



Twin Falls City Council Agenda

Monday, December 9, 2024, 5:00 PM

Council Chambers
203 Main Avenue East Twin Falls, Idaho

Members: Mayor Ruth Pierce, Vice Mayor Jason Brown, Council Members Craig Hawkins, Spencer Cutler, Christopher Reid, Grayson Stone, Cherie Vollmer

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve the City Council 2024 December 02, Minutes
By: Amy Luna, Deputy City Clerk
 - b) **ACTION ITEM:** Request to approve Accounts Payable for November 20-December 4, 2024.
By: Amy Luna, Deputy City Clerk
 - c) **ACTION ITEM:** Request to approve 2024 September & October Wells Fargo Credit Card Summary.
By: Amy Luna, Deputy City Clerk
 - d) **ACTION ITEM:** Request to approve acceptance of Magic Valley Regional Airport property deeds granted from Twin Falls County to the City of Twin Falls.
By: Bill Carberry, Airport Manager
 - e) **ACTION ITEM:** Request to approve Finding of Facts and Conclusions of Law for the following Final Plat: Westpark Commercial Subdivision No. 12 (PZ24-0147)
By: Jonathan Spendlove, Planning and Zoning Director
 - f) **ACTION ITEM:** A request for the City Council to approve the Twin Falls Police Department's donation of fifteen (18) Axon Taser X2 handles and cartridges to the Rupert Police Department and ten (10) to the College of Southern Idaho Law Enforcement Program.
By: Kevin Loosli, Sergeant, Twin Falls Police Department
- 4) ITEMS OF CONSIDERATION
 - a) **ACTION ITEM:** Request to approve a resolution of the City Council of the City of Twin Falls, Idaho proposing new fees and amending the City's Master Fee Schedule.
By: Jonathan Spendlove GENERAL PUBLIC INPUT
 - b) **ACTION ITEM:** Discussion and possible action on an amendment to the Agreement between the City of Twin Falls and the City Manager.
By: Ruth Pierce, Mayor
- 5) ADVISORY BOARD REPORT/ANNOUNCEMENTS
- 6) PUBLIC HEARINGS
 - a) **ACTION ITEM:** Request for an annexation of approximately 46 (+/-) acres located east of Sunway Dr N from North College Rd W to Pole Line Rd W. c/o Tim Vawser, EHM on behalf of Gary Nelson (PZ24-0103).
By: Jonathan Spendlove, Planning and Zoning Director
 - b) **ACTION ITEM:** Request annexation with a zoning designation of M-2 for 9.58 acres on the south side of the 300 block of Diamond Ave W. c/o Gary Palmer (PZ24-0097)
By: Lisa Strickland, City Planner
 - c) **ACTION ITEM:** Request to adopt ordinance O-2024-020 for annexation and a zoning district change on property located on the south side of the 300 block of Diamond Ave W.
By: Lisa Strickland, City Planner
- 7) 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:
 - a. Wait to be recognized by the Mayor or Chairman.
 - b. Approach the microphone/podium.
 - c. State their name, and whether they are a resident or property owner of the City of Twin Falls and proceed with their input.
2. All public input will be limited to two (2) minutes. Individuals are not permitted to give their time to otherspeakers.
3. All presenters shall remain respectful.

Public input will not be about any of the items that were on this agenda, personnel, or a personnel-related issue. All issues involving City personnel should be directly communicated with the mayor and/or the City Manager.

Anyone failing to follow these rules will be provided with one (1) warning. Should the speaker continue to disregard these rules after the warning, will have the microphone muted and they will be asked to return to their seats.

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 2, 2024, 5:00 PM

Council Chambers
203 Main Avenue East Twin Falls, Idaho

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Ruth Pierce, Vice Mayor Jason Brown, Council members Craig Hawkins, Christopher Reid, Spencer Cutler, Cherie Vollmer & Grayson Stone.

Absent:

Staff Present: List: Deputy City Managers Mitch Humble & Gretchen Scott, Deputy City Clerk Amy Luna, Administrative Assistant Rachael Long, Public Information Coordinator Joshua Palmer, Chief Craig Kingsbury, Captain Matthew Hicks, Captain Brent Wright, Lieutenant Justin Dimond, Lieutenant Terry Theuson, Building Official Matthew Long, Planning and Zoning Director Jonathan Spendlove, Parks and Recreation Director Wendy Davis, Fire Chief Les Kenworthy, Deputy Fire Chief Mitchell Brooks, Desktop Support Brett Barker, City Planner Kelli Ebersole, Legal Assistant Rachael Hunsaker

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

2) PLEDGE OF ALLEGIANCE

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

3) CONSENT CALENDAR

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

- a) Request to approve City Council 2024 November 25, Minutes
- b) Request to approve the City Council Schedule of Regular Meetings & Public Hearings for 2025.
- c) Request for approval of a Final Plat for Westpark Commercial Subdivision No. 12, consisting of 8.62 acres on property located at the 200 Block of Avenida Del Rio Drive (PZ24-0147) c/o Gerald Martens.

4) ITEMS OF CONSIDERATION

- a) Presentation of POST Advanced Certificate to Officer Kevin Warner, POST Intermediate Certificates to Officer Jason Haringsma, Officer Tyler Kuder, and Officer Sean Perkins, and POST Basic Certificate to Officer Nicholas Hernandez, Officer Jacob Kennedy and POST Patrol Canine Team Certificate to Detective Bradley Baisch.
Lieutenant Diamond and Lieutenant Thueson made a Presentation of POST Basic Certificates, POST Intermediate Certificates, POST Advanced Certificates, and POST K9 Drug Detection Certificates.

The Council & ELT members congratulated everyone.

- b) Swearing in two new Twin Falls Police Department officers: Cesar Cervantes Jr., and Michael Rich
Police Chief Kingsbury requested the swearing in of two new Twin Falls Police Department Officers.

New Officers Cesar Cervantes Jr and Michael Rich were sworn in by Mayor Pierce.

- c) Introduction of the Twin Falls Police Department's new employees: DeAnn Taylor, Sebastian Kondracki, Candice McCall, Hannah Smith, Megan Smith-Parker, and Logan Wilcox.
Police Captain Wright introduced new employees: DeAnn Taylor, Sebastian Kondracki, Candice McCall, Hannah Smith, Megan Smith-Parker, and Logan Wilcox.

The Council & ELT members Welcomed everyone.

- d) Consider adopting the International Code Council (ICC) Building Valuation Data Table to standardize the process of determining permit valuations within the Building Safety Department.

Building Official Matthew Long requested to adjust the Building Valuation Data Table to Standardize the process every October to set the standards for the building safety department.

Discussion ensued on the following:

Mayor Pierce asked for clarification on the declared value and if that is the number the builder brings in?

Council Member Stone asked BO to apply the table to an example of a residential property to show how they came up with the number in the total evaluation.

Council Member Cutler asks for clarification about fees on permits? How do we base the fee on and are we just taking the builders' word?

Council Member Vollmer asked the advisory board if these new table are in accordance with what we are seeing around here?

Council Member Reid wanted to know what the 1 vote that said no on the building advisory board was?

Council Member Stone clarified that there would be no profit on the building side by accepting this table

Mayor Pierce asked who makes the decisions on what type of construction the building is?

MOTION: Council Member Stone moved to approve the request to adjust the Building Valuation Data Table to standardize the process. **Vice Mayor Brown** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- e) Consider a request to allocate \$1,208,000 Park Impact Fees to fund the Canyon Trail Junction Project.

Parks and Recreation Director Wendi Davis requests to allocate \$1,208,000 Park Impact Fees to fund the Canyon Trail Junction Project.

Discussion ensued on the following: None

MOTION: Vice Mayor Brown to approve the request to allocate \$1,208,000 Park impact fees to fund the Canyon Trail Junction Project. **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- f) Consider a request to accept the CM/GC contract for the Canyon Trail junction project with Wright Brothers and authorize the mayor to sign.

Parks and Recreation Department Wendi Davis requested to accept the CM/CG Contract with the Wright Brothers for the Canyon Trail Junction Project

Discussion ensued on the following:

Council Member Stone asked **Council member Spencer** if the amounts sounded correct in the contracting world?

MOTION: Vice Mayor Brown moved to approve the request to accept the CM/CG Contract with the Wright Brothers for the Canyon Trail junction project. **Council Member**

Hawkins seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

5) GENERAL PUBLIC INPUT None

6) ADVISORY BOARD REPORT/ANNOUNCEMENTS

Council Member Cutler talked about the HPC board had a meeting today and still intact and moving forward with projects.

Deputy City Manager Mitch Humble reminded everyone about the light parade this Friday and the streets would close around 3pm.

7) PUBLIC HEARINGS

- a) Request to approve the Program Year 2023 Consolidated Annual Performance and Evaluations Report. (PY23 CAPER).

Planning and Zoning Director Jonathan Spendlove requested to approve the Program Year 2023 Consolidated Annual Performance and Evaluations Report. (PY23 Caper)

Discussion ensued on the following: None

Public Hearing Opened: **6:07 pm**

Public Hearing Closed: **6:08 pm**

MOTION: Council Member Reid moved to approve the request for the Program Year 2023 Consolidated Annual Performance and Evaluation Report. **Council Member Stone** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

8) ADJOURNMENT

The meeting adjourned at 06:10 PM

Rachael Long, Administrative Assistant

****If you wish to have a full accounting of this meeting, please listen to the recording that is located on our website. **** [Tfid.org](https://www.tfid.org)



Date: Monday December 9, 2024
To: Honorable Mayor and City Council
From: Bill Carberry, Airport Manager

Consent Calendar

Airport Land Transfer from TF County to TF City

Request: Request to approve acceptance of Magic Valley Regional Airport property deeds granted from Twin Falls County to the City of Twin Falls.

Background: With an interest in providing efficiencies to the operation of the airport, the City & County updated their Airport Intergovernmental Agreement October 28, 2024. The revised agreement included a new provision wherein the County would transfer its interest in all County owned property to the City for the City to take on the role of sole sponsor for FAA airport development grants. In addition, the City would be responsible for all lease agreements in existence now and executed in the future.

Approval Process: A majority vote of the City Council is needed to approve the request.

Budget Impact: The newly executed airport agreement maintains the intent that the City & County will be equal contributors of property tax support established during each year's airport budget process.

Regulatory Impact: The acceptance of the land transfer from the County will allow the City to be deemed the sole sponsor of federal grants by the FAA. This sponsorship will require the City to authorize and execute FAA grant applications, awards and contracts. Upon acceptance of this land transfer, and approval of the City as sole sponsor by the FAA, the County will be released from all FAA grant obligations existing and in the future.

If, at any time in the future, the airport is ever abandoned or ceases operation permanently, all land deeded from the County to the City will be deeded back to the County.

Conclusion: Staff recommends the City Council approve acceptance of airport property granted to the City from the County of Twin Falls.

Attachments:

*Twin Falls County Board of Commissioner's Resolution deeding property to the City of Twin Falls.

* Intergovernmental Airport Cooperation Agreement executed October 28, 2024.

RESOLUTION NO. 2025-

WHEREAS, the Twin Falls County (County) and the City of Twin Falls (City) approved an Intergovernmental Cooperation Agreement (Agreement) for the Operation of Joslin Field, Magic Valley Regional Airport on October 21, 2024 and October 28, 2024 respectively; and

WHEREAS, section 4.c Land Acquisitions of the Agreement states that the County shall deed unto the City all Airport land owned by the County; and

WHEREAS, Idaho Code §31-808 states the Commissioners may at their discretion, grant to or exchange with the federal government, the state of Idaho, any political subdivision or taxing district of the state of Idaho, any real or personal property or any interest in such property owned by the county; and

WHEREAS, Twin Falls County has determined that it is in the public interest for the below property to be transferred to the City of Twin Falls.

NOW, THEREFORE, BE IT RESOLVED by the Twin Falls County Board of Commissioners that the following property shall be granted to the City of Twin Falls.

RP11S17E077200
RP11S17E072600
RP11S17E070200
RP11S17E094800
RP11S17E097200
RP11S17E097210
RP11S17E105400
RP11S17E105410

DATED this ____ day of December, 2024.

TWIN FALLS COUNTY BOARD OF
COMMISSIONERS

Don Hall, Chairman

Jack Johnson, Commissioner

Brent Reinke, Commissioner

ATTEST:

Kristina Glascock, Clerk

**INTERGOVERNMENTAL COOPERATION AGREEMENT
FOR THE OPERATION OF
JOSLIN FIELD, MAGIC VALLEY REGIONAL AIRPORT**

INTERGOVERNMENTAL AGREEMENT, hereafter “Agreement”, made and entered into the 28th day of October 2024 (hereafter “effective date”) by and between the City of Twin Falls, an Idaho municipal corporation, hereafter “City”, and Twin Falls County, a political subdivision of the State of Idaho, hereafter “County” for the joint operation of Joslin Field, Magic Valley Regional Airport, hereafter “Airport.”

WHEREAS, the City and County have jointly constructed and developed the Airport which is located within the territorial boundaries of the County, pursuant to the statutory authority granted by Chapter 4 of Title 21 of the Idaho Code; and

WHEREAS, pursuant to the authority granted in Idaho Code Sections 67-2326 and 67-2328, the City and County desire to enter into an Intergovernmental Agreement for the continued operation of the Airport, And

WHEREAS, the City and County desire to amend the nature of this relationship from its previous form, including the County deeding all Airport properties owned by the County to the City, and as more fully described below.

NOW THEREFORE, the parties agree as follows:

- 1) DURATION:** The duration of this Agreement is twenty 20 (years), beginning October 28, 2024, and ending December 31, 2044, unless terminated earlier as provided for in this Agreement. At the expiration of the initial twenty (20) year term this agreement will automatically renew for one additional twenty (20) year term unless either party provides notice not to renew by January 1, 2044. The 1968 Agreement and all subsequent amendments shall terminate upon the effective date of this Agreement.

2) AIRPORT ADVISORY COMMISSION:

- a. **Purpose** – The Airport Advisory Commission shall assist with planning the operation, construction, improvement and development of said Airport; shall review the annual budget for operation, improvement, construction and development of said Airport; consider and recommend contracts and leases for all operations conducted at the Airport; and shall recommend and advise generally the respective governing bodies as to all matters concerning the Airport.
- b. **Members, Selection, and Term** – The parties have agreed to the creation of a Joint Airport Advisory Commission consisting of six (6) members. The members are selected three (3) by the City and three (3) by the County from the general populace residing within the respective jurisdictions. No member of said Airport Advisory Commission may hold an elective public office. The term of each member shall be three (3) years. Any vacancy which occurs on this Commission shall be filled by the jurisdiction losing a position on the Airport Advisory Commission and for the remaining portion of the vacated term. No compensation shall be provided for members of the Airport Advisory Commission. Each jurisdiction may appoint a nonvoting, ex officio member of the Commission from the respective governing body. The Commission shall elect a chairman for the conduct of business, and the Airport Manager shall serve as secretary and a nonvoting ex officio member of the Commission.
- c. **Meetings** – All meetings of the Airport Advisory Commission shall be called by the Airport Manager or the chairman of the Airport Advisory Commission and shall be

conducted at the Airport. A quorum shall consist of four (4) representatives. The passage of any action shall require a minimum of four (4) votes.

3) AIRPORT MANAGER:

- a. **Selection** – The City Manager shall hire the Airport Manager following a review of applications and interview process which will include a member of the Twin Falls City Council or the Council's designated representative, a member of the Twin Falls County Commission or the Commissioners' designated representative, a representative from the Airport Advisory Commission, and other participants as deemed appropriate by the City Manager.
- b. **Salary** – The Airport Manager will be an employee of the City of Twin Falls, and their salary shall be set forth in accordance with the City of Twin Falls compensation and benefits plan.
- c. **Duties & Responsibilities** – The Airport Manager shall be responsible for the day-to-day operations of the Airport as set forth below.
- d. **Annual Evaluation** – The Airport Manager will have an annual performance evaluation in accordance with the City of Twin Falls employment practices. The Twin Falls City Council and Twin Falls County Commissioners shall provide input as part of this evaluation.
- e. **Quarterly Reports from Airport Manager**: the Airport Manager shall, at least on a quarterly basis, communicate with and update the City Council and the County Commissioners regarding Airport operations and issues, budget performance, and budget planning.

4) OPERATION:

- a. **Day to Day Operations** – The City shall be solely responsible for the management, control, and supervision of all routine business and affairs of the Airport. The City Manager and the Airport Manager shall be responsible to ensure that Airport maintenance and operation are performed pursuant to this agreement and to the Airport budget approved by the City Council and County Commissioners, and to the City and County's federal grant obligations.
- b. **Grants** – The City shall be the sponsor responsible for administrative execution of all FAA grant applications and awards, and to fulfill all assurances required in such applications and awards. This sponsorship will require the City to authorize and execute FAA grant applications, awards and contracts. However, for all grants awarded to the Airport prior to the execution of this Agreement, the City and County as co-sponsors shall both maintain all previously agreed-to obligations imposed thereunder for the duration of those grants or until such time as the FAA transfers prior obligations to the City as sole sponsor.
- c. **Land Acquisitions** – The County shall deed unto the City all Airport land owned by the County. All future land acquisitions at the Airport will be recorded in the name of the City. If, at any time in the future, the Airport is ever abandoned or ceases operations permanently, all land deeded from the County to the City under the terms of this Agreement shall be deeded back to the County.
- d. **Lease of Airport Property** – The County will notify all lessees or other interest holders in those properties the County will be deeding to the City of the County's

assignment of its rights in all leases and other related agreements to the City. As of the effective date of this Agreement any leases or lease modifications of airport property shall be reviewed and approved by the City. Such leases must comply with all planning and zoning, land use, and other applicable regulations, the airport master plan operations and designated land use, and with the terms of this Agreement. Additionally, all leases will comply with Idaho Code Sections 21-401 and are not subject to the limitation as to length of term prescribed in Idaho Code 31-836.

5) FINANCES:

- a. **Proposed Budget** – The Airport Advisory Commission shall review a preliminary annual budget for each fiscal year, showing the anticipated revenues and expenditures for the next budget year. Said proposed budget shall be presented to the City Council and Board of County Commissioners.
- b. **Budget Approval** – The Twin Falls Board of County Commissioners, City Manager or his designee, City Financial Officer, and Airport Manager shall meet at least once per year during the month of May to discuss the affairs of the Airport, to include the current and pending annual budget; administration of this Agreement; and any extraordinary expenditures, other than those for the day to day operation of the Airport, prior to the commitment of such expenditure. The proposed budget will be included within the total budget for both the City of Twin Falls, as adopted by the City Council and Twin Falls County, as adopted by the Board of County Commissioners. The Airport Manager will be available as requested throughout the year to discuss the airport budget and any proposed modifications to the budget.

- c. **Contributions** – It is the intent that the City and County shall each levy and contribute an equal amount of the property tax supported revenue required for capital, maintenance and operation of the Airport, subject to the annual budget approval of the City Council and Board of County Commissioners, respectively. The City's contribution shall be the amount shown on the line item for "Airport" on the City's annual L-2 form under "Balance to be levied." Any costs not provided for in the current Airport budget shall be approved by the City Council and County Commissioners prior to incurring said costs.
- d. **Accounting** – City administrative and other department personnel, equipment, and facilities may be employed to ensure the cost-effective operation of the airport. Such expenses shall be approved annually by both the City and County. It is further provided that the accounting procedure for the paying of the expenses of the airport operation which are presently being used by the City will be continued. All FAA audit requirements will be the responsibility of the City finance department.
- e. **Limit on Indebtedness** – The parties hereto acknowledge the constitutional limitations on indebtedness imposed by Article VIII Section 3 of the Idaho Constitution. Budget approval shall be only for "ordinary and necessary expenses" in the operation of the airport during the next budget year, except as provided for in Article VIII Section 3E, permitting revenue and special facility bond financing for airports.

6) COOPERATIVE LAND USE PLANNING AND ZONING: The City and County will work cooperatively, per Idaho Code 21-502 and 67-6508, to establish compatible land use planning and zoning in the surrounding airport environs. Such planning and zoning will be conducted

to help provide for the safety of airport operations and to help prevent the creation or establishment of aviation hazards.

- 7) **INSURANCE:** The City will secure and maintain, at its sole cost and expense, General Liability Insurance coverage for all claims that may arise from the operation of the Airport, whether by the City or anyone directly or indirectly employed by the City. The policy shall include liability coverage arising out of premises, operations, independent contractors, products, completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The City is responsible for determining the minimum limits of liability necessary to provide reasonable financial protections to the City and County under this Agreement. Such insurance must include the County as an additional insured for the entire length of the Agreement.
- 8) **INDEMNIFICATION:** To the fullest extent permitted by law, the City shall indemnify and hold the County harmless of and from any and all claims arising out of or in connection with or related to the negligence or willful misconduct of City and/ or City's agents, contractors, or employees.
- 9) **AMENDMENT TO THE AGREEMENT:** No Amendment to this Agreement shall be valid and enforceable unless reduced to writing and authorized and signed by the parties.
- 10) **TERMINATION:** This Agreement may be terminated by either party by providing written notice of termination at least nine (9) months prior to the conclusion of the fiscal year on September 30. The termination will become effective at the conclusion of the then-current fiscal year. However, termination does not absolve either party from prior obligations. This Agreement does not establish a separate legal entity to conduct a joint or cooperative undertaking, as provided for in Idaho Code 67-2328(d). Any real property acquired or

improved while this Agreement is in effect must remain available for the use of this publicly funded airport facility, pursuant to the requirements of FAA funding grants, and shall not be disposed of, but shall remain available for use of the airport operations. In the event the airport permanently ceases operation, the City agrees to deed back to the County those properties transferred to the City under this Agreement.

11) REPEALING CLAUSE: All previous Intergovernmental Airport Agreements between the City and County are hereby repealed and superseded by this Agreement.

12) SEVERABILITY: If any word, phrase, section, subsection, provision, clause or paragraph of this Ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of this Ordinance; and it is hereby expressly declared that every other word, phrase, section, subsection, provision, clause or paragraph of the Ordinance enacted, regardless of the enactment or validity of the portion thereof declared to be unconstitutional or invalid, is valid.

13) EFFECTIVE DATE: This Agreement shall be in full force and effect beginning on October 28, 2024.

(SIGNATURES ON FOLLOWING PAGE)

Dated this 28th day of October 2024.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives.

CITY OF TWIN FALLS, IDAHO

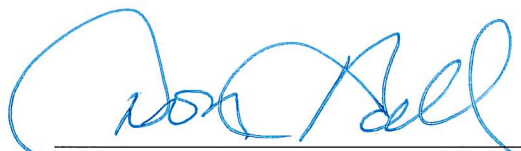


Mayor, City of Twin Falls

ATTEST: 

Deputy City Clerk

COUNTY OF TWIN FALLS, IDAHO



Chairman, Board of County Commissioners

ATTEST: 

Deputy County Clerk



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Final Plat</u> Application,	)	FINDINGS OF FACT,
	)	
<u>Westpark Commercial Subdivision No. 12</u>	)	CONCLUSIONS OF LAW,
Applicant(s).	)	
	)	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on December 2, 2024, for consideration of the final plat of the Westpark Commercial Subdivision No. 12, consisting of 8.62 acres on property located at the 200 block of Avenida Del Rio Drive, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the Westpark Commercial Subdivision No. 12, consisting of 8.62 acres on property located at the 200 block of Avenida Del Rio Drive.
2. The property in question is zoned C-1 PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Mixed Use in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Commercial; to the east, Commercial; to the west, Commercial.
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of the Westpark Commercial Subdivision No. 12, consisting of 8.62 acres on property located at the 200 block of Avenida Del Rio Drive is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). 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.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the Westpark Commercial Subdivision No. 12, consisting of 8.62 acres on property located at the 200 block of Avenida Del Rio Drive is hereby granted, subject

to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. 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 site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards; and
2. Subject to submittal of a final plat, submitted prior to the signing of the final plat, showing compliance with all conditions and comments in Engineering Memorandum dated November 8, 2024.



Date: Monday, December 9, 2024
To: Honorable Mayor and City Council
From: Kevin Loosli, Sergeant, Twin Falls Police Department

ACTION ITEM

Request:

A request for the City Council to approve the Twin Falls Police Department's donation of fifteen (18) Axon Taser X2 handles and cartridges to the Rupert Police Department and ten (10) to the College of Southern Idaho Law Enforcement Program.

Time Estimate:

consent agenda item No presentation

Background:

The Twin Falls Police Department updated its Axon Taser X2s to Taser 10s during the fiscal year 2024. In 2018, we signed a five-year contract that provided the Taser X2s; in 2024, we signed our new Taser contract, which provided us with the latest technology in Tasers, the Taser 10. We currently have 68 Taser X2s, an older technology that the department needs to dispose of.

We have several Magic Valley Law Enforcement entities running older technology in Tasers that are no longer serviced by Axon and can benefit from our Taser X2s. These Taser X2s are only available to law enforcement agencies. We paid \$1300 for the Taser X2 under the original contract, which covered software costs. They have no value to the department as is. The cartridges are 49.92 per cartridge (2 cartridges per taser).

Approval Process:

Approval of this request requires a simple majority (50%+1) of the members attending this meeting.

Budget Impact:

N/A

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

A request for the Council to approve the police department to donate Axon Taser X2s to the Rupert Police Department and the College of Southern Idaho Law Enforcement Program.

Attachments:

None



Date: Monday, December 9, 2024
To: Honorable Mayor and City Council
From: Jonathan Spendlove

ACTION ITEM

Request:

Request to approve a resolution of the City Council of the City of Twin Falls, Idaho proposing new fees and amending the City's Master Fee Schedule.

Time Estimate:

The estimated amount of time for this item is 10 minutes, with additional time for Council questions and public input.

Background:

Building

At their December 2, 2024 meeting, the City Council directed staff to include the adoption of the ICC building valuation table in the City's master fee schedule as the means for establishing building permit values. Doing so will establish a consistent approach for calculating construction costs per square footage, enhancing fairness and predictability in permit issuance. By adopting this data table, we aim to streamline operations and align with best practices in building valuation.

Impact Fee

At their November 25, 2024 meeting, the City Council directed staff to include this impact fee increase in the City's master fee schedule. Impact Fee collections are based on the costs for the City to construct the associated projects listed on the Capital Improvement Plan. It is prudent to adjust collection amounts to line up with inflation costs, otherwise the program will not be able to fulfill its mission of constructing the projects on the list. Therefore, the impact fee program has been set up to include an annual increase by an amount equal to the Municipal Cost Index. For 2024, that impact fee increase is 1.31%.

An Impact Fee increase of 1.38% was approved by City Council on December 18, 2023. However, the Master Fee Schedule was not amended to reflect the Council approved increase at that time. Therefore, the Master Fee Schedule attached to this request incorporates both increases.

Utility Billing

In April 2022, penalties for delinquent water and sanitation accounts were raised to better cover the escalated administrative and operational costs incurred over several decades. Before this adjustment, fees had remained unchanged for over 25 years, which had led to insufficient cost recovery from processes such as disconnecting and reconnecting services and managing late payments. The increase was designed to encourage timely payments and reduce the resource burdens created by frequent service interruptions.

However, this updated penalty structure led to unintended consequences, particularly the accumulative fiscal penalties on smaller sewer and sanitation accounts that were not sent to collections. As a result, some residents faced significant financial strain due to disproportionately high penalties. In response to these challenges, we propose an amendment to the master city-wide fee schedule for 2024, which would grant the City Manager the discretion to forgive penalties on a case-by-case basis. This new provision

aims to introduce flexibility in managing overdue accounts by addressing special circumstances and preventing undue hardship on affected residents. By implementing this change in addition to sending accounts to collections

Approval Process:

Since the fee increases being proposed with this item are less than 105% of the last fees collected, no public hearing is required for this request. Therefore, it will take a simple majority vote of the council to approve this request.

Budget Impact:

Adopting the International Code Council (ICC) Building Valuation Data Table to standardize the process of determining permit valuations within the Building Safety Department has no budgetary impact. While some permit fees may increase and others may decrease, the overall impact is intended to balance out, leading to a neutral effect on the overall fee revenue.

If impact fees are not increased based on the inflation of materials, the City could see a decrease in the level of service for existing residents as the new projects would take longer to be constructed due to the increase timeframe for collecting fees.

Adding the ability for the City Manager to waive fees on a case-by-case basis would reduce City revenue.

Regulatory Impact:

Should the Council approve this request, the Master Fee Schedule will be amended as presented herein.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends the Council adopt the proposed fees in the Master City-Wide Fee schedule with an effective date of January 1, 2025.

Attachments:

1. 12-09-24 Master City-Wide Fee Schedule Resolution
2. 12-09-24 Exhibit B Master City-Wide Fee Schedule
3. 12-09-24 Exhibit B Master City-Wide Fee Schedule Footnotes
4. 12-09-24 Exhibit C Master City-Wide Fee Schedule Changes

RESOLUTION NO. 2024-011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO,
PROPOSING NEW FEES AND AMENDING THE CITY'S MASTER FEE SCHEDULE.

Section 1: Proposed New Fees and Proposed Fee increase in excess of five percent (5%).

WHEREAS, Pursuant to Idaho Code Sections 63-1311 and 63-1311A the City would like to establish new fees and increase certain fees by more than five percent (5%); and,

WHEREAS, Pursuant to Idaho Code Section 63-1311A the City must hold a public hearing prior to approving a new fee or a fee increase in excess of five percent (5%); and,

WHEREAS, Notice of the Public Hearing was properly given pursuant to Idaho Code Section 63-1311A; and,

WHEREAS, Attached hereto and incorporated herein as Exhibit A is a list of all proposed new fees and proposed fee increases in excess of five percent (5%).

Section 2: Proposed Master Fee Schedule

WHEREAS, Attached hereto and incorporated herein as Exhibit B is the Master Fee Schedule, with proposed amounts.

WHEREAS, The City would like to repeal all other fee resolutions that are inconsistent with this Resolution.

WHEREAS, Attached hereto and incorporated herein as Exhibit C is a list of all changes made as part of the new Master Fee Schedule regardless of the amount.

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

Section 1: That the proposed new fees and fee increases listed in Exhibit A are approved.

Section 2: That the Master Fee Schedule, attached as Exhibit B, is approved and that all prior resolutions or parts thereof inconsistent with this Resolution are repealed.

PASSED BY THE CITY COUNCIL _____, 2024.
SIGNED BY THE MAYOR _____, 2024.

MAYOR

ATTEST:

DEPUTY CITY CLERK

Exhibit B
MASTER CITY-WIDE FEE SCHEDULE

Department	Description	Fee Amount	Fee Description
Airport	Private hangar land lease	\$ 0.176	Per sq. ft., annual/ with CPI escalation adjust (see footnote Airport #1)
Airport	FBO land lease	\$ 0.198	Per sq. ft., annual/ with CPI escalation adjust (see footnote Airport #1)
Airport	Commercial land lease	\$ 0.198	Per sq. ft., annual/ with CPI escalation adjust (see footnote Airport #1)
Airport	Landing Fee (FAA 121, 135, or any acft over 12,500 lbs)	\$ 1.670	Each, per thousand lbs. MGLW, \$13.31 min (see footnote Airport #2)
Airport	Airline terminal rates	\$ 18.470	Per sq. ft., annual/ with CPI escalation adjust (see footnote Airport #1)
Airport	Restaurant	\$ 792.07	Monthly with annual CPI escalation adjust (see footnote Airport #1)
Airport	Terminal car rental rates	10%	Monthly % gross revenue, \$25,000 MAG
Airport	Non-tenant car rental permit	\$ 150.000	Annual (see footnote Airport #3)
Airport	ARFF (over 9 seats)	\$ 85.230	Per hour, \$85.23 minimum (see footnote Airport #4)
Airport	Fuel flowage	\$ 0.09	Per gallon, monthly
Airport	Security charge	\$ 20.00	Each, per hour of service (See footnote Airport #5)
Airport	Tie downs to FBO's, STD Size	\$ 6.00	Monthly
Airport	Tie downs to FBO's, Over-Sized	\$ 7.00	Monthly
Airport	Land lease survey and recording fee	\$ 4,000.00	Land lease survey for County parcel recording (see footnote Airport #6)
Airport	Interest on past due	12%	Per annum, monthly
Airport	Parking violation, paid within 3 days	\$ 35.00	
Airport	Parking violation, paid outside of 3 days	\$ 50.00	
Airport	Parking violation, collection	\$ 25.00	
Airport	SIDA ID Badge New Application (Non-Refundable)	\$ 80.00	SIDA = Security Identification Display Area Access
Airport	SIDA ID Badge Application Annual Renewal (Non-Refundable)	\$ 55.00	
Airport	AOA ID Badge New Application (Non-Refundable)	\$ 55.00	AOA = Air Operations Area Access, Excludes SIDA Access
Airport	AOA ID Badge Application Annual Renewal (Non-Refundable)	\$ 55.000	
Airport	Failure to Return ID Badge/Replace Lost ID Badge (1st Occurrence)	\$ 55.000	
Airport	Failure to Return ID Badge/Replace Lost ID Badge (2nd Occurrence)	\$ 110.00	
Airport	Failure to Return ID Badge/Replace Lost ID Badge (3rd Occurrence)	\$ 165.00	Consideration of Revocation of Badge Privileges
Airport	Failure to Return Security Key/Replace Lost Security Key (Non-Refundable)	\$ 75.00	
Airport	Replacement of Damaged ID Badge	\$ -	No Charge for replacement of Damaged SIDA or AOA ID Badge
Building	Building permit fee \$1-\$500	\$ 22.00	Per application (see footnote Building #1)
Building	Building permit fee \$501-\$2,000	\$ 22.00	For the first \$500 + \$2.75 for each add'l \$100 or fraction thereof (see footnote Building #1)
Building	Building permit fee \$2,001.00 to \$25,000.00	\$ 63.00	For the first \$2k + \$12.50 for each add'l \$1k or fraction thereof (see footnote Building #1)
Building	Building permit fee \$25,001-\$50,000	\$ 352.00	For the first \$25k + \$9 for each add'l \$1k or fraction thereof (see footnote Building #1)
Building	Building permit fee \$50,001 to \$100,000	\$ 580.00	For the first \$50k + \$6.25 for each add'l \$1k or fraction thereof (see footnote Building #1)
Building	Building permit fee \$100,001 to \$500,000	\$ 895.00	For the first \$100k + \$5 for each add'l \$1k or fraction thereof (see footnote Building #1)
Building	Building permit fee \$500,001 to \$1,000,000	\$ 2,855.00	For the first \$500k + \$4.25 for each add'l \$1k or fraction thereof (see footnote Building #1)
Building	Building permit fee \$1,000,001.00 and up	\$ 4,955.00	for the first \$1,000,000.00 + \$2.75 for each add'l \$1k or fraction thereof (see footnote Building #1)
Building	Commercial Plan Review Fee		65% of the building permit fee
Building	Residential Plan Review Fee		30% of the building permit fee
Building	Residential demolition permit	\$ 22.00	
Building	Commercial demolition permit	\$ 42.00	
Building	Permit to move a building	\$ 42.00	
Building	Swimming pool permit	\$ 50.00	
Building	Re-inspection fee	\$ 50.00	
Building	Inspections for which no fee is specified	\$ 42.00	Per hour, min 1/2 hour (see footnote Building #2)
Building	Inspection outside of business hours	\$ 42.00	Per hour, min 2 hours (see footnote Building #2)
Building	Additional plan review fee	\$ 50.00	For all changes, additions, or revisions requiring review
Building	Temporary certificate of occupancy application: single family & duplex permits	\$ 500.00	Per application and extension
Building	Temporary certificate of occupancy retainer: single family & duplex permits	\$ 1,000.00	Refundable retainer
Building	Temporary certificate of occupancy application: non-single family & duplex permits	\$ 1,200.00	Per application and extension
Building	Temporary certificate of occupancy retainer: non-single family & duplex permits	1.50%	Percent of project value (\$5k min; \$75k max)
Building	Use of outside consultant		Actual costs include administrative and overhead costs
Building	Mechanical, Electrical, and Plumbing residential permit (1 and 2 family dwellings) 0-2,500 sq. ft.	\$ 120.00	Finished and unfinished, excluding garages and covered patios (see footnote Building #3)
Building	Mechanical, Electrical, and Plumbing residential permit (1 and 2 family dwellings) 2,501-4,000 sq. ft.	\$ 155.00	Finished and unfinished, excl. garages and covered patios (see footnote Building #3)
Building	Mechanical, Electrical and Plumbing residential permit (1 and 2 family dwellings) 4,001+ sq. ft.	\$ 200.00	Finished and unfinished, excl. garages and covered patios (see footnote Building #3)

Exhibit B
MASTER CITY-WIDE FEE SCHEDULE

Department	Description	Fee Amount	Fee Description
Building	Mechanical, Electrical and Plumbing Other Installations	\$ 50.00	Flat fee (see footnote Building #4)
Building	Mechanical, Electrical and Plumbing Commercial Permit \$501 - \$10,000	\$ 60.00	Plus \$.02 x project value (project value includes contract price of work plus value of owner supplied equipment and labor)
Building	Mechanical, Electrical and Plumbing Commercial Permit \$10,001-\$100,000	\$ 260.00	(Project value - \$10,000) x \$.01) + base fee (\$260) - (project value includes contract price of work plus value of owner supplied equipment and labor)
Building	Mechanical, Electrical and Plumbing Commercial Permit \$100,001+	\$ 1,160.00	(Project value - \$100,00) x \$.005) + base fee (\$1,160) - (project value includes contract price of work plus value of owner supplied equipment and labor)
Building	Mechanical, Electrical and Plumbing requested inspection fee	\$ 42.00	Per hour, 1/2 hour min
Building	Mechanical, Electrical and Plumbing re-inspection fee	\$ 50.00	
Building	Mechanical, Electrical and Plumbing plan check fee	\$ 42.00	Per hour, 1/2 hour min
Building	Small work permit	\$ 10.00	(see footnote Building #5)
Building	Work without permit - first violation fee	\$ 100.00	Or double the required permit fee - whichever is greater (see footnote Building #6)
Building	Work without permit - second violation fee	\$ 250.00	Or double the required permit fee - whichever is greater (see footnote Building #6)
Building	Work without permit - third violation fee	\$ 500.00	Or double the required permit fee - whichever is greater (see footnote Building #6)
Building	Work without permit - fourth and subsequent fee	\$ 1,000.00	Or double the required permit fee - whichever is greater (see footnote Building #6)
City Manager	RIDE TFT in-vehicle advertising	\$ 300.00	Monthly with no minimum commitment
City Manager	RIDE TFT vehicle wrap fee (min. commitment 1 year)	\$ 2,000.00	Monthly, 20% discount w/2 year commitment (see City Manager footnote #1)
Code Enforcement	Animal permits small animal	\$ 2.00	
Code Enforcement	Animal permits large animal	\$ 5.00	
Code Enforcement	Duplicate dog tags	\$ 1.00	
Code Enforcement	Fines not paid within 45 days	\$ 25.00	In addition to parking ticket of \$35 and \$75
Code Enforcement	Kennel fees	\$ 100.00	Annual
Code Enforcement	Parking tickets	\$ 35.00	
Code Enforcement	Parking tickets if not paid within 3 days	\$ 50.00	
Code Enforcement	Vehicles, equipment, prohibited on property 1st violation	\$ 100.00	
Code Enforcement	Vehicles, equipment, prohibited on property 2nd violation	\$ 200.00	
Code Enforcement	Vehicles, equipment, prohibited on property 3rd and subsequent violations	\$ 300.00	
Code Enforcement	Watering violations through stage 2 first violation	\$ 40.00	
Code Enforcement	Watering violations through stage 2 second violation	\$ 80.00	
Code Enforcement	Watering violations through stage 2, third and subsequent violations	\$ 120.00	
Code Enforcement	Watering violations through stage 3 first violation	\$ 80.00	
Code Enforcement	Watering violations through stage 3 second violation	\$ 160.00	
Code Enforcement	Watering violations through stage 3 third and subsequent violations	\$ 240.00	
Code Enforcement	Weed/rubbish violations first violation	\$ 100.00	
Code Enforcement	Weed/rubbish violations second violation	\$ 200.00	
Code Enforcement	Weed/rubbish violations third and subsequent violations	\$ 300.00	
Engineering	Improvement reimbursement - application	\$ 200.00	Flat fee
Engineering	Improvement reimbursement - per lot	\$ 10.00	Per lot
Engineering	Improvement reimbursement for developments > 200 lots		Actual cost in time & materials
Engineering	Pressure Irrigation Service	\$ 1,290.52	Per lot
Engineering	Right-of-way permit	\$ 50.00	Flat fee
Engineering	Right-of-way permit, expiration penalty	\$ 15.00	Per day
Engineering	Subdivision review - preliminary plat	\$ 900.00	Flat fee
Engineering	Subdivision review - preliminary plat	\$ 25.00	Per lot
Engineering	Subdivision review - final plat	\$ 400.00	Flat fee
Engineering	Subdivision review - final plat	\$ 25.00	Per lot
Engineering	Subdivision review - conveyance plat	\$ 900.00	Flat fee
Engineering	Subdivision review - conveyance plat	\$ 25.00	Per lot
Engineering	Subdivision construction plan review - paving	\$ 75.00	Flat fee
Engineering	Subdivision construction plan review - paving	\$ 10.00	Per lot
Engineering	Subdivision construction plan review (3rd) - paving	\$ 5.00	Per lot
Engineering	Subdivision construction plan review - water	\$ 50.00	Flat fee
Engineering	Subdivision construction plan review - water	\$ 7.00	Per lot
Engineering	Subdivision construction plan review (3rd) - water	\$ 7.00	Per lot
Engineering	Subdivision construction plan review - sanitary sewer	\$ 50.00	Flat fee
Engineering	Subdivision construction plan review - sanitary sewer	\$ 7.00	Per lot
Engineering	Subdivision construction plan review (3rd) - sanitary sewer	\$ 7.00	Per lot

Exhibit B
MASTER CITY-WIDE FEE SCHEDULE

Department	Description	Fee Amount	Fee Description
Engineering	Subdivision construction inspection	\$ 500.00	Flat Fee
Engineering	Subdivision construction inspection	\$ 25.00	Per lot
Engineering	Wastewater connection application industrial		Established by the City Council
Engineering	Wastewater connection application municipal permit		Established by the City Council
Engineering	Wastewater capacity fees		Connection to the WWTS
Engineering	Wastewater capacity - Single family	\$ 512.54	
Engineering	Wastewater capacity - Duplexes	\$ 408.47	Per dwelling unit
Engineering	Wastewater capacity - Mobile home	\$ 303.27	Per dwelling unit
Engineering	Wastewater capacity - Apartments	\$ 408.47	Per dwelling unit
Engineering	Wastewater capacity - Commercial, institution, and industrial capacity fee		Based on annual flows and strengths
Engineering	Wastewater capacity - Flow	\$ 3.41	Per 1,000 gallons
Engineering	Wastewater capacity - Biological Oxygen Demand (BOD)	\$ 1.36	Per pound
Engineering	Wastewater capacity - Total Suspended Solids (TSS)	\$ 1.38	Per pound
Engineering	Wastewater user charges group 1 - residential - single family		Use of wastewater collection and treatment system
Engineering	Water service permit - 1 inch water service	\$ 55.35	Assessed at subdivision construction plan approvals
Engineering	Water service permit - 1 1/2 inch water service	\$ 55.35	Assessed at subdivision construction plan approvals
Engineering	Water service permit - 2 inch water service	\$ 55.35	Assessed at subdivision construction plan approvals
Engineering	Water service permit > 2 inch		Fee determined by City Engineer
Engineering	Water service permit - nonstandard		Fee determined by City Engineer
Engineering	Water meter fee - 1 inch (Badger model #55)	\$ 436.45	Assessed with building permit
Engineering	Water meter fee - 1 1/2 inch (Badger model #120)	\$ 765.13	Assessed with building permit
Engineering	Water meter fee - 2 inch (Badger model #170)	\$ 1,017.69	Assessed with building permit
Engineering	Water service (complete) - 1 inch	\$ 3,390.64	Complete water service- mainline connection to meter
Engineering	Water service (complete) - 1 1/2 inch	\$ 4,700.20	Complete water service- mainline connection to meter
Engineering	Water service (complete) - 2 inch	\$ 5,572.70	Complete water service- mainline connection to meter
Engineering	Water service (complete) - > 2 inch		Fee determined by City Engineer
Engineering	Water service (complete) - nonstandard service size		Fee determined by City Engineer
Engineering	Water main connection - 1 inch tap	\$ 150.00	Connections to live water mains (tap by City crew)
Engineering	Water main connection - 1 1/2 inch tap	\$ 150.00	Connections to live water mains (tap by City crew)
Engineering	Water main connection - 2 inch tap	\$ 150.00	Connections to live water mains (tap by City crew)
Engineering	Water main connection - 4 inch tap	\$ 1,433.99	Connections to live water mains (tap by City crew)
Engineering	Water main connection - 6 inch tap	\$ 1,595.70	Connections to live water mains (tap by City crew)
Engineering	Water main connection - 8 inch tap	\$ 2,063.47	Connections to live water mains (tap by City crew)
Engineering	Water main connection - 10 inch tap	\$ 2,835.12	Connections to live water mains (tap by City crew)
Engineering	Water main connection - 12 inch tap	\$ 4,269.89	Connections to live water mains (tap by City crew)
Engineering	Water modeling - spot check	\$ 200.00	Spot check for static water pressure and fire flow
Engineering	Water modeling - proposed infrast. for new development		Fee determined by City Engineer
Engineering	Sewer modeling fee - proposed infrast. for new development		Fee determined by City Engineer
Engineering	Sewer service connection - permit	\$ 15.00	Processing the permit
Engineering	Sewer service connection inspection	\$ 90.00	Inspection of sewer service connection to main line
Fire	Blasting agents	\$ 25.00	
Fire	Blasting explosives	\$ 25.00	
Fire	Blasting bulk storage permit	\$ 100.00	
Fire	Daycare inspections	\$ 25.00	
Fire	Fireworks for public display permits	\$ 125.00	
Fire	Fire inspection reporting fee	\$ 30.00	Life safety systems, 3rd party reporting (LIV)
Fire	Fuel storage new installation	\$ 120.00	Inspections for above ground storage tanks
Fire	Fuel storage new installation above ground, under 1,100 gallons	\$ 50.00	
Fire	Fuel storage alter, modify, repair existing tank	\$ 50.00	
Fire	Fuel storage remove, abandon, place out of service	\$ 25.00	
Fire	Inspection of temporary firework stand	\$ 25.00	
Fire	Safe & sane firework application	\$ 25.00	
Fire	Temporary fireworks storage	\$ 100.00	
Fire	Tent structure permit	\$ 50.00	Over 400 sq. ft. or for an awning over 750 sq. ft.
General	Alcohol catering permit	\$ 20.00	Per day (dictated by State Title 23, Chpt 9)
General	Airport violations	\$ 300.00	
General	Auctioneer's license	\$ 25.00	Annual
General	Beer license on premise, draught included	\$ 200.00	Annual draught and bottled or canned beer (dictated by City code 3-7-7)

Exhibit B
MASTER CITY-WIDE FEE SCHEDULE

Department	Description	Fee Amount	Fee Description
General	Beer license on premise, draught not included	\$ 150.00	Dictated by City code 3-7-7
General	Beer license off premise	\$ 50.00	Dictated by City code 3-7-7
General	Beer and/or wine license transfer fee	\$ 5.00	Each, dictated by City code 3-7-6 and 3-9-7
General	Bench permit	\$ 50.00	
General	Burglar alarm systems 3rd false alarm	\$ 25.00	
General	Burglar alarm systems 4th false alarm	\$ 50.00	
General	Burglar alarm systems 5th false alarm	\$ 75.00	
General	Burglar alarm systems 6 and more	\$ 100.00	
General	Card room license fee	\$ 10.00	Each table
General	Commercial vending license fee	\$ 100.00	Annual
General	Copies per page	\$ 0.20	Per page over 100
General	Cost of disk	\$ 10.00	
General	Cutting a curb permit	\$ 10.00	
General	Going out of business license	\$ 25.00	
General	Jewelry auction sale permit	\$ 25.00	
General	Liquor license application fee	\$ 50.00	Dictated by City code 3-9-4
General	Liquor license fee	\$ 562.50	Dictated by City code 3-9-6 and State Title 23, Chpt 9
General	Parade application	\$ 25.00	
General	Returned payments	\$ 20.00	Check or card
General	Solicitor's fee	\$ 25.00	Three months
General	Solicitor's bond	\$ 500.00	
General	Sound truck license	\$ 5.00	Per month
General	Sound truck license	\$ 20.00	Annual
General	Stopping, standing, parking violation, paid in 3 days	\$ 35.00	
General	Stopping, standing, parking violation, paid > 3 days	\$ 50.00	
General	Towing and storing (initial day)	\$ 4.00	Per day
General	Towing and storing (subsequent days)	\$ 1.00	Per day
General	Traffic violation	\$ 100.00	
General	Tree service license	\$ 25.00	
General	Wine license	\$ 200.00	Per retail license and each wine by the drink, annual
Golf	Adult single	\$ 565.00	
Golf	Adult couple	\$ 840.00	
Golf	Senior single	\$ 490.00	
Golf	Senior couple	\$ 765.00	
Golf	Each additional child	\$ 70.00	
Golf	Corporate up to 50 employees	\$ 5,000.00	Plus \$100 for each add'l employee
Golf	Corporate up to 50 employees including spouses	\$ 7,500.00	Plus \$150 for each add'l employee
Golf	College	\$ 315.00	
Golf	Junior	\$ 160.00	
Golf	Non-Resident	\$ 33.50	
Golf	Cart fees stored cart	\$ 265.00	
Golf	Cart fees haul on cart	\$ 185.00	
Golf	Cart fees locker	\$ 40.00	
Golf	Punch card - 10 rounds 9 holes	\$ 120.00	
Golf	Punch card - 10 rounds 18 holes	\$ 150.00	
Golf	Adult/senior 9 holes	\$ 16.00	
Golf	Adult/senior 18 holes	\$ 24.00	
Golf	Junior	\$ 10.00	
Golf	Specials twilight/rainy/windy	\$ 16.00	
Golf	Specials winter (nov-jan)	\$ 10.00	
Historic Preservation	Historic property declaration application	\$ 250.00	
Impact Fee	Impact fee - fire residential	\$ 1,075.95	Per dwelling unit. (see footnote Impact Fee #1)
Impact Fee	Impact fee - fire non-residential	\$ 0.54	Per sq. ft. (see footnote Impact Fee #1)
Impact Fee	Impact fee - police residential	\$ 269.28	Per dwelling unit. (see footnote Impact Fee #1)
Impact Fee	Impact fee - police non-residential	\$ 0.13	Per sq. ft. (see footnote Impact Fee #1)
Impact Fee	Impact fee - parks residential	\$ 1,867.85	Per dwelling unit. (see footnote Impact Fee #1)
Impact Fee	Impact fee - street single-family	\$ 1,639.42	Per dwelling unit. (see footnote Impact Fee #1)
Impact Fee	Impact fee - street multi-family	\$ 877.67	Per dwelling unit. (see footnote Impact Fee #1)

Exhibit B
MASTER CITY-WIDE FEE SCHEDULE

Department	Description	Fee Amount	Fee Description
Impact Fee	Impact fee - street retail	\$ 3.64	Per sq. ft. (see footnote Impact Fee #1)
Impact Fee	Impact fee - street office	\$ 2.17	Per sq. ft. (see footnote Impact Fee #1)
Impact Fee	Impact fee - street industrial	\$ 0.67	Per sq. ft. (see footnote Impact Fee #1)
Impact Fee	Impact fee - street institutional	\$ 0.42	Per sq. ft. (see footnote Impact Fee #1)
IT	Aerial reproduction processing fee	\$ 18.00	(see Footnote IT #1-3)
IT	Aerial reproduction fee per .TIF (1-99 .TIF)	\$ 36.00	(see Footnote IT #1-3)
IT	Aerial reproduction fee (>100 .TIF)	\$ 3,640.00	(see Footnote IT #1-3)
Parks	Auger Falls key deposit	\$ 200.00	Refundable
Parks	Band shell rental (initial day)	\$ 47.17	Per day, plus sales tax
Parks	Band shell rental (subsequent days)	\$ 14.15	Per day, plus sales tax
Parks	Commons stage rental	\$ 47.17	First day, plus sales tax
Parks	Commons stage rental - additional days	\$ 14.15	Plus sales tax
Parks	Commons/Main Ave outlets - all	\$ 75.47	Per day, per block, plus sales tax
Parks	Commons/Main Ave outlets - one	\$ 4.72	Per day, per outlet, plus sales tax
Parks	Court rental	\$ 3.77	Per hour, per court, plus sales tax
Parks	City Park electrical outlets - all	\$ 47.17	Per day, plus sales tax
Parks	City Park electrical outlet - one	\$ 4.72	Per day, per outlet, plus sales tax
Parks	Keg deposit	\$ 50.00	Deposit for the use of a keg at a park
Parks	PA system rental	\$ 14.15	Per day, plus sales tax
Parks	Replacement key (City parks)	\$ 28.30	Plus sales tax
Parks	Rental non-local organizatino damage deposit	\$ 500.00	Refundable
Parks	Shelter rental	\$ 23.58	7 hours, plus sales tax
Parks	Table rental	\$ 9.43	Per 7 hr time block, plus sales tax
Parks	Trash removal (over 500 people, over 3 hours)	\$ 20.00	Per hour for one employee
Parks	Trash removal (over 750 people, over 3 hours)	\$ 40.00	Per hour for two employees
Planning & Zoning	Annexation	\$ 1,200.00	
Planning & Zoning	Appeal or readvertisement at applicant's request	\$ 500.00	
Planning & Zoning	Certificate of appropriateness	\$ 100.00	
Planning & Zoning	Comprehensive plan amendment	\$ 1,500.00	
Planning & Zoning	Home occupation/oversized shed SUP (and appeal)	\$ 100.00	
Planning & Zoning	Investigation fee		Cost of investigation + cost of permit required
Planning & Zoning	Non-conforming building expansion permit	\$ 250.00	
Planning & Zoning	Non-conforming building expansion waiver	\$ 100.00	
Planning & Zoning	Publication costs		Publication costs
Planning & Zoning	PUD or ZDA modification	\$ 1,000.00	
Planning & Zoning	Rezone with PUD/ZDA	\$ 1,500.00	
Planning & Zoning	Rezone without PUD/ZDA	\$ 1,200.00	
Planning & Zoning	Sign - Impound Recovery Fee	\$ 25.00	
Planning & Zoning	Sign - Permanent with inspection	\$ 500.00	
Planning & Zoning	Sign - Permanent without inspection	\$ 100.00	
Planning & Zoning	Sign - Temporary	\$ 25.00	Per sign; per instance
Planning & Zoning	Sign - Temporary: for non-profit & non-commercial	\$ -	
Planning & Zoning	Special use permit	\$ 500.00	
Planning & Zoning	Special use revocation	\$ 250.00	
Planning & Zoning	Vacation	\$ 700.00	
Planning & Zoning	Variance	\$ 500.00	
Planning & Zoning	Wireless communication facilities (admin)	\$ 500.00	
Planning & Zoning	Wireless communication facilities (SUP)	\$ 1,000.00	
Planning & Zoning	Zoning verification letter - PCR	\$ 250.00	
Planning & Zoning	Zoning title amendment	\$ 1,500.00	
Police	Fingerprinting services	\$ 10.00	For up to 2 cards per person
Police	Pawnshops, brokers, secondhand dealers license	\$ 500.00	Annual
Police	Pawnshops, brokers, secondhand dealers license	\$ 250.00	Semi-annual
Police	Pawnshops, brokers, secondhand dealers license	\$ 50.00	Dealers that purchase < 10 goods per month
Police	Pawnshops, brokers, secondhand dealers violation	\$ 300.00	
Police	Pawnshops employee fingerprint (new)	\$ 43.25	
Police	Private security service license employee (new/renewal)	\$ 50.00	
Police	Private security service license employee application	\$ 25.00	

Exhibit B
MASTER CITY-WIDE FEE SCHEDULE

Department	Description	Fee Amount	Fee Description
Police	Private security service license employee admin (renewal)	\$ 15.00	
Police	Private security service license business (new/renewal)	\$ 50.00	
Police	Private security service license business admin (renewal)	\$ 15.00	
Police	Private security service license employee 3rd year (new/renewal)	\$ 50.00	
Police	Private security service license employee 3rd year admin (renewal)	\$ 15.00	
Police	Public records requests labor charge		Labor cost when over 2 hours
Police	Special event permit	\$ 25.00	
Police	Towing administrative costs	\$ 40.00	Processing fee and mailings
Police	Towing private property posted tow-law enforcement sale	\$ 56.00	Processing fee
Police	Transient vendor FBI fingerprint license	\$ 43.25	
Pool	30 day passes water aerobic pass holder	\$ 35.00	Tax exempt
Pool	30 day passes water aerobic non-pass holder	\$ 55.00	Plus sales tax on \$20 pool use fee portion
Pool	300 Mile swim club pass holder	\$ 10.00	Tax exempt
Pool	300 Mile swim club non-pass holder	\$ 20.00	Plus sales tax on \$10 pool use fee portion
Pool	Annual passes family TF	\$ 470.00	Plus sales tax
Pool	Annual passes family non TF	\$ 520.00	Plus sales tax
Pool	Annual passes single TF	\$ 270.00	Plus sales tax
Pool	Annual passes single non TF	\$ 320.00	Plus sales tax
Pool	Annual passes teen, 60 & older TF	\$ 240.00	Plus sales tax
Pool	Annual passes teen, 60 & older non TF	\$ 290.00	Plus sales tax
Pool	Annual passes youth TF	\$ 180.00	Plus sales tax
Pool	Annual passes youth non TF	\$ 210.00	Plus sales tax
Pool	Annual water aerobic pass holder	\$ 275.00	Tax exempt
Pool	Annual water aerobic non-pass holder	\$ 495.00	Plus sales tax on \$220 pool use fee portion
Pool	Birthday party	\$ 85.00	Plus sales tax
Pool	Daily admissions 2 years & under (with paying adult)	\$ -	
Pool	Daily admissions 3-11 years	\$ 2.83	Plus sales tax
Pool	Daily admissions 12-17 years	\$ 3.77	Plus sales tax
Pool	Daily admissions 18-59 years	\$ 4.72	Plus sales tax
Pool	Daily admissions 60 years & older	\$ 3.77	Plus sales tax
Pool	Daily community water safety lessons	\$ 5.00	Plus sales tax on \$1 pool use fee
Pool	Daily locker rental	\$ 0.94	Plus sales tax
Pool	Daily Silver & Fit (up to \$30)	\$ 2.83	Plus sales tax
Pool	Daily SilverSneakers (up to \$21)	\$ 2.83	Plus sales tax
Pool	Hurricanes year around pass holder	\$ 45.00	Tax exempt
Pool	Hurricanes year around non-pass holder	\$ 65.00	Plus sales tax on \$20 pool use fee portion
Pool	Hurricanes summer pass holder	\$ 85.00	Tax exempt
Pool	Hurricanes summer non-pass holder	\$ 115.00	Plus sales tax on \$30 pool use fee portion
Pool	Kayak day	\$ 9.43	Plus sales tax
Pool	Lane rental, hourly	\$ 25.00	Plus sales tax
Pool	Lifeguard class pass holder	\$ 300.00	Tax exempt
Pool	Lifeguard class non-pass holder	\$ 350.00	Plus sales tax on \$50 pool use fee portion
Pool	Lifeguard class with waterfront pass holder	\$ 350.00	Tax exempt
Pool	Lifeguard class with waterfront non-pass holder	\$ 400.00	Plus sales tax on \$50 pool use fee portion
Pool	Lifeguard class Recertification pass holder	\$ 150.00	Tax exempt
Pool	Lifeguard class Recertification non-pass holder	\$ 175.00	Plus sales tax on \$25 pool use fee portion
Pool	Lifeguard instructor pass holder	\$ 350.00	Tax exempt
Pool	Lifeguard instructor non-pass holder	\$ 400.00	Plus sales tax on \$50 pool use fee portion
Pool	Monthly passes Corporate/CSI Rec Center - family TF	\$ 35.00	Plus sales tax
Pool	Monthly passes Corporate/CSI Rec Center - family non TF	\$ 39.00	Plus sales tax
Pool	Monthly passes Corporate/CSI Rec Center - single TF	\$ 20.00	Plus sales tax
Pool	Monthly passes Corporate/CSI Rec Center - single non TF	\$ 24.00	Plus sales tax
Pool	Monthly passes Corporate/CSI Rec Center - teen, 60 & older TF	\$ 18.00	Plus sales tax
Pool	Monthly passes Corporate/CSI Rec Center - teen, 60 & older non TF	\$ 22.00	Plus sales tax
Pool	Monthly passes family TF	\$ 47.00	Plus sales tax
Pool	Monthly passes family non TF	\$ 52.00	Plus sales tax
Pool	Monthly passes single TF	\$ 27.00	Plus sales tax
Pool	Monthly passes single non TF	\$ 32.00	Plus sales tax

Exhibit B
MASTER CITY-WIDE FEE SCHEDULE

Department	Description	Fee Amount	Fee Description
Pool	Monthly passes teen, 60 & older TF	\$ 24.00	Plus sales tax
Pool	Monthly passes teen, 60 & older non TF	\$ 29.00	Plus sales tax
Pool	Monthly passes youth TF	\$ 18.00	Plus sales tax
Pool	Monthly passes youth non TF	\$ 21.00	Plus sales tax
Pool	Monthly personal storage locker TF	\$ 20.00	Plus sales tax
Pool	Monthly personal storage locker non TF	\$ 25.00	Plus sales tax
Pool	Monthly water aerobic pass holder	\$ 25.00	Tax exempt
Pool	Monthly water aerobic non-pass holder	\$ 45.00	Plus sales tax on \$20 pool use fee portion
Pool	Pool rentals (per hour) 1-100 people	\$ 135.00	Plus sales tax
Pool	Pool rentals (per hour) 101-300 people	\$ 25.00	Each add'l 25, plus sales tax
Pool	Pool rentals (per hour) 301-500 people	\$ 15.00	Each add'l 25, plus sales tax
Pool	Private swim lessons pass holder	\$ 95.00	Tax exempt
Pool	Private swim lessons non-pass holder	\$ 115.00	Plus sales tax on \$20 pool use fee portion
Pool	Private swim lessons reschedule fee	\$ 10.00	Tax exempt
Pool	Punch passes 3-11 years	\$ 45.00	Plus sales tax
Pool	Punch passes 12-17 years	\$ 60.00	Plus sales tax
Pool	Punch passes 18-59 years	\$ 75.00	Plus sales tax
Pool	Punch passes 60 years & older	\$ 60.00	Plus sales tax
Pool	Summer passes family TF	\$ 140.00	Plus sales tax
Pool	Summer passes family non TF	\$ 155.00	Plus sales tax
Pool	Summer passes single TF	\$ 80.00	Plus sales tax
Pool	Summer passes single non TF	\$ 95.00	Plus sales tax
Pool	Summer passes teen, 60 & older TF	\$ 72.00	Plus sales tax
Pool	Summer passes teen,60 & older non TF	\$ 87.00	Plus sales tax
Pool	Summer passes youth TF	\$ 54.00	Plus sales tax
Pool	Summer passes youth non TF	\$ 63.00	Plus sales tax
Pool	Swim lessons pass holder	\$ 40.00	Tax exempt
Pool	Swim lessons non-pass holder	\$ 55.00	Plus sales tax on \$15 pool use portion
Pool	Swim meet rental	\$ 1,000.00	Per hour, plus sales tax
Pool	Water aerobic drop-in	\$ 10.00	Plus sales tax on \$5 pool use fee portion
Pool	Water babies pass holder	\$ 20.00	Tax exempt
Pool	Water babies non-pass holder	\$ 30.00	Plus sales tax on \$10 pool use fee portion
Pool	Water safety instructor pass holder	\$ 300.00	Tax exempt
Pool	Water safety instructor non-pass holder	\$ 350.00	Plus sales tax on \$50 pool use fee portion
Pool	Youth aquatic pass holder	\$ 25.00	Tax exempt
Pool	Youth aquatic non-pass holder	\$ 35.00	Plus sales tax on \$10 pool use fee portion
Recreation	Adult League night field use - 6-11pm	\$ 80.00	Per field, plus sales tax
Recreation	Adult League field day use	\$ 60.00	Per field, plus sales tax
Recreation	Tournament fees full day (> 6 hours)	\$ 50.00	Plus sales tax
Recreation	Tournament fees half day (< 6 hours)	\$ 25.00	Plus sales tax
Recreation	Tournament fees field preparation	\$ 35.00	Plus sales tax
Recreation	Tournament fees hour cost of crew	\$ 30.00	Plus sales tax
Recreation	Youth fees for league (non-city) day (max 5 hours)	\$ 40.00	Plus sales tax
Recreation	Youth fees for league (non-city) night (5pm-11pm)	\$ 50.00	Plus sales tax
Recreation	Youth sports in city	\$ 27.00	Plus sales tax
Recreation	Youth sports out city	\$ 47.00	Plus sales tax
Recreation	Skate rental	\$ 4.72	Plus sales tax
Shoshone Falls/DL	Motorized vehicles other than buses	\$ 4.72	Per day, plus sales tax
Shoshone Falls/DL	Motorized vehicles buses	\$ 18.87	Per day, plus sales tax
Shoshone Falls/DL	Motorized vehicles school buses full of children	\$ 4.72	Per day, plus sales tax
Shoshone Falls/DL	Motorized vehicles licensed by City, County, State and/or Fed Govt	\$ -	No fee while on official business
Shoshone Falls/DL	Motorized vehicles maintenance and service of the City and utility co.	\$ -	No fee while on official business
Shoshone Falls/DL	Motorized vehicles transporting a senior citizen w/America the Beautiful Senior Pass	\$ -	No fee
Shoshone Falls/DL	Motorized vehicles transporting physically disabled	\$ -	No fee
Shoshone Falls/DL	Motorized vehicles season pass	\$ 23.58	Per vehicle, plus sales tax
Shoshone Falls/DL	Motorized vehicles coupon book	\$ 28.30	20 coupons, plus sales tax
Utility Billing	Pressurized Irrigation - residential property - non-potable	\$ -	Per sq. ft. per month
Utility Billing	Pressurized Irrigation - residential property - potable	\$ -	Per sq. ft. per month

Exhibit B
MASTER CITY-WIDE FEE SCHEDULE

Department	Description	Fee Amount	Fee Description
Utility Billing	Pressurized Irrigation - commercial property	\$ -	20% of size in square feet
Utility Billing	Pressurized Irrigation - drip only	\$ -	Pressurized irrigation is used for drip only. Offered through application.
Utility Billing	Pressurized Irrigation - processing fee	\$ -	Per month, on "only PI" accounts; i.e. no potable water connection at the address
Utility Billing	Water monthly base rate	\$ -	Includes first 2,000 gallons of water supplied
Utility Billing	Water monthly 3,000 to 150,000	\$ -	Per thousand gallons
Utility Billing	Water monthly 151,000 to 10,000,000	\$ -	Per thousand gallons
Utility Billing	Water monthly >10,001,000	\$ -	Per thousand gallons
Utility Billing	Wastewater monthly user charges		Use of the wastewater collection and treatment system
Utility Billing	Wastewater Group I - residential - single family		
Utility Billing	Wastewater Group I - base rate	\$ -	Use of the wastewater collection and treatment system
Utility Billing	Wastewater Group I - usage	\$ -	Per thousand gallons of metered water usage for the first 12,000 gallons used each month
Utility Billing	Wastewater Group I - residential - multi-family, including duplexes, apartments, and mobile home parks		
Utility Billing	Wastewater Group I - base rate	\$ -	Per dwelling unit. Use of the wastewater collection and treatment system
Utility Billing	Wastewater Group I - capital construction fee	\$ -	
Utility Billing	Wastewater Group II - commercial - office buildings, hotels/motels (without restaurants), retail & wholesale (non-food), warehousing and light manufacturing, bars (without restaurants), car washes, laundromats, repair shops and gas stations		
Utility Billing	Wastewater Group II - base rate	\$ -	Use of the wastewater collection and treatment system
Utility Billing	Wastewater Group II - usage	\$ -	Per 1,000 gallons
Utility Billing	Wastewater Group III - commercial - hotels/motels (with restaurants), markets (including meat and produce), restaurants, bakeries (wholesale) and mortuaries		
Utility Billing	Wastewater Group III - base rate	\$ -	Use of the wastewater collection and treatment system
Utility Billing	Wastewater Group III - usage	\$ -	Per 1,000 gallons
Utility Billing	Wastewater Group IV - institutional - churches, hospitals, convalescent hospitals, elementary schools, high schools and colleges with the exception of elementary and other public schools		
Utility Billing	Wastewater Group IV - base rate	\$ -	Use of the wastewater collection and treatment system
Utility Billing	Wastewater Group IV - usage - elementary school	\$ -	Per pupil, based on the student enrollment the 1st day of school year
Utility Billing	Wastewater Group IV - usage - other schools	\$ -	Per pupil, based on the student enrollment the 1st day of school year
Utility Billing	Wastewater Group IV - usage - all others	\$ -	Per 1,000 gallons
Utility Billing	Wastewater Group V - industrial - all large volume and industrial process waste dischargers		
Utility Billing	Wastewater Group V - base rate	\$ -	Use of the wastewater collection and treatment system
Utility Billing	Wastewater Group V - usage	\$ -	Per 1,000 gallons
Utility Billing	Wastewater Group V - Biological Oxygen Demand (BOD)	\$ -	Per pound
Utility Billing	Wastewater Group V - Total Suspended Solids (TSS)	\$ -	Per pound
Utility Billing	Wastewater Group VI - City of Kimberly		
Utility Billing	Wastewater Group VI - base rate	\$ -	Use of the wastewater collection and treatment system
Utility Billing	Wastewater Group VI - usage	\$ -	Per 1,000 gallons
Utility Billing	Wastewater Group VI - Biological Oxygen Demand (BOD)	\$ -	Per pound
Utility Billing	Wastewater Group VI - Total Suspended Solids (TSS)	\$ -	Per pound
Utility Billing	Wastewater Group VI - capital recovery charge	\$ -	
Utility Billing	Sanitation - single family residential 95-gallon cart	\$ 19.62	Garbage and recycling
Utility Billing	Sanitation - single family residential 65-gallon cart	\$ 17.29	Garbage and recycling
Utility Billing	Sanitation - single family residential 35-gallon cart	\$ 14.93	Garbage and recycling
Utility Billing	Sanitation - multi-dwelling 95-gallon cart	\$ 19.62	Garbage and recycling
Utility Billing	Sanitation - additional 95-gallon cart	\$ 3.00	Garbage and recycling - requires a 12 month commitment
Utility Billing	Bulk water usage - fire hydrant		Standard water rates
Utility Billing	Bulk water usage - fill station	\$ 60.00	Per month fill station is open
Utility Billing	Commercial class sewer relief		See footnote Utility Billing #1
Utility Billing	Delinquent accounts	10%	Percent of past due (see footnote Utility Billing #3)
Utility Billing	Fee for hydrant meters	\$ 100.00	
Utility Billing	Fill station key deposit	\$ 150.00	Refunded upon return
Utility Billing	Incidental costs		Determined by the Water Superintendent
Utility Billing	Meter turn-on (new service)	\$ 10.00	Processing the application and turning on water at existing meter each time the water is turned on
Utility Billing	Meter turn-on (after off for delinquent payment)	\$ 35.00	See footnote Utility Billing #2
Utility Billing	Meter turn-on (after off for delinquent payment) - after first violation	\$ 70.00	See footnote Utility Billing #2
Utility Billing	Relocation of PI service	\$ 160.00	

Exhibit B
MASTER CITY-WIDE FEE SCHEDULE

Department	Description	Fee Amount	Fee Description
Utility Billing	Rock excavation		Determined by the Water Superintendent
Utility Billing	Service fee - after hours (repairs, on/off, etc)	\$ 80.00	Not for closing accounts
Utility Billing	Wastewater flow measuring device		User's expense for separate meter
Utility Billing	Water leak adjustments		Determined by the City Manager or designated rep.
Utility Billing	Water meter tampering fine	\$ 200.00	

MASTER CITY-WIDE FEE SCHEDULE FOOTNOTES

Depart. Ref. Footnote

Airport	1	Annual rent shall be subject to annual escalation on October 1 of each year. An annual change in the rent payment shall be directly proportional to the percent change in the Annual Consumer Price Index (CPI) for all urban consumers (CPI-U, U. S. City Average, all items, unadjusted basis, index base period (1982-84=100)).
	2	A landing fee shall be assessed for any aircraft operating under Federal Aviation Regulation Parts 121 or 135 or any aircraft with a maximum gross landing weight equal to or greater than 12,500 pounds.
	3	A charge shall be applied to process a permit for a non-tenant permit. The permits are valid for 12 months.
	4	The airport must provide ARFF (Aircraft Rescue/Firefighting) service for the scheduled arrival, and or departure of any commercial aircraft with a seating capacity greater than 9 seats and carrying passengers on board. The ARFF fee will be charged for each morning departure and each arrival staying overnight. In addition, each aircraft, not staying overnight, that arrives and deplanes passengers and then enplanes passengers and departs will be subject to one ARFF charge for both the arrival and departure.
	5	The airport must provide additional security service for the departure of any commercial service or public charter aircraft with a seating capacity greater than 60 seats and carrying passengers on board. An exception is for diversion aircraft that stop for fuel only and do not board or re-board passengers. Security service begins fifteen minutes prior to the aircraft estimated time of arrival or passenger processing time, as applicable, and ends fifteen minutes after aircraft actual departure time. No-notice cancellations will be assessed for two hours of service.
	6	The survey & recording fee will help cover the costs for the airport to comply with the requirements of I.C. Title 54, chapter 12 and I.C. Title 55, Chapter 19. It is applicable for new ground leases issued after its adoption. The airport will contract with professional surveyors to create a legal description & prepare a Record of Survey and record same with the County Recorder's office.
	7	Airport rates & fees are subject to change. Additional charges such as taxes and assessments may also apply.
Building	1	*Building Valuation Data from the International Code Council, published each August, will be adopted starting October 1st each year for all residential and commercial projects. For remodels and tenant improvements, use IBC Section 109.3 for estimating permit values. IBC Section [A] 109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.
	2	Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.
	3	Mechanical, Electrical and Plumbing Residential – New Construction – Flat fee based on the entire floor area of the home including finished and unfinished basements, but excluding garages and covered patios. Separate permit required for each trade.

Building, continued	4	Mechanical, Electrical and Plumbing – Other Installations - Including, but not limited to, temporary construction electrical service, change of residential electrical service, electrical wiring for installation of residential spas, hot tubs, hydro massage tubs, swimming pools, electric space heating, outline lighting, air conditioning, water/sewer installations, and electrical wiring for commercial installation of signs and outline lighting.
	5	Mechanical, Electrical, Plumbing Small work permit. Small work is defined as a job with total cost including material and labor that does not exceed five hundred dollars (\$500.00). Small work does not include any job with a specifically designated fee in this resolution. Small work also includes, regardless of total cost, the installation of: Residential water heaters up to 100 gallons, water softeners and other single unit appliances, sprinkler system backflow prevention, bathroom exhaust fans, dryer ducts, and/or extension of forced supply and return ducts up to 25 feet in length.
	6	Permit fees are due upon commencement of work and must be paid prior to inspections being performed. The Building Official may assess an escalating penalty as established herein, for failure to obtain a permit and pay the required fees. Penalties are assessed in addition to the permit fee and must be paid prior to commencement of work and any inspections being done.
Impact Fee	1	On January 1, 2015, and on January 1 of each year thereafter in which an impact fee is in effect, the amount of the impact fee shall be automatically adjusted to account for inflation increases in the cost of providing police, fire, parks and recreation, and street public facilities to serve new development utilizing the municipal cost index as published by "American Cities And County Magazine". Nothing herein shall prevent the city from electing to maintain a then existing police, fire, parks and recreation, and street impact fee or from electing to waive the inflation adjustment for any given fiscal year, or years. Any such action to determine an inflation factor shall be by city council resolution. (Ord. 3074, 8-24-2014)
City Manager	1	Wraps will be sold in 12-month increments with a 20% discount offered for a two-year (24-month) commitment. Advertiser will also cover the cost of the installation of the wrap as well as the cost of removal.
IT	1	EXEMPTIONS FOR CITY WORK: If the data is needed to perform work assigned to the contractor or consultants by the city, the city of Twin Falls may provide contractors or consultants electronic data at no charge under this chapter. Only the data for the area under contract will be provided.
	2	REPRODUCTION: All electronic data or related material provided by the city of Twin Falls may not be reproduced or resold to any person to whom the data is provided without the express written consent of the City of Twin Falls.
	3	DISCLAIMER: The GIS information is provided with the understanding that conclusions drawn from such information is solely the responsibility of the user. This GIS data is not a legal representation of any of the features depicted, and any assumption of the legal status of this data is hereby disclaimed. All utilities should be verified in the field.
Utility Billing	1	Any commercial class customer may request relief from his sewer billing. If the City is convinced that the user's billing has increased because of irrigation water use or evaporative cooling alone, relief will be given. The relief adjustment will be based on the difference between the user's monthly usage from May 1 through October 31 and November 1 through April 30. Refunds will only be made if the City decides the request is appropriate. Any request for relief must be submitted within six (6) months after the application's submission year.

Utility Billing, continued	2	Services are subject to penalty and may be discontinued at any time for the following reasons: • Delinquent account • Failure to keep payment arrangements • Returned check or denied electronic payment • A violation of city code pertaining to water, sewer, or sanitation • Application fraud The City may enter into a payment agreement with a customer for delinquent balances. Interest charges shall be applied to the delinquent balance during the term of the agreement. Any breach of the payment agreement shall be grounds for termination of service.
	3	Utility payments are due twenty-one (21) days after the billing date. Amounts due for the previous months' bills over \$10.00, which are unpaid after that time, are subject to a late fee of 10%. At the discretion of the City Manager, this fee may be waived on a case-by-case basis.

In some settings the City collects fees on behalf of other agencies and those fees can change without notice. Those fees are not reflected in this resolution.

Exhibit C
MASTER CITY-WIDE FEE SCHEDULE CHANGES

Department	Description	Fee Amount	Fee Description	Changes	%
Building	Building permit fee \$1-\$500	\$ 22.00	Per application (see footnote Building #1)	Changed footnote to reference Building Valuation Data from the International Code Council	
Building	Building permit fee \$501-\$2,000	\$ 22.00	For the first \$500 + \$2.75 for each add'l \$100 or fraction thereof (see footnote Building #1)	Changed footnote to reference Building Valuation Data from the International Code Council	
Building	Building permit fee \$2,001.00 to \$25,000.00	\$ 63.00	For the first \$2k + \$12.50 for each add'l \$1k or fraction thereof (see footnote Building #1)	Changed footnote to reference Building Valuation Data from the International Code Council	
Building	Building permit fee \$25,001-\$50,000	\$ 352.00	For the first \$25k + \$9 for each add'l \$1k or fraction thereof (see footnote Building #1)	Changed footnote to reference Building Valuation Data from the International Code Council	
Building	Building permit fee \$50,001 to \$100,000	\$ 580.00	For the first \$50k + \$6.25 for each add'l \$1k or fraction thereof (see footnote Building #1)	Changed footnote to reference Building Valuation Data from the International Code Council	
Building	Building permit fee \$100,001 to \$500,000	\$ 895.00	For the first \$100k + \$5 for each add'l \$1k or fraction thereof (see footnote Building #1)	Changed footnote to reference Building Valuation Data from the International Code Council	
Building	Building permit fee \$500,001 to \$1,000,000	\$ 2,855.00	For the first \$500k + \$4.25 for each add'l \$1k or fraction thereof (see footnote Building #1)	Changed footnote to reference Building Valuation Data from the International Code Council	
Building	Building permit fee \$1,000,001.00 and up	\$ 4,955.00	for the first \$1,000,000.00 + \$2.75 for each add'l \$1k or fraction thereof (see footnote Building #1)	Changed footnote to reference Building Valuation Data from the International Code Council	
Impact Fee	Impact fee - fire residential	\$ 1,075.95	Per dwelling unit. (see footnote Impact Fee #1)	Increased 1.31% from \$1,062.04	1.31%
Impact Fee	Impact fee - fire non-residential	\$ 0.54	Per sq. ft. (see footnote Impact Fee #1)	Increased 1.31% from \$0.53	1.31%
Impact Fee	Impact fee - police residential	\$ 269.28	Per dwelling unit. (see footnote Impact Fee #1)	Increased 1.31% from \$265.8	1.31%
Impact Fee	Impact fee - police non-residential	\$ 0.13	Per sq. ft. (see footnote Impact Fee #1)	Increased 1.31% from \$0.13	1.31%
Impact Fee	Impact fee - parks residential	\$ 1,867.85	Per dwelling unit. (see footnote Impact Fee #1)	Increased 1.31% from \$1,843.7	1.31%
Impact Fee	Impact fee - street single-family	\$ 1,639.42	Per dwelling unit. (see footnote Impact Fee #1)	Increased 1.31% from \$1,618.22	1.31%
Impact Fee	Impact fee - street multi-family	\$ 877.67	Per dwelling unit. (see footnote Impact Fee #1)	Increased 1.31% from \$866.32	1.31%
Impact Fee	Impact fee - street retail	\$ 3.64	Per sq. ft. (see footnote Impact Fee #1)	Increased 1.31% from \$3.59	1.31%
Impact Fee	Impact fee - street office	\$ 2.17	Per sq. ft. (see footnote Impact Fee #1)	Increased 1.31% from \$2.14	1.31%
Impact Fee	Impact fee - street industrial	\$ 0.67	Per sq. ft. (see footnote Impact Fee #1)	Increased 1.31% from \$0.66	1.31%
Impact Fee	Impact fee - street institutional	\$ 0.42	Per sq. ft. (see footnote Impact Fee #1)	Increased 1.31% from \$0.41	1.31%
Utility Billing	Delinquent accounts	\$ 0.10	Percent of past due (see footnote Utility Billing #3)	Updated to include footnote "At the discretion of the City Manager, this fee may be waived on a case-by-case basis."	



Date: Monday, December 9, 2024
To: Honorable Mayor and City Council
From: Ruth Pierce, Mayor, Mayor

ACTION ITEM

Request:

Discussion and possible action on an amendments to the Agreement between the City of Twin Falls and the City Manager.

Time Estimate:

Background:

Approval Process:

Budget Impact:

Regulatory Impact:

History:

Analysis:

Conclusion:

Attachments:

1. CITY MANAGER SERVICE AGREEMENT 2023 (BJC Review 2023-12-27)



Date: December 9, 2024
To: Honorable Mayor and City Council
From: Ruth Piece, Mayor

Request:

Discussion and possible action on an amendments to the Agreement between the City of Twin Falls and the City Manager.

Time Estimate:

This item is scheduled to take 10 minutes, plus time for questions and answers.

Background:

The International City/County Management Association recommends the use of employment agreements and considers it a best practice. The City Council and the City Manager developed an Agreement that summarizes the terms and conditions of employment to which both parties have agreed upon. The current Agreement was reviewed and approved by the City Council on April 20, 2020. This review satisfies the requirement to have the Agreement reviewed every five years.

The initial agreement took effect on October 1, 2014. The agreement automatically renews annually. Section 2 of the Agreement states the City of Twin Falls and the City Manager "...shall review the terms of this Agreement on or before the five-year anniversary of this Agreement, and every five years thereafter. Any changes or amendments to this Agreement shall be in writing and signed by the parties."

Members of the City Council reviewed the Agreement with City Manager Travis Rothweiler during his most recent evaluation. From the April 20, 2020, the following changes are:

Section 3, on page 2: 'Employer agrees to pay Employee an annual base salary of \$239,560 and \$22,600 into an IRS qualified deferred compensation plan of the Employee's choosing, payable in twenty-six (26) bi-weekly installments.'

Section 10 A. on Page 3: "Employee serves at the pleasure of the City Council and may be terminated without cause at any time for any reason, or for no reason. If the Employee is terminated without cause, the Employer shall provide a severance payment equal to twelve (12) months total compensation package, which is defined as the Employee's rate of pay, deferred compensation package, other compensable pay or benefits extended the Employer, and Employer offered insurances. The severance payment shall be in bi-weekly installments in accordance with the Employer's compensation cycles after the City Council votes to terminate without cause. If Employer terminates the employment of Employee without cause, Employee does hereby agree that in consideration for the same Employee does thereafter release, acquit, indemnify and forever discharge Employer and its elected officials, appointed officials, representatives, agents, Employees, agents, and insurers, of and from any and all claims, demands, actions and causes of action, judgments, costs, attorney fees, damages, both known and unknown, of which the undersigned has or may hereafter have, on account of, or in any way arising out of the termination of Employee's employment, except as to the claim for severance payment as provided for in this subparagraph."

The agreement has been reviewed by the City Attorney.

Approval Process:

Approval of this request requires a simple majority (50%+1) of the members in attendance at this meeting.

Regulatory Impact:

Idaho Code Title 50, Section 8

Attachments:

Amended Agreement between the City of Twin Falls and the City Manager

CITY MANAGER SERVICE AGREEMENT

THIS AGREEMENT, made and entered into by and between the City of Twin Falls, Idaho, a municipal corporation (hereinafter “Employer”), and Travis Rothweiler (hereinafter “Employee”), both of who understand as follows:

WHEREAS, Employer desires to employ the services of Travis Rothweiler as City Manager, of the City of Twin Falls, as provided by State and City Code, and;

WHEREAS, it is the desire of the governing body, hereinafter called, “City Council” to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee, and;

WHEREAS, it is the desire of the Employer and the Employee to formally establish terms and conditions of employment.

NOW, THEREFORE, in consideration of these promises and covenants contained hereafter as follows:

SECTION 1. DUTIES

Employer hereby agrees to employ the Employee as City Manager of the Employer to perform the functions and duties specified for that office by the Idaho Statutes, Twin Falls Municipal Code, and the Employee position description, and to perform other legally permissible and proper duties and functions as the City Council shall assign from time to time.

SECTION 2. TERM

The term of this Agreement shall begin October 1, 2024, and end on September 30, 2025, and shall automatically renew annually, unless Employer notifies the Employee in writing at least sixty (60) days prior to the end of each fiscal year that it has elected not to renew the Agreement, subject to the provisions of Section 10, Paragraph A, of this agreement.

Employer and Employee shall review the terms of this Agreement on or before the five-year anniversary of this Agreement, and every five years thereafter. Any changes or amendments to this Agreement shall be in writing and signed by the parties.

Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the City Council to terminate the services of Employee at any time, subject only to provisions set forth in Section 10 of this agreement.

Nothing in this agreement shall prevent, limit, or otherwise interfere with the right of the Employee to resign at any time from his position with Employer, subject only to the provisions set forth in Section 10 of this agreement.

SECTION 3. SALARY

Employer agrees to pay Employee an annual base salary of \$239,560 and \$22,600 into an IRS qualified deferred compensation plan of the Employee's choosing, payable in twenty-six (26) bi-weekly installments.

This agreement shall be automatically amended to reflect any salary and compensation adjustments that are provided or required by the Employer's compensation policies, or as may otherwise be approved by the City Council during the budget process.

SECTION 4. PAID TIME OFF

The Employer agrees to provide vacation and sick leave in accordance with the current Employee Handbook, which establishes general terms and conditions of employment for City Employees, or as it may be amended from time to time. In addition, the Employer will provide an additional forty hours (40) of personal leave, also known as executive leave, to be placed in a separate bank on January 1st of each year. These hours will have no compensatory value and will not affect other leave bank accruals. Any of these additional hours remaining on December 31st shall be forfeited.

Any vacation use in excess of five (5) working days shall receive prior approval from the Mayor at least 2 weeks in advance, excluding emergency situations.

SECTION 5. HEALTH INSURANCE

Employer agrees to pay the premiums thereon equal to that which is provided to all other Employees of the Employer.

SECTION 6. DUES AND SUBSCRIPTIONS

Employer agrees to budget and to pay for what are reasonable professional dues, publications and subscriptions of Employee necessary for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional growth and advancement.

SECTION 7. PROFESSIONAL DEVELOPMENT

Employer agrees to budget for and to pay the mutually agreed upon travel and expenses of Employee for professional meetings, travel and occasions adequate to continued professional development of Employee and adequately pursue necessary official and other functions of the Employer, including but not limited to the annual conference of the International City/County Management Association Conference and the Association of Idaho Cities. Employee shall submit proposed expenses prior to adoption of the ensuring budget for the City Council.

SECTION 8. OTHER TERMS AND CONDITIONS OF EMPLOYMENT

The City Council, in consultation with the City Manager, may fix any such other terms and conditions of employment, as it may determine from time to time.

All provisions of Twin Falls Municipal Code and Personnel Rules and Regulations of the Employer related to vacation, sick leave, retirement, holidays, and other fringe benefits and working conditions as they now exist or hereafter may be amended, also shall apply to Employee as they would to other Employees of the Employer, unless amended or altered by this agreement.

All rules of conduct for the Employer are incorporated into this agreement by reference and Employee agrees to conform his conduct to such provisions.

SECTION 9. PERFORMANCE EVALUATION

The City Council shall review and evaluate the performance of the Employee annually. Annually, the City Council and Employee shall define such goals and performance objectives which they determine necessary for the proper operation of the City, and in the attainment of the City Council's policy objectives and shall further establish a relative priority among those goals and objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limitations as specified and the annual budget, capital budget and appropriations provided.

SECTION 10. TERMINATION

A. Employee serves at the pleasure of the City Council and may be terminated without cause at any time for any reason, or for no reason. If the Employee is terminated without cause, the Employer shall provide a severance payment equal to twelve (12) months total compensation package, which is defined as the Employee's rate of pay, deferred compensation package, other compensable pay or benefits extended the Employer, and Employer offered insurances. The severance payment shall be in bi-weekly installments in accordance with the Employer's compensation cycles after the City Council votes to terminate without cause. If Employer terminates the employment of Employee without cause, Employee does hereby agree that in consideration for the same Employee does thereafter release, acquit, indemnify and forever discharge Employer and its elected officials, appointed officials, representatives, agents, Employees, agents, and insurers, of and from any and all claims, demands, actions and causes of action, judgments, costs, attorney fees, damages, both known and unknown, of which the undersigned has or may hereafter have, on account of, or in any way arising out of the termination of Employee's employment, except as to the claim for severance payment as provided for in this subparagraph.

B. If the Employee is terminated for cause, no severance shall be paid. All accrued vacation time the Employee has available shall be paid in a lump sum, no more than (10) working days after the City Council votes to terminate for cause.

C. In the event Employee voluntarily resigns his position with Employer before expiration of the aforesaid term of his employment, then Employee shall give Employer thirty (30) days' notice in advance, no severance shall be paid if the Employee resigns unless agreed to by the Employer.

D. For the purpose of this agreement, termination shall occur when:

1. By majority vote of the City Council at an open meeting conducted in conformance with the Idaho Open Meeting Law or,

2. Discontinuance of the Council-Manager Plan form of government as set forth in Idaho Code Title 50, Chapter 8.

SECTION 11. NOTICES

Notices pursuant to this Agreement shall be given via certified mail to:

(1) Employer City of Twin Falls
 203 Main Street East
 P.O. Box 1907
 Twin Falls, ID 83303-1907

(2) Employee: Travis Rothweiler
 (home address and electronic address on file)

Notices may be mailed or provided by personal service. Personal service shall be effectuated by providing Notice 1) directly to the Employee or 2) to the Employer by delivering the Notice to the City Clerk. Notice shall be deemed as given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

SECTION 14. GENERAL PROVISIONS

The text herein shall constitute the entire agreement between parties. No change to this Agreement shall be effective unless in writing and signed by the parties.

This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.

If any provision or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portions thereof, shall be deemed servable, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF: The City of Twin Falls has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk, the Employee has signed and executed this Agreement, both in duplicate, the day and year above written and as amended this _____ day of _____ shall replace and supersede all prior agreement(s).

Mayor
City of Twin Falls

Employee

ATTEST:

Deputy City Clerk



Date: Monday, December 9, 2024
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Planning and Zoning Director

ACTION ITEM

Request:

Request for an annexation of approximately 46 (+/-) acres located east of Sunway Dr N from North College Rd W to Pole Line Rd W. c/o Tim Vawser, EHM on behalf of Gary Nelson (PZ24-0103).

Time Estimate:

Approximately 5-10 minutes with questions/comments to follow.

Background:

Gary N. Nelson of Indigo Investments Limited LLC, represented by Tim Vawser of EHM Engineers LLC, has requested to annex approximately 46.31 (+/-) acres of property into city limits with the C-1 and R-2 zoning designations. The subject property is generally located east of Sunway Dr. N. and North of North College Rd. W. to Pole Line Rd. W. Currently, the property is used for irrigated agriculture.

On October 22, 2024, the Planning and Zoning Commission recommended the appropriate zoning of C-1 and R-2, if annexation is approved, for this property.

Approval Process:

Per City Code 10-15-1: Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area. The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

Per City Code 10-15-2 (A): The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

Budget Impact:

There is negligible budgetary impact in the short term if this annexation is approved. Future development of the property will create an increased demand in City services, along with an increase in the tax base.

Regulatory Impact:

If annexed, the subject property will be incorporated into the City of Twin Falls and fall under all regulatory authority of the City of Twin Falls.

History:

The property is currently utilized as agricultural pasture/farmground. It is located in the Twin Falls City Area of Impact. Available records show this land has always been used for irrigated agricultural purposes.

Analysis:

The Comprehensive Plan has designated this area as Commercial and Town Neighborhood.

- The land uses typically found in the Commercial designation are: retail, office, restaurants, hotels, plazas and parks.
- The land uses typically found in the Town Neighborhood designation are: residential, schools, parks and recreation facilities, and civic facilities.

The proposed zoning for this request is Commercial Highway District (C-1) and Residential Single Household or Duplex District (R-2). These zones can be characterized by the following:

- Purpose Statement:
 - C-1 is "intended to provide for commercial activities of various sizes from large malls to small shops, fast food restaurants and tourist accommodation. This district is designed for application on major streets or portions thereof."
 - R-2 is "intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required."
- Sample of Permitted Uses:
 - C-1: Bakery; bookstore; eating places; laundering facilities; photography studios; professional services; doctor's offices; libraries; etc.
 - R-2: Single-family attached and detached; duplex; parks; etc.
- Heights:
 - C-1 is fifty (50') feet
 - R-2 is thirty-five (35') feet

Conclusion:

The Council is tasked with making a final decision by reviewing the comprehensive plan and the requested zoning designations in relation to the future land use map designations.

The City Council may approve the annexation as presented, approve with modifications, deny the annexation, or table the item for additional information.

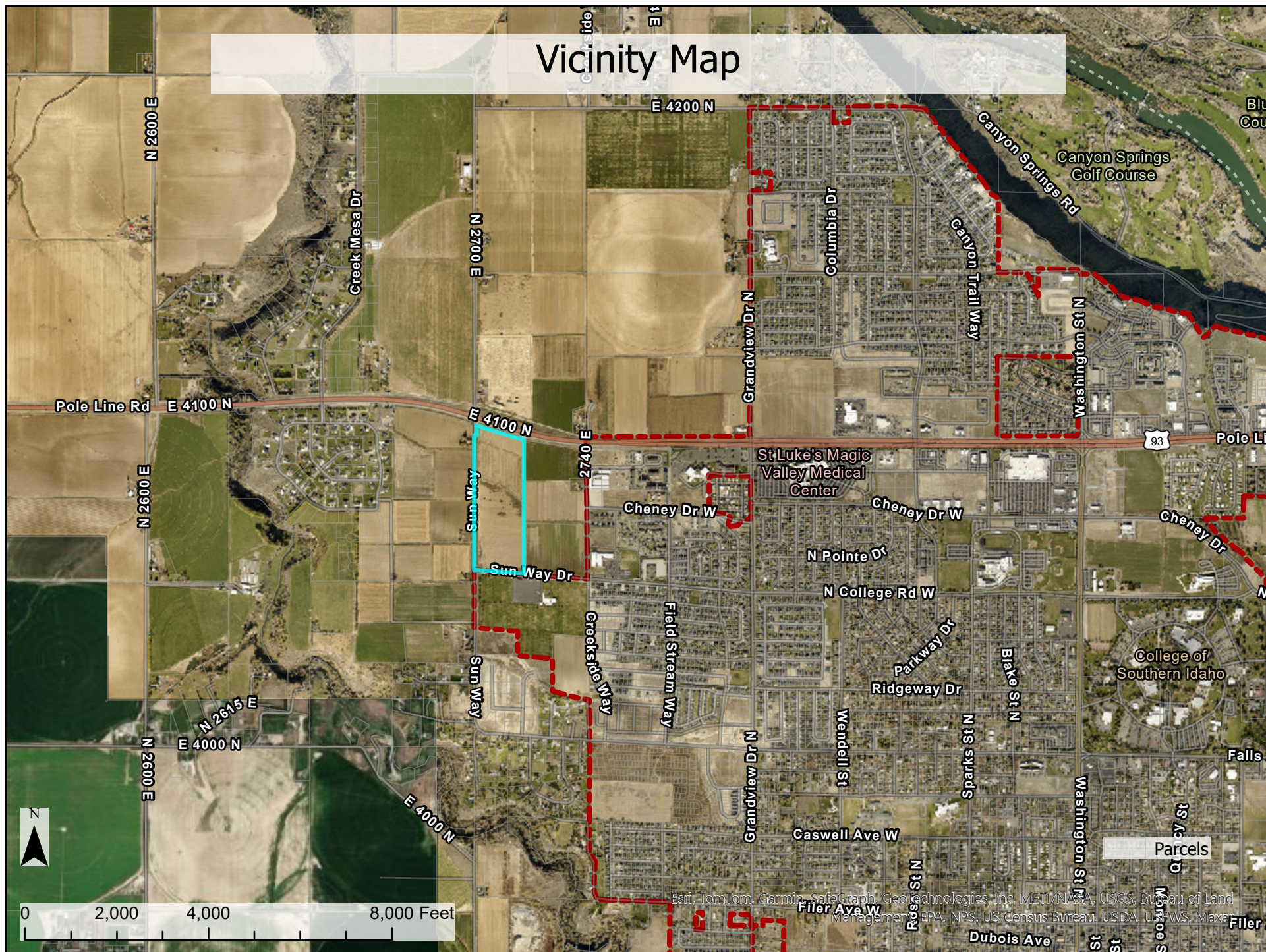
Sample Motion:

1. *Move to approve the annexation as presented with the C-1 and R-2 zoning districts.*
2. *Move to approve the annexation subject to the property being zoned _____.*
3. *Move to table the request for additional information.*

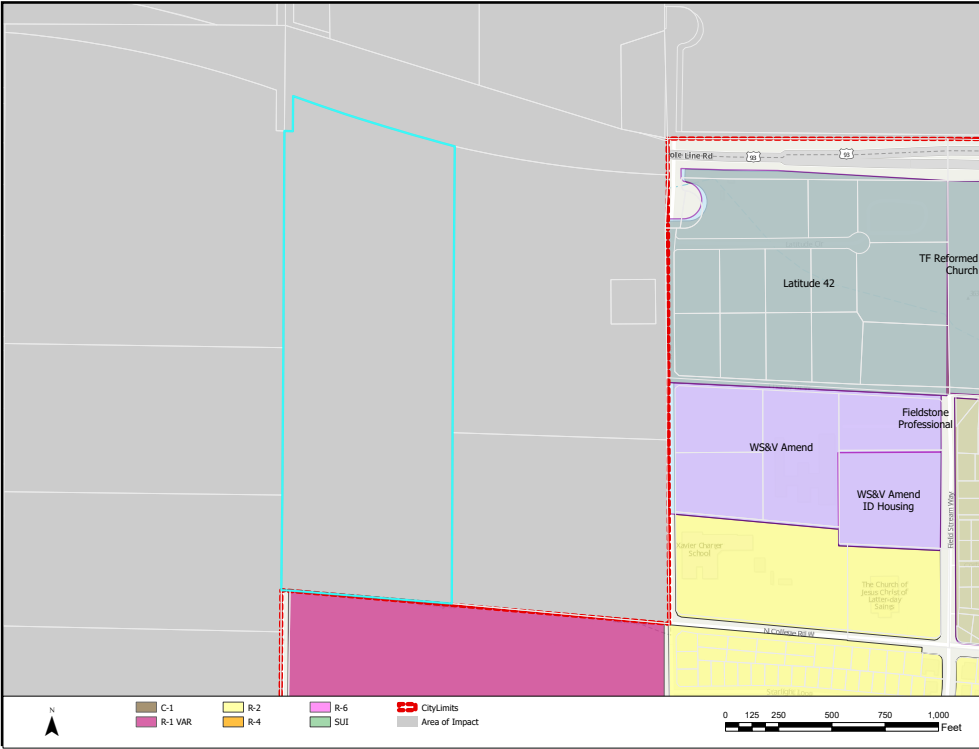
Attachments:

1. PZ24-0103 Vicinity Map
2. PZ24-0103 Presentation Map
3. PZ24-0103 Aerial Map
4. PZ24-0103 Proposed Zoning
5. PZ24-0103 Applicant Narrative
6. PZC 20241022 minutes

Vicinity Map



ZONING MAP



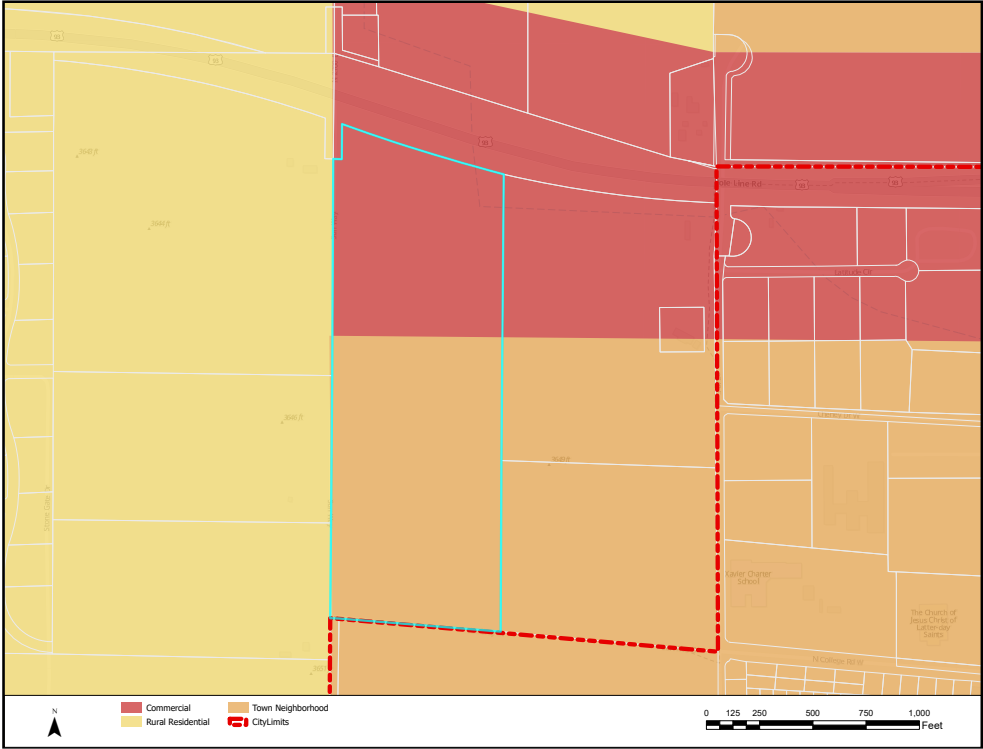
Zoning

<u>Current Zoning:</u>	Area of Impact - County Zoning
<u>Current Land Use:</u>	Agricultural
<u>Proposed Zoning:</u>	C-1 & R-2
<u>Proposed Land Use:</u>	Commercial & Residential

Surrounding Area

<u>North:</u>	Area of Impact - County Jurisdiction
<u>South:</u>	Residential (R-1)
<u>East:</u>	Area of Impact - County Jurisdiction
<u>West:</u>	Area of Impact - County Jurisdiction

FUTURE LAND USE MAP



Regulations

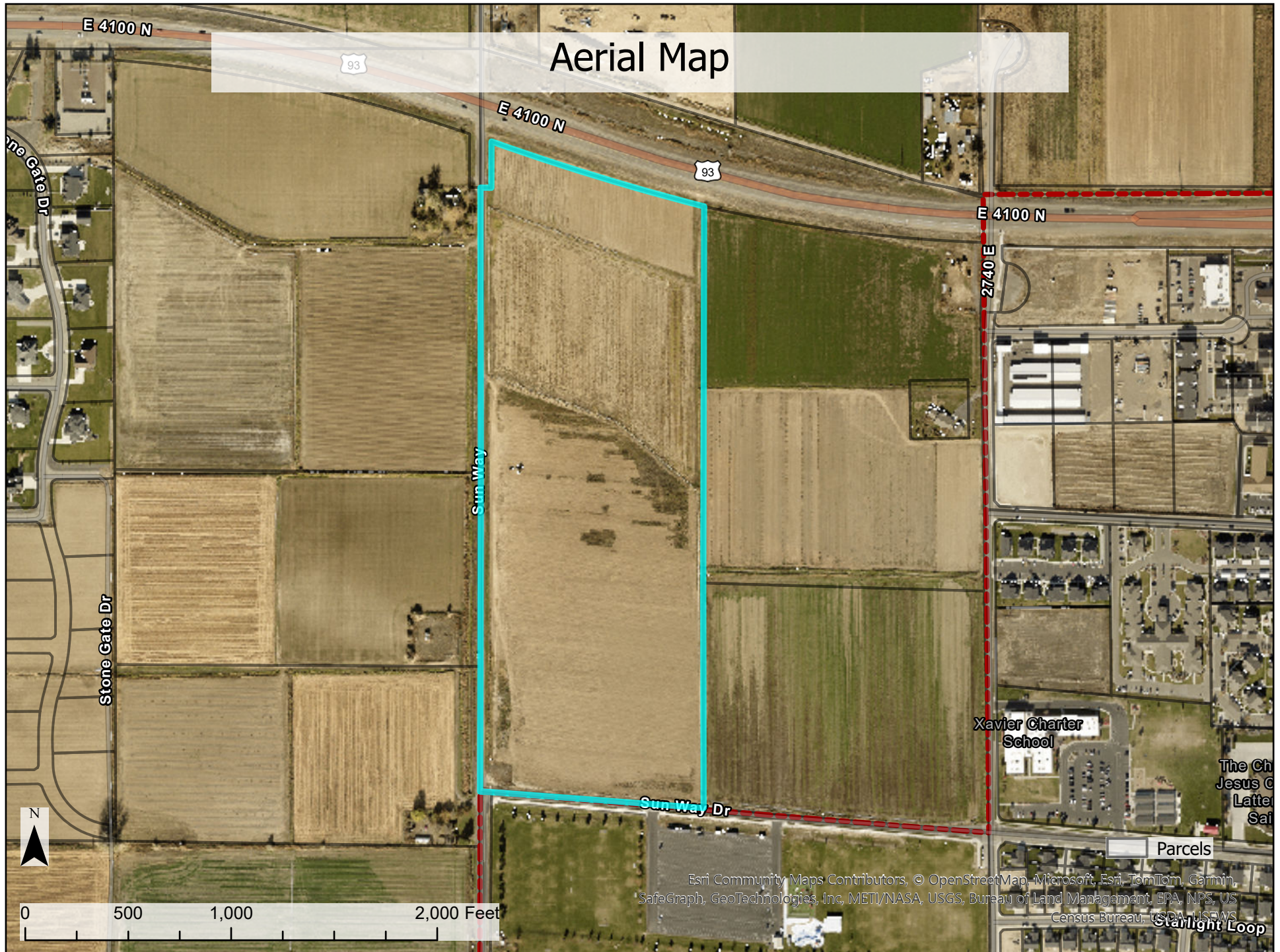
Twin Falls Municipal Code Section(s) 10-15

Future Land Use Category

Commercial: Highway-oriented, large-format retail, hotels, restaurants, and other retail.

Town Neighborhood: Primarily residential in character with a desired land use mixture of single family, duplex, triplex, parks and recreation facilities, schools, and civic facilities.

Aerial Map



36 31
1 6

POLE LINE ROAD WEST
(US HIGHWAY 93)

N72°53'41"W 959.40'

311.56'
N30°20'35"E

ZONE: C-1

1538.98'

N0°40'59"E 2635.87'

L1

C1

L2

C2

L3

1101.58'

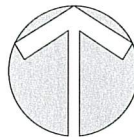
N0°11'08"W 2161.32'

ZONE: R2

1096.89'

1059.74'

N84°30'37"W 801.67'



NORTH

0 150 300 600

SCALE IN FEET

Located In
A Portion of
Gov't Lots 3, 4, 5 & SE ⁴ NW ⁴, Section 6
Township 10 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2024

Line Table

LINE #	BEARING	DISTANCE
L1	N89°19'01"W	178.79'
L2	N67°49'01"W	173.16'
L3	N89°30'48"W	221.96'

Curve Table

CVE#	DELTA	RADIUS	ARC	CHORD	TANG.	CH. BRG
C1	21°30'00"	300.00'	112.57'	111.91'	56.96'	N78°34'01"W
C2	21°41'47"	300.00'	113.60'	112.92'	57.49'	S78°39'55"E

PRELIMINARY

EXHIBIT
ANNEXATION
TWIN FALLS COUNTY, IDAHO



EHM Engineers, Inc.
BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

Engineers / Surveyors / Planners
621 North College Road, Suite 100 Twin Falls, Idaho 83301
p (208)-734-4888 fax (208)-734-6049 web: ehminc.com

JOB NO.: 230-18
APPROVED
DESIGN
DRAWN CSH
DATE SEPT. 2024
SCALE SHOWN
V 230-18 ANNEX-2
Sheet No.: 1

WESTERN HORIZON
ANNEXATION NARRATIVE

4a. The owner of this property is requesting annexation into the City of Twin Falls to develop the property with City services for commercial and residential uses.

4.b.i. The request is in conformance with the comprehensive plan and future land use plan. In relation to the comprehensive plan, the proposed development provides connectivity of the Sunway soccer field area along an arterial corridor to the west Pole Line connection located adjacent to Sunway Drive. It has the aspect of mixed use within the development by placing commercial in the northern portion fronting the arterials while incorporating the residential portion on the southern portion, across and adjacent to the Sunway park. The proposed designations resemble the closest developed land to the east. The proposed zoning also resembles the ED e designation outlined in the future land use plan.

4.b.ii. As stated, the proposed development of the subject property is similar to the closest developed property to the east other than the component of residential next to the Sunway soccer complex which is slated to become residential as identified on the future land use plan. The area to the immediate east is private ownership with 1 residence and farming operations with no immediate plans for development. The area to the north of the subject property is the Pole Line Road arterial frontage within the City of Twin Falls with undeveloped land although commercial development has already been started on that parcel. To the west is undeveloped land predominately used for agricultural purposes in the impact area and the future land use plan calls for town/neighborhood within that property.

4.b.iii. The intent is to develop the plan in phases with emphasis on extension of utilities through the off-site corridor and then concentrate on the residential portion while still having potential development parcels ready in the commercial portion of the property as users are identified.



Twin Falls Planning & Zoning Commission Minutes

Tuesday, October 22, 2024, 6:00 PM

203 Main Ave East
Twin Falls, ID 83303

COUNCIL CHAMBERS

Members -

City Limits: Chairperson Danielle Titus; Vice-Chair Cortney Campbell; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Tiffany Zimmerman

Area of Impact: vacant

1) Confirmation of Quorum/Call Meeting to Order

NAME called the meeting to order at 06:00 PM

A quorum was present.

Members Present: *Titus, Herrgesell, Rambur, Weatherford, Zimmerman*

Staff Present: *Spendlove, Ebersole, Klaver, Strickland, Schuerman*

2) Conflict of Interest Declaration - none

3) Consent Calendar

- a) Approval of minutes from the following meeting: October 8, 2024.

MOTION: Commissioner Zimmerman moved to approve the Consent Calendar, as presented.

Commissioner Weatherford seconded the motion.

Roll call vote showed all members present voted. Approved 5 to 0.

4) Items of Consideration

- a) Request for the consideration of the Preliminary Plat for Kenyon Meadows Phases 3-6 Subdivision consisting of approximately 44 (+/-) acres located west of Kenyon Rd and north of Highway 74 (3600 N) - aka RPT00107294875. c/o Stephen Andersen on behalf of Brad Beauchamp (PZ24-0100).

Staff Presentation:

Senior Planner Klaver presented the request for the consideration of the Preliminary Plat for Kenyon Meadows Phases 3-6 Subdivision consisting of approximately 44 (+/-) acres located west of Kenyon Rd and north of Highway 74 (3600 N) - aka RPT00107294875. c/o Stephen Andersen on behalf of Brad Beauchamp (PZ24-0100).

Per City Code 10-12-2-3: The Commission shall review the preliminary plat. The Commission's decision is final unless appealed to the City Council. The final plat is reviewed by the City Council.

Commission's Findings: In determining the acceptance of a proposed subdivision the Commission shall consider the objectives of this Title and at least the following:

1. The conformance of the subdivision with a Comprehensive Plan.
2. The availability of public services to accommodate the proposed development.
3. The continuity of the proposed development with the capital improvement program.
4. The public financial capability of supporting services for the proposed development; and
5. The other health, safety or environmental problems that may be brought to the Commission's attention.

Action On Preliminary Plat: The Commission may approve, conditionally approve, disapprove, or table for additional information when acting on the preliminary plat.

This piece of land has never been platted before. The R-4 zoning district has been in place since 1981, ordinance 2012.

Senior Planner Klaver described the location of the plat and how the lots may be developed as residential lots. He described the phases of the development.

Staff has reviewed the preliminary plat based on the proposed development plan, the zoning regulations and comprehensive plan and finds that the preliminary plat is within compliance should the applicant conform to Staff's recommended conditions.

Upon conclusion, this preliminary plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding R-4 zoning development standards, and the 2016 comprehensive plan. All general criteria for approval have been met, per State Statute 50 - Chapter 13.

Should the Commission approve this request as presented, staff recommends approval be subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards; and
2. Subject to submittal of a preliminary plat, submitted prior to final plat submittal, showing compliance with all conditions and comments in the Engineering Memorandum dated August 30, 2024.

Applicant Presentation:

Stephen Andersen, Civil Science, representing applicant, presented the request of the

Preliminary Plat for Kenyon Meadows Phases 3-6 Subdivision consisting of approximately 44 (+/-) acres located west of Kenyon Rd and north of Highway 74 (3600 N). He described the 44 acre subdivision, and will be built in phases. He stated the plan complies with current zoning. He stated the applicant will comply with negotiated memorandum and city requirements. They will install a larger sewer main (line) that will service whole area.

PZ/Questions & Comments:

- Chairperson Titus asked about the property to west being vacant.
- Senior Planner Klaver clarified the property is vacant and when developed, the collector road will be finished.
- Mr. Andersen stated there is an agreement in place with the owner along Pheasant Road to build the southern half of the road.
- Commissioner Zimmerman asked for the count of single family dwellings vs. duplexes.
- Mr. Andersen stated there could be up to 31 duplexes.
- Senior Klaver clarified any lots over 7000 sf are eligible for a duplex.
- Chairperson Titus clarified duplexes are outright allowed in the R-4 zone.

Public Comment:

- Fern Warren, citizen, asked if a new school was going in and the location. She asked about screening, and what is planned to be built, single family dwelling or townhome, on west property line.
- Mr. Andersen answered the street on west side of property is a collector, so no screening will be placed along road. The collector street to the south will be moved per city request. The lots on the west side will be duplexes, and all within the approved zoning.

Discussions Followed:

- Commissioner Rambur stated he believes this development will be harmonious with area and the Comprehensive Plan, as there are residences around this property.
- Commissioner Herrgesell agreed and believes it is harmonious.
- Commissioner Weatherford is in favor of the request. She believes it is harmonious and likes that Pheasant Rd will go through.
- Chairperson Titus is happy that Pheasant Rd. will go through and the applicant is not asking for a different zone change. They are parceling out the lots and will meet the negotiated memorandum.

MOTION: Commissioner Weatherford moved to approve the request for a Preliminary Plat Preliminary Plat for Kenyon Meadows Phases 3-6 Subdivision consisting of approximately 44 (+/-) acres located west of Kenyon Rd and north of Highway 74 (3600 N) - aka RPT00107294875. c/o Stephen Andersen on behalf of Brad Beauchamp (PZ24-0100), as presented, with staff recommendations.

Commissioner Hergesell seconded the motion.

Roll call vote showed all members present voted. Approved 5 to 0.

- b) Request for the consideration of the Preliminary Plat for Westpark Commercial Subdivision No. 12 consisting of approximately 8 (+/-) acres located at the 200 Block of Avenida Del Rio Drive c/o Gerald Martens on behalf of David Shotwell (PZ24-0108). Senior Planner Klaver presented the request for the consideration of the Preliminary Plat for Westpark Commercial Subdivision No. 12 consisting of approximately 8 (+/-) acres located at the 200 Block of Avenida Del Rio Drive c/o Gerald Martens on behalf of David Shotwell (PZ24-0108).

Per City Code 10-12-2-3: The Commission shall review the preliminary plat. The Commission's decision is final unless appealed to the City Council. The final plat is reviewed by the City Council.

Commission's Findings: In determining the acceptance of a proposed subdivision the Commission shall consider the objectives of this Title and at least the following:

1. The conformance of the subdivision with a Comprehensive Plan.
2. The availability of public services to accommodate the proposed development.
3. The continuity of the proposed development with the capital improvement program.
4. The public financial capability of supporting services for the proposed development; and
5. The other health, safety or environmental problems that may be brought to the Commission's attention.

Action On Preliminary Plat: The Commission may approve, conditionally approve, disapprove, or table for additional information when acting on the preliminary plat. This piece of land is part of the Twin Falls Westpark Commercial Subdivision No 3 that was recorded in 2006. Since then, several pieces have been split off through the subdivision process. This is what remains of the original Lot 4, Block 2 of Westpark Commercial Subdivision No. 3.

Senior Planner Klaver reviewed the Zoning and Future Land Use maps.

The zoning on this property is C-1 PUD. The Planned Unit Development (PUD) is the Northbridge PUD and has been in place since July 1993.

Staff has reviewed the preliminary plat based on the proposed development plan, the zoning regulations and comprehensive plan and finds that the preliminary plat is within compliance should the applicant conform to Staff's recommended conditions.

Upon conclusion, this preliminary plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations

regarding C-1 PUD zoning development standards, and the 2016 comprehensive plan. All general criteria for approval have been met, per State Statute 50 - Chapter 13.

Should the Commission approve this request as presented, staff recommends approval be subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards; and
2. Subject to submittal of a preliminary plat, submitted prior to final plat submittal, showing compliance with all conditions and comments in the Engineering Memorandum dated September 25, 2024.

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the request of the Preliminary Plat for Westpark Commercial Subdivision No. 12 consisting of approximately 8 (+/-) acres located at the 200 Block of Avenida Del Rio Drive. He explained the journey to get to this place of platting. He stated the property will be split into 2+ acres parcels, finalizing the remaining land in the Westpark PUD.

PZ/Questions & Comments:

- Chairperson Titus asked about access roads to the north and south.
- Senior Planner Klaver stated Avenida del Rio Drive and Vermont Drive are both private roads, and access to the property is on Avenida del Rio Drive from Washington Street North to Canyon Crest Drive.
- Chairperson Titus asked about the current sidewalk.
- Planning and Zoning Director Spendlove clarified the sidewalk to connect east to west was conditioned with the PUD originally. He stated the commission could add the condition to ensure the sidewalk.
- Mr. Vawser stated he remembers the original condition of a sidewalk, and agrees with adding the condition of a connecting sidewalk.

Public Comment: None

Discussions Followed:

- The sidewalk condition was discussed.
- Commissioner Rambur likes the plan for the 4 lots.
- Commissioner Weatherford stated the flow serves mixed use and looks forward to it being built out.
- Chairperson Titus asked for zoning verification of the property.
- Senior Planner Klaver stated the zone is C-1 PUD.
- Chairperson Titus is okay with plan.

MOTION:

#1 - Commissioner Rambur moved to add a condition to construct a sidewalk

connecting the east and west from Fairfield Suites to US Foods Chef Service. Commissioner Hergesell seconded the motion.

#2 - Commissioner Herrgesell made a motion to approve the request for the consideration of the Preliminary Plat for Westpark Commercial Subdivision No. 12 consisting of approximately 8 (+/-) acres located at the 200 Block of Avenida Del Rio Drive c/o Gerald Martens on behalf of David Shotwell (PZ24-0108), as presented, with staff recommendations, and added condition. Commissioner Weatherford seconded the motion.

Roll call vote showed all members present voted. Approved 5 to 0.

5) Public Hearings

- a) Request for a Special Use Permit for a residential shed (greater than 1000 square feet) on property located at 2256 Detweiler Place. c/o Lance LeBaron on behalf of Mark Gardoski (PZ24-0101).

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit for a residential shed (greater than 1000 square feet) on property located at 2256 Detweiler Place. c/o Lance LeBaron on behalf of Mark Gardoski (PZ24-0101).

Per City Code 10-13-2.2 The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall decide on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months, or the permit is void. If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony, and minutes of the previous hearing to reach a decision on the appeal.

Review Criteria for Special Uses:

1. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
2. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
3. Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. Will be served adequately by essential public facilities and services such as

highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.

6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Conditions may be attached to a Special Use Permit including, but not limited to, those:

- Minimizing adverse impact on other developments.
- Controlling the sequence and timing of development.
- Controlling the duration of development.
- Assuring that development is maintained properly.
- Designating the exact location and nature of development.
- Requiring the provision for on-site or off-site public facilities or services.
- Requiring more restrictive standards than those generally required in this Title.

The subdivision was platted and recorded in May 2011, the home was issued a Certificate of Occupancy in May 2022.

The comprehensive plan designates this area as Town Neighborhood. Town Neighborhood is characterized as primarily residential land uses or related uses such as parks, recreation facilities, schools and civic facilities. Accessory structures of up to 1,000 sq. ft. are outright permitted in the R-2 zoning district. The size being proposed for this accessory building is not much larger than what is outright permitted, but does require a special use permit. Detached accessory buildings are typically found with residential homes and the lot is sufficient to support the size being proposed. The applicant has stated the proposed accessory building will be used for the storage of a recreational vehicle and the plans submitted show the building will have a large bay door for the RV with a craft room area. The exterior of the building will be designed to complement the existing residence.

Approval of this request wouldn't create a detrimental burden to the current system, add additional cost to public services, create excessive traffic, fumes or noise and would not be detrimental to the neighborhood.

Upon conclusion, should the commission approve the request as presented, staff recommends the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with all applicable codes and standards.
2. Subject to personal use only-no commercial activity.

Applicant Presentation:

Mark Gardoski presented the request for a Special Use Permit for a residential shed (greater than 1000 square feet) on property located at 2256 Detweiler Place. He stated the plan originally was to build a pool house, but he is now in need of RV storage. He stated the building will be 16 feet in height to match the house, with a small pool room and craft room space.

PZ/Questions & Comments:

- Commissioner Rambur asked the allowed building height.
- City Planner Strickland stated city code allows for up to 35 feet.
- Commissioner Rambur asked if the design will match house.
- Mr. Gardoski clarified it will be designed to match the house.

Public Hearing: Opened and Closed without comment

Discussions Followed:

- Commissioner Rambur stated since there is no one opposing the request, he does not have an issue with it.
- Commissioner Herrgesell stated she has no issues as blends in with house.
- Commissioner Weatherford agrees and believes the request will be fine and no issues.
- Chairperson Titus stated the applicant is not asking for too much and there is no additional height request. She has no issue with the request.

MOTION: Commissioner Weatherford moved to approve the request for a Special Use Permit for a residential shed (greater than 1000 square feet) on property located at 2256 Detweiler Place. c/o Lance LeBaron on behalf of Mark Gardoski (PZ24-0101), as presented with staff recommendations.

Commissioner Rambur seconded the motion.

Roll call vote showed all members present voted. Approved 5 to 0.

- b) Request for an recommendation for the appropriate zoning for a proposed annexation of approximately 46 (+/-) acres located east of Sunway Dr N from North College Rd W to Pole Line Rd W. c/o Tim Vawser, EHM on behalf of Gary Nelson (PZ24-0103).

Staff Presentation:

Planning and Zoning Director Spendlove presented the request for an recommendation for the appropriate zoning for a proposed annexation of approximately 46 (+/-) acres located east of Sunway Dr N from North College Rd W to Pole Line Rd W. c/o Tim Vawser, EHM on behalf of Gary Nelson (PZ24-0103).

Per City Code 10-15-1: Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area. The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

Per City Code 10-15-2 (A): The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

The property is currently utilized as agricultural pasture/farm ground. It is located in the Twin Falls City Area of Impact. Available records show this land has always been used for irrigated agricultural purposes.

The Comprehensive Plan has designated this area as Commercial and Town Neighborhood.

- The land uses typically found in the Commercial designation are: retail, office, restaurants, hotels, plazas and parks.
- The land uses typically found in the Town Neighborhood designation are: residential, schools, parks and recreation facilities, and civic facilities.

The proposed zoning for this request is Commercial Highway District (C-1) and Residential Single Household or Duplex District (R-2). These zones can be characterized by the following:

- **Purpose Statement:**
 - C-1 is "intended to provide for commercial activities of various sizes from large malls to small shops, fast food restaurants and tourist accommodation. This district is designed for application on major streets or portions thereof."
 - R-2 is "intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required."
- **Sample of Permitted Uses:**
 - C-1: Bakery; bookstore; eating places; laundering facilities; photography

- studios; professional services; doctor's offices; libraries; etc.
- R-2: Single-family attached and detached; duplex; parks; etc.
- Heights:
 - C-1 is fifty (50') feet
 - R-2 is thirty-five (35') feet

The Commission is tasked to make a recommendation to the City Council by reviewing the comprehensive plan and the requested zoning designations compatibility with the future land use map designation.

The Commission will make a recommendation to City Council to approve the requested zoning designation, as presented, recommend denial of the requested zoning designation, recommend a different zoning designation or table the request for additional information.

Sample Motion:

1. *Move to recommend to City Council the subject property be zoned as presented with the C-1 and R-2 zoning district.*
2. *Move to recommend to City Council the subject property be zoned _____.*
3. *Move to table the request for additional information.*

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the request for a recommendation for the appropriate zoning for a proposed annexation of approximately 46 (+/-) acres located east of Sunway Dr N from North College Rd W to Pole Line Rd W. He stated the zoning request follows the natural roadway to connect Cheney Drive to the west, with C-1, Commercial Highway District, along the Pole Line Rd corridor and R-2, Single Family Residential, to the south. He explained the plan is to mirror the properties and uses around them. Utilities are accessible to the area now, so the property is now developable.

PZ/Questions & Comments: none

Public Hearing: Opened and Closed without comment

Discussions Followed:

- Commissioner Rambur stated this project looks similar to property to the east and complies with the Comprehensive Plan and Future Land Use Map.
- Commissioner Zimmerman agrees that it complies with the Future Land Use Map and appreciates the forward thinking to accommodate Cheney Drive going through.
- Commissioner Herrgesell appreciates the explanation of the plan and has no issues.

- Commissioner Weatherford states the zoning seems appropriate for the area and appreciates connecting the roads.
- Commissioner Herrgesell asked for clarification of the vote tonight.
- Chairperson Titus stated the zoning makes sense along the commercial corridor. She stated she likes the division is a natural divide for future development.

Motion:

Commissioner Herrgesell made a motion make a recommendation to City Council for the appropriate zoning for a proposed annexation of approximately 46 (+/-) acres located east of Sunway Dr N from North College Rd W to Pole Line Rd W. c/o Tim Vawser, EHM on behalf of Gary Nelson (PZ24-0103), as presented, with staff recommendations.

Commissioner Rambur seconded the motion.

Roll call vote showed all members present voted. Approved 5 to 0.

- c) Request for a Special Use Permit to allow commercial painting on property located at 317 Addison Ave W. c/o Kyndell Madsen on behalf of Saul Esquivel (PZ24-0104).

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow commercial painting on property located at 317 Addison Ave W. c/o Kyndell Madsen on behalf of Saul Esquivel (PZ24-0104).

Per City Code 10-13-2.2 The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall decide on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months, or the permit is void. If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony, and minutes of the previous hearing to reach a decision on the appeal.

Review Criteria for Special Uses:

1. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
2. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
3. Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the

same area.

4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Conditions may be attached to a Special Use Permit including, but not limited to, those:

- Minimizing adverse impact on other developments.
- Controlling the sequence and timing of development.
- Controlling the duration of development.
- Assuring that development is maintained properly.
- Designating the exact location and nature of development.
- Requiring the provision of on-site or off-site public facilities or services.
- Requiring more restrictive standards than those generally required in this title.

The building was constructed in conjunction with an automobile dealership located at 309 Addison Ave W and granted an SUP in 2004 for detailing and service of vehicles being sold by the dealership. Later, the building was occupied by Advanced Suspension, who has since constructed a new shop across the street from this location at 356 Addison Ave W. The applicant would like to continue the use of the building for automotive repair with the addition of a paint booth.

The property is zoned C-1 CRO. Within this zoning district a special use permit is required for automotive service and repair. In 2004, the subject property was granted a special use permit for automotive service and repair and although painting can be considered an automotive service, per City Code 10-7-18 a special use permit for inside commercial painting is required.

The applicant is proposing to add a paint booth to an existing building that was

constructed for the purpose of automotive service and repair. The paint booth proposed by the applicant is an independent piece of equipment that can be installed in the building with approved permits.

The applicant is proposing to operate Mon-Fri 8:00 am to 5:00 pm. They will have two (2) employees on-site during operational hours and anticipate the business will not generate more traffic than the previous automotive suspension shop. There are several commercial businesses neighboring this property such as a vacuum sale service and repair store, automotive dealership, muffler repair shop and a small embroidery/screen printing business.

The property is located within the city limits and is connected to city water and sewer services. Addison Ave W, a gateway arterial less than a block north of this property, is constructed to support large amounts of traffic. Access to and from this area is simple and the amount of traffic generated by the proposed land use would not be detrimental as this is a well-traveled system that is able to withstand additional vehicles.

Approval of this land use would not create detrimental burden to the current system, add additional cost to public services, create excessive traffic, fumes, or noise and would not be detrimental to the community nor result in the destruction or loss of any natural, scenic, or historic feature of major importance.

Upon conclusion, should the commission approve the request as presented, staff recommends the following conditions:

1. Subject to site plan amendments as required by Building, Fire, Engineering and Zoning Officials to comply with city codes and standards.
2. Subject to all vehicles, miscellaneous parts and or equipment being located within the building, or within a sight obscuring screened area reviewed and approved by staff.
3. Provide a recorded cross access agreement for the subject property from adjacent property owner(s).

Applicant Presentation:

Kyndell Madsen, Laughlin Ricks Architecture, representing the applicant, presented the request for a Special Use Permit to allow commercial painting on property located at 317 Addison Ave W. She stated there will be no change to the building. The applicant wants to add a paint booth, complying with building and zoning standards.

PZ/Questions & Comments:

- Chairperson Titus asked about ventilation requirements.
- City Planner Strickland stated it is reviewed with the building permit.
- Commissioner Rambur asked about odor issues.
- Planning and Zoning Director Spendlove stated air quality is handled by DEQ

(Idaho Department of Environmental Quality). He stated if an issue is reported to the city, DEQ would investigate and do an air quality check, and if not in compliance, the Special Use Permit can be revoked.

- Chairperson Titus asked about if there is a screening issue.
- City Planner Strickland stated the property needs new solid screening, which will be required with the new Special Use Permit.

Public Hearing: Opened and Closed without comment

Discussions Followed:

- Commissioner Weatherford stated she has no issues with the request as long as they follow rules/policies.
- Commissioner Rambur stated this request will not create a traffic issue on Addison Avenue West. He elaborated on the fume concern.
- Chairperson Titus stated with proper ventilation, this business should not be an issue, and does not believe the commission needs to add a condition.

MOTION: Commissioner Hergesell moved to approve the request for a Special Use Permit to allow commercial painting on property located at 317 Addison Ave W. c/o Kyndell Madsen on behalf of Saul Esquivel (PZ24-0104), as presented, with staff recommendations.

Commissioner Weatherford seconded the motion.

Roll call vote showed all members present voted. Approved 5 to 0.

- d) Request for a Special Use Permit to allow a home occupation (in-home daycare) on property located at 2080 Elizabeth Blvd. c/o Kylie Hansen (PZ24-0105).

Staff Presentation:

Senior Planner Klaver presented the request for a Special Use Permit to allow a home occupation (in-home daycare) on property located at 2080 Elizabeth Blvd. c/o Kylie Hansen (PZ24-0105).

Per City Code 10-4-5.2 states “a special use permit is required for “in home daycare services.”

Per City Code 10-13-2-2, the Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall decide on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall

be implemented within 6 months, or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony, and minutes of the previous hearing to reach a decision on the appeal.

Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.
3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this Title.

Standards Applicable to Special Uses:

- Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- Will not be hazardous or disturbing to existing or future neighboring uses.
- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

The property is zoned R-4, Medium Density Residential.

The property is approximately 0.27 acres (+/-), with a dwelling that is approximately 1,392 sq. ft. (+/-). The building was constructed circa 1940 according to county records.

The applicant is requesting a Special Use Permit for an in home daycare.

Per the narrative, the Hours of Operation are 8:00 am to 8:00 pm, with an option to extend her hours of operation based on her client's needs, on a case-by-case basis.

The applicant states in her narrative that she expects to have no more than nine (9) additional kids in the home at any given time. The traffic generated from this business will be for drop off and pick up times.

There will be two (2) employees, the applicant plus one (1) other person. Clarification from the applicant has the other employee being her spouse. Noise from children playing outside may affect the neighboring properties. The applicant has stated that there are households with children on each side of the property. There will be no glare, odor, fumes, or vibration impacts with this use.

Elizabeth Boulevard is a collector road and can handle the potential increased traffic of up to eighteen (18) trips per day.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Town Neighborhood, which is primarily residential in character, consisting of single-family dwellings, duplex, triplex, townhomes, parks and recreation facilities, Schools and Civic facilities". Staff had determined the proposed use is compatible with the comprehensive plans, as it states we should "create great neighborhoods with a wider range of housing types, mix of uses, and amenities."

Staff concludes that an in-home day care service will be a good addition to the neighborhood, as having a day care with up to nine (9) children during working hours will not add any impacts/burdens to the surrounding property.

Based on the standards for approval staff does not foresee detrimental impacts related to the land use.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project.

Upon conclusion should the Commission recommend approval of the request as presented, staff recommends the following:

1. Subject to site plan amendments as required by Building, Engineering, Fire and

Zoning Officials to comply with applicable City Codes and standards.

Applicant Presentation:

Kylie Hansen, applicant, presented the request to allow a home occupation (in-home daycare) on property located at 2080 Elizabeth Blvd. She clarified the space for the daycare is a garage to be remodeled. She believes there is a need for childcare and this will help fill a gap. She stated she was awarded a federal grant and this is a harmonious use to the neighborhood being close to schools.

PZ/Questions & Comments:

- Commissioner Rambur asked about the sidewalk and parking.
- Senior Planner Klaver stated there is adequate parking and there is an existing sidewalk.
- Chairperson Titus asked about the site plan.
- Senior Planner Klaver clarified that a new addition will be added between house and garage for the daycare.
- Commissioner Herrgesell asked about the entrance.
- Senior Planner Klaver stated there appears to be a separate entrance.
- Commissioner Rambur asked the maximum number of children allowed and hour restrictions.
- Senior Planner Klaver stated 12 children maximum and there are no hour restrictions.
- Commissioner Hergesell asked about the drop off plan.
- Mrs. Hansen clarified there is a wide driveway along the side of the house to be extended for access, or the parent can walk children back from the front of the house.
- Commissioner Rambur asked where the applicant parks.
- Mrs. Hansen stated she parks in front of the house.

Public Hearing: Opened and Closed without comment

Discussions Followed:

- Commissioner Rambur has no issues as it will serve the area.
- Commissioner Zimmerman believes this is a great use of the property.
- Commissioner Hergesell agrees that a daycare would be helpful to the area.
- Commissioner Weatherford agrees and believes parking will be worked out moving forward.
- Chairperson Titus stated that no response from neighbors is not normal for this type of request. She agrees it is good for the area, and believes pick up and drop off will be worked out.

MOTION: Commissioner Weatherford moved to approve the request for a Special Use Permit to allow a home occupation (in-home daycare) on property located at 2080

Elizabeth Blvd. c/o Kylie Hansen (PZ24-0105), as presented, with staff recommendations.

Commissioner Hergesell seconded the motion.

Roll call vote showed all members present voted. Approved 5 to 0.

6) Upcoming Meeting(s)

- a) November 4, 2024 - Special Meeting
November 19, 2024

7) Adjournment

The meeting adjourned at 07:34 PM

Kelli Ebersole

Kelli Ebersole, City Planner



Date: Monday, December 9, 2024
To: Honorable Mayor and City Council
From: Lisa Strickland, City Planner

ACTION ITEM

Request:

Request annexation with a zoning designation of M-2 for 9.58 acres on the south side of the 300 block of Diamond Ave W. c/o Gary Palmer (PZ24-0097)

Time Estimate:

Approximately 5-10 minutes with questions/comments to follow.

Background:

The applicant, Gary Palmer, is requesting to annex property located along the 300 block of Diamond Ave W. with a Heavy Manufacturing (M-2) zoning designation. In order to do so, the City Council needs a recommendation from the Planning & Zoning Commission on the appropriate zone.

Approval Process:

COMMISSION RECOMMENDATION REQUIRED: Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the commission on the proposed plan and zoning ordinance changes for the unincorporated area. The council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the commission.

PUBLIC HEARING:

- A. The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes.
- B. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the proposal with its recommendations to the council.
- C. The council, prior to adoption, amendment or repeal of the plan or zoning ordinance, shall conduct at least one public hearing using the same notice and hearing procedures as the commission. Following the hearing of the council, if the council makes a material change in the plan or zone, further notice and hearing shall be provided before the council adopts the plan or zone.
- D. Concurrently or immediately following the adoption of an ordinance of annexation, the council shall amend the planning and zoning regulations as shall be found to be necessary.

Budget Impact:

N/A

Regulatory Impact:

City Council shall take into consideration the zoning designation recommended by the Planning & Zoning Commission and hold a public hearing to make a final decision on the request. Approval of such a request is followed by passage of an ordinance.

History:

The area southeast of this property was approved to be rezoned from R-4 to M-2 in 2018. Beginning in 2022, the Urban Renewal Agency of Twin Falls began contemplating the creation of a new Revenue Allocation Area. Since that time, they have taken the necessary steps as outlined in the State Statutes to gather the required information and create a plan identifying the proposed project and desired development area.

Upon further review, it was determined that this property is within the proposed development area but is not incorporated into the city limits. The property would need to be annexed and rezoned to be in compliance with the comprehensive plan and to be included in the proposed allocation boundaries. Prior to adoption of the Urban Renew Agency Plan the annexation must be finalized.

On November 19, 2024, the Planning & Zoning Commission validated that the proposed resolution to create a new Revenue Allocation Area was in conformance with the comprehensive plan and should council decide to annex this property, M-2 Heavy Manufacturing would be an appropriate zoning designation.

Analysis:

The current zoning for the property is within the jurisdiction of the county because it is in the area of impact. Within the area of impact the county points to and uses the City zoning standards, records show that this property is entitled to the R-4 residential zoning designation. North of this property is an industrial land use and the surrounding properties, although currently undeveloped, have all been zoned for heavy manufacturing (M-2).

The Industrial/Flex/Employment Comprehensive Plan designation is characterized by businesses that provide non-retail employment and support local industries within the community, such as hotels, restaurants and other retail uses. The property is generally located near regional roads and railways. In reviewing the comprehensive plan designation and the proposed zoning change, M-2 would be more compatible with the plan and supports the goals of the comprehensive plan which is to allow future industrial growth in this area.

While the current zoning designation of R-4 and the proposed zoning designation of M-2 are very different, the R-4 zoning is not in conformance with the future land use plans. The council must take into consideration the commission recommendation and the comprehensive plan when making a decision on this request. Approval of this request, as presented, would be followed by a request to pass an ordinance to finalize the annexation.

Conclusion:

Upon conclusion, on November 19, 2024 the Planning & Zoning Commission held a public hearing and made a recommendation to approve the M-2 zoning designation, as presented. The City Council is tasked with making a final decision on the request to annex the property with an M-2 zoning designation. After consideration, the council may decide to approve the request, as presented, deny the request, or table the request for additional information. Should the Council approve the request, as presented, staff recommends the following conditions:

1. Right-of-way dedication for Diamond Avenue W.
2. Diamond Avenue W right-of-way improvements to be completed at the time of development.

Attachments:

1. PZ24-0097 Vicinity Map
2. PZ24-0097 Street View NSEW
3. PZ24-0097 Zoning Map
4. PZ24-0097 Zoning & FLU Map
5. PZ24-0097 Applicant Narrative
6. PZ24-0097 Land Use Comparison Chart
7. PZ24-0097 City Code Section 10-4-5 R-4
8. PZ24-0097 City Code Section 10-4-10 M-2
9. PZ24-0097 PZC Minutes Diamond Ave Item

Request for annexation with an M-2 zoning designation for 9.58 acres on the south side of the 300 block of Diamond Ave W (PZ24-0097)



Street View

North



South



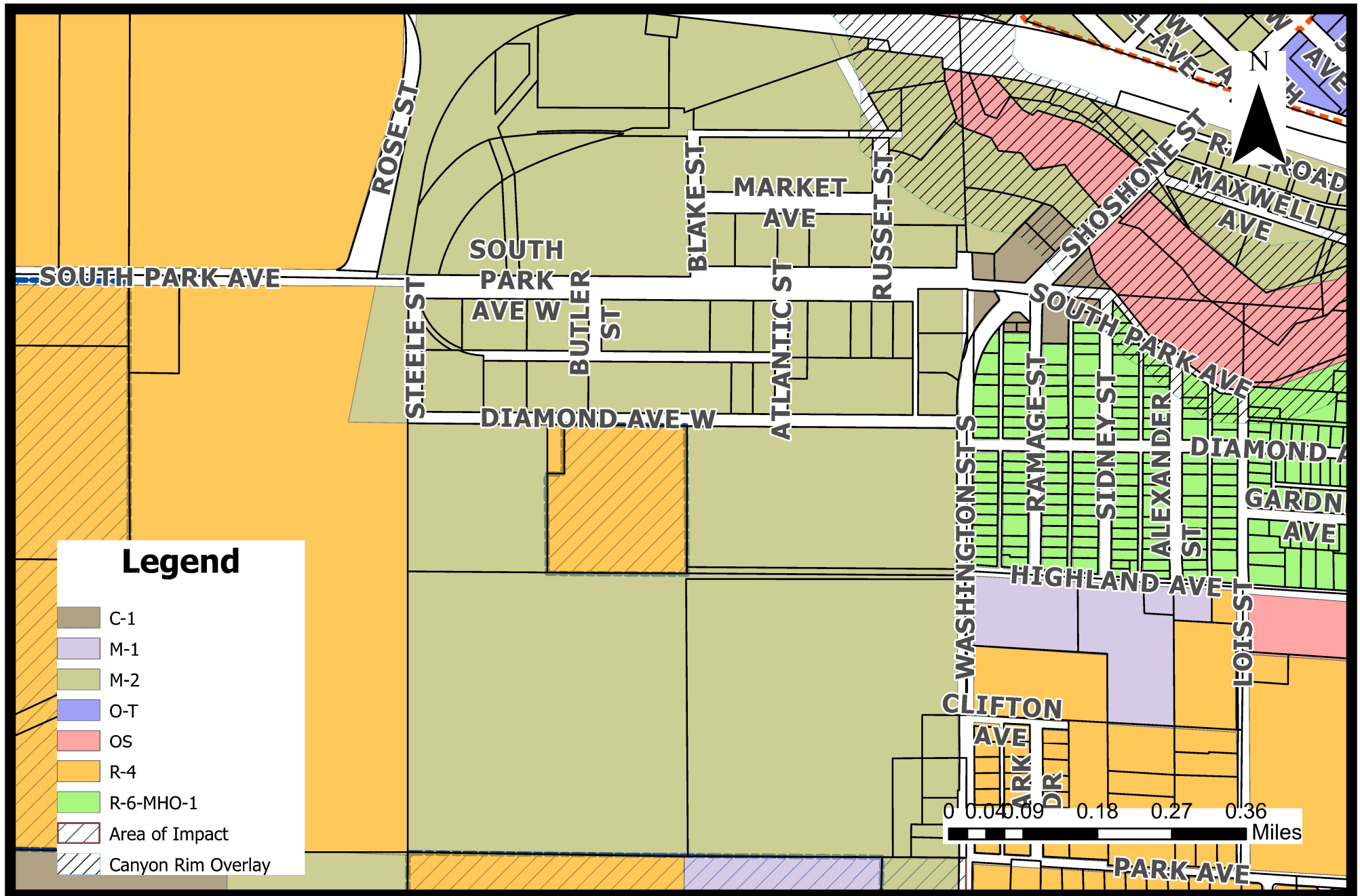
East



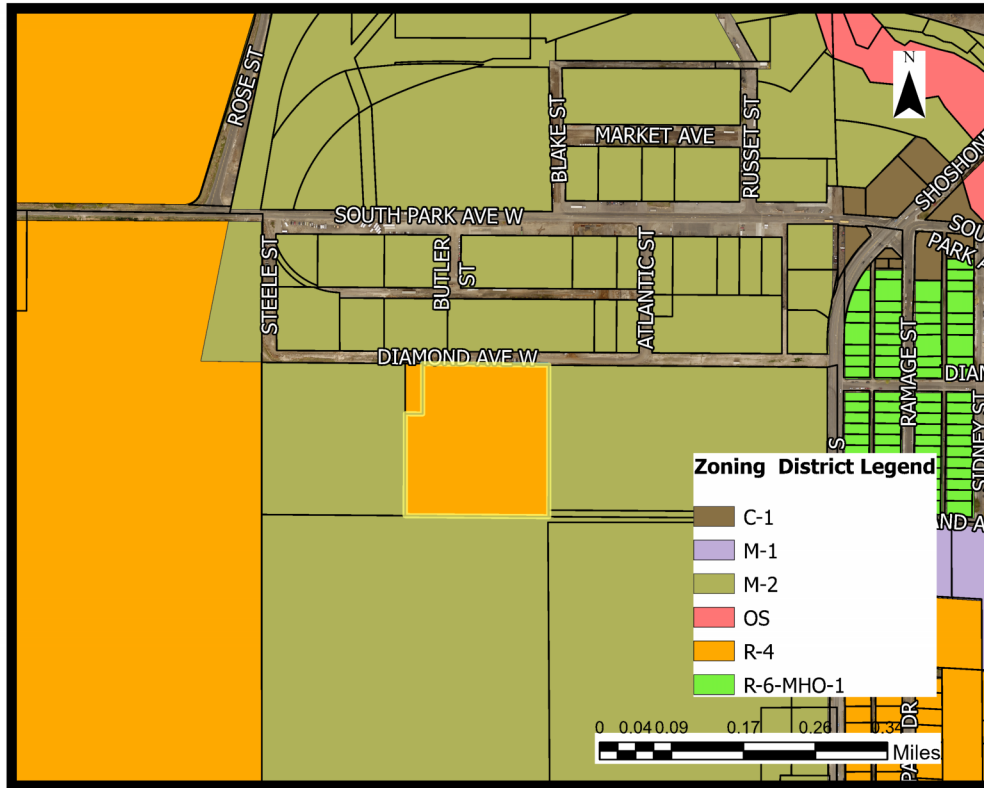
West



Zoning Map



ZONING MAP



Zoning

Current Zoning: R-4

Current Land Use: Undeveloped Lot

Proposed Zoning: M-2

Proposed Land Use: Industrial

Surrounding Area

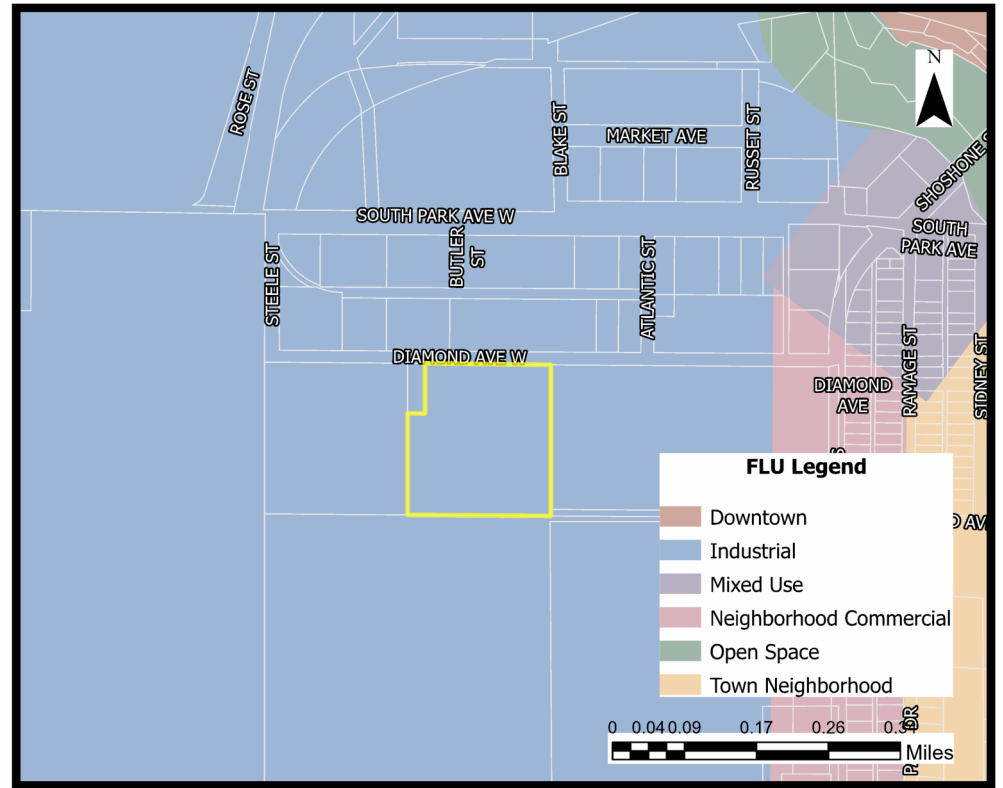
North: Diamond Ave W

South: Undeveloped

East: Undeveloped

West: Undeveloped

FUTURE LAND USE MAP



Regulations

10-1-4, 10-1-5, 10-4-5,
10-4-10, 10-14

FLU Category

Industrial/Flex/Employment
Non-retail employment, Supporting Uses such as hotels, restaurants and other retail within the community, suitable sites have excellent access to regional roads, adjacent to the railway.

Land Uses: Office parks, Corporate Campus, Warehousing, General manufacturing, Food processing, Industrial campus

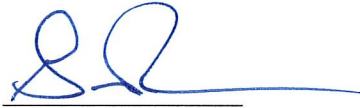
August 22, 2024

Re: Annexation of Property RP10S17E200610

To Whom it may concern,

J&G Steel Properties wishes to have the property at Sec 20T 10R 17, E1/2 S1/2 Nw1/4 Ne1/4, Exc Nw,.42A, RP10S17E200610, annexed into the city, zoned M2. The surrounding property is currently zoned M2. This annexation is so that the property may be included in the new industrial improvement area, and to accommodate future expansion of our adjacent, existing facilities.

Very Truly Yours,



Gary Palmer



Benjamin Wills

Land Use Comparison Chart

M-2 Outright Permits M-2 Special Use Permit	R-4 Outright Permitted R-4 Special Use Permit
Permitted Uses: 1. Agricultural: a. Farms - animals on pasture. b. Farms - fish. c. Farms - plants and trees. d. Intensive agricultural units of five (5) acres or more without residential facilities. 2. Agricultural processing: a. Dairy product processing. b. Fish, meat and poultry processing. c. Grain and seed processing. d. Livestock sales. 3. Communications and utilities: a. Radio and television stations without transmission and receiving towers. b. Telegraph centers and telegraph stations. c. Telephone exchange stations. d. Underground and aboveground transmission lines. e. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground. 4. Cultural Facilities: a. Botanical gardens and arboretums. b. Cemeteries. c. Historic sites and monuments. d. Libraries, museums and art galleries. e. Planetariums and aquariums. 5. Governmental Facilities: a. City, County, highway district - open storage yards. b. City, County, highway district - shops. c. Fire stations and police stations. d. Governmental office buildings. e. Jails, detention centers, work release centers. f. Judicial facilities. g. Water treatment plants. 6. Manufacturing: a. Apparel and related items. b. Building materials.	Permitted Uses: 1. Communications and utilities: a. Underground and aboveground transmission lines. b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground. 2. Parks: a. Open space. b. Private parks and playgrounds without crowd attracting facilities. c. Public parks and playgrounds without crowd attracting facilities. 3. Residential: a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses. b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street. c. Dwellings - detached single household. d. Dwellings - duplex. (Ord. 2620, 8-2-1999) 1. Communications and utilities: a. Underground and aboveground transmission lines. b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground. 2. Parks: a. Open space. b. Private parks and playgrounds without crowd attracting facilities. c. Public parks and playgrounds without crowd attracting facilities. 3. Residential: a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses. b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street. c. Dwellings - detached single household. c. Dwellings - duplex. (Ord. 2620, 8-2-1999)

Land Use Comparison Chart

M-2 Outright Permits M-2 Special Use Permit	R-4 Outright Permitted R-4 Special Use Permit
c. Concrete products. d. Food products. e. Furniture and fixtures. f. Handcrafted furniture. g. Metal products. h. Miscellaneous products. i. Paper products. j. Petroleum products. k. Plastic products. l. Professional and scientific products. m. Rubber products. n. Sand and gravel yards. o. Textile products. 7. Medical Facilities: a. Acupuncture facilities approved by the South Central District Health Department or other State regulatory agency. b. Ambulance service. c. Animal hospital - large animals. d. Animal hospital - small animals. e. Doctors' offices. f. Drug and alcohol treatment centers. g. Prosthetics - sales, service and/or construction. h. Rehabilitation services. 8. Parks: a. Open space. b. Park concessions. c. Private parks and playgrounds without crowd-attracting facilities. d. Public parks and playgrounds without crowd attracting facilities. e. Public parks and playgrounds with crowd attracting facilities. 9. Public Assembly: a. Auditoriums. b. Exhibition halls. c. Fairgrounds. d. Funeral chapels. e. Religious facilities. f. Schools - private, single purpose.	Special Uses: 1. Communications And Utilities: a. Utility owned buildings and structures more than twenty-five (25) square feet in area or more than three feet (3') aboveground. 2. Cultural Facilities: a. Botanical gardens and arboretums. b. Historic sites and monuments. c. Libraries, museums and art galleries. d. Planetariums and aquariums. 3. Governmental Facilities: a. Fire stations and police stations. b. Water treatment plants. 4. Parks: a. Park concessions. b. Public parks and playgrounds with crowd attracting facilities. 5. Public Assembly: a. Auditoriums. b. Religious facilities. c. Schools - private academic. d. Schools - public. 6. Residential: a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings. b. Bed and breakfast facilities. c. Dwellings - triplex and fourplex. d. Home occupations. 7. Services: a. In home daycare services. 8. Sports Facilities: a. Golf courses and country clubs. b. Golf driving ranges.

Land Use Comparison Chart

M-2 Outright Permits M-2 Special Use Permit	R-4 Outright Permitted R-4 Special Use Permit
g. Schools - private, vocational and/or academic. h. Sports arena. i. Wedding chapels and/or reception halls. 10. Residential: a. Home occupations. b. Household units existing at the time this Title was adopted. c. Household units in the same buildings as an allowed use and occupied by the owner or an employee of the allowed use. 11. Retail Trade: a. Apparel and accessories. b. Automobile and truck sales and/or rentals. c. Automobile parts store. d. Bakery. e. Bookstore. f. Car wash facilities. g. Commercial greenhouses. h. Craft shop, in conjunction with retail business. i. Eating places. j. Equipment rental. k. Farm and garden supplies. l. Florist shop. m. Food, drugs, etc. n. Fuel sales (bulk). o. Gasoline service stations. p. General merchandise. q. Hardware store. r. Hobby and toy store. s. Home furnishings and equipment. t. Ice cream store. u. Import store. v. Large implement and heavy equipment sales and/or rentals. w. Laundering and dry-cleaning. x. Laundromats. y. Lumber, plumbing and/or electrical supply stores. z. Manufactured/mobile home sales and/or rentals. - aa. Music store.	c. Outdoor, public and commercial ice- and roller-skating facilities. d. Outdoor, public and commercial swimming pools. e. Outdoor, public and commercial tennis courts. 9. Transportation: a. Bus facilities, including pick up shelters.

Land Use Comparison Chart

M-2 Outright Permits M-2 Special Use Permit	R-4 Outright Permitted R-4 Special Use Permit
- bb. Pawnshop. - cc. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M. - dd. Pet shop. - ee. Sporting goods store. - ff. Sporting vehicles and motorcycles - sales and/or rentals. - gg. Storage unit rentals. - hh. Taxidermy studio. ii. Tire shops. - jj. Truck stop. 12. Services: a. Advertising. b. Apparel repair and alteration. c. Appliance repair. d. Beauty and barber shops. e. Building care contracting offices. f. Business associations. g. Civic, social and fraternal organizations. h. Construction trade offices. i. Construction yards. j. Consumer credit collection offices. k. Copy center - self-service. l. Dog grooming and/or kennels. m. Duplicating and stenographic offices. n. Employment agency. o. Finance and investment offices. p. Furniture repair/upholstery. q. Horticultural services. r. Insurance and related business. s. Labor unions and organizations. t. Photography studios. u. Professional organizations. v. Professional services. w. Publishing and printing business. x. Real estate and related business. y. Sporting vehicle and motorcycle service and/or repair.	

Land Use Comparison Chart

M-2 Outright Permits M-2 Special Use Permit	R-4 Outright Permitted R-4 Special Use Permit
z. Testing laboratories. - aa. Tourist information center. - bb. Welfare and charitable facilities. 13. Sports Facilities: a. Athletic areas. b. Go-cart tracks. c. Miniature golf courses. d. Racetracks. 14. Transportation: a. Bus facilities, including pick up shelters. b. Freight transfer points. c. Open parking lot or garage for automobiles. d. Open parking lot or garage for trucks and buses. e. Open parking lot or garage for trucks and equipment. f. Packing and crating. g. Railroad buildings, equipment and yards. h. Taxicab office. i. Ticket and arrangement facilities. j. Trucking facilities. 15. Wholesale: a. Wholesale distribution and warehousing but excluding H-1 and H-7(2) facilities. - b. Special Uses: 1. Communications and utilities: a. Radio and television stations with wireless communications facilities. b. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground. 2. Cultural facilities: a. Zoos. 3. Governmental facilities: a. Sewage treatment plants. 4. Manufacturing: a. Chemicals and chemical products (H-1 and H-7(2)) facilities not closer than three hundred feet (300') to a dwelling but excluding the residential uses allowed by subsections (A)10c and (B)9a of this section. b. Recycling centers.	

Land Use Comparison Chart

M-2 Outright Permits M-2 Special Use Permit	R-4 Outright Permitted R-4 Special Use Permit
c. Wrecking yards, automobile salvage yards and junkyards, but prohibited within canyons, within two hundred feet (200') of canyon rims and on land with slopes greater than fifteen percent (15%) grade. 5. Medical facilities: a. Hospitals and clinics. 6. Miscellaneous: a. Any facility with drive-through service. 7. Parks: a. Amusement parks. 8. Public assembly: a. Schools - public. b. Theaters - indoor. c. Theaters - outdoor. 9. Residential: a. Mobile homes, if accessory to and located on the same property of an allowed use and occupied by the owner or an employee of the allowed use. 10. Retail trade: a. Alcoholic beverages when consumed on the premises where sold. b. Automobile and recreational vehicle rental/storage yard. 11. Services: a. Auctions and/or public sales. b. Daycare services. c. In home daycare services. d. Tattoo parlors or dermagraphic studios approved by the South Central district health department or other state regulatory agency. e. Automobile and truck service and/or repair. f. Automobile impound facility. 12. Sports facilities: a. Golf courses and country clubs. b. Golf driving ranges. c. Gun clubs. d. Indoor recreation facility. e. Outdoor, public and commercial ice and roller skating facilities. f. Outdoor, public and commercial swimming pools. g. Outdoor public and commercial tennis courts. h. Sport shooting range - indoor. 13. Wholesale:	

Land Use Comparison Chart

M-2 Outright Permits M-2 Special Use Permit	R-4 Outright Permitted R-4 Special Use Permit
a. H-1 and H-7(2) facilities not closer than three hundred feet (300') to a dwelling but excluding the residential uses allowed by subsections (A)10c and (B)9a of this section.	

10-4-5: R4, RESIDENTIAL MEDIUM DENSITY DISTRICT:

10-4-5.1: PURPOSE:

This district is intended to promote and preserve medium density residential development and to provide a residential environment to allow the present and future residents to live and play in an area with space for personal privacy, minimum vehicular traffic, and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required. (Ord. 2526, 5-20-1996)

10-4-5.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
2. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
3. Residential:
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
 - c. Dwellings - detached single household.
 - d. Dwellings - duplex. (Ord. 2620, 8-2-1999)

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications And Utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
3. Governmental Facilities:
 - a. Fire stations and police stations.

- b. Water treatment plants.

4. Parks:

- a. Park concessions.
- b. Public parks and playgrounds with crowd attracting facilities.

5. Public Assembly:

- a. Auditoriums.
- b. Religious facilities.
- c. Schools - private academic.
- d. Schools - public.

6. Residential:

- a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.
- b. Bed and breakfast facilities.
- c. Dwellings - triplex and fourplex.
- d. Home occupations.

7. Services:

- a. In home daycare services.

8. Sports Facilities:

- a. Golf courses and country clubs.
- b. Golf driving ranges.
- c. Outdoor, public and commercial ice and roller skating facilities.
- d. Outdoor, public and commercial swimming pools.
- e. Outdoor, public and commercial tennis courts.

9. Transportation:

- a. Bus facilities, including pick up shelters. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2850, 2-21-2006)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection [10-17-1\(F\)](#) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-5.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R4 district except as provided by section [10-12-5-6](#) of this title for zero lot line subdivisions:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, seven thousand (7,000) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section [10-7-6](#) of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than twenty feet (20') to the front property line.

b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.

c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.

d. No accessory building shall be constructed in the front yard nor closer than twenty feet (20') to other street frontages.

2. Side Yard:

a. The side building line shall not be closer than five feet (5') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section [10-7-5](#) of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section [10-7-5](#) of this title.

c. Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet (2½') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than twenty feet (20') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section [10-7-5](#) of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section [10-7-5](#) of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat. (Ord. 2526, 5-20-1996)

(G) Landscaping: All uses, excluding single household and duplex buildings, shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section [10-11-2](#) of this title. (Ord. 2620, 8-2-1999)

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section [9-9-16](#) of this code. (Ord. 2550, 6-2-1997)

10-4-10: M2, HEAVY MANUFACTURING DISTRICT:

10-4-10.1: PURPOSE:

This district is intended to provide industrial users ample room in the city to develop and expand without encroachment by noncompatible uses. (Ord. 2526, 5-20-1996)

10-4-10.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Agricultural:
 - a. Farms - animals on pasture.
 - b. Farms - fish.
 - c. Farms - plants and trees.
 - d. Intensive agricultural units of five (5) acres or more without residential facilities.
2. Agricultural processing:
 - a. Dairy product processing.
 - b. Fish, meat and poultry processing.
 - c. Grain and seed processing.
 - d. Livestock sales.
3. Communications and utilities:
 - a. Radio and television stations without transmission and receiving towers.
 - b. Telegraph centers and telegraph stations.
 - c. Telephone exchange stations.
 - d. Underground and aboveground transmission lines.
 - e. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
4. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Cemeteries.
 - c. Historic sites and monuments.
 - d. Libraries, museums and art galleries.
 - e. Planetariums and aquariums.
5. Governmental Facilities:
 - a. City, County, highway district - open storage yards.
 - b. City, County, highway district - shops.
 - c. Fire stations and police stations.

- d. Governmental office buildings.
- e. Jails, detention centers, work release centers.
- f. Judicial facilities.
- g. Water treatment plants.

6. Manufacturing:

- a. Apparel and related items.
- b. Building materials.
- c. Concrete products.
- d. Food products.
- e. Furniture and fixtures.
- f. Handcrafted furniture.
- g. Metal products.
- h. Miscellaneous products.
- i. Paper products.
- j. Petroleum products.
- k. Plastic products.
- l. Professional and scientific products.
- m. Rubber products.
- n. Sand and gravel yards.
- o. Textile products.

7. Medical Facilities:

- a. Acupuncture facilities approved by the South Central District Health Department or other State regulatory agency.
- b. Ambulance service.
- c. Animal hospital - large animals.
- d. Animal hospital - small animals.
- e. Doctors' offices.
- f. Drug and alcohol treatment centers.
- g. Prosthetics - sales, service and/or construction.
- h. Rehabilitation services.

8. Parks:

- a. Open space.
- b. Park concessions.
- c. Private parks and playgrounds without crowd-attracting facilities.

- d. Public parks and playgrounds without crowd attracting facilities.
- e. Public parks and playgrounds with crowd attracting facilities.

9. Public Assembly:

- a. Auditoriums.
- b. Exhibition halls.
- c. Fairgrounds.
- d. Funeral chapels.
- e. Religious facilities.
- f. Schools - private, single purpose.
- g. Schools - private, vocational and/or academic.
- h. Sports arena.
- i. Wedding chapels and/or reception halls.

10. Residential:

- a. Home occupations.
- b. Household units existing at the time this Title was adopted.
- c. Household units in the same buildings as an allowed use and occupied by the owner or an employee of the allowed use.

11. Retail Trade:

- a. Apparel and accessories.
- b. Automobile and truck sales and/or rentals.
- c. Automobile parts store.
- d. Bakery.
- e. Bookstore.
- f. Car wash facilities.
- g. Commercial greenhouses.
- h. Craft shop, in conjunction with retail business.
- i. Eating places.
- j. Equipment rental.
- k. Farm and garden supplies.
- l. Florist shop.
- m. Food, drugs, etc.
- n. Fuel sales (bulk).
- o. Gasoline service stations.
- p. General merchandise.

- q. Hardware store.
 - r. Hobby and toy store.
 - s. Home furnishings and equipment.
 - t. Ice cream store.
 - u. Import store.
 - v. Large implement and heavy equipment sales and/or rentals.
 - w. Laundering and dry-cleaning.
 - x. Laundromats.
 - y. Lumber, plumbing and/or electrical supply stores.
 - z. Manufactured/mobile home sales and/or rentals.
 - aa. Music store.
 - bb. Pawnshop.
 - cc. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
 - dd. Pet shop.
 - ee. Sporting goods store.
 - ff. Sporting vehicles and motorcycles - sales and/or rentals.
 - gg. Storage unit rentals.
 - hh. Taxidermy studio.
 - ii. Tire shops.
 - jj. Truck stop.
12. Services:
- a. Advertising.
 - b. Apparel repair and alteration.
 - c. Appliance repair.
 - d. Beauty and barber shops.
 - e. Building care contracting offices.
 - f. Business associations.
 - g. Civic, social and fraternal organizations.
 - h. Construction trade offices.
 - i. Construction yards.
 - j. Consumer credit collection offices.
 - k. Copy center - self-service.
 - l. Dog grooming and/or kennels.

- m. Duplicating and stenographic offices.
 - n. Employment agency.
 - o. Finance and investment offices.
 - p. Furniture repair/upholstery.
 - q. Horticultural services.
 - r. Insurance and related business.
 - s. Labor unions and organizations.
 - t. Photography studios.
 - u. Professional organizations.
 - v. Professional services.
 - w. Publishing and printing business.
 - x. Real estate and related business.
 - y. Sporting vehicle and motorcycle service and/or repair.
 - z. Testing laboratories.
 - aa. Tourist information center.
 - bb. Welfare and charitable facilities.
13. Sports Facilities:
- a. Athletic areas.
 - b. Go-cart tracks.
 - c. Miniature golf courses.
 - d. Racetracks.
14. Transportation:
- a. Bus facilities, including pick up shelters.
 - b. Freight transfer points.
 - c. Open parking lot or garage for automobiles.
 - d. Open parking lot or garage for trucks and buses.
 - e. Open parking lot or garage for trucks and equipment.
 - f. Packing and crating.
 - g. Railroad buildings, equipment and yards.
 - h. Taxicab office.
 - i. Ticket and arrangement facilities.
 - j. Trucking facilities.
15. Wholesale:

- a. Wholesale distribution and warehousing, but excluding H-1 and H-7(2) facilities.

Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2620, 8-2-1999; amd. Ord. 2635, 10-12-1999; Ord. 2741, 11-4-2002; Ord. 2773, 12-15-2003; Ord. 2999, 1-24-2011)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:
 - a. Radio and television stations with wireless communications facilities.
 - b. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural facilities:
 - a. Zoos.
3. Governmental facilities:
 - a. Sewage treatment plants.
4. Manufacturing:
 - a. Chemicals and chemical products (H-1 and H-7(2)) facilities not closer than three hundred feet (300') to a dwelling but excluding the residential uses allowed by subsections (A)10c and (B)9a of this section.
 - b. Recycling centers.
 - c. Wrecking yards, automobile salvage yards and junkyards, but prohibited within canyons, within two hundred feet (200') of canyon rims and on land with slopes greater than fifteen percent (15%) grade.
5. Medical facilities:
 - a. Hospitals and clinics.
6. Miscellaneous:
 - a. Any facility with drive-through service.
7. Parks:
 - a. Amusement parks.
8. Public assembly:
 - a. Schools - public.
 - b. Theaters - indoor.
 - c. Theaters - outdoor.
9. Residential:
 - a. Mobile homes, if accessory to and located on the same property of an allowed use and occupied by the owner or an employee of the allowed use.
10. Retail trade:
 - a. Alcoholic beverages when consumed on the premises where sold.

- b. Automobile and recreational vehicle rental/storage yard.

11. Services:

- a. Auctions and/or public sales.
- b. Daycare services.
- c. In home daycare services.
- d. Tattoo parlors or dermagraphic studios approved by the South Central district health department or other state regulatory agency.
- e. Automobile and truck service and/or repair.
- f. Automobile impound facility.

12. Sports facilities:

- a. Golf courses and country clubs.
- b. Golf driving ranges.
- c. Gun clubs.
- d. Indoor recreation facility.
- e. Outdoor, public and commercial ice and roller skating facilities.
- f. Outdoor, public and commercial swimming pools.
- g. Outdoor public and commercial tennis courts.
- h. Sport shooting range - indoor.

13. Wholesale:

- a. H-1 and H-7(2) facilities not closer than three hundred feet (300') to a dwelling but excluding the residential uses allowed by subsections (A)10c and (B)9a of this section.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection [10-17-1\(F\)](#) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996; amd. Ord. 2635, 11-15-1999; Ord. 2741, 11-4-2002; Ord. 2773, 12-15-2003; Ord. 2999, 1-24-2011; Ord. 2021-010, 5-3-2021)

10-4-10.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the M2 district:

(A) Lot Area:

- 1. Nonresidential Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
- 2. Residential Uses: Residential uses not attached to an allowed use shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

- 1. Commercial Uses: No requirement.
- 2. Residential Uses: Same as that in the R6 district.

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided by section [10-7-3](#) of this title. (Ord. 2526, 5-20-1996)

(D) Yards: Front yards shall conform to the following standards, or section [10-7-6](#) of this title, whichever is greater: (Ord. 2773, 12-15-2003)

1. Commercial Uses: No property line setbacks are required on side and rear yards. Setbacks on arterial frontages shall be thirty five feet (35') from property line and fifteen feet (15') on other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission. A gasoline service station pump island, including cashier's booths, and canopy setback may be less than the required thirty five foot (35') property line setback on arterial streets, providing the property line setback is not less than thirty feet (30') for a pump island nor less than twenty feet (20') for the outer part of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.

2. Residential Uses: Residential uses shall conform to the yard standards of the R6 district.

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(F) Landscaping:

1. Nonresidential uses shall provide landscaping equal to two (2) square feet per linear foot of frontage and shall be placed between the building and the street. This requirement may be waived by the commission for existing facilities where buildings exist with zero setback on street frontages.

2. Household units not attached to nonresidential uses: No requirement.

(G) Off-Street Parking:

1. Each nonresidential use shall comply with the provisions of Chapter 10 of this Title.

2. Residential uses shall provide two (2) parking spaces for each residential unit.

3. Residential units in commercial buildings shall provide one off-street parking space for each dwelling unit in the building.

(H) Signs: See Chapter 9 of this Title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: no wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the City. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of Section [9-9-16](#) of this Code. (Ord. 2550, 6-2-1997)

(J) H-1 Facilities: H-1 facilities shall be secured at all times from trespass by unauthorized persons. (Ord. 2526, 5-20-1996)



Twin Falls Planning & Zoning Commission Minutes

Tuesday, November 19, 2024, 6:00 PM

203 Main Ave East
Twin Falls, ID 83303

Members -

City Limits: Chairperson Danielle Titus; Vice-Chair Cortney Campbell; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Tiffany Zimmerman

Area of Impact:

1) Confirmation of Quorum/Call Meeting to Order

Vice-Chair Campbell called the meeting to order at 06:00 PM

Members Attending: Campbell, Rambur, Weatherford, Herrgesell, Zimmerman

Staff Attending: Spendlove, Klaver, Strickland, Ebersole, Green, Handley

4) Items of Consideration

- a) Preliminary Presentation for Planning and Zoning Commission on a PUD Amendment. Amend the master plan of the Campus Park PUD to allow for increase of square footage of residential structures. (Add a new building to the east side of the parking lot.) c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114).
- b) Consideration of Resolution 2024-010 validating conformity of the Southwest Urban Renewal Project Plan with the City Comprehensive Plan c/o Urban Renewal Agency of the City of Twin Falls (PZ24-0125).

5) Public Hearings

- a) Request for a recommendation to City Council on the appropriate zoning designation for a proposed annexation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W. c/o Gary Palmer (PZ24-0097)
- b) Request for a Variance to the front yard setback on property located at 448 Addison Ave. c/o Arnel Culum. (PZ24-0109). - **Rescheduled**
- d) Request for a recommendation to City Council for a Zoning District Change from R-2 PUD to R-2 for approximately 68 acres located South of South Hills Rd and East of Harrison St S. c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112).

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council for a Zoning District Change from R-2 PUD to R-2 for approximately 68 acres located South of South Hills Rd and East of Harrison St S. c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112).

Zoning districts, zoning subdistricts and overlay districts shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and (Ord. 2012, 7-6-1981)
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Zoning Map Amendment: The commission, prior to recommending a zoning map amendment that is in accordance with a comprehensive plan to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title.

The Sundance R-2 PUD zoning designation was approved in 2008. The conditions of approval for the PUD were as follows:

- 1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning officials to ensure compliance with all applicable city codes and standards.
- 2. Subject to the property being platted through the City of Twin Falls prior to development
- 3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of change of use of the property.
- 4. Subject to final approval of the PUD Agreement
- 5. Building setbacks to comply with R-2 development standards, or greater
- 6. The PUD Agreement includes a restriction that the first five lots on the southeast corner both north and west be a minimum of 10, 000 sq. ft.

The PUD agreement between the developer and the City of Twin Falls in 2008 was created to ensure that specific development requirements were approved and completed, such as irrigation, roadways, sewer, water and park dedication. The property was later preliminary platted in 2017 with approximately 447 residential lots. Development of this property has occurred in stages, moving from the west boundary towards the east. The westerly portion has had three (3) final plat approvals allowing for approximately 174 residential lots to be developed. The eastern portion of the property has not yet been developed and with the recent decision by the city that a park dedication is no longer required, the applicant would like to re-plat the park area for additional residential lots. In order to create additional lots, this would require a PUD Amendment to modify the master development plan along with a new plat to subdivide the park area.

Upon review of the PUD, Staff identified that the conditions set forth in the PUD were conditions that would be required by city code and that the development of the roadways, sewer, water, pressurized irrigation facility and park dedication were satisfied in the first stage of development. Rezoning to R-2 was recommended by Staff. The original PUD directed the development to follow the R-2 zoning district standards limiting the development to single family lots only. Rezoning the property under the R-2 zoning district standards would entitle the applicant to have single family and duplex lots. The PUD also had a condition requiring lots along the southeast corner to be a minimum of 10,000 sq. ft. While reviewing the history of the PUD agreement, the intent for this condition was to provide a buffer for the large rural residential properties along the southeast corner of the development. Staff recommends that, if approved, the conditions for the larger lots on the southeast corner remain in place as required as listed in the original PUD. The applicant was agreeable to this recommendation. The applicant has indicated to Staff that they do not intend to alter the original plan other than to convert the park area to residential lots.

Currently, the Comprehensive Plan has this property designated as Town Neighborhood. This designation is characterized primarily as residential with lot sizes that are smaller than rural residential lots and are often single family, duplexes, triplexes and town-homes. The R-2 zoning district would be compatible with the comprehensive plan therefore staff would be in support of this request. Upon conclusion, the commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The commission may recommend the proposed zone change from R-2 PUD to R-2, recommend the R-2 PUD zoning be maintained, recommend an alternative zoning designation, or table the request to acquire new information. Should the commission recommend approval of the request, Staff recommends the following condition:

1. Subject to the first five (5) lots on the southeast corner, both north and west, be a minimum of 10,000 Sq. Ft.

PZ/Questions & Comments:

- Commissioner Rambur asked for clarification of removing the PUD if it removes the park.
- Planner Strickland stated that it does.
- Commissioner Rambur asked if there is a park to the west.
- Senior Planner Klaver stated the Parks Director said the City does not need another park in that area.
- Planner Strickland explained that the changes since this was created are impact fees are added to residential permits that allows the Parks Department to move fees where they are needed.
- Commissioner Rambur asked if the R-2 PUD to the west has any duplexes.
- Planner Strickland stated they don't.
- Commissioner Rambur asked how many they want.
- Planner Strickland stated they are planning single family and not wanting to change the original plan.

Applicant Presentation:

Tim Vawser EHM Engineers. Spoke about some of the history of this property. Harrison runs through this and everything west has been developed.

PZ/Questions & Comments:

- Commissioner Rambur noticed there are larger lots to the south and asked if it is new.
- Tim Vawser stated that is the city's wish for the neighbors.

Public Hearing: Opened

- Rick Hatridge had a question if the south end would have the larger lots because he doesn't want duplexes there.
- Tim Vawser couldn't answer the questions about what will be on the south end.
- Vice-Chair Campbell asked if it changed would it come back.
- Planner Strickland replied no.

Public Hearing: Closed

Discussions Followed:

Commissioner Rambur was worried about not having a park but if it isn't needed then he feels this will work.

The Commission feels this is a good idea and feel the conditions will make it better for the neighbors.

MOTION: Commission Weatherford moved to approve the recommendation to City Council for a Zoning District Change from R-2 PUD to R-2 for approximately 68 acres located south of South Hills Rd and east of Harrison St S c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

6) Upcoming Meeting(s)

- a) December 3, 2024
- b) 2025 Calendar

7) Adjournment

The meeting adjourned at 07:49 PM

Jody Green

Jody Green, Planning Technician



Date: Monday, December 9, 2024
To: Honorable Mayor and City Council
From: Lisa Strickland, City Planner

ACTION ITEM

Request:

Request to adopt ordinance O-2024-020 for annexation and a zoning district change on property located on the south side of the 300 block of Diamond Ave W.

Time Estimate:

Approximately five (5) minutes for presentation and questions.

Background:

On November 19, 2024, the Planning & Zoning Commission sent a positive recommendation to the City Council for this property to be zoned M-2, Heavy Manufacturing zone, if annexation was approved by the City Council.

On December 9, 2024, City Council heard, deliberated and approved the Annexation and Zone for the property located on the south side of the 300 block of Diamond Ave W, as requested by the applicant.

Approval Process:

Idaho Code requires that an ordinance be read on three separate days prior to its passage. Two of the readings can be satisfied by reading the title only. Further, Idaho Code allows the reading rules to be dispensed if "one half (1/2) plus one (1) of the members of the full council" authorize the action. Should the council wish to approve the ordinance this evening a motion to dispense with the rules would have to be approved by five or more council members, prior to a vote on the passage of the ordinance.

Suggested motion language if dispensing the rules: *I move that we dispense with the reading rules and place Ordinance 2024-020 on third and final reading by title only.*

If five or more council members approve dispensing with the rules, then the title must be read, followed by a motion on approval of Ordinance 2024-020: *I move that we approve Ordinance 2024-020 as presented.*

Budget Impact:

N/A

Regulatory Impact:

Annexation will bring this property into City jurisdiction for all Titles listed in City Code. Whereas previously, the property had been subject to Title 10 - Land Use Regulations only as required by the Area of Impact Agreement.

History:

N/A

Analysis:

N/A

Conclusion:

As directed by Council, staff has prepared an ordinance to finalize the Annexation process.

Attachments:

1. PZ24-0097 ANNEX - Diamond Ave W

ORDINANCE NO.O-2024-020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, **ANNEXING** CERTAIN REAL PROPERTY BELOW DESCRIBED, PROVIDING THE ZONING CLASSIFICATION THEREFORE, AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT

WHEREAS, Gary Palmer has made application for annexation of property located at the south side of the 300 block of Diamond Ave W; and,

WHEREAS, the City Planning & Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 19th day of November, 2024, to consider the Zoning Designation and necessary Area of Impact and Zoning District Maps amendment upon annexation of the real property below described; and,

WHEREAS, the City Planning & Zoning Commission has made recommendations known to the City Council for Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 9th day of December, 2024, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TWIN FALLS, IDAHO:

SECTION 1. The following described real property be and the same is hereby annexed into and declared to be a part of the City of Twin Falls, Idaho:

"Exhibit A"- Legal Description Annexation Boundary

AND all public streets, highways, alley and public rights-of-way adjacent and within this description.

SECTION 2. The real property described in Section 1 hereof be and the same is hereby zoned M-2.

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or

sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 4. The Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the newly incorporated real property as hereby zoned.

SECTION 5. The City Clerk immediately upon the passage and publication of this Ordinance is required by law certify a copy of the same and deliver said certified copy to the County Recorder's office for indexing and recording.

PASSED BY THE CITY COUNCIL _____, 20____

SIGNED BY THE MAYOR _____, 20____

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday, _____, 20____

Exhibit A

**Legal Description
Annexation Boundary
Twin Falls County, Idaho**

Being a portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Commencing at the Northwest Corner of the NE $\frac{1}{4}$ of Section 20;
Thence, along the North Boundary of said NE $\frac{1}{4}$ of Section 20, South $89^{\circ}09'09''$ East 1320.47 feet to the Northeast Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20;
Thence, along East Boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, South $00^{\circ}24'54''$ West 649.56 feet to a point on the centerline of Diamond Avenue West and being the **REAL POINT OF BEGINNING**;
Thence, continuing along said East Boundary, South $00^{\circ}24'54''$ West 699.56 feet to the Southeast Corner thereof;
Thence, along the South Boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, North $89^{\circ}05'48''$ West 659.88 feet to the Southwest Corner of the E $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20;
Thence, along the West Boundary of said E $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, North $00^{\circ}23'58''$ East 443.91 feet;
Thence, leaving said the West Boundary, South $89^{\circ}09'09''$ East 80.00 feet;
Thence, North $00^{\circ}23'58''$ East 255.00 feet to a point on said centerline of Diamond Avenue West;
Thence, along said centerline, South $89^{\circ}09'09''$ East 580.07 feet to said **REAL POINT OF BEGINNING**.

Containing approximately 10.13 acres.

End of Description