



Twin Falls City Council (Amended) Agenda

Monday, December 11, 2017, 3:30 PM

City Council Chambers
305 Third Avenue East - Twin Falls, Idaho

****Special Meeting Notice****

Members: Shawn Barigar, Suzanne Hawkins, Nikki Boyd, Chris Talkington, Gregory Lanting, Christopher Reid, Ruth Pierce

1) SPECIAL MEETING NOTICE

- a) The Twin Falls City Council will meet at 3:30 p.m., for a roundtable discussion of possible upcoming issues of the 2018 Legislative Session.

The regular meeting will follow at 5:00 P.M.

2) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

3) PLEDGE OF ALLEGIANCE

4) CONSIDERATION OF AMENDMENTS TO AGENDA

5) PROCLAMATIONS: None

6) GENERAL PUBLIC INPUT

7) CONSENT CALENDAR

- a) Request to approve Accounts Payable for December 5 - 11, 2017
Purpose: Action By: Sharon Bryan , Deputy City Clerk
- b) Request to approve the City Council Minutes for December 4, 2017.
Purpose: Action By: Sharon Bryan , Deputy City Clerk
- c) Request to approve a partial Ash Street Right of Way Vacation.
Purpose: Action By: Troy Vitek, Assistant City Engineer, Scott Allen, JUB Engineers
- d) Request to approve a Sidewalk Improvement Deferral Agreement – 642 Oak St. for Jose Ojeda.
Purpose: Action By: Troy Vitek, Assistant City Engineer
- e) Request to approve the **Final Plat** of the Temple View Subdivision, consisting of two (2) residential lots on 2.19 (+/-) acres located at 491 Canyon Rim Road
Purpose: Action By: Renée Carraway-Johnson, Zoning & Development Manager

8) ITEMS OF CONSIDERATION

- a) The Twin Falls Fire Department would like to recognize the achievements of Firefighter Jesse Killinger who has successfully completed this year's Twin Falls Driver's Academy.
Purpose: Presentation By: Brian Cunningham, Battalion Chief
- b) Request to confirm the re-appointment of Steve Kolar to the Airport Advisory Board.
Purpose: Action By: Shawn Barigar, Mayor
- c) Request to accept an Airport Grant Offer from ITD, Division of Aeronautics, in the amount of \$25,000, and to utilize the funding for a replacement Airport Pickup Truck.
Purpose: Action By: William Carberry, Airport Manager
- d) Presentation reviewing the 5-year FAA Capital Improvement Plan for Joslin Field, Magic Valley Regional Airport.
Purpose: Presentation By: William Carberry, Airport Manager
- e) Twin Falls Urban Renewal Agency Main Avenue Redevelopment Project Update.
Purpose: Informational By: Perrin A. Robinson, PE, CH2M
- f) Request to approve the November 7, 2017 Election Canvas results.
Purpose: Action By: Sharon Bryan, Deputy City Clerk

9) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

10) PUBLIC HEARINGS

- a) Request for the **Council's Decision on a Zoning Title Amendment** to add "Agritourism" in the AG District 10-4-1.2(A) for permitted uses & (B) as allowed by Special Use Permit and to the SUI District 10-4-2.2(A) for permitted uses & 10-4-2.2(B) as allowed by Special Use Permit and to add to Title 10-2-1 the definition of "Agritourism". c/o Scott Allen, JUB Engineers, Inc. on behalf of Kirk & Heidi Tubbs (app. 2903)
Purpose: Action By: Jonathan Spendlove, Senior Planner

11) ADJOURNMENT

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Leila Sanchez (208) 735-7287 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208) 735-7287.

Public Input Procedures

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

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chairman shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council or Planning and Zoning shall wait to be recognized by the Mayor or Chairman, approach the microphone/podium, state their name and address, 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. 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.
 4. 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.
 5. A City Staff Report shall summarize the application and history of the request.
 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.
 - Five or more individuals, having received personal public notice of the application under consideration, may select 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, shall be either read into the record or displayed to the public on the overhead projector.
 - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
 8. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council or Planning & Zoning Commission, as recognized by the Mayor or Chairman, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor or Chairman may again establish time limits.
 9. The Mayor or Chairman shall close the Public Hearing. The City Council or Planning and 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 4, 2017, 3:00 PM

****SPECIAL MEETING NOTICE****

City Council Chambers
305 Third Avenue East - Twin Falls, Idaho

1) SPECIAL MEETING NOTICE OF THE CITY COUNCIL:

2) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Shawn Barigar, Vice Mayor Suzanne Hawkins, Councilmembers Nikki Boyd, Chris Talkington, Greg Lanting, Christopher Reid.

Absent: Councilmember Ruth Pierce

Staff Present: City Manager Travis Rothweiler, Deputy City Manager Mitch Humble, City Attorney Fritz Wonderlich, Deputy City Clerk Sharon Bryan

Mayor Barigar called the meeting to order at 03:05: PM
A quorum was present.

3) PLEDGE OF ALLEGIANCE

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

4) CONSIDERATION OF AMENDMENTS TO AGENDA

5) PROCLAMATIONS: None

6) GENERAL PUBLIC INPUT

7) CONSENT CALENDAR

MOTION:

Vice Mayor Hawkins moved to approve the Consent Calendar as presented. Councilmember Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. 5 to 0.

- a) Request to approve the Accounts Payable for November 28, 2017 - December 4, 2017.
- b) Request to approve the City Council Meeting Minutes for November 27, 2017.
- c) Request to approve a Beer license for Chipotle Mexican Grill #2925 at 687 Blue Lakes Blvd North.
- d) Request to accept the Improvement Agreement for the purpose of developing **Temple View Subdivision No. 2.**

8) ITEMS OF CONSIDERATION

City Manager Rothweiler presented the following employees with appreciation plaques for the work they did on the new City Hall Building.

Jon Leazer
Dee Davidson
Kathy Marcus
Rich Hall
Jarrod Bordi
Brian Pike
Eck Senivongs

City Council thanked employees for their commitment and dedication in the remodel of City Hall.

a) Roundtable discussion on the Strategic Plan Update. Led by Phil Kushlan, Kushlan Associates

Mediator Phil Kushlan, City Council and City Staff discussed the strategic plan update.

City Councilmember Boyd joined meeting at 3:17 PM

9) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

City Manager Rothweiler announced that next week the City Council will meet at 3:00 PM, for a roundtable discussion of possible upcoming issues of the 2018 legislative session. The regular City Council meeting will follow at 5:00 PM.

10) PUBLIC HEARINGS: None

11) ADJOURNMENT

The meeting adjourned at 06:14: PM

Sharon Bryan, Deputy City Clerk



Date: Monday, December 11, 2017
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer, Scott Allen, JUB Engineers

Request:

Request to approve a partial Ash Street Right of Way Vacation.

Time Estimate:

Staff Estimates 5 minutes for discussion

Background:

Ash Street South of Heyburn Avenue exists as it proceeds southerly. There exists on the West side of the roadway additional right of way that is outside the roadway limits but currently in the jurisdiction of the City. The property owner has dedicated right of way more in line with Ash street as it proceeds south and would be in the correct location when the PUD develops (see attached exhibits). JUB has submitted to the City that it would like to vacate the right of way back to the owner so that they may develop the site accordingly. Staff has reviewed the request and no City infrastructure is affected and is in support of JUB's vacation request. The other utility companies have provided documentation that they are okay with the vacation as well.

Approval Process:

City Council authorizes the vacation of the right of way. A deed will then be created that releases the property back to the owner. A simple majority approval allows the Mayor to sign the deed.

Budget Impact:

No budget Impact

Regulatory Impact:

None

History:

N/A

Analysis:

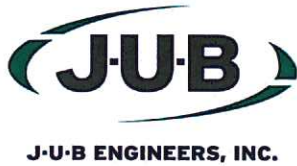
N/A

Conclusion:

Staff recommends council approve the Partial Vacation of Ash street and allow the Mayor to sign the deed transferring ownership.

Attachments:

1. Vacation Request and Supporting Documentation
2. Arial View of Ash Street



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November 7, 2017

Renee Carraway-Johnson
City of Twin Falls
P.O. Box 1907
Twin Falls, Idaho 83303-1907

Re: Ash Street Right of Way Vacation Request

Dear Renee,

Please accept this letter as a formal request of Inland Pacific Corporation Profit Sharing Plan, c/o Kevin Mortensen, to vacate a portion of Ash Street right of way.

The following items are attached for your use:

- 1) Vacation request letter
- 2) Utility company response request and reply letters / emails
- 3) Ash Street vacation legal description
- 4) Ash Street vacation location exhibit
- 5) Ash Street PUD preliminary plat exhibit

If you have any questions, do not hesitate to contact me. Please schedule this item for City Council consideration at the earliest available meeting date.

Sincerely,
J-U-B ENGINEERS, Inc.

Scott L. Allen
Project Manager

CC: Kevin Mortensen
Encl: Attachments 1-5 as described above



J-U-B ENGINEERS, INC.

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October 16, 2017

Mary K. Alandt
Idaho Power Company – Corp. Real Estate Dep't.
P.O. Box 70
Boise, Idaho 83707

Dear Mary,

Kevin Mortensen, on behalf of Inland Pacific Corporation Profit Sharing Plan, is applying to the City of Twin Falls for vacation of a portion of Ash Street right-of-way. The attached exhibit depicts the area proposed to be vacated, along with the general topographic features in the area surrounding the vacation boundary.

As you know, Idaho Power, Cable One and CenturyLink, recently completed a utility relocation project in the general vicinity for the the Carl's Jr. project. Therefore, we do not anticipate any impacts to your agency from vacation of the subject right-of-way.

Please review the attached exhibit and respond back to me with a signed letter stipulating any impacts, if any, that this vacation request may have on your agency. If the vacation request has no impact to your agency, please provide a statement-of-support, for the right-of-way vacation, in your letter.

If you have any questions, do not hesitate to contact me at 208.733.2414, or email me at sallen@jub.com.

Sincerely,
J-U-B ENGINEERS, Inc.

Scott L. Allen
Project Manager

CC: City of Twin Falls Planning Department
Kevin Mortensen
malandt@idahopower.com (email)
Encl: Ash Street right of way vacation exhibit



November 7, 2017

Sent Via E-Mail: sallen@jub.com

JUB Engineers, Inc
Scott L. Allen, Project Manager
115 Northstar Avenue
Twin Falls, Idaho 83301

Re: Inland Pacific Corporation Profit Sharing Plan Ash Street vacation request

Dear Scott:

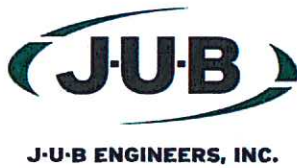
This is in response to your letter to Idaho Power Company dated October 16, 2017, regarding the possible vacation and abandonment of a certain area of public right-of-way described in your letter (the "Right-of-Way"). Your letter requests that Idaho Power advise of its present use and future plans for the Right-of-Way, and this letter responds to your request.

Idaho Power's records indicate that the Company does maintain electrical facilities within the Right-of-Way, and must retain all existing rights related thereto. Accordingly, Idaho Power requires that any vacation of the Right-of-Way by the City of Twin Falls reserve to Idaho Power the continued right to operate, maintain, repair, replace, or otherwise modify or add to Idaho Power's facilities within the Right-of-Way, including the right of ingress and egress thereto.

In the event the City of Twin Falls approves the vacation and abandonment of the Right-of-Way, please mail to my attention a copy of the Board of Commissioners' recorded resolution and any other instrument pertaining to the conveyance of the Right-of-Way.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for vacation.

Mary K. Alandt
Associate Real Estate Specialist
Land Management & Permitting
(208) 388-2699
malandt@idahopower.com



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October 16, 2017

Ron Burns
Cable One
261 Eastland Drive
P.O. Box 1946
Twin Falls, Idaho 83301

Dear Ron,

Kevin Mortensen, on behalf of Inland Pacific Corporation Profit Sharing Plan, is applying to the City of Twin Falls for vacation of a portion of Ash Street right-of-way. The attached exhibit depicts the area proposed to be vacated, along with the general topographic features in the area surrounding the vacation boundary.

As you know, Idaho Power, Cable One and CenturyLink, recently completed a utility relocation project in the general vicinity for the the Carl's Jr. project. Therefore, we do not anticipate any impacts to your agency from vacation of the subject right-of-way.

Please review the attached exhibit and respond back to me with a signed letter stipulating any impacts, if any, that this vacation request may have on your agency. If the vacation request has no impact to your agency, please provide a statement-of-support, for the right-of-way vacation, in your letter.

If you have any questions, do not hesitate to contact me at 208.733.2414, or email me at sallen@jub.com.

Sincerely,
J-U-B ENGINEERS, Inc.

Scott L. Allen
Project Manager

CC: City of Twin Falls Planning Department
Kevin Mortensen
ron.burns@cableone.biz (email)
Encl: Ash Street right of way vacation exhibit



Watch us make you smile.

October 27, 2017

RE: Ash Street Vacation Request

Mr. Kevin Mortensen

Mr. Scott Allen

JUB Engineers

115 Northstar Ave

Twin Falls, Idaho 83301

Dear Sirs,

We Agree to Vacate the 30.05' X 153.44' Right of way of part of lots 7&8 of the Ashton Addition as Shown on the Attachment, as you requested, We do need to Retain the 10Ft wide easement along the South end of parcel 5 where we just recently Relocated our line with Idaho power and Century link Several months ago.

Thank you,

A handwritten signature in black ink, appearing to read "Ron Burns", written over the "Thank you," text.

Ron Burns

Cable One Construction

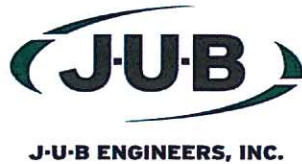
261 Eastland Dr.

P.O. Box 1946

Twin Falls, Idaho 83301

208-733-6877 Ext. 7150

208-539-9886



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October 16, 2017

Brack McMurtrey
Intermountain Gas Company
451 Alan Drive
Jerome, Idaho 83338

Dear Brack,

Kevin Mortensen, on behalf of Inland Pacific Corporation Profit Sharing Plan, is applying to the City of Twin Falls for vacation of a portion of Ash Street right-of-way. The attached exhibit depicts the area proposed to be vacated, along with the general topographic features in the area surrounding the vacation boundary.

As you may know, Idaho Power, Cable One and CenturyLink, recently completed a utility relocation project in the general vicinity for the the Carl's Jr. project. Therefore, we do not anticipate any impacts to your agency from vacation of the subject right-of-way.

Please review the attached exhibit and respond back to me with a signed letter stipulating any impacts, if any, that this vacation request may have on your agency. If the vacation request has no impact to your agency, please provide a statement-of-support, for the right-of-way vacation, in your letter.

If you have any questions, do not hesitate to contact me at 208.733.2414, or email me at sallen@jub.com.

Sincerely,
J-U-B ENGINEERS, Inc.

Scott L. Allen
Project Manager

CC: City of Twin Falls Planning Department
Kevin Mortensen
brack.mcmurtrey@intgas.com (email)
Encl: Ash Street right of way vacation exhibit

Scott Allen

From: McMurtrey, James <Brack.McMurtrey@intgas.com>
Sent: Friday, November 3, 2017 4:34 PM
To: Scott Allen
Subject: RE: 171016 Ash Street Right of Way Vacation - Response Needed

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Scott-

I have been out of town unexpectedly the last few days. Sorry for the delay in getting you a response.

If this email is adequate:

IGC has no issues with vacating the property described in this thread. We do have main line in this area, but it can be removed with the owners request, if necessary.

Please contact me with any questions.

Thank you.

Brack McMurtrey
Sawtooth District Operations Manager
Intermountain Gas Company
Office: (208) 737-6313
Cell: (208) 670-7333
brack.mcmurtrey@intgas.com



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From: Scott Allen [mailto:sallen@jub.com]
Sent: Monday, October 16, 2017 3:17 PM
To: McMurtrey, James <Brack.McMurtrey@intgas.com>
Cc: Kevin Mortensen (kevin.l.mortensen@gmail.com) <kevin.l.mortensen@gmail.com>; Jared V. Smart <jvsmart@bonnevillerealty.com>
Subject: 171016 Ash Street Right of Way Vacation - Response Needed

**** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. ****

Brack,

Attached is a right of way vacation request for your review and comment. Please forward me a signed response letter, at your earliest convenience, to allow this item to be processed and approved by the City of Twin Falls. A hard copy of the attachment has been mailed to you via US Mail.

If you have any questions, do not hesitate to contact me.

Regards,

SCOTT L. ALLEN
Project Manager
Land Development

J-U-B ENGINEERS, Inc.

115 Northstar Ave. Twin Falls, ID 83301

e sallen@jub.com w www.jub.com

p 208 733 2414 ex 6033 c 208 432-2146



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October 16, 2017

Brad McNew
CenturyLink
216 South Park Avenue
Twin Falls, Idaho 83301

Dear Brad,

Kevin Mortensen, on behalf of Inland Pacific Corporation Profit Sharing Plan, is applying to the City of Twin Falls for vacation of a portion of Ash Street right-of-way. The attached exhibit depicts the area proposed to be vacated, along with the general topographic features in the area surrounding the vacation boundary.

As you know, Idaho Power, Cable One and CenturyLink, recently completed a utility relocation project in the general vicinity for the the Carl's Jr. project. Therefore, we do not anticipate any impacts to your agency from vacation of the subject right-of-way.

Please review the attached exhibit and respond back to me with a signed letter stipulating any impacts, if any, that this vacation request may have on your agency. If the vacation request has no impact to your agency, please provide a statement-of-support, for the right-of-way vacation, in your letter.

If you have any questions, do not hesitate to contact me at 208.733.2414, or email me at sallen@jub.com.

Sincerely,
J-U-B ENGINEERS, Inc.

Scott L. Allen
Project Manager

CC: City of Twin Falls Planning Department
Kevin Mortensen
Bradley.McNew@centurylink.com (email)
Encl: Ash Street right of way vacation exhibit



CenturyLink
Brad McNew
Engineer II
216 South Park Ave
Twin Falls, Id. 83301

Office (208) 736-8760

Facsimile (208) 736-8755

October 23, 2017

JUB Engineers, Inc.
115 Northstar Ave.
Twin Falls, Id. 83301

RE: Ash Street Vacation

To whom it may concern:

Reference is made to your request for CenturyLink to vacate the existing 30.05 x 153.44 easement, along Ash St Lots 7 and 8 of the Ashton Addition.

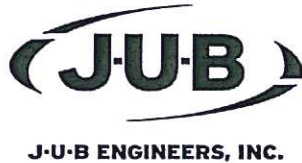
CenturyLink has no facilities in this area and has no need for easement.

If existing utilities need to be vacated construction charges would apply for relocation of facilities.

Please call me if you have any questions.

Sincerely,

Brad McNew



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ASH STREET VACATION DESCRIPTION
for
Inland Pacific Corporation Profit Sharing Plan

A parcel of land located in a part of Lots 7 & 8 of the Ashton Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10, from which the Southwest corner of said Section 10 bears South 00°10'49" East, 1328.06 feet;

THENCE South 00°10'49" East along the westerly boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 48.33 feet;

THENCE North 89°49'11" East for a distance of 42.30 feet to a found $\frac{5}{8}$ inch rebar with plastic cap on the easterly Right-of-Way of Blue Lakes Boulevard North;

THENCE South 00°10'49" East along said easterly Right-of-Way for a distance of 149.79 feet to a found $\frac{5}{8}$ inch rebar with plastic cap;

THENCE South 89°46'55" East for a distance of 263.10 feet to a found $\frac{1}{2}$ inch rebar and the POINT OF BEGINNING;

THENCE South 89°46'55" East for a distance of 30.05 feet to found $\frac{5}{8}$ inch rebar with plastic cap;

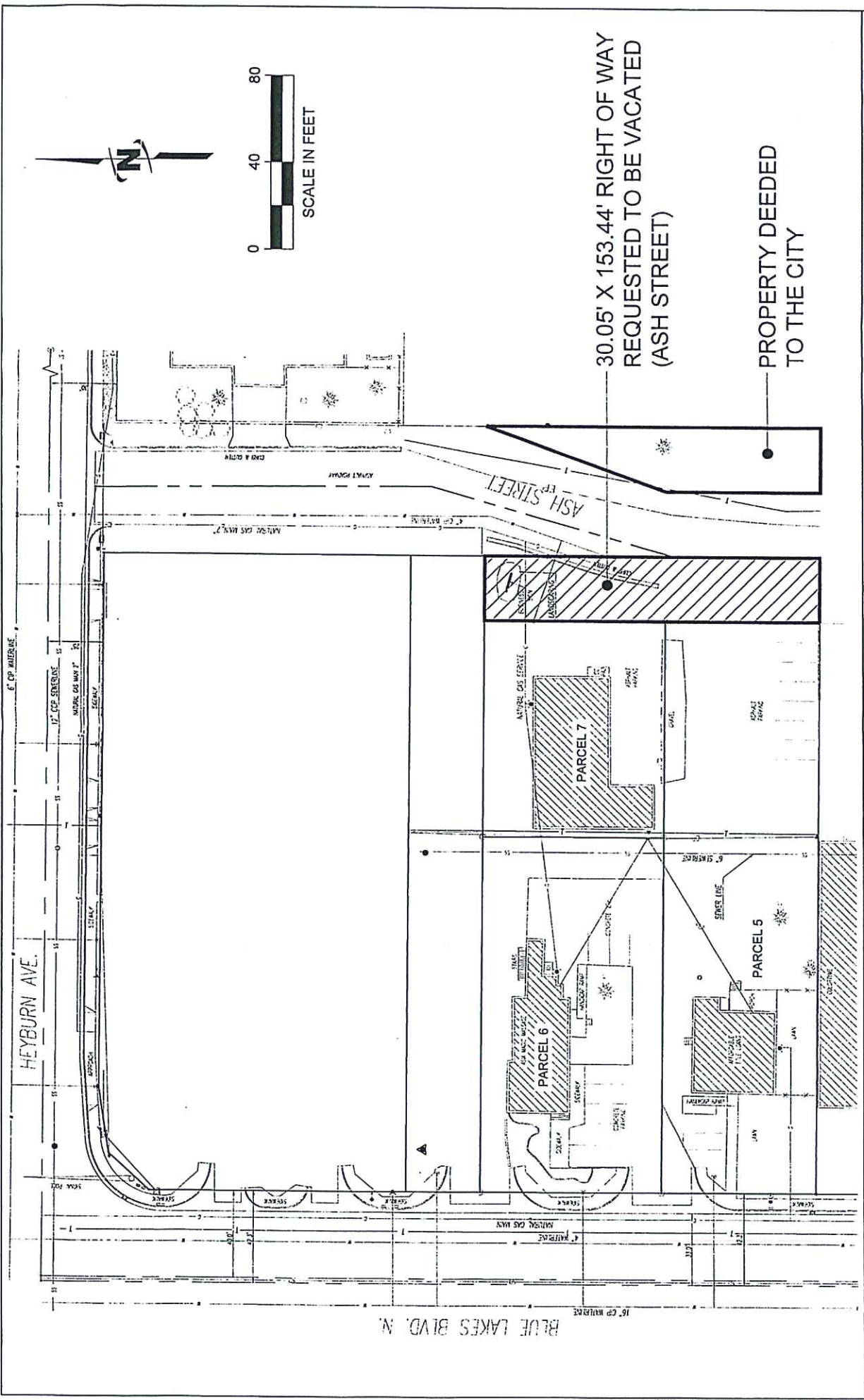
THENCE South 00°10'54" East for a distance of 153.44 feet to a point on the northerly boundary of Lot 4 in Block 1 of Ash Street PUD Subdivision;

THENCE North 89°47'07" West along said northerly boundary for a distance of 30.05 feet;

THENCE North 00°10'54" West for a distance of 153.44 feet to the POINT OF BEGINNING;

The above described vacation parcel contains 4611 square feet, more or less, and is subject to easements, covenants and restrictions of record.

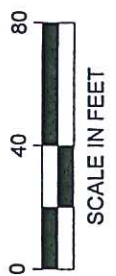


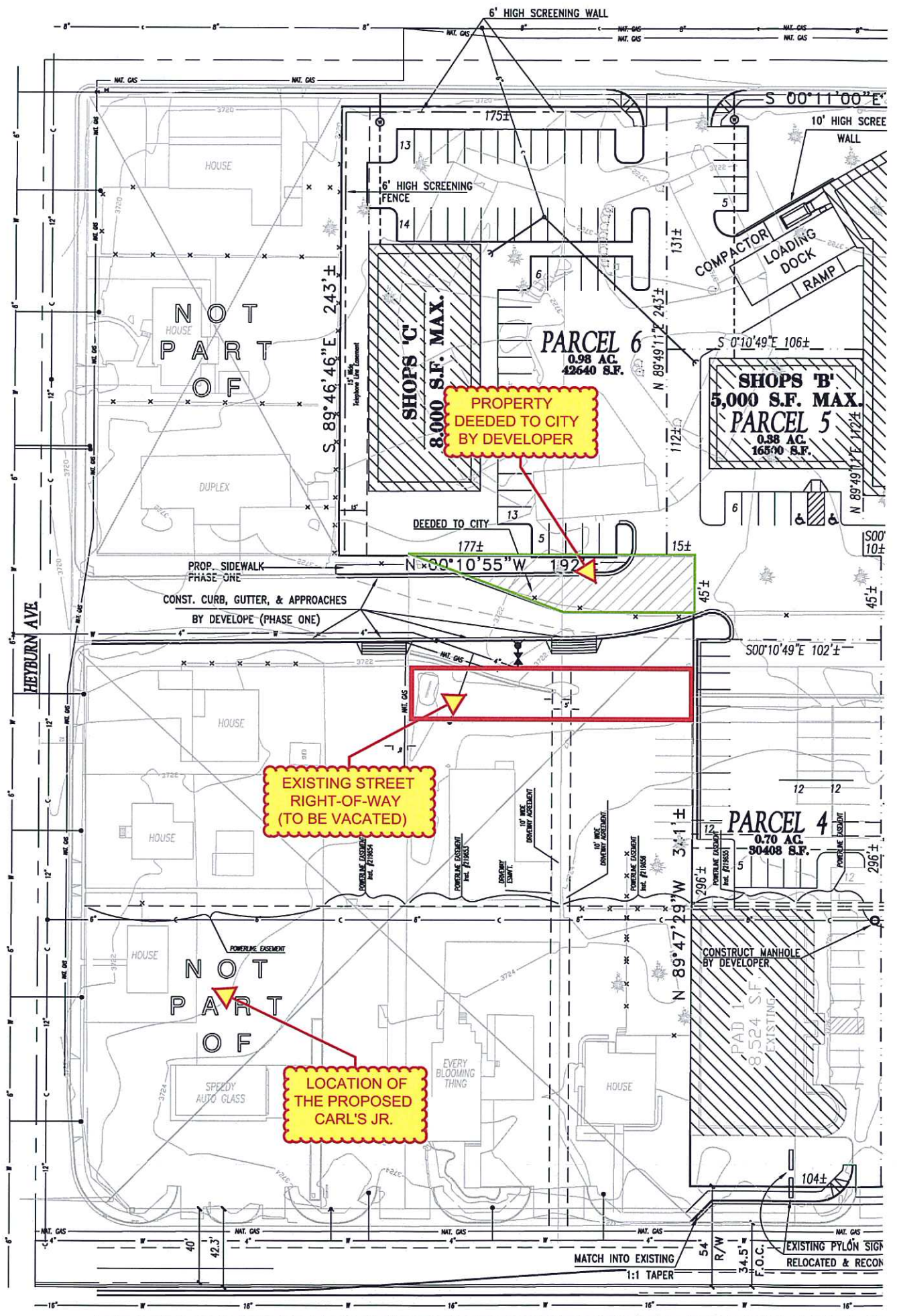


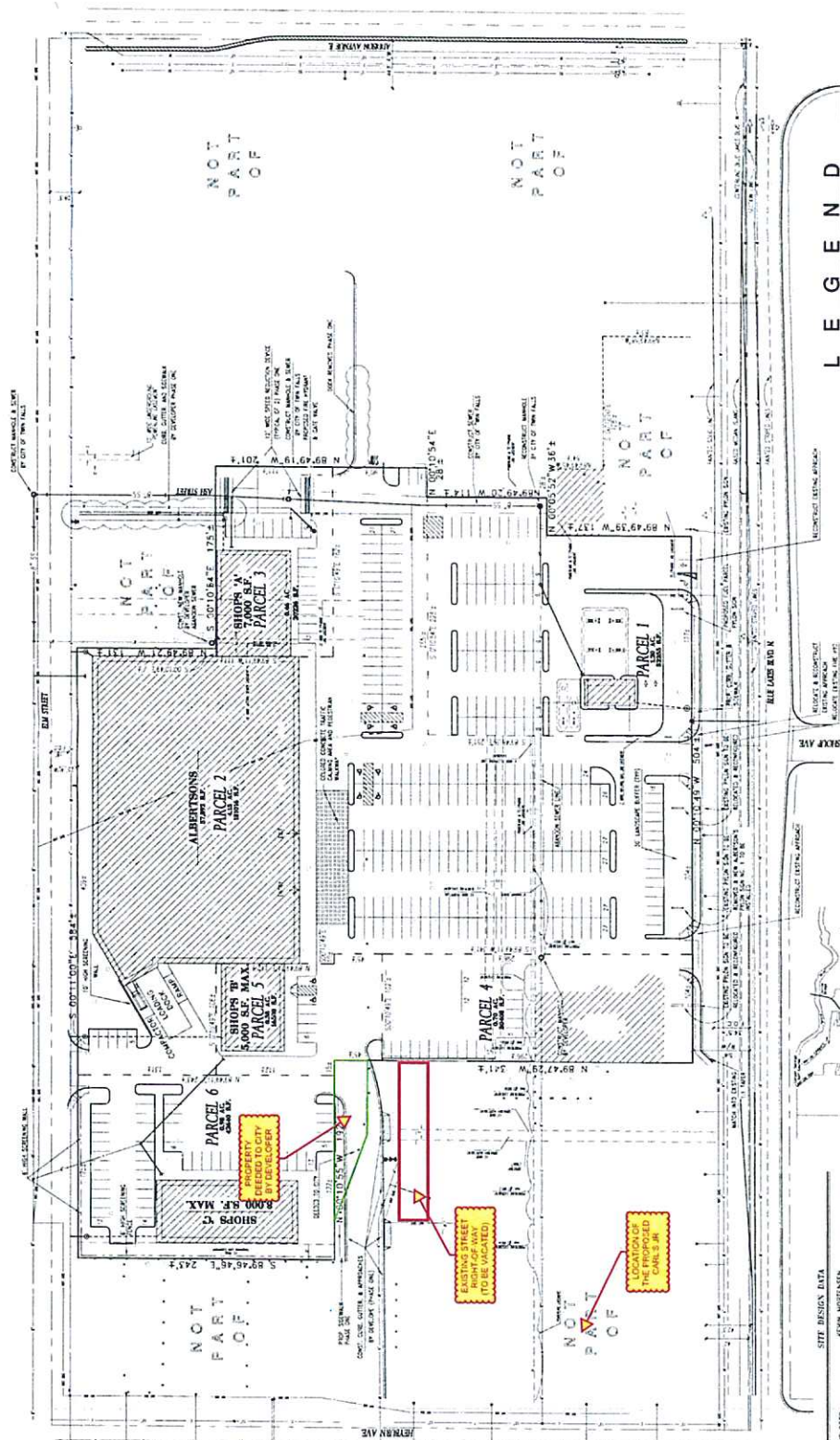
ASH STREET RIGHT OF WAY VACATION EXHIBIT
 INLAND PACIFIC CORP. PROFIT SHARING PLAN



TWIN FALLS, IDAHO







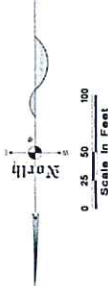
LEGEN D

[illegible]

NOTE: PROPOSED WATER LINE, FIRE LINE, & FRIE HOVANT CONDUIT SHALL BE DETERMINED PRIOR TO SUBMITTING ISSUANCE. APPROPRIATE PERMITS SHALL BE OBTAINED PRIOR TO WATER LINE.

Ash Street P.U.D.

SW 1/4 SW 1/4, Section 10
Township 10 South, Range 17 East,
Boise Meridian
Twin Falls, Idaho
2001



SITE DESIGN DATA

DEVELOPER: KEVIN MONTAGNA
 100 S. TWIN FALLS
 SUITE 200
 527 LAKE CITY, UT 84115
 (801) 485-7797
 ENGINEER: JIM KENNEDY, INC.
 100 S. TWIN FALLS
 SUITE 100
 527 LAKE CITY, UT 84115
 (801) 485-7797
 EXISTING ZONING: R-7
 PROPOSED ZONING: C-1
 TOTAL PARCEL AREA: 7.8795 ACRES - INCIDENTS CALLED
 GROSS BUILDING AREA: 78,132 S.F. 25.55% OF SITE
 GROSS PARKING AREA: 21,040 S.F. 62.25% OF SITE
 CROSS LANSCAPED AREA: 41,855 S.F. 12.00% OF SITE



SIDEWALK IMPROVEMENT DEFERRAL AGREEMENT

This Agreement made and entered into this 1 day of December, 2017, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City", and José G. Ojeda, hereinafter called "Developer", for the purpose of constructing certain improvements on property sought to be developed at 642 Oak St..

WHEREAS, Developer certifies that he is the owner in fee simple or the authorized agent of the owner in fee simple of the real property described on the attached Exhibit "A"; and,

WHEREAS, there is attached hereto and incorporated herein as if the same were set out in full, a certified copy of the deed to the above described real property, marked Exhibit "A", showing ownership of said real property to be in Developer, or, as the case may be, there is attached hereto and incorporated herein as if the same were set out in full, a copy of the deed to the above described real property showing ownership in fee simple in someone other than Developer together with a notarized authorization, signed by the real property owner, authorizing Developer to act on behalf of said real property owner; and,

WHEREAS, Developer desires to develop said real property in the following manner: Build a covered patio @ entrance; and,

WHEREAS, the Developer is obligated to construct certain improvements, namely sidewalk, pursuant to Title 10, Chapter 11 of the Twin Falls City Code; and,

WHEREAS, the City is authorized, pursuant to Twin Falls City Code Section 10-11-5(B)(2) to defer said improvements; and,

WHEREAS, the City Council on _____ agreed to defer construction of the aforementioned improvements,

WITNESSETH, that for and in consideration of the mutual promises, conditions and covenants contained herein, the parties agree as follows:

I.

City agrees: 1) to defer construction of the required sidewalk until _____ or until such time as the obligation of sidewalk construction on adjacent property or properties allows the City Engineer to require construction under the conditions specified in City Code Section 10-11-5(B)(2).

II.

Developer agrees to: 1) complete construction of sidewalk on the real property described above when required by the City Council.

III.

Developer further agrees that in the event the Developer fails to complete the aforementioned construction, the City may complete the construction at the City's expense and may file a lien against the aforementioned property for expenses incurred by the City in said construction.

IV.

Developer agrees to pay the total actual cost of all materials, labor and equipment necessary to completely construct all of the improvements required herein and to construct or contract for the construction of all such improvements.

V.

Developer agrees to request in writing that the City Engineer and any other required department of the City make the following inspections and to not proceed

with construction until the required inspection is complete and the work has been approved in writing by the City Engineer or his authorized inspector. All such inspections shall be scheduled fifteen (15) days prior to beginning work and the request for an inspection shall be made one working day before the required inspection. Developer agrees to apply all costs resulting from his failure to properly schedule and request a required inspection or from proceeding with work before receiving approval to proceed. Developer agrees to remove or correct any rejected, unapproved or defective work or materials all as required by the City Engineer.

Required inspections shall include: 1) approval of all materials before inspection; 2) approval of forms and gravel base before pouring any concrete sidewalk; and 3) approval of finished sidewalk.

VI.

The Developer agrees to: 1) allow the City full and complete access to the construction; 2) provide all materials necessary to conduct all tests; and 3) provide the equipment and perform or have performed any testing of manufactured materials required by the City Engineer.

VII.

Developer agrees to obtain any necessary permits from the Twin Falls Highway District or the State of Idaho Department of Highways prior to construction improvements on their respective rights-of-way if said permits are required by the aforementioned agencies. A certified copy of said permit or the original of said permit shall be submitted to the City prior to beginning construction thereon.

This Agreement shall be recorded and shall bind the parties hereto, their heirs, successors in interest, and lawful assigns.

In the event of a breach of this Agreement, or should legal action of any kind be taken to enforce the provisions hereof, the prevailing party shall be entitled to reasonable attorney fees and cost awarded by the Court.

CITY OF TWIN FALLS, IDAHO

BY _____
Mayor

DEVELOPER

Jose G Oyeda

STATE OF IDAHO

On this 1 day of December,
20 17, before me a notary public in
and for said State, personally
appeared

known to me to be the person who
name subscribed to the within
instrument, and acknowledged to me
that Jose G Oyeda
executed the same.

STATE OF IDAHO

On this _____ day of _____,
20 _____, before me a notary public in
and for said State, personally
appeared

known to me to be the person who
name subscribed to the within
instrument, and acknowledged to me
that _____
executed the same.



Notary Public
Residing in _____
Expires _____

Case No. 70714rg

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****



WARRANTY DEED

FOR VALUE RECEIVED NOAH MILLER, a married man dealing with his sole and separate property, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JOSE G. OJEDA and MARIA J. OJEDA, husband and wife, hereinafter called Grantee, whose address is: 642 Oak Street Twin Falls Idaho 83301, the following described premises in Twin Falls County, Idaho; to-wit:

Lot 6, Block 1, **VICTORY SUBDIVISION**, Twin Falls County, Idaho, according to the official plat thereof recorded in Book 6 of Plats, page 54, records of Twin Falls County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 11, 2017



NOAH MILLER

* * * * *

STATE OF Idaho
County of Twin Falls

On this 23rd day of October, 2017, before me, a Notary Public in and for said State, personally appeared **NOAH MILLER**, known or identified to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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



Notary Public for Idaho
Residing at Twin Falls
Commission expires 11-28-2022











Public Meeting: **MONDAY, DECEMBER 11, 2017**

To: Honorable Mayor and City Council

Authors: Steve O'Connor, Planner I

Editor: Renée V. Carraway-Johnson, Zoning Administrator

ITEM

Request: Consideration of the Final Plat of the Temple View Subdivision, consisting of two (2) residential lots on 2.19 +/- acres located at 491 Canyon Rim Road. c/o EHM Engineers, Inc. on behalf of Gordon Greaves

Time Estimate: There is no presentation on this request unless the City Council wishes to remove the item from the Consent Calendar for discussion.

Background:

Applicant:	Status: Owner	Size: 2.19+/- acres
Gordon Greaves 491 Canyon Rim Rd. Twin Falls, ID 83301 208.734.2228	Current Zoning: R-2, Low Density Residential District	Requested Zoning: Approval of a final plat
	Comprehensive Plan: Town Neighborhood	Lot Count: 2 s/f Lots
	Existing Land Use: Residential	Proposed Land Use: Residential
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc 621 N College Rd. Ste 100 Twin Falls, ID 83301 208.734.4888 dthibault@ehminc.com	North: 4200 N Rd; SU1; Residential; AOI	East: Canyon Rim Rd; OS, Snake River Canyon; AOI
	South: R-2; Residential	West: R-2; Residential
	Applicable Regulations: 10-14-1 thru 4	

Approval Process:

As per Twin Falls City Code 10-12-2.4 Action on Final Plat:

The council, at its next meeting following receipt of the administrator's report, shall consider the commission's findings and comments from concerned persons and agencies to arrive at a decision on the final plat. The council shall approve, approve conditionally, disapprove or table the final plat for additional information. A copy of the approved plat shall be filed with the administrator. Upon granting or denying the final plat the council shall specify:

1. The regulations and standards used in evaluating the application;
2. The reasons for approval or denial; and
3. The actions, if any, that the applicant could take to obtain approval. (Ord. 2012, 7-6-1981)

The Council may approve, conditionally approve, deny or table for additional information when acting on the final plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Council. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant.

Budget Impact:

Approval of a final plat will allow property to be developed. Development could have an impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat a final plat that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

History:

There is very little historical zoning or building data for this parcel. However, aerial imagery from 1950 shows what could be a residence at this location, and County parcel records have a home appraisal for this parcel dated in July 1963. There is a building permit, in city records, from 2003 for a 1,120 sqft-detached garage.

Recently, the majority of the old Canyon Rim Road was converted to a multi-use pedestrian pathway as part of the Settlers Ridge Subdivision #3. The small portion of road in front of Mr. Greaves property remained under the jurisdiction and maintenance of the Twin Falls Highway District.

In April of this year, this commission forwarded a positive recommendation for annexation with a zoning designation of R-2, to the City Council, who then approved the annexation and zoning designation this past May. Approval of annexation was contingent upon two (2) conditions: 1) a 15' wide easement adjacent to the Snake River Canyon Rim being recorded, and 2) a warranty deed being recorded for the entire property to be annexed. Both conditions have been completed. On October 16, 2017, the City Council adopted Ordinance 2017-25 annexing the 2.19 (+/-) acres into the city. On November 14, 2017 the Commission unanimously approved the preliminary plat of the Temple View Subdivision as presented.

Analysis:

This is a request for approval of the Final Plat for the Temple View Subdivision, consisting of two (2) residential lots on 2.19 (+/-) acres, located at 491 Canyon Rim Road. The Parks in Lieu Contribution was approved by city council on October 16, 2017.

The plat is consistent with other subdivision development in the area and is in conformance with the Comprehensive Plan, which designates this area as "Town Neighborhood or Rural Residential."

A preliminary plat is first presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or wastewater services. The current residence is connected to sewer, but not city water. Per City policy, this can remain until the well fails, at which time connection to city water will be required as the house is within 50' of city water. Any development on the new lot will have to be connected to City of Twin Falls water and sewer systems per City Code 10-4-4. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed.

Conclusion:

Staff recommends the City Council approve the final plat of the Temple View Subdivision, as presented, and subject to the following condition:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

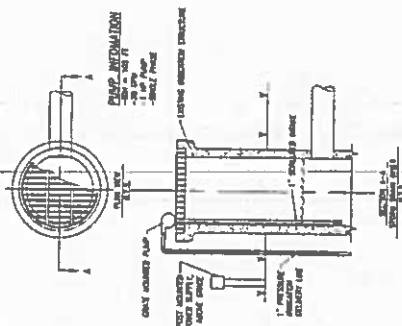
Attachments:

1. Final Plat, as submitted
2. Preliminary Plat, as approved
3. Zoning Vicinity Map
4. Aerial Photo Map
5. Site Photos

RECEIVED
JUL 05 2007
CITY OF NEW YORK
COMMUNICATIONS SECTION



Vicinity Sketch =



Pressure Irrigation Station

\$24

Legend:

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PREPARED BY:

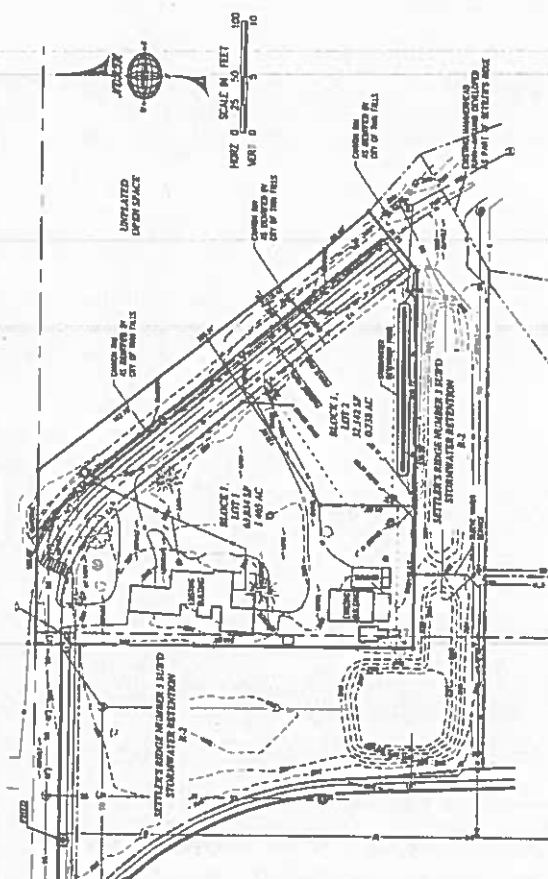
TEMPLE VIEW SUBDIVISION

LOCATED IN A PORTION OF NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, & NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
SECTION 22, TOWNSHIP 9 NORTH, RANGE 17 EAST.

THE FALLS SHOW
JAN 7

EXPLAINED
FLOWER TREATMENT PLANT
OPEN SPACE

EMPLAID
EVIDENTIAL



1

Typical Roadway Section

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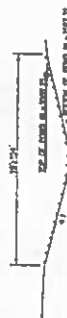
Notes:

- [illegible]

Drainage Calculations:

DATE	DESCRIPTION	AMOUNT	BALANCE
10/1/88	OPENING BALANCE	22,700.00	22,700.00
10/1/88	SALES	22,700.00	45,400.00
10/1/88	EXPENSES	(2,700.00)	42,700.00
10/1/88	SALES	22,700.00	65,400.00
10/1/88	EXPENSES	(2,700.00)	62,700.00
10/1/88	SALES	22,700.00	85,400.00
10/1/88	EXPENSES	(2,700.00)	82,700.00
10/1/88	SALES	22,700.00	105,400.00
10/1/88	EXPENSES	(2,700.00)	102,700.00
10/1/88	SALES	22,700.00	125,400.00
10/1/88	EXPENSES	(2,700.00)	122,700.00
10/1/88	SALES	22,700.00	145,400.00
10/1/88	EXPENSES	(2,700.00)	142,700.00
10/1/88	SALES	22,700.00	165,400.00
10/1/88	EXPENSES	(2,700.00)	162,700.00
10/1/88	SALES	22,700.00	185,400.00
10/1/88	EXPENSES	(2,700.00)	182,700.00
10/1/88	SALES	22,700.00	205,400.00
10/1/88	EXPENSES	(2,700.00)	202,700.00
10/1/88	SALES	22,700.00	225,400.00
10/1/88	EXPENSES	(2,700.00)	222,700.00
10/1/88	SALES	22,700.00	245,400.00
10/1/88	EXPENSES	(2,700.00)	242,700.00
10/1/88	SALES	22,700.00	265,400.00
10/1/88	EXPENSES	(2,700.00)	262,700.00
10/1/88	SALES	22,700.00	285,400.00
10/1/88	EXPENSES	(2,700.00)	282,700.00
10/1/88	SALES	22,700.00	305,400.00
10/1/88	EXPENSES	(2,700.00)	302,700.00
10/1/88	SALES	22,700.00	325,400.00
10/1/88	EXPENSES	(2,700.00)	322,700.00
10/1/88	SALES	22,700.00	345,400.00
10/1/88	EXPENSES	(2,700.00)	342,700.00
10/1/88	SALES	22,700.00	365,400.00
10/1/88	EXPENSES	(2,700.00)	362,700.00
10/1/88	SALES	22,700.00	385,400.00
10/1/88	EXPENSES	(2,700.00)	382,700.00
10/1/88	SALES	22,700.00	405,400.00
10/1/88	EXPENSES	(2,700.00)	402,700.00
10/1/88	SALES	22,700.00	425,400.00
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10/1/88	SALES	22,700.00	485,400.00
10/1/88	EXPENSES	(2,700.00)	482,700.00
10/1/88	SALES	22,700.00	505,400.00
10/1/88	EXPENSES	(2,700.00)	502,700.00
10/1/88	SALES	22,700.00	525,400.00
10/1/88	EXPENSES	(2,700.00)	522,700.00
10/1/88	SALES	22,700.00	545,400.00
10/1/88	EXPENSES	(2,700.00)	542,700.00
10/1/88	SALES	22,700.00	565,400.00
10/1/88	EXPENSES	(2,700.00)	562,700.00
10/1/88	SALES	22,700.00	585,400.00
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Design Data:

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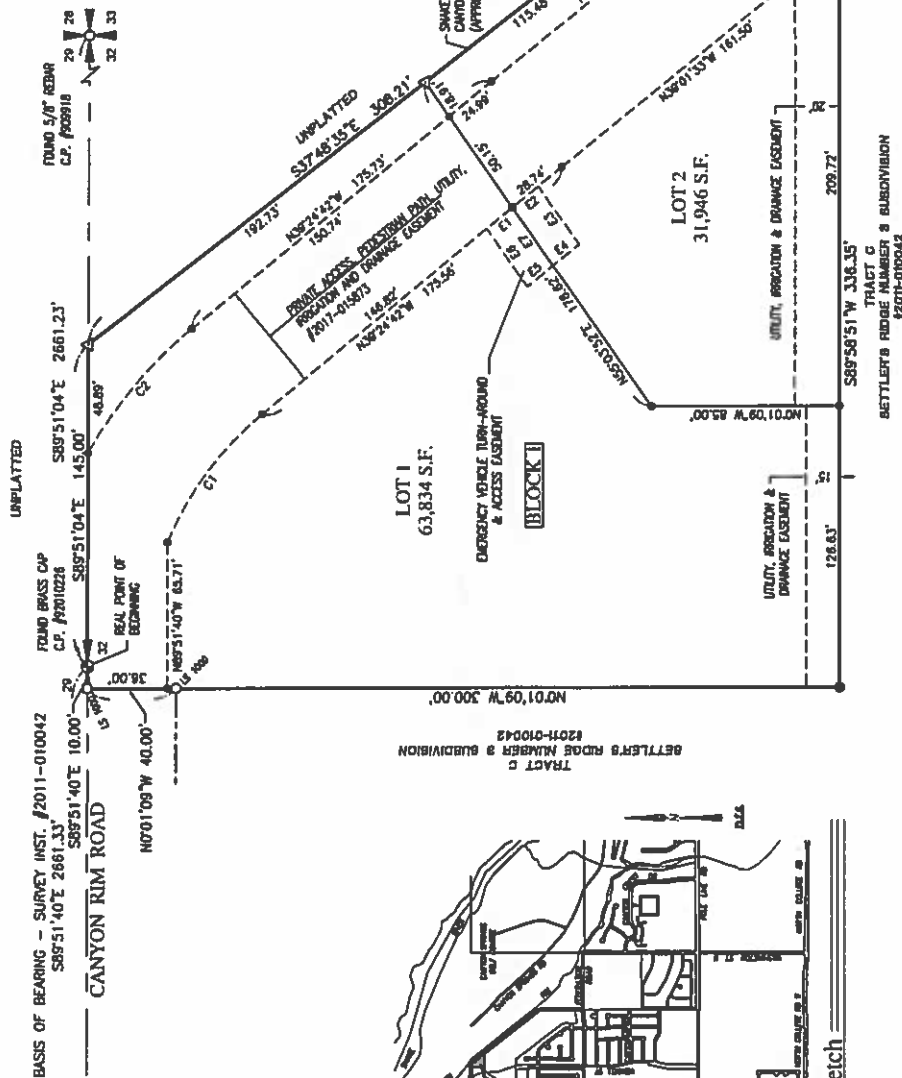
Swale/Retention Pond Detail

ΣΤΑ



TEMPLE VIEW SUBDIVISION

Located In
A Portion of
NW 4 NE 4 & NE 4 NW 4, Section 32
Township 9 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2017



Legend

—	SURVEY BOUNDARY LINE
- - -	SECTION LINE
- - -	EASEMENT LINE
- - -	ADJACENT PROPERTY LINE
- - -	LOT LINE
Δ	CALCULATED POINT (NOT SET)
●	FOUND BRASS CAP
○	FOUND 5/8" REBAR (AS NOTED)
●	SET 5/8" x 24" REBAR & CAP - LS 10110
●	SET 1/2" x 24" REBAR & CAP - LS 10110

Survey References

#1896-018081
#1894-026507
#1898-018382
#1897-018726
#2003-004863
SETTLER'S RIDGE NUMBER J
SUBDIVISION #2011-010042

Deed References

#1894-026507
#1893-000234

Curve Table

CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRC
C1	28°08'46"	147.25'	72.36'	71.65'	38.94'	N53°29'35"W
C2	21°16'44"	187.25'	73.26'	72.84'	37.05'	N50°03'04"W

Health Certificate

"SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED BASED ON THE STATE OF IDAHO, DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF SANITARY RESTRICTIONS. BUYER IS CAUTIONED AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER OR SEWER FACILITIES HAVE SINCE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES OR MEET OTHER CONDITIONS OF DEQ, THEN SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED."

DISTRICT HEALTH DEPARTMENT, DHS

DATE



EHM Engineers, Inc.



Zoning Vicinity Map

Area Of Impact



OS



R-2



SUI



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

CANYON SPRINGS RD

CANYON GATE PL

CANYON RIM RD

BLICKLIN

REESE RD

SMITHWICK RD

18 PERRINE RD

18 PERRINE RD

SETTLERS RIDGE TRL

18 PERRINE PL

BENNETT PL

8538 PL

PARK VIEW DR



Aerial Map



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



SW Corner Looking NE



SE Corner looking NW



Date: Monday, December 11, 2017
To: Honorable Mayor and City Council
From: Brian Cunningham, Battalion Chief

Request:

The Twin Falls Fire Department would like to recognize the achievements of Firefighter Jesse Killinger who has successfully completed this year's Twin Falls Driver's Academy.

Time Estimate:

Approximately five (5) minutes.

Background:

Battalion Chief Brian Cunningham would like to give the presentation to recognize Firefighter Jesse Killinger on his completion of the Twin Falls Driver's Academy, and then we would like to ask Mayor Shawn Barigar to present him with his certificate.

Approval Process:

N/A

Budget Impact:

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

N/A

Attachments:

None



Date: Monday, December 11, 2017
To: Honorable Mayor and City Council
From: Shawn Barigar, Mayor

Request:

Request to confirm the re-appointment of Steve Kolar to the Airport Advisory Board.

Time Estimate:

Approximately 5 minutes

Background:

The Airport Board unanimously recommended the Twin Falls City Council re-appoint Steve Kolar for a second and final 3-year term as a Twin Falls City representative on the Airport Advisory Board. Airport Board members are eligible to serve a maximum of two three-year terms. Mr. Kolar has consistently attended and participated in Airport Board meetings over his first 3-year term.

Approval Process:

City Code 8-7-3 says that Airport Board members be appointed by the Mayor and confirmed by the City Council.

Budget Impact:

Regulatory Impact:

Approval of this request will maintain full membership on the Airport Advisory Board.

History:

N/A

Analysis:

N/A

Conclusion:

Request that the Council confirm my re-appointment of Steve Kolar to the Airport Advisory Board.

Attachments:

None



Date: Monday, December 11, 2017
To: Honorable Mayor and City Council
From: William Carberry, Airport Manager

Request:

Request to accept an Airport Grant Offer from ITD, Division of Aeronautics, in the amount of \$25,000, and to utilize the funding for a replacement Airport Pickup Truck.

Time Estimate:

Approximately 5 minutes

Background:

As a means to assist with some of the cost of airport capital improvements, the ITD Division of Aeronautics has offered the attached \$25,000 grant offer. The grant is offered by ITD in support of the airport's local FAA grant match toward the taxiway construction project this spring.

The grant is unanticipated revenue and I would like to utilize the funding to help the airport replace its aging 1997 pick up truck used by the operations department.

Approval Process:

The City Council is required to ratify the Grant Agreement and the City Resolution and have the clerk attest to the Resolution. This can be done as individual motions by the Council.

Budget Impact:

The grant offer from the State of Idaho is a pleasant surprise and one the airport did not budget for this fiscal year. Although the City of Twin Falls is listed as the sponsor, both the City and County are the beneficiaries of the grant award.

Regulatory Impact:

The Grant Offer will be subject to the standard assurances associated with State Division of Aeronautics grant agreements. The airport will base its grant eligibility by providing the state with documentation that the City/County has spent at least \$50,000 toward the FAA taxiway reconstruction project in 2018.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends acceptance of the Idaho Transportation Department's Division of Aeronautics Grant Offer in the amount of \$25,000. ***The Council will need to ratify both the Grant Agreement and the City Resolution, authorizing the Mayor to sign both. This can be done as individual motions by the Council.***

Attachments:

1. ITD Airport Grant Offer



IDAHO TRANSPORTATION DEPARTMENT
Division of Aeronautics
3483 Rickenbacker Street • Boise ID 83705

(208) 334-8775
itd.idaho.gov/aero

November 8, 2017

Shawn Barigar, Mayor
City of Twin Falls
PO Box 1907
Twin Falls, ID 83303-1907

GRANT AGREEMENT - IDAHO AIRPORT AID PROGRAM
STATE FISCAL YEAR-18 for the Twin Falls-Joslin Field-Magic Valley Regional Airport
FS PROGRAM NUMBER: F188TWF
IAAP PROJECT NUMBER: AIP-039-040

PROJECT DESCRIPTION: Rehab Twy A & Recon Twy; ARFF Vehicle & Connector Txln

This grant is in the amount of \$25,000 to match \$50,000.00 of expenditures from the City of Twin Falls.

Dear Mayor,

The Idaho Division of Aeronautics is pleased to offer your airport this matching grant to assist in financing improvements to your airport during State FY-18. This grant is part of our regular program to further the interest in and aeronautical purposes of Public airports by assisting in the development of a statewide system of airports.

Enclosed is a .pdf file of the Grant Agreement and City Resolution for the above referenced project. Please print two full copies of the document and have the City Council ratify both the Grant Agreement and the City Resolution. As Mayor please sign both copies of each document, and have the City Clerk attest to and sign both copies of the document.

Please retain one signed copy for your local records and send one signed copy to the Idaho Division of Aeronautics as an indication that you accept this grant. Please complete these actions by December 15, 2017, as noted on page 2 of the grant agreement. The reimbursement funds will be available about three weeks after receipt of the ratified and signed agreement in this office.

I look forward to working with the City on this project. If you have any questions regarding the acceptance of this grant or how to request grant funds, please call me at (208) 334-8784.

Sincerely,

William P. Statham, Manager
Airport Planning and Development

GRANT AGREEMENT
IDAHO AIRPORT AID PROGRAM
STATE FISCAL YEAR-18

TO: City of Twin Falls, Idaho
(Hereinafter referred to as the "SPONSOR")

FROM: The State of Idaho, acting through the IDAHO TRANSPORTATION DEPARTMENT, DIVISION OF
AERONAUTICS
(Hereinafter referred to as the "STATE")

WHEREAS, the SPONSOR has submitted to the STATE an application for assistance from the Idaho Airport Aid Program for development of the Twin Falls-Joslin Field-Magic Valley Regional Airport, together with the planning proposal or plans and specifications for the project. The STATE approved the application and it is hereby incorporated herein and made a part thereof:

WHEREAS, the Idaho Transportation Board has approved a project for development of the airport consisting of the following described airport development:

Project Description: Rehab Twy A & Recon Twy; ARFF Vehicle & Connector Txln

FS Program Number: F188TWF

Project Number: AIP-039-040

NOW THEREFORE, for the purpose of carrying out the provisions of the Uniform State Aeronautics Department Act of 1947, as amended, and in consideration of the SPONSOR acceptance of this offer, as hereinafter provided, the STATE hereby agrees to pay, as its share of the costs incurred in accomplishing the project, not more than a lump sum amount of \$25,000.

This Grant incorporates the following terms and conditions:

1. The STATE affirms that:
 - A. The maximum obligation of the STATE payable under this Grant shall be \$25,000.
 - B. This grant expires on June 30, 2020, and the STATE shall have no further obligation after that date.
2. The SPONSOR shall:
 - A. Certify the availability of at least \$50,000.00 in local expenditures to match STATE participation in said project.
 - B. Diligently and expeditiously complete this project by June 30, 2020, and likewise pursue appropriate measures as may be agreed upon by the SPONSOR and the STATE to remedy project delays, including but not limited to litigation or condemnation.
 - C. Carry out and complete the project in accordance with the plans, specifications, and property map, incorporated herein, as they may be revised or modified, with approval of the STATE.

- D. Competitively bid all contracts for construction involved in this project in accordance with bidding procedures otherwise authorized for public entities.
 - E. In connection with the acquisition of real property for the project, secure at least two written appraisals by licensed appraisers and not pay in excess of the highest appraisal without the written consent of the STATE or except as directed by a court of competent jurisdiction after a contested trial and a judgment not resulting from agreement between the parties.
 - F. Receive no STATE funds in any case until it certifies in writing that it has funds available and will spend at least the amount designed in Paragraph (A) above, solely for the project in question.
 - G. Agrees to hold said airport open to the flying public for the useful life of the facilities developed under this project. Grant no exclusive use or operating agreements, to any person, company, or corporation. Failure to abide by such agreement shall automatically obligate the immediate and full return of all State of Idaho money expended on behalf of the project to the State of Idaho.
 - H. Submit with this accepted Grant Agreement the full name of the local Project Manager/Inspector along with full contact information including work phone number, cell phone number, fax number, email address and postal mailing address. Also include a job related contact that will know the whereabouts of and can contact the Project Manager/Inspector quickly for Grant related matters.
 - I. Use the provided "Project List and Submittals" form to monitor the project's progress. The SPONSOR will submit the form when submittals are made, and provide the completed form, along with the reports, as part of the closeout documents.
- 3. The allowable costs of the project shall not include any costs determined by the STATE to be ineligible.
 - 4. The STATE reserves the right to amend or withdraw this offer at any time prior to its acceptance by the SPONSOR.
 - 5. This offer shall expire and the STATE shall not be obligated to pay any part of the costs of the project unless the final agreement has been accepted by the SPONSOR on or before December 15, 2017, or such subsequent date as may be prescribed in writing by the STATE.

Except for those projects receiving both State and Federal Aid (submit copies of FAA Application and Agreement), the following inspection schedule, and reporting system is required:

6. Inspection Schedule and Reporting System:

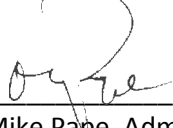
Inspection Schedule and Reporting System will vary for each project. The SPONSOR must make reports and be subject to inspections on the following schedule:

- A. SPONSOR shall report project commencement date.
- B. SPONSOR shall make no less than three progress reports during construction.

- C. SPONSOR shall receive approval prior to any change in the scope of the project
- D. SPONSOR shall report project completion date and request final inspection and payment.
- E. STATE may participate in the final inspection and shall sign off the project as completed.
- F. STATE may arrange for audit of account in accordance with regularly scheduled audit program.

The execution of this instrument by the SPONSOR and ratification and adoption of the project application incorporated herein provides proof of the Sponsors commitment, as hereinafter provided. Said offer and acceptance shall comprise allocation agreement, constituting the obligation and rights of the State of Idaho and the SPONSOR with respect to the accomplishment of the project and the operation and the maintenance of the airport. Such allocation agreement shall become effective upon the SPONSOR acceptance of this offer and shall remain in full force and effect throughout the useful life of the facilities developed under the project but in any event not to exceed twenty (20) years from the date of acceptance.

STATE OF IDAHO, ITD
Division of Aeronautics

By: 
Mike Pape, Administrator

ACCEPTANCE

THE SPONSOR DOES HEREBY RATIFY AND ADOPT ALL STATEMENTS, representations, warranties, covenants, and agreements contained in the project application and incorporated materials referred to in the foregoing offer and does hereby accept said offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this _____ day of _____, 2017.

By: _____
Shawn Barigar, Mayor
City of Twin Falls, City Council

ATTEST:

Sharon Bryan, City Clerk

I, Sharon Bryan, City Clerk do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. _____ adopted at a regular meeting of the City Council held on the _____ day of _____, 2017, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the City, this _____ day of _____, 2017.

Sharon Bryan, City Clerk

City Resolution

Exact from the minutes of a regular meeting
of the City Council of City of Twin Falls, Idaho
Held on _____, 2017.

Councilman _____, introduced the following Resolution, was read in full, considered, and adopted:

Resolution number _____ of City of Twin Falls, Idaho accepting the Grant Offer of the State of Idaho through the Idaho Transportation Department, Division of Aeronautics, in the maximum amount of \$25,000 to be used under the Idaho Airport Aid Program, FS Program number: F188TWF, Project number: AIP-039-040 in the development of the Twin Falls-Joslin Field-Magic Valley Regional Airport; and

Be it resolved by the Mayor and City Council of City of Twin Falls, Idaho (herein referred to as the "City" as follows:

Sec. 1. That the City shall accept the Grant Offer of the State of Idaho in the amount of \$25,000, for the purpose of obtaining State Aid under FS Program Number: F188TWF, Project Number: AIP-039-040 in the development of the Twin Falls-Joslin Field-Magic Valley Regional Airport; and

Sec. 2. That the Mayor of the City of Twin Falls City Council is hereby authorized and directed to sign the statement of Acceptance of said Grant Offer (entitled Acceptance) on behalf of the City. The City Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the City on the aforesaid statement of Acceptance; and

Sec. 3. A true copy of the Grant Agreement referred to herein be attached hereto and made a part thereof.

Passed by the City Council and approved by the Mayor this _____ day of _____, 2017.

Shawn Barigar, Mayor

ATTEST:

Sharon Bryan, City Clerk

CERTIFICATE

I, Sharon Bryan, City Clerk do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. _____ adopted at a regular meeting of the City Council held on the _____ day of _____, 2017, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the City, this _____ day of _____, 2017.

Sharon Bryan, City Clerk



Date: Monday, December 11, 2017
To: Honorable Mayor and City Council
From: William Carberry, Airport Manager

Request:

Presentation reviewing the 5-year FAA Capital Improvement Plan for Joslin Field, Magic Valley Regional Airport.

Time Estimate:

The staff presentation will take approximately 10 minutes with additional time needed for questions.

Background:

Since the last FAA Master Plan Update, completed in 2012, the airport has completed several projects called out in the plan. Each year the airport updates its 5-year plan with the FAA to tune project priorities and budgeting.

The presentation will review projects from the recent past and outline the anticipated schedule for airport projects over the next 5-7 years. Please review the attached graphic synopsis of the project schedule. The schedule is not all-inclusive (ex. Slurry seals etc...), yet, outlines the major project priorities as identified in the Airport Master Plan.

Approval Process:

N/A

Budget Impact:

The FAA Airport Improvement Program (AIP) grants associated with the capital improvements are funded at 93.75% federal share with the remaining local match funded by airline Passenger Facility Charges (PFC's) collected by the airline and paid to the airport.

Regulatory Impact:

All FAA grants and projects require adherence to FAA regulatory requirements

History:

N/A

Analysis:

N/A

Conclusion:

Staff requests the City Council review the FAA Capital Improvement plan and ask questions they may have.

Attachments:

1. TWF 5-Year CIP

1 TERMINAL IMPROVEMENTS
(2014-2017)



2 FEDEX NORTHEAST
DEVELOPMENT (2016)



3 REHABILITATE TAXIWAY "A"
FROM RUNWAY 30 TO
RUNWAY 26 (2017-2018)



4 CONSTRUCT CONNECTING
TAXIWAY (2017-2018)



5 PRELIMINARY DESIGN
PLANNING (2017)



J-U-B
J-U-B ENGINEERS, INC.



6 NE TAXIWAY DEVELOPMENT
DESIGN/ENVIRONMENTAL/
CONSTRUCTION (2018/2019)



7 INCLUDE LAND ACQUISITION
ON AIRPORT EXHIBIT "A"
(2018)



8 ACQUIRE ARFF VEHICLE
(2017)



10 AIRPORT MASTER PLAN
(SCHEDULED 2020)



12 NEW CROSSWIND
RUNWAY
(SCHEDULED 2025)



9 ACQUIRE SNOW
REMOVAL EQUIPMENT
(2018 & 2019)

11 REHAB RUNWAY 8/26
(SCHEDULED 2023)

Twin Falls Urban Renewal Agency Main Avenue Redevelopment Project



Bicycle Rack Installation, 27NOV2017



Block 2 –Gooding to Fairfield, Banners Hung, 29NOV2017

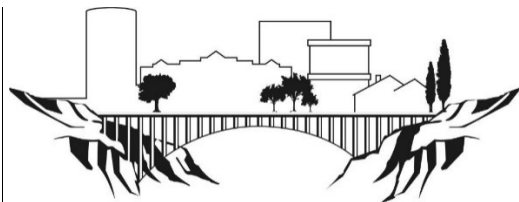


Block 5 –Idaho to Jerome, Open to traffic, 01DEC2017



Block 6 – Hansen St S., Sidewalk pour, 28NOV2017

Prepared for:



THE URBAN RENEWAL AGENCY
OF THE CITY OF TWIN FALLS
Prepared by – Owner's Representative:

**Monthly Report for
URA Board Meeting
December 11, 2017**

Monthly Project Progress Update

Prepared for URA Board Meeting on December 11, 2017

Main Avenue Redevelopment Project

Summary of Progress This Period, November 8, 2017 to December 6, 2017

Construction Services by CM/GC – Guho Corp.

1. Main Ave. Blocks 1 through 6, Shoshone to Fairfield and Shoshone to Jerome:
 - o Construction substantially complete and blocks are open to traffic.
 - o Replacement trees for Blocks 1 and 2 (Shoshone to Fairfield) will be installed in December.
 - o Touchup work and minor adjustments will be addressed.
 - o Building façade touchups will be completed.
 - o Regulatory agency/department final inspections being performed.
 - o Design team substantial completion walk-through will be conducted on Tuesday December 12.
 - o Remaining furnishings will be installed upon receipt with anticipated date of February 2018.
2. Main Ave., Block 6, Hansen:
 - o Construction substantially complete and open to traffic.
 - o Need to complete parking lot work.
3. Guho continued to provide weekly status updates to URA for distribution to merchants, City Council, URA Board each week by email to keep these groups up to date on the progress of construction. With construction substantially complete, Guho will not email weekly but on an as-needed basis to inform of upcoming work and/or minor disruptions.
4. Guho's progress payment for construction for November 2017 was submitted totaling \$730,402.69. The total of progress payments to date less retainage (through November 30, 2017) is \$5,399,298.84, which is 83.8% of the GMP total of \$6,446,115. The total billed is appropriate for the in-progress work on 5.5 of the 5.5 city blocks being demolished and reconstructed.

Project Schedule

5. Construction work on the first block (Gooding to Shoshone) commenced on 17APR2017 as planned. All 5.5 blocks of the project were substantially completed by 30NOV2017 as scheduled. A few final items, such as furnishing installation, will continue through the winter as materials are received. Additionally, landscaping replacement and hanging basket installation will carry over to the spring.

Testing and Inspection

6. Testing and Inspection services continued to be performed drawing upon allowances and savings within the GMP. Test results returned met project requirements.
7. Guho scheduling and conducting final inspections with regulatory agencies for signoffs and acceptance (e.g. ITD, potable water, storm drain, Parks Dept).

8. Substantial Completion walk-through with design team scheduled for Tuesday December 12. Punchlist of items to be addressed for substantial completion acceptance will be generated as needed.

Budget

9. Projecting savings on Guho GMP for Main Avenue project. Additional information to be provided at a later date once Guho has received subcontractor invoices for recent work, reconciled their books, and completed an estimate-to-complete projection for remaining work.
10. CH2M updated the URA's Cost Control Report for Area 4-1 projects, including the anticipated cash flow from 2016 through 2023. The report is being updated monthly and reviewed with the City's Finance Manager and URA Executive Director.

Other URA Topics

11. n/a



Date: Monday, December 11, 2017
To: Honorable Mayor and City Council
From: Sharon Bryan, Deputy City Clerk

Request:

Request to approve the November 7, 2017 Election Canvas results.

Time Estimate:

5 minutes

Background:

TITLE 34

ELECTIONS

CHAPTER 14

UNIFORM DISTRICT ELECTION LAW

34-1410. CANVASSING OF ELECTION RESULTS. The board of county commissioners shall conduct the canvass of the election results within ten (10) days after the election, in the manner provided in chapter 12, title 34, Idaho Code. The county clerk shall certify the election results to the clerk of each political subdivision for which an election was held. Each political subdivision shall issue the appropriate certificates of election.

Approval Process:

The election results by precinct must be included in the council meeting minutes in Nov. or Dec., 2017.

Budget Impact:

Regulatory Impact:

Must follow State, County and City regulations.

History:

N/A

Analysis:

N/A

Conclusion:

City Council needs to approve the November 7, 2017 election results.

Attachments:

1. Nov 7, 2017 Election Results

STATE OF IDAHO

COUNTY OF TWIN FALLS

} ss.

I, Kristina Glascock, County Clerk of said county and state, do hereby certify that the attached is a full, true and complete copy of the abstract of votes for the candidates therein named and/or the questions as they appeared on the election ballot on November 7, 2017 for the City of Twin Falls as shown by the record of the Board of Canvassers filed in my office this 16th day of November, 2017.



County Clerk

(County Seal)

STATE OF IDAHO

COUNTY OF TWIN FALLS

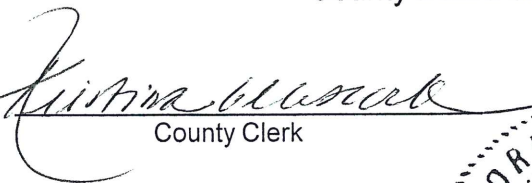
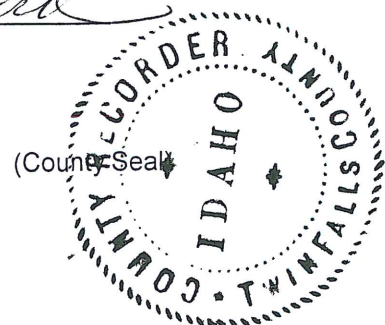
} ss.

We, the commissioners of the county and state aforesaid, acting as a Board of Canvassers of Election, convened on November 16, 2017, do hereby state that the attached is a true and complete abstract of all votes cast within this county for the candidates and/or questions as they appeared at the election held on November 7, 2017, as shown by the records now on file in the County Clerk's office.



County Board of Canvassers

Attest:


County Clerk

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	CITY OF TWIN FALLS			
	CITY COUNCIL			
	SEAT 1 (4 year term) VOTE FOR 1			
Precinct	Liyah Babayan	Suzanne Hawkins	Leon Mills	Eric M. Smallwood
TF 1, 2	66	77	24	15
TF 3, 4	67	130	35	19
TF 5, 6	57	176	47	28
TF 7, 9	89	121	33	18
TF 8, 12	38	89	35	8
TF 10, 11	60	128	36	28
TF 13, 14, 26	42	62	31	11
TF 15, 16	27	47	26	15
TF 17, 18	65	127	45	21
TF 19, 20, 21	86	187	42	34
TF 22, 23, 24	54	179	31	28
CO. TOTAL	651	1,323	385	225

	CITY OF TWIN FALLS				
	CITY COUNCIL			CITY COUNCIL	
	SEAT 5 (4 year term) VOTE FOR 1			SEAT 6 (4 year term) VOTE FOR 1	
Precinct	Tim Allen	Larry Houser	Gregory Lanting	Brian Bell	Christopher A. Reid
TF 1, 2	55	26	91	52	111
TF 3, 4	106	21	122	69	170
TF 5, 6	78	22	197	76	207
TF 7, 9	99	24	136	68	175
TF 8, 12	47	16	99	64	91
TF 10, 11	99	12	136	75	154
TF 13, 14, 26	47	18	74	51	87
TF 15, 16	43	11	59	31	77
TF 17, 18	98	21	125	62	178
TF 19, 20, 21	147	31	161	76	260
TF 22, 23, 24	92	18	178	59	219
CO. TOTAL	911	220	1,378	683	1,729

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

Precinct	VOTING STATISTICS				
	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
TF 1, 2	1,607	15	1,622	183	11.3%
TF 3, 4	1,718	15	1,733	254	14.7%
TF 5, 6	1,531	10	1,541	312	20.2%
TF 7, 9	1,827	22	1,849	266	14.4%
TF 8, 12	1,180	14	1,194	171	14.3%
TF 10, 11	1,585	13	1,598	253	15.8%
TF 13, 14, 26	1,845	13	1,858	146	7.9%
TF 15, 16	907	6	913	116	12.7%
TF 17, 18	1,567	21	1,588	261	16.4%
TF 19, 20, 21	2,431	35	2,466	365	14.8%
TF 22, 23, 24	1,752	8	1,760	297	16.9%
CO. TOTAL	17,950	172	18,122	2,624	14.5%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	CITY OF BUHL		
	MAYOR	CITY COUNCIL (4 year term) VOTE FOR 2	
Precinct	Tom McCauley	Susan Gabardi	Michael Higbee
Buhl 3, 4 & 5	79	65	72
CO. TOTAL	79	65	72

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	VOTING STATISTICS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Buhl 3, 4 & 5	1,565	7	1,572	87	5.5%
CO. TOTAL	1,565	7	1,572	87	5.5%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	CITY OF CASTLEFORD				
	MAYOR		CITY COUNCIL (2 year term) VOTE FOR 1	CITY COUNCIL (4 year term) VOTE FOR 2	
Precinct	Curtis Harkins	Herbert W. Runyan	Justin Clark	Pansy A. Pettit	Roxanne Stiegemeier
Castleford	11	18	28	26	20
CO. TOTAL	11	18	28	26	20

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	VOTING STATISTICS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Castleford	70	7	77	29	37.7%
CO. TOTAL	70	7	77	29	37.7%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	CITY OF FILER			
	MAYOR			
Precinct	Ruby Allen	Russell Sheridan, Jr.	Bob Templeman	David R. Vance
Filer 1	47	72	61	38
Filer 2	20	17	19	10
Filer 3	20	43	90	22
CO. TOTAL	87	132	170	70

CITY COUNCIL (4 year term) VOTE FOR 2						
Precinct	Samuel Callen	Joseph Durham	Joseph Lineberry	Candise A. Ramsey	Carl J. Storey	Sharilynne Underwood
Filer 1	122	53	97	94	9	41
Filer 2	30	19	22	32	4	10
Filer 3	103	40	45	79	17	34
CO. TOTAL	255	112	164	205	30	85

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

VOTING STATISTICS					
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Filer 1	481	22	503	219	43.5%
Filer 2	141	5	146	67	45.9%
Filer 3	434	20	454	176	38.8%
CO. TOTAL	1,056	47	1,103	462	41.9%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	CITY OF HANSEN			
	CITY COUNCIL (4 year term) VOTE FOR 2			
Precinct	Tony Bohm	Nicanor "Nico" Huizar	Veronica Rodriguez	Paul Will
Hansen	52	42	128	93
CO. TOTAL	52	42	128	93

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	VOTING STATISTICS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Hansen	461	13	474	167	35.2%
CO. TOTAL	461	13	474	167	35.2%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	CITY OF HOLLISTER						
	MAYOR			CITY COUNCIL (2 year term) VOTE FOR 2		CITY COUNCIL (4 year term) VOTE FOR 2	
Precinct	Danny Reed	Jayne Self	Slade Gonzalez (WI)	Lynn Ginder	David Grosshans	James E. LaRue	
Hollister	15	16	11	38	35	39	
CO. TOTAL	15	16	11	38	35	39	0

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	VOTING STATISTICS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Hollister	91	3	94	43	45.7%
CO. TOTAL	91	3	94	43	45.7%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	CITY OF KIMBERLY	
	CITY COUNCIL (4 year term) VOTE FOR 2	
Precinct	Nancy Duncan	Robert Tomlinson
Kimberly 1, 3	72	70
Kimberly 2, 4	62	51
CO. TOTAL	134	121

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	VOTING STATISTICS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Kimberly 1, 3	873	8	881	92	10.4%
Kimberly 2, 4	794	3	797	86	10.8%
CO. TOTAL	1,667	11	1,678	178	10.6%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	CITY OF MURTAUGH		
	CITY COUNCIL (4 year term) VOTE FOR 2		
Precinct	Christine Andersen	Brenda L. Bowman	Gerald Dillman
Murtaugh	14	6	13
CO. TOTAL	14	6	13

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	VOTING STATISTICS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Murtaugh	47	1	48	21	43.8%
CO. TOTAL	47	1	48	21	43.8%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	ROCK CREEK RURAL FIRE PROTECTION DISTRICT COMMISSIONERS		
	SUB-DISTRICT 1		SUB- DISTRICT 3
Precinct	Doug Fisher	Mke Hendricks	Brad Perkins
Hansen	77	94	166
Kimberly 1, 3	106	49	134
Kimberly 2, 4	94	55	124
Murtaugh	42	19	59
TF 8, 12	6	1	6
CO. TOTAL	325	218	489

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

Precinct	VOTING STATISTICS				
	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Hansen	853	13	866	189	21.8%
Kimberly 1, 3	1,883	15	1,898	156	8.2%
Kimberly 2, 4	1,511	6	1,517	150	9.9%
Murtaugh	358	2	360	63	17.5%
TF 8, 12	63	0	63	7	11.1%
CO. TOTAL	4,668	36	4,704	565	12.0%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	BALLOT QUESTION	
	FILER SCHOOL DISTRICT	
Precinct	Authorizing the supplemental levy in the amount of \$500,000 per year for two years	
	YES	NO
Buhl 1	0	0
Castleford	0	0
Filer 1	164	93
Filer 2	98	38
Filer 3	152	64
Hollister	51	17
Maroa	38	16
CO. TOTAL	503	228

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2017 ELECTION**

	VOTING STATISTICS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Buhl 1	2	0	2	0	0.0%
Castleford	4	0	4	0	0.0%
Filer 1	855	30	885	271	30.6%
Filer 2	801	13	814	138	17.0%
Filer 3	828	25	853	222	26.0%
Hollister	513	6	519	75	14.5%
Maroa	334	7	341	54	15.8%
CO. TOTAL	3,337	81	3,418	760	22.2%



Date: Monday, December 11, 2017
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Senior Planner

Request:

Request for the **Council's Decision on a Zoning Title Amendment** to add "Agritourism" in the AG District 10-4-1.2(A) for permitted uses & (B) as allowed by Special Use Permit and to the SUI District 10-4-2.2(A) for permitted uses & 10-4-2.2(B) as allowed by Special Use Permit and to add to Title 10-2-1 the definition of "Agritourism". c/o Scott Allen, JUB Engineers, Inc. on behalf of Kirk & Heidi Tubbs (app. 2903)

Time Estimate:

Applicants presentation may take up to fifteen (15) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	
Kirk & Heidi Tubbs 1150 South Park Ave. W. Twin Falls, ID 83301 208.961.0969 info@tubbsberryfarm.com	Requested Zoning: Request for a Zoning Title Amendment to Twin Falls City Code Title 10
Representative:	
Scott Allen 115 Northstar Ave. Twin Falls, ID 83301 208.733.2414 sallen@jub.com	Applicable Regulations: 10-2-1, 10-4-1, 10-4-2, 10-14-1 through 7

Approval Process:

All procedures will follow the process as described in TF City Code 10-14: Zoning Amendments.

Zoning Title Amendments, which consist of text or map revisions, require a public hearing before the Planning Commission. Following the public hearing, the Commission may forward the amendment with its recommendation to the City Council. Any material change by the Commission from what was presented during the public hearing will require an additional hearing prior to the Commission forwarding its recommendation to the Council.

After the Council receives a recommendation from the Commission, a public hearing shall be scheduled where the Council may grant, grant with changes, or deny the Zoning Title Amendment. In any event the Council shall specify the regulations and standards used in evaluating the Zoning Amendment, and the reasons for approval or denial.

In the event the Council shall approve an amendment, such amendment shall thereafter be made a part of the Title upon the passage and publication of an ordinance

Budget Impact:

Regulatory Impact:

A recommendation from the Planning and Zoning Commission on the proposed Zoning Title Amendment allowed the request to proceed to the City Council. If approved by the City Council, an ordinance is later approved and adopted.

History:

Since Ordinance 2012 was first adopted in 1981 the AG and SUI zones were identified as RR; Rural Residential and R-1 43,000; Residential Large Lot Districts. In 2004, as part of an update to the Area of Impact Agreement between the County and the City, the names of those two zoning districts were amended to be AG; Agricultural and SUI; Suburban Urban Interface District. The content of the zones remained unchanged.

The purpose of the AG Zone “..... is intended to preserve the rural integrity of areas adjacent to the city” with land uses described to allow farming in the form of; **a**-animals on pasture, **b**-trees and plants, and **c**-intense agriculture on parcels 5 acres or larger, as well as fish farms with a special use permit.

The purpose of the SUI zone “.....is intended to provide a transition district from agricultural land uses to residential land uses within the Area of Impact. This district is also intended as a holding zone for future higher density residential zones, to be annexed and developed when city water and sewer services become available” with land uses that allow minimum one- acre lots per single family residence and allows some cultural and sporting activities by special use permit. The SUI Zone is still considered an agricultural/rural area of town.

In 2013, the state legislature enacted the Idaho Agritourism Promotion Act, which essentially allowed Agritourism as secondary activity in conjunction with an active agricultural operation, and released the owner or operator from liability for the inherent risk in which such an operation presents.

This request looks to add “Agritourism” to the list of land uses in the AG and SUI zones on active agricultural farms.

Analysis:

This request is to add Agritourism to Title 10; Chapter 4 on active agricultural land. The applicant has requested to amend City Code 10-2-1, 10-4-1, and 10-4-2. Agriculture plays a significant role in Idaho’s economy, culture, and history, yet many Idahoans have been removed from that daily experience and do not have the opportunity to interact, with that culture and history. Per the Idaho State Statute 6-3003, the purpose of Agritourism is to provide an opportunity for Idahoans and visitors to Idaho, the chance to understand and experience a working agricultural operation that is still a predominate way of life in Idaho.

After multiple work sessions and phone conversations. The applicant and Staff have developed the following amendments:

1) Add the term and definition of “Agritourism Activity” as Defined by Idaho State Statute 6-3003 (2013) into City Code 10-2-1: Definitions:

AGRITOURISM ACTIVITY: An accessory use/secondary activity carried out on an active farm or ranch of **ten (10) acres or more** that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities including, but not limited to, farming, ranching, historic, cultural, on-site educational farming programs, recreational farming programs that may include on-site hospitality services, guided and self-guided tours, bed and breakfast accommodations, farm animal petting zoos, short term farm festivals, corn mazes, “harvest-your-own” events, hayrides, barn parties, horseback riding, fee fishing and camping. An activity is an Agritourism activity whether or not the participant paid to participate in the activity.

2) Add “Agritourism Activity”, as a land use to City Code 10-4-1.2(A) and 10-4-1.2(B):

10-4-1: AG, AGRICULTURAL DISTRICT:

10-4-1.1: PURPOSE: This district is intended to preserve the rural integrity of areas adjacent to the city.

10-4-1.2: 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:

1. Farms - animals on pasture.
2. Farms-plants and trees.
3. Intensive agricultural units of five (5) acres or more without residential facilities.
4. Agritourism Activities located *more than 750' 300'* from residentially zoned property or residential uses.

(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. Agricultural:

1. Farms-Fish
2. Agritourism Activities *within 750' 300'* of any residentially zoned property or residential uses, or any Agritourism activity involving outdoor amplified sound or music.

3) Add "Agritourism Activity", as a land use to the City Code 10-4-2.2(A) & 10-4-2.2(B):

10-4-2: SUI, SUBURBAN URBAN INTERFACE

10-4-2.1: PURPOSE: This district is intended to provide a transition district from agricultural land uses to residential land uses in the area of impact. This district is also intended as a holding zone for future higher density residential zones, to be annexed and developed when city water and sewer services become available. (Ord. 2796, 6-14-2004)

10-4-2.2: 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:

1. Farms - animals on pasture.
2. Farms-plants and trees.
3. Intensive agricultural units of five (5) acres or more without residential facilities.
4. Agritourism Activities located *more than 750' 300'* from residentially zoned property or residential uses.

-

(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. Agricultural:

1. Farms-Fish

2. Agritourism Activities *within 750' 300'* of any residentially zoned property or residential uses, or any Agritourism activity involving outdoor amplified sound or music.

Staff supports this amendment, as it will allow currently active farms to augment their income and activities to continue their operations while allowing the industry to grow and offer educational opportunities to the younger generation of Magic Valley residents.

However, perhaps the Commission should consider each request prior to operation, either by consideration or by public hearing. The definition, as proposed, offers a minimum size of ten (10) acres or more for an active farm or ranch as it relates to this proposed definition. Title 10 Chapter 2 defines a Farm as 20 acres or more within the Area of Impact. If the Commission feels ten (10) acres is not appropriate, they may motion to amend the minimum acreage of an active farm or ranch to be a more appropriate size for an Agritourism Activity.

In addition, the requirement for a 750' public notice distance is a proposed distance by staff. The Commission may determine this distance is not appropriate, and motion to amend that distance. There is staff recommendation on the number of attendees that would or would not be appropriate. The Commission may wish to add a number of attendees as permitted. If the anticipated attendees exceeds that number, it may be considered by special use permit. Development Standards to address parking plans, lighting, noise, hours of operation, etc. should be taken into consideration as well.

Conclusion:

During the Planning and Zoning Public Hearing significant time was taken to discuss the 10 acre and 750' separation distance requirements. After much deliberation the Commission voted to modify the request by removing the minimum acreage requirement, and reducing the separation distance from 750' to 300'. All commission members present voted in favor of these modifications to the request.

Staff supports the recommendation forwarded by the Planning and Zoning Commission.

The City Council may approve the Zoning Title Amendment as requested, approve the request with modifications, deny the request, or table the request for a later meeting.

Attachments:

1. Tubbs Attachments
2. Portion of Draft Minutes - P&Z Public Hearing 11-14-2017

Reason for the Request

Many small farms today are looking to supplemental income in order to make farming profitable, while at the same time there is a surge of public interest in agricultural activities. This has led to a dramatic increase in agricultural or farm based activities for the public often called agritourism or agritainment.

The Idaho Agritourism Promotion Act (Section 6-3003 enacted 2013) defines an Agritourism Activity as: "any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities including, but not limited to, farming, ranching, historic, cultural, on-site educational programs, recreational farming programs that may include on-site hospitality services, guided and self-guided tours, bed and breakfast accommodations, petting zoos, farm festivals, corn mazes, harvest-your-own operations, hayrides, barn parties, horseback riding, fee fishing and camping. An activity is an agritourism activity whether or not the participant paid to participate in the activity."

Agritourism activities allow agricultural land to remain in production while giving farmers a supplemental income source. They also provide the community with another option for recreation, education, and leisure time activities. Agritourism is not currently addressed or defined in current Twin Falls City or County Code, although there are several agritourism type activities currently being conducted in the area. Addressing these activities in city code will help take away some of the grey area surrounding which activities are appropriate or allowed, and provide guidance for agricultural operations looking to include agritourism activities on their farm or ranch.

Nationally, agritourism designations and zoning has been met with enthusiasm from the public and economic success for not only the participating farms, but the entire region. Providing for agritourism activities in Twin Falls City Code will allow agricultural operations surrounding the city to provide places where community members, schools, families, and organizations can learn about and enjoy our agricultural heritage.



Snake River Soil and Water Conservation District
1441 Fillmore St #A • Twin Falls, ID 83301
208-733-5380 • FAX 208-734-5138

August 8, 2017

Twin Falls Planning and Zoning Commission
324 Hansen St. E
Twin Falls, ID 83301

RECEIVED
AUG 14 2017
CITY OF TWIN FALLS
PLANNING & ZONING

Dear Commissioners,

The Snake River Soil and Water Conservation District is writing to support efforts to develop agritourism within the City of Twin Falls. Many operations involved with agritourism are small, family-owned businesses with deep ties to the community. Preserving these operations provides a connection to the rich agricultural heritage of this region. In addition to producing healthy local food and preserving pockets of farmland, the Snake River SWCD believes agritourism can help protect critical soil and water resources.

Smaller operations are often able to pioneer new technology that may not be cost-effective on a large commercial scale. Drip irrigation is one example of a technology many small farms have embraced that can reduce both irrigation water usage and the potential for irrigation erosion into Rock Creek or the Snake River.

Consumers who visit these farms are often looking for organic produce which encourages these small farms to use cover crops to provide needed plant nutrients. Over 95 percent of the cropland in Twin Falls County is considered to be highly erodible and vulnerable to wind erosion events. Keeping a cover crop growing throughout as much of the season as possible helps armor the soil against wind erosion. Cover crops often provide key habitat for pollinators and other wildlife living in the rural/urban interface.

Educating future consumers about the importance of protecting fragile soil and water resources is a high priority for the Snake River SWCD. The district works with local students through environmental education days along with the annual poster and speech contests. But without small farms near urban centers where children can actually see crops and animals, soil and water, lessons lack the emotional connection needed to reinforce scientific concepts.

The Snake River SWCD asks you to help agritourism grow and thrive within Twin Falls by simplifying the zoning process for agritourism enterprises.

Matt Nail
Snake River SWCD chairman

Motion:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations as amended. Commissioner Woods. Members Dawson, Woods, Frank, Musser, Grey, Munoz voting in favor of the motion with Commissioner Higley voting against the motion.

Approved, As Presented, With the Following Amended Conditions

1. Subject to the physical closure of the western most access along Kimberly Rd at all times, to be approved by staff, or the approach is to be removed and curb, gutter and sidewalk constructed.
 2. Subject to compliance with Gateway Arterial Landscaping.
 3. Subject to maintaining staff approved arterial landscape strip along Kimberly Rd and completed by **May 1, 2018**.
 4. Subject to repair of the parking lot.
 5. Subject to minor auto service and minor repair only for the vehicles for sale on this property.
 6. Subject to all parts, tools or miscellaneous merchandise associated with the business and all non-operating vehicles kept either inside an enclosed building or behind a sight obscuring screening fence.
 7. Subject to this Special Use Permit granted to Mr. John Andrew Yurivilca only. Any change in ownership shall require a new SUP.
 8. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
- b) Request for the Commission's **recommendation on a Zoning Title Amendment** to add "Agritourism" in the AG District 10-4-1.2(A) for permitted uses & (B) as allowed by Special Use Permit and to the SUI District 10-4-2.2(A) for permitted uses & 10-4-2.2(B) as allowed by Special Use Permit and to add to Title 10-2-1 the definition of "Agritourism". c/o Scott Allen, JUB Engineers, Inc. on behalf of Kirk & Heidi Tubbs (app. 2903)

Applicant Presentation:

Heidi Tubbs, the applicant, stated they are here to request that Agritourism be added to the Twin Falls City Code. Twin Falls is historically an agricultural community and there are many challenges for small farms to be profitable. For example years ago people would come through and get fruits and vegetable for canning, now the people come through look at the animals, post photos on YouTube and would rather by the already made jams. Farms are getting creative to remain profitable and maintain the farm. As they are getting creative they have seen an increase in what is called agritourism that includes things like a straw maze, core maze, road side stands and petting zoos that bring people out to the farm. This creative creates a gray area for what is and isn't a farm activity and is currently not addressed in City Code. By addressing this in City Code it will allow some direction for the farmers as well as the

City to follow with regards to agritourism. These types of statutes are being added all over the country. Agritourism has become in some places one of the top producing uses, and is a way to help some of the smaller farms to survive. Adding this will be a great benefit to the community.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated since Ordinance 2012 was first adopted in 1981 the AG and SUI zones were identified as RR; Rural Residential and R-1 43,000; Residential Large Lot Districts. In 2004, as part of an update to the Area of Impact Agreement between the County and the City, the names of those two zoning districts were amended to be AG; Agricultural and SUI; Suburban Urban Interface District. The content of the zones remained unchanged.

The purpose of the AG Zone “..... is intended to preserve the rural integrity of areas adjacent to the city” with land uses described to allow farming in the form of; a-animals on pasture, b-trees and plants, and c-intense agriculture on parcels 5 acres or larger, as well as fish farms with a special use permit.

The purpose of the SUI zone “.....is intended to provide a transition district from agricultural land uses to residential land uses within the Area of Impact. This district is also intended as a holding zone for future higher density residential zones, to be annexed and developed when city water and sewer services become available” with land uses that allow minimum one- acre lots per single family residence and allows some cultural and sporting activities by special use permit. The SUI Zone is still considered an agricultural/rural area of town.

In 2013, the state legislature enacted the Idaho Agritourism Promotion Act, which essentially allowed Agritourism as secondary activity in conjunction with an active agricultural operation, and released the owner or operator from liability for the inherent risk in which such an operation presents.

This request looks to add “Agritourism” to the list of land uses in the AG and SUI zones on active agricultural farms.

This request is to add Agritourism to Title 10; Chapter 4 on active agricultural land. The applicant has requested to amend City Code 10-2-1, 10-4-1, and 10-4-2. Agriculture plays a significant role in Idaho’s economy, culture, and history, yet many Idahoans have been removed from that daily experience and do not have the opportunity to interact, with that culture and history. Per the Idaho State Statute 6-3003, the purpose of Agritourism is to provide an opportunity for Idahoans and visitors to Idaho, the chance to understand and experience a working agricultural operation that is still a predominate way of life in Idaho.

After multiple work sessions and phone conversations. The applicant and Staff have developed the following amendments:

Add the term and definition of “Agritourism Activity” as Defined by Idaho State Statute 6-3003 (2013) into City Code 10-2-1: Definitions:

AGRITOURISM ACTIVITY: An accessory use/secondary activity carried out on an active farm or ranch of ten (10) acres or more that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities including, but not limited to, farming, ranching, historic, cultural, on-site educational farming programs, recreational farming programs that may include on-site hospitality services, guided and self-guided tours, bed and breakfast accommodations, farm animal petting zoos, short term farm festivals, corn mazes, “harvest-your-own” events, hayrides, barn parties, horseback riding, fee fishing and camping. An activity is an Agritourism activity whether or not the participant paid to participate in the activity.

Add “Agritourism Activity”, as a land use to City Code 10-4-1.2(A) and 10-4-1.2(B):

10-4-1: AG, AGRICULTURAL DISTRICT:

10-4-1.1: PURPOSE: This district is intended to preserve the rural integrity of areas adjacent to the city.

10-4-1.2: 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: Farms - animals on pasture. Farms-plants and trees. Intensive agricultural units of five (5) acres or more without residential facilities. Agritourism Activities located more than 750’ from residentially zoned property or residential uses.

(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: Agricultural: Farms-Fish Agritourism Activities within 750’ of any residentially zoned property or residential uses or any Agritourism activity involving outdoor amplified sound or music.

Add “Agritourism Activity”, as a land use to the City Code 10-4-2.2(A) & 10-4-2.2(B):

10-4-2: SUI, SUBURBAN URBAN INTERFACE

10-4-2.1: PURPOSE: This district is intended to provide a transition district from agricultural land uses to residential land uses in the area of impact. This district is also intended as a holding zone for future higher density residential zones, to be annexed and developed when city water and sewer services become available. (Ord. 2796, 6-14-2004)

10-4-2.2: 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: Agricultural:Farms - animals on pasture.Farms-plants and trees.Intensive agricultural units of five (5) acres or more without residential facilities.Agritourism Activities located more than 750' from residentially zoned property or residential uses.

(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:Agricultural:Farms-Fish Agritourism Activities within 750' of any residentially zoned property or residential uses or any Agritourism activity involving outdoor amplified sound or music.

Staff supports this amendment, as it will allow currently active farms to augment their income and activities to continue their operations while allowing the industry to grow and offer educational opportunities to the younger generation of Magic Valley residents.

However, perhaps the Commission should consider each request prior to operation, either by consideration or by public hearing. The definition, as proposed, offers a minimum size of ten (10) acres or more for an active farm or ranch as it relates to this proposed definition. Title 10 Chapter 2 defines a Farm as 20 acres or more within the Area of Impact. If the Commission feels ten (10) acres is not appropriate, they may motion to amend the minimum acreage of an active farm or ranch to be a more appropriate size for an Agritourism Activity.

In addition, the requirement for a 750' public notice distance is a proposed distance by staff. The Commission may determine this distance is not appropriate, and motion to amend that distance. There is staff recommendation on the number of attendees that would or would not be appropriate. The Commission may wish to add a number of attendees as permitted. If the anticipated attendees exceeds that number, it may be considered by special use permit. Development Standards to address parking plans, lighting, noise, hours of operation, etc. should be taken into consideration as well.

Senior Planner Spendlove stated upon conclusion the Commission may recommend to the City Council the Zoning Title Amendment as requested, recommend a modification of the proposed amendment, as presented (this may require another public hearing before the Commission), recommend the proposed amendment with staff's proposed modifications, or recommend the amendment be denied.

PZ/Questions & Comments:

- Commissioner Grey asked about the 10 acres designation.
- Senior Planner Spendlove explained staff didn't think that anyone could actually have a agritourism activity on anything less than 10 acres without it being a detriment to the surrounding properties.
- Commissioner Grey asked how big was the corn maze off of Grandview Drive.
- Senior Planner Spendlove explained that was approximately 30(+/-) acres and was

approved through a Special Event process. A Special Event has to be approved every year by the police department and is applicable to all properties within the City Limits. If a Special Use Permit is required it is applicable to City Limits as well as Area of Impact properties.

- Commissioner Higley stated he doesn't understand how someone can farm 10(+/-) acres and then having an agritourism as a secondary use. He doesn't think 10(+/-) acres might be too small. The SUI is supposed to be a transitioning zone so he is not sure about the activities that are allowed for each area.
- Senior Planner Spendlove explained that the struggle was with the farms that are in the SUI zone and want to operate with some agritourism activities, staff didn't know how to limit these farms from something another farm would be allowed to do because they are in the agricultural zone. The Special Use Permit items was the method used to try and address the uses without eliminating things completely.
- Commissioner Grey explained if the parcel is not the actual farm and people are invited to come and visit can and make jam.
- Commissioner Higley asked if the farm is 30 and 10 is designated for agritourism activities, or is it 10 completely.
- Senior Planner Spendlove explained the citizen would come into the office and ask about these activities and staff would ask how many acres they have to work with for the proposed use.
- Commissioner Higley explained if it is 10 acres and then all of a sudden you're operating a business your bringing people to the property. Your promoting business within designated areas that are meant to be farm or to be converted to residential properties.
- Commissioner Munoz explained that there are you pick gardens as well as designated garden area where people are planting, picking and taking care of the garden.
- Commissioner Grey asked if a community garden would fall into this category.
- Senior Planner Spendlove explained the right to farm is protected by the state, he is not sure a community garden is protected by this statute.
- Commissioner Higley explained it shouldn't be a problem if this is secondary to the farm and does not become the primary source of income and the definition is enforced as it is written. He is not sure that someone with 10 (+/-) acres is going to produce enough to make a profitable farm, agritourism cannot become a primary source of income, which is why he thinks 10 (+/-) acres may be too small.
- Commissioner Frank asked what protects the agritourism if a community starts growing closer to them.
- Senior Planner Spendlove explained the right to keep farming would remain in place, if they had a Special Use Permit.
- Commissioner Munoz explained that is why the agritourism needs to be secondary.
- Commissioner Frank explained the transformation that has been brought up in the presentation, and agritourism may become the primary use because farming is evolving so that farms can make money.
- Commissioner Munoz explained if someone has 10 (+/-) acres and can farm and have

the agritourism too great. He also asked about the amplified music definition.

- Senior Planner Spendlove explained if it is an amplified music system used by the farm for their event it would require a Special Use Permit. If it is a customer with amplified music that would be a reason for reporting a disturbance.

Public Hearing: Opened

- Louise Ward, Twin Falls County, stated she works a lot with the farming community and it is true they are trying to do things to survive. She is in support of this request.
- Zoning & Development Management Carraway-Johnson explained that the definition is very specific to the types of uses this change would allow.
- Kirk Tubbs, explained that while growing the produce having people come out and pick their pumpkins is part of the entire process. He explained he currently owns 30(+/-) acres that by cutting off of the portions that are within 750 ft of residential, that would leave him with approximately 4 acres that he could do some type of agritourism event without having to get a Special Use Permit.
- Heide Tubbs, explained that if it is your residence and you have a two acre garden the primary use is your residence. If I have a 30 (+/-) acres farm the primary use is a farm that you happen to live on. Someone should not be able to put up a straw maze because they have an acre. The primary use has to be a farm.

Public Hearing: Closed

Discussions Followed:

- Commissioner Frank explained he thinks 750 ft is unreasonable.
- Commissioner Woods explained that 750 ft is borderline.
- Commissioner Frank clarified whether someone would have to come through this body for approval before starting this type of business.
- Senior Planner Spendlove explained that would only apply if the location of the event falls within 750 ft. of a residential area.
- Commissioner Munoz explained that if the 750 ft. is reduced then the number or requests the Commission would see would be minimal.
- Commissioner Grey explained it is very difficult to know that all of the activity is managed beyond the 750 ft. radius.
- Commissioner Higley explained that his issue is that some of the activities could be long term not just seasonal, which is why he has an issue with 10(+/-) acres.
- Commissioner Musser explained wouldn't it just be easier to make all of these require an SUP. It supports the activity but it controls what occurs. He works for an agricultural lender, they don't look at acreage they look at revenue.
- Commissioner Grey explained he understands that there may be very few of these to begin with, maybe requiring an SUP for everything to begin with and over time revisit the 750 ft. concept.
- Senior Planner Spendlove explained that currently people that own farmland in the area of impact don't have a mechanism to request to do this type of thing. Staff is

looking for a way to allow these types of farms to have these types of events with minimal impact to the neighbors by setting the 750 ft. requirements.

- Mr. Tubbs explained they can still operate as a farm and is protected by state statute. This process came into play when they were trying to provide restrooms for the people that come out to the farm to pick. Because the public is using the bathroom it has to be a commercial bathroom.
- Commissioner Munoz explained he thinks the 750 ft is reasonable and doesn't have to be that all of the uses come in for a Special Use Permit.
- Commissioner Woods explained that after listening to the discussion his original feeling was that 750 ft was not big enough however, there are some activities that 10 ft away would be fine because it is low impact, such as picking vegetables.
- Mr. Tubbs explained that they have classes and things that may become more year round type activities, but the goal was to create a list of uses that could have an impact on the neighbors require a Special Use Permit. They have planting, school tours, lady bug releases and these activities help produce revenue for the farm. The other option is to subdivide the property and put in 114 homes. The goal is to preserve these green spaces.
- Senior Planner Spendlove explained that the 750 ft does not prevent the activity from occurring it just requires a Special Use Permit.
- Commissioner Dawson, explained that she thinks this is a great idea and if someone can make this work with 10 acres or even 3 acres that would be fine. As for the distance, currently if someone wants to serve alcohol onsite and they are within 300 ft of a residence they have to come through for an SUP. She thinks 300 ft is sufficient, if you can drink beer and wine within 300 ft can be more impactful than kids visiting a farm.
- Mr. Tubbs explained most likely with all of this in consideration we will have to come through for a Special Use Permit because they rotate their crops. They would just like to have the opportunity to ask to be able to provide this activity. He thinks the 750 ft radius is too much.
- Commissioner Grey stated he doesn't have a problem with everything coming through for an SUP.
- Commissioner Frank explained that he is not sure that is reasonable because there may only be a few of these that come through.
- Commissioner Grey explained 300' should be the limit.
- Commissioner Higley explained he think that the 300' matches code and that the 10 acres should be removed.

Motion:

Commissioner Dawson made a motion to recommend approval, as presented, with an amendment that the 10 (+/-) acre minimum be removed from the proposed change and that the distance requiring a Special Use Permit be limited to 300 ft. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

Recommended Approval, to City Council, As Amended
City Council Public Hearing December 11, 2017

7) Upcoming Meeting(s)

- a) December 12, 2017 Public Hearing
- a) November 28, 2017 Public Hearing
December 12, 2017 Public Hearing

8) Adjournment

Chairman Frank adjourned the meeting at 8:00 pm

Lisa A. Strickland, Administrative Assistant