures.

(B) Applicability. The provisions of this Section shall apply to the siting, design, and maintenance of all towers and antennas in the City of Idaho Falls except for the following:

- (1) Amateur radio station operators and receive only antennas under seventy feet (70') in height; and owned and operated by a federally-licensed amateur radio station operator or used exclusively for receive only antennas.
- (2) Towers and antennas existing prior to September 14, 2000, that meet the requirements of State or Federal Law and comply with adopted City building and electrical codes.
- (3) Radio and TV towers and antennas that are accessory uses for radio and television stations where permitted in the Zone, unless modified for collocation as specified in this Section.

(C) Local, State or Federal Requirements.

- (1) All towers shall comply with current minimum standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas.

Higher Education Center	The use of a site for institutions of higher learning, post-high school, including colleges and technical training centers.
Home Occupation	An occupation or profession conducted entirely within a dwelling unit or an accessory building and carried on by persons residing on the premises and clearly incidental to a residential use.
Hospital	The use of a site primarily for the maintenance and operation of medical or surgical care of patients twenty four (24) hours a day. "Hospital" does not include clinic, convalescent, or boarding /rooming house, residential care facility or other types of cases necessitating forcible confinement of patients.
Household	One (1) or more individuals occupying a dwelling unit and living as a single household unit, and pursuant to IC §67-6531 any group residence in which eight (8) or fewer unrelated persons with disabilities or elderly persons reside and who are supervised at the group residence in connection with their disability or age related infirmity.
Household Pet	A dog, cat, fowl, reptile, fish, rodent or similar domestic animal weighing less than two hundred pounds (200 lbs.) at full maturity.
Improvement	Any alteration to the land or other physical constructions associated with building site developments.
Industry, Craftsman	The use of the site not exceeding one thousand five hundred square feet (1,500 ft²) for small-scale, craftsman-operated production of materials, assembly of parts, or the blending of materials including wood, metal, plastics, canvas, fabrics, computer components, electronics, oils, and resins; the sale of works produced and instruction. "Craftsman-Industry" includes but is not limited to; artist studios, jewelry manufacturing, candle-making, furniture and re-finishing, machine shops, cabinet makers, sign shops, and frame shops.
Industry, Heavy	A use engaged in the basic processing and manufacturing of materials or products, predominately from extracted or raw materials or engaged in storage or manufacturing processes using flammable or explosive materials. Or storage or manufacturing processes that involve hazardous or commonly recognized offensive conditions. This also includes the distribution of such products and parts.
Industry, Light	The use of a site for the manufacture, processing, fabrication, assembly, treatment, publishing, and/or packaging of finished products or parts, predominantly from previously prepared materials. This also includes the distribution of such products and parts.
In-Fill	Development designed to occupy vacant land that remains after the majority of development has occurred in an area.
Information Technology	The use of a site for processing data. The use includes, but is not limited to, internet and software; recording and broadcasting studios; data processing centers, internet providers and other information systems.
Laundry and Dry Cleaning	The use of a site for the pick-up and delivery of dry cleaning and laundry without the operation of a laundry or dry cleaning on site.
Live-Work Unit	The use of a site for commercial or small scale manufacturing activity and dwelling unit(s) located within, near or contiguous to the working space.
Lodging Facility	A building that is designed for or is occupied by guests for a stay of thirty (30) days or less. Physical features of a lodging facility generally include sleeping rooms, sanitary facilities, and a registration/lobby area for guests. Hotels, inns, and motels, as defined by this Zoning Code, are lodging facilities. Bed and breakfasts, recreation vehicle parks, and short term rentals, as defined by this Zoning Code, are not lodging facilities.

Vehicle Repair	The use of a site for the repair, rebuilding or reconditioning of motor vehicles.
Vehicle Sales, Rentals and Service	The use of a site for the sale or rental of new and used motor vehicles, manufactured homes, travel trailers, recreation vehicles, and incidental repairs and servicing. Trucks and/or farm implements are classified as Equipment Sales, Rental and Service.
Vehicle Washing Facility	A facility used to clean the exterior and/or interior of motor vehicles.
Warehouse, Wholesale	The use of a site for wholesale and distribution of manufactured products, supplies and equipment, excluding retail sales and storage .
Wholesale	Sale of goods for resale as distinguished from sale of goods to ultimate consumers.
Yard	<p>An open space on the same lot with a building unoccupied or unobstructed from the ground upward, except as otherwise provided in this Zoning Code.</p> <p>Front: A yard lying between the front lot line and the nearest foundation line of the main building and extending across the full width of the lot.</p> <p>Rear: A yard lying between the rear lot line and the nearest foundation line of the main building and extending across the full width of the lot. In the case of a corner lot where the building fronts on a side street, the rear yard may be established from the rear of the house to the side property line.</p> <p>Required: The open space around building as required by the Zoning Code.</p> <p>Side: An open space between the side of the main building and the side line of the lot and extending from the front yard to the rear yard.</p>
Zone	<p>A specifically delineated area within which uniform development regulations set out the uses, placement, spacing, and size of land and structures.</p> <p>Base: The underlying zone.</p> <p>Overlay: A Zone which is superimposed over a Base Zone and in which certain regulations and restrictions apply which supplement or which modify the regulations and restrictions applying in the underlying Base Zones.</p>

June 19, 2018

7:00 p.m.

Planning Department

Council Chambers

MEMBERS PRESENT: Commissioners George Morrison, George Swaney, Gene Hicks, Joanne Denney, Natalie Black, Margaret Wimborne, Arnold Cantu, Darren Josephson. (8 present with 7 votes).

MEMBERS ABSENT: Julie Foster, Brent Dixon, Lindsey Romankiw

ALSO PRESENT: Planning Director, Brad Cramer, Assistant Planning Directors, Kerry Beutler, Brent McLane, Brian Stevens; Randy Fife, Esq., and interested citizens.

CALL TO ORDER: George Morrison called the meeting to order at 7:00 p.m. and reviewed the public hearing procedure.

5. RZON 18-008: ZONING ORDINANCE CHANGES. McLane presented the staff report, a part of the record. McLane amended the report by stating that Washing Vehicle business is not allowed in PT. Black asked (on Accessory dwelling) for clarification. McLane stated that if you wanted to build something 750 sq. ft you'd have to have a 7500 sq. ft lot and so it is a substantial size lot for the availability of building a mother in law apartment. McLane stated that the intent is to make this available, but not make it overly restrictive. McLane stated that lots of the people that are wanting to build accessory dwelling are in areas where their lots are smaller, and the 10% also would include the parking facility. So, with the current code it would make it hard for a lot of people, unless they had a large lot, to build an accessory dwelling.

Morrison opened the public hearing.

Applicant: City of Idaho Falls

No one appeared in support or opposition.

Morrison closed the public hearing.

Wimborne commended the staff for walking through this ordinance and making sure they are usable and livable and work in real life situation.

Wimborne moved to recommend to the Mayor and City Council approval of the Zoning Ordinance Amendments as presented, Josephson seconded the motion and it passed unanimously.

Black commended the staff for going through the Code thoroughly as it helps the builders and developers, but also the commission in their determination of things.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 11 OF THE IDAHO FALLS CITY CODE, AMENDING THE COMPREHENSIVE ZONING; PROVIDING SEVERABILITY, CONDIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City adopted the adopted the April 12, 2018 edition of the Comprehensive Zoning which is to promote the health, safety, peace, convenience and general welfare of the inhabitants of the City by implementing the goals and policies of the City's Comprehensive Plan; and

WHEREAS, the City desires for the standards of the code to be consistent and clear; and

WHEREAS, upon review of the code Planning Division staff has determined there are minor updates needed to improve the consistency and clarity of the code's standards; and

WHEREAS, changes have been made to the PT Overlay Zone, the Commercial Use Tables, Accessory Dwelling Standards, Standards for Residential Zones, and the Definition section; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve the recommended changes on August 23, 2018.

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

SECTION 1: City Code Title 11, Section 1, is hereby amended as follows:

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 July, 2018.

CITY OF IDAHO FALLS, IDAHO

Rebecca L. Noah Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

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

That the above and foregoing is a full, true and correct copy of the Ordinance
entitled, "AN ORDINANCE AMENDING TITLE 11 OF THE IDAHO FALLS
CITY CODE; PROVIDING SEVERABILITY, CONDIFICATION,
PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

Kathy Hampton, City Clerk



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brad Cramer, Community Development Services Director

DATE: Monday, August 20, 2018

RE: Rezone from R&D to R1, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Heritage Hills Division No. 3

Attached is the application for rezoning from R&D to R1, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Heritage Hills Division No. 3. The Planning and Zoning Commission considered this item at its June 19, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation. This item is now being submitted to the Mayor and City Council for consideration.

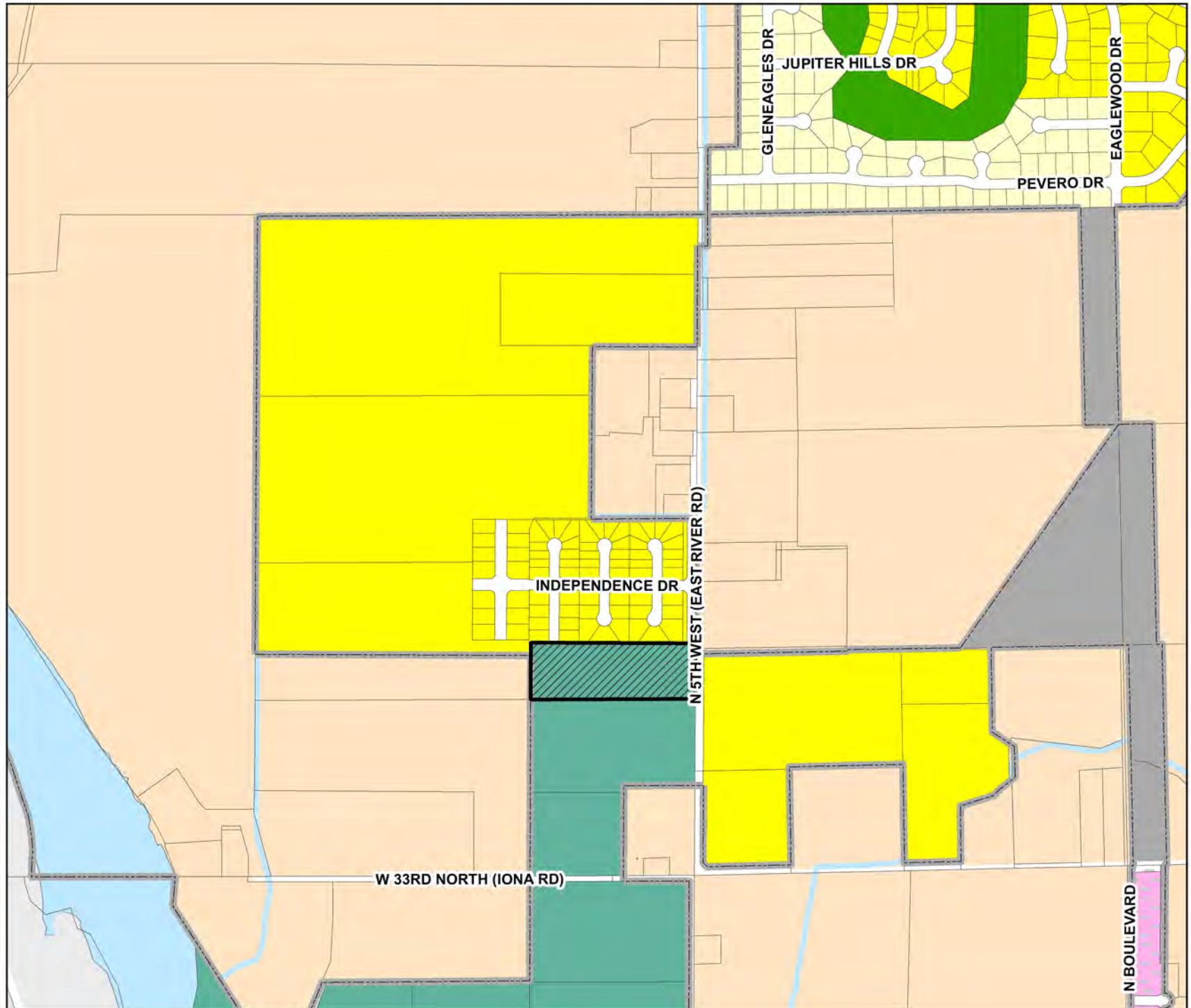
Attachments: Vicinity Map
 Aerial Photo
 Comprehensive Plan Map
 Staff Report, June 19, 2018
 P&Z Minutes, June 19, 2018
 Zoning Ordinance
 Reasoned Statement of Relevant Criteria and Standards

Legend

-  Site
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P
- Overlays**
-  PT
-  PT & T-1
-  PUD
-  T-1
-  T-2
-  City Limits
-  Area of Impact



Planning Division
City Annex Building
680 Park Ave.
Idaho Falls, ID 83402
(208) 612-8276





W 33rd N

W 33rd N

N 5th W

Cove Fort Dr

Brighton Cir

Independence Dr

Brighton Dr

Tradition Cir

Rezone

M&B: Approximately 7.744 Acres, SE1/4, Section 1, T 2N, R 37E

- | | | | | |
|---|--|---|--|---|
|  Estate |  Greenbelt Mixed Uses |  Commercial |  Higher Education Centers |  Railroad-related industrial |
|  Low Density |  Parks, Recreation |  Employment Centers |  Planned Transition | |
|  Higher Density |  Public Facilities, Open Spaces |  Medical Services Center |  Highway-related industrial | |

Comprehensive Plan

IDAHO FALLS

Planning Division
City Annex Building
680 Park Ave.
Idaho Falls, ID 83402
(208) 612-8276



IDAHO FALLS PLANNING AND ZONING COMMISSION

STAFF REPORT

Rezone from R&D to R1

Heritage Hills Division 3

June 19, 2018



Community
Development
Services

Applicant: Eagle Rock Engineering

Location: Generally south of Independence Dr., west of N 5th W, north of W 33rd N and east of the Snake River.

Size: Approx. 7.744 acres

Existing Zoning:

Site: R&D

North: R1

South: R&D

East: R1

West: R1, County A-1

Existing Land Uses:

Site: Agriculture

North: Residential

South: Agriculture

East: Residential /
Agriculture

West: Agriculture

Future Land Use Map:

Higher Education Centers

Attachments:

1. Maps
2. Aerial photos
3. Final Plat
4. Photos

Requested Action: To **recommend** to the Mayor and City Council approval of rezoning Heritage Hills Division 3 from R&D to R1.

History: Heritage Hills was originally preliminary platted in 2006, and then revised in 2015. The majority of division 1 has been constructed, Division 2 was construction in 2015.

Staff Comments: A portion of this property is currently zoned R&D, the other portion of this property is proposed to be annexed and zoned R1. The Comprehensive Plan identifies this property as Higher Education Center. The property to the north and east are zoned R1. The property to the south is zoned R&D. The property to the west is located in the county and is currently zoned A-1, and has a Comprehensive Plan designation of Higher Education Centers and Public Facilities, Open Space. The surrounding land use is primarily agriculture with some low density residential subdivision directly north. The preliminary plat included this area which at the time was zone M-1. This indicates that the Commission saw this area being rezoned to a residential use at some point.

Staff Recommendation: Staff recommends approval of the request to rezone based upon the prior approval of the Preliminary Plat, Comprehensive Plan Policies, and the compatibility with the adjacent zones and uses.

Comprehensive Plan Policies:

Residential development should reflect the economic and social diversity of Idaho Falls.

Low density residential is development at densities of seven dwelling units or less per net acre. Most of the lands within the future land use map are designated low density residential. This reflects the existing pattern of development of Idaho Falls. Until the market dictates such lands are to be developed and annexed to the City, the goal is the land will be used for agricultural purposes, its historic land use.

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

Not only is a compact city convenient but the provision of public facilities is less expensive. Growth does not always occur at the fringe of a community. Vacant lands or underutilized parcels may redevelop to more intensive uses which use existing utilities. In the Broadway-Utah Avenue area between I-15 and Snake River Parkway, 42 properties redeveloped in the period from 1989 to 2013, over 1,800 jobs were created, and assessed valuations increased by \$141 million. The City should continue programs which use private/public partnerships to redevelop the land inside the City's boundaries.

Zoning Ordinance:

11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

Table 11-3-1: Standards for Residential Zones

	RE	RP	R-1	R-2	TN	R-3	R-3A	RMH
Lot Area								
Lot Area Minimum in ft ²	1 acre*	12,000	7,000	6,000*	3,000*	5,000*	5,000	5,000
Lot Area Maximum in ft ²			13,500					
Site Width								
Site Width at Front Setback, Minimum in ft.	150	60	50	50	25	50	50	50
Setbacks, Minimum in ft.								
Front	40	30*	25*	20*	15*	15	15	30
Front Maximum in ft.					20*			
Side	20	7.5/10*	6*	6*	5	6*	6*	10
Rear	40	25	25	25	10	25*	25	25*
Lot Coverage, Building Height, and Density								
Maximum Lot Coverage in %	30	40	40	80	50	80	80	40
Maximum Building Height in ft*	24	24	24	24	*			24
Maximum Density in gross in units/acre	1	4	6	17	15	35	35	8
*See explanations, exceptions and qualifications in Section 11-3-4A,B,C,D of this Zoning Code.								

June 19, 2018

7:00 p.m.

Planning Department

Council Chambers

MEMBERS PRESENT: Commissioners George Morrison, George Swaney, Gene Hicks, Joanne Denney, Natalie Black, Margaret Wimborne, Arnold Cantu, Darren Josephson. (8 present with 7 votes).

MEMBERS ABSENT: Julie Foster, Brent Dixon, Lindsey Romankiw

ALSO PRESENT: Planning Director, Brad Cramer, Assistant Planning Directors, Kerry Beutler, Brent McLane, Brian Stevens; Randy Fife, Esq., and interested citizens.

CALL TO ORDER: George Morrison called the meeting to order at 7:00 p.m. and reviewed the public hearing procedure.

CHANGES TO AGENDA: None. (Until later in the meeting)

Public Hearing:

RZON 18-007: REZONE. Heritage Hills 3. R&D to R1, M&B: 7.744. Stephens presented the staff report, a part of the record. Black asked if it this is the subdivision that came up a few years ago where the developer did not do the right-hand turn. Black asked if they have already done something with this property. Stephens stated that there is a Division 2, and this current rezone will be a portion of the Division 3 that is coming later tonight in Business.

Morrison opened the public hearing.

Applicant: No one appeared.

No one appeared in support or opposition.

Morrison closed the public hearing.

Wimborne indicated that the area complies with both the Comprehensive Plan and the zoning change is appropriate based on how the area is being developed.

Wimborne moved to recommend to the Mayor and City Council approval of the Rezone for Heritage Hills 3 from R&D to R1, Josephson seconded the motion and it 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 M&B: APPROXIMATELY 7.744 ACRES SE1/4, SECTION 1, T 2N, R 37E AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R&D ZONE TO R1 ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed zoning district of lands described in Section 1 is R1 Zone for such annexed lands and such zoning is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation “Higher Education Centers” and “Low Density Residential”; and

WHEREAS, the proposed zoning district is consistent and compatible with the existing and surrounding zoning districts and is consistent with the City of Idaho Falls Comprehensive Plan; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on June 19, 2018, and recommended approval of zoning the subject property to R1 Zone; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on August 23, 2018.

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:

M&B: Approximately 7.744 Acres SE1/4, Section 1, T 2N, R 37E

SECTION 2. Zoning. That the property described in Section 1 of this Ordinance be and the same hereby is zoned “R1, Zone” and the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

SECTION 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 _____, 2018.

CITY OF IDAHO FALLS, IDAHO

Rebecca L. Noah Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

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

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF M&B: APPROXIMATELY 7.744 ACRES SE1/4, SECTION 1, T 2N, R 37E AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R&D ZONE TO R1 ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

Kathy Hampton, City Clerk

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REZONE OF PROPERTY LOCATED M&B: APPROXIMATELY 7.744 ACRES SE1/4, SECTION 1, T 2N, R 37E FOR HERITAGE HILLS.

WHEREAS, the applicant filed an application for rezoning on May 7, 2018; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on June 19, 2018; and

WHEREAS, this matter came before the Idaho Falls City council during a duly noticed public hearing on August 23, 2018; 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 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 7.744 acres located generally south of Independence Dr., west of N 5th W, north of W 33rd N and east of the Snake River.
3. Surrounding properties are zoned residential R1, RD, and County A-1.
4. The Comprehensive Plan designates this area as Higher Education Centers and Low Density Residential.
5. The proposed rezoning is consistent with the policies and principles of the Comprehensive Plan.
6. The Idaho Falls Planning and Zoning Commission recommended approval of this rezoning as presented.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the rezone as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2018

Rebecca Casper - Mayor