City Council Meeting

Agenda

680 Park Avenue
Idaho Falls, ID 83402

Thursday, April 28, 2022 **7:30 PM** **City Council Chambers**

While Coronavirus (COVID-19) is still a public health risk, the City will follow Eastern Idaho Public Health (EIPH) recommendations. EIPH currently recommends observance of The Centers for Disease Control and Prevention (CDC) guidelines.

Welcome to the Idaho Falls City Council Meeting.

Regularly scheduled Council meetings are open to any member of the general public either in person or via live stream on the City website and are archived on the City website (idahofalls.gov). Please be aware that the meeting agenda may differ at times because amendments to the agenda may be made by the Council during the meeting.

The Council encourages public input. While general public comment is not required by Idaho law, the Council welcomes general public comment as part of the City Council meeting. General public comment will be allowed for up to 20 minutes on the agenda. The public is always welcome to contact their Council representatives via e-mail or telephone, as listed on the City website.

The Council is committed to an atmosphere that promotes equal opportunity and is free from discrimination or harassment. All those who wish to address City Council during the public comment period are encouraged to adhere to the following guidelines.

Public Comment Participation Guidelines.

Speakers are encouraged to:

1. State their name and address.

2. Focus comments on matters within the purview of the City Council.

3. Limit their comments to three (3) minutes or less.

4. Refrain from repeating information already presented in order to preserve time for others to speak. Large groups are encouraged to select one or two speakers to represent the voice of the whole group.

5. Practice civility and courtesy. The Council has the right and the responsibility to maintain order and decorum during the meeting. Time may be altered for those speakers whose comments are profane or disruptive in nature.

6. Refrain from comments on issues involving matters currently pending before the City's Planning and Zoning Commission or other matters that require legal due process including public hearings, City enforcement actions, and pending City personnel disciplinary matters.

Comments that pertain to activities or performance of individual City employees should be shared directly with the City's Human Resources Director (208-612-8248), the City's Legal Department (208-612-8178) or with the Office of the Mayor (208-612-8235).

Speakers should note that City Council members typically do not engage in dialogue or questions with speakers during the public comment period.

Public Hearing Participation Guidelines.

1. In-person Comment. Because public hearings must follow various procedures required by law, please wait to offer your comments until comment is invited/indicated. Please address your comments directly to the Council and try to limit them to three (3) minutes.

2. Written Comment. The public may provide written comments via postal mail sent to City Hall or via email sent to the City Clerk at IFClerk@idahofalls.gov. Comments will be distributed to the members of the Council and become a part of the official public hearing record. Written testimony must be received no later than forty-eight (48) hours prior to the date of the hearing to ensure inclusion in the permanent City record.

3. Remote Comment. When available, the public may provide live testimony remotely via the WebEx meeting platform using a phone or a computer. Those desiring public hearing access should send a valid and accurate email address to VirtualAttend@idahofalls.gov no later than twenty-four (24) hours prior to the date of the hearing so log-in information can be sent to you prior to the meeting. Please indicate for which public hearing on the agenda you wish to offer testimony. Please note that the remote option will not be available for all meetings.

If communication aids, services, or other physical accommodations are needed to facilitate participation or access for this meeting, please contact City Clerk Kathy Hampton at 208-612-8414 or ADA Coordinator Lisa Farris at 208-612-8323 not less than 48 hours prior to the meeting. They can help accommodate special needs.

City Council Agenda:

1. Call to Order.

2. Pledge of Allegiance.

3. Public Comment.

Please see guidelines above.

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. Mayor's Office

1) Appointments to city Boards, Commissions, and Committees **21-487**

Attached please find communication from Idaho Falls Public Library Director, Robert Wright; Community Development Services Director, Brad Cramer; and Parks and Recreation Director, PJ Holm regarding the citizen volunteers I am appointing/reappointing to serve on the following City of Idaho Falls Boards, Commissions, and Committees:

Name	Board, Commission, Committee	Term Expires	Status
Kristen Hall	Library Board of Trustees	March 31, 2027	Reappoint
Dan Bruderer	ADA Advisory Board	December 31, 2024	New Member
Stacey Barrett	ADA Advisory Board	December 31, 2024	Reappoint
Dean Nielson	ADA Advisory Board	December 31, 2024	Reappoint
Glen Ogden	Planning and Zoning Commission	December 31, 2026	New Member
Kristi Brower	Planning and Zoning Commission	December 31, 2023	New Member
Daniel Devasirvatham	Board of Adjustment	December 31, 2025	New Member
Ken Knoch	Shade Tree Committee	December 31, 2024	New Member

The applicants have been screened and subsequently recommended by the aforementioned Directors. This office has reviewed the appointment/reappointment recommendations. I am confident these individuals meet the criteria ser forth in City Code and I anticipate each will make positive contributions to the good work of the city.

I request your vote to give consent to these appointments/reappointments at the regular City Council Meeting on Thursday, April 28, 2022.

If you have questions or comments, please feel free to contact me or the Directors.

Attachments: CDS PZ BOA.pdf
CDS ADA.pdf
IFPL Board of Trustees.pdf
PR Shade Tree.pdf

B. Idaho Falls Power

1) Sole Source Purchase of Traffic Movement Analysis Equipment **21-484**

IFP tested Iteris Company traffic movement analysis software and equipment to conduct a pilot study to evaluate its effectiveness. The equipment was installed on traffic intersections on the 25th East (Hitt) road corridor. IFP and Public Works Department (PW) analyzed the system and determined that the system was effective and of value to traffic management in the city. IFP and PW intend to install additional traffic movement analysis equipment in the intersections located in the city's other coordinated traffic corridors. IFP is requesting that City Council approve the sole source purchase on the basis that the compatibility of new traffic analysis equipment with the Iteris software and other component parts is of the paramount consideration. Idaho Code § 67-2808(2)(a)(i) authorizes sole source purchases when "the compatibly of equipment, component, accessories, computer software, replacement parts, or service is the paramount consideration" for the purchase. IFP is recommending that Iteris Company be considered a sole source for this procurement.

Attachments: Iteris quote .pdf

C. Municipal Services

1) Minutes from Council Meetings **21-485**

April 11, 2022 City Council Work Session; April 14, 2022 City Council Meeting; and April 18, 2022 City Council Work Session

Attachments: 20220411 Work Session - Unapproved.pdf
20220414 Council Meeting - Unapproved.pdf
20220418 Work Session - Unapproved.pdf

2) License Applications, all carrying the required approvals

Recommended Action:

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

5. Regular Agenda.

A. Municipal Services

1) Public Hearing for Sale or Conveyance of Real Property **21-478**

This property was donated to the City in January 2016. The Municipal Services and Parks and Recreation departments have determined this property is no longer needed and recommend the sale, conveyance, or auction of this property. The Notice of Public Hearing was published on Sunday, April 10, 2022. The Public Hearing is scheduled for Thursday, April 28, 2022, at 7:30 pm in the Council Chambers of the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho. At the conclusion of the hearing, Council will have met the notice and hearing requirements to sell, convey or auction this property.

Recommended Action:

Pursuant to Idaho Code §50-1402, Municipal Services request that the Council conduct a public hearing and subsequently determine whether to sell, convey or auction the city property located at Bel-Aire Division No. 3, Lots 1, 2 and 3 inclusive, Block 16; and Lot 1, Block 17, in the W1/2NE1/4 of Section 17, Township 2 North, Range 38, E.B.M. (or take other action deemed appropriate).

Attachments: Idaho Falls^LLJ City of Block 16 and 17 of Bel-Aire Estates.pdf

B. Community Development Services

1) Public Hearing: Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2021. **21-479**

As part of the CDBG reporting requirements, the Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2021 is due to HUD on June 30, 2022. A public hearing to review the report is scheduled for April 28, 2022. A 15-day public comment period will begin on April 28th and end on May 13th. After considering all comments, approval of a resolution will be requested for approval on the June 9, 2022, City Council Meeting. Any questions regarding the report should be addressed to Lisa Farris.

Recommended Action:

No action requested at this time.

2) Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East. **21-482**

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of R1, Single Dwelling Residential which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East. The Planning and Zoning Commission considered this item at its April 5, 2021, meeting and unanimously voted to recommended approval of the annexation with an initial zoning of R1. Staff concurs with this recommendation.

Recommended Action:

1. Approve the Ordinance annexing 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East under a suspension of the rules requiring three complete

and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map
Aerial
Comp Plan Map
Staff Report
PC Minutes
Ordinance
Exhibit A
Canal Exhibit Map and Legal
Reasoned Statement

3) Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of R1, Single Dwelling Residential, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East. **21-483**

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of R1, Single Dwelling Residential which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East. The Planning and Zoning Commission considered this item at its April 5, 2022, meeting and recommended approval of R1 by a unanimous vote. Staff concurs with this recommendation.

Recommended Action:

1. Assign a Comprehensive Plan Designation of "Suburban" and approve the Ordinance establishing the initial zoning for R1, Single Dwelling Residential as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R1, Single Dwelling Residential and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning
Aerial
Comp Plan Map
Ordinance
Exhibit A
Canal Exhibit Map and Legal
Reasoned Statement Zoning.docx

4) Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.979 acres of Section 31, Township 2 North, Range 38 East. **21-480**

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of R2, Mixed Residential which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.979 acres of Section 31, Township 2 North, Range 38 East. The Planning and Zoning Commission considered this item at its April 5, 2022, meeting and voted to recommended approval of the annexation with an initial zoning of R1, Single Dwelling Residential with a vote of 2 to 1. The applicant maintains the request for R-2, which staff still also recommends.

Recommended Action:

1. Approve the Ordinance annexing 10.979 acres of Section 31, Township 2 North, Range 38 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 10.979 acres of Section 31, Township 2 North, Range 38 East and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map
Aerial
Comp Plan Map
Staff Report
PC Minutes
Ordinance
Exhibit A
Exhibit Map
O'Connell Email Testimony
Reasoned Statement

5) Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of R2, Mixed Residential, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 10.979 Acres, South ½ of the Southeast ¼ of the Southeast ¼ of Section 31, Township 2 North, Range 38 East. **21-481**

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of R2, Mixed Residential which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.979 Acres, South ½ of the Southeast ¼ of the Southeast ¼ of Section 31, Township 2 North, Range 38 East. The Planning and Zoning Commission considered this item at its April 5, 2022, meeting and recommended approval of R1, Single Dwelling Residential with a vote of 2 to 1. The applicant maintains the request for R2, which staff also recommends.

Recommended Action:

1. Assign a Comprehensive Plan Designation of "General Urban" and approve the Ordinance establishing the initial zoning for R2, Mixed Residential as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R2, Mixed Residential and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments:
Zoning Map
Aerial
Comp Plan Map
Ordinance
Exhibit A
Exhibit Map
Reasoned Statement

6. Announcements.

7. Adjournment.

Memorandum

File #: 21-487 **City Council Meeting**

FROM: Rebecca Casper
DATE: Tuesday, April 26, 2022
DEPARTMENT: Mayor's Office

Subject
Appointments to city Boards, Commissions, and Committees

Council Action Desired

☐ Ordinance ☐ Resolution ☐ Public Hearing

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

Approval of appointments, and reappointments to Boards, Commissions, and Committees

Description, Background Information & Purpose

Attached please find communication from Idaho Falls Public Library Director, Robert Wright; Community Development Services Director, Brad Cramer; and Parks and Recreation Director, PJ Holm regarding the citizen volunteers I am appointing/reappointing to serve on the following City of Idaho Falls Boards, Commissions, and Committees:

Name	Board, Commission, Committee	Term Expires	Status
Kristen Hall	Library Board of Trustees	March 31, 2027	Reappoint
Dan Bruderer	ADA Advisory Board	December 31, 2024	New Member
Stacey Barrett	ADA Advisory Board	December 31, 2024	Reappoint
Dean Nielson	ADA Advisory Board	December 31, 2024	Reappoint
Glen Ogden	Planning and Zoning Commission	December 31, 2026	New Member
Kristi Brower	Planning and Zoning Commission	December 31, 2023	New Member
Daniel Devasirvatham	Board of Adjustment	December 31, 2025	New Member
Ken Knoch	Shade Tree Committee	December 31, 2024	New Member

The applicants have been screened and subsequently recommended by the aforementioned Directors. This office has reviewed the appointment/reappointment recommendations. I am confident these individuals meet the criteria ser forth in City Code and I anticipate each will make positive contributions to the good work of the city.

I request your vote to give consent to these appointments/reappointments at the regular City Council Meeting on Thursday, April 28, 2022.

If you have questions or comments, please feel free to contact me or the Directors.

Alignment with City & Department Planning Objectives



☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐

Involving citizens in governance decision making processes supports the highest values of the strategic plan.

Interdepartmental Coordination

N/A

Fiscal Impact

Any activities for these boards, commissions, and/or committees are accounted for in the department's budget.

Legal Review

N/A

powered by Legistar™

COMMUNITY DEVELOPMENT SERVICES

IDAHO FALLS

Planning Department
Office (208) 612-8276
Fax (208) 612-8520

Building Department
Office (208) 612-8270
Fax (208) 612-8520

MEMORANDUM

TO: Bud Cranor, Chief of Staff

FROM: Brad Cramer, CDS Director

DATE: Tuesday, April 12, 2022

RE: Board and Commission Appointment Recommendations

We currently have two vacancies on our Planning and Zoning Commission and one on the Board of Adjustment. Kerry Beutler and I have reviewed applications and interviewed interested individuals and recommend the appointments as listed below.

Mr. Devasirvatham would be a good addition to either board and as we anticipate another opening at the end of 2022, we wanted to give him some land use experience as well and hopefully be able to add him to the P&Z Commission in the near future.

Mr. Ogden has served on a P&Z Commission in Wisconsin and brings some immediate experience, which will be valuable as we've recently lost some experienced members. If you have any questions, please feel free to contact me.

Planning and Zoning Commission Recommended Appointments and Terms:

Glen Ogden	Term ending December 31, 2026
Kristi Brower	Term ending December 31, 2023

Board of Adjustment Recommended Appointments and Terms:

Daniel Devasirvatham	Term ending December 31, 2025

IDAHO FALLS

City of Idaho Falls
Boards, Committees and Commissions
Citizen Application

Thank you for your willingness to serve our community. Complete this form and attach a résumé prior to submitting. If you wish, you may also submit a cover letter explaining your interest in city service. Your application will be kept on file. When there is an opening on a relevant board, committee or commission, your application will be reviewed. Return the completed form to the Mayor's Office at: City of Idaho Falls Mayor's office: P.O. Box 50220, Idaho Falls, ID 83405 or electronically at mayor@idahofallsidaho.gov.

Name:	Kristi Brower	
Mailing Address:	1386 Saint Clair Rd	
City, State, Zip:	Idaho Falls, ID 83404	
Email Address:	Kristiabrower@gmail.com	
Daytime Phone:	208-970-4340	☒ Message? ☒ Text?
Evening Phone:	Same	☐ Message? ☐ Text?
Cell Phone:	Same	☐ Message? ☐ Text?

I am an Idaho Falls Resident: yes I am a current or former employee of the city: no

I have a family member or person in my household who works for the city: no

What is your motivation for service on this/these committee(s)?

I have been working to make my community a better place for many years. I would like to extend that work into City Government.

How does your background training and experience lend itself to service on this/these committee(s)?

As a Social Worker I have developed excellent communication and people skills. I am open to working in any area that is relevant board, committee or commission.

Please list any relevant areas of expertise, education or training you possess that will be helpful for service.

I have a Bachelor's in Social work. As a radio host and producer I have skill and knowledge with communication technology. I have a medical disability that gives me a unique perspective.

FOR OFFICE USE ONLY:	
Date received by Mayor's Office:	Date appointed:
City Departments(s) application forwarded to:	Board, Committee or Commission appointed to:

Kristi Brower
1386 Saint Clair Rd
Idaho Falls, ID 83404
208-970-4340
kristiabrower@gmail.com

Purpose: To volunteer on a Citizen Board, Committee or Commission for the City of Idaho Falls. I am already working to make my community a better place and I want to extend that work into city government.

Education: Bachelor of Science in Social Work, Idaho State University, 2002

Work Experience:

Self Employed Radio Host and Producer-12 Radio-July 2013 to present

Business Owner-Healing Hands Metaphysical Store-November 2007-October 2016

Clinical Supervisor-Gustafson House-July 2009 to October 2010

Volunteer Positions:
Unitarian Universalist Board President
Idaho Falls Pride Board President
PFLAG Co-Lead

Skills: Excellent communicator, strong people skills and a clear understanding of group dynamics, punctual, committed, public speaker, excellent written communication skills, knowledge and skills with communications technology.

References:
Rev. Lyn Cameron 208-522-8269
Chad Judy 208-881-6242
Caroline Walline 208-521-2386

City of Idaho Falls
Boards, Committees and Commissions
Citizen Application

Thank you for your willingness to serve our community. Please fill out this form and attach a résumé to this application. If you wish, you may also submit a cover letter explaining your interest in city service.

Your application will be kept on file. When there is an opening on a relevant City Board, Committee or Commission, your application will be reviewed. Return the completed form to the Mayor's office at: City of Idaho Falls Mayor's office: P.O. Box 50220, Idaho Falls, ID 83405 or mayor@idahofallsidaho.gov.

Name:	Glen B. Ogden	
Mailing Address:	4146 S Holmes Ave	
City, State, Zip:	Idaho Falls ID 83404	
Email Address:	glenbogden@me.com	
Daytime Phone:	208.201.0118	☐ Message? ■ Text?
Evening Phone:	208.201.0118	☐ Message? ☐ Text?
Cell Phone:	208.201.0118 Message and text acceptable	☐ Message? ☐ Text?

What is your motivation for service on this/these committee(s)?

I enjoyed being involved in the ImagineIF and plan to make Idaho Falls my permanent home. We are in a critical growth phase and I would like to be involved in what Idaho Falls will look like in the future and I believe in being involved in and serving the community in which I live.

How does your background training and experience lend itself to service on this/these committee(s)?

Before moving to Idaho Falls, I spent 22 years as a mortgage and commercial lender and senior credit unions in Utah, Wisconsin and Oklahoma. I served on various committees in Draper Utah in Combined Locks, Wisconsin. I am aquainted with the struggles any city has to effectively plan and I would like to put what I have learned in both my professional life as well as my prior public service to use in Idaho Falls.

Please list any relevant areas of expertise, education or training you possess that will be helpful for service.

Planning Commission Combined Locks, WI from 2009 to 2012
President of the Utah Mortgage Lenders Association 2007
I am a Certified Mortgage Banker (CMB), Accredited Mortgage Professional (AMP) and a Certifi

FOR OFFICE USE ONLY:	
Date received by Mayor's Office:	Date appointed:
City Division(s) application forwarded to:	Board, Committee or Commission appointed to:

	Length of Term (Years)	Meeting Frequency
Mayor's Office		
□ Sister Cities Committee	Three (3)	As Needed
□ Veteran's Committee	As Needed	As Needed
□ Citizen Review Committee[1]	One (1)	As Needed
Fire Department		
□ Fire Code Appeals Board	Five(5)	Yearly/As Needed
Human Resources		
□ Library Board	Five(5)	Monthly/As Needed
Municipal Services		
□ Civic Center for the Performing Arts Committee	Two(2)	As Needed
Parks and Recreation		
□ Golf Advisory Board	Three(3)	Every Other Month
□ Parks and Recreation Commission	Three(3)	Monthly
□ Shade Tree Committee	Three(3)	Monthly
□ Tautphaus Park Zoological Society	Three(3)	Quarterly
Planning and Building		
□ Board of Adjustment	Five(5)	2nd Thursday/As Needed
□ Building Code Board of Appeals	Three(3)	As Needed
□ Electrical Board of Review	Two(2) & Three(3)	As Needed
□ Historic Preservation Commission[2]	Three(3)	1st Thursday
□ ADA Advisory Board[3]	Three(3)	As Needed
□ Idaho Falls Business Assistance Corp	Staggering Terms	Quarterly/As Needed
□ Idaho Falls Redevelopment Agency	Five(5)	3rd Thursday
□ Mechanical Appeals Board	Three(3)	As Needed
□ Planning Commission[4]	Six(6)	1st Tuesday
□ Plumbing Appeals Board	Three(3)	As Needed
Police Department		
□ Police Department Building Committee	As Needed	As Needed
□ Traffic Safety Committee	Two(2)	As Needed
Regional Committees		
□ Bonneville Metropolitan Planning Organization (BMPO)		
□ Targhee Regional Public Transportation Association (TRPTA)		

[1]Where not specifically required by law, City of Idaho Falls residents will be given preference.
[2]Four (4) members shall have professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation-related disciplines.
[3]All members shall be a person with a disability or have a demonstrated interest, competence or knowledge of disabilities.
[4]One (1) member shall be a Bonneville County resident residing within the area of city impact.

Please note: Those who stand to receive a direct financial benefit from a particular position, who are involved in litigation with a relevant city department, and who are not city residents may be declared ineligible to serve on a committee.

Any Information supplied may be subject to disclosure under the Idaho Public Records Law §§ 9-337 through 9-350

GLEN B. OGDEN
4146 S Holmes Ave.
Idaho Falls ID 83404
(208) 201-0118

"Glen is one of the smartest and most creative people I have ever known. He has a unique blend of people and analytical skills, and a wide range of business and financial experience that sets him apart."
Greg Hughes – Former Utah House of Representatives Dist. 51

PROFESSIONAL EXPERIENCE

GOLDEN INSURANCE, IDAHO FALLS, IDAHO 7-2017 TO PRESENT
CO-OWNER – MEDICARE INSURANCE AGENCY

TULSA FEDERAL CREDIT UNION, TULSA, OKLAHOMA 5-2012 TO 6-2017
SR. VICE PRESIDENT OPERATIONS / CHIEF LENDING OFFICER

COMMUNITY FIRST CREDIT UNION, APPLETON, WISCONSIN 1-2009 TO 5-2012
VICE PRESIDENT MORTGAGE/COMMERCIAL LENDING

MOUNTAIN AMERICA FINANCIAL SERVICES, WEST JORDAN, UTAH 6-2003 TO 12-2008
VICE PRESIDENT WHOLESALE MORTGAGE LENDING

MOUNTAIN AMERICA CREDIT UNION, WEST JORDAN, UTAH 7-1997 TO 6-2003
ASST. VICE PRESIDENT

NEW WORLD MORTGAGE, OREM, UTAH 6-1993 TO 7-1997
BRANCH MANAGER / LOAN OFFICER

EDUCATION AND PROFESSIONAL DESIGNATIONS

BA, Business Administration, Kennedy-Western University, Thousand Oaks, CA

Certified Mortgage Banker (CMB) Mortgage Bankers Association of America 2007
Accredited Mortgage Professional (AMP) Mortgage Bankers Association of America 2008
Certified Mortgage Lender (CML) Utah Mortgage Lender's Association 2004

PROFESSIONAL INVOLVEMENT

Utah Mortgage Lender's Association – President 2007
Utah Mortgage Lender's Association – President Elect 2006
Utah Mortgage Lender's Association – Legislative Committee Chairman 2004-2005
CUNA Mutual Group (CMG) – National Advisory Council 2004-2012
National Association of Credit Union Service Organizations – Advisory Board 2006-2007

Credit Union Times – Trailblazer Lending Officer of the Year award 2010

Carla Bruington

From: Daniel Devasirvatham <DanielD@Wi-Plan.com>
Sent: Thursday, August 29, 2019 11:52 AM
To: Office of the Mayor
Cc: 'John Radford'
Subject: Application to the Planning Commission
Attachments: Planning Commision Application.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From:
Dr. Daniel M. Devasirvatham
4905 Eaglewood Dr.
Idaho Falls, ID 83401

danield@wi-plan.com
858-366-8994 (Cell)
Aug 28, 2019

To:
Dr. Rebecca Casper
Mayor, Idaho Falls
Idaho

Subject: Planning Commission

Dear Madam Mayor,
This letter is to apply for a position in the Idaho Falls Planning Commission.

I have lived in Idaho Falls since 2013. I am a homeowner here. I retired from the Idaho National Laboratory, having worked as a Director of the Wireless National User Facility and as a Program Manager in the Homeland Security Directorate. I have loved this city and have retired here instead of seeking warmer climes, as many had advised me to do. I have wanted to give back to the Idaho Falls community, which has provided a home for me.

Hence, I am a Member of the board of the Idaho Falls Symphony, and I sponsor the harp chair in the symphony. I have been asked to join the Executive Committee of the Institution of Electrical and Electronic Engineers' (IEEE) local chapter. I am a volunteer at Habitat for Humanity. I am a contributing member of the Idaho Falls Arts Council. I sing in the Eastern Idaho Chorale and participate in many of the activities of the ISU Friends for learning organization. I am also a member of the Idaho Falls City Club.

I was informed of possible openings in the Planning Commission by Mr. John Radford, councilman. While I do not have direct experience in this area, I feel that I could contribute to it, with my wide background. I have worked with the First Responder Community in Idaho and Nationally. Prior to coming to Idaho Falls to Join INL at their invitation, I worked for SAIC, a defense company in San Diego, and the Bellcore Research Laboratory in NJ, where I was an internationally known pioneer researcher in Cellphone Communications at the dawn of the mobile communications era. I am also a Fulbright Scholar with a PhD from The Ohio State University, who specialized in Satellite and Space Communications on NASA projects. I hope my wide background and work experience would also allow me to contribute to many areas like the SMR and other nuclear as well as critical infrastructure protection fields. You may see a little of my professional life at my website www.wi-plan.com, which also has my resume.

I trust that this letter would be looked upon favorably. I look forward to hearing from you.

From:
Dr. Daniel M. Devasirvatham
4905 Eaglewood Dr.
Idaho Falls, ID 83401

danield@wi-plan.com
858-366-8994 (Cell)
Aug 28, 2019

To:
Dr. Rebecca Casper
Mayor, Idaho Falls
Idaho

Subject: Planning Commission

Dear Madam Mayor,
This letter is to apply for a position in the Idaho Falls Planning Commission.

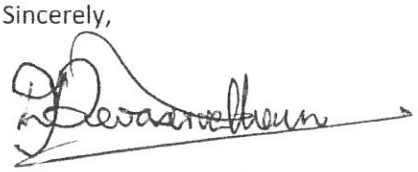
I have lived in Idaho Falls since 2013. I am a homeowner here. I retired from the Idaho National Laboratory, having worked as a Director of the Wireless National User Facility and as a Program Manager in the Homeland Security Directorate. I have loved this city and have retired here instead of seeking warmer climes, as many had advised me to do. I have wanted to give back to the Idaho Falls community, which has provided a home for me.

Hence, I am a Member of the board of the Idaho Falls Symphony, and I sponsor the harp chair in the symphony. I have been asked to join the Executive Committee of the Institution of Electrical and Electronic Engineers' (IEEE) local chapter. I am a volunteer at Habitat for Humanity. I am a contributing member of the Idaho Falls Arts Council. I sing in the Eastern Idaho Chorale and participate in many of the activities of the ISU Friends for learning organization. I am also a member of the Idaho Falls City Club.

I was informed of possible openings in the Planning Commission by Mr. John Radford, councilman. While I do not have direct experience in this area, I feel that I could contribute to it, with my wide background. I have worked with the First Responder Community in Idaho and Nationally. Prior to coming to Idaho Falls to Join INL at their invitation, I worked for SAIC, a defense company in San Diego, and the Bellcore Research Laboratory in NJ, where I was an internationally known pioneer researcher in Cellphone Communications at the dawn of the mobile communications era. I am also a Fulbright Scholar with a PhD from The Ohio State University, who specialized in Satellite and Space Communications on NASA projects. I hope my wide background and work experience would also allow me to contribute to many areas like the SMR and other nuclear as well as critical infrastructure protection fields. You may see a little of my professional life at my website www.wi-plan.com, which also has my resume.

I trust that this letter would be looked upon favorably. I look forward to hearing from you.

Sincerely,



Dr. Daniel Devasirvatham

From:
Dr. Daniel M. Devasirvatham
4905 Eaglewood Dr.
Idaho Falls, ID 83401

danield@wi-plan.com
858-366-8994 (Cell)
Aug 28, 2019

To:
Dr. Rebecca Casper
Mayor, Idaho Falls
Idaho

Subject: Planning Commission

Dear Madam Mayor,
This letter is to apply for a position in the Idaho Falls Planning Commission.

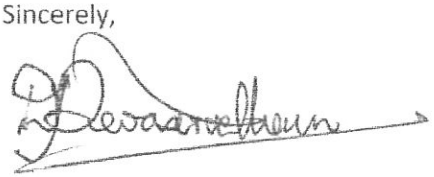
I have lived in Idaho Falls since 2013. I am a homeowner here. I retired from the Idaho National Laboratory, having worked as a Director of the Wireless National User Facility and as a Program Manager in the Homeland Security Directorate. I have loved this city and have retired here instead of seeking warmer climes, as many had advised me to do. I have wanted to give back to the Idaho Falls community, which has provided a home for me.

Hence, I am a Member of the board of the Idaho Falls Symphony, and I sponsor the harp chair in the symphony. I have been asked to join the Executive Committee of the Institution of Electrical and Electronic Engineers' (IEEE) local chapter. I am a volunteer at Habitat for Humanity. I am a contributing member of the Idaho Falls Arts Council. I sing in the Eastern Idaho Chorale and participate in many of the activities of the ISU Friends for learning organization. I am also a member of the Idaho Falls City Club.

I was informed of possible openings in the Planning Commission by Mr. John Radford, councilman. While I do not have direct experience in this area, I feel that I could contribute to it, with my wide background. I have worked with the First Responder Community in Idaho and Nationally. Prior to coming to Idaho Falls to Join INL at their invitation, I worked for SAIC, a defense company in San Diego, and the Bellcore Research Laboratory in NJ, where I was an internationally known pioneer researcher in Cellphone Communications at the dawn of the mobile communications era. I am also a Fulbright Scholar with a PhD from The Ohio State University, who specialized in Satellite and Space Communications on NASA projects. I hope my wide background and work experience would also allow me to contribute to many areas like the SMR and other nuclear as well as critical infrastructure protection fields. You may see a little of my professional life at my website www.wi-plan.com, which also has my resume.

I trust that this letter would be looked upon favorably. I look forward to hearing from you.

Sincerely,



Dr. Daniel Devasirvatham

COMMUNITY DEVELOPMENT SERVICES

IDAHO FALLS

Planning Department
Office (208) 612-8276
Fax (208) 612-8520

Building Department
Office (208) 612-8270
Fax (208) 612-8520

MEMORANDUM

TO: Bud Cranor, Chief of Staff

FROM: Brad Cramer, CDS Director
DATE: April 11, 2022
RE: The appointment of Dan Bruderer and the re-appointments of Stacey Barrett and Dean Nielson to the ADA Advisory Board

Community Development Services respectfully requests the appointment of Dan Bruderer to the ADA Advisory Board for a term ending December 31, 2024.

Community Development Services also respectfully requests the re-appointment of Stacey Barrett and Dean Nielson to the ADA Advisory Board for a term ending December 31, 2024.

Please feel free to contact me with any questions.

IDAHO FALLS

City of Idaho Falls
Boards, Committees and Commissions
Citizen Application

Thank you for your willingness to serve our community. Complete this form and attach a résumé prior to submitting. If you wish, you may also submit a cover letter explaining your interest in city service. Your application will be kept on file. When there is an opening on a relevant board, committee or commission, your application will be reviewed. Return the completed form to the Mayor's Office at: City of Idaho Falls Mayor's office: P.O. Box 50220, Idaho Falls, ID 83405 or electronically at mayor@idahofallsidaho.gov.

Name:	Dan Bruderer	
Mailing Address:	1600 S. 25th E.	
City, State, Zip:	Idaho Falls, ID 83404	
Email Address:	dan.bruderer@cei.edu	
Daytime Phone:	(208) 535-5462	☐ Message? ☐ Text?
Evening Phone:		☐ Message? ☐ Text?
Cell Phone:	(208) 881-2129	☑ Message? ☑ Text?
I am an Idaho Falls Resident: ☐	I am a current or former employee of the city: ☐	
I have a family member or person in my household who works for the city: ☐		

What is your motivation for service on this/these committee(s)?

I serve as the Senior Coordinator of the Disability Resource Center at College of Eastern Idaho (CEI). I was approached regarding participation on the ADA Advisory Board due to my relevant experience working with individuals with disabilities in this community. While I am not a resident of this community (reside in Rexburg, ID), the majority of my student population live in the City of Idaho Falls and/or Bonneville County. This has helped me to be acutely aware of the needs of community members.

How does your background training and experience lend itself to service on this/these committee(s)?

My undergraduate and graduate degrees are in Social Work (BYU-Idaho and Boise State, respectively). I have been in the field of social work for 13 years. The last three years have been with CEI, specifically working with students and community members with disabilities.

Please list any relevant areas of expertise, education or training you possess that will be helpful for service.

Experience interacting with individuals with disabilities, particularly in recognizing, understanding and working to alleviate disability related needs by establishing appropriate accommodations as neccessary.

FOR OFFICE USE ONLY:	
Date received by Mayor's Office:	Date appointed:
City Departments(s) application forwarded to:	Board, Committee or Commission appointed to:

	Length of Term (Years)	Meeting Frequency
Mayor's Office		
☐ Citizen Review Committee[1] *(Inactive)*	One(1)	As Needed
☐ Sister Cities Committee	Three(3)	4th Monday
Fire Department		
☐ Fire Code Appeals Board	Five(5)	Yearly/As Needed
Library		
☐ Library Board	Five(5)	Monthly/As Needed
Municipal Services		
☐ Civic Center for the Performing Arts	Two(2)	As Needed
Parks and Recreation		
☐ Golf Advisory Board	Three(3)	Every Other Month
☐ Parks and Recreation Commission	Three(3)	Monthly
☐ Shade Tree Committee	Three(3)	Monthly
Community Development Services		
■ ADA Advisory Board	Three (3)	As Needed
☐ Board of Adjustment	Five(5)	2nd Thursday/As Needed
☐ Building Code Board of Appeals	Three(3)	As Needed
☐ Electrical Board of Review	Two(2) & Three(3)	As Needed
☐ Historic Preservation Commission[3]	Three(3)	1st Thursday
☐ Idaho Falls Business Assistance Corp	Staggering Terms	Quarterly/As Needed
☐ Idaho Falls Redevelopment Agency	Five(5)	3rd Thursday
☐ Mechanical Appeals Board	Three(3)	As Needed
☐ Planning Commission[5]	Six(6)	1st Tuesday
☐ Plumbing Appeals Board	Three(3)	As Needed
Police Department		
☐ Traffic Safety Committee	Two(2)	As Needed

City of Idaho Falls residents preferred.

Please note: Those who stand to receive a direct financial benefit from a particular position, who are involved in litigation with a relevant city department, and who are not city residents may be declared ineligible to serve on a committee.

Any Information supplied is subject to disclosure under the Idaho Public Records Law §§ 9-337 through 9-350

rediscover reading
Idaho Falls Public Library
457 W. Broadway ~ 208.612.8460
Mon-Thu: 10 to 9, Fri & Sat 10 to 6

February 14, 2022

RE: Reappointment of Kristen Hall as a Library Trustee

Mayor Casper:

It is respectfully requested that Kristen Hall be reappointed to the Idaho Falls Public Library Board of Trustees for the term of April 1, 2022 through March 31, 2027.

As the one of two trustees working to renew the contract with the Bonneville County Library District, Ms. Hall's continued service on the Library Board is crucial. Ms. Hall has professional, institutional and historical knowledge that will be essential in continuing to work toward a renewal of the contract.

Currently, Ms. Hall also serves as the Vice Chair of the board.

The Library Board members have a good working relationship, and we would like to maintain the relationship as we continue to work toward finalizing a contract.

While Ms. Hall's term doesn't expire until the end of March, it would make the contract talks go smoother with her reappointment being done as soon as possible.

Please let me know if you have further concerns or questions concerning this reappointment.

Sincerely,

Mary Lund

Mary Lund, Chair
Idaho Falls Public Library Board of Trustees

PARKS & RECREATION

P.J. Holm | *Director of Parks & Recreation*
Office (208) 612-8482
Fax (208) 612-8179

IDAHO FALLS
PARKS & REC

MEMORANDUM

TO: Honorable Mayor Rebecca Casper

FROM: PJ Holm, Director, Parks and Recreation Department
DATE: Monday, February 28, 2022
RE: Shade Tree Committee Member Recommendation

Mayor,

I have talked with my staff about having Ken Knoch on our Shade Tree Committee and we all feel that he would be a great committee member. If you interview Ken and decide to recommend his approval to council, I will support that decision completely.

Please let me know if you have any questions or concerns.

City of Idaho Falls
Boards, Committees and Commissions

Citizen Application

Thank you for your willingness to serve our community. Please fill out this form and attach a résumé to this application. If you wish, you may also submit a cover letter explaining your interest in city service.

Your application will be kept on file. When there is an opening on a relevant City Board, Committee or Commission, your application will be reviewed. Return the completed form to the Mayor's office at: City of Idaho Falls Mayor's office: P.O. Box 50220, Idaho Falls, ID 83405 or mayor@idahofallsidaho.gov.

Name:	Ken knoch	
Mailing Address:	733 Hansen ave.	
City, State, Zip:	Idaho Falls, Idaho, 83402	
Email Address:	kwknoch@gmail.com	
Daytime Phone:		☐ Message? ☐ Text?
Evening Phone:		☐ Message? ☐ Text?
Cell Phone:	208-757-8094	☐ Message? X Text?

What is your motivation for service on this/these committee(s)?
As a resident of Idaho Falls for the past 23 years, I have watched as this city strives to improve the quality of life of its citizens through economic growth and development, beautification along with its recreational opportunities. My motivation to serve is to be an active citizen and to assist and continue to elevate the Idaho Falls community using my 20 years' experience and knowledge with urban forestry and assist on the Shade Tree Committee and, at some point, the Parks and Recreation Commission. I will be retiring from the City of Ammon at the end of March 2022 and would like to share what I have learned in the community where I live.

How does your background training and experience lend itself to service on this/these committee(s)?
My background training and experience has been with the City of Ammon as Director of Parks and Recreation and is not limited to the following: City forester, liaison for the city tree committee/parks and recreation commission, trails committee, organized and managed various volunteer groups as well as tree planting projects, 20 years as a Tree City USA, organized/taught water wise classes(irrigation), educated various municipalities on the importance and care of trees, managed budgets, designed/project managed the construction of parks/recreation facilities and landscapes and etc. Please see resume for additional information.

Please list any relevant areas of expertise, education or training you possess that will be helpful for service.
Municipal forestry training in 2014, currently serving on the Forest Legacy Program and representative of urban forestry in the ILRCC committee with the Idaho Department of Lands, grant evaluation committee member for the Land and Water Conservation Fund with the Idaho Department of Parks and Recreation,

chemical applicator. Note: I have been a certified arborist for many years but due to retirement I am letting my certification expire.

FOR OFFICE USE ONLY:	
Date received by Mayor's Office:	Date appointed:
City Division(s) application forwarded to:	Board, Committee or Commission appointed to:

	Length of Term (Years)	Meeting Frequency
Mayor's Office		
□ Sister Cities Committee	Three (3)	As Needed
□ Veteran's Committee	As Needed One	As Needed
□ Citizen Review Committee[1] **Fire**	(1)	As Needed
Department		
□ Fire Code Appeals Board **Human**	Five(5)	Yearly/As Needed
Resources		
□ Library Board **Municipal**	Five(5)	Monthly/As Needed
Services		
□ Civic Center for the Performing Arts Committee	Two(2)	As Needed
Parks and Recreation		
□ Golf Advisory Board	Three(3)	Every Other Month
□ Parks and Recreation Commission	Three(3)	Monthly
□ Shade Tree Committee	Three(3)	Monthly
□ Tautphaus Park Zoological Society **Planning**	Three(3)	Quarterly
and Building		
□ Board of Adjustment	Five(5)	2nd Thursday/As Needed
□ Building Code Board of Appeals	Three(3)	As Needed
□ Electrical Board of Review	Two(2) & Three(3)	As Needed
□ Historic Preservation Commission[2]	Three(3)	1st Thursday
□ ADA Advisory Board[3]	Three(3)	As Needed
□ Idaho Falls Business Assistance Corp	Staggering Terms	Quarterly/As Needed
□ Idaho Falls Redevelopment Agency	Five(5)	3rd Thursday
□ Mechanical Appeals Board	Three(3)	As Needed
□ Planning Commission[4]	Six(6)	1st Tuesday
□ Plumbing Appeals Board **Police**	Three(3)	As Needed
Department		
□ Police Department Building Committee	As Needed	As Needed
□ Traffic Safety Committee **Regional**	Two(2)	As Needed
Committees		
□ Bonneville Metropolitan Planning Organization (BMPO)		
□ Targhee Regional Public Transportation Association (TRPTA)		

[1]Where not specifically required by law, City of Idaho Falls residents will be given preference.

[2]Four (4) members shall have professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation-related disciplines.

[3]All members shall be a person with a disability or have a demonstrated interest, competence or knowledge of disabilities.

[4]One (1) member shall be a Bonneville County resident residing within the area of city impact.

Please note: Those who stand to receive a direct financial benefit from a particular position, who are involved in litigation with a relevant city department, and who are not city residents may be declared ineligible to serve on a committee.

Any Information supplied may be subject to disclosure under the Idaho Public Records Law §§ 9-337 through 9-350
M:Board Appointments/Citizen Application Updated: October 3, 2018

Ken Knoch
733 Hansen ave.
Idaho Falls, Idaho, 83402
(208) 757-8094
kwknoch@gmail.com

June 2002 to Present

Director of Parks and Recreation for the City of Ammon

General Responsibilities
Manages and supervises the activities, maintenance, recreation, public use, public accommodation, planning, future visioning, recommends land acquisition, city beautification, designs and prepares dwgs. for new parks, facilities construction and landscapes, department budgets and improvement of all parks in the City of Ammon.

Experience
Listed below, not limited to, will only illustrate the experience relevant to assisting as a volunteer on the Idaho Falls Shade Tree Committee. For additional information, please contact me by phone or email shown above.

- Currently serving as city arborist and municipal urban forester.
- Pesticide applicator for both turf and trees.
- Prepare, manage, budget and review all tree maintenance schedules/procedures and field work including pruning, planting, pesticide control and removal.
- Have developed, and annually review/update the city tree ordinance as required.
- Continue to qualify the City of Ammon's certification as a Tree City USA each year.
- Confer and work with special interests' groups, volunteers and citizen committees.
- Design new and modify existing parks including tree and shrub selections.
- Periodically hold special water wise classes on irrigation.
- Continually working with Gerry Bates, State Forestry Assistant, on city tree issues.
- Recently designed, and is currently being constructed, a nature path and learning area which will educate people on native grasses, trees, shrubs and irrigation (dwgs. available).

Currently working with the Idaho Department of Lands as a Forest Legacy committee member and a member representing parks and former council chair for the ILRCC (Idaho Land and Resource Conservation Council).

Memorandum

File #: 21-484 **City Council Meeting**

FROM: Bear Prairie, General Manager
DATE: Thursday, April 21, 2022
DEPARTMENT: Idaho Falls Power

Subject
Sole Source Purchase of Traffic Movement Analysis Equipment

Council Action Desired

☐ Ordinance ☐ Resolution ☐ Public Hearing
☒ Other Action (Approval, Authorization, Ratification, etc)
Idaho Falls Power (IFP) requests the authorization to advertise the city's intent to make a sole source procurement following a 14-day period, per Idaho Code §67-2808, and authorize the city to then issue a purchase order to Iteris Company for an amount not to exceed $87,314.78, (or take other action deemed appropriate).

Description, Background Information & Purpose

IFP tested Iteris Company traffic movement analysis software and equipment to conduct a pilot study to evaluate its effectiveness. The equipment was installed on traffic intersections on the 25th East (Hitt) road corridor. IFP and Public Works Department (PW) analyzed the system and determined that the system was effective and of value to traffic management in the city. IFP and PW intend to install additional traffic movement analysis equipment in the intersections located in the city's other coordinated traffic corridors. IFP is requesting that City Council approve the sole source purchase on the basis that the compatibility of new traffic analysis equipment with the Iteris software and other component parts is of the paramount consideration. Idaho Code § 67-2808(2)(a)(i) authorizes sole source purchases when "the compatibly of equipment, component, accessories, computer software, replacement parts, or service is the paramount consideration" for the purchase. IFP is recommending that Iteris Company be considered a sole source for this procurement.

Alignment with City & Department Planning Objectives



☐ ☐ ☐ ☐ ☐ ☐ ☐ ☒

This action supports the city's traffic management planning objectives and also supports the reliability element of the

IFP Strategic Plan.

Interdepartmental Coordination

Legal Services, Public Works and Idaho Falls Power concur that this procurement is appropriate.

Fiscal Impact

This procurement is budgeted for in the Idaho Falls Power 2021/22 CIP Budget.

Legal Review

Legal has reviewed this sole source request and concurs that the Council action desired meets the conditions of Idaho Code § 67-2808(2)(a)(i).

Iteris, Inc.
1700 Carnegie Avenue
Suite 100
Santa Ana, CA 92705-5551

Tingy Li
tli@iteris.com

EQUIPMENT QUOTATION

Quote #00010276

March 31, 2022

Agency: Idaho Falls Power
Contractor:
Project Name: Idaho Falls Power - 18 BlueTOAD Units
Reference: Idaho Falls - 18 BlueTOAD Units

Delivery Term: FOB Shipping Point
Payment Terms: NET 30 Days

Fax or email Purchase Orders to: Roadway Sales Support, 949-270-9615 or RS-Sales-Support@iteris.com. Please include Quote Number on your Purchase Order. Prices are valid for 30 days from the date of quote unless extended in writing. Prices on this quote include material only unless otherwise stated. For questions regarding this quotation, please contact the representative listed above.

Product Name	Product Description	Qty	Unit Price	Ext. Price
BT-BA-SP-25	BlueARGUS Hosted Software (11-25 units) BlueTOAD Spectra Only – Annual Service.	1	$6,473.00	$6,473.00
BT-CELL-(# of Yrs)	Annual Cell Cost if Cellular is being used. Priced /year	1	$150.00	$150.00
BT-SPECTRA-POE-WO75CBL	BlueTOAD Spectra Power Over Ethernet (POE) with NO CAT6 cable (includes 2 yr warranty)	18	$4,180.00	$75,240.00
				$81,863.00

Important Notes:
BlueARGUS and Cellular service is pro-rated from previous order. Idaho Falls Power has the ability to opt into a 19th BlueTOAD Spectra unit (valued at $4,400) in lieu of the 5% discount ($3,960). Order must be placed and paid before option for 19th unit prior to 30 June 2022.

BlueTOAD Spectra List Price: $4,400
BlueARGUS Hosted Software List Price: $7,500 (07/01/2022-06/30/2023)
Annual Cellular Service List Price: $360 (02/01/2022-06/30/2023)

This quotation and any resulting order are subject to Iteris' Roadway Sensor Products Standard Terms and Conditions of Sale attached hereto or available at http://www.iteris.com/RS-Std-TC.pdf, which are incorporated herein by this reference.

Authorized Signature:

SUBTOTAL	$81,863.00
FREIGHT	$540.00
TAX	$4,911.78
TOTAL:	$87,314.78

Memorandum

File #: 21-485 **City Council Meeting**

FROM: Kathy Hampton, City Clerk
DATE: Friday, April 22, 2022
DEPARTMENT: Municipal Services

Subject
Minutes from Council Meetings

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

Approve the minutes as described below (or take other action deemed appropriate).

Description, Background Information & Purpose
April 11, 2022 City Council Work Session; April 14, 2022 City Council Meeting; and April 18, 2022 City Council Work Session

Alignment with City & Department Planning Objectives



☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐

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

Interdepartmental Coordination
N/A

Fiscal Impact
N/A

Legal Review
N/A

April 11, 2022 Council Work Session - Unapproved

The City Council of the City of Idaho Falls met in Council Work Session, Monday, April 11, 2022, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls at 3:00 p.m.

Call to Order and Roll Call
There were present:
Mayor Rebecca L. Noah Casper
Council President Michelle Ziel-Dingman
Councilor John Radford
Councilor Thomas Hally
Councilor Jim Freeman
Councilor Jim Francis
Councilor Lisa Burtenshaw

Also present:
Pamela Alexander, Municipal Services Director
Brad Cramer, Community Development Services Director
Duane Nelson, Fire Chief
Chris Fredericksen, Public Works Director
Kade Marquez, Transit Coordinator
PJ Holm, Parks and Recreation Director
Kent Fugal, City Engineer
Michael Kirkham, Assistant City Attorney
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:04 p.m. with the following items:

Acceptance and/or Receipt of Minutes:
It was moved by Councilor Francis, seconded by Councilor Burtenshaw, that council receive the recommendations from the April 5, 2022, meeting of the Planning and Zoning (P&Z) Commission pursuant to the Local Land Use Planning Act (LLUPA). The motion carried with the following vote: Aye – Councilors Hally, Radford, Francis, Dingman, Burtenshaw, Freeman. Nay – none.

Calendars, Announcements, Reports, and Updates:
April 12, Association of Idaho Cities (AIC) Spring District Meeting
April 13, Idaho Falls Power (IFP) Board Meeting; and Bonneville Metropolitan Planning Organization (BMPO)
April 14, City Council Meeting

Mayor Casper distributed additional upcoming calendar items stating any PowerPoint presentations from the AIC District Meeting will be forwarded to the councilmembers. She stated the Crisis Intervention Team (CIT) Awards Banquet was held April 7, 2022.

Liaison Reports and Councilmember Concerns:
Councilor Hally had no items to report.

Councilor Radford stated the zoo announced the birth of a cotton-top tamarin, zoo clean-up was held on April 9, 2022, and the zoo opening is scheduled for April 13, 2022. He also stated Idaho Falls Fiber (IFF) is progressing, and he will make any power-related announcements at the IFP Board Meeting.

Councilor Burtenshaw stated the bridge from Lewisville Highway into Sage Lakes will not be finished this year as the bridge decking collapsed, noting construction will not occur prior to any water in the canal. She noted the structure is solid, this is a deck issue. She believes this could be addressed in the fall. She also stated the 17th Street and Woodruff Avenue intersection project will not occur this year. She indicated this is trying to be re-worked with the Idaho Transportation Department (ITD), noting the funding is still secure. She believes an American Rescue Plan Act (ARPA) Committee discussion will be held at the first Council Work Session in May.

Councilor Francis stated a joint meeting of the city/county library boards was recently held with some public comment. He indicated this is not about trading dollar numbers, they're trying to trade formula numbers. He indicated discussion is still occurring, noting the current contract expires October 1, 2022. He also indicated it was suggested that the county may need to organize their own library system as there are different needs, including satellite locations. Councilor Francis stated the city is keying off property tax allocations, noting 53% of check-out is city and 47% of check-out is county. He indicated the county wants to look at expenditures, not revenues, as well as defining usage. Mr. Fife briefly explained the county data and formula.

Councilor Freeman stated the BMPO Policy Board and the Technical Advisory Committee (TAC) will meet together.

Council President Dingman stated there is ongoing conversation regarding Chapter 4. She believes, per Councilor Burtenshaw's ARPA report, that all individuals are looking forward to having the ARPA process completed. She commended the new ARPA Committee.

Municipal Services/Discussion and Determination: Appraisal Review of City-owned Property:

Director Alexander stated the appraisal for the property discussed at the March 28, 2022, City Council Work Session has been received. She recapped the property description as well as the legal description. She reviewed the property discussion timelines, stating the public hearing has been scheduled for the April 28, 2022, City Council Meeting. Director Alexander reviewed the updated property appraisal as completed by Kelley Real Estate Appraisers, Inc. which was sent to the city on April 3, 2022: Market Value Opinion – 8.60 acres of development land at $219,978 per acre = $1,891,810.80 or $1,892,000 (rounded); and Zoned for Park or Open Space use – is between a single-family zone and industrial zone, and the highest and best use of property "as is condition". She stated she will follow up with staff regarding some easement issues and zoning. Mayor Casper stated, per conversation with Elevate Academy, this appraisal value would most likely put the property out of reach, Elevate Academy questioned if the property could be obtained at a discount or if there may be other areas (Elevate Academy is looking for seven acres), and Elevate Academy is exploring other properties in Ammon. She noted Elevate Academy is having issues with material and supplies to complete two other projects prior to this one. Mayor Casper suggested several options for this property. Councilor Hally believes the property should be listed for sale as he was surprised at the higher value, noting the city could always turn down a price, and the city could then decide to possibly donate the property to Elevate Academy. Mayor Casper stated she recently visited with the Mayor of Ketchum regarding city pressures, noting Ketchum is having the same kind of problem regarding people who are working in the city but can't afford to live in the city. She also stated Ketchum is currently working on a second housing project, using tax rebate incentives, that is designed for a base rent price in the city, pending the eligibility rules, and this housing would be available to anyone who works in the service industry in the City of Ketchum. Mayor Casper believes there may be opportunities to look at housing options for this location before deciding to sell although any revenue could help with budget issues. Councilor Radford explained another northern Idaho city doing this same model as described by Mayor Casper in the City of Ketchum. Mayor Casper believes there may be an incentive for partnership of this land or possibly creating a department for housing and/or transportation. Councilor Freeman questioned the responsibility to the taxpayers for disbursement noting the property was donated. Councilor Radford believes

taxpayer dollars should always be maximized; however, he also believes the city could partner with a private market. Councilor Francis believes this could be a way to pay back the loan from Parks and Recreation (P&R) to other city departments and it could allow funding for other P&R items that have fallen behind, although a portion could be set aside for a housing authority. Councilor Radford questioned maximizing dollars from other city properties. Discussion followed regarding other city properties. Director Alexander believes other city properties do not seem to be prime holdings and are more of infill. Councilor Burtenshaw prefers in seeing what the maximum value could be. She also believes the majority of this property should be rezoned to Limited Commercial (LC). Additional discussion followed regarding the public hearing and the appraisal value. Mr. Fife stated the advertisement was to set up a hearing, noting the council could make any decision at the hearing. He also stated the timing of the rezone could not occur prior to the public hearing. Mayor Casper stated the appraisal was based on using the land at its highest and best use, and in order to ask for that price it would need to be zoned for that highest and best use. Brief discussion followed regarding the rezone. Per Mayor Casper, Director Cramer believes the request was to rezone west of Vernon as LC and east of Vernon as R3A (Residential Mixed Use). He indicated the neighborhood meeting has been initiated which would allow a June meeting with the Planning and Zoning (P&Z) Commission, and presentation to the council in late June or early July. He explained the allowed uses in LC and R3A. Following additional discussion, Mayor Casper stated the public hearing will proceed as advertised.

Municipal Services and Fire Department/Discussion and Determination: Real Estate Acquisition for Future Growth and Development:

Chief Nelson stated finding property within the city is becoming demanding. Per previous discussion (April 8, 2022, Executive Session) Chief Nelson requested council direction for the potential purpose of property, such as a percentage of asking price with future council approval, and a threshold/cap for potentially 5-7 acres, noting the previous discussion's acreage amount of $219,000 per acre. Mayor Casper believes it's fair for council to assume the Fire Department will seek property that is extremely affordable. Per Mayor Casper, Chief Nelson stated the idea is to work through a purchasing agreement with a percentage that could be used as escrow with council to approve the final purchase. He also stated the agreement could state that any money would come back to the city if not approved. Following brief comments, Mr. Fife believes the staff signing authority should be limited, and it should come to the council as early as possible. Councilor Freeman and Council President Dingman stated they would agree to up to 5% earnest money, to be approved as soon as possible, with the signing authority given to Mayor Casper or Director Alexander. Mr. Fife clarified parameters could be set although he believes most land transactions don't return the 5%, although he noted the city would not have to rely on a lending institution. Council President Dingman believes council should direct staff to negotiate the potential of getting the 5% earnest money back if possible in the event a deal falls through. Discussion followed regarding earnest money, general property, and splitting any property with other departments. Mr. Fife clarified this discussion is not regarding a specific piece of property, this is about authority that is general to staff to acquire a particular piece of property. Mayor Casper reiterated this discussion occurred at the April 8, 2022, Executive Session, recognizing it would be difficult to obtain property for future city use. It was then moved by Council President Dingman, seconded by Councilor Burtenshaw, to direct staff to execute the direction of council to purchase real estate of behalf of the City of Idaho Falls, specifically for the Idaho Falls Fire Department, authorize the Mayor and the director of Municipal Services to authorize up to 5% earnest money and give the authority for staff to negotiate that earnest money on the city's behalf within that range with the intention of a full or partial refund if the agreement doesn't go through, and that this item come to council for full approval of purchase at the next possible meeting. The motion carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay – none.

Public Works/Discussion: Microtransit Fees:

Director Fredericksen stated one of the last steps for microtransit is to establish a fee to charge for the service. He believes the fee for service makes the most sense at $3 per fare with any changes pending federal requirements for certain conditions. He indicated the proposal is to establish the fee resolution to be $5 per fare noting the city can always charge less than the advertised fee. Director Fredericksen believes the pilot program can be conducted for 2-3 years, which is totally funded by the federal government, and then these fares would help fund the program beyond the pilot program. He believes it's important to establish fees appropriately to begin with. Council President Dingman stated Mr. Marquez has been in contact with numerous cities and other organizations and the city feels comfortable with the $3 fare per way. She supports the proposal for the $5 per fare in the fee resolution. She also stated, on behalf of the Greater Idaho Falls Transit (GIFT) Board, they support the $5 cap which is a reasonable number for an economic ride. Per Councilor Freeman, Council President Dingman stated there could be different prices for subsidized riders (disabilities, seniors, etc.) per federal requirements. Councilor Radford questioned free services. Mr. Marquez believes other services (pizza deliveries, Uber eats, etc.) would use public transportation which degrades the level of service, which was a common theme. Council President Dingman stated this would be setting the standard. She also expects promotions or sponsored partnerships for possible free-ride days. Director Fredericksen noted ridership will be higher with a free service which would make it difficult to plan. Per Councilor Radford, Mr. Marquez believes $3 will be competitive, noting three years of data is the minimum data for a long-term program. He stated the intent is to provide a high-level customer service, and other options could be looked at for assisting other individuals. Per Mayor Casper, Council President Dingman stated the city's allocation will be invested/supplemental to the future. Also per Mayor Casper, Mr. Marquez explained other funding sources that could be available. He noted the agreement will be amended to include up to five years of funding. Per Councilor Burtenshaw, Mr. Marquez anticipates most transactions would be on an app although a cash box will be provided per current federal regulations. He stated this service is entirely a no-refund service if paid through the app, and each rider would have an individual profile. It was then moved by Council President Dingman, seconded by Councilor Radford, to advertise for the hearing for a fee resolution specific to public transportation advertised at a $5 maximum allowable fee. It was noted the fee hearing will be held April 28, 2022. The motion carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay – none.

Public Works/Discussion: Impact Fees – Fee Resolution and Implementation:

Director Fredericksen distributed a list of the maximum supportable fees taken from the impact fee study along with the recommendations from the Impact Fee Advisory Committee. He stated the committee's proposed Year 1 implementation would be October 1, 2022, with the recommendation to implement 0% of fees for P&R, 66% of fees for Transportation, 66% of fees for Police, and 66% of fees for Fire/EMS; Year 2 implementation of October 1, 2023, would involve 50% of fees to P&R, 75% of fees to Transportation, 75% of fees to Police, and 75% to Fire/EMS; and Year 3 of October 1, 2024, would be full fees as dictated in the impact fee study. Per Councilor Radford, Director Holm stated there are no P&R fees for commercial (non-residential). Director Fredericksen stated there is preference to have the hearing for impact fees in the same hearing as the microtransit fees. He also stated staff's recommendation is for full implementation of fees and as soon as possible. Mayor Casper stated there are directors interested in providing the service, which will take revenue, and there is a committee that understands the way these fees will be received by that industry, which is to be expected. She believes the purposes for which these are being collected, and the changes, positive or negative, that these fees will bring to the community should be thought about. Councilor Francis questioned the draft minutes from the Impact Fee Advisory Committee. Mr. Fugal stated he will review those draft minutes as believes the spreadsheet is the intent of the committee. Councilor Freeman believes the need is immediate and the fees are needed for revenue to prevent cutting services. He also believes the P&R revenue is in most need. Councilor Burtenshaw reminded the council these fees are not to fill any budget holes; this is only for capital improvement projects which will have a budget increase for future years for maintenance. She wants this done correctly to prevent any return of money. Per Councilor Radford, Mr. Fugal

reviewed the committee members, stating there is a broad range of experience and expertise. He also stated, per the committee, there was agreement for the full amount of the fees to be charged although there was concern that the full amount would be a lot to absorb in one step, and there was more concern for the residential versus the commercial. Councilor Hally believes there should be two steps with the October 1, 2022, as Year 1 and October 1, 2023, as Year 2. Council President Dingman stated she is not comfortable starting in October, she prefers 100% beginning June 1, 2022, realizing new development is going to continue to be subsidized and knowing this year will significantly impact the strain on resources. Councilor Hally stated he would modify to the June 1 dates. Director Fredericksen stated, per staff discussions, all raised concerns were recognized and how that impacts the city. He also stated without the collection of the proposed fees, there is a reduction in level of service in what the city provides today, and the directors don't believe that is what the constituents are interested in seeing to subsidize development. Councilor Radford is sympathetic to the tier approach for the large number, realizing this could be a 25% loss in revenue for the first year. Mayor Casper stated there are a lot of factors, however, she believes these fees are going to be passed on and she has a hard time recognizing this to be problematic. She also believes the council is trying to do good in the community due to growth impacts. Discussion followed regarding this increase to the interest rate for mortgages. Councilor Francis stated he is not comfortable for the $4.2M for the Police Station as he believes it could not be saved for a future addition. He believes this would take 17% off if only used for police vehicles and not the building. Brief discussion followed. Per Council President Dingman, Mr. Fife confirmed the recommended motion is only for a fee hearing. Mr. Fife believes it would be helpful to think what an impact fee is. He stated the city gives services at a particular level while development is new. He indicated the subdivision code allows the city to keep the services at the same level and charge for the impacts that are increasing the stresses on those services, which the study has done. He provided an example of current infrastructure and new growth. Director Fredericksen explained 17% of the fee was to stand-up new police vehicles, and the remaining 83% was for the oversized capacity of the Police Station. Discussion followed regarding expansion of the Police Station and the timeframe to pay for any expansion, and the TischlerBise study. Councilor Burtenshaw questioned removing the rec center fee and taking 100% of the parks fee and changing the Transportation to 100%. Director Holm clarified the rec center fees could be used to grow other and/or multiple facilities and not with an equal percentage. Councilor Burtenshaw prefers 75% to P&R, 100% to Transportation, 75% to Police, and 75% or 100% to Fire/EMS with June 1 implementation with next year at full implementation. Councilor Hally agreed. Mr. Fugal stated there does not have to be year-by-year tracking, improvements must be made to satisfy the need of the fees with a good faith effort, and the city needs to ensure the fee is not collected based on an expense that the city is not planning to use. Mayor Casper stated once the fees are authorized each department must identify an eight-year plan for these fees and if these fees cannot be spent legally, appropriately, and in good faith, this would be an internal administrative move to adjust the fees downward. Councilor Freeman believes growth has been getting a free ride and has put the city in a hole and implementing less than 100% would continue that precedent. It was then moved by Councilor Freeman, seconded by Councilor Hally, to advertise the fees at the full amount on April 28, 2022, with start date of June 1. Per Councilor Francis, Mayor Casper clarified this fee hearing would be advertised similar to the microtransit fees which could be lowered. Mr. Fife confirmed the maximum fee is advertised subject to the hearing. Roll call followed: Aye – Councilors Freeman, Dingman, Hally. Nay – Councilors Radford, Francis, Burtenshaw. Mayor Casper voted Aye to break the tie. Mr. Kirkham read the typical fee hearing advertisement. Following additional discussion regarding the proposed maximum fees, the relationship with the committee and the builders, the fee advertisement, consistency, and trust in government, Mr. Kirkham recommended advertising the proposed maximum fee. Mr. Fife believes this project has been particularly discussed. Councilor Freeman believes the concerns by the committee were not ignored. Council President Dingman clarified the only decision was for advertisement of the fee hearing. Councilor Burtenshaw prefers the four departments address their needs in the public hearing. Mayor Casper believes that is appropriate.

Community Development Services/Additional Discussion: Proposed Accessory Dwelling Units (ADUs):
Mayor Casper reminded the council that this ordinance passed on the first reading only at the March 31, 2022, City Council Meeting. Director Cramer believes the concerns by the councilors were related to detached structures. He explained the amended ordinance including exceptions for a detached ADU which now would have the same side yard requirement as the primary structure no matter where it's located on the property, the rear yard would have a minimum of a 10' setback except when adjacent to a public or private alley that is at least 16', and any ADU which is more than 12' in height must meet the same setback requirements as a primary structure. Director Cramer noted not all lots will accommodate the maximum of 750 square feet for an ADU. Per Councilor Freeman, Director Cramer explained ADUs not being counted in the density calculation, stating this is complicated. Per Councilor Hally, Director Cramer stated a separate address, or any utility issue could be addressed in a policy. Councilor Francis prefers 15' in the rear yard. Director Cramer believes the wider the setback, a design issue (a deck or landscaping) may or may not happen. There was no additional direction to staff.

There being no further business, the meeting adjourned at 5:41 p.m.

Kathy Hampton, City Clerk

Rebecca L. Noah Casper, Mayor

City Council Meeting

Minutes - Draft

680 Park Avenue
Idaho Falls, ID 83402

Thursday, April 14, 2022 **7:30 PM** **City Council Chambers**

1. Call to Order.

Present: Mayor Rebecca L Noah Casper, Council President Michelle Ziel-Dingman, Councilor John Radford, Councilor Thomas Hally, Councilor Jim Freeman, Councilor Jim Francis, and Councilor Lisa Burtenshaw

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

2. Pledge of Allegiance.

Mayor Casper requested Josh Lindula, 9th grade student from Skyline High School and Scout Troop #310, to lead those present in the Pledge of Allegiance.

3. Public Comment.

Mayor Casper announced she will not re-open the public hearing regarding Accessory Dwelling Units, which is an item currently included on the agenda.

Bob Smith, Idaho Falls resident, appeared. Mr. Smith requested response from the councilmembers regarding a letter he previously submitted. He noted some councilmembers have responded.

4. Consent Agenda.

A. Municipal Services

1) Treasurer's Report for February 2022
A monthly Treasurer's Report is required pursuant to Resolution 2018-06 for City Council review and approval. For the month-ending February 2022, total cash, and investments total $153.4M. Total receipts received and reconciled to the general ledger were reported at $23.9M, which includes revenues of $22.5M and interdepartmental transfers of $1.4M. Total distributions reconciled to the general ledger were reported at $14.1M, which includes salary and benefits of $5.6M, operating costs of $7.1M and interdepartmental transfers of $1.4M. As reported in the attached investment report, the total investments reconciled to the general fund were reported at $140.6M.

2) Minutes from Council Meetings
March 28, 2022 City Council Work Session; March 31, 2022 City Council Meeting; April 5, 2022 County-City Meeting; April 8, 2022 Executive Session; and April 8, 2022 Budget Workshop

3) License Applications, all carrying the required approvals

Recommended Action:

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

5. Regular Agenda.

A. Public Works

1) Right-of-Way Vacation - Tara Street, West of Skyline Drive

Public Works recommends vacation of Tara Street right-of-way located west of Skyline Drive, beginning forty feet west of the east section line of the southeast quarter of Section 23, Township 2 North, Range 37 East of the Boise Meridian as depicted in the attached Exhibit. The Developer desires the vacation to better facilitate planned development of this property.

Public Works Director Chris Fredericksen appeared. He stated these requests are in response to development. He also stated there are no concerns/issues with the city. Per Councilor Francis, Director Fredericksen stated this land is undeveloped and there is no intention for the street to continue to the west, although, it is still likely to be used as a drive access for private parking for the multi-family development.

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

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

ORDINANCE NO. 3453
AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATIONS OF RIGHT-OF-WAY LOCATED WITHIN THE CITY OF IDAHO FALLS AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED RIGHT-OF-WAY SHALL VEST AS SPECIFIED IN SECTION 3 OF THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

2) Right-of-Way Vacation - Capotil (Capital) Hills Addition and Dwight's Addition

Public Works recommends vacation for all remaining street and alley right-of-way dedications made by Capotil (Capital) Hills Addition and Dwight's Addition as shown in Exhibit "B". The City of Idaho Falls has purchased the surrounding property and intends to build a new Community Policing Facility at this location.

Director Fredericksen stated this process has been reviewed by all appropriate staff. He also stated this is one of the last items remaining for construction of the police facility. Per Councilor Freeman, Director Fredericksen believes these plats may be 100 years old.

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

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

ORDINANCE NO. 3454
AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATION OF STREET AND ALLEY RIGHT-OF-WAY LOCATED WITHIN THE CITY OF IDAHO FALLS AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED RIGHT-OF-WAY SHALL VEST AS SPECIFIED IN SECTION 2 OF THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

B. Community Development Services

1) Development Agreement, Final Plat and Reasoned Statement of Relevant Criteria and Standards, Southpoint, Division No. 11.

Attached is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards for the Southpoint, Division No. 11. The Planning and Zoning Commission considered this item at its July 6, 2021, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

Councilor Francis stated there is an area that will connect to the neighborhood as a walkable area, there are 37 buildable lots, and half of the money for the cost of the bridge over the canal has been set aside by the developer.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to approve the development agreement for Southpoint, Division No. 11, and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - none.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to accept the Final Plat for Southpoint, Division No. 11 and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried by the following vote: Aye - Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay - none.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Southpoint, Division No. 11, and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay - none.

2) Quasi-Judicial Public Hearing-Rezone from R1, Single Dwelling Residential to LM, Light Manufacturing and Heavy Commercial, and R&D, Research and Development with the Limited Development and Limited Development Approach Surface Airport Overlay Zones, Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, approximately 127 acres located in Section 1, Township 2 North, Range 37 East.

Attached is the application for Rezoning from R1 to LM and R&D with the Limited Development and Limited Development Approach Surface Airport Overlay Zones, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards for approximately 127 acres located in Section 1, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its February 2, 2021, meeting and recommended to the Mayor and City Council denial of the zone change with a unanimous vote. Staff concurs with this recommendation.

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

Community Development Services (CDS) Director Brad Cramer appeared. He stated this property has been purchased by the Idaho Falls Regional Airport (IDA).

He presented the following:
Slide 1 - Property under consideration in current zoning
Director Cramer stated there are two zones being requested, noting this is currently all zoned R1 (Single Dwelling Residential). He identified the area to the west and the north is being requested to LM, and the far east is being requested to R&D. He also stated when IDA purchased the property, per grant assurances with the FAA (Federal Aviation Administration), the property needed to be rezoned to allow IDA activities to occur as necessary. Director Cramer stated the LM zone was originally written for the airport in the old zoning code. He also stated this was originally proposed to all be rezoned as LM, however, a number of neighbors who attended the P&Z (Planning and Zoning) Meeting requested a buffer zone next to the single-family housing as LM was not appropriate, which the P&Z concurred. Director Cramer stated since that time, CDS and IDA staff held a neighborhood meeting to discuss what would be appropriate and acceptable, and from that meeting staff determined the boundaries around that subdivision that R&D would be more appropriate as far as commercial uses and is meant to be a higher standard development with a greater buffer. Therefore, Director Cramer stated staff is recommending the buffer around the subdivision, however, he indicated the current map was not taken back to P&Z as staff believed this addressed the discussion regarding an appropriate buffer. He also indicated if council does not agree, this item could be remanded back to P&Z. He believed this hearing allowed the opportunity for the neighbors to still speak.

Slide 2 - Aerial photo of property under consideration
Director Cramer stated this property is east of the Snake River, north of Iona Road, and south of Sage Lakes Golf Course.

Slide 3 - Additional aerial photo of property under consideration
Director Cramer identified the existing subdivision, stating the remaining property is undeveloped.

Slide 4 - Airport Overlay Map
Director Cramer stated this property has two different designations which are included in the request - Limited Development Overlay Zone which further restricts what can happen on the site; and Limited Development Approach Surface, which is a critical area that the IDA is trying to protect from the moratorium that previously occurred.

Slide 5 - Comprehensive Plan
Director Cramer stated this area is a mix of General Urban, where it's expected to find a variety of

housing types and smaller commercial services, and Special Use, noting all of IDA is considered Special Use.

Councilor Freeman believed the P&Z recommended the entire area to be R&D. Director Cramer stated staff did not agree as they believed LM is written to accommodate the airport. Councilor Burtenshaw requested explanation of the public notification for the neighborhood meeting. Director Cramer believes all residents in the subdivision and along the adjacent road received notification, the PowerPoint that was shown included similar maps to the current slides, believing there was confusion with the uses as the Airport Overlay listed uses do not match exactly what the zone uses allow. He explained the most restrictive zone applies. He also stated there was discussion regarding the uses, the airport issues, and the Comprehensive Plan. Director Cramer indicated staff reviewed comments received so they could be addressed. Per Mayor Casper, Director Cramer stated the LM zone is the only actual use for the airport although R&D could be supportable. He also stated this eliminates heavier uses and retail-oriented uses as staff wants to be careful with any future uses with direct access into the neighborhood. Councilor Francis questioned if anything that is incompatible with the airport would be eliminated in LM. Director Cramer stated staff would take the uses allowed in LM and the uses allowed in the Overlay, and if the uses are only allowed in one or the other, the most restricted would apply. Per Councilor Francis, Director Cramer confirmed there are more options in the LM than the R&D. Councilor Francis believes this would be feasible as R&D with limited development options. Director Cramer believes this would eliminate all airport functions on the property.

Mayor Casper requested any public comment.

Chris Jensen, Cove Fort Drive, appeared. Mr. Jensen stated this affects him and his neighborhood. He does not believe this was shown to every member of the neighborhood as public notices are usually found in a ditch. Mr. Jensen questioned the R&D zone and how big it is with the possibility of being next to a drinking establishment that is allowed in LM. He believes there are a lot of different options in the LM and he requested this be considered as this is a family neighborhood. He understands this needs to be changed for the airport, but he wants to know what will be put there. He also wants to see a side-by-side comparison of the LM and the airport, and he believes this list should be published for the neighborhood so they can see what's going in. Mr. Jensen questioned why? He does not want his street to become a busy street. He requested the council consider these requests.

Mayor Casper clarified there is no intent with the proposal to put LM next to residential.

Gregg Baczuk, Tradition Circle, appeared. Ms. Baczuk stated he did not receive an invitation to the neighborhood meeting.

Blane Wilson, Fairway Estates neighborhood, appeared. Mr. Wilson questioned, per the R&D zone, if the street would go through the neighborhood and if it would become an access portal for that area. Mayor Casper clarified that is a development question and is not germane to the rezone issue. Mr. Wilson stated he would hope the consideration be made for the neighbors that access to the R&D area would be limited to passage other than through the neighborhood.

Mike Marshall, adjacent area, appeared. Mr. Marshall stated he understands the zoning, but he questioned the strip on the south side that was purchased because the property was sold that way. He questioned why this can't be tied into the south of this subdivision as it doesn't seem logical to have a

section of R&D to the south when there will be a community meeting on April 19 regarding 51 acres along Iona Road that he assumes will eventually come to the city. Mr. Marshall questioned the area for future development. Mr. Fife clarified the council can discuss the proposed zoning for the strip and the possible uses within the area, although any decision for items off the property are not appropriate. Mr. Marshall wants something logical and that would tie into the subdivision realizing this property was purchased with federal money. He believes this should be considered with development right up to the R&D in the future.

Per Mayor Casper, IDA Director Rick Cloutier had no additional information to share. Councilor Freeman questioned the parcel in the south as mentioned. Director Cramer believes only seeing one application at a time it looks as if it's happening in isolation although he noted the next agenda item will include the strip which is a rezone and annexation which recently happened. He noted those plans are not pertinent to the current discussion although these things are discussed by staff all together, and staff is well aware of what's happening in the area. He clarified the area in the south is R3A (Residential Mixed Use), which could allow single-family. Per Mayor Casper, Director Cramer stated, per the public meetings, the record was within 300' of the property although a pocket in the center may have been missed. Per Mayor Casper, Mr. Fife stated the city is required to send out notices, and is not liable for any Postal services. Per Mayor Casper, Director Cramer stated he has a list of mailing notices for the hearings, the neighborhood meeting was a guideline at the time although this is now required, and the neighborhood meeting was held jointly with IDA, although he is unsure who these notices were mailed to. Councilor Burtenshaw questioned R&D as a buffer zone to R3A. Director Cramer stated transitions would typically be R&D to R3A to R1, however, R&D was written with stringent buffer requirements in the event it was up against residential as it is not a light zone for buffering. Per Councilor Radford, Director Cramer stated any developer would be required to put a 20' wide landscape strip with trees planted at intervals adjacent to the residences, or 15' if a 8' tall masonry wall or opaque fence is constructed. Also per Councilor Radford, Director Cramer stated discussion has occurred over the previous year for the entire area as an innovation district for the Idaho National Laboratory (INL), including a study that was performed with several stakeholders and funded by the Regional Economic Development Association, noting this has not been officially adopted by anyone at this point. He indicated the discussion included the idea for a potential large campus, which R&D fits, things within LM fits, and this area could take a variety of zones. Also per Councilor Radford, Director Cramer identified the proposed interchanges, he believes the earliest known answer will be this fall with construction in 2027. Councilor Francis questioned a delay if this were sent this back to P&Z. Director Cramer explained the process, stating this wouldn't go to P&Z until July, although there is the potential of June. Councilor Burtenshaw questioned an urgency. Director Cramer stated there is no urgency for CDS although he deferred to Director Cloutier. Director Cloutier appeared. He stated there is no timeframe, noting the master plan meeting was held at the same time as the neighborhood meeting. He does not believe two more months would make a difference. Council President Dingman believes there's a lot of misunderstanding in why IDA can't keep this property in R1. To this, Director Cloutier stated IDA requested LM as that would allow construction of IDA facilities for future use. He also stated R&D does not allow any facilities, therefore, R&D was a compromise with the neighborhood for a buffer, noting IDA would most likely not build anything. He emphasized residential development is not allowed in any areas that are funded by FAA due to noise and safety. Council President Dingman questioned the consequences of not changing the zone. Director Cloutier stated this would be a violation of grant assurances which could result in penalties and paying back grant obligation funds. Per Council President Dingman, Director Cloutier stated R&D would allow minor development although it must be far away from the residences.

Mayor Casper closed the public hearing.

Council President Dingman believes the city is attempting to solve a safety issue with the rezone. Unfortunately, per the P&Z minutes, she also believes the residential zone is not consistent and as IDA grows additional safety structures will likely be built in the future. She expressed her appreciation for the R&D to prevent the navigational equipment being too close to residential. Council President Dingman believes the most strict use must be applied; there will not be concerns from the residences; this allows a very limited amount of things to be built, noting the priority is safety, not financial; it's the city's goal to be in alignment with FAA grant assurances; and this makes the most sense for capital development of IDA. Councilor Freeman clarified access to this area will be addressed in the future. He stated he agrees with Council President Dingman that the property was purchased to support IDA and to preserve the grant assurances, and he believes this is a good compromise as a buffer and is the only buffer available. Councilor Burtenshaw believes the Airport Overlay allows additional opportunities south of the subdivision. She does not believe R&D is the only thing necessary against this neighborhood. Council President Dingman questioned which zoning has no residential component as the city can't request a residential zoning that aligns with the Airport Overlay and the grant assurances. Due to discussion following the history of the R3A area, Mayor Casper re-opened the public hearing. Director Cramer identified the R3A area, north of Iona Road, stating a portion of this area allows residential to be built because the city owns this property. He clarified the R3A to the south is still permissible because the city does not own this property. He stated there's a small portion of land within this area that will not allow residential so development must be designed around it. Councilor Radford questioned special uses in the Airport Overlay that would be compatible. Director Cramer believes the issue is not with people gathering in one place, this is a permanency issue, noting that expectation deteriorates over time with noise as a nuisance. He stated a notice is placed on any plat within the noise restriction areas regarding airport operations and noise levels exceeding the threshold. Mayor Casper believes this is also about nuisance or uses that will generate complaints. Per Councilor Francis, Director Cramer confirmed the key to this item is that the city owns the property, and it can't be developed in ways for a private developer due to the subject of grant assurances. Per Councilor Radford, Director Cloutier stated once this property is purchased with FAA funding it falls under grant assurances and becomes encumbered under federal acquisition laws and it must go to congress and be excepted, which happens very few times. Director Cloutier reiterated there cannot be residential zoning in anything the airport owns. Per Councilor Francis, Director Cloutier stated the land could not be sold, it could be leased but any lease more than 10 years is considered a sale in the FAA guidelines. He emphasized this is very restrictive in any development other than airport uses.

Mike Marshall reappeared. Mr. Marshall stated he understands this property was purchased with federal funding although he does not believe the city would have bought the property south of that subdivision if it wasn't forced as part of entire sale. He does not believe this property is in the flight zone, and it serves no purpose except for a connection road. Mr. Marshall believes this could be zoned R&D but it could also be left alone, which fits well. He indicated 30 adjacent acres are now for sale which could tie into the entire area.

Chris Jensen reappeared. Mr. Jensen stated he's received several messages that the website connection is not working so several individuals cannot participate. Mayor Casper clarified there is no virtual connection for the meeting unless specifically requested in advance. Mr. Jensen questioned to know what will go in the zone.

Mayor Casper explained all information received for the hearing is very thorough in terms of uses.

Mayor Casper closed the public hearing.

Councilor Francis believes LM and R&D is the best protection for the IDA's future; R&D as buffer makes sense; a key piece is that this is city-owned property; and if something could be learned from P&Z there is no point to remand this back to P&Z. Councilor Hally believes there would be no value to send it back to P&Z; the airport needs flexibility; IDA is one of the fastest growing airports in the nation and is an incredible asset to the community; and this is the best decision going forward. Councilor Freeman noted the current agricultural uses can stay in place even with the zoning change. Councilor Burtenshaw prefers not to remand this back to P&Z as the city's hands are tied. Councilor Radford believes the P&Z would learn what the council has learned if this was sent back to P&Z; he agrees this is the best protection for the airport; and this is the best case scenario for the neighborhood. Councilor Freeman stated this request to P&Z was all for LM, noting the P&Z suggested the R&D which was a compromise from staff. Mayor Casper believes protecting the airport is protecting everyone. She emphasized the city is bound to honor the grant assurances.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis, to approve the ordinance rezoning approximately 127 acres located in Section 1, Township 2 North, Range 37 East from R1 to LM and R&D with the Limited Development and Limited Development Approach Surface Airport Overlay Zones under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. Mayor Casper expressed her gratitude to the councilors, staff, and the public with this complicated item. The motion carried by the following vote: Aye - Councilors Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay - none.

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

ORDINANCE NO. 3455
AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE REZONING OF APPROXIMATELY 127 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R1, SINGLE DWELLING RESIDENTIAL TO LM, LIMITED MANUFACTURING AND HEAVY COMMCERCIAL, R&D, RESEARCH AND DEVELOPMENT, WITH THE LIMITED DEVELOPMENT AND LIMITED DEVELOPMENT APPROACH SURFACE AIRPORT OVERLAY ZONES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from R1 to LM and R&D with the Limited Development and Limited Development Approach Surface Airport Overlay Zones and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay - none.

3) Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.630 acres of Section 1, Township 2 North, Range 37 East.

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of LM, Light Manufacturing and Heavy Commercial, R&D, Research and Development, and Limited Development and Limited Development Approach Surface Airport Overlay Zones which includes the Annexation Ordinance and

Reasoned Statement of Relevant Criteria and Standards for 10.630 acres of Section 1, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its February 2, 2021, meeting and unanimously voted to recommended approval of the annexation with an initial zoning of R&D.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record. She requested staff presentation as the city is the applicant.

Director Cramer appeared. He stated these items are similar to what was just heard and similar in location.

He presented the following:
Slide 1 - Property under consideration in current zoning
Director Cramer identified the area, stating this property was purchased by IDA. He stated R&D is proposed as a buffer from the adjacent residential.

Slide 2 - Comprehensive Plan Map
Director Cramer stated this is consistent with Special Use and General Urban.

Slide 3 - Aerial photo of property under consideration
Director Cramer stated this land is currently vacant. He identified the single-family residential in the vicinity.

Slide 4 - Airport Overlay Map
Director Cramer stated most of the property is in the limited development noting a portion towards the west side falls within the limited development approach surface.

Mayor Casper requested any public comment. No one appeared. Mayor Casper closed the public hearing.

Councilor Burtenshaw reiterated this follows the prior hearing, noting this R&D will reach the R&D and the LM in the prior hearing.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis, to approve the ordinance annexing 10.630 acres of Section 1, Township 2 North, Range 37 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. The motion carried by the following vote: Aye - Councilors Burtenshaw, Hally, Radford, Dingman, Freeman, Francis. Nay - none.

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

ORDINANCE NO. 3456
AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 10.630 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 10.630 acres of Section 1, Township 2 North, Range 37 East and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Dingman, Burtenshaw, Francis, Freeman, Hally, Radford. Nay - none.

4) Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of LM, Light Manufacturing and Heavy Commercial, R&D, Research and Development with the Limited Development and Limited Development Approach Surface Airport Overlay Zones, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 10.630 Acres, Southeast ¼ of Section 1, Township 2 North, Range 37 East.

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of LM, Light Manufacturing and Heavy Commercial, R&D, Research and Development with the Limited Development and Limited Development Approach Surface Airport Overlay Zones which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.630 Acres, Southeast ¼ of Section 1, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its February 2, 2021, meeting and recommended approval of R&D by a unanimous vote.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis, to assign a Comprehensive Plan Designation of "General Urban and Special Use" and approve the ordinance establishing the initial zoning for LM, Light Manufacturing and Heavy Commercial, R&D, Research and Development with the Limited Development and Limited Development Approach Surface Airport Overlay Zones as shown in the ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office. The motion carried by the following vote: Aye - Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - none.

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

ORDINANCE NO. 3457
AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 10.630 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS LM, LIMITED MANUFACTURING AND HEAVY COMMERCIAL AND R&D, RESEARCH AND DEVELOPMENT, WITH THE LIMITED DEVELOPMENT AND LIMITED DEVELOPMENT APPROACH SURFACE AIRPORT OVERLAY ZONES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of LM, Light Manufacturing and Heavy Commercial, R&D, Research and Development with the Limited Development and Limited Development Approach Surface Airport Overlay Zones and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay - none.

5) Second Reading for the Amendment of the Comprehensive Zoning Ordinance, Sections 11-2-6, 11-3-4 and Tables 11-2-1 and 11-3-3 allowing for accessory dwelling units in all residential zones and establishing land use standards.

On February 15, 2022, the Planning and Zoning Commission recommended to the Mayor and City Council approval of the ordinance amendments as presented with a vote of 3 to 2.

On March 31, 2022, the Mayor and City Council approved the first reading of the ordinance allowing for Accessory Dwelling Units in all residential zones and establishing land use standards and read by Title with a vote of 4 to 1.

In response to comments from the previous work session and Council meeting, the attached draft includes changes which include rear and side yard setbacks for detached ADU's and clarifications on requirements when adjacent to alleys.

Councilor Francis announced he read three emails and received two phone calls as he did not understand the second reading rules. Mr. Fife explained the legislative hearing stating the hearing had been closed and receiving additional information outside of the hearing would be perceived to be unfair. He believes the hearing should be re-opened or the councilors should recuse themselves as information was taken outside of the hearing. Councilor Francis believes one of the reasons for the second reading would allow time for public input as well as discussion with staff regarding concerns. Mayor Casper believes the previous conversation included time for staff discussion. Councilor Freeman agreed. Councilor Radford stated he also read emails. Discussion followed regarding re-opening the hearing. Council President Dingman, Councilors Hally, Freeman, and Burtenshaw stated they did not read any emails. Councilor Burtenshaw prefers all councilors have a chance to weigh in. She also prefers that the hearing be re-opened and allow the public to have a chance to speak. Councilor Radford believes this was an honest mistake, he also believes there was time to hear from the public. Council President Dingman also believes this was an honest mistake and she is hopeful the community understands the inconvenience. Per Mayor Casper, Ms. Hampton stated, per the minutes that were included in the packet, that additional information could be received. Mayor Casper stated she does not want to set precedent although she believes she needs to re-open the hearing. Mr. Fife explained options for information being received stating another hearing could be held in the event of a third reading. He stated the first hearing was noticed that allowed the legal opportunity to speak. Per Councilor Freeman, Mr. Fife indicated this is a legislative hearing and the original notice should suffice. He also indicated this item could be tabled and another hearing could be noticed. Mayor Casper questioned any urgency. Director Cramer stated there is no urgency for individuals wanting ADU permits. Councilor Radford clarified none of the information he received was going to change his perception. Councilor Francis stated he would recuse himself although he believes the council needs to find more ways for public engagement. Per Councilor Radford, Mr. Fife stated any item received through the city server becomes a public document. Mayor Casper re-opened the public hearing and ordered recently received communication to be entered into the record to allow full deliberation by the councilmembers which would avoid the conflict for recusal. Council President Dingman read an email from Halli Stone; and an additional email stating ADUs are a terrible idea. Councilor Burtenshaw stated she also received similar emails. Councilor Hally stated he didn't open any emails. Councilor Francis stated he received a similar email from Halli Stone in which he responded that his concerns are related to the setback's issues; he received the same email as referenced by Council President Dingman and Councilor Burtenshaw; he read two emails from William Phoenix in which he responded with his concerns; and he recapped two telephone calls he received from Ann Mitchell and Ms. Hitt. Councilor Freeman had no items to share. Councilor Radford stated he received a similar email from Halli Stone in which he responded; and he read an email from Bill Robertson in which there were two responses. Ms. Hampton read an email received in the Clerk's Office. Director Cramer read emails from the City of Chubbuck Planner as well as the City of Ammon. He believes it's helpful to have some local experience from surrounding communities. Mayor Casper closed the hearing. Per Mayor Casper, Director Cramer

reviewed the changes in the amended version of the ordinance for detached dwellings - the side yards must be the same as required by the zone for a primary structure, a rear yard must be at least 10' unless it is adjacent to an alley that is at least 16' in width, and any ADU more than 12' in height would require the same setbacks as a primary building. Councilor Burtenshaw believes a larger distance in the rear yard may allow the opportunity for living space or a deck, which was a concern. Councilor Francis prefers 15' for the rear yard which would keep consistency with the alley separation, although he believes 12' is middle ground.

It was moved by Councilor Francis that the draft ordinance be modified on Section 11-2-6 (N) (2) (b) (ii) to read as follows: a detached accessory dwelling shall have the minimum setback from the rear property line of 15' except when adjacent to a public or private alley that is at least 16' wide. The motion died for lack of a second. Councilor Burtenshaw believes this is accepting a lot of high-density multi-family housing although she prefers this be slowed down.

It was then moved by Councilor Francis, seconded by Councilor Radford, that previous stated section read as follows: a detached accessory dwelling shall have the minimum setback from the rear property line of 12'. The motion carried by the following vote: Aye – Councilors Hally, Francis, Radford, Dingman, Freeman. Nay – Councilor Burtenshaw. Councilor Francis believes an attached ADU may not be known, he expressed his concern for the detached building, noting the extra setback helps with his decision.

It was moved by Councilor Francis, seconded by Councilor Radford, to approve the ordinance allowing for accessory dwelling units in all residential zones and establishing land use standards under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. The motion carried by the following vote: Aye – Councilors Freeman, Dingman, Radford, Francis, Hally. Nay – Councilor Burtenshaw.

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

ORDINANCE NO. 3458
AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING CITY ZONING CODE SECTIONS 11-2-6, 11-3-4, AND TABLES 11-2-1, 11-3-3 TO CLARIFY REQUIREMENTS REGARDING ACCESSORY DWELLING UNITS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

6. Announcements.

Mayor Casper announced the Zoo opened on April 13. Councilor Radford announced an Idaho Parks and Recreation Convention was recently held in Idaho Falls and was very successful. Councilor Freeman reminded all individuals of the upcoming Tax Day. Mayor Casper wished all a Happy Easter.

7. Adjournment.

There being no further business, the meeting adjourned at 10:02 p.m.

_____ _____

Kathy Hampton, City Clerk | Rebecca L. Noah Casper, Mayor

April 18, 2022 Council Work Session - Unapproved

The City Council of the City of Idaho Falls met in Council Work Session, Monday, April 18, 2022, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls at 3:30 p.m.

Call to Order and Roll Call
There were present:
Mayor Rebecca L. Noah Casper
Council President Michelle Ziel-Dingman
Councilor John Radford
Councilor Thomas Hally
Councilor Jim Freeman
Councilor Jim Francis
Councilor Lisa Burtenshaw

Also present:
Bryce Johnson, Police Chief
Joel Tisdale, Police Captain
Jeremy Galbreaith, Police Captain
Kayla Castillo, Appellant
Brad Cramer, Community Development Services Director
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Calendars, Announcements, Reports, and Updates:
April 17, Administrative Professionals Day

Mayor Casper stated the Idaho Falls Power (IFP) Board Meeting tentatively scheduled later this month will not occur; she challenged the council to use beverage containers that only have a city logo; she requested council's preference for a July 4 parade entry; she stated a neighborhood meeting, as a requirement for the Conditional Use Permit (CUP) regarding the location of the water tower in the library parking lot, will be held April 26, noting Public Works intends to hold additional meetings in May; she provided an update of the recent water shed report for the Upper Snake River system; and she stated a Net-zero event was recently held by the Idaho National Laboratory (INL), brief comments followed regarding this event including the need for future conversations.

Liaison Reports and Councilmember Concerns:
Councilor Hally provided an energy update on liquefied and natural gas per his recent research; he believes the city needs to set a good example for water usage; the splash pad ribbon cutting will be held May 31; and a bathroom at Sandy Downs has been donated by the county.
Councilor Burtenshaw had no items to report.
Councilor Radford stated a rodeo social is being held by the War Bonnet Round Up Association on April 22.
Councilor Francis stated the police facility ribbon cutting will be held April 28.
Councilor Freeman stated the Idaho Falls Regional Airport (IDA) is seeing an excessive number of individuals, it is recommended to arrive early for any flights.
Council President Dingman stated the US District Court has vacated the CDC (Centers for Disease Control and Prevention) mask mandate in public transportation, however, the mask mandate for airport facilities is ongoing due to unknown mandates with TSA (the Transportation Security Administration). She noted appeals have been filed.

Police Department/Discussion: Naming Conventions for Idaho Falls Policing Facility:

Chief Johnson stated the Idaho Falls Police Department (IFPD) feels very strongly that the name on the side of the new building be Idaho Falls Police. He believes this should be consistent with other city-wide buildings, and it has a public safety reason. He indicated the current name for the facility has been Idaho Falls Community Policing Facility, noting there have been many different names in the construction documents. Mayor Casper noted, per the committee, the facility had been referred to as the Law Enforcement Complex (LEC). Chief Johnson believes the LEC does not identify the Idaho Falls Police as there are many law enforcement agencies in town (Idaho State Police, Forest Rangers, Bonneville County Sheriff), and he does not prefer Headquarters as the vast majority of the building is very operational and only a small portion is for administrative functions. Mr. Fife stated there is nothing unusual to have the name on the building different than the documents, although, he believes there should be consistency for best practices. Councilor Burtenshaw prefers Idaho Falls Police Facility. Councilor Francis prefers including Community as he believes this facility was built by the community for the whole city, noting acronyms seem to be used. General discussion followed regarding modifiers of Complex, Facility, Community Facility, and Station. Mayor Casper believes naming rights could come into play pending a sizable donation. Chief Johnson clarified there would be no advertising on the building with a large donation or there would be no favorable treatment. Following additional discussion, there was consensus for the facility to be known as the Idaho Falls Police Complex (IFPC).

Police Department/ Discussion: Police Vehicle Replacements:

Captain Tisdale stated he's had discussion with Municipal Services Director Pamela Alexander, Controller Mark Hagedorn, and Accountant Derick Sorensen regarding recommendations, noting staff has not signed off on the numbers. He also stated he's been in discussion with GM (General Motors), Fiat Chrysler, and Ford manufacturers regarding fleet, noting the manufacturers provided very similar information – future police fleet sales are uncertain (profit margins on police vehicles are next to zero due to supply concerns), the purchase availability might be open in May-July, the order window will likely be short, expect limited availability (the availability is unknown), and expect long build times/schedule (at least 6 months). Per Councilor Freeman, Captain Tisdale stated the costs are not the same between manufacturers, and resale may be higher with GM. Captain Tisdale reviewed the State bid contract information, noting no vehicles are available or they have been built out. He believes a solution needs to be decided quickly due to the build time and the availability. Captain Tisdale reviewed depreciation resources. He also reviewed the upfitted Durango value, noting there are incentives to maintain the value, however, the equipment is not valuable in resale after five years. He believes by holding onto a vehicle for five years there could be the option to resale and recoup over half of the cost. He indicated the current projections indicate a 10-year-old police vehicle could resale for a few thousand dollars.

Captain Tisdale reviewed the following with general discussion throughout:

Current Fleet – 28 vehicles 10+ years old; 47 vehicles 7+ years old; 60% of the 124 fleet = 74; Currently leasing 40 vehicles = 32% of fleet; 60 leased cars = 48% of fleet. Captain Tisdale stated the industry standards, per the Office of Justice Programs (OJP), has indicated that a 70,000-mile police vehicle is at the limit of its reliability and safety for a police agency. He also stated the IFPD tends to reach 70,000 miles at a 7-year-old vehicle. He believes there should be a 50/50 split of purchased/leased vehicles. He indicated Mr. Hagedorn agrees that the entire fleet should not be made up of one option or another, diversity allows the options to deal with the IFPD needs, and the upper limit recommendation of leasing should be at 65%.

Cash Purchase Options – 7-year rotation = 17 cars/year = $958,715 per year; add $159,800 age-related maintenance costs for all cars over three years old; subtract $331,636 from the sale of 17 cars @ $19,508 each; annual vehicle cost = $786,879. Captain Tisdale stated this would be the amount if all cars were on this rotation, which is not the case.

5-year Lease (same principles except on a lease purchase, noting leasing police vehicles are different than leasing private vehicles) – 5-year rotation = 24 cars/year @ $12,369 ($61,845, 5-year cost) = $296,856; total amount fleet

payment = $1,484,280; add $88,800 maintenance for cars over three years old; subtract $850,000 from sale of 24 cars @ $35,425 each; annual vehicle cost = $722,080. Captain Tisdale stated there would be lead-up years to accomplish this.
3-year Lease – 3-year rotation = 40 cars/year @ 19,465 ($58,395, 3-year cost) = $778,240; total annual fleet payment = $2,324,280; add $0 maintenance costs; subtract $1,734,480 from sale of 40 cars @ $43,362 each; annual vehicle cost $589,500. Captain Tisdale stated this would save money on financing although the annual cost is higher and would recoup a larger number in the resale (although unknown due to market-dependence). He indicated this would be the least expensive option as the market would affect all resale value of all vehicles.
Hybrid (this is Captain Tisdale's proposed plan as it follows staff's guidance) – current MERF (Municipal Equipment Replacement Fund) balance = $1.1M, current MERF contribution for vehicles = $450,000 (the current MERF contribution does not cover the current lease payments, this is purposeful); 5-year lease 20 vehicles now = $247,380 (the only police vehicles available at this time); 7-year purchase 11 vehicles as soon as available = $620,345 (includes vehicles that are 10 years old); total current expense = $867,725; end of FY MERF balance = $203,275; FY2023 MERF contribution with 20 new vehicles 50/50 split = $1,414,020 (can begin to sell off currently leased vehicles in the next 1-2 years).
How to arrive at 7-year purchase – current MERF balance $1.1M; current MERF contribution $450,000; purchase 31 vehicles as soon as available = $1,748,245; current shortfall -$677,245; FY2023 MERF contribution, 20 new vehicles + current lease $1,606,900 (this would drop to $1.1M at the end of the current lease payments). Captain Tisdale stated he prefers the 3-year lease although he is unsure if this is the most viable way, and this would go against guidance from Mr. Hagedorn.

Councilor Burtenshaw believes policy issues should be considered on affordability, which comes down to the MERF contribution, and rotation. She also believes there is an advantage of purchase and lease options. She indicated MERF is already falling short every year in contribution, noting a lease of 20 vehicles would decrease the MERF. She also noted MERF is not currently in the Police budget and would be a General Fund ask of up to $.5M if in a 7–10-year rotation. Councilor Radford stated a previous analysis indicated everyone should have a vehicle, he questioned if the price of vehicles changes that analysis. Captain Tisdale believes individual vehicles continue to be the most reasonable and cost-effective way due to the growing life expectancy of a vehicle, the resale value staying intact, the readiness, and the morale boost in a competitive environment. Chief Johnson explained a fleet car system, noting most positions have a take-home vehicle. Captain Tisdale stated the total number of department police vehicles also includes code enforcement, animal control, specialty vehicles, administration, and fleet vehicles. Discussion followed including detectives utilizing their own personal vehicles (Chief Johnson stated this is not a cost savings, Captain Tisdale believes the availability and readiness of the detectives/officers would suffer dramatically), the value of used cars, the cost of new cars versus used cars, and MERF contribution and personnel costs. Councilor Burtenshaw believes it's important to get to the 10-year rotation. She proposed leasing 20 vehicles at a 5-year lease, noting the MERF money will be spent with current leases and the new leases if no new MERF money is contributed. Captain Tisdale indicated the vehicle information was requested by the ARPA (American Rescue Plan Act) Committee. He believes the 7-year rotation should be the target. Per Mayor Casper, Captain Tisdale stated there would not be funded vehicles for vacant positions in the hybrid proposal. Additional discussion followed including the market trend for purchasing vehicles, interest rates, and impact fees. Chief Johnson stated the original 40 leases with The Bancorp were part of a pilot program as an add to fleet. He believes add to fleet is advantageous with the lease option. He also believes ARPA money as well as impact fees would help, stating he is anticipating higher revenue next year due to an agreement with the county regarding dispatch funding which will decrease the General Fund ask. Following additional comments, there was consensus for a 5-year lease of 20 vehicles now in the amount of $247,380. Councilor Freeman noted the city will own the vehicles at the end of the lease. Captain Tisdale stated

with the current contribution this will give four years of no changes, this will leave several vehicles on the 10+ years, and it would be another 1-2 years for another purchase cycle.

Police Department/ License Appeal Hearing and Council Deliberation:

Mayor Casper opened the appeal hearing and ordered all testimony be included in the record. She read the following information provided by the city's legal counsel: *According to the Idaho Falls City Code, the council reviews appeals for staff error. The burden for proving that city staff erred in applying the city's ordinances is on the appealing party. There are, generally speaking, two kinds of errors, an error in fact or an error in applying or interpreting the city's ordinances. In this appeal proceeding, the council is limited to reviewing staff's decision for error. Council cannot waive or modify the application of the current City Code in this proceeding. If council determines that city staff correctly determined the applicable facts and correctly applied or interpreted the relevant ordinances, council must deny the appeal. However, if council determines that city staff made an error, council must grant the appeal and direct staff to correct the error.*

Mayor Casper requested appellant presentation. Ms. Castillo stated her charge occurred four years ago, it has changed her life in many ways, she has been denied other job positions since this has happened, and she came across this position at Smarts Starts while looking for childcare. She also stated she is currently training in the toddler room at Smart Starts Childcare while being supervised. She read a letter provided by her boss at Smart Starts Childcare. Ms. Castillo expressed her gratitude to Smart Starts Childcare, stating she wants to move forward, and Smart Starts is giving her that chance. Per Mayor Casper regarding the city's mistake, Ms. Castillo stated she thinks about this event all the time, and she does not believe this should affect her ability to work with children. Mayor Casper requested staff presentation. Captain Galbreaith reviewed the application process stating during the review of the background Ms. Castillo was convicted of petit theft on July 13, 2018. He read the excerpt of City Code 6-3-8(C) regarding crimes within a five-year period immediately preceding the date of application, stating this crime occurred within that timeframe. Per Councilor Freeman, Ms. Castillo stated the theft was money from a company. Per Councilor Francis, Captain Galbreaith confirmed the conviction date. Mayor Casper closed the hearing. Councilor Hally does not believe there is a lot of leeway to see that an error was made. It was moved by Councilor Francis, seconded by Councilor Freeman, to deny the appeal on the basis that no error has been identified and staff proceeded appropriately. The motion carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay – none. Mayor Casper briefly reviewed process and policy, noting the council could make policy changes. Mr. Fife clarified the council could only make policy changes more stringent than State policy. It was noted Ms. Castillo could reapply for the Child Care Worker Certificate after the five-year timeframe. Councilor Francis recommended Ms. Castillo explain this charge on the application. Mayor Casper suggested an appellant have conversation with legal staff to discuss the options or process prior to paying the fees for a hearing. Brief comments followed regarding State Code.

Community Development Services and City Attorney/Training: Best Practices for Land Use Hearings as required by Idaho's Local Land Use Planning Act (LLUPA), Idaho Statutes, Title 67, Chapter 65:

Director Cramer stated, per the LLUPA, legislative hearings typically have broad implications (code changes, Comprehensive Plan changes, ordinance adoptions) to the taxpayers and ratepayers of the city, and these are not site-specific except for annexations and initial zonings; quasi-judicial hearings are more narrow (CUPs, rezones), and these are site specific with impacts to that site. He also stated the rules for the hearings are slightly different in terms of notice, although the hearings within the meeting are largely conducted the same. Director Cramer explained, per legislative hearings, notice to the newspaper is required 15 days in advance, however, there is no notice requirement to the surrounding property owners; quasi-judicial hearings also require notice to the newspaper 15 days in advance, notice is required 10 days in advance to all property owners within 300', and there

is requirement to notify subdivisions and media outlets. He stated conversations can occur prior to legislative hearings; all evidence, testimony, and emails must be taken within a quasi-judicial hearing. He believes there was confusion at the April 14, 2022, City Council Meeting because even though that was a legislative hearing regarding the Accessory Dwelling Units, the hearing had been closed except for questions to staff. He indicated other options could allow testimony to be taken but this would require the hearing to be reopened. Mr. Fife stated the council is a representative body with one of the functions being legislation. He explained the council can receive information at any time if there is not an associated hearing, however, once it's applied to property there are different rules and the LLUPA regulates what can be done to property and land uses, including any side boards so all individuals can see and hear what occurred, noting facts must be added as needed. He also explained the Reasoned Statement of Relevant Criteria and Standards which states the council's decision. Mr. Fife reiterated annexation, initial zoning, and Comp Plan map designations are legislative, so hearings are required with a decision based on the input. He noted most of these legislative hearings are approved in the same evening. He explained the process when the three readings are not waived, and he believes it tends to create fairness problems when the hearing is re-opened. He cautioned all governing boards to make a decision on the night the hearing occurs or isolate themselves so the process is not tainted which causes the recusal of a councilmember. Discussion followed regarding not being able to respond to constituents. Mayor Casper suggested forwarding any suspicious emails to another staff member for review. Director Cramer noted Community Development Services staff will identify the type of hearing in future meeting memos. Brief general comments followed including a reminder process for first or second readings only, receipt of Planning and Zoning recommendations (Mr. Fife noted these recommendations must be accepted by the council prior to determining a hearing date), and an all-purpose statement prepared by staff.

There being no further business, the meeting adjourned at 6:16 p.m.

Kathy Hampton, City Clerk

Rebecca L. Noah Casper, Mayor

Memorandum

File #: 21-478 **City Council Meeting**

FROM: Pam Alexander, Municipal Services Director
DATE: Thursday, April 14, 2022
DEPARTMENT: Municipal Services

Subject
Public Hearing for Sale or Conveyance of Real Property

Council Action Desired

☐ Ordinance ☐ Resolution ☒ Public Hearing
☐ Other Action (Approval, Authorization, Ratification, etc.)
Pursuant to Idaho Code §50-1402, Municipal Services request that the Council conduct a public hearing and subsequently determine whether to sell, convey or auction the city property located at Bel-Aire Division No. 3, Lots 1, 2 and 3 inclusive, Block 16; and Lot 1, Block 17, in the W1/2NE1/4 of Section 17, Township 2 North, Range 38, E.B.M. (or take other action deemed appropriate).

Description, Background Information & Purpose

This property was donated to the City in January 2016. The Municipal Services and Parks and Recreation departments have determined this property is no longer needed and recommend the sale, conveyance, or auction of this property. The Notice of Public Hearing was published on Sunday, April 10, 2022. The Public Hearing is scheduled for Thursday, April 28, 2022, at 7:30 pm in the Council Chambers of the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho. At the conclusion of the hearing, Council will have met the notice and hearing requirements to sell, convey or auction this property.

Alignment with City & Department Planning Objectives



☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐

The sale, conveyance or auction of this property supports the good governance community-oriented result by providing sound fiscal management to surplus property that is no longer needed for city operations.

Interdepartmental Coordination

Parks and Recreation concur with the recommendation to surplus this property.

Fiscal Impact

This property was donated to the City for a market value of $610,000. A completed appraisal report was provided to the City on Monday, April 4, 2022, reporting a market value of $1,892,000.

Legal Review

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

powered by Legistar™

Introduction

City of Idaho Falls

8.60 Acres of Land

Block 14 & 16, Bel-Aire Estates
Bennett/Vernon Avenue
Idaho Falls, Bonneville County, Idah

Mayor and City Council
City of Idaho Falls
308 Constitution Way
Idaho Falls, ID 832402
PAlaxeander@idahofalls.gov

Effective Date: March 15, 2022

Kelley Real Estate Appraisers, Inc.
520 West 15th Street, Suite 100
Idaho Falls, Idaho 83402

Letter of Transmittal

March 31, 2022

Mayor and City Council
City of Idaho Falls
308 Constitution Way
Idaho Falls, ID 83402

RE: **Appraisal Report**
Subject: Bel-Aire Estates Block 14 and 16
Bennett Avenue/Vernon Avenue
Idaho Falls, Bonneville County, Idaho

Dear Mesdames and Messieurs:

As requested, I have made a careful, personal inspection of the above-referenced property. I have also prepared a narrative appraisal report. I have provided you with my market value opinion of the subject property's "fee simple" interest value, based on its highest and best use in its "as is" condition.

> *Market Value* is defined as "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus." Implicit in this definition are various conditions found in the whole Market Value definition outlined in the report.

I have prepared this appraisal for you as a representative of Idaho Falls to be used by the city for their internal use. ***The use of this appraisal by anyone other than the city for this or any other purpose is prohibited. Furthermore, no third-party beneficiary has been anticipated. Therefore, no such party should rely upon the contents nor the opinions of value herein.***

I have prepared this appraisal report in compliance with the current edition of The Uniform Standards of Professional Practice (USPAP), as set forth by the Appraisal Standards Board of the Appraisal Foundation.

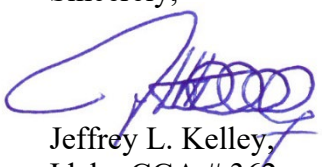
In this report, I have considered the three standard methods of valuation. These are the Cost, Sales Comparison and Income Approaches. All of them have been considered. However, only the Sales Comparison has been used. The Cost Approach is not used because the subject property is unimproved development land. The Income Approach is also not used because the land has no income history.

Based on my inspection, study, and review of the market, it is my opinion that the subject property has an indicated value, as of March 15, 2022, as follows:

8.60 Acres @ $219,978 per acre = $1,891,810.80
374,616 s.f. of Development Land @ $5.00 per s.f. = $1,891,810.80

CALLED
***** $1,892,000.00****
***** One Million, Eight-hundred, Ninety-two Thousand Dollars and 00/100 *****

Sincerely,



Jeffrey L. Kelley,
Idaho CGA # 362

EXECUTIVE SUMMARY:

Owner of Record:	The city of Idaho Falls is the recorded owner of the subject property. They have held title to it for more than three years. They reportedly have not sold nor offered to sell it during that time.
Location:	Along both sides of Bennett and Vernon Avenue, south of Waid Street, in Idaho Falls, Bonneville County, Idaho.
Legal Description:	A specific legal description was not given to the appraiser. But based on the particular aerial map provided by the city, the subject property is found on Lot 1, 2, and 3 of Block 16 and Lot 1 of Block 17, Bel-Aire Estates to the city of Idaho Falls, Bonneville County, Idaho, according to the recorded plat thereof.
Assessed Value & Tax:	The property has no assessment or tax because it is owned by the city of Idaho Falls.
Land Size:	8.90 Acres or 387,684 s.f. of development land
Land Description:	The subject property is on both sides of Bennett Avenue as it turns into Vernon Avenue. Waid Street is an east-west connector street tying Alameda Avenue into Vernon Avenue. The land south of Waid on both sides of Vernon is the subject property in this report. Lots 1, 2, and 3 of Block 16 are west of Vernon, and Lot 1 of Block 17 is east of Vernon and south of Waid Street. The subject land is level to undulating. It is infested with lava outcropping throughout it. There are water and sewer services to the property. The sewer may go through the property along the side of Veron and Bennet A natural gas line also runs along the west side of Vernon and Bennett. Vernon and Bennett are not improved with the curb or gutter but are paved at present.
Building Description:	There are no improvements or buildings on the property.
Zoning Designation:	According to the City of Idaho Falls, the property is zoned for Park or Open Space use. This zoning is between a single-family zone and an industrial zone.

Highest and Best Use:	Development of high-density apartments
Effective Date:	March 15, 2022
Market Value Opinion:	***$1,892,000.00***

TABLE OF CONTENTS

INTRODUCTION
LETTER OF TRANSMITTAL
EXECUTIVE SUMMARY
TABLE OF CONTENTS....1
CERTIFICATION AND STATEMENT OF LIMITING CONDITIONS....2-3
QUALIFICATION OF THE APPRAISER....4
CERTIFICATION OF LICENSURE....5
STATEMENT OF ASSUMPTION AND LIMITING CONDITIONS....6
SCOPE OF THE APPRAISAL....6
APPROACHES TO VALUE....7
EXPOSURE TIME....8
INTENDED USER AND INTENDED USE....8
DEFINITION OF TERMS USED IN THIS APPRAISAL....9

FACTUAL DATA

AREA DATA....10-12
NEIGHBORHOOD DATA....13
ESTATE TO BE APPRAISED....14
EFFECTIVE DATE OF THE APPRAISAL....14
LEGAL DESCRIPTION....14
ASSESSED VALUE....14
PROPERTY DESCRIPTION....15-17
OWNERSHIP HISTORY....17
CITY ZONING DESIGNATION....17
FLOOD PLAIN DESIGNATION....17

DATA ANALYSIS & CONCLUSION

ANALYSIS OF HIGHEST AND BEST USE....18-19
SALES COMPARISON APPROACH....26-29
ADDENDUM....34

- Location Map
- Aerial Property Plat Map
- Zoning Map
- Photographs

CERTIFICATION AND STATEMENT OF LIMITING CONDITIONS:

The appraiser certifies that to the best of his knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the personal, unbiased professional analysis, opinions, and conclusions of the appraiser.
3. The Appraiser has no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. The Appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction of value that favors the cause of the client, the amount of the value, the attainment of a stipulated result, the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. My analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Appraisal Foundation's *Uniform Standards of Professional Appraisal Practice*.
8. I personally inspected the subject property. I made a complete and thorough inspection of the land and its improvements.
9. No one provided significant real property appraisal assistance to the person signing this certification.
10. All conclusions and opinions concerning the real estate that are set forth in this letter were prepared by the appraiser (s), whose signature appears on this report. No change of any item in this report shall be made by anyone other than the appraiser, and the appraiser shall have no responsibility for any such unauthorized change.
11. Our firm has not performed an appraisal assignment on this property in the past three years. This information was conveyed to the client before accepting this appraisal assignment.

CONTINGENT AND LIMITING CONDITIONS:

The certification appearing in this report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the appraiser.

1. The Appraiser assumes no responsibility for matters of a legal nature affecting the property or the title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is considered to be under responsible ownership.

2. Any sketch or plat map attached may show approximate dimensions and is included to assist the reader in visualizing the property. The appraiser has not made a survey of the property.

3. The Appraiser is not required to give testimony or appear in court because of having made the inspection with reference to the property in question unless arrangements have been previously made thereto.

4. Any distribution of the valuation in this report between land and improvement applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

5. The Appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions or for engineering, which might be required to discover such factors.

6. Information, estimates, and opinions furnished to me and contained in this report were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for the accuracy of such items furnished can be assumed.

7.The description of the property herein is stated for the purpose of arriving at an opinion of value. It should not be used for any other purpose, such as a description for a prospectus or for describing the property for sale. All parts of this appraisal should only be construed as applying to the opinion of value herein and should not be used separately for specific information.

8. Disclosure of the contents of this report is restricted to the intended users of the report. No other individual is authorized by the appraiser to use this report.

9. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not a qualified environmental auditor who has the skill to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. Any latent environmental problem within or underneath the property may also affect its value. The value estimate herein is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field if desired.



Jeffrey L. Kelley, C.G.A.
Idaho State General Certified Appraiser, #CGA-362

QUALIFICATIONS OF THE APPRAISER

Jeffrey L. Kelley

Idaho State General Certified Appraiser, #362

Education:

Juris Doctorate - Whittier College School of Law, Los Angeles, CA
Bachelor of Science - Brigham Young University, Provo Utah
Major: Finance
Minor: Economics

Background:

General Certified Appraiser, Idaho #CGA - Kelley RE Appraisers since 2000;
Assisting Appraiser - Kelley Real Estate Appraisers, LLC. - July 1994
Practicing Attorney - State of California, June 1991 - July 1994;
Members of the Idaho State Bar - April 1995;
Member of the Utah State Bar - May 1994;
Member of the California State Bar - June 1991;
Member of the Shelley City Council - January 2012
Member of the Bingham County Economic Development Council, January 2012
Managing Partner of Community Pioneer Publications – Nov. 2000 -

Special Training:

Institute Appraisal Course 120, 310, 320, 510 and 520
Standard and Ethics Courses — App. Inst. Course 420 A & B
Advanced Condemnation Appraisal Courses
App. Inst. Courses 710 & 720
ASFMRA Conservation Easement Seminars
Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book)
ASFMRA Standards and Ethics Course
Timber and Mineral Rights Seminar
1031 Exchange Seminar, ASFMRA Adv. Sales & Cost Analysis Seminar

Experience:

- Commercial Properties: Retail, Industrial, Professional Office & Apartment Complexes;
- Agricultural Properties: Farmland, Ranches and Range Land;
- Recreational Properties: Conservation (Before & After) Easements, Fee Ownerships, Estate Tax Appraisals;
- Condemnation Appraisals: Various ITD Projects around eastern Idaho as well as local municipality condemnation appraisal including the City of Blackfoot, Rexburg, Pocatello and Fremont County.
- Specialized Appraisals: Conservation Easements, Development and Mineral Right Extractions, Schools, Gravel Pits, Railroad Right-of-Ways and Potato Fresh Pack and Processing Facilities
- Client Base: Major Lending Institutions, Idaho Transportation Department, Bureau of Land Management, Idaho Department of Parks & Recreation, Bureau of Rec., Army Corp of Eng. City of Pocatello, City of Idaho Falls, The Nature Conservancy, Attorneys, Accountants, General Service Administration, Small Business Administration, Farm Service Agency, LDS. Church & other governmental and private entities.

Division of Occupational and Professional Licenses
Department of Self Governing Agencies

The person named has met the requirements for licensure and is entitled under the laws and rules of the State of Idaho to operate as a(n)

CERTIFIED GENERAL APPRAISER

JEFFREY L KELLEY
174 EAST CENTER STREET
SHELLEY ID 83274

Russell S. Barron Division Admin	CGA-362 Number	02/12/2023 Expires

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS:

The opinions of value herein are subject to the following extraordinary assumptions and limiting conditions:

- The property has lava flow scattered throughout it. This situation has been taken into consideration in deriving its value opinion. Ax

- An *extraordinary assumption* is made that the subject property does not contain any latent environmental problems that will affect its value. The appraiser found no obvious environmental concerns while inspecting the property. However, the appraiser is not a qualified environmental auditor.

SCOPE OF THE APPRAISAL:

The client requested a market value opinion based on the property's fee interest. This appraisal considers the highest and best use of the property in its "as is" condition. As stated in this report, the definition of market value is derived from FIRREA Title XI. It is set forth below in this report's "Definitions Used in the Appraisal" section. The definition of "fee simple" interest is also defined below.

The Sales Comparison Approach is used exclusively to establish a market value opinion. Four sales from the market are used to make this adjustment. These sales are located around the city of Idaho Falls.

The Cost and Income Approaches were not used because the property is not improved, nor does it have an income history. The Sales Comparison Approach analysis and the reporting of this appraisal were completed according to the Uniform Standards of the Professional Appraisal Practice (USPAP) as set forth by the Appraisal Standards Board.

The sales herein have been discovered and confirmed by the undersigned appraiser. As part of the appraisal process, the property was inspected. The sales were also inspected as well.

APPROACHES TO VALUE:

The three approaches to value considered in arriving at an estimate of the value of Real Estate are called Cost, Sales Comparison, and Income Approaches.

Cost Approach

In the Cost Approach, a value is estimated by computing the current replacement cost of the improvements and applying an appropriate depreciation rate to arrive at a depreciated value of the improvements. This depreciation rate is concluded either from comparing sales for similar types of properties to their replacement cost, or from the various accepted Age-Life methods, or both. The depreciated value is then added to the land value, found by comparison in the market, to arrive at a market value opinion.

This approach is based on the assumption that the replacement cost is the upper limit of value. This approach is best used when the improvements are new or near new and are proper improvements for the property. As improvements increase in age and depreciation accumulates, the validity of this approach lessens.

Sales Comparison Approach

The Sales Comparison Approach application produces an estimate of value by comparing the subject with similar properties of the same type and class that have sold or are currently offered for sale in the same or complementary areas. The sale prices of properties deemed most comparable set the range in which the subject property's value will fall. When properly applied, this approach generally allows for both depreciation and appreciation in value. This method is the most relevant consideration of value for the acquisition of property by a public entity.

Income Approach

The Income Approach is a process of developing the net rental income from a property into an indication of value. This is accomplished by analyzing the relationship between net rental revenues from similar properties to their selling prices in the market. The relationship between this net income and the selling price is called a capitalization rate. The net income is divided by the capitalization rate to show value.

EXPOSURE TIME:

The subject property would have an exposure time of six months to one year to sell at the market value opinion. Exposure time is a fictional period that precedes the effective date of this appraisal. The amount of time required for a specific property to be exposed to the market before it sells. The appraiser used the marketing time of the sales in this appraisal to define the exposure of the subject property.

INTENDED USER AND INTENDED USE:

The Mayor and Council of Idaho Falls are this appraisal report's clients and sole intended users. The intended use of this appraisal report is to establish a market value opinion for a possible sale of the property. ***This report is not authorized for any other intended user(s) or use. No third-party beneficiaries were disclosed to the appraiser. Therefore, such party(s) shall not rely on this report's content or value opinion.***

DEFINITION OF TERMS USED IN THIS APPRAISAL:

- Market Value: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as a specified date and the passing of title from seller to buyer under conditions whereby:

  (a) Buyer and seller are typically motivated;

  (b) Both parties are well informed or well advised and both acting in what they consider their own best interest;

  (c) A reasonable time is allowed for exposure in the open market;

  (d) Payment is made in terms of cash in U.S. dollars or terms of financial arrangements comparable to it; and

  (e) The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. (12 CFR Part 34 (FIRREA))

- Highest and Best Use: The most profitable and likely use, within the realm of reasonable probability, to which a property can legally be put or adapted that is financially feasible and for which there is a current market.

- Improvements: Buildings or other relatively permanent structures or developments located on or attached to the land.

- Extraordinary Assumption: An assumption is directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions.

FACTUAL DATA

AREA DATA:

The subject property is in the middle of Idaho Falls, east of the Pine Crest Municipal Golf Course along both sides of Veron Avenue, in the Bel-Aire Addition to the city of Idaho Falls. Idaho Falls is situated in the middle of Bonneville County, Idaho

Bonneville County:
Bonneville County is in the middle of the Snake River Valley in Eastern Idaho. It had an estimated population of 119,062 persons in 2019. Its drawing area is approximately 350,000 persons, comprising those in Wyoming's Upper Snake River Valley, Lost River Valley, and Teton Basin. Idaho Falls is the county seat of Bonneville County.

Idaho Falls:
Idaho Falls is a large, rural community in the Snake River Valley. Its population is estimated at 61,459 persons in 2019. The City of Ammon, adjacent to Idaho Falls, had an estimated 15,859 persons in 2019. Ammon was once the fastest-growing city in Idaho.

The Idaho Falls Metropolitan Statical Area, defined by the United States Census Bureau, is an area consisting of two counties and is anchored by the city of Idaho Falls. As of the 2010 Census, it had a population of 130,374 persons. It has substantially grown since then.

Idaho Falls is the central business, a commercial and medical hub for eastern Idaho and western Wyoming. It features a large regional mall, regional hospitals, and a regional airport. It also has many national-chain department stores. It has a drawing area of approximately 350,000 persons. Most people are drawn to the area for its shopping and medical services.

Idaho Falls has many hotel and motel accommodations, restaurants, and theaters. It is also a tourist stop for summer vacationers traveling to and from Yellowstone National Park.

Sources of Income:
The principal sources of income for Idaho Falls and its trading area are agriculture, livestock feeding, food processing, nuclear and environmental research, and recreational travel. The Idaho National Laboratory (INL) and its operating contractors are the largest single employers. The INL's headquarters is in Idaho Falls, and its operational facilities are in the desert west of the community.

Battelle Energy Alliance, LLC (BEA) is the lead contractor of management and operational responsibility for the Idaho National Laboratory. Its mission is to transform the facility into a "preeminent" nuclear energy laboratory. One of the laboratory's primary tasks is to develop a system that uses nuclear energy to produce hydrogen as a transportation fuel to reduce the nation's dependence on imported fossil fuels. The INL and its contractors employ 7,000 to 8,000 people.

The Idaho National Lab recently constructed an education campus at its main headquarters in the city. This campus helps train nuclear scientists and further research in the nuclear field.

The INL is the largest employer in the area. Other significant employers include the Idaho Falls School District with 1,700 employees; Columbia Eastern Idaho Medical Center with 1,311 employees; and Melaleuca, Inc., a personal healthcare products company with more than 1,300 employees. Recently, Melaleuca moved into a new headquarters facility southwest of the city, along Interstate 15, in Bonneville County.

Other forms of industries in the community include agricultural processing, farming, and manufacturing. Manufacturing varies from concrete blocks to technical equipment in the nuclear field.

Two extensive malt barley facilities operated by Anheuser-Busch and G-Modelo (Corona Beer) are on the city's south side. These plants produce malt for beer production, which is shipped by rail to California and Mexico.

Accessibility:
The area is served by Interstate 15, U.S. Highway 91-191, 20, and 26, passing through the city. Several commuter airlines also serve the community with daily jet and turbo flights to and from Salt Lake City, Utah, Minneapolis, Minnesota, and Denver, Colorado. The airport also has direct weekly flights to Los Angeles, California, Las Vegas, Nevada, and Phoenix, Arizona, through Allegiant Air.

Other forms of transportation to the city include one (1) major and several regional bus lines and the Union Pacific Railroad. Several truck lines and the railroad handle freight. Federal Express, United Parcel Service, and Airborne provide delivery services throughout the area.

City Facilities:
Parks and recreational facilities include a zoo and three (3) 18 hole golf courses, all found within the city. There are numerous parks and athletic fields located throughout the city.

There are three hospitals in the city. East Idaho Regional Medical Center (EIRMC), Mountain View Hospital, and Idaho Falls Community Hospital (IFHC) are in the city's southeastern section. All three hospitals are south of the Grand Teton Mall. EIRMC is at the northwest corner of Sunnyside Road and Channing Way. The other two hospitals are north of Coronado and east of Channing Way. These regional medical centers for the upper Snake River Valley, Teton Valley, and western Wyoming communities. EIRMC is a full-scale maternity ward, heart team, cancer research center, and air rescue helicopter.

Many churches representing nearly all significant denominations are in the area. The predominant religion is the LDS (Mormon) Church. There are many service clubs with the Air Force, Army, and Navy Reserve units.

Two (2) school districts (91 and 93) provide elementary and secondary education. These districts consist of multiple elementary schools, several junior highs, and five schools. Higher education can be found at Eastern Idaho Community College. This facility is a new community college offering associate degrees in various collegiate and trade degrees.

University Place is a facility near Freeman Park in the northwestern part of Idaho Falls. It provides undergraduate and graduate courses from the University of Idaho, Idaho State

University, and BYU-Idaho (Rexburg's main campus). These courses include general education and advanced degree courses. This facility has grown substantially in recent years, with many graduate students attending classes at the campus.

Recreational Facilities:
Idaho Falls has direct access to many major outdoor recreational facilities. It is approximately 110 miles from Jackson, Wyoming, 120 miles from West Yellowstone, Montana, Yellowstone National Park, and 140 miles from Sun Valley. Idaho Falls is also found approximately 220 miles north of Salt Lake City, Utah, the most significant metropolitan center. Travel time to Idaho Falls from Salt Lake City by automobile is four (4) hours. Flight time is approximately 28 minutes by jet.

Climate:
Idaho Falls has an elevation of 4,707 feet above sea level. The average daily temperature in the summer is 81.4º, with a minimum daily average of 65.3º. In the winter, the daily average daily temperature is 32.5º, with a minimum standard of 13º. There are 115 frost-free days in the growing season, making the area ideal for raising potatoes, small grains, and forage crops.

NEIGHBORHOOD DATA:

The subject property is found along the secondary streets of Bennett and Vernon Avenue, in the northern section of Bel-Aire=Estates, east of the Pine Crest Golf Course, in Idaho Falls.

Bennett Avenue runs south of Anderson Street through light industrial development to Waid Street, which turns into Vernon Avenue. Vernon Avenue bisects the northern portion of Bel-Aire Estates, an early 1950's residential development of tiny homes constructed after World War II.

The subject area is level to undulating. Subsurface lava infests the location making it difficult to develop. As a result, a portion of Bennett and Vernon is not improved with a curb, gutter, or street surface. Waid Street is also not improved

The subject area has access to city water and sewer services. It appears the sewer may run parallel to Vernon and Bennett. Natural gas is also installed along Vernon and Barrett. Overhead electrical power and telephone service are also found in this area.

The subject property is in a transition zone between single-family residential development and light industrial development. Pine Crest Golf Course borders it on the west. The Idaho Irrigation Canal borders it on the east.

Currently, the area is zoned for Park and open space use. However, it likely would be zoned to medium or high-density residential development as a buffer between single-family residential and light industrial use.

There is high demand for multi-residential development in the Idaho Falls area. Such land value has outpaced commercial development land. Currently, such unimproved land is running between $4.80 and $5.25 per s.f.

.

PROPERTY DATA:

Estate to Be Appraised:

The estate to be appraised is the "fee simple title" of the subject property based on its "as is" condition. The term "fee simple" suggests that any other interests do not encumber this property but are only subject to easements, recorded right-of-ways, and the four (4) powers of government — Eminent domain, Escheat, Taxation, and Police power.

Effective Date of the Appraisal:

The effective date of this appraisal report is March 15, 2022. The appraiser inspected the property on this date. The photographs herein were taken then.

Legal Description:

The subject's legal description is as follows:

> Lots 1, 2, 3, of Block 16 and Lot 1 of Block 17 of the Bel-Aire Estates to the city of Idaho Falls, Bonneville County, State of Idaho, according to the recorded plat thereof.

Assessed Value and Tax:

The property has no value assessment or tax as it is owned by the city of Idaho Falls, which is not a taxed entity. :

PROPERTY DESCRIPTION:

Location:
The subject property is found along both sides of Bennett and Vernon Avenue and south of Waid Street, in the northern section of Bel-Aire Estates, which is east of the Pine Crest Golf Course, in Idaho Falls Idaho.

Size and Shape:
The land consists of 7.20 acres of ground west of Bennett and Vernon Avenue and 1.40-acres of land lying south of Waid Street and east of Vernon Avenue. Both are block sections of ground. *(See Plat Map and Photographs.)*

Topography: The property's topography is level to undulating. It is on grade with the land surrounding it. However, a substratum of lava runs through the area, making it challenging to install infrastructures, such as water, sewer, or footings. According to the appraiser, this lava infestation has not been delineated.

Access and Frontage: Bennett Avenue and Vernon Avenue provide direct access to the subject property, as does Waid Street. Bennett and Vernon Avenue are paved. Waid Street is unimproved.

City Utilities:
Water and sewer are at the property's edge to the south underneath Vernon Avenue. It appears the sewer may run along Vernon and Bennett Avenue. Natural gas runs along this section of the street. Overhead electrical power and telephone are found in the area.

Easements: There appears to be no apparent easement or encumbrances on the property.

Improvements: There are no improvements on the subject land.

OWNERSHIP HISTORY:

The city of Idaho Falls is the recorded owner of the subject property. They have held title to it for more than three years. They reportedly have not sold nor offered to sell it during that time.

CITY ZONING:

According to the City of Idaho Falls, the subject property is currently zoned for Parks and Open Space use, as is the Pine Crest Golf Course to the west. However, this zoning could easily be changed to an R-2 or R-3 zoning. It would be a buffer between single-family residential (Bel-Aire Estates and light industrial land (the land along Anderson).

DATA ANALYSIS & CONCLUSION

ANALYSIS OF HIGHEST AND BEST USE:

The subject property's highest and best use is determined to establish a value for it. The property is analyzed as unimproved land using various elements that indicate its highest and most profitable use. Four (4) use criteria or factors are used to determine the highest and best use. These factors are as follows:

(1) Legally Permissible; (2) Physically Possible;
(3) Financially Feasible; (4) Maximally Productive.

Legally Permissible:
The subject property is currently zoned for Park or Open space use. However, this zoning would likely be changed to R-2 or R-3 use because the property is between single-family residential land and industrial land. Therefore, a more densely residential zoned land barrier would be acceptable as a buffer zone.

Physically Possible:
The subject property consists of 8.60 acres of land, of which 7.20 acres are found west of Vernon and 1.40 acres are found east of it and south of Waid Street. These tracts are large enough to accommodate several large multi-tenant buildings. They would provide an excellent location for apartments off of a major thoroughfare along a quiet secondary street.

Financially Feasible:
This land is financially feasible for such use. Although the lava may be costly to maneuver, current technics have made it less expensive to traverse. The demand for multi-unit housing is high, and the subject location is a perfect site for such development. The value of new housing outweighs the cost of removing lava.

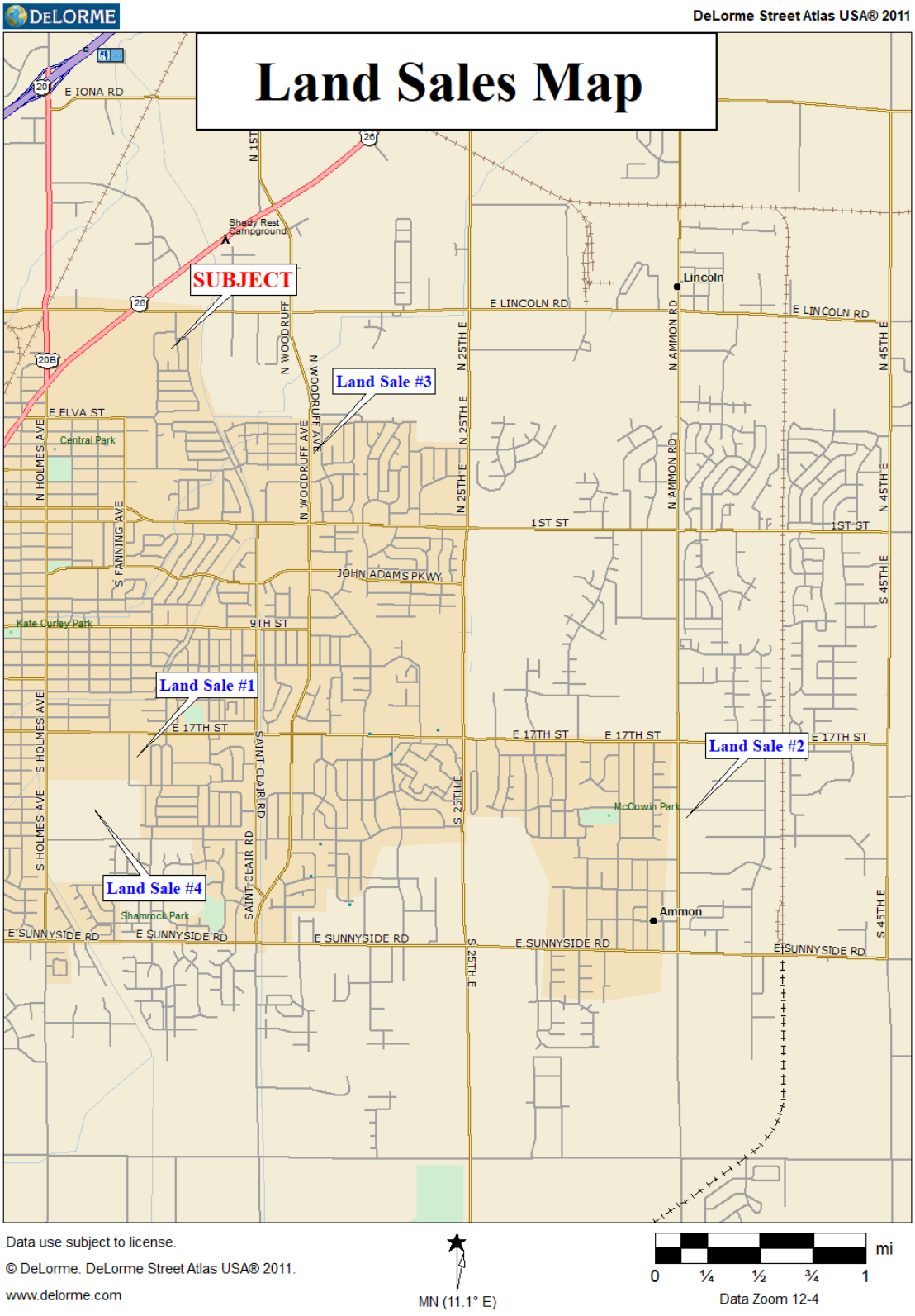
Maximally Productive:
The subject property is in the city of Idaho Falls. It is found off of Anderson along a quiet secondary street. It is near a golf course, which gives it additional tranquility. Therefore, the highest and best use of the property, in its unimproved condition, is multi-residential use.

VALUATION OF THE PROPERTY

The Sales Comparison Approach is used exclusively to establish a value opinion for the subject property. In this approach, the market is investigated for land sales similar to the subject property's likeness and quality. Four sales have been used to establish a value for the subject property. These sales range in size from 0.82 to 60.01 acres. They all have the potential for some type of residential development, particularly multi-unit residential development.

Using the Sales Comparison Approach, each sale is mathematically adjusted either upward or downward. The mathematical adjustment is made to reconcile any difference in the sale and the subject property. Paired sales are used to make these adjustments. The final adjusted price on each sale indicates a value for the subject property.

The following is a location map of these sales, followed by a sales list on the following page.


DeLorme Street Atlas USA® 2011
Land Sales Map
SUBJECT
Land Sale #1
Land Sale #2
Land Sale #3
Land Sale #4
E IONA RD
E LINCOLN RD
Lincoln
N WOODRUFF AVE
N 25TH E
N AMMON RD
N 45TH E
E ELVA ST
Central Park
N HOLMES AVE
S FANNING AVE
1ST ST
JOHN ADAMS PKWY
Kate Curley Park
9TH ST
E 17TH ST
SAINT CLAIR RD
S 25TH E
McCowin Park
Ammon
S 45TH E
Shamrock Park
E SUNNYSIDE RD
Data use subject to license.
© DeLorme. DeLorme Street Atlas USA® 2011.
www.delorme.com
MN (11.1° E)
mi
0 ¼ ½ ¾ 1
Data Zoom 12-4

LIST OF LAND SALES				
Elements	**Sale 1**	**Sale 2**	**Sale 3**	**Sale 4**
Buyer:	Geocapitus Inv.	Liberty Square, ID	Max Mora	WPP Apple Land
Sale Date:	Dec-20	Oct-19	Feb-17	Aug-21
Sale Price:	$916,197	$375,000	$160,000	$13,500,000
Total Acres:	5.13	2.01	0.82	60.01
Price Per Acre:	$178,596	$186,753	$195,122	$224,974
Total S.F.:	223,463	87,468	35,719	2,613,905
Price Per S.F.:	$4.10	$4.29	$4.48	$5.16
Highest and Best Use:	Apartments	Apartments	Apartments	Apartments
Improvements:	None	None	None	None
Location:	Jennie Lee	SE Corner S. Ammon & Brookfield, Ammon	264-286 N Woodruff Ave.	Jennie Lee, 25th & Holmes Avenue
Utilities:	City Electrical, Water & Sewer, Telephone, & Natural Gas	City Water & Sewer, Electrical power, Telephone, & Natural Gas	City Electrical, Water & Sewer, Telephone, & Natural Gas	City Electrical, Water & Sewer, Telephone, & Natural Gas
Accessibility:	Jennie Lee	Ammon & Brookfield	Woodruff	Jennie Lee, 25th & Holmes Avenue
Zoning:	R-3	R3A	R-3	Various

Land Sale #1 is the December 2020 sale of land sold for $916,197 or $4.10 per s.f. It is on the east side of Jennie Lee Drive, behind Les Swabb on 17th Street. It is a 5.13-acre tract of land that is zoned for R-3 use. It sold for apartment development.

Each sale is relatively similar to the subject property. For example, Sale #1 is adjusted downward by only $0.10 or approximately $91,000 for its lack of lava. It is assumed that the cost of lava removal on the subject would be roughly $91,000 or $0.10 compared with this sale.

It is pretty challenging to access the amount of lava that will need to be removed without a delineation. However, most tracts along Utah Avenue and in the Fremont area of the city, north of U.S. Highway 20, required approximately $100,000 per site of lava removal to install water and sewer lines.

A similar reduction in value is made for Sales #2 and 3. However, in Sale #4, a decrease of $1,350,000 is required. This sale is a large tract of land with significant infrastructure, large sewage and water lines, and other infrastructure that will require more cost for lava removal than found on a smaller site. Based on the above, the subject property has an indicated value as follows:

Land Sales Adjustment Table					
Element	**Subject**	**Sale 1**	**Sale 2**	**Sale 3**	**Sale 3**
Sale Price:	-	$916,197	$375,000	$160,000	$13,500,000
Land Size (s.f.):	374,616	223,463	87,468	35,719	2,613,905
Price Per S.F.:	-	$4.10	$4.29	$4.48	$5.16
Property Rights:	N/A	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Adjusted Price:	-	0	0	0	0
Financing Terms:	N/A	Cash Equiv.	Cash	Cash	Cash
Adj. for Financing:	-	0	0	0	0
Condition of Sale:	N/A	Arm's Length	Arm's Length	Arm's Length	Arm's Length
Adj. for Condition:	-	0	0	0	0
Market Conditions:	N/A	Dec-20	Oct-19	Feb-17	Aug-21
Adj. for Market Cond.:	-	25%	25%	25%	0%
Total Adjustment:	-	$5.12	$5.36	$5.60	$5.16
Other Adjustments:					
Location:	Bennett & Vernon	1800-1900 Jennie Lee, Idaho Falls	SE Corner S. Ammon & Brookfield, Ammon	264-286 N Woodruff Ave.	Jennie Lee, 25th & Holmes Avenue
Location Adjustment:	-	0	0	0	0
Size & Shape:	374,616, Block Shaped	223,000 s.f. Rectangular	156,000 s.f. Rectangular	87,468 s.f. Rectangular	2,613,905 & Rectangular
Size & Shape Adjustment:	-	0	0	0	0
Access & Frontage:	Bennett & Vernon	Jennie Lee	Ammon Road and Brookfield	SE Corner S. Ammon & Brookfield, Ammon	Jennie Lee, 25th & Holmes Avenue
Access & Front Adjust.:	-	0	0	0	0
Community Services	City Electrical, Water & Sewer, Telephone, & Natural Gas	City Electrical, Water & Sewer, Telephone, & Natural Gas	Electrical, Water & Sewer, Telephone, & Natural Gas	City Water & Sewer, Electrical power, Telephone, & Natural Gas	City Electrical, Water & Sewer, Telephonee & Natural Gas
Community Services Adj.:	-	0	0	0	0
Utility of Land:	Apartment Dev.	Apartment Dev.	Apartment Dev.	Apartment Dev.	Single Family Apartment Dev.
Utility Adjustment:	-	-0.10	-0.24	-0.56	-0.10
Total Adjustments:	-	-$0.10	-$0.24	-$0.56	-$0.10
% of Adjustment:	-	-2%	-4%	-10%	-2%
Total Net Adjustment:	-	$5.02	$5.12	$5.04	$5.06

The sales indicate a value between $5.02 and $5.12 per s.f. A value of $5.05 per s.f. or $216,800 per acre has been applied to the subject. Sale #1 appears to be the most similar and requires the least amount of adjustment. Therefore, the subject property has an indicated value as follows:

8.60 Acres @ $219,978 per acre = $1,891,810.80
374,616 s.f. of Development Land @ $5.00 per s.f. = $1,891,810.80

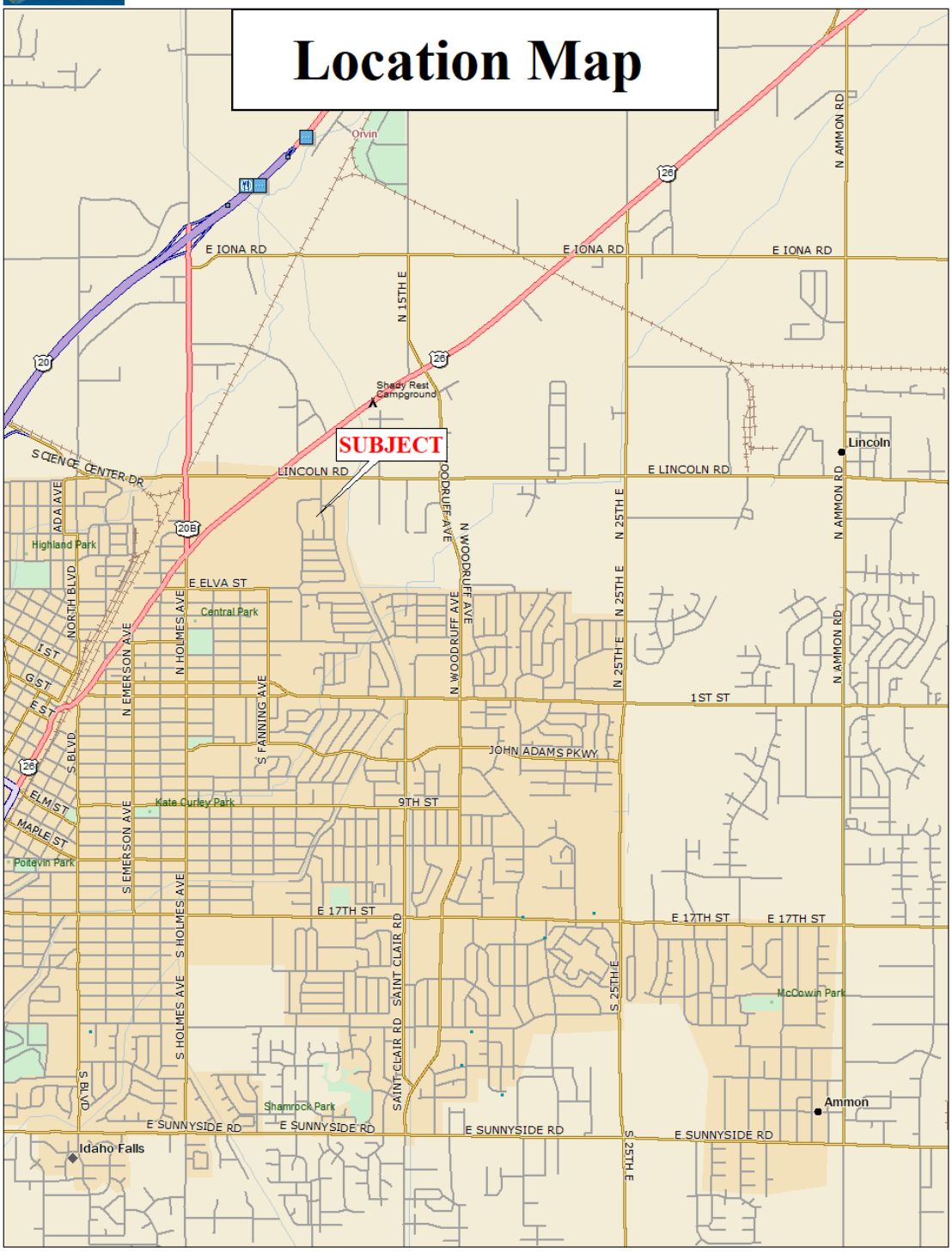
CALLED
***** $1,892,000.00****
***** One Million, Eight-hundred, Ninety-two Thousand Dollars and 00/100 *****

Addendum

- Location Map
- Aerial Plat Map
- Zoning Map
- Photographs

DeLorme Street Atlas USA® 2011

Location Map



Data use subject to license.

© DeLorme. DeLorme Street Atlas USA® 2011.

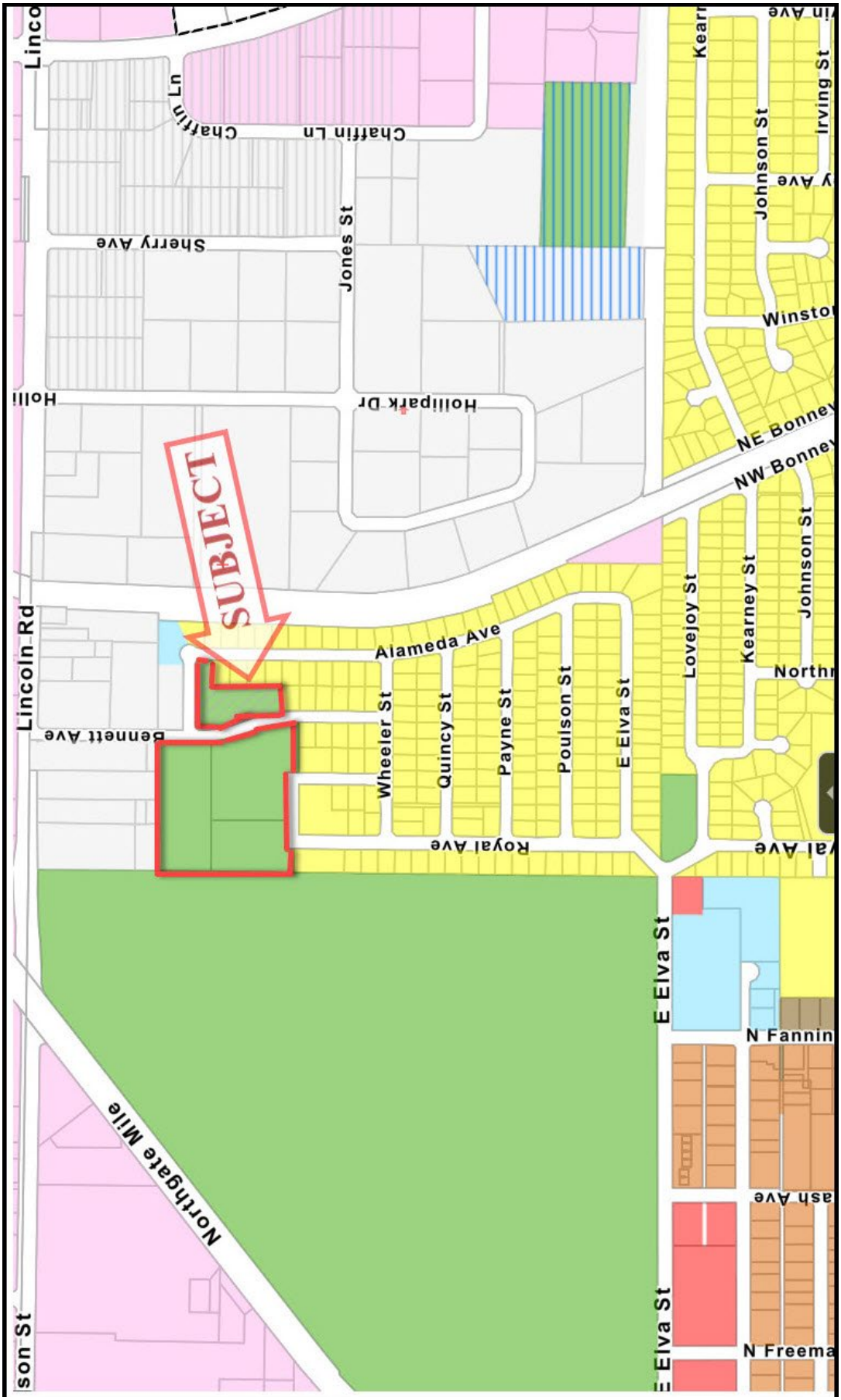
www.delorme.com

MN (11.1° E)

0 ¼ ½ ¾ 1 mi

Data Zoom 12-4


N Yellowstone Hwy
E Anderson St
Lincoln Rd
North Tourist Park
Northgate Mile
Bennett Ave
Waid St
2.7 Acres
1.4 Acres
1.6 Acres
2.9 Acres
Idaho Canal
Weber St
Rowland Ave
Vernon Ave
Alameda Ave
Pinecrest Golf Course
Wheeler St
Quincy St
Royal Ave
Payne St
Poulson St
E Elva St
Bel-Aire Park
Lovejoy St
Sharp Ave
Kearney St
Wabash Ave
N Fanning Ave
Whittier St
Whittier Cir


SUBJECT
Alameda Ave
Royal Ave
Bennett Ave
Lincoln Rd
Jones St
Sherry Ave
Chaffin Ln
Holliepark Dr
NW Bonney
NE Bonney
Wheeler St
Quincy St
Payne St
Poulson St
E Elva St
Lovejoy St
Kearney St
Johnson St
Irving St
Northgate Mile
N Fannin
N Freema

Zoning Map



1. Looking south along Bennett Avenue at the subject property.



2. Looking south at Lot 1, Block 14.



3. Looking east at Waid Street.



4. Looking west across Block 16.



5. Looking east across Lot 1, Block 14.



6. Looking north from Vernon Avenue at the subject property.

Memorandum

File #: 21-479 **City Council Meeting**

FROM: Kerry Beutler, Assistant Planning Director
DATE: Tuesday, April 19, 2022
DEPARTMENT: Community Development Services

Subject
Public Hearing: Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2021.

Council Action Desired

☐ Ordinance ☐ Resolution ☒ Public Hearing
☐ Other Action (Approval, Authorization, Ratification, etc)
No action requested at this time.

Description, Background Information & Purpose

As part of the CDBG reporting requirements, the Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2021 is due to HUD on June 30, 2022. A public hearing to review the report is scheduled for April 28, 2022. A 15-day public comment period will begin on April 28th and end on May 13th. After considering all comments, approval of a resolution will be requested for approval on the June 9, 2022, City Council Meeting. Any questions regarding the report should be addressed to Lisa Farris.

Alignment with City & Department Planning Objectives



☒ ☐ ☒ ☐ ☒ ☐ ☒ ☐

The CDBG Program supports many of the City's goals and priorities including Livable Communities, Economic Growth, Sustainability, and Well-Planned Growth and Development.

Interdepartmental Coordination

NA

Fiscal Impact

This report is required for the City to receive its annual CDBG allocation from HUD.

Legal Review

The resolution has been reviewed by the Legal Department.

powered by Legistar™

Memorandum

File #: 21-482 **City Council Meeting**

FROM: Kerry Beutler, Assistant Planning Director
DATE: Tuesday, April 19, 2022
DEPARTMENT: Community Development Services

Subject
Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East.

Council Action Desired

☒ Ordinance ☐ Resolution ☒ Public Hearing
☐ Other Action (Approval, Authorization, Ratification, etc.)
1. Approve the Ordinance annexing 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Description, Background Information & Purpose

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of R1, Single Dwelling Residential which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East. The Planning and Zoning Commission considered this item at its April 5, 2021, meeting and unanimously voted to recommended approval of the annexation with an initial zoning of R1. Staff concurs with this recommendation.

Alignment with City & Department Planning Objectives



☐ ☒ ☒ ☐ ☒ ☐ ☐ ☐

Consideration of annexation must be consistent with the principles of the Comprehensive Plan which includes many

policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

Interdepartmental Coordination

The annexation legal description has been reviewed by the Survey Division.

Fiscal Impact

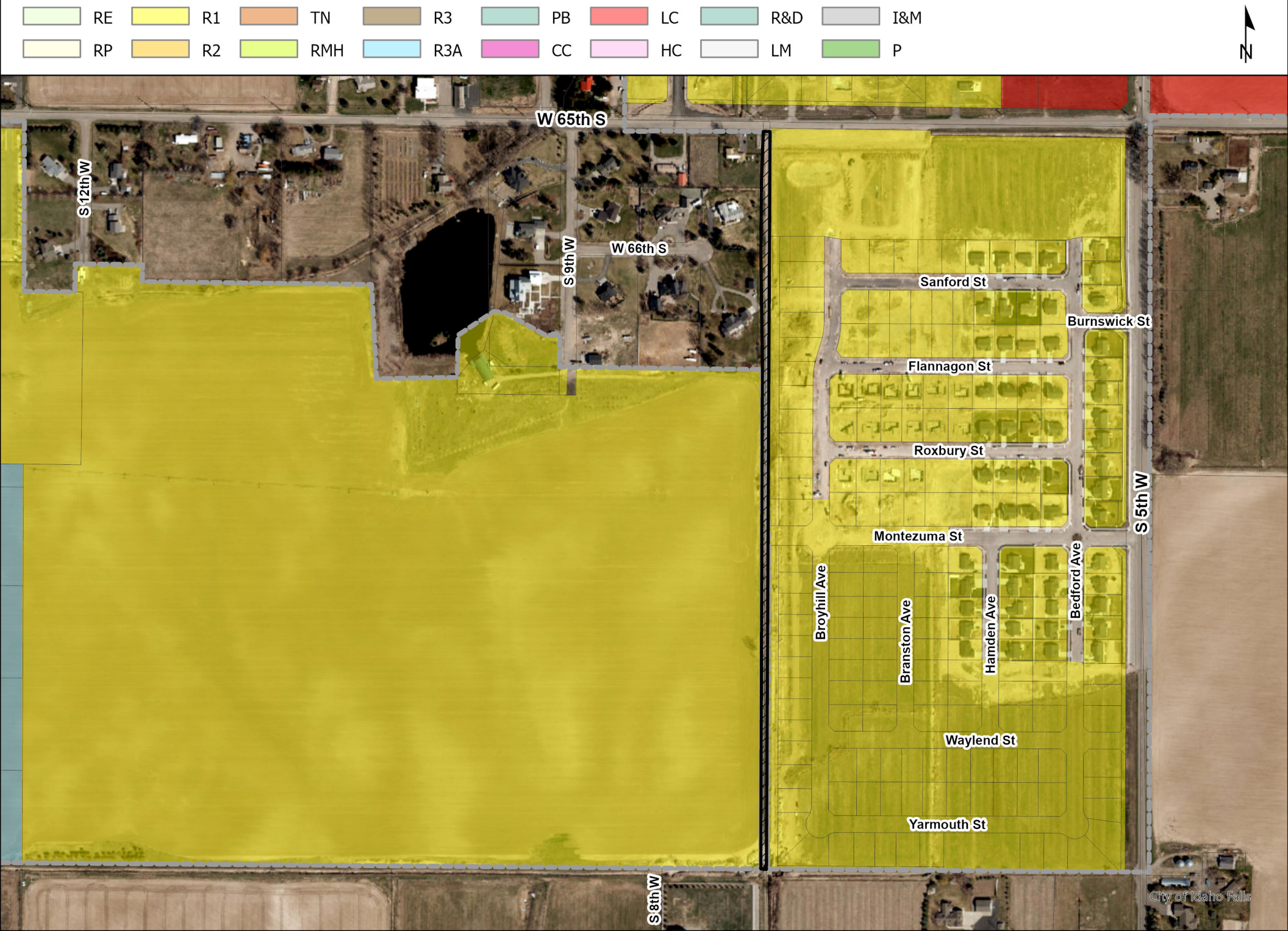
NA

Legal Review

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

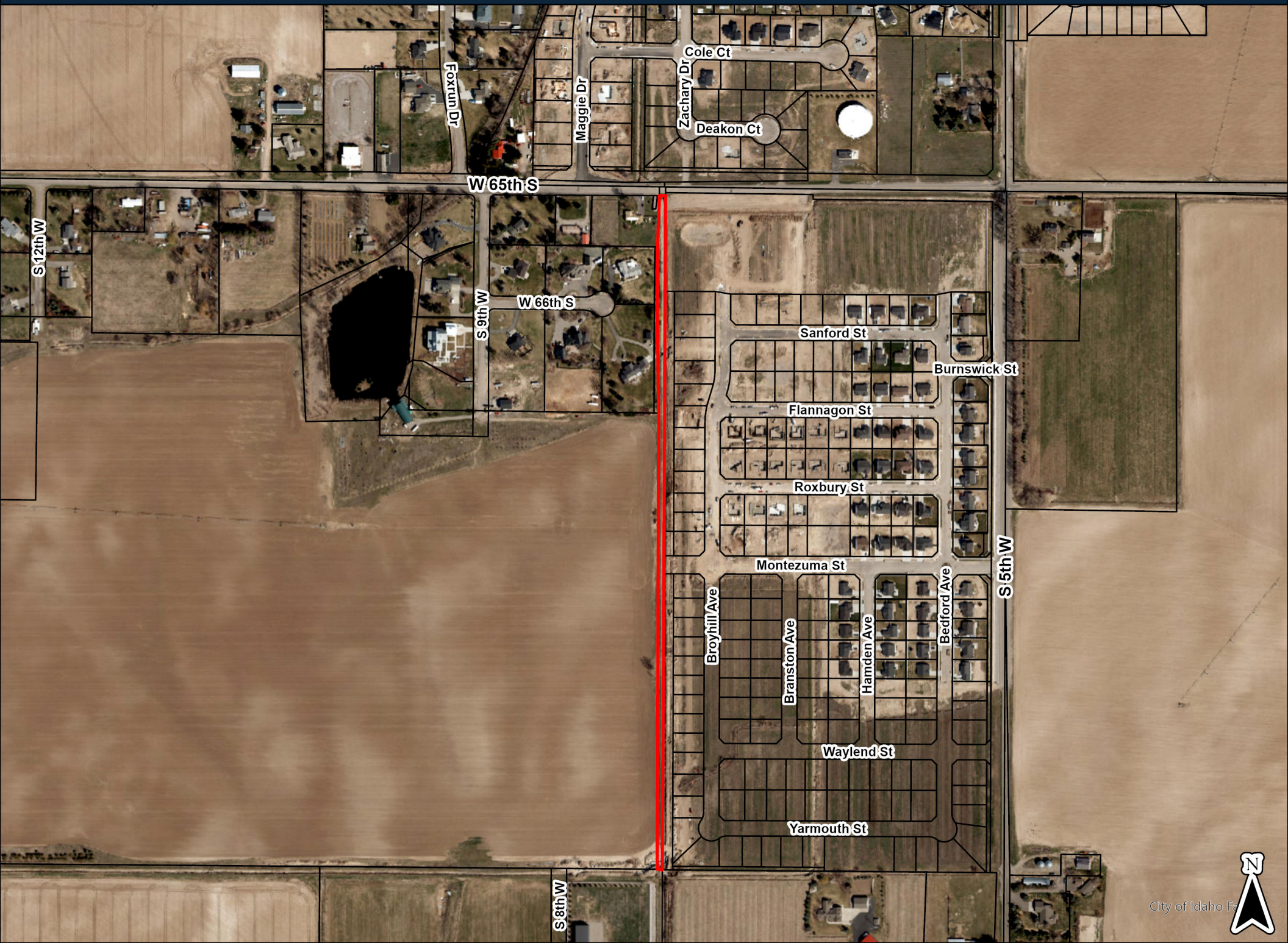
Zoning

ANNX22-007: Initial Zone R1



Aerial

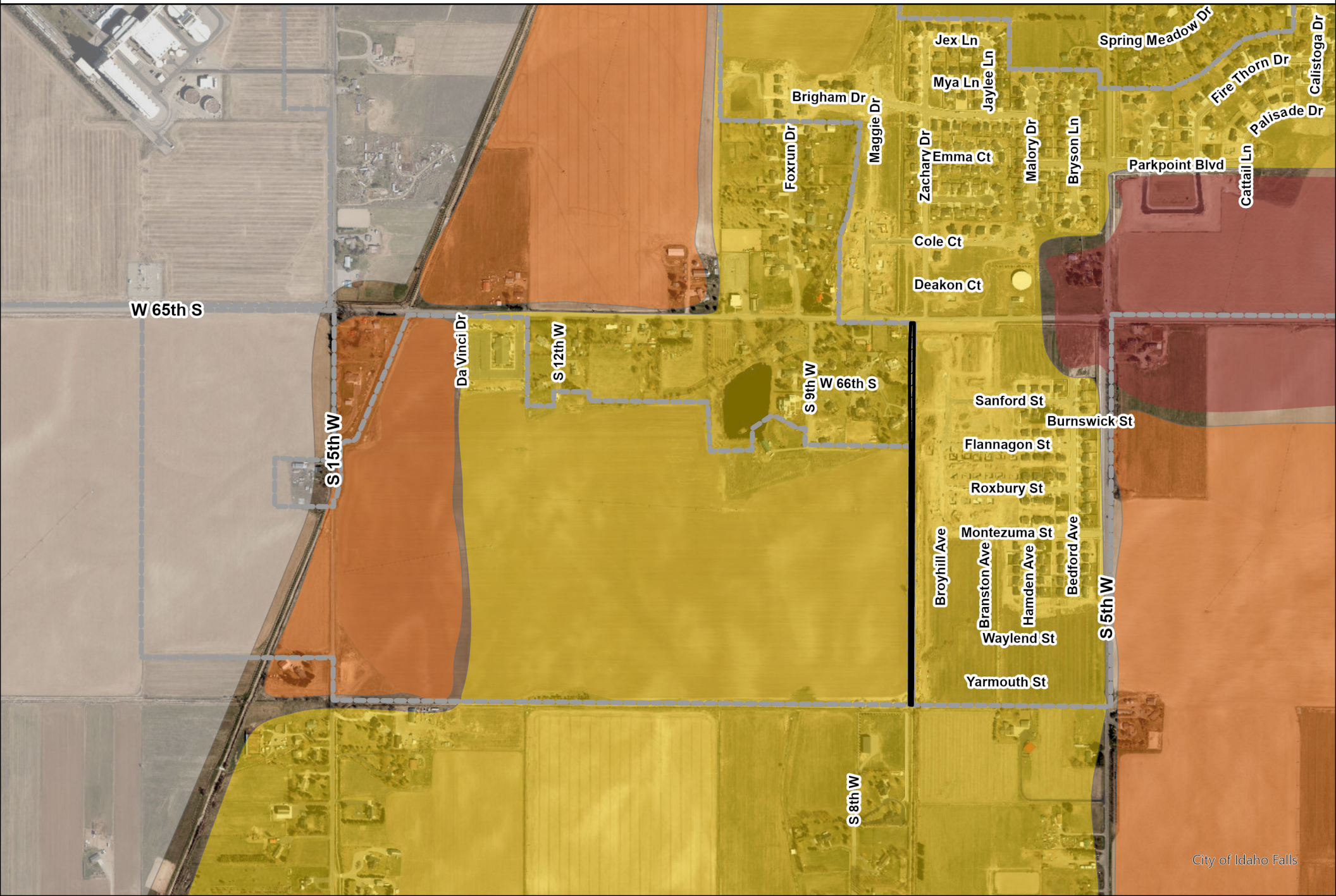
ANNX22-007: Initial Zone R1



Comprehensive Plan

ANNX22-007: Initial Zone R1

General Urban
Industrial
Mixed Use Centers and Corridors
Natural and Open Space
Special Use
Suburban
Urban Core



STAFF REPORT
ANNEXATION AND INITIAL ZONING
Annexation and Initial Zoning of R1
Portion of Gustafson Canal
April 28, 2022

IDAHO FALLS
Community Development Services

Applicant: City of Idaho Falls

Project Manager: Caitlin Long

Location: Generally located north of W 81st S, east of S 15th W, south of W 6th S, west of Broyhill Ave

Size: 1.446 acres

Existing Zoning: County A-1

Proposed Zoning: R1

Existing Land Uses:
Site: Canal
North: Residential
South: Agriculture
East: Residential
West: Vacant

Future Land Use Map:
Suburban

Attachments:
1. Comprehensive Plan Policies
2. Zoning Information
3. Maps and Aerial Photos

Requested Action: To **approve** the annexation and initial zoning of R1, Single Dwelling Residential.

Annexation: This is a category "A" Annexation as it is a canal right-of-way. The property is within the Area of Impact and contiguous to city limits on the west, east, and north side. Annexation of the property is consistent with the City's Comprehensive Plan. This is to annex a portion of the Gustafson Canal that separates the phases of the Ivywood Subdivision. The canal right-of-way was not included in either the 2006 or 2015 annexations.

Initial Zoning: The proposed zoning is R1, Single Dwelling Residential. This zone is to be consistent with the R1 on either side of the canal for most of the annexation. This annexation is in the Suburban transect of the Comprehensive Plan.

Staff Comments: This property is the Gustafson Canal that is being requested to be annexed by the City of Idaho Falls. The requested zone of R1 will bridge the gap between the R1 on the west and east side. This annexation is a cleanup of the municipal boundaries and is for the Gustafson Lateral Canal adjacent to the Ivywood development. No change to the canal is anticipated.

Staff Recommendation: Staff recommends approval of the annexation and initial zoning of R1 as it is consistent with the policies of the Comprehensive Plan.



4. **Suburban**

Snapshot: The Suburban Transect denotes existing or planned residential areas in close proximity to or with easy vehicular access to regional commercial service areas that provide daily household needs. These areas contain various housing types, generally including detached and attached single-unit dwellings, accessory dwelling units, duplexes and triplex and fourplex units at a house scale. Residential development should include a mix of housing types, price points and sizes and should not be exclusively detached single-dwelling units. These areas could also include parks, schools, churches and small commercial nodes adjacent to major roadways. Curvilinear streets and cul-de-sacs are common. Although existing road patterns and lot sizes have created low levels of connectivity and convenience to services, opportunities to increase these features should be identified and planned for.

Local examples: Silverleaf, Mill Run, Fairway Estates, Ivan's Acres, Shamrock Park, Home Ranch, Stonebrook, Brookside and Southpoint Subdivisions

Zoning Ordinance:
11-3-3: PURPOSES OF RESIDENTIAL ZONES
(C) R1 Single Dwelling Residential Zone. This zone provides a residential zone which is representative of a less automobile-oriented, more walkable development pattern, characterized by somewhat smaller lot widths; and a somewhat denser residential environment than is characteristic of the RP Residential Park Zone. The principal uses in the R1 Residential Zone shall be single detached and attached dwelling units. This zone is also generally located near limited commercial services that provide daily household needs.

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	36	*			24
Maximum Density in net units/acre	1	4	6	17	15	35	35	8
*See explanations, exceptions and qualifications in Section 11-3-4A,B,C of this Zoning Code.								

April 5, 2022 7:00 p.m. Planning Department

City Annex Building

MEMBERS PRESENT: Commissioners Brent Dixon, Joanne Denney, Lindsey Romankiw (via Webex) George Morrison (via Webex)

MEMBERS ABSENT: Arnold Cantu, Margaret Wimborne

ALSO PRESENT: Assistant Planning Director Kerry Beutler; planner Caitlin Long and interested citizens.

CALL TO ORDER: Joanne Denney called the meeting to order at 7:15 p.m. (Technical difficulties)

CHANGES TO AGENDA: None.

MINUTES: Dixon moved to accept the Minutes of March 1, 2022, Morrison seconded the motion and it passed unanimously. Denney called for roll call vote: Dixon, yes; Morrison, yes; Romankiw, yes. Motion passed unanimously.

Public Hearing(s):

3. ANNX 22-007: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of R1, Single Dwelling for a portion of the Gustafson Canal.

Denney opened the public hearing.

Applicant: City of Idaho Falls.

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

No one appeared in support or opposition.

Denney closed the public hearing.

Dixon moved to recommend to the Mayor and City Council approval of the Annexation and Initial Zoning of R1 for a portion of the Gustafson Canal, Morrison seconded the motion. Denney called for roll call: Dixon, yes; Morrison, yes; Romankiw, yes. The Motion passed unanimously.

Denney called a recess until 9:00 pm.

Denney called the hearing back to order.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 1.446 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the lands described in Exhibit A of this Ordinance are contiguous and adjacent to the City limits of the City of Idaho Falls, Idaho; and

WHEREAS, such lands described herein are subject to annexation to the City pursuant to the provisions of Idaho Code Section 50-222, and other laws, as amended; and

WHEREAS, the annexation of the lands described in Exhibit A is reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City pursuant to procedures of Idaho Code Section 50-222, as amended; and

WHEREAS, any portion of a highway lying wholly or partially within the lands to be annexed are included in the lands annexed by this Ordinance; and

WHEREAS, the lands annexed by this Ordinance are not connected to the City only by a "shoestring" or a strip of land which comprises a railroad or right-of-way; and

WHEREAS, all private landowners have consented to annexation of such lands, where necessary; and

WHEREAS, City of Idaho Falls Comprehensive Plan includes the area of annexation; and

WHEREAS, after considering the written and oral comments of property owners whose lands would be annexed and other affected persons, City Council specifically makes the following findings:

1) That the lands annexed meet the applicable requirements of Idaho Code Section 50-222 and does not fall within exceptions or conditional exceptions contained in Idaho Code Section 50-222;

2) The annexation is consistent with public purposes addressed in annexation and related plans prepared by the City; and

3) Annexation of the lands described in Section 1 are reasonably necessary for the orderly development of the City; and

WHEREAS, it appears to the Council that the lands described herein below in Exhibit A of this Ordinance should be annexed to and become a part of the City of Idaho Falls, Idaho; and

WHEREAS, the City wishes to exercise jurisdiction over the annexed lands in a way that promotes the orderly development of such lands; and

WHEREAS, the City of Idaho Falls Comprehensive Plan sets out policies and strategies designed to promote and sustain future growth within the City; and

WHEREAS, such designation is consistent with policies and principles contained within the City of Idaho Falls Comprehensive Plan; and

WHEREAS, the City desires the City of Idaho Falls Comprehensive Plan Map to be amended to reflect the designation contained in this Ordinance.

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

SECTION 1. Annexation of Property. The lands described in Exhibit A are hereby annexed to the City of Idaho Falls, Idaho.

SECTION 2. Amended Map and Legal Description. The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

SECTION 3. Findings. The findings contained in the recitals of this Ordinance be, and the same are hereby adopted as the official City Council findings for this Ordinance, and any further findings relative to this Ordinance shall be contained in the officially adopted Council minutes of the meeting in which this Ordinance was passed.

SECTION 4. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 5. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this_____day of _____, 2022.

_____
Rebecca L. Noah Casper, Mayor

ATTEST:

_____
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
: ss.
County of Bonneville)

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

That the above and foregoing is a full, true, and correct copy of the Ordinance entitled: "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 1.446 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

_____
Kathy Hampton, City Clerk

(SEAL)

Exhibit “A”

Annex Tract

DESCRIPTION PURSUANT TO WARRANTY DEED, BOOK 15 OF DEEDS, PAGE 150, AS RECORDED WITH THE OFFICE OF THE RECORDER FOR BONNEVILLE COUNTY AS INSTRUMENT NO. 29641, MORE PARTICULARY DESCRIBED AS FOLLOWS:

THE EAST TWENTY FOUR STRIP OF LAND OF THE W1/2 OF NE ¼ SEC 12 OF TWP. I N. RANGE 37 E. B.M. AND CONTAINING 1.446 ACRES, MORE OR LESS

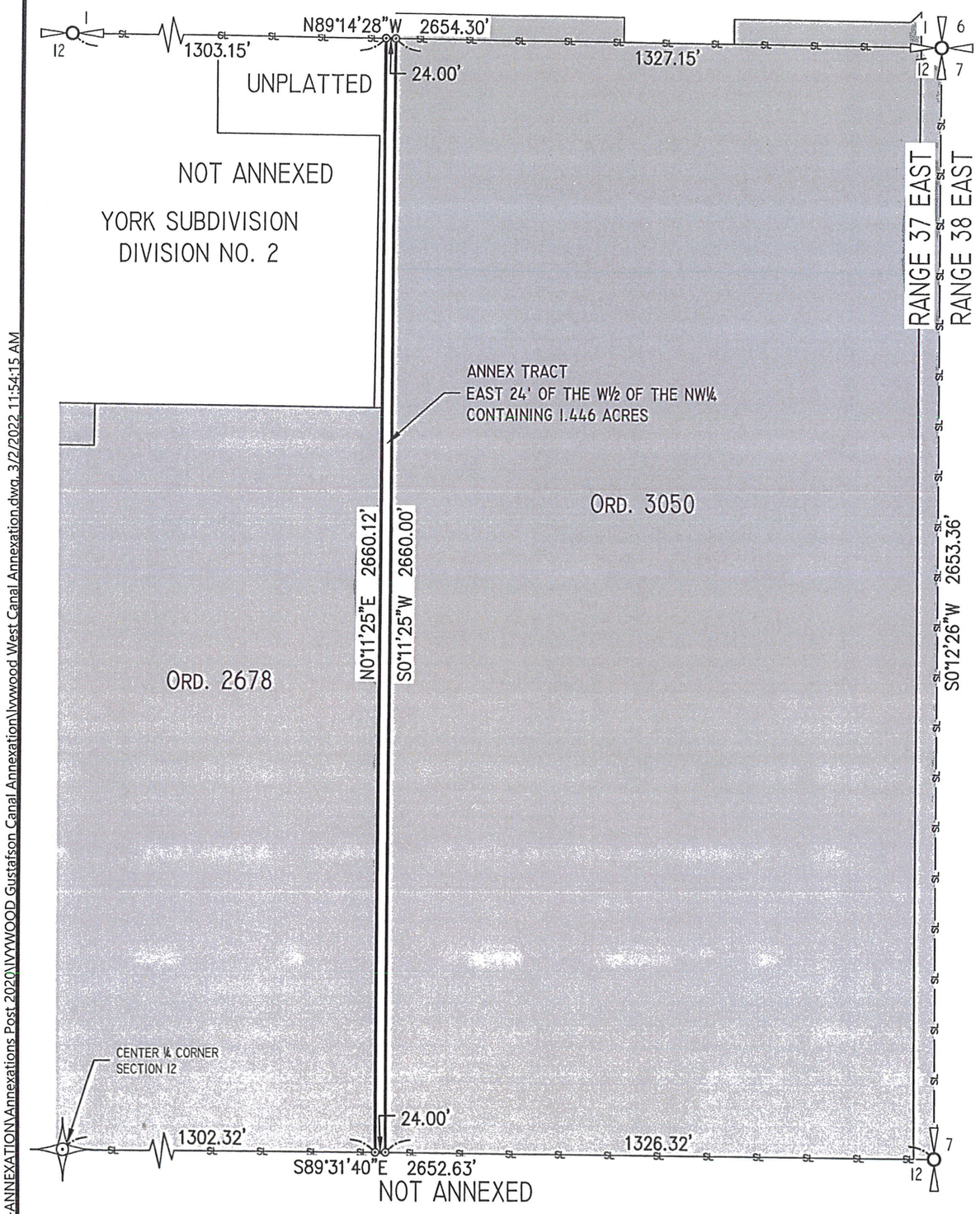
EXHIBIT "B", ANNEX TRACT

ANNEXATION ORDINANCE No._____

CITY OF IDAHO FALLS

BONNEVILLE COUNTY

EAST 24' OF THE W ½ OF THE NE ¼ OF
SEC. 12, T. 1 N., R. 37 E., B.M.





SCALE

240 120 0 300

300 180 60 150

1 INCH = 300 FT.

ANNEX TRACT

DESCRIPTION PURSUANT TO WARRANTY DEED, BOOK 15 OF DEEDS, PAGE 150, AS RECORDED WITH THE OFFICE OF THE RECORDER FOR BONNEVILLE COUNTY AS INSTRUMENT NO. 29641, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST TWENTY FOUR FOOT STRIP OF LAND OF THE W½ OF NE ¼ SEC 12 OF TWP. 1 N. RANGE 37 E. B. M. AND CONTAINING 1.446 ACRES, MORE OR LESS.

RECORDED WITH THE OFFICE OF THE RECORDER FOR BONNEVILLE COUNTY AS INSTRUMENT NO. _____



IDAHO FALLS PUBLIC WORKS

ANNEXATION OF GUSTAFSON LATERAL IN A PORTION OF THE W½ ,NE¼ OF SECTION 12 T. 1 N., R. 37 E., B.M. BONNEVILLE COUNTY, IDAHO

DWG: Ivywood West Canal Annexation.dwg

SCALE:	PROG. NO.	PLOT DATE:	SHEET NO.
1" = 300'	199-2	2022-03-02	1 OF 1

E:\3-ANNEXATION\Annexations Post 2020\IVYWOOD Gustafson Canal Annexation\Ivywood West Canal Annexation.dwg, 3/2/2022 11:54:15 AM

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

ANNEXATION OF APPROXIMATELY 1.446 ACRES IN THE EAST 24 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 37 EAST, GENERALLY LOCATED NORTH OF W 81ST S, EAST OF S 15TH W, SOUTH OF W 65TH S, WEST OF BROYHILL AVE

WHEREAS, the applicant filed an application for annexation on March 3, 2022; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on April 5, 2022; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public hearing on April 28, 2022; and

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

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to City of Idaho Falls Comprehensive Plan, City of Idaho Falls Zoning Ordinance, City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 1.446 acres generally located north of W 81st S, east of S 15th W, south of W 65th S, west of Broyhill Ave.
3. This property is within the City's area of impact. It is contiguous on the west, south, and east side.
4. The application is a Category "A" annexation.
5. The Comprehensive Plan designates this area as Suburban.
6. Idaho Falls Planning and Zoning Commission recommended approval of annexation.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the annexation as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2022

_____

Rebecca L. Noah Casper - Mayor

Memorandum

File #: 21-483 **City Council Meeting**

FROM: Kerry Beutler, Assistant Planning Director
DATE: Tuesday, April 19, 2022
DEPARTMENT: Community Development Services

Subject
Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of R1, Single Dwelling Residential, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East.

Council Action Desired

☒ Ordinance ☐ Resolution ☒ Public Hearing
☐ Other Action (Approval, Authorization, Ratification, etc.)
1. Assign a Comprehensive Plan Designation of "Suburban" and approve the Ordinance establishing the initial zoning for R1, Single Dwelling Residential as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R1, Single Dwelling Residential and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Description, Background Information & Purpose

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of R1, Single Dwelling Residential which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 1.446 acres of East 24 feet of the West ½ of the Northeast ¼ of Section 12, Township 1 North, Range 37 East. The Planning and Zoning Commission considered this item at its April 5, 2022, meeting and recommended approval of R1 by a unanimous vote. Staff concurs with this recommendation.

Alignment with City & Department Planning Objectives



☐ ☒ ☒ ☐ ☒ ☐ ☐ ☐

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

Interdepartmental Coordination

The initial zoning legal description has been reviewed by the Survey Division.

Fiscal Impact

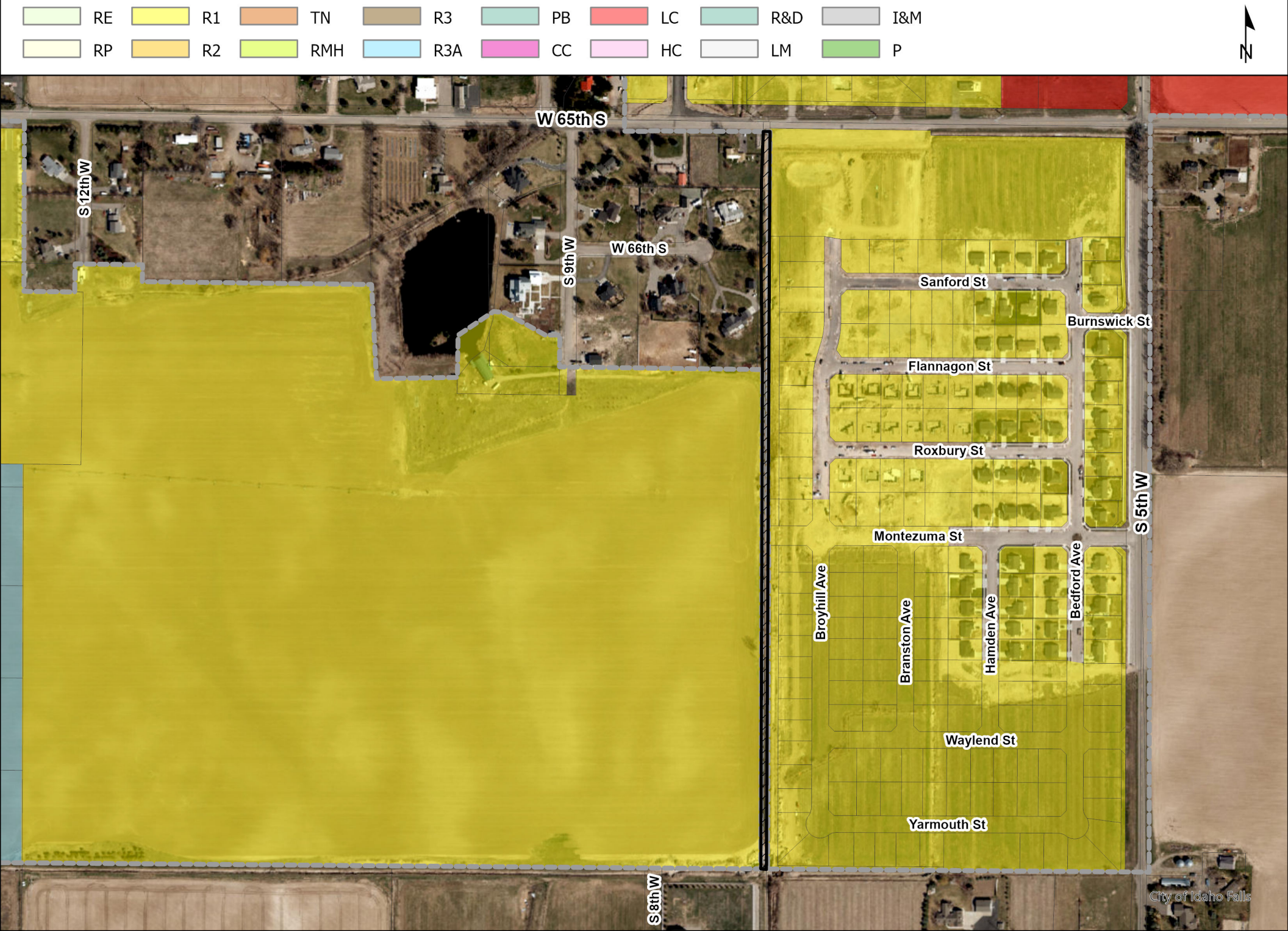
NA

Legal Review

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

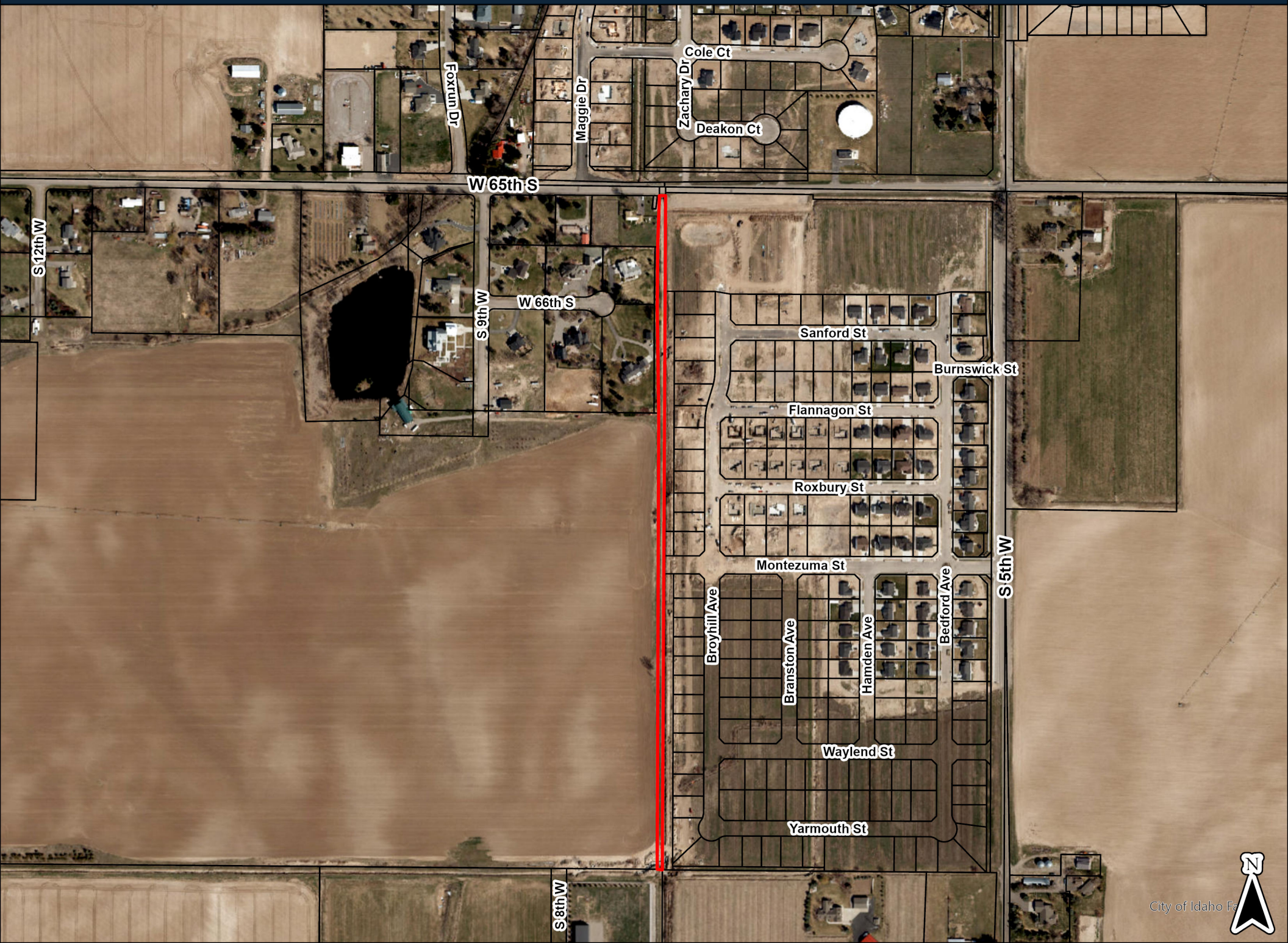
Zoning

ANNX22-007: Initial Zone R1



Aerial

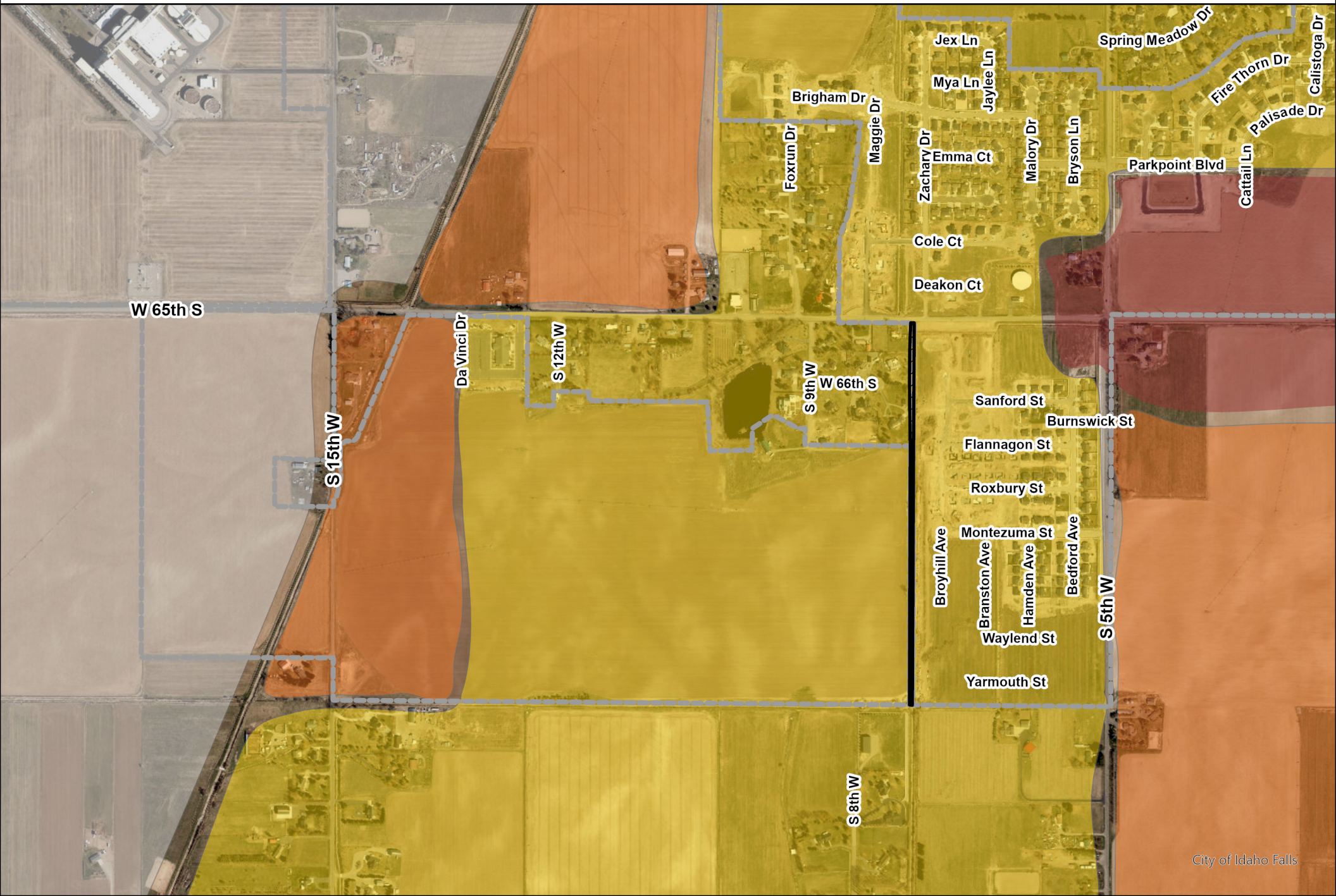
ANNX22-007: Initial Zone R1



Comprehensive Plan

ANNX22-007: Initial Zone R1

General Urban
Industrial
Mixed Use Centers and Corridors
Natural and Open Space
Special Use
Suburban
Urban Core



ORDINANCE NO._____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 1.446 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS R1, SINGLE DWELLING RESIDENTIAL ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed initial zoning district of lands described in Exhibit A is R1, Single Dwelling Residential Zone for such annexed lands is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation "Suburban"; and

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

WHEREAS, for consistency with the Comprehensive Plan, the Council desires to designate the lands within the area of annexation as "Suburban"; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on April 5, 2022, and recommended approval of zoning the subject property to R1, Single Dwelling Residential Zone and

WHEREAS, the Council conducted a duly noticed public hearing and passed a motion to approve this zoning on April 28, 2022.

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

SECTION 1: Comprehensive Plan Designation. The area described in Exhibit A are hereby given a Comprehensive Plan designation of Suburban and

SECTION 2: Legal Description. The lands described in Exhibit A are hereby zoned as R1, Single Dwelling Residential Zone.

SECTION 3. Zoning. The property described in Section 1 of this Ordinance be and the same hereby is zoned "R1, Single Dwelling Residential Zone" and the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

SECTION 4. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 5. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this_____day of_____, 2022.

CITY OF IDAHO FALLS, IDAHO

_____
Rebecca L. Noah Casper, Mayor

ATTEST:

_____
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

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

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 1.446 ACRES DESCRIBED IN SECTION 1 OF THIS ORDINANCE AS R1, SINGLE DWELLING RESIDENTIAL ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

_____
Kathy Hampton, City Clerk

Exhibit “A”

Annex Tract

DESCRIPTION PURSUANT TO WARRANTY DEED, BOOK 15 OF DEEDS, PAGE 150, AS RECORDED WITH THE OFFICE OF THE RECORDER FOR BONNEVILLE COUNTY AS INSTRUMENT NO. 29641, MORE PARTICULARY DESCRIBED AS FOLLOWS:

THE EAST TWENTY FOUR STRIP OF LAND OF THE W1/2 OF NE ¼ SEC 12 OF TWP. I N. RANGE 37 E. B.M. AND CONTAINING 1.446 ACRES, MORE OR LESS

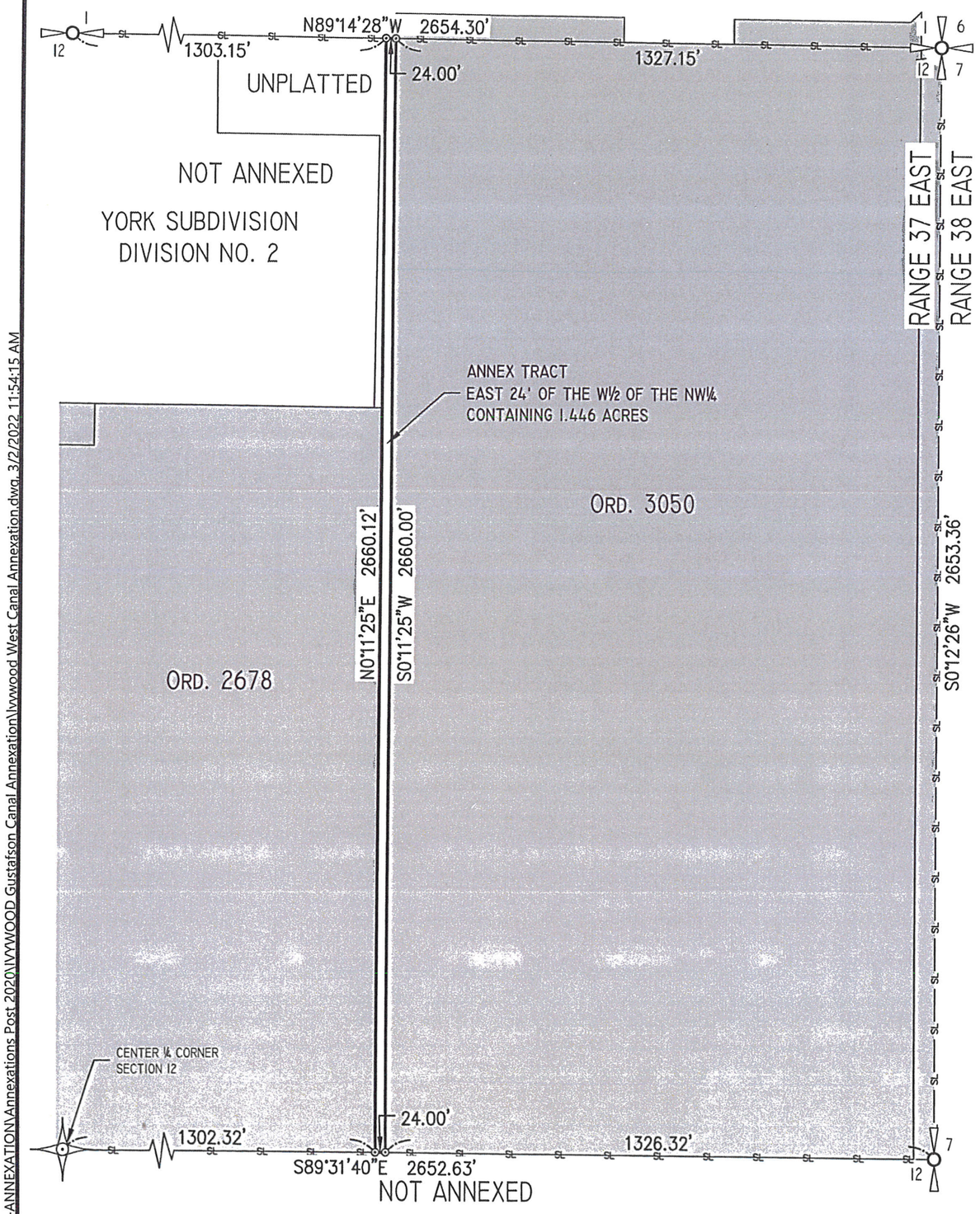
EXHIBIT "B", ANNEX TRACT

ANNEXATION ORDINANCE No._____

CITY OF IDAHO FALLS

BONNEVILLE COUNTY

EAST 24' OF THE W ½ OF THE NE ¼ OF
SEC. 12, T. 1 N., R. 37 E., B.M.





SCALE

240 120 0 300

300 180 60 150

1 INCH = 300 FT.

ANNEX TRACT

DESCRIPTION PURSUANT TO WARRANTY DEED, BOOK 15 OF DEEDS, PAGE 150, AS RECORDED WITH THE OFFICE OF THE RECORDER FOR BONNEVILLE COUNTY AS INSTRUMENT NO. 29641, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST TWENTY FOUR FOOT STRIP OF LAND OF THE W½ OF NE ¼ SEC 12 OF TWP. 1 N. RANGE 37 E. B. M. AND CONTAINING 1.446 ACRES, MORE OR LESS.

RECORDED WITH THE OFFICE OF THE RECORDER FOR BONNEVILLE COUNTY AS INSTRUMENT NO. _____



IDAHO FALLS PUBLIC WORKS

ANNEXATION OF GUSTAFSON LATERAL IN A PORTION OF THE W½ ,NE¼ OF SECTION 12 T. 1 N., R. 37 E., B.M. BONNEVILLE COUNTY, IDAHO

DWG: Ivywood West Canal Annexation.dwg

SCALE:	PROG. NO.	PLOT DATE:	SHEET NO.
1" = 300'	199-2	2022-03-02	1 OF 1

E:\3-ANNEXATION\Annexations Post 2020\IVYWOOD Gustafson Canal Annexation\Ivywood West Canal Annexation.dwg, 3/2/2022 11:54:15 AM

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

INITIAL ZONING OF R1, SINGLE DWELLING RESIDENTIAL ZONE OF APPROXIMATELY 1.446 ACRES IN THE EAST 24 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 37 EAST, GENERALLY LOCATED NORTH OF W 81ST S, EAST OF S 15TH W, SOUTH OF W 65TH S, WEST OF BROYHILL AVE

WHEREAS, the applicant filed an application for annexation on March 3, 2022; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on April 5, 2022; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public hearing on April 28, 2022; and

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

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to City of Idaho Falls Comprehensive Plan, City of Idaho Falls Zoning Ordinance, City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 1.446 acres generally located north of W 81st S, east of S 15th W, south of W 65th S, west of Broyhill Ave.
3. The Comprehensive Plan designates this area as Suburban.
4. The proposed zoning is R1, Single Dwelling Residential Zone is consistent with the Comprehensive Plan map and policies and existing zoning in the area.
5. Idaho Falls Planning and Zoning Commission recommended approval of zoning the subject property to R1, Single Dwelling Residential Zone.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the initial zoning as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2022

_____

Rebecca L. Noah Casper - Mayor

Memorandum

File #: 21-480 **City Council Meeting**

FROM: Kerry Beutler, Assistant Planning Director
DATE: Tuesday, April 19, 2022
DEPARTMENT: Community Development Services

Subject
Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.979 acres of Section 31, Township 2 North, Range 38 East.

Council Action Desired

☒ Ordinance ☐ Resolution ☒ Public Hearing
☐ Other Action (Approval, Authorization, Ratification, etc.)
1. Approve the Ordinance annexing 10.979 acres of Section 31, Township 2 North, Range 38 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 10.979 acres of Section 31, Township 2 North, Range 38 East and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Description, Background Information & Purpose

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of R2, Mixed Residential which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.979 acres of Section 31, Township 2 North, Range 38 East. The Planning and Zoning Commission considered this item at its April 5, 2022, meeting and voted to recommended approval of the annexation with an initial zoning of R1, Single Dwelling Residential with a vote of 2 to 1. The applicant maintains the request for R-2, which staff still also recommends.

Alignment with City & Department Planning Objectives



☐ ☒ ☒ ☐ ☒ ☐ ☐ ☐

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

Interdepartmental Coordination

The annexation legal description has been reviewed by the Survey Division.

Fiscal Impact

NA

Legal Review

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

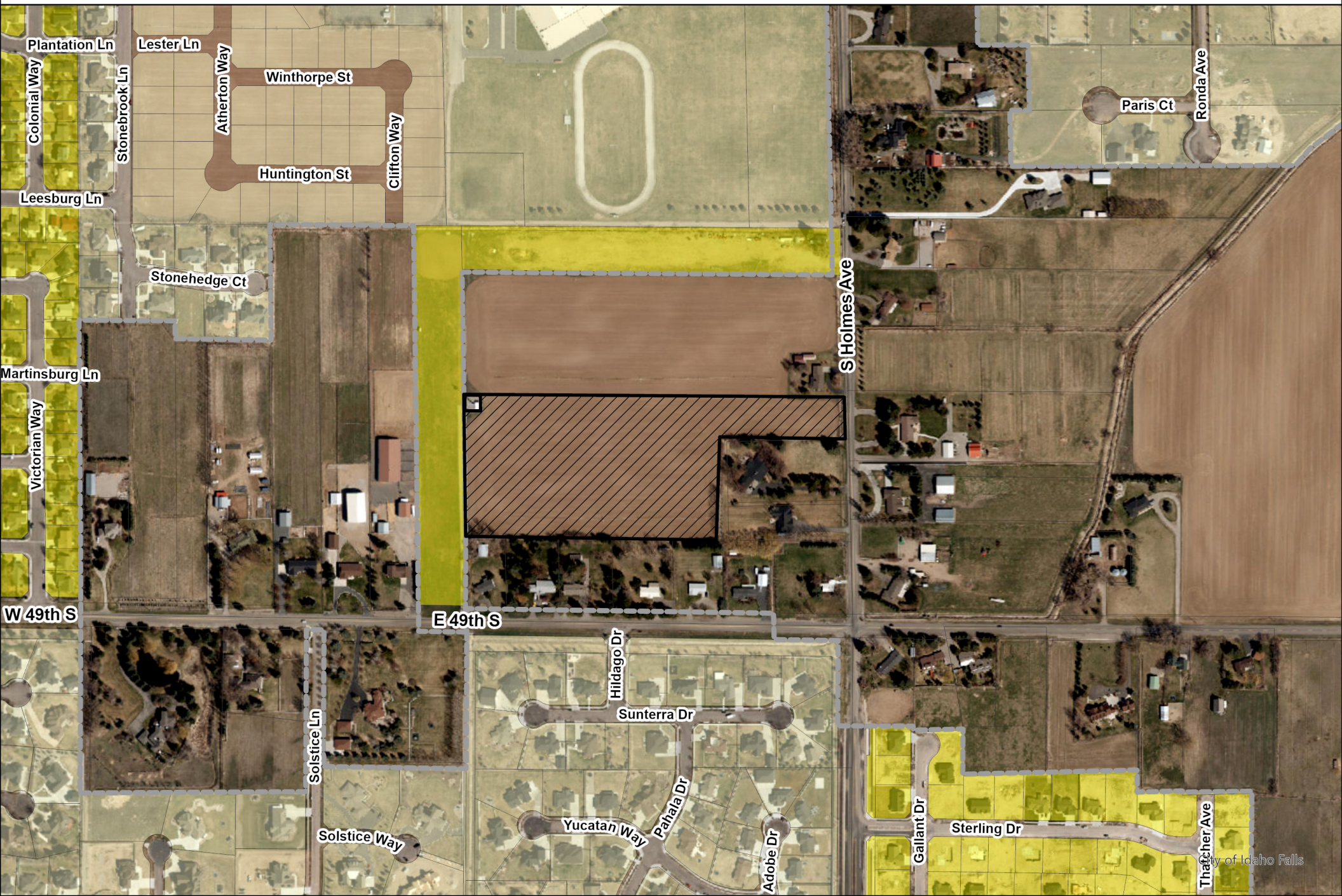
Zoning

ANNX22-002 - Initial Zoning: R2

RE R1 TN R3 PB LC R&D I&M

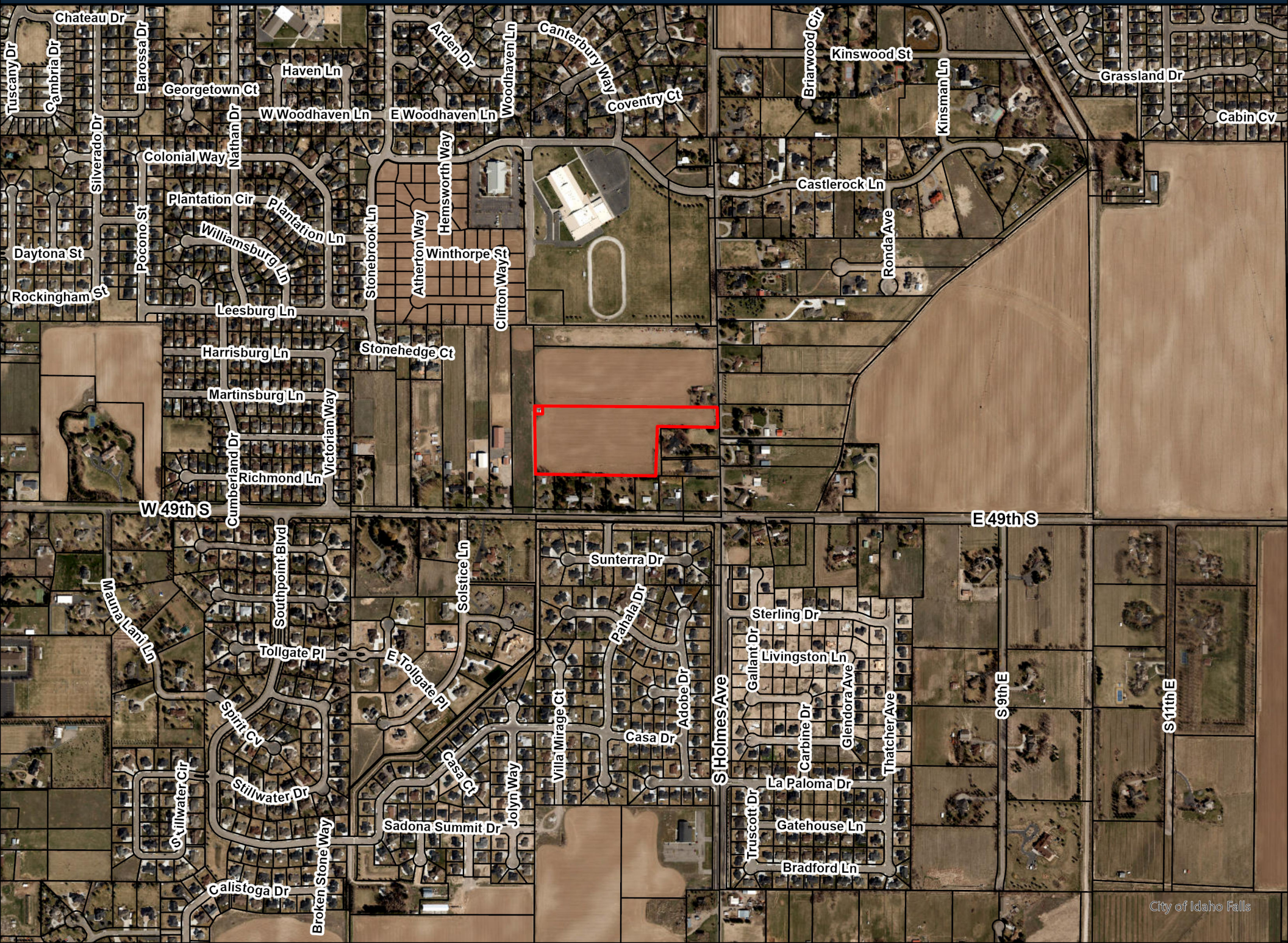
RP R2 RMH R3A CC HC LM P

N



Aerial

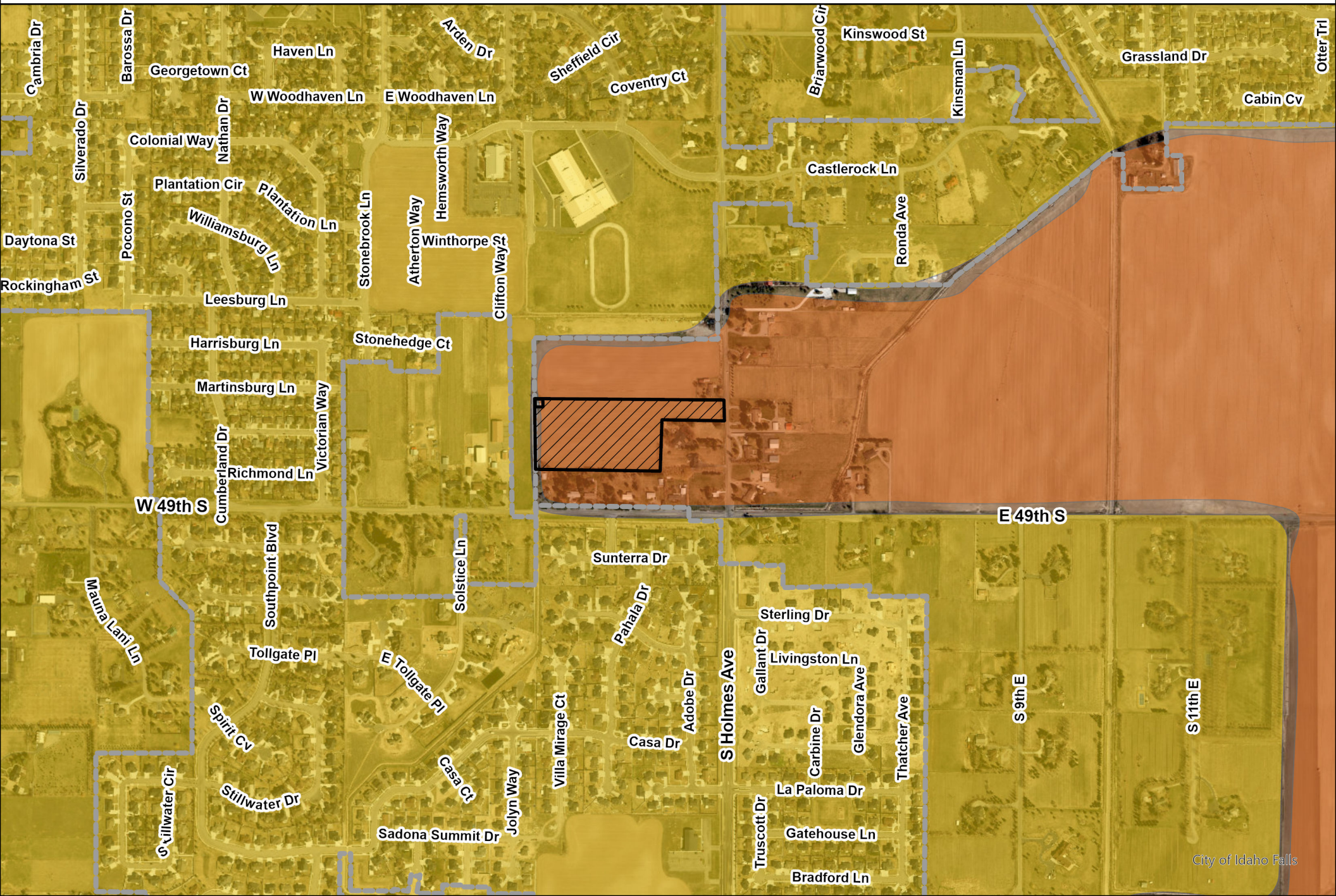
ANNX22-002 - Initial Zoning: R2



Comprehensive Plan

ANNX22-02 - Initial Zoning: R2

General Urban
Industrial
Mixed Use Centers and Corridors
Natural and Open Space
Special Use
Suburban
Urban Core



STAFF REPORT
Annexation and Initial Zoning of R2
SE ¼ of Section 31, T 2 N, R 37 E (Approx. 10.9 acres)
April 28, 2022

IDAHO FALLS
Community Development Services

Applicant: Brad Brown

Project Manager: Kerry Beutler

Location: Generally located north of E 49th S, east of S 5th W, south of Castlerock Ln, west of S Holmes Ave

Size: 10.9 acres

Zoning:
Existing: County A-1
North: County A-1
South: County RA-2
East: County A-1
West: City R1

Proposed Zoning: R2

Existing Land Uses:
Site: Ag
North: Ag
South: Residential
East: Residential
West: Residential

Future Land Use Map:
General Urban

Attachments:
1. Comprehensive Plan Policies
2. Zoning Information
3. Maps and Aerial Photos

Requested Action: To **recommend** approval of annexation and initial zoning of R2, Mixed Residential, to the Mayor and City Council.

Staff Recommendation: Staff recommends approval of the annexation and initial zoning of R2 as it is consistent with the policies of the Comprehensive Plan.

Annexation: This is a category "A" Annexation as it is requested by the property owner. The property is within the Area of Impact and contiguous to the city limit on the west side. Annexation of the property is consistent with the City's Comprehensive Plan. City utilities are present in the immediate area to provide services to this property.

Initial Zoning: The proposed zoning is R2, Mixed Residential. This zone is a characterized by more compact residential development. This property is currently zoned A-1 in the County, which is a primary Agriculture zone, but is surrounded by Residential on all sides.

Staff Comments: The proposed zone is R2, Mixed Residential. This zone provides a residential zone characterized by smaller lots and dwellings, more compact and denser residential development; and higher volumes of vehicular and pedestrian traffic than are characteristic of the RP and R1 Zones which surround this area. The minimum lot size in the R2 Zone is 6,000 sq ft. In an R1 Zone the minimum lot size is 7,000 sq ft and in an RP Zone it is 12,000 sq ft.

This parcel is within close proximity to the intersection of two arterial streets, E 49th S and S Holmes Ave. Arterial streets are intended to carry high volumes of traffic and connect with areas that provide daily services. At build out S Holmes will include a 100-foot right-of-way with a center turn lane, as has been developed south of E 49th S. Pedestrian traffic is also increased in this area of town due to the proximity to Taylorview Junior High. These characteristics are consistent with the R2 Zone.

The ImagineIF Comprehensive Plan identifies this area as being within the General Urban transect. This transect denotes residential areas with a mix of commercial and service areas convenient to residents. Existing service areas are further away at 17th Street and Holmes or along S 25th E (Hitt Road). The Comprehensive Plan calls out two future mixed used centers at 49th and 15th E and S. Holmes and 65th S.

Continued Next Page

Portions of these areas, already within the city, have zoning in place that would allow for future commercial areas that would provide convenient access to daily services. This area also includes existing unannexed residential development on large lots within Bonneville County. These areas are included in the General Urban Transect because of their proximity to major roadways and the potential for the properties to develop or redevelop.

This annexation also neighbors the Suburban transect which denotes existing or planned residential areas in close proximity to or with easy vehicular access to regional commercial service areas that provide daily household needs. These areas contain various housing types, generally including detached and attached single-unit dwellings, accessory dwelling units, duplexes, and triplex and fourplex units at a house scale. The General Urban and Suburban transects both align with the R2 Zoning proposed.

The surrounding zones for this property are R1 and RP and county property largely zoned A-1 or A-2. This area is all within the Area of City Impact and should be anticipated that they might be within the city one day. The housing types (existing and proposed) in this area are varied, including twin homes, smaller and typical lot size single unit homes and larger estate residential as well as large county lots.

The R2 Zone has a maximum building height of 36 feet or three stories. If multi-units (4-plex) were developed on the property an additional two feet of setback is required for each additional foot of height above 24 feet or two stories. This provides an additional protection to existing single dwelling units to the south and east of the property.

The Suburban and General Urban Transects support a mix of housing types in this area. The R2 Zone allows for the development of those housing types whereas the R1 Zone is restricted to single dwelling units or twin homes. The Comprehensive Plan supports decreasing the amount of land consumption, reducing minimum lot sizes, and providing for a mix of housing types in areas of high walkability. More compact development better utilizes existing infrastructure.

This parcel is part of the Area 5 neighborhood identified in the Comprehensive Plan. The plan describes Area 5 as being largely homogeneous in terms of housing types with suburban neighborhoods of single-family detached housing. Area 5 residents noted the need for more diversified housing and indicated they would like to have more walkable neighborhoods to actual destinations but struggled to see where that might fit within their neighborhood. The General Urban Transect identifies areas where these changes in land use are appropriate. The plan describes the need for every neighborhood to experience change, but not radical change. The introduction of an R2 Zone in this area would represent the incremental change.

Comprehensive Plan Policies:

Challenges to Growth (p.56-58):
The cost of maintaining infrastructure, limited natural resources and overall capacity to provide all City services and utilities are immediate issues facing the Idaho Falls area. These all have related land use implications and various growth patterns have consequences. A city's growth policies can lead to sprawling boundaries with more maintenance and service needs than funds available to meet them, overcrowded areas with too little open space, or some balance between the two.

The consumption of land does not in itself speak at all to the resource commitment in streets, utilities, parks and open space, water, sewer, power, and emergency services needed to maintain and service it. The Imagine IF policies recommended in this plan attempt to reverse this trend, especially in light of higher-than average population growth rates for the area. Even prior to the Imagine IF initiative, the City made strides to focus on "infill development" (i.e., utilizing undeveloped lands within the City rather than

expanding the city's Boundaries). These efforts are working. From 2010 to 2020, the population grew by 14% while the City's boundaries grew by only 15%, compared to 30% in the previous decade.

Idaho Falls must understand the long-term consequences of its land use decisions. It cannot continue to have policies which are overly favorable to large-lot subdivisions requiring new roads and increased city boundaries instead of more compact development that better utilizes existing infrastructure. Being intentional about growth decisions and cognizant of the financial impacts is a protection against high tax growth and the City's capacity to efficiently and effectively serve its citizens.

Managing Change (p. 58-59):
Although the City needs to rethink how it grows and develops, it must also be cognizant of how change can cause concerns in existing neighborhoods. That is not to say that neighborhoods should never expect to experience changes. Strong Towns, a non-profit planning organization, describes the balance in these terms:
1. No neighborhood can be exempt from change.
2. No neighborhood should experience sudden, radical change.

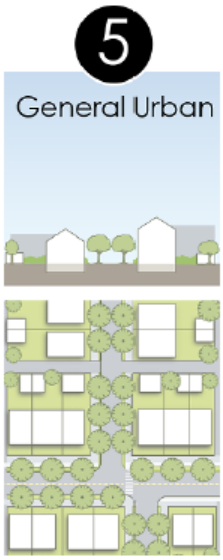
The policies and actions in this plan are intended to strike this balance. In each area and throughout the city, residents also participated in the planning process they recognized the need for improvements and saw the challenges the City is facing. Each neighborhood has its own challenges and opportunities to be part of the solutions.
Degrees of change:
1. Maintain: Smaller, more incremental changes, mostly reinforcing the exiting scale of an area.
2. Evolve: Opportunities for small-to medium-sized public and private investments or projects. Minor changes in scale. Opportunity sites should be targeted.
3. Transform: Opportunities for larger scale changes, such as a significant increase in scale and possible mix of uses. The changes are more likely to be widespread and not on focused sites.

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

Urban Transects (p.60-61):
Visualizing and Planning for Land Uses and Service Levels Idaho Falls provides a wide variety of services and infrastructure for its residents, property owners and business community. Services such as water, sewer, power, fiber optics, streets, pathways, parks and recreation centers, police, fire, trash removal, library and transit are all examples of amenities provided and funded through the City government. Because land uses, activity levels and service demands vary across the City, not every part of the City has the same access to the same services. To be fiscally responsible, cities allocate such infrastructure according to how fully it is needed and how likely to be used, based on present and potential future land uses. By examining an area's current or anticipated use, it is possible to classify the area's level of need for services. Transect designations are applied to the land use map in broad generalized areas and attempting to capture existing patterns and reflect anticipated development patterns.

It is important to understand what the (Comprehensive Plan Land Use) map is and what it is not. The map is general in nature. It is aspirational and not an exact reflection of what will happen in the future. It is also broad and will not fit every situation that may arise as development occurs. When citizens, developers, planners, elected officials and others are looking to answer, "what is expected to happen

here?" the map is an aid, not a blueprint. The map in this plan is also not the same as a zoning map. It does not establish development rights. It does not follow property lines. The map guides zoning and development decisions but does not control them.



5. **General Urban**

Snapshot: The General Urban Transect denotes residential areas with a mix of commercial and service uses convenient to residents. These areas contain a wide variety of housing types, generally including small single-units, duplexes, triplexes, fourplexes, courtyard apartments, bungalow courts, townhouses, multiplexes and live-work units. Lot sizes are smaller and more compact than suburban areas. These areas could also include, parks, schools, churches and commercial services. These areas have highly connective street patterns, similar to the traditional grid-pattern that encourages bicycle and pedestrian usage. These areas should be near an existing or part of a new walkable center.

Local examples: Bonnavista Addition, Johns Height Subdivision, Jennie Lee Addition, Bell-Aire, Linden Park, Linden Trails, Falls Valley



4. **Suburban**

Snapshot: The Suburban Transect denotes existing or planned residential areas in close proximity to or with easy vehicular access to regional commercial service areas that provide daily household needs. These areas contain various housing types, generally including detached and attached single-unit dwellings, accessory dwelling units, duplexes and triplex and fourplex units at a house scale. Residential development should include a mix of housing types, price points and sizes and should not be exclusively detached single-dwelling units. These areas could also include parks, schools, churches and small commercial nodes adjacent to major roadways. Curvilinear streets and cul-de-sacs are common. Although existing road patterns and lot sizes have created low levels of connectivity and convenience to services, opportunities to increase these features should be identified and planned for.

Local examples: Silverleaf, Mill Run, Fairway Estates, Ivan's Acres, Shamrock Park, Home Ranch, Stonebrook, Brookside and Southpoint Subdivisions

City-Wide Community Health (p.77-78):
As the City experiences growth, the health of a community becomes an ever increasing concern. Access to affordable housing in safe neighborhoods, making sure transportation needs are met and daily services such as healthy foods and employment are accessible to all populations play a role in community health.

Good planning can help shape the built environment to provide healthier living conditions, filling in gaps that market conditions don't solve on their own.

Many residents emphasized community health themes in our public outreach efforts, citing the need for improved bike and pedestrian paths, more green spaces, neighborhood trees and better lighting, as well as

increasing connectivity within the City to address access to daily services as ways to increase physical activity and better health. Residents also talked about the need to ensure neighborhoods are safe and housing is livable. They expressed concern that the rapid rise of housing cost and the difficulty to secure housing has become a barrier to achieving these goals due to high rates of cost burdened residents with limited funds to maintain properties. Residents also worried that with rapid growth the City's infrastructure (i.e., roads, sidewalks, pathways) with demands would not keep up.

City-Wide Housing (p.85-87): Having affordable housing is a desire of residents in Idaho Falls and being able to supply housing to our growing City is a critically important aspect to focus on.

Many housing challenges face Idaho Falls residents. From younger generations and low to moderate income families who have many barriers entering the housing market with the rapid increase of housing costs and slow growth in wages to the older generations who continue to retire and downsize, but with a lack of housing alternatives such as senior living or smaller units. Worry about housing costs rising faster than incomes and certain populations in the City being unable to secure affordable housing is a concern acknowledged by the City, with the understanding that more focus needs to be on making smart planning decisions to better support housing options.

In the past, the pattern has been to spread out as a city grows. While this is a normal growth pattern for many communities, it is also costly in terms of providing services to an ever-expanding geography and it consumes valuable land, which is a non-renewable resource.

Such urban sprawl inherently reduces the natural resources and amenities surrounding the City; resources and amenities which are valued by our citizens and the reason many people are drawn to move to our region. These growth patterns must shift inward to create housing choices that interact with the established environment, creating nodes of development that harmonize housing and the services that surround it.

To address this issue, many of the action policies of Imagine IF promote housing patterns that bring diversity and fills the middle ground. Missing Middle Housing units such as triplexes, duplexes, bungalow courts and courtyard apartments brings housing that can fulfill the needs of different populations and they can help create more pockets of mixed residential and commercial development, which lessens the community's dependency on cars and instead fosters more walkable and rideable centers for people to live, work and have more direct and easy access to daily services. Many residents, when asked about housing, recognized the need for housing that was more aligned with bringing in diversified housing types to support growth.

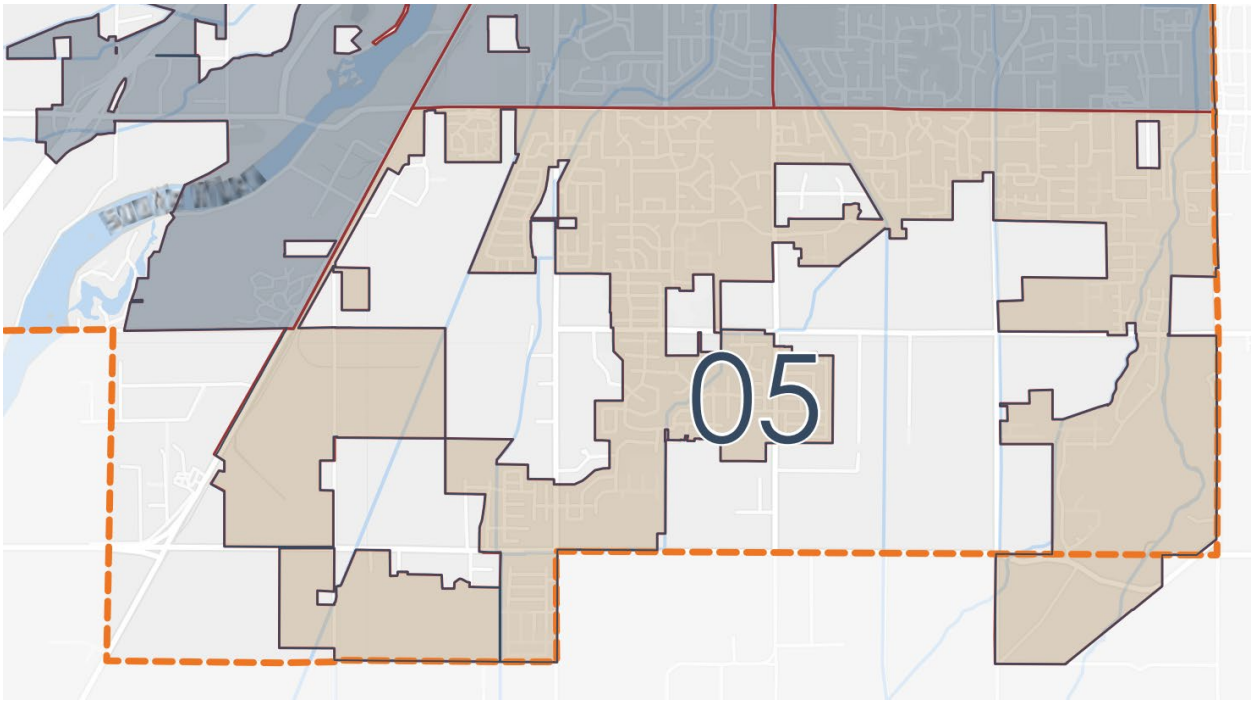
Although the City's goal is to increase and diversify the housing stock, there are places where residential is not an appropriate land use, even if the plan map may indicate that it could be. When considering requests for zones which allow housing, the City will consider issues recommended by the Department of Housing and Urban Development. These include a close examination of the site and surrounding land uses to identify environmental issues and other land uses which may be incompatible with residential uses.

Table 4.2 City Wide Housing (pg. 89):
Issue: Affordability and Availability
Objective: Focus on Infill
Action 3: For infill and redevelopment, require connection or appropriate integration with existing development such as pathways or roads.

Issue: Neighborhood Character

Objective: Focus on Form

Action 2: Incentivize development patterns that encourage neighborhood connectivity and interactions.



Imagining Area 5 (pg. 185):

Because this area of the City is surrounded by pockets of undeveloped land, residents currently experience the rural feel of the outskirts of the City, an aspect that is appealing to many. However, as these tracts of land develop, that will change over time. The residential nature of the area lends to quiet areas, but residents also noted the lack of easy access to daily goods and services.

Area 5 is the newest area of the City, with approximately 50% of housing built after 1990. It is also largely homogeneous in terms of housing types with suburban neighborhoods of single-family detached housing accounting for 80% of all housing types.

As the City continues to experience growth, the south side of the City is projected to see more housing, commercial and transportation corridors. Many residents noted in area meetings the need for diverse housing but struggled to envision where that type of housing would be most appropriate. Residents also noted the need for more commercial and recreation services. While Area 5 residents are not as interested in walkable centers as other parts of the City, they would like more walkable neighborhoods to an actual destination. Area 5 as it stands today is a primarily suburban area of the City, but with growth in the future, could see that landscape change to have housing and commercial needs met but that still fit in with the scale of the area.

Community Health (pg. 188):

Area 5 falls within Tier 4 of the Heathy Community Assessment. Tier 4 is the highest rank for positive and healthy conditions. In an area meeting, many residents felt their neighborhood was healthy, but in the same meeting 80% of respondents stated that their neighborhoods were not an affordable place to live. This is important to note because housing affects a wide range of health issues.

Housing (pg. 192):
A neighborhood meeting conducted for this area revealed the residents in Area 5 prefer new homes in a new subdivision with large yards, distance between neighbors, nice landscaping and aesthetics and good schools when selecting a home. There are agricultural tracts of land scattered throughout the area, most of which are outside of City limits. In an area meeting, residents mostly felt positive about housing in the area, though most also noted they felt housing was not affordable in the area. There were significant concerns regarding increasing property taxes, overcrowded schools, housing affordability, lack of diverse housing types and Fire Department coverage. When asked about the ability to incorporate different types of housing, residents in this area were split in responses. Many voiced that different types of housing were not something they felt would fit into the neighborhood and others wanted to see more diverse housing options in the area.

For housing types, residents in the area meeting showed support of some types of housing diversity such as townhomes, twin homes and accessory dwelling units. Residents struggled to see other types of housing examples, including apartments or bungalow courts, in their area. As the area grows and looks to the future, housing types will change but the goal for this area is to incorporate diverse housing that fits the scale of these neighborhoods.

Transportation and Connectivity (pg. 196):
This area is not near daily services, so residents must drive to meet daily needs. Area roads are also a mix of City and County roads. This change in jurisdiction has created a patchwork road network from wider City streets with sidewalks to narrow rural street sections with no pedestrian facilities. This highlights the connectivity issues the residents identified in the area.

Another way to connect areas with each other is the creation and designation of walkable centers. Walkable centers provide amenities such as shopping, services, food, employment and entertainment. Participants indicated that Area 5 does not have any designated walkable center. Some residents liked the idea of identifying and creating walkable centers but were unsure where they could be located since most of the development only includes residential uses. Helping neighborhoods identify and create walkable centers is a plan goal and allows residents to have access to services and decrease vehicle trips.

Zoning Ordinance:
11-3-3: PURPOSES OF RESIDENTIAL ZONES
(D) R2 Mixed Residential Zone. This zone provides a residential zone characterized by smaller lots and dwellings, more compact and denser residential development; and higher volumes of vehicular and pedestrian traffic than are characteristic of the RE, RP and R1 Zones. The principal uses permitted in the R2 Zone shall be one (1), two (2), three (3), and four (4) dwelling units. This zone is also generally located near limited commercial services that provide daily household needs.

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	36	*			24
Maximum Density in net units/acre	1	4	6	17	15	35	35	8
*See explanations, exceptions and qualifications in Section 11-3-4A,B,C of this Zoning Code.								

April 5, 2022 7:00 p.m. Planning Department

City Annex Building

MEMBERS PRESENT: Commissioners Brent Dixon, Joanne Denney, Lindsey Romankiw (via Webex) George Morrison (via Webex)

MEMBERS ABSENT: Arnold Cantu, Margaret Wimborne

ALSO PRESENT: Assistant Planning Director Kerry Beutler; planner Caitlin Long and interested citizens.

CALL TO ORDER: Joanne Denney called the meeting to order at 7:15 p.m. (Technical difficulties)

CHANGES TO AGENDA: None.

MINUTES: Dixon moved to accept the Minutes of March 1, 2022, Morrison seconded the motion and it passed unanimously. Denney called for roll call vote: Dixon, yes; Morrison, yes; Romankiw, yes. Motion passed unanimously.

Public Hearing(s):

1. ANNX 22-002: ANNEXATION/INITIAL ZONING. Annexation and initial zoning of R2, Mixed Residential:

Denney opened the public hearing.

Applicant: Brad Brown, 719 W 4350 S, Riverdale, Utah. Brown stated that the more he has read into the general plan Imagine IF he believes it was thoughtful and deliberate and took concerns of the neighbors deliberately and has good planning, like preventing unnecessary sprawl, and health concerns like access to affordable housing and safe neighborhoods. Brown stated that those points are strong and with this application they are trying to hold to that. Brown stated that they want to design what people want and have tapering and buffering between large lots to denser lots. Brown feels that this location has large lots and some smaller lots with the twin homes above this property and then this will be R2. R2 fits the general plan, and this is appropriate and good use for the land. Brown stated that they did have some neighborhood concerns about the road access that would lead to Hidalgo Drive. Brown stated that they have an easement, but due to the concerns of the neighbors and good flow through the project, they have been working with Kent Fugal and Lance at the County to get an access point onto Holmes and that would require a traffic impact study that they are currently working on. Brown stated that this will be a good addition to the community.

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

Dixon asked what the average size of the lots in the County along 49th South, south of the parcel. Beutler didn't know the size and estimated over an acre. Dixon asked about the nearby City residential. Beutler stated that there is a mix and the typical lot sizes for the subdivision are 8,000 square feet – 12,000 square feet. Beutler stated that immediately adjacent to this property there is a proposal for smaller lot sizes on twin homes. Dixon stated that some of the area is zoned RP. Beutler agreed that south of 49th South is zoned RP, and farther to the north and west of the school property is RP, with the school zoned RP as well. Dixon asked what the minimum lot

size for RP. Beutler stated that the minimum lot size is 12,000 square feet. Dixon stated that currently in the area is a lot of large lots. Beutler agreed but directed him to Belmont Estates and some of the other existing City subdivisions, they are smaller than 12,000 square foot lot sizes.

No one appeared in support or opposition.

Denney closed the public hearing.

Morrison feels that this is a good fit for this intersection and is in favor of the proposal.

Dixon read from the staff notes under housing that talked about residents in Area 5 prefer new homes and a new subdivision with large yards and distance between neighbors. Dixon continued to read that some wanted to see more diverse housing, but many voiced that different types of housing would not feel that it would fit into the neighborhood. Dixon indicated that when he reads that it sounds like the neighbor want R1, not R2. Dixon asked why they are trying to fit R2 into an area that has larger lots with no R2 nearby, and it feels like spot zoning. Dixon doesn't understand why they would want to change it and put in R2. Dixon stated that R1 has a maximum density per acre of 6, and R2 is 17 units per acre, and that is almost 3x as dense. Dixon stated that there is nothing walkable in this area and he doesn't see the drive for the higher density.

Denney re-opened the public hearing.

Denney asked the applicant why they are asking for R2 when there is so much residential estate properties in the area.

Applicant: Brad Brown. Brown stated that the General Plan talks about the variability of housing and the comments from the neighbors voiced a need for variation. Brown stated that they need to do that correctly, and not with spot zoning. Brown stated that a lot of time and thought went into where and how this area should be designated in the Comprehensive Plan and this zone fits within that designation. Brown feels this is an incremental step in the direction of the Comprehensive Plan. Brown stated that this will be an isolated community that you cannot see from the roads, it won't change the fabric of the area of the neighborhood for those driving past. Brown indicated that this development will provide for the desires of the Comprehensive Plan of having the diversification of housing.

No one appeared in support or opposition.

Denney closed the public hearing.

Dixon moved to recommend to the Mayor and City Council approval of the Annexation of approximately 1 acre of Section 16, T2N, R 38, with initial zoning of R1, Morrison seconded the motion. Denney called for roll call vote: Dixon, yes; Morrison, yes; Romankiw, no. The motion passed 2-1.

Romankiw opposed the motion because she feels that R2 would be a good fit for this area, and it is a good transition zone between R1 and a more urban area.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 10.979 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the lands described in Exhibit A of this Ordinance are contiguous and adjacent to the City limits of the City of Idaho Falls, Idaho; and

WHEREAS, such lands described herein are subject to annexation to the City pursuant to the provisions of Idaho Code Section 50-222, and other laws, as amended; and

WHEREAS, the annexation of the lands described in Exhibit A is reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City pursuant to procedures of Idaho Code Section 50-222, as amended; and

WHEREAS, any portion of a highway lying wholly or partially within the lands to be annexed are included in the lands annexed by this Ordinance; and

WHEREAS, the lands annexed by this Ordinance are not connected to the City only by a "shoestring" or a strip of land which comprises a railroad or right-of-way; and

WHEREAS, all private landowners have consented to annexation of such lands, where necessary; and

WHEREAS, City of Idaho Falls Comprehensive Plan includes the area of annexation; and

WHEREAS, after considering the written and oral comments of property owners whose lands would be annexed and other affected persons, City Council specifically makes the following findings:

1) That the lands annexed meet the applicable requirements of Idaho Code Section 50-222 and does not fall within exceptions or conditional exceptions contained in Idaho Code Section 50-222;

2) The annexation is consistent with public purposes addressed in annexation and related plans prepared by the City; and

3) Annexation of the lands described in Section 1 are reasonably necessary for the orderly development of the City; and

WHEREAS, it appears to the Council that the lands described herein below in Exhibit A of this Ordinance should be annexed to and become a part of the City of Idaho Falls, Idaho; and

WHEREAS, the City wishes to exercise jurisdiction over the annexed lands in a way that promotes the orderly development of such lands; and

WHEREAS, the City of Idaho Falls Comprehensive Plan sets out policies and strategies designed to promote and sustain future growth within the City; and

WHEREAS, such designation is consistent with policies and principles contained within the City of Idaho Falls Comprehensive Plan; and

WHEREAS, the City desires the City of Idaho Falls Comprehensive Plan Map to be amended to reflect the designation contained in this Ordinance.

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

SECTION 1. Annexation of Property. The lands described in Exhibit A are hereby annexed to the City of Idaho Falls, Idaho.

SECTION 2. Amended Map and Legal Description. The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

SECTION 3. Findings. The findings contained in the recitals of this Ordinance be, and the same are hereby adopted as the official City Council findings for this Ordinance, and any further findings relative to this Ordinance shall be contained in the officially adopted Council minutes of the meeting in which this Ordinance was passed.

SECTION 4. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 5. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this_____day of _____, 2022.

_____
Rebecca L. Noah Casper, Mayor

ATTEST:

_____
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
: ss.
County of Bonneville)

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

That the above and foregoing is a full, true and correct copy of the Ordinance entitled: "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 10.979 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

_____
Kathy Hampton, City Clerk

(SEAL)

EXHIBIT A

LEGAL DESCRIPTION

PART OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH RANGE 38 E.B.M. BONNEVILLE COUNTY,
IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE N01°12'08"W 638.48 FEET ALONG THE EAST LINE OF SAID SECTION 31, THENCE N90°00'00"W 45.01 FEET TO THE WESTERLY RIGHT-OF-WAY OF HOLMES AVENUE AND THE POINT OF BEGINNING; THENCE ; THENCE N88°55'03"W 391.02 FEET; THENCE S02°00'40"W 352.16 FEET; THENCE N89°08'23"W 860.68 FEET TO THE EAST BOUNDARY OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NO. 2426; THENCE N00°46'26"W 485.04 FEET ALONG SAID ANNEXATION ORDINANCE NO. 2426; THENCE S89°34'09"E 1267.46FEET TO SAID RIGHT-OF-WAY; THENCE S01°12'08"E 143.86 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING.

PARCEL CONTAINS 11.036 ACRES, MORE OR LESS.

LESS AND EXCEPTING THE FOLLOWING:

A PARCEL OF LAND LYING IN THE SE1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 38 E.B.M., BONNEVILLE COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID SECTION 31, THENCE N01°12'08"W 739.45 FEET; THENCE N90°00'00"W 1260.66 FEET, TO THE POINT OF BEGINNING; THENCE N89°34'15"W 50.00 FEET; THENCE N00°46'31"W 50.00 FEET; THENCE S89°34'15"E 50.00 FEET; THENCE S00°46'34"E 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.057 ACRES, MORE OR LESS.

TOTAL ACREAGE BEING ANNEXED: 10.979 ACRES, MORE OR LESS

Submitted by:

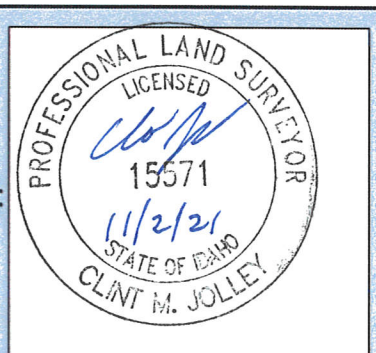
Eng/Survey Firm Name: Harper-Leavitt Engineering Inc.

Contact Name: Clint Jolley

Phone Number: 208.524.0212

Email: if@hleinc.com

PLS Seal:



Page ____ of ____

ORIGINAL

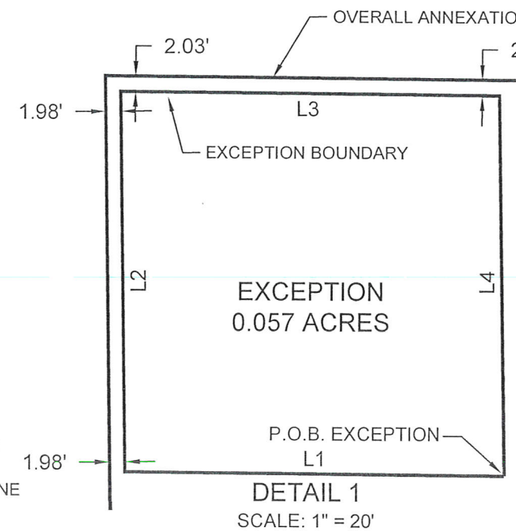
ANNEX ORDINANCE
_____

CITY OF IDAHO FALLS
BONNEVILLE COUNTY
PART OF SE 1/4 OF SECTION 31, T. 2 N., R. 38 E.B.M.

ORDINANCE RECORDED WITH THE BONNEVILLE COUNTY RECORDERS OFFICE AS INSTRUMENT NO. _____

CIVIL & STRUCTURAL ENGINEERING
MATERIALS TESTING & LAND SURVEYING
101 S. Park Avenue, Idaho Falls, ID 83402, (208)524-0212
800 W. Judicial Street, Blackfoot, ID 83221, (208)785-2977
460 Lincoln Street, American Falls, ID 83211, (208)226-5764
hleinc.com

0 50 100 200
SCALE: 1" = 100'



DETAIL 1
SCALE: 1" = 20'

LEGEND
- ANNEXATION BOUNDARY LINE
- SECTION CONTROL LINE
- P.O.B. POINT OF BEGINNING

ANNEXATION IN A PORTION OF THE SE 1/4 SECTION 31, T. 2 N. R. 38 E.B.M.

PART OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH RANGE 38 E.B.M. BONNEVILLE COUNTY,
IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID SECTION 31,N01°12'08"W 638.48 FEET, THENCE N90°00'00"W 45.01 FEET TO THE WESTERLY RIGHT-OF-WAY OF HOLMES AVENUE AND THE POINT OF BEGINNING; THENCE N88°55'03"W 391.02 FEET; THENCE S02°00'40"W 352.16 FEET; THENCE N89°08'23"W 860.68 FEET TO THE EAST BOUNDARY OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NO. 2426; THENCE N00°46'26"W 485.04 FEET ALONG SAID ANNEXATION ORDINANCE NO. 2426; THENCE S89°34'09"E 1267.46 FEET TO SAID RIGHT-OF-WAY; THENCE S01°12'08"E 143.86FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING.
PARCEL CONTAINS 11.036 ACRES, MORE OR LESS.

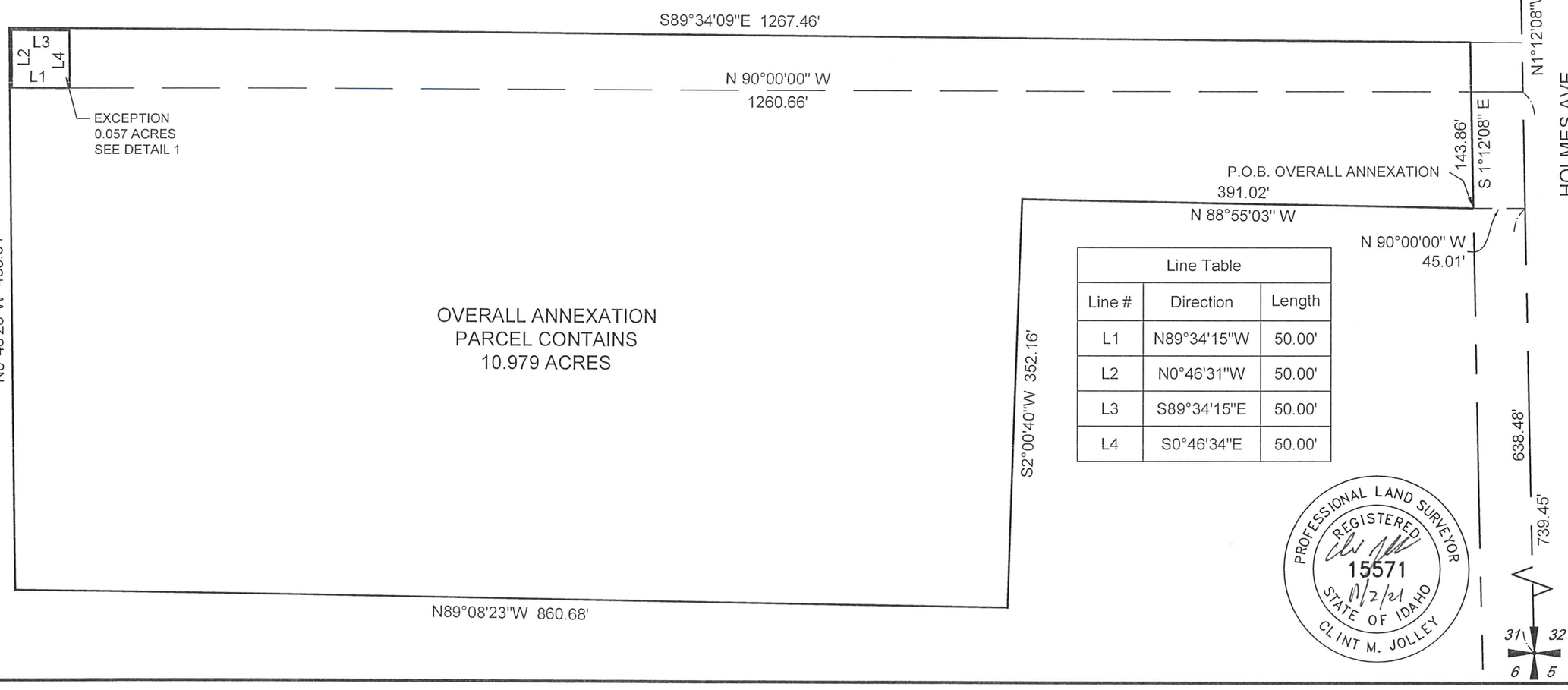
LESS AND EXCEPTING THE FOLLOWING:

A PARCEL OF LAND LYING IN THE SE1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 38 E.B.M., BONNEVILLE COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID SECTION 31, THENCE N01°12'08"W 739.45 FEET; THENCE N90°00'00"W 1260.66 FEET, TO THE POINT OF BEGINNING; THENCE N89°34'15"W 50.00 FEET; THENCE N00°46'31"W 50.00 FEET; THENCE S89°34'15"E 50.00 FEET; THENCE S00°46'34"E 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.057 ACRES, MORE OR LESS.





Line Table		
Line #	Direction	Length
L1	N89°34'15"W	50.00'
L2	N0°46'31"W	50.00'
L3	S89°34'15"E	50.00'
L4	S0°46'34"E	50.00'

PROFESSIONAL LAND SURVEYOR
REGISTERED
15571
11/2/21
STATE OF IDAHO
CLINT M. JOLLEY

DRAWN BY	DESIGN BY	CHECK BY
TD		CMJ

JOB NO: 2021-639
DATE: November 2, 2021

REVISIONS	DATE

CITY OF IDAHO FALLS ANNEXATION
PART OF SECTION 31, T. 2 N., R. 38 E.B.M. BONNEVILLE COUNTY, IDAHO

SHEET NO. 1 OF 1 SHEETS

Z:\Projects\00-2021 Projects\21-639 BRAD BROWN\dwg\Survey\21-639 BROWN.dwg

Ann Peterson

From: Kerry Beutler
Sent: Monday, April 4, 2022 10:53 AM
To: Ann Peterson
Subject: FW: ANNX22-002

Will you please include this with the things you're forwarding to the Commission. Thanks

Community Development Services Department Kerry Beutler | Assistant Planning Director

680 Park Avenue
Idaho Falls, Idaho 83402
Work: (208) 612-8278
kbeutler@idahofalls.gov

-----Original Message-----
From: bdo509@gmail.com <bdo509@gmail.com>
Sent: Monday, April 4, 2022 5:59 AM
To: Kerry Beutler <kbeutler@idahofalls.gov>
Subject: ANNX22-002

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,
I would have like to attend this hearing in person, but am unable to, I was already scheduled to be out of town.
I am unclear, what is happening on this, I thought this project was already turned down for R2, But now that the project is already underway as R1, they want to change mid stream back to R2? The same problems still exist, Holmes and Township rd are too busy now, I don't know how you even consider, throwing that much more traffic on Holmes,
One of the issues brought up before, when this was turned down, was also what this does to existing owners in the surrounding areas, property values.
I have visited with the neighbors I know, and I believe everyone feels the same about this proposal.
Please don't allow greed to change your earlier decision to turn this down.

Sincerely, Brett and Cheryl O'Connell
447 E 9th S
Idaho Falls, I'd
83404
Bdo509@gmail.com

Sent from my iPad

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

ANNEXATION OF APPROXIMATELY 10.979 ACRES IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 38 EAST GENERALLY LOCATED NORTH OF E 49TH SOUTH, EAST OF S 5TH WEST, SOUTH OF CASTLEROCK LANE, WEST OF S HOLMES AVENUE.

WHEREAS, the applicant filed an application for annexation on January 19, 2022; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on April 5, 2022; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public hearing on April 28, 2022; and

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

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to City of Idaho Falls Comprehensive Plan, City of Idaho Falls Zoning Ordinance, City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 10.979 acres generally located north of E 49th South, east of S 5th West, south of Castlerock Ln, west of S Holmes Ave.
3. The application is a Category "A" annexation.
4. This property is within the city's area of impact and is contiguous on the west side.
5. City utilities are present in the immediate area to provide services to this property.
6. The Comprehensive Plan designates this area as General Urban.
7. Idaho Falls Planning and Zoning Commission recommended approval of annexation.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the annexation as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2022

_____

Rebecca L. Noah Casper - Mayor

Memorandum

File #: 21-481 **City Council Meeting**

FROM: Kerry Beutler, Assistant Planning Director
DATE: Tuesday, April 19, 2022
DEPARTMENT: Community Development Services

Subject
Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of R2, Mixed Residential, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 10.979 Acres, South ½ of the Southeast ¼ of the Southeast ¼ of Section 31, Township 2 North, Range 38 East.

Council Action Desired

☒ Ordinance ☐ Resolution ☒ Public Hearing
☐ Other Action (Approval, Authorization, Ratification, etc.)
1. Assign a Comprehensive Plan Designation of "General Urban" and approve the Ordinance establishing the initial zoning for R2, Mixed Residential as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R2, Mixed Residential and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Description, Background Information & Purpose

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of R2, Mixed Residential which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.979 Acres, South ½ of the Southeast ¼ of the Southeast ¼ of Section 31, Township 2 North, Range 38 East. The Planning and Zoning Commission considered this item at its April 5, 2022, meeting and recommended approval of R1, Single Dwelling Residential with a vote of 2 to 1. The applicant maintains the request for R2, which staff also recommends.

Alignment with City & Department Planning Objectives



☐ ☒ ☒ ☐ ☒ ☐ ☐ ☐

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

Interdepartmental Coordination

The initial zoning legal description has been reviewed by the Survey Division.

Fiscal Impact

NA

Legal Review

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

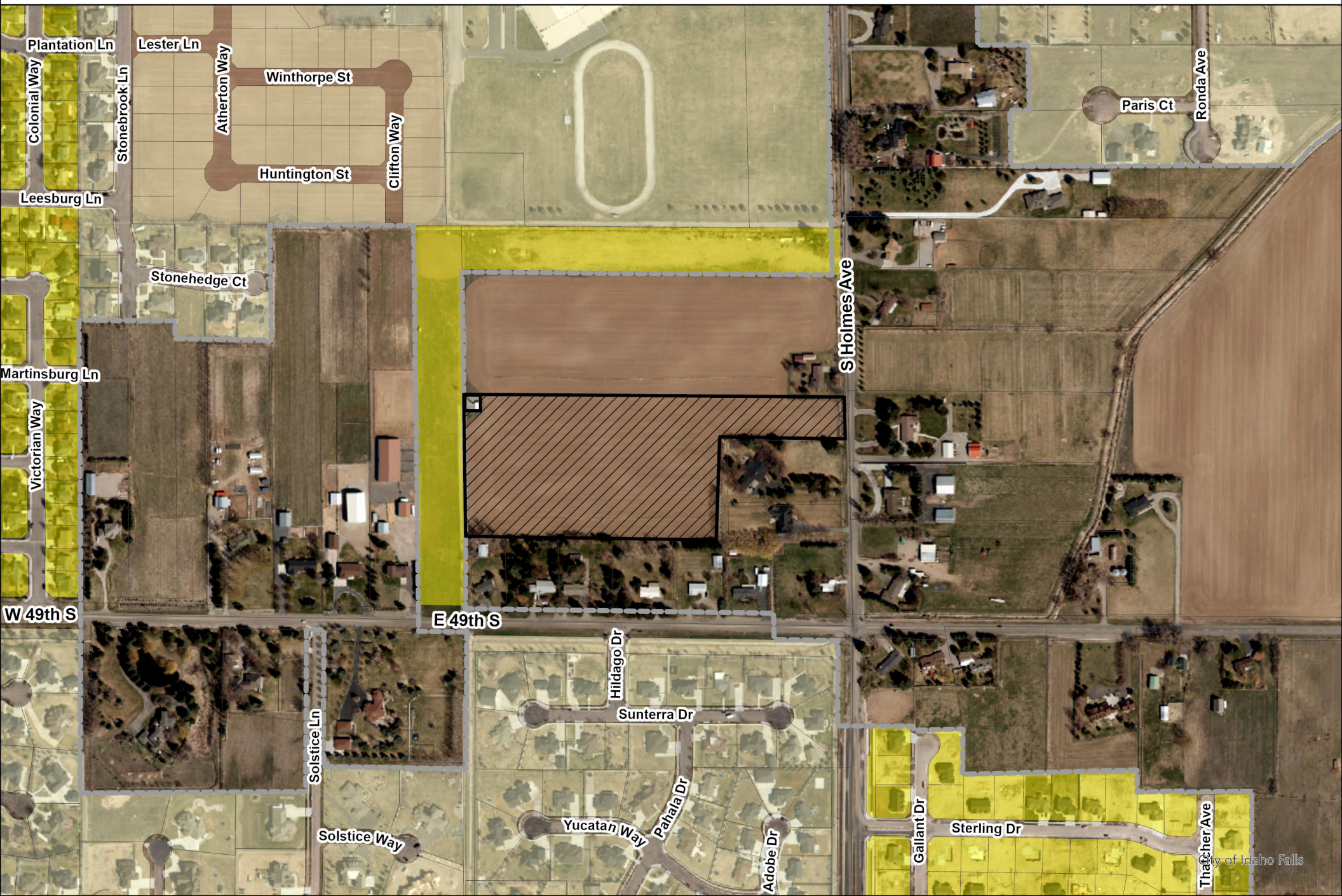
Zoning

ANNX22-002 - Initial Zoning: R2

RE R1 TN R3 PB LC R&D I&M

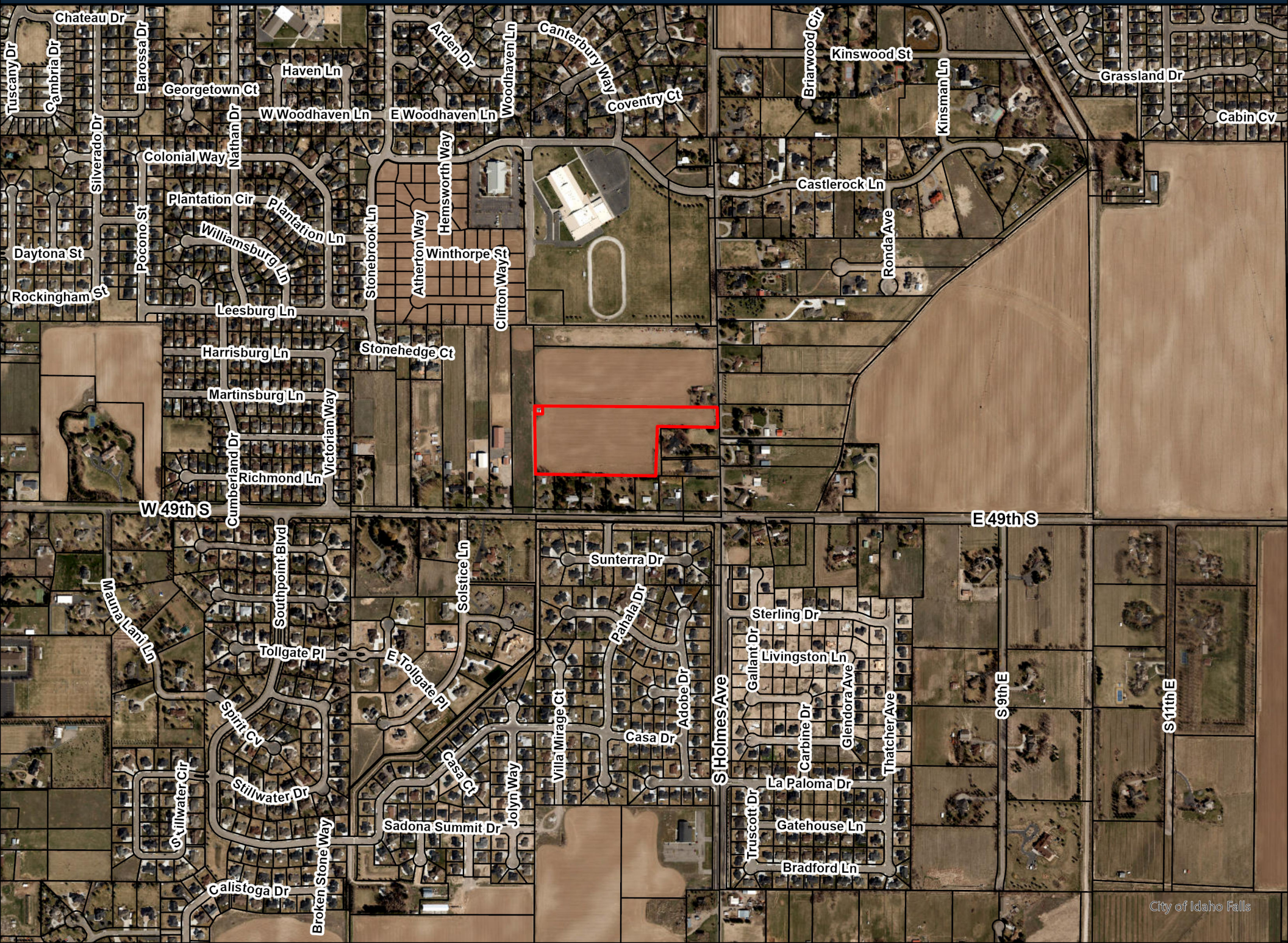
RP R2 RMH R3A CC HC LM P

N



Aerial

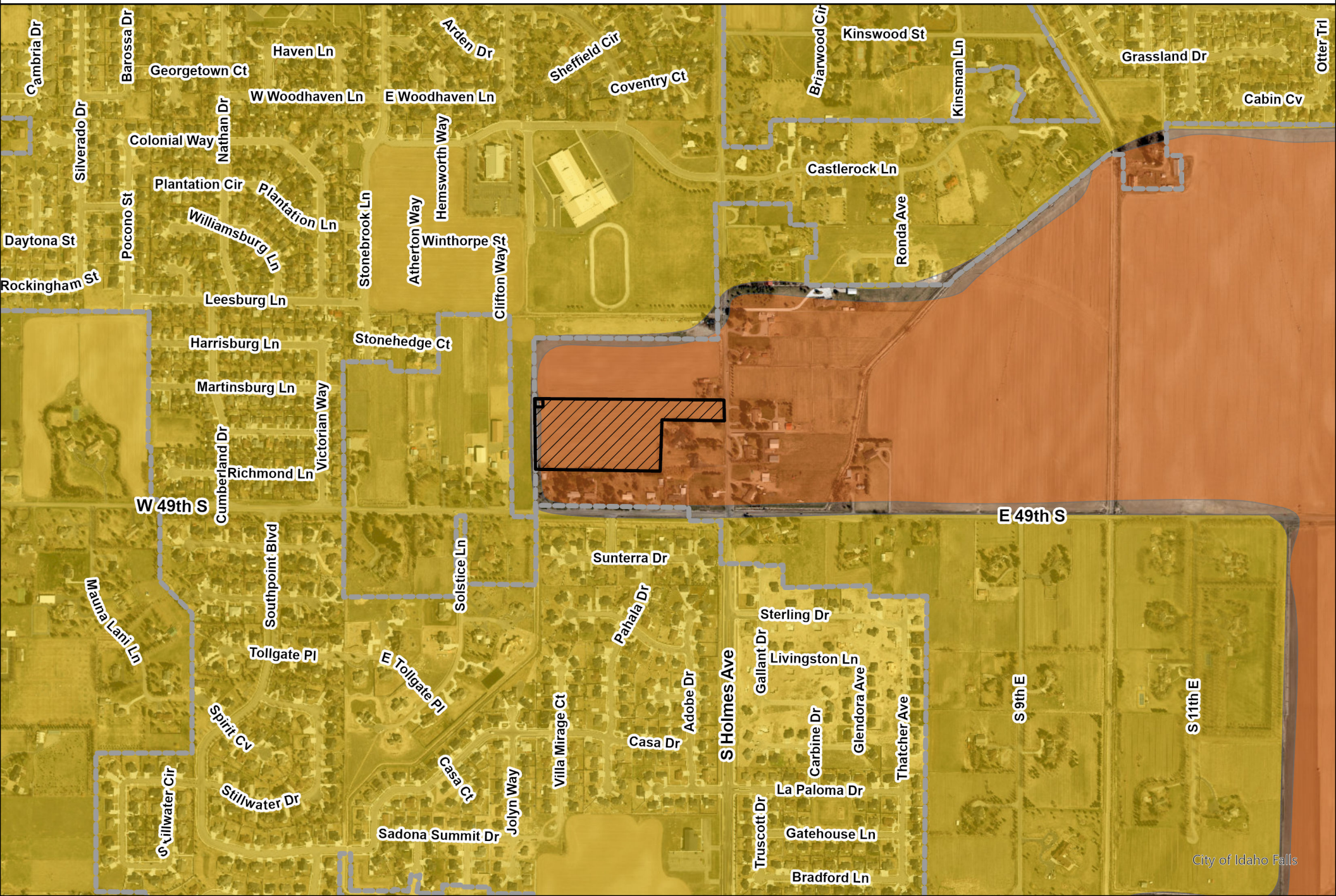
ANNX22-002 - Initial Zoning: R2



Comprehensive Plan

ANNX22-02 - Initial Zoning: R2

General Urban
Industrial
Mixed Use Centers and Corridors
Natural and Open Space
Special Use
Suburban
Urban Core



ORDINANCE NO._____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 10.979 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS R2, MIXED RESIDENTIAL ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed initial zoning district of lands described in Exhibit A is R2, Mixed Residential Zone for such annexed lands is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation "General Urban"; and

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

WHEREAS, for consistency with the Comprehensive Plan, the Council desires to designate the lands within the area of annexation as "General Urban"; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on April 5, 2022, and recommended approval of zoning the subject property to R1, Single Dwelling Residential Zone; and

WHEREAS, the Council conducted a duly noticed public hearing and passed a motion to approve this zoning on April 28, 2022.

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

SECTION 1: Comprehensive Plan Designation. The area described in Exhibit A are hereby given a Comprehensive Plan designation of General Urban; and

SECTION 2: Legal Description. The lands described in Exhibit A are hereby zoned as R2, Mixed Residential; and

SECTION 3. Zoning. The property described in Section 1 of this Ordinance be and the same hereby is zoned "R2, Mixed Residential Zone" and the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

SECTION 4. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 5. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this_____day of_____, 2022.

CITY OF IDAHO FALLS, IDAHO

_____
Rebecca L. Noah Casper, Mayor

ATTEST:

_____
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

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

That the above and foregoing is a full, true, and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 10.979 ACRES DESCRIBED IN SECTION 1 OF THIS ORDINANCE AS R2, MIXED RESIDENTIAL WITH AIRPORT OVERLAY LIMITED DEVELOPMENT ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

_____
Kathy Hampton, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

PART OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH RANGE 38 E.B.M. BONNEVILLE COUNTY,
IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE N01°12'08"W 638.48 FEET ALONG THE EAST LINE OF SAID SECTION 31, THENCE N90°00'00"W 45.01 FEET TO THE WESTERLY RIGHT-OF-WAY OF HOLMES AVENUE AND THE POINT OF BEGINNING; THENCE ; THENCE N88°55'03"W 391.02 FEET; THENCE S02°00'40"W 352.16 FEET; THENCE N89°08'23"W 860.68 FEET TO THE EAST BOUNDARY OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NO. 2426; THENCE N00°46'26"W 485.04 FEET ALONG SAID ANNEXATION ORDINANCE NO. 2426; THENCE S89°34'09"E 1267.46FEET TO SAID RIGHT-OF-WAY; THENCE S01°12'08"E 143.86 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING.

PARCEL CONTAINS 11.036 ACRES, MORE OR LESS.

LESS AND EXCEPTING THE FOLLOWING:

A PARCEL OF LAND LYING IN THE SE1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 38 E.B.M., BONNEVILLE COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID SECTION 31, THENCE N01°12'08"W 739.45 FEET; THENCE N90°00'00"W 1260.66 FEET, TO THE POINT OF BEGINNING; THENCE N89°34'15"W 50.00 FEET; THENCE N00°46'31"W 50.00 FEET; THENCE S89°34'15"E 50.00 FEET; THENCE S00°46'34"E 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.057 ACRES, MORE OR LESS.

TOTAL ACREAGE BEING ANNEXED: 10.979 ACRES, MORE OR LESS

Submitted by:

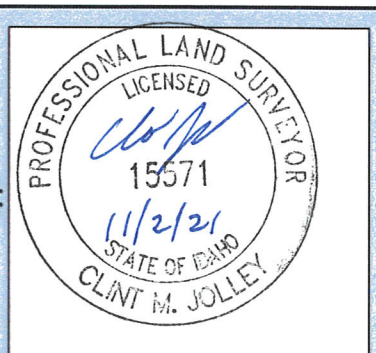
Eng/Survey Firm Name: Harper-Leavitt Engineering Inc.

Contact Name: Clint Jolley

Phone Number: 208.524.0212

Email: if@hleinc.com

PLS Seal:



Page ____ of ____

ORIGINAL

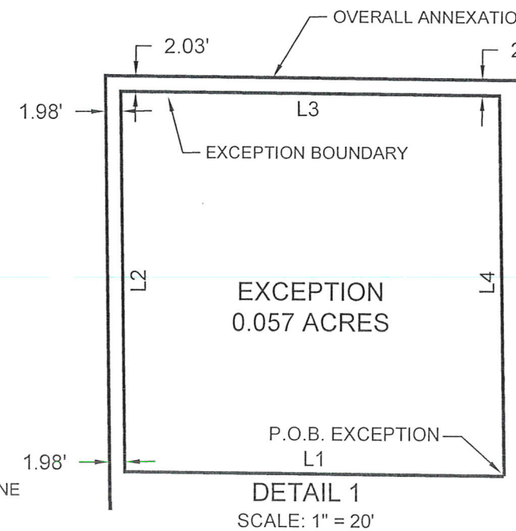
ANNEX ORDINANCE
_____

CITY OF IDAHO FALLS
BONNEVILLE COUNTY
PART OF SE 1/4 OF SECTION 31, T. 2 N., R. 38 E.B.M.

ORDINANCE RECORDED WITH THE BONNEVILLE COUNTY RECORDERS OFFICE AS INSTRUMENT NO. _____

CIVIL & STRUCTURAL ENGINEERING
MATERIALS TESTING & LAND SURVEYING
101 S. Park Avenue, Idaho Falls, ID 83402, (208)524-0212
800 W. Judicial Street, Blackfoot, ID 83221, (208)785-2977
460 Lincoln Street, American Falls, ID 83211, (208)226-5764
hleinc.com

0 50 100 200
SCALE: 1" = 100'



DETAIL 1
SCALE: 1" = 20'

LEGEND
- ANNEXATION BOUNDARY LINE
- SECTION CONTROL LINE
- P.O.B. POINT OF BEGINNING

ANNEXATION IN A PORTION OF THE SE 1/4 SECTION 31, T. 2 N. R. 38 E.B.M.

PART OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH RANGE 38 E.B.M. BONNEVILLE COUNTY,
IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID SECTION 31,N01°12'08"W 638.48 FEET, THENCE N90°00'00"W 45.01 FEET TO THE WESTERLY RIGHT-OF-WAY OF HOLMES AVENUE AND THE POINT OF BEGINNING; THENCE N88°55'03"W 391.02 FEET; THENCE S02°00'40"W 352.16 FEET; THENCE N89°08'23"W 860.68 FEET TO THE EAST BOUNDARY OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NO. 2426; THENCE N00°46'26"W 485.04 FEET ALONG SAID ANNEXATION ORDINANCE NO. 2426; THENCE S89°34'09"E 1267.46 FEET TO SAID RIGHT-OF-WAY; THENCE S01°12'08"E 143.86FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING.
PARCEL CONTAINS 11.036 ACRES, MORE OR LESS.

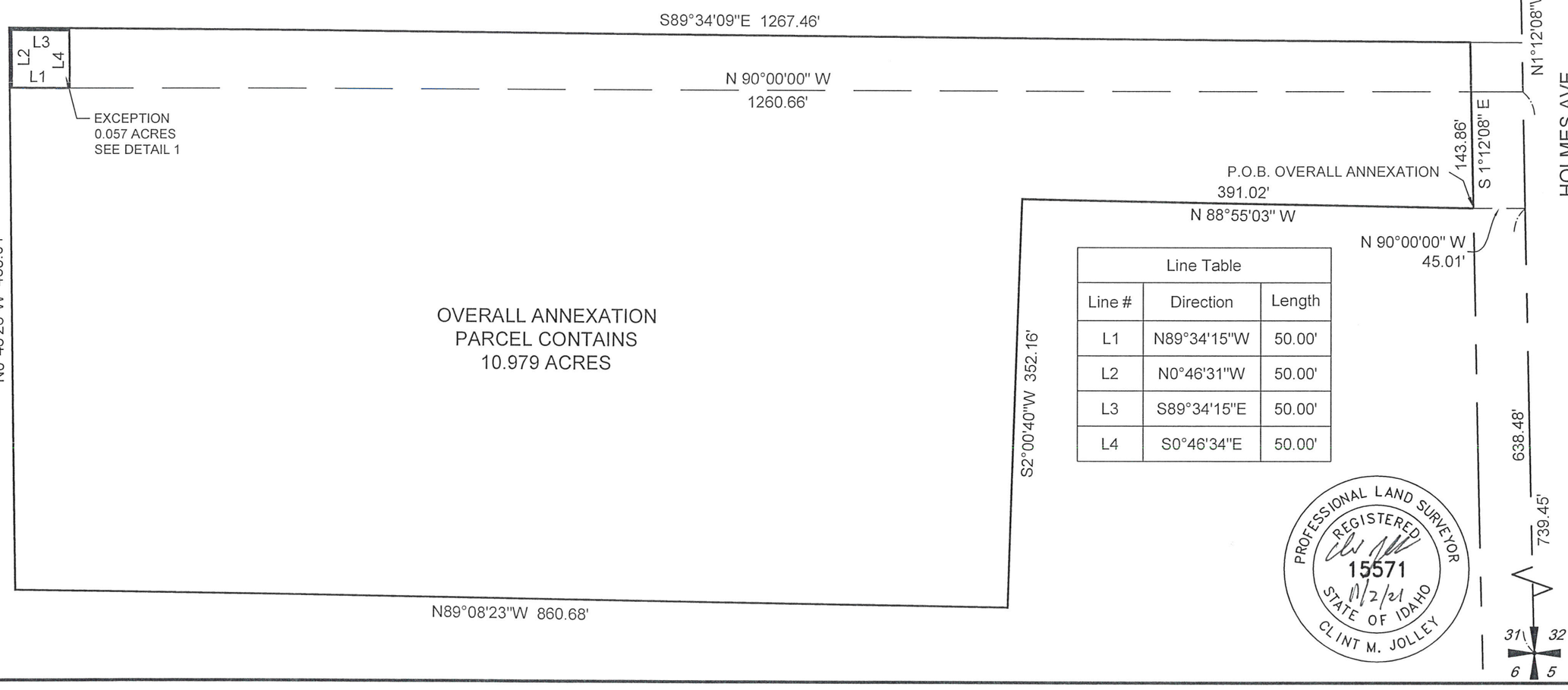
LESS AND EXCEPTING THE FOLLOWING:

A PARCEL OF LAND LYING IN THE SE1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 38 E.B.M., BONNEVILLE COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID SECTION 31, THENCE N01°12'08"W 739.45 FEET; THENCE N90°00'00"W 1260.66 FEET, TO THE POINT OF BEGINNING; THENCE N89°34'15"W 50.00 FEET; THENCE N00°46'31"W 50.00 FEET; THENCE S89°34'15"E 50.00 FEET; THENCE S00°46'34"E 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.057 ACRES, MORE OR LESS.





Line Table		
Line #	Direction	Length
L1	N89°34'15"W	50.00'
L2	N0°46'31"W	50.00'
L3	S89°34'15"E	50.00'
L4	S0°46'34"E	50.00'

PROFESSIONAL LAND SURVEYOR
REGISTERED
15571
11/2/21
STATE OF IDAHO
CLINT M. JOLLEY

DRAWN BY	DESIGN BY	CHECK BY
TD		CMJ

JOB NO: 2021-639
DATE: November 2, 2021

REVISIONS	DATE

CITY OF IDAHO FALLS ANNEXATION
PART OF SECTION 31, T. 2 N., R. 38 E.B.M. BONNEVILLE COUNTY, IDAHO

SHEET NO. 1 OF 1 SHEETS

Z:\Projects\00-2021 Projects\21-639 BRAD BROWN\dwg\Survey\21-639 BROWN.dwg

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

INITIAL ZONING OF R2, MIXED RESIDENTIAL ZONE OF APPROXIMATELY 10.979 ACRES IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 38 EAST GENERALLY LOCATED NORTH OF E 49TH SOUTH, EAST OF S 5TH WEST, SOUTH OF CASTLEROCK LANE, WEST OF S HOLMES AVENUE.

WHEREAS, the applicant filed an application for annexation on January 19, 2022; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on April 5, 2022; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public hearing on April 28, 2022; and

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

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to City of Idaho Falls Comprehensive Plan, City of Idaho Falls Zoning Ordinance, City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 10.979 acres generally located north of E 49th S, east of S 5th W, south of Castlerock Ln, west of S Holmes Ave.
3. The Comprehensive Plan identifies this area as being within the General Urban transect. This transect denotes residential areas with a mix of commercial and service areas convenient to residents.
4. This annexation also neighbors the Suburban transect. The General Urban and Suburban transects both align with the R2 Zoning proposed.
5. The surrounding zones for this property are R1 and RP and county property largely zoned A-1 or A-2. The housing types (existing and proposed) in this area are varied, including twin homes, smaller and typical lot size single unit homes and larger estate residential as well as large county lots.
6. The Suburban and General Urban Transects support a mix of housing types in this area. The R2 Zone allows for the development of those housing types whereas the R1 Zone is restricted to single dwelling units or twin homes.
7. The Comprehensive Plan supports decreasing the amount of land consumption, reducing minimum lot sizes, and providing for a mix of housing types in areas of high walkability. More compact development better utilizes existing infrastructure.
8. This parcel is part of the Area 5 neighborhood identified in the Comprehensive Plan. Area 5 residents noted the need for more diversified housing and indicated they would like to have more walkable neighborhoods to actual destinations but struggled to see where that might fit within their neighborhood. The General Urban Transect identifies areas where these changes in land use are appropriate.
9. The plan describes the need for every neighborhood to experience change, but not radical change. The introduction of an R2 Zone in this area would represent the incremental change.
10. The proposed zoning is R2, Mixed Residential Zone is consistent with the Comprehensive Plan map and policies.

11. This parcel is within close proximity to the intersection of two arterial streets, E 49th S and S Holmes Ave. Arterial streets are intended to carry high volumes of traffic and connect with areas that provide daily services.
12. Idaho Falls Planning and Zoning Commission recommended approval of zoning the subject property to R1, Single Dwelling Residential Zone.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the initial zoning as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2022

_____

Rebecca L. Noah Casper - Mayor