



Twin Falls City Council Agenda

Monday, January 3, 2022, 5:00 PM

City Council Chambers
203 Main Avenue East- Twin Falls, Idaho

Members: Suzanne Hawkins, Craig Hawkins, Nikki Boyd, Shawn Barigar, Gregory Lanting, Christopher Reid, Ruth Pierce, Jason Brown-Elect, Spencer Cutler-Elect

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) PROCLAMATIONS: None
- 4) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve December 20, 2021, City Council Minutes.
By: Amy Luna, Finance Administrative Assistant
 - b) **ACTION ITEM:** Request to approve Accounts Payable for December 16-29, 2021.
By: Amy Luna, Finance Administrative Assistant
 - c) **ACTION ITEM:** Approval of the Findings of Fact and Conclusions of Law:
 - Vacation for Jerry and Brenda Naylor
 - Annexation for 3262 E 3700 N
 - Annexation for 3270 E 3700 N

By: Jonathan Spendlove, Planning and Zoning Director
- 5) ITEMS OF CONSIDERATION
 - a) **PRESENTATION:** Award plaques to Mayor Suzanne Hawkins and Councilman Greg Lanting in recognition of their years of service to the City of Twin Falls.
 - b) **ACTION ITEM:** Oath of Office for newly elected City Councilmembers.
 - c) **ACTION ITEM:** Selection of Mayor by City Council.
 - d) **ACTION ITEM:** Selection of Vice Mayor – nominated by Mayor, confirmed by the City Council.
- 6) GENERAL PUBLIC INPUT
- 7) ADVISORY BOARD REPORT/ANNOUNCEMENTS
- 8) PUBLIC HEARINGS: None
- 9) ADJOURNMENT

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Josh Palmer (208) 735-7312 at least two working days before the meeting. Si desea esta información en Español, por favor llame a Josh Palmer al teléfono (208) 735-7312.

Public Input Procedures

1. Individuals wishing to provide public input regarding matters relevant to the City of Twin Falls shall:
 - Wait to be recognized by the Mayor or Chairman
 - Approach the microphone/podium
 - State their name, and whether they are a resident or property owner in the City of Twin Falls, and proceed with their input.
2. The Mayor or Chairman may limit input to no less than two (2) minutes. Individuals are not permitted to give their time to other speakers.

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chairman shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council or Planning & Zoning Commission shall wait to be recognized by the Mayor or Chairman, approach the microphone/podium, state their name, and then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the staff. The staff shall make an audio recording of the Public Hearing.
 3. A City Staff Report shall summarize the application and history of the request.
 4. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.
 5. Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor or Chairman.
 6. The City Council or Planning & Zoning Commission may ask questions of staff or the applicant pertaining to the request.
 7. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor or Chairman may limit public testimony to no less than two (2) minutes per person.
 - Individuals are not permitted to give their time to other speakers.
 - However, five (5) or more individuals that received written notice of the public hearing may appoint, by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the Mayor or Chairman. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, received by 12:00 p.m. on the date of the hearing shall be either read into the record or displayed to the public on the overhead projector.
 8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
 9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chairman, shall be allowed to question the Applicant, Staff or anyone who has testified. Responses shall be limited to answering the questions asked. The Mayor or Chairman may limit the time permitted for the answer.
 10. The Mayor or Chairman shall close the Public Hearing. The City Council or Planning & Zoning Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- * Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor or Chairman.



Twin Falls City Council Minutes

Monday, December 20, 2021, 5:00 PM

City Council Chambers
203 Main Avenue East- Twin Falls, Idaho

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Suzanne Hawkins, Vice Mayor Ruth Pierce, Council Member Shawn Barigar, Craig Hawkins, Greg Lanting, Christopher Reid & Nikki Boyd.

Absent:

Staff Present: Deputy City Managers Mitch Humble & Gretchen Scott, City Attorney Shayne Nope, Police Chief Kingsbury, Fire Chief Kenworthy, Airport Manager Bill Carberry, Desktop Support Analyst Kim Hafer, Public Works Director Jon Caton, Assistant City Engineer Troy Vitek, Planning & Zoning Director Jonathan Spendlove, City Planner Lisa Strickland, Shop Manager Norman Hatke, Streets Superintendent Mark Thomson, Senior Water Operator Justin Ash, Service Representative Rachael Sparrow, Organizational Development Coordinator Ansina Durham, Public Information Coordinator Joshua Palmer, Finance Administrative Assistant Amy Luna.

Mayor Hawkins called the meeting to order at 5:00 PM. A quorum was present.

2) PLEDGE OF ALLEGIANCE

Mayor Hawkins invited all present, who wished, to recite the Pledge of Allegiance to the Flag.

3) PROCLAMATIONS: None

4) CONSENT CALENDAR

MOTION: Vice Mayor Pierce moved to approve the Consent Calendar as presented. **Council Member Lanting** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- a) Request to approve December 13, 2021, City Council Minutes.
- b) Request to approve Accounts Payable for December 9-15, 2021.
- c) Request to approve an airport hangar ground lease with Greg Olsen and Erin Callen.
- d) Request to approve a 30-acre ground lease with Magic Valley MX Club to operate a motocross track adjacent to the Magic Valley Speedway.
- e) Request to approve Findings of Fact and Conclusions of Law and Special Use Permit for City of Twin Falls Fire Station #3.
- f) Request to accept a bench donation from City of Twin Falls staff in honor of Patrick "Woody" Cullen.

5) ITEMS OF CONSIDERATION

- a) Presentation of a donation by the City of Twin Falls Employee Retreat Committee to the Senior Center Meals on Wheels Program.

Fire Chief Kenworthy made a presentation of the donation by the City of Twin Falls Employee Retreat Committee to the Senior Center Meals on Wheels Program.

City employees donated \$3,600.00 via a raffle at the 2021 Employee Retreat.

- b) Presentation by the Employee Recognition Committee.
Desktop Support Analyst Hafer presented on the Employee Recognition Committee.

Discussion ensued on the following:

Deputy City Manager Humble: Spoke on who makes the nominations.

Council Member Reid: Asked for an explanation of some of the nominations.

- c) Request for Shop Heater Replacement & Capital Project Update.
Deputy City Manager Humble requested a shop heater replacement & capital project update.

Discussion ensued on the following:

Council Member Reid: Do they not have heat currently? How fast can the other one be installed?

MOTION: Council Member Reid moved to approve the request for a shop heater replacement for \$46,185.78 from contingency. **Council Member Boyd** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- d) Request to approve vehicle purchases for the Streets Department.
Public Works Director Caton requested to approve vehicle purchases for the streets department.

Vehicles requested:

2022 Cimline M2 Crack Sealer Trailer, after trade-in: \$56,665.00 (Budget is \$60,800);
estimated delivery 90 days upon contract execution

2022 Elgin Pelican NP Street Sweeper, after trade-in: \$184,162.00 (Budget \$215,000);
estimated delivery June 2022

2023 International w/Metroquip Plow Pkg, after trade-in \$164,525.62 (Budget \$170,000);
estimated delivery TBD, could be 2023. MetroQuip has guaranteed this price.

Discussion ensued on the following:

Vice Mayor Pierce: Thanked staff for being under budget.

MOTION: Council Member Lanting moved to approve the request to purchase the 2022 Elgin Pelican NP Street Sweeper, after trade-in: for \$184,162.00 using Sourcewell Cooperative Agreements. **Council Member Barigar** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

MOTION: Vice Mayor Pierce moved to approve the request to purchase the 2023 International w/Metroquip Plow Pkg, after trade-in: for \$164,525.62 using Sourcewell Cooperative Agreements. **Council Member Lanting** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- e) Request to approve a proposal to Jacobs Engineers to contract out the cleaning and scaffold installation for an inspection.
Assistant City Engineer Vitek requested to approve a proposal to Jacobs Engineers to contract out the cleaning and scaffold installation for an inspection of Digester 2.

Discussion ensued on the following:

Council Member Boyd: Spoke in favor of this request.

Council Member Reid: Asked what some of the concerns are with Digester 2.

MOTION: **Council Member Boyd** moved to approve the proposal by Jacobs Engineers to contract the cleaning, scaffold installation, and inspection of Digester 2 for \$253,874 from Wastewater funds. **Council Member Reid** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- f) Review, Discussion, and Action on the Annual Financial Report, and Impact Fee Program for FY 2021.

P&Z Director Spendlove requested discussion & action on the Annual Financial Report and Impact Fee Program for FY 2021.

The Impact Fee Committee recommended not taking an increase at this time.

Discussion ensued on the following:

Council Member Barigar: Voiced his opinion on the matter. Spoke in favor of doing something now.

Mayor Hawkins: Agreed with Council Member Barigar. Spoke in favor of doing something now.

Council Member Reid: Spoke in favor of doing something now.

Council Member Boyd: Is in favor of waiting until March 2022. What happens if we don't need an increase?

Council Member Barigar: Discussed that these are "Impact" fees, and they are here for a reason.

Vice Mayor Pierce: Agreed with Council Member Barigar. Do not want to get behind again.

Mayor Hawkins: The City does not set the Municipal Cost Index.

Council Member Lanting: Spoke in favor of making an increase now. Growth should pay for growth.

Council Member Reid: Spoke about the percentage that could be taken.

Council Member Hawkins: Spoke on making a partial increase now and looking at it again later.

Council Member Barigar: Why not take action to increase the Impact Fee to the recommended 11.4% MCI?

Mayor Hawkins: This would allow the new council members to take part in this process.

Vice Mayor Pierce: Agreed to go to a public hearing at the recommended 11.4%.

Council Member Boyd: Asked for clarification on the motion.

Council Member Barigar: Gave additional explanation.

MOTION: **Vice Mayor Pierce** moved to approve an Impact Fee Program increase based on MCI at 11.4% and take it to a public hearing. **Council Member Barigar** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 1, with Council Member Boyd voting against.

MOTION: **Council Member Reid** moved to approve the Annual Financial Report for FY 2021. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- 6) **GENERAL PUBLIC INPUT:** None.

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

Council Member Lanting reported on the P&R Commission.

Deputy City Manager Humble discussed the following

City offices will be closed on Friday, December 24, 2021, & Friday, December 31, 2021, in celebration of the holidays.

The council meeting for December 27, 2021, has been canceled. The next meeting will be on January 3, 2022, at 5:00 p.m.

8) PUBLIC HEARINGS

- a) Request to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. c/o Jerry and Brenda Naylor. (app. PZ21-0156)

City Planner Strickland requested to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. c/o Jerry & Brenda Naylor. (app. PZ21-0156)

Discussion ensued on the following:

Council Member Lanting: How are these two lots going to be accessed in the future? Were all the adjoining property owners notified?

Council Member Barigar: Minutes for November 19, 2021, were not included, and was there public input at that meeting?

Council Member Reid: Asked about the zoning moving forward.

The applicant spoke on the request.

Public Hearing Opened: 6:16 pm

Public Hearing Closed: 6:17 pm

Discussion ensued on the following:

Council Member Hawkins: Spoke in favor of the request.

MOTION: **Council Member Lanting** moved to approve the request to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. c/o Jerry & Brenda Naylor. (app. PZ21-0156) **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- b) Request for Annexation and appropriate Zoning District for property located at 3262 E 3700 N c/o Summit Creek Development on behalf of Twins Industrial LP and Gregg Hamann, Trustee of the Gregg Hamann Family Trust UDT dated 4/25/86 as amended. (PZ21-0162)

City Planner Strickland requested annexation and appropriate Zoning District for property located at 3262 E 3700 N c/o Summit Creek Development on behalf of Twins Industrial LP and Gregg Hamann, Trustee of the Gregg Hamann Family Trust UDT dated 4/25/86 as amended. (PZ21-0162)

Discussion ensued on the following:

Vice Mayor Pierce: Asked for some clarifications.

Council Member Lanting: Spoke about a letter that was received regarding road improvements.

Council Member Barigar: Was there any public input on the November 9th meeting regarding this annexation?

The applicant spoke on the request.

Discussion ensued on the following:

Council Member Lanting: Asked about the road at 3700 & Champlin Way?

Public Hearing Opened: 6:30 pm

Public Hearing Closed: 6:31 pm

Discussion ensued on the following:

Council Member Lanting: Spoke in favor of this request. Would like to see the road be improved as a part of this agreement.

Council Member Barigar: Agree that the roads need to be developed but maybe not at this time. Could there be a laundry list of items that might need to be added to this request?

Council Member Lanting: Spoke about his concerns.

City Attorney Nope: Explained the next steps needed to allow the applicant to speak again.

Public Hearing Opened: 6:38 pm.

The applicants' representative spoke about their future plans.

Public Hearing Closed: 6:42 pm.

Council Member Barigar: Asked if we want to add any conditions to this request.

MOTION: Council Member Reid moved to approve the annexation and appropriate Zoning District for property located at 3262 E 3700 N c/o Summit Creek Development on behalf of Twins Industrial LP and Gregg Hamman, Trustee of the Gregg Hamann Family Trust UDT dated 4/25/86 as amended. (PZ21-0162) **Vice Mayor Pierce** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- c) Request for Annexation and appropriate Zoning District for property located at 3270 E 3700 N c/o Summit Creek Development on behalf of Twin Industrial, LP. (PZ21-0163).

City Planner Strickland requested annexation and appropriate Zoning District for property located at 3270 E 3700 N c/o Summit Creek Development on behalf of Twins Industrial LP. (PZ21-0163)

Combined with Item 8b - See notes above.

MOTION: Council Member Barigar moved to approve the annexation and appropriate Zoning District for property located at 3270 E 3700 N c/o Summit Creek Development on behalf of Twins Industrial LP. (PZ21-0163) **Council Member Reid** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

9) **ADJOURNMENT**

The meeting adjourned at 06:44 pm.

Amy Luna, Finance Administrative Assistant

For a full account of this meeting please visit tfid.org for the recording of this meeting



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Vacation Application,

Jerry and Brenda Naylor

Applicant(s)

)
) FINDINGS OF FACT,
)
) CONCLUSIONS OF LAW,
)
)
) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **Monday, December 20, 2021**, for public hearing pursuant to public notice as required by law to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision and the City Council of the City of Twin Falls having heard testimony from interested parties and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: **December 4, 2021 and December 11, 2021**
3. The property in question is zoned **R-2 Residential** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Town Neighborhood** in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, **Residential**; to the south, **Residential**; to the east, **Residential**; to the west, **Agricultural Field/Hill View Drive**.

Based on the foregoing Findings of Fact, the City Council of the City of Twin Falls hereby makes the following

CONCLUSIONS OF LAW

1. The application to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision is consistent with the purpose of the **R-2 Residential** Zone and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1 & 2, Twin Falls City Code.

3. The proposed use is proper use in the **R-2 Residential** Zone, subject to the conditions which are attached as "Exhibit No. A" and incorporated by reference as though fully set forth herein.

4. The application to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

Based on the foregoing Conclusions of Law, the City Council of the City of Twin Falls hereby enters the following

DECISION

1. The application to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision is hereby granted.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

Exhibit No. A

1. Subject to a recorded utility easement for existing phone lines.
2. Subject to a recorded utility easement for pressurized irrigation.

APPLICATION #: **PZ21-0156**



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Annexation Application

Summit Creek Development

On behalf of Twins Industrial LP and Gregg Hamann,
Trustee of the Gregg Hamann Family Trust UDT dated 4/25/86

Applicant(s)

)
) FINDINGS OF FACT,
)
)
) CONCLUSIONS OF LAW,
)
)
) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **Monday, December 20, 2021** for public hearing pursuant to public notice as required by law for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **41 (+/-)** acres located at **3262 E 3700 N** and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **41 (+/-)** acres located at **3262 E 3700 N**.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **December 4, 2021**.
3. The property in question is zoned **M-2, Heavy Industrial** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Industrial** in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, **Clif Bar/Industrial**; to the south, **Vacant/Agricultural/Orchard Drive East**; to the east, **Agricultural/Residential**; to the west, **Vacant/Agricultural**.

Based on the foregoing Findings of Fact, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The application for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **41 (+/-)** acres located **at 3262 E 3700 N** is consistent with the purpose of the **M-2, Heavy Industrial Zone**, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed annexation is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-2, 10-4-10, 10-11, 10-15-1(A) & (B) of the Twin Falls City Code.

3. The proposed use is proper use in the **M-2, Heavy Industrial Zone**, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity. Annexation of this property is not a guarantee city utilities are available. A will-serve letter will be issued upon review and approval for a final plat and/or a phase of a final plat.

5. The application for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **41 (+/-)** acres located **at 3262 E 3700 N** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

1. The application for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **41 (+/-)** acres located **at 3262 E 3700 N** is hereby granted as presented.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and incorporated by reference as though fully set forth herein.

MAYOR - TWIN FALLS CITY COUNCIL

DATE



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Annexation Application

Summit Creek Development
On behalf of Twins Industrial LP
Applicant(s)

)
) FINDINGS OF FACT,
)
)
) CONCLUSIONS OF LAW,
)
) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on Monday, December 20, 2021 for public hearing pursuant to public notice as required by law for Annexation with a zoning designation of M-2, currently zoned M-2, for 38 (+/-) acres located at 3270 E 3700 N and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Annexation with a zoning designation of M-2, currently zoned M-2, for 38 (+/-) acres located at 3270 E 3700 N.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: December 4, 2021.
3. The property in question is zoned M-2, Heavy Industrial pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Industrial in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Clif Bar/Industrial; to the south, Vacant/Agricultural/Orchard Drive East; to the east, Agricultural/Champlin Rd; to the west, Vacant/Agricultural.

Based on the foregoing Findings of Fact, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The application for Annexation with a zoning designation of M-2, currently zoned M-2, for 38 (+/-) acres located at 3270 E 3700 N is consistent with the purpose of the M-2, Heavy Industrial Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed annexation is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-2, 10-4-10, 10-11, 10-15-1(A) & (B) of the Twin Falls City Code.

3. The proposed use is proper use in the M-2, Heavy Industrial Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity. Annexation of this property is not a guarantee city utilities are available. A will-serve letter will be issued upon review and approval for a final plat and/or a phase of a final plat.

5. The application for Annexation with a zoning designation of M-2, currently zoned M-2, for 38 (+/-) acres located at 3270 E 3700 N should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

1. The application for A Annexation with a zoning designation of M-2, currently zoned M-2, for 38 (+/-) acres located at 3270 E 3700 N is hereby granted as presented.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and incorporated by reference as though fully set forth herein.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

APPLICATION # PZ21-0163