



Twin Falls City Council Agenda

Monday, January 8, 2018, 5:00 PM

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

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

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) CONSIDERATION OF AMENDMENTS TO AGENDA
- 4) PROCLAMATIONS
- 5) GENERAL PUBLIC INPUT
- 6) CONSENT CALENDAR
 - a) Request to approve the Accounts Payables for January 1 - 8, 2018
Purpose: Action By: Sharon Bryan, Deputy City Clerk
 - b) Request to approve the January 2, 2018, City Council Minutes.
Purpose: Action By: Sharon Bryan, Deputy City Clerk
 - c) Request to approve a Parks In Lieu for Rio Vista Subdivision for \$35,442.00
Purpose: Action By: Wendy Davis, Parks and Recreation Director
 - d) Request to approve the **final plat** of the K&J Jones Subdivision, A Conveyance Plat consisting of two (2) lots on 37.32 (+/-) acres located at 3067 East 3500 North. c/o Chris Harmison/EHM Engineers, Inc. on behalf of Keith Jones
Purpose: Action By: Rene'e V Carraway-Johnson, Zoning & Development Manager
 - e) Request to accept property from the developers of Pioneer Estates Subdivision, deeding Tract B to the City for park space.
Purpose: Action By: Troy Vitek, Assistant City Engineer
- 7) ITEMS OF CONSIDERATION
 - a) Swearing in of Twin Falls Police Officer Chelsea Akers.
Purpose: Presentation By: Craig Kingsbury, Chief of Police
 - b) Presentation of Operator License Certificates to Dustin Peterson, Masyn Malmstrom, Brent Sanders.
Purpose: Presentation By: Jon Caton, Public Works Director

- c) Twin Falls Urban Renewal Agency Main Avenue Redevelopment Project Update.
Purpose: Informational By: Perrin A. Robinson, PE, CH2M
- d) Update on fire stations and remodels: Programming Committee will give an update on future fire stations and remodel projects.
Purpose: Informational By: Corey Beam, Captain, Jesse Bowman , Driver/Operator
- e) Request to adopt the Resolution authorizing the Mayor to execute the State Local Agreement for Key 20752 Intersection Washington Street and Caswell.
Purpose: Action By: Jackie Fields, City Engineer
- f) Request to award the 2017-07 Eastland Drive North and Pole Line Road: Bitterroot Dr. to Cheney Dr. and Cheny Dr. to Mountain View Dr project to Kloepfer Inc. of Twin Falls, Idaho, in the amount of \$1,977,616.69.
Purpose: Action By: Josh Baird, Staff Engineer, Jon Caton, Public Works Director
- g) Title 10 Code Amendments presentation with possible action.
Purpose: Action By: Jonathan Spendlove, Senior Planner, Mitch Humble, Deputy City Manager

8) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

9) PUBLIC HEARINGS

- a) Request for an **Amendment** to CSI PUD #262-Section 2, to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' on property located at 315 Falls Avenue. College of Southern Idaho c/o Spencer Cutler on behalf of the College of Southern Idaho. (app. 2906)
Purpose: Action By: Jonathan Spendlove, Senior Planner
- b) Request for a **Zoning District Change and Zoning Map Amendment** from C-1 PUD to C-1 for a .22 acre tract located at the south east corner of Canyon Falls Road and Harrison Street. c/o Ryan Bybee. (app. 2908)
Purpose: Action By: Jonathan Spendlove, Senior Planner
- c) Request for a **Vacation** of a 15' x 264', 3,960 sq ft, public utility easement to allow commercial development of property located at the southeast corner of Canyon Falls Drive and Harrison Street. c/o Ryan Bybee. (app. 2909)
Purpose: Action By: Jonathan Spendlove, Senior Planner
- d) Request for a **Zoning Title Amendment** to add "Wedding Chapels and Event Centers" to the SUI District 10-4-2.2 (B)5 as allowed by Special Use Permit and to add to Title 10-2-1 the definition of "Wedding Chapel and Event Center". BBR, LLC c/o Louise Ward. (app. 2911)
Purpose: Action By: Jonathan Spendlove, Senior Planner

10) ADJOURNMENT

- a) Request to adjourn to Executive Session 74-206 (1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

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 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, 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

Tuesday, January 2, 2018, 5:00 PM

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

1) 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 Brian Pike, City Attorney Fritz Wonderlich, Deputy City Clerk Sharon Bryan

Mayor Barigar called the meeting to order at 5:02 PM
A quorum was present.

2) PLEDGE OF ALLEGIANCE

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

3) CONSIDERATION OF AMENDMENTS TO AGENDA - NONE

4) PROCLAMATIONS: None

5) GENERAL PUBLIC INPUT

Tammy Billman, Twin Falls, expressed concerns with the lack of communication regarding moving trash cans.

Mayor Barigar asked staff to meet with Tammy Billman.

6) CONSENT CALENDAR:

MOTION:

Councilmember Reid moved to approve the Consent Calendar as presented. Councilmember Lanting seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- a) Request to approve the Accounts Payable for December 19-31, 2017.
- b) Request to approve the December 18, 2017, City Council Minutes.
- c) Request to accept the Improvement Agreement for the purpose of developing **Locust Grove North Subdivision**.

- d) Request to approve the Findings of Fact and Conclusions of Law for: a) Locust Grove North Subdivision (Final Plat), b) Northeast Investments, LLC (PUD Amendment), and c) Temple View Subdivision (Final Plat)

7) ITEMS OF CONSIDERATION:

- a) Swear in new Council Members

Deputy City Clerk Bryan swore in Councilmembers Suzanne Hawkins, Greg Lanting and Christopher Reid then presented them with a Certificate of Election.

- b) Select Mayor

City Manager Rothweiler explained the process to select Mayor.

City Attorney Wonderlich explained the election/voting process.

Discussion ensued on the following:

Election vs approval.

Votes need to be public.

Six-member Council tie vote.

Discussion before and after voting.

Elect the Mayor.

Mayor Barigar stepped down and Councilmember Lanting presided over meeting.

Councilmembers Chris Talkington, Suzanne Hawkins and Shawn Barigar spoke on why they would like to be Mayor.

Upon roll call vote the vote was as follows:

Chris Talkington - 1 Vote

Suzanne Hawkins - 2 Votes

Shawn Barigar - 3 Votes

Shawn Barigar with 3 votes was elected Mayor.

- c) Appointment of Vice Mayor

Mayor Barigar asked for approval on the appointment of Vice Mayor Nikki Boyd.

MOTION:

Councilmember Talkington moved to approve the appointment of Nikki Boyd to be Vice Mayor. Council Member Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

8) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

Councilmember Talkington thanked Shorty for making sure that the United States Flag was in the New City Council Chambers.

MOTION:

Councilmember Talkington moved to name Shorty Honorary Color Guard. Councilmember Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

City Manager Rothweiler asked that City Council let Staff know when they are going to be absent.

9) PUBLIC HEARINGS: None

10) ADJOURNMENT

The meeting adjourned at 05:55: PM

Sharon Bryan, Deputy City Clerk



Date: Monday, January 8, 2018
To: Parks and Recreation Commission
From: Wendy Davis

Request:

Request to approve a Parks In Lieu for Rio Vista Subdivision for \$35,442.00

Time Estimate:

N/A

Background:

Rio Vista Subdivision is a mixed use ZDA similar to others in the area combining commercial and retail use with residential units consisting of approximately 15 single family homes and 40-50 multi family units such as apartments or condos. Rio Vista is located north of Pole Line Road East, east of Bridgeview (see attached vicinity map).

Due to the size of the parcel required and the fact that the subdivision design includes some open area to be maintained by the owners, the developer is requesting to make a parks in lieu contribution.

The Parks and Recreation Commission heard this request in November. They approved the request in concept and with the caveat that some questions be asked regarding the applicant's calculation, and the request for the 50% discount. Upon meeting with the applicant and further review it was determined that the application does not meet the criteria to qualify for the discount, so the Parks In Lieu Request for \$35,442 is correct.

In accordance with City Code Section 10-12-3-11 Section F: The city council may, at their discretion, approve and accept cash contributions in lieu of park land with improvements, which contributions shall be used for park land acquisition and/or park improvements within the boundaries of the arterial streets in which the development is located. In the event that no such facilities or needs are so located, the director may propose a budgeted expenditure to apply the funds to needs identified at any such facility existing within one mile of the boundaries of the project from which the funds originated. If the director determines that no reasonable use exists within the extended geographical area, the director shall, with the approval of the parks and recreation commission, propose to the city council a specific application for the funds which need not be limited geographically, and may include such use as future land acquisition. The fee structure for cash contributions for acquisition of park land shall be the appraised value of the required land area at the time of the application. The development may qualify for a 50% reduction on their cash contribution in lieu of park land if the development met all criteria to be called an "in fill" development. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant. The fee structure for park improvements, including all costs of acquisition, construction and all related costs, shall be based upon the estimated costs of an approved improvement provided by a qualified contractor and/or vendor. (Ord. 2954, 11-3-2008)

Approval Process:

A majority vote of the council will approve this request.

Budget Impact:

Approval will result in a \$35,442.00 Parks In Lieu Contribution to be used in the development nearby parks such as the three acres adjacent to the Preserve Trail Head.

Regulatory Impact:

Approval of this request will allow developer to proceed.

History:

N/A

Analysis:

N/A

Conclusion:

Parks and Recreation Commission recommends Council approval.

Attachments:

1. Rio Vista Parks In Lieu Application

Rio Vista



Date: 11.7.17

PARKS IN LIEU CONTRIBUTION APPLICATION-2014

Subdivision Name: RIO VISTA SUBDIVISION, & ZDA

Number of Dwelling/Household Units/Acres: (38T) 15 RES SIM 1 (28.80T) 14.60 RES

Developer: JOHN LEZAMIE

Address/Phone #: 136 BRIDON WAY, JEROME, ID 83338

Appraiser: PERKINS APPRAISALS

Address/Phone #: 740 CRYSTAL CT, KIMBERLY, ID 83341
208-948-0810

As per Twin Falls City Code Title 10; Chapter 12; Section 3.11 ... "No residential plat shall be approved unless it includes provision for parks and stormwater retention/detention. " ... The city council may, at their discretion, approve and accept cash contributions in lieu of developed park land with improvements. "

The following items shall be included with this Parks in Lieu Contribution application. It is the responsibility of the developer to see that all required information is provided to the city at the time of submittal of the Parks in Lieu Contribution application. An incomplete application will not be accepted by the City Administrator.

The City of Twin Falls allows two (2) different types of requests for Parks In Lieu cash contributions, as per TF City Code 10-12-3.11. Please mark an X by the type of request you are going to use; #1 or #2:

1. ☒ I am requesting approval of a Parks In Lieu contribution without walking/bicycle trails, using the following Contribution Formula:

- (a) Determine the per acre appraised value of the Land in the development.
See 10-12-3-11 (F). Appraisal value of the Land: (L) 22,000
(b) The current Park Development cost is \$31,700 per acre. (PD) \$31,700
(c) Total the number of Household units in the development. (H) 33+18+15=66

1-The proposed Cash Contribution using #1: (L+PD)(H)(.01) (CC) \$ 35,442.00

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

The City of Twin Falls allows for a 50% reduction in the cash contribution, as per 10-12-3.11(G), subject to meeting ALL FIVE (5) CRITERIA:

1. The number of household units must be eight (8) or less per acre, as identified on the preliminary plat.
2. Development shall be located within city limits.
3. Development shall not border an arterial street.
4. Development shall not border the city limits.
5. Development must not have been converted from agricultural land. (Ord. 3034, 7-16-2012)

If development qualifies for the 50% reduction, divide Cash Contribution (CC) amount by two (2). 17721.00

2. _____ I am requesting approval of a Parks In Lieu mixed contribution consisting of cash and developed walking/bicycle trails, using the following Contribution Formula:

- (a) Determine the per acre appraised value of the Land in the development.
See 10-12-3-11 (F). Appraisal value of the Land: (L) _____
- (b) The current Park Development cost is \$31,700 per acre. (PD) \$31,700
- (c) Total the number of Household units in the development. (H) _____

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

- (d) Developed Trail Cost:
- i. Cost of land underneath the trail (per square foot): (A) _____
 - ii. Cost to develop the trail (per square foot): (B) _____
- Developed Trail Cost = (A + B) (total trail cost per square foot): (TC) _____

- (e) Land Portion = (L)(H)(0.01) - (TC) (LP) _____
Note: Land portion cannot be less than 50% of (L)(H)(.01).

- (f) Park Improvement Portion = (31,700)(H)(.01): (PIP) _____

- (g) Land Portion + Park Improvement portion (LP + PIP) = _____

2-The proposed Cash Contribution using #2: (CC) \$ _____

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

Parks In Lieu contribution must be made prior to final plat recordation.

PRIOR TO SUBMITTAL OF THIS APPLICATION HAVE YOU:

- ... Talked to the Parks & Recreation Department about the requirements?
- ... Enclosed a copy of the appraiser's value for the land.
- ... Enclosed a copy of bid/material costs to construct walking path/bike trail.

Date Submitted: _____

City Council Agenda Date: _____

Application accepted by City Administrator: _____

Engineering Approval: _____

APPRAISAL OF REAL PROPERTY



LOCATED AT

3000 E 4100 N
Twin Falls, ID 83301
Sec 34 T 9 R17 W 15A of Lot 5

FOR

John Lezamiz

Twin Falls, ID 83301

AS OF

10/10/2017

BY

Michael Kip Perkins
Perkins Appraisals
740 Crystal Ct
Kimberly, ID 83341
208-948-0810
perkinskip@yahoo.com

Client	John Lezamiz	File No.	1012201701
Property Address	3000 E 4100 N		
City	Twin Falls	County	Twin Falls
		State	ID
Lender/Client	John Lezamiz	Zip Code	83301

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Perkins Appraisals
740 Crystal Ct
Kimberly, ID 83341
208-948-0810

10/14/2017

John Lezamjz
Twin Falls, ID 83301

Re: Property: 3000 E 4100 N
Twin Falls, ID 83301
Borrower:
File No.: 1012201701

Opinion of Value: \$ 22,000
Effective Date: 10/10/2017

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

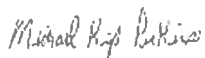
The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Since  design.alamode.com/verify Serial: B48E6DCB



Michael Kip Perkins
License or Certification #: CRA-3799
State: ID Expires: 09/01/2018
perkinskip@yahoo.com

Serial#
 design.alamode.com/verify



DATE: MONDAY, JANUARY 08, 2018

To: Honorable Mayor and City Council

From: Rene'e V. Carraway-Johnson, Zoning & Development Manager

CONSENT ITEM

Request: Consideration of the final plat of the K & J JONES Subdivision, A Conveyance Plat consisting of two (2) lots on 37.32 (+/-) acres located at 3067 EAST 3500 NORTH, c/o Chris Harmison/EHM Engineers, Inc. on behalf of Keith Jones

Background:

Applicant: Keith Jones 2559 Pineridge Dr Twin Falls, Id 83301 akjones@live.com 208-280-2030 Representative: Chris Harmison On behalf of EHM Engineers, Inc. 621 N. College Rd, St 100 Twin Falls, Idaho 83301 734-4888 charmison@ehminc.com	Status: Owner	Size: 37.32 (+/-) acres
	Zoning: R-1 VAR within the Area of Impact	Requested Zoning: Approval of a conveyance plat
	Comprehensive Plan: Medium Density Residential	Lot Count: 2 lots
	Existing Land Use: Residential & Agricultural	Proposed Land Use: No change at this time
Applicable Regulations: 10-1-4, 10-1-5, 10-4-3, 10-12-2.5		
Zoning Designation & Surrounding Land Use(s)	North: R-1 Var Aol; 3500 N Road/ Agricultural	East: R-1 Var Aol; agricultural/ residential
	South: R-1 Var Aol/TF County; TF Canal/agricultural in Cnty	West: R-1 Var Aol; agricultural

Approval Process:

1-TF City Code Title 10; Chapter 12-Subdivision Regulations; Section 2.5-Conveyance Plat; (A), (G), (H), (I):

(A)Purpose - Intent: A conveyance plat may be used for the purpose of subdividing land and the recording of same, or recording a single existing lot or parcel created by other means. A conveyance plat may be used to convey the property or interests therein; however, a conveyance plat does not constitute approval for development of the property and is not intended for immediate development. A conveyance plat is an interim step in the subdivision and development of land.

(G)Council Action: The council shall approve, approve conditionally, disapprove or table the conveyance plat for additional information. A copy of the approved plat shall be filed with the administrator. Upon granting or denying the 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.

(H)Approval Period: The plat shall be filed with the county recorder within one year after written approval by the council; otherwise, such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the subdivider and granted by the council.

(I)Platting Rules: The subdivider shall follow all the state and local platting rules when recording the plat. Refer to section 10-12-2-4 of this chapter for additional information and requirements. (Ord. 2901, 4-16-2007)

History:

There is no know history of this property.

Budget Impact:

Approval of this request will not impact the City budget at this time.

Regulatory Impact:

Approval of this request will allow the applicant to proceed with the recordation of the conveyance plat and the selling/deeding of the property as 2 lots.

Analysis:

This is a request for approval of the conveyance plat of the K&J Jones Subdivision, A Conveyance Plat. The property is zoned R-1 Var within the Area of Impact. The site consists of 37 +/- acres and is an active farm with a single-family residence. The applicant wishes to split the farm into two (2) parcels as shown on the attached final plat exhibit. A conveyance plat may be used for the purpose of subdividing land and the recording of same, or recording a single existing lot or parcel created by other means. A conveyance plat may be used to convey the property or interests therein; however, a conveyance plat does not constitute approval for development of the property and is not intended for immediate development. A conveyance plat is an interim step in the subdivision and development of land.

The proposed conveyance plat consists of 37.32 (+/-) acres subdivided into two (2) lots – Lot 1 is 2.40 acres, which includes the existing single-family residence and Lot 2 is 34.92 (+/-) acres, which is an active farm. Staff has been working with the owner of this property who has expressed an interest in possibly selling a portion of the property. There is no plan to subdivide further at this time.

Approval of the conveyance plat will allow the plat to be recorded and only then may the sale or deeding of property occur.

The plat is consistent with other development in the area and is in conformance with the Comprehensive Plan.

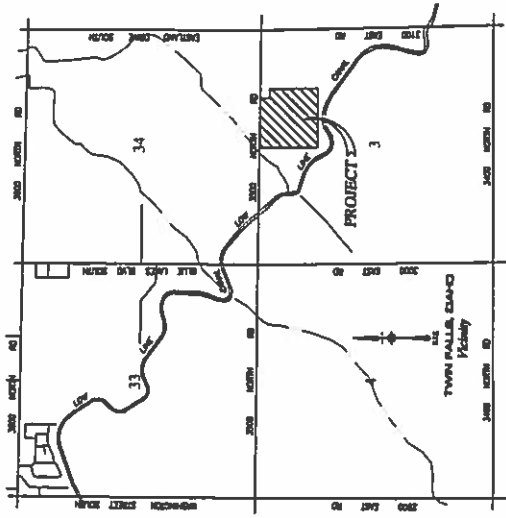
Conclusion:

Staff recommends approval of the final plat of K&J Jones Subdivision, A Conveyance Plat, as presented, subject to the following conditions:

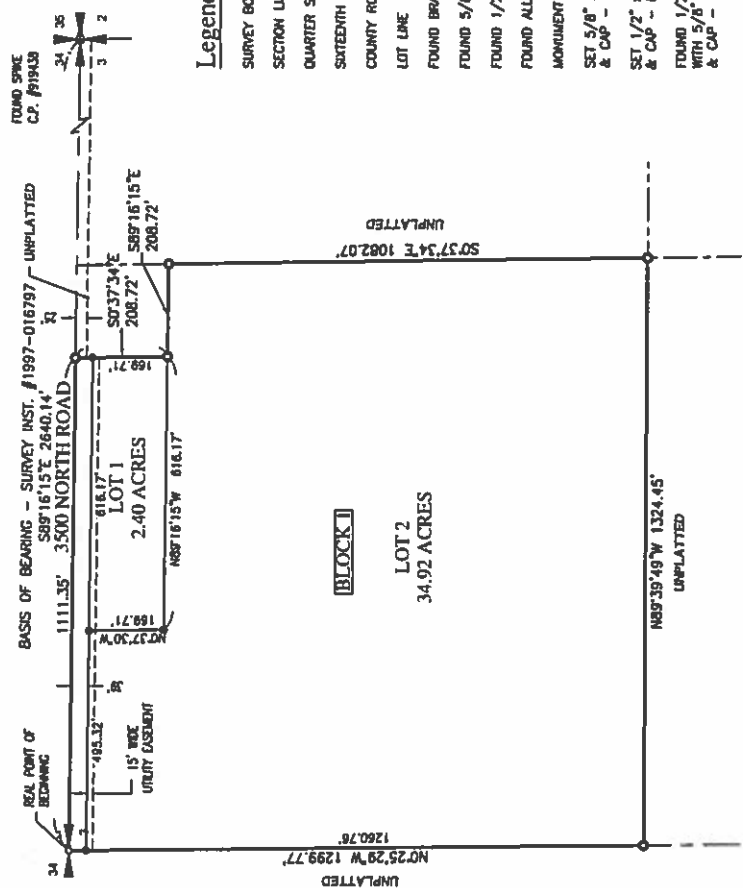
1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements as approved by the Engineering Department, being recorded as shown on the plat.
3. Subject to the conditions specified by the Twin Falls Highway Dist., letter dated Nov 1, 2017.

Attachments:

1. K&J Jones Conveyance Plat
2. TF Hwy Dist. letter dated 11/1/2017
3. Area Zoning Map



CONVEYANCE PLAT
K & J JONES SUBDIVISION
 Located In
 A Portion of
 Gov't Lot 2, Section 3
 Township 11 South, Range 17 East
 Boise Meridian
 Twin Falls County, Idaho
 2018



Legend

- SURVEY BOUNDARY LINE
- SECTION LINE
- QUARTER SECTION LINE
- SIXTEENTH SECTION LINE
- COUNTY ROAD EASEMENT LINE
- LOT LINE
- FOUND BRASS CAP
- FOUND 5/8" REBAR (AS NOTED)
- FOUND 1/2" REBAR (AS NOTED)
- FOUND ALUMINUM CAP
- MONUMENT (AS NOTED)
- SET 5/8" x 24" REBAR & CAP - LS 10110
- SET 1/2" x 24" REBAR & CAP - LS 10110
- FOUND 1/2" REBAR - REPLACED WITH 5/8" x 24" REBAR & CAP - LS 10110

Survey References

- (1) #1993-002791
- (2) #1997-016797
- (3) #1998-014395
- (4) #1998-017821
- (5) #2000-003558
- (6) #2007-013854
- (7) #2008-019522

Conveyance Plat Note:

"A CONVEYANCE PLAT IS A RECORD OF PROPERTY APPROVED BY THE CITY OF TWIN FALLS, IDAHO, FOR THE PURPOSE OF SALE OR CONVEYANCE IN ITS ENTIRETY OR INTERESTS THEREON. DEFINED NO BUILDING PERMIT SHALL BE ISSUED UNTIL A FINAL PLAT IS APPROVED. FILED OF RECORD AND PUBLIC IMPROVEMENTS ACCEPTED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 10 OF THE CITY OF TWIN FALLS CITY CODE, SELLING A PORTION OF THIS PROPERTY BY METES AND BOUNDS, EXCEPT AS SHOWN ON AN APPROVED, FILED AND ACCEPTED CONVEYANCE PLAT IS A VIOLATION OF CITY CODE."

Health Certificate

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13 ARE IN FORCE FOR LOTS 2. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING OR SHED WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH PREMISES UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED.

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED FOR LOTS 1. SANITARY RESTRICTIONS MAY BE RE-APPOSED, IN ACCORDANCE WITH SECTION 50-1328, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DESAPPROVAL.

RENS, SOUTH CENTRAL PUBLIC HEALTH DISTRICT

DATE:



EHM Engineers, Inc.



CERTIFICATE OF OWNERS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OR REPRESENTATIVE OF THE OWNERS IN FEE SIMPLE OF THE FOLLOWING DESCRIBED PROPERTY, LOCATED IN A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 11 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO, SAID PROPERTY BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 3, SAID CORNER LIES NORTH 89°16'15" WEST 2840.14 FEET FROM THE NORTH-EAST CORNER OF SAID SECTION 3;

THENCE, SOUTH 89°16'15" EAST 1111.35 FEET ALONG THE NORTH BOUNDARY OF SAID GOVERNMENT LOT 2;

THENCE, LEAVING SAID NORTH BOUNDARY, SOUTH 00°37'34" EAST 208.72 FEET ALONG A LINE PARALLEL WITH THE EAST BOUNDARY OF SAID GOVERNMENT LOT 2;

THENCE, SOUTH 89°16'15" EAST 208.72 FEET ALONG A LINE PARALLEL WITH SAID NORTH BOUNDARY OF GOVERNMENT LOT 2 TO A POINT ON SAID EAST BOUNDARY OF GOVERNMENT LOT 2;

THENCE, SOUTH 00°37'34" EAST 1082.07 FEET ALONG SAID EAST BOUNDARY TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2;

THENCE, NORTH 89°39'49" WEST 1324.45 FEET ALONG THE SOUTH BOUNDARY OF SAID GOVERNMENT LOT 2 TO THE SOUTHWEST CORNER THEREOF;

THENCE, NORTH 00°25'29" WEST 1299.77 FEET ALONG THE WEST BOUNDARY OF SAID GOVERNMENT LOT 2 TO SAID REAL POINT OF BEGINNING.

THE GROSS AREA CONTAINED IN THIS PLATTED LAND AS DESCRIBED IS 37.32 ACRES.

IT IS THE INTENTION OF THE UNDERSIGNED TO, AND THEY DO HEREBY INCLUDE SAID LAND IN THIS PLAT, THAT THE UNDERSIGNED BY THESE PRESENTS DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE ROAD RIGHTS OF WAY AS SHOWN ON THIS PLAT. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES DESIGNATED ON THIS PLAT, NO STRUCTURE OTHER THAN FOR SUCH UTILITY AND OTHER DESIGNATED PUBLIC USES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

PURSUANT TO IDAHO CODE 50-1334, WE, THE UNDERSIGNED, AS OWNERS, DO HEREBY STATE THAT THE INDIVIDUAL LOTS ON THIS PLAT WILL NOT BE SERVED BY ANY WATER SYSTEM COMMON TO ONE (1) OR MORE LOTS BUT WILL BE SERVED BY INDIVIDUAL WELLS.

PURSUANT TO IDAHO CODE 31-3806, WE, THE UNDERSIGNED, AS OWNERS, DO HEREBY STATE THAT THE IRRIGATION WATER RIGHTS APPURTENANT AND THE ASSASSMENT OBLIGATION OF THE LANDS IN THIS PLAT HAVE NOT BEEN TRANSFERRED FROM SAID LANDS AND THAT A SATISFACTORY IRRIGATION WATER DELIVERY SYSTEM IS PROVIDED FOR AND HAS BEEN APPROVED BY THE TWIN FALLS CITY COUNCIL. LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE TWIN FALLS CANAL COMPANY.

BY: KATH JONES

BY: JUANITA JONES

ACKNOWLEDGMENT

STATE OF _____ } ss
COUNTY OF _____

ON THIS _____ DAY OF _____, 2018, AT _____, IDAHO, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID STATE, PERSONALLY APPEARED KATH JONES AND JUANITA JONES, HUSBAND AND WIFE, KNOWN OR IDENTIFIED TO ME TO BE THE PERSONS, WHOSE NAMES SUBSCRIBED TO THE FOREGOING CERTIFICATE, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC

RESIDING AT _____

COMMISSION EXPIRES _____



EHM Engineers, Inc.

CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, CHRISTOPHER S. HARRISON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, MADE THE SURVEY OF THE LAND DESCRIBED IN THE CERTIFICATE OF OWNER AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY AS MADE AND STAKED UNDER MY SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



COUNTY SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED, COUNTY SURVEYOR IN AND FOR TWIN FALLS COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLES WITH THE STATE OF IDAHO CODE RELATED TO PLATS AND SURVEYS.

GEORGE A. YERSON
COUNTY SURVEYOR

DATE

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF) ss
ON THIS DAY OF 2018, AT TWIN FALLS, IDAHO, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GEORGE A. YERSON, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.
IN WITNESS WHEREOF, I HAVE HEREINTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC

RESIDING AT

COMMISSION EXPIRES

APPROVAL OF CITY COUNCIL

THIS PLAT WAS ACCEPTED AND APPROVED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THIS DAY OF 2018.

MAYOR

CITY CLERK

APPROVAL OF CITY ENGINEER

I HAVE REVIEWED THE ACCOMPANYING PLAT AND HEREBY CERTIFY THAT IT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF TWIN FALLS, IDAHO.

CITY ENGINEER

ATTEST



EHM Engineers, Inc.

HIGHWAY DISTRICT APPROVAL

THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED BY THE TWIN FALLS HIGHWAY DISTRICT BOARD OF COMMISSIONERS, BUT IN NO WAY OBLIGATES THE TWIN FALLS HIGHWAY DISTRICT UNTIL THE TRAVEL WAYS ARE OFFICIALLY APPROVED AND DECLARED OPEN.

DATED THIS DAY OF 2018

CHAIRMAN

CLERK

COUNTY TREASURER'S CERTIFICATE

I, COUNTY TREASURER IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ALL COUNTY PROPERTY TAXES DUE FOR THE PROPERTY INCLUDED IN THIS PLAT HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY DAYS ONLY.

COUNTY TREASURER

DATE

COUNTY COMMISSIONER'S APPROVAL

THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED BY THE BOARD OF COMMISSIONERS OF TWIN FALLS COUNTY, IDAHO. THIS DAY OF 2018.

CHAIRMAN

CLERK

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NO. }
STATE OF IDAHO } ss
COUNTY OF TWIN FALLS }

ON THIS DAY OF 2018, AT TWIN FALLS, IDAHO, THE FOREGOING PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF TWIN FALLS COUNTY, IDAHO AND DULY RECORDED IN PLAT BOOK PAGE ON

DEPUTY

EX-OFFICIO RECORDER

TWIN FALLS HIGHWAY DISTRICT
2620 KIMBERLY ROAD
TWIN FALLS, IDAHO 83301
PHONE: 208-733-4062
FAX: 208-733-4934
EMAIL: tthwy@twinfallshd.org



"YOUR ROADS OUR JOB"

DAVID BURGESS, CHAIRMAN AND
COMMISSIONER
ARTHUR R. BAILY, COMMISSIONER
BRIAN DAVIS, COMMISSIONER
BRIAN LANCASTER, DIRECTOR
MELLISSA BAECHT, SECRETARY-TREASURER

11/1/2017

RECEIVED

NOV 06 2017

CITY OF TWIN FALLS
PLANNING & ZONING

Renee' Carraway, Manager
Twin Falls City Planning and Zoning
324 Hansen St. E.
P.O. Box 1907
Twin Falls, ID 83303

RE: K & J Jones Subdivision

Ms. Carraway,

The Twin Falls Highway District Commissioners reviewed and approved the proposed conveyance plat for the K&J Jones Subdivision providing the following conditions are met:

- Establish a permitted approach with a culvert for the farm land that meets Twin Falls Highway District Standards.
- Clean out existing pipes on both ends in the driveway to the home.
- Remove rubbish burn pile from the right-of-way and create adequate drainage.

If you have any questions please contact my office at 208-733-4062.

Sincerely,

Brian Lancaster
Director

BL/jdw

CC: EHM Engineers

R-1 VAR

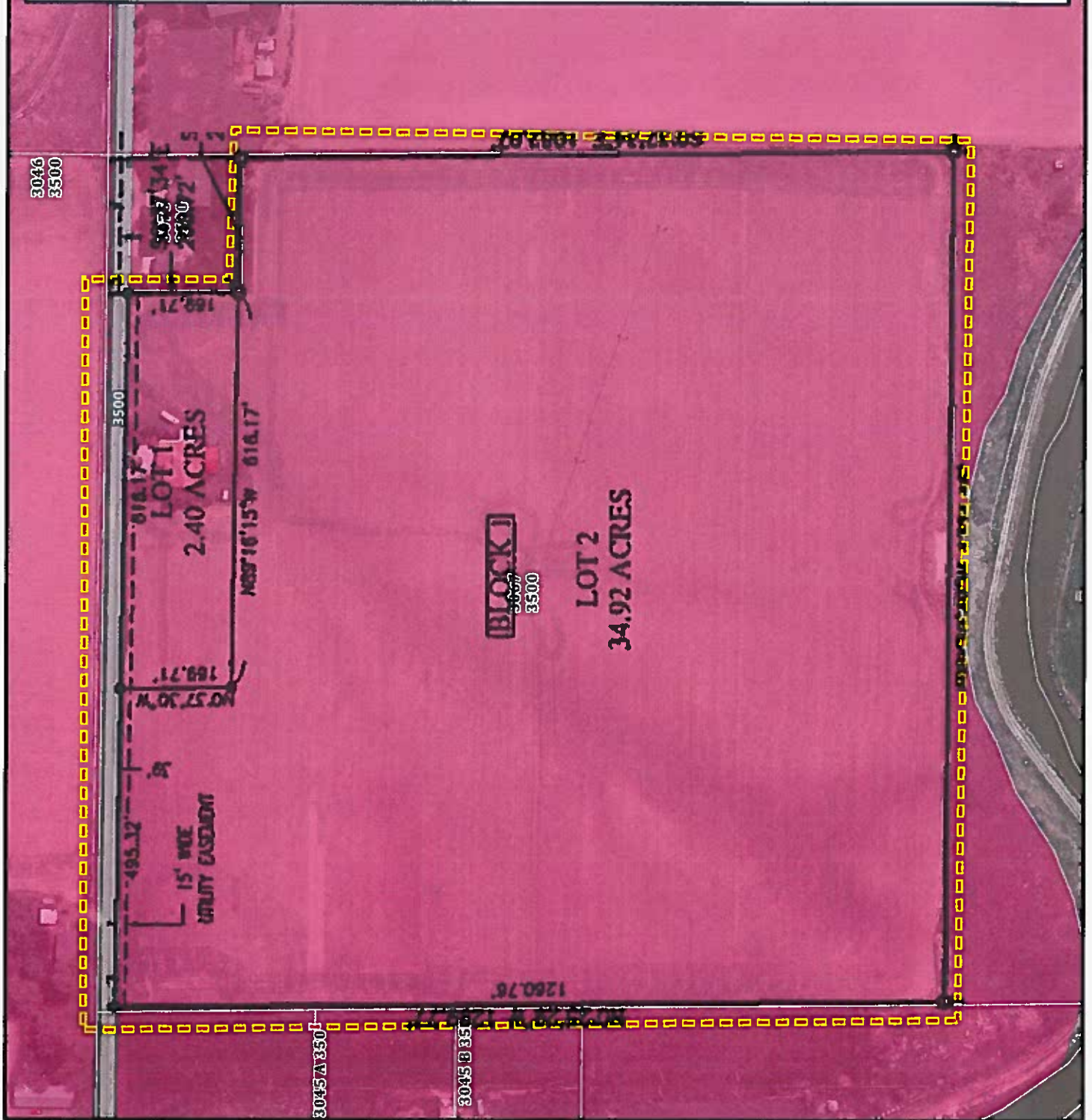


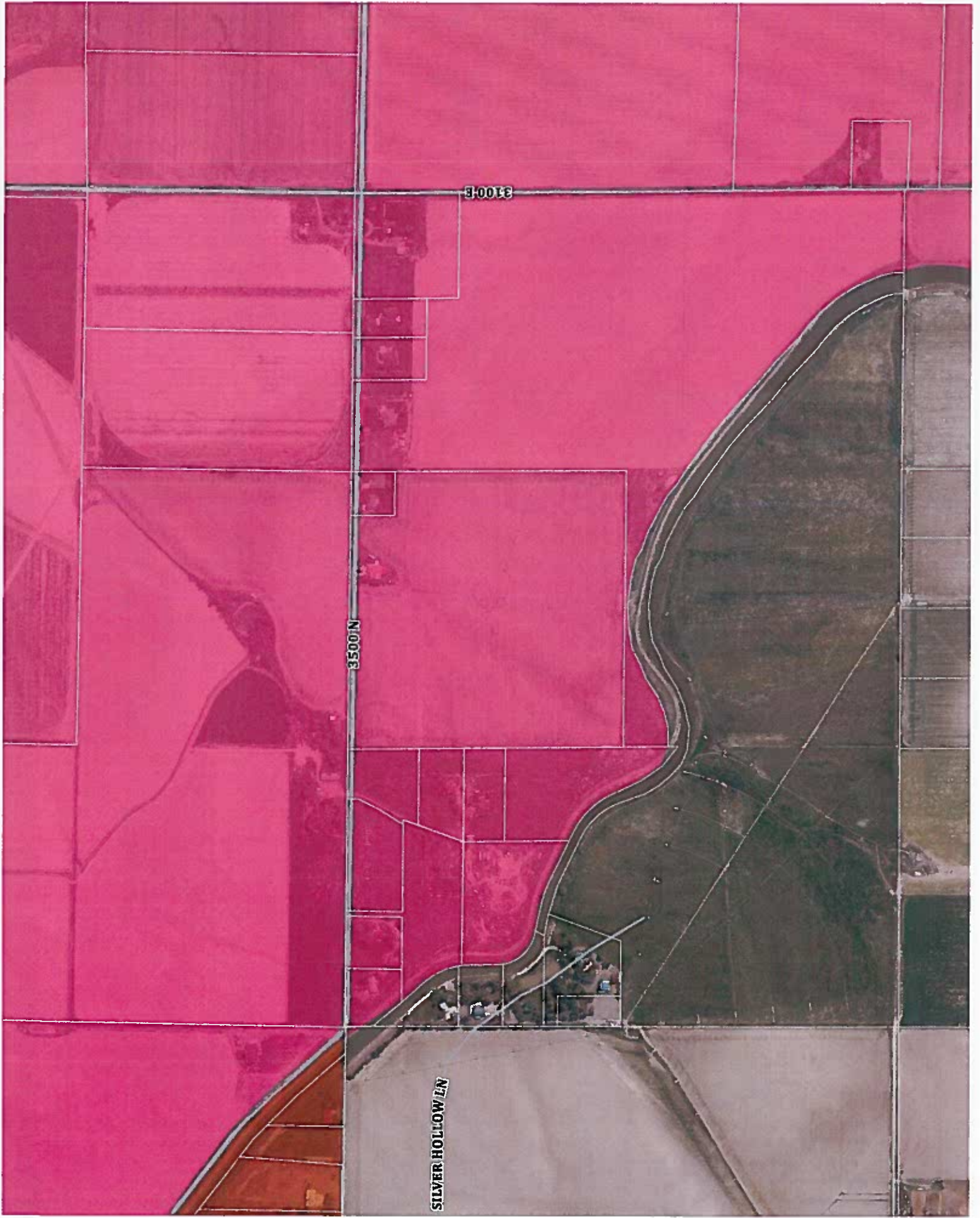
0 250

Feet



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**





2017-020244

No. Pages: 2 Fee: \$ 15.00

KRISTINA GLASCOCK

County Clerk

Deputy: SWADE

QUITCLAIM DEED

For Value Received

TitleFact, Inc. a Corporation duly organized and existing under the laws of the State of Idaho, Trustee for the benefit of THE GROUP, LLC, an Idaho Limited Liability Company

does hereby convey, release, remise and forever quit claim unto

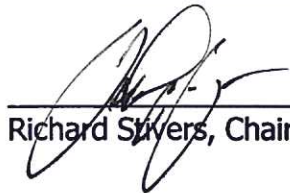
City of Twin Falls, Idaho

hereinafter called the Grantee whose current is: 305 3rd Avenue East, Twin Falls, ID 83301,
the following described premises situated in Twin Falls County, Idaho, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

Together with their appurtenances.

Dated: 12/11, 2017



Richard Stivers, Chairman of the Board

STATE OF IDAHO)
COUNTY OF Twin Falls) ss.

On this 11th day of December, in the year of 2017 before me, a Notary Public in and for said State, personally appeared Richard Stivers, known or identified to me, to be the Chairman of the Board of the said Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same as Trustee.

Nancy Telling
Notary Public of Idaho
Residing at: Murtaugh
Commission Expires: 12/5/23





THE LAND GROUP, INC.

November 13, 2017
Project No. 207026

CITY OF TWIN FALLS
LOT LINE ADJUSTEMENT
PARCEL 1

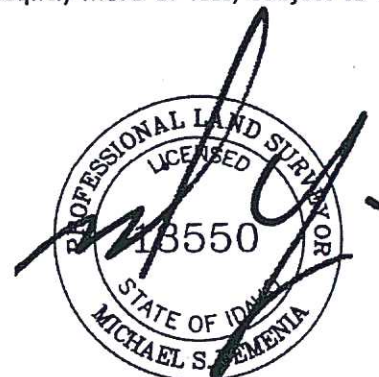
Being a portion of Lot 9, 10 AND all of Tract "B", Block 2, of Pioneer Estates Subdivision (PES), as recorded in Records of Twin Falls County, Idaho, Inst.# 2013-013968, in the Northeast One Quarter of Section 11, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho more particularly described as follows:

COMMENCING at the Northeasterly corner of said Pioneer Estates Subdivision; thence on the north boundary line of said PES, North 88°46'20" West, 826.80 feet, to the northeasterly corner of said Tract "B", and the POINT OF BEGINNING;

Thence leaving said north boundary line, South 55°07'13" East, 220.60 feet, to a point on the northerly Right-of-Way line of Sunray Loop, and a point of curvature;
Thence on said Right-of-Way line, 17.03 feet on the arc of a curve to the left, having a radius of 90.00 feet, a central angle of 10°50'25" and whose long chord bears South 35°49'58" West, 17.00 feet;
Thence leaving said Right-of-Way line, North 55°07'13" West, 151.21 feet;
Thence South 24°50'17" West, 115.23 feet;
Thence South 29°31'14" East, 75.87 feet, to a point on the northeasterly boundary line of Tract "D" of Morning Sun Subdivision Number 3, as recorded in records of Twin Falls County, Idaho, Book 19, Page 24;
Thence on said northeasterly boundary line, North 34°44'14" West, 143.01 feet;
Thence North 12°09'12" West, 110.48 feet, to the northwesterly corner of aforementioned Tract "B";
Thence on the aforementioned north boundary line, South 88°46'20" East, 68.81 feet, to THE POINT OF BEGINNING.

The above described parcel of land contains 0.34 acres (14618sq.ft.) more or less, subject to all existing easements and rights-of-way of record.

PREPARED BY:
THE LAND GROUP, INC.
Michael S. Femenia



11/13/2017

Plat Showing

PIONEER ESTATES SUBDIVISION

Being Lot 17, Block 3 of Morning Sun Subdivision Number 3, and a Portion of the SW 1/4 of the NE 1/4 of Section 11 Township 10 South, Range 17 East, B.M., City of Twin Falls, Twin Falls County, Idaho 2013

Health Certificate

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 ARE IN FORCE FOR LOTS 1-20, BLOCK 3, LOTS 1-14, BLOCK 3, TRACT A, TRACT B, AND OWNER SHALL CONSTRUCT AND MAINTAIN SANITARY RESTRICTIONS TO THE SATISFACTION OF THE CITY OF TWIN FALLS, IDAHO. FOR PERSONS USING SUCH PREMISES UNTIL SANITARY RESTRICTIONS REQUIREMENTS ARE SATISFIED.

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED FOR LOTS 1-4, BLOCK 1, SANITARY RESTRICTIONS MAY BE REMOVED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

REIS, SOUTHERN CENTRAL PUBLIC HEALTH DISTRICT

DATE 7/16/13

Legend

- ▲ CALCULATED POINT
- FOUND BRASS CAP
- FOUND ALUMINUM CAP
- FOUND 1/2" STEEL PIN
- FOUND 5/8" STEEL PIN AS NOTED
- SET 5/8" STEEL PIN W/PC MARKED "HIC PLS 14216"
- 5/8" STEEL PIN W/PC MARKED "HIC PLS 14216" - TO BE SET
- 1/2" STEEL PIN W/PC MARKED "HIC PLS 14216" - TO BE SET
- LOT NUMBER

Block 1

- W/PC WITH YELLOW PLASTIC CAP
- W/PC WITH ORANGE PLASTIC CAP

- SUBDIVISION BOUNDARY
- ADJACENT SUBDIVISION BOUNDARY
- SECTION LINE
- CENTERLINE OF STREET
- INTERIOR LOT LINE
- DEDICATED RIGHT-OF-WAY LINE
- UTILITY, DRAINAGE AND IRRIGATION EASEMENT LINE
- TWIN FALLS CANAL COMPANY EASEMENT LINE
- MATCH LINE

Easement Legend

- 15' UTILITY, DRAINAGE AND IRRIGATION EASEMENT
- 20' UTILITY, DRAINAGE AND IRRIGATION EASEMENT

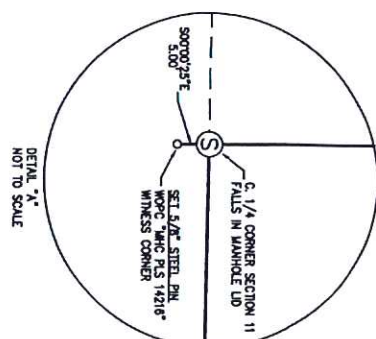
TWIN FALLS COUNTY
THE LAND GROUP
2013-013968
No. 2013-013968
KARIN K. GILBERT
County Clerk
Brynn Dwyer

DEVELOPER:
THE LAND GROUP, INC.
3323 MEADOWRIDGE LANE
TWIN FALLS, IDAHO 83401
PHONE: (208) 734-5163
CONTRACT: DDOU STRAND

THE LAND GROUP, INC.
14216
11.30.2012
Professional Land Surveyor
State of Idaho
No. 14216
KARIN K. GILBERT
County Clerk
Brynn Dwyer

PN: 207026

SHEET 1 OF 5



Monument Certification
THE INTERIOR MONUMENTS ON THIS PLAT SHOWN AS TO BE SET WILL BE SET IN ACCORDANCE WITH IDAHO CODE SECTION 50-1331, AS DETERMINED BY THE CITY OF TWIN FALLS, IDAHO.



FIRST AMENDED
WOODLAND HILLS SUBDIVISION
BOOK 18 PAGE 11

CARRIAGE LANE NORTH
BASIS OF BEARING
MORNING SUN SUBDIVISION NUMBER 4
N 00°00'25" W 2547.92'

W 1/4 CORNER SECTION 11
C.P. & No. 2012-014651

W 1/4 CORNER SECTION 11
C.P. & No. 2012-014651

W 1/4 CORNER SECTION 11
C.P. & No. 2012-014651

W 1/4 CORNER SECTION 11
C.P. & No. 2012-014651

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C.P. & No. 2012-014651

W 1/4 CORNER SECTION 11
C.P. & No. 2012-014651

W 1/4 CORNER SECTION 11
C.P. & No. 2012-014651

Sheet Index

- SUBDIVISION BOUNDARY AND CORNER SHEET
- SHEET 1
- SHEET 2
- SHEET 3
- SHEET 4
- SHEET 5

References

- 1. CORPORATE WARRANTY DEED NIST. #2007-014611, RECORDS OF TWIN FALLS COUNTY, IDAHO.
- 2. PLAT OF MORNING SUN SUBDIVISION NUMBER 3, RECORDS OF TWIN FALLS COUNTY, IDAHO.
- 3. PLAT OF MORNING SUN SUBDIVISION NUMBER 4, RECORDS OF TWIN FALLS COUNTY, IDAHO.



Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Craig Kingsbury, Chief of Police

Request:

Swearing in of Twin Falls Police Officer Chelsea Akers.

Time Estimate:

Approximately ten minutes.

Background:

Chelsea Akers was hired by the Twin Falls Police Department on December 11, 2017, as a full-time Police Officer.

Chelsea was born in Honolulu, Hawaii, while her father was stationed at Pearl Harbor at the time. After her father retired from the Navy, Chelsea and her family moved to a small town in eastern Washington. Chelsea graduated from Pomeroy Senior High School in 2008. After high school, she joined the Oregon Army National Guard. She has served in the National Guard for the last 9 1/2 years.

Chelsea went on to further her education at the College of Southern Idaho and attained an Associate of Arts Degree in Criminal Justice and an Associate of Applied Science Degree in Law Enforcement. She is currently attending Boise State University and will graduate this spring with a Bachelor's Degree in Criminal Justice.

Prior to her employment with the Twin Falls Police Department, Chelsea worked for the Gooding County Sheriff's Office for three years.

Approval Process:

N/A

Budget Impact:

This will not impact the budget.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Chief Kingsbury would like to have Officer Chelsea Akers sworn in before the City Council with Mayor

Shawn Barigar administering the Oath of Office on January 8, 2018.

Attachments:

None



Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Jon Caton, Public Works Director

Request:

Presentation of Operator License Certificates to Dustin Peterson, Masyn Malmstrom, Brent Sanders.

Time Estimate:

5 minutes

Background:

Masyn Malmstrom and Brent Sanders both successfully completed the Class 1 Water Operator Examination and a full year of supervised operation within the City of Twin Falls Water Dept. They are both now licensed by the State of Idaho as Class 1 Water Operators.

Dustin Peterson successfully completed the CL III Water Operator Examination and 5 years of experience. Dustin is now a CL III Water Operator and has been promoted as a Lead Worker.

Approval Process:

NA

Budget Impact:

NA

Regulatory Impact:

Water Operator Licensure is a requirement of the State of Idaho.

History:

N/A

Analysis:

N/A

Conclusion:

NA

Attachments:

None

Twin Falls Urban Renewal Agency Main Avenue Redevelopment Project



Replacement Tree Installation, 29DEC2017



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

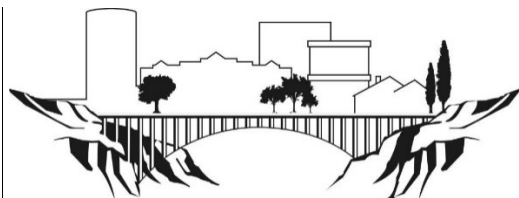


Block 5 –Idaho to Jerome, Open to traffic, 01DEC2017



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

Prepared for:



Prepared by – Owner's Representative:

**Monthly Report for
URA Board Meeting
January 8, 2018**

Monthly Project Progress Update

Prepared for URA Board Meeting on January 8, 2018

Main Avenue Redevelopment Project

Summary of Progress This Period, December 7, 2017 to January 3, 2018

Construction Services by CM/GC – Guho Corp.

1. Main Ave. Blocks 1 through 5, Shoshone to Fairfield and Shoshone to Jerome
Main Ave Block 6, Hansen:
 - o Construction substantially complete and blocks are open to traffic (repeat from December 11, 2017 Board report).
 - o Installed second delivery of benches.
 - o Installed planters in front of Twin Beans for long-term traffic control.
 - o Installed stop sign extension arms.
 - o Delivered the banner arms for Shoshone Street.
 - o Worked on re-establishing building facades where damage occurred.
 - o Demobilized construction staging yard located on 3rd Avenue.
 - o Fabricating electrical outlet kick plates.
 - o Installing replacement trees between Gooding and Jerome.
2. Guho compiling project product list with supplier information, O&M manuals, and as-built drawings for submission.

Project Schedule

3. 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. A few final items, such as furnishing installation, will continue through the winter as materials are received. Additionally, final landscaping and hanging basket installation will occur in spring 2018 as weather permits.

Testing and Inspection

4. Guho conducted final inspections with regulatory agencies (e.g. ITD, potable water, storm drain, Parks Dept) for signoffs and acceptance in November and December.
5. Substantial Completion walk-through with City, Otak, and CH2M conducted on Tuesday December 12. Punchlist of items to be addressed for project acceptance generated.

Financial

6. Guho's progress payment for construction for December 2017 was submitted totaling \$238,148.15. The total of progress payments to date less retainage (through December 29, 2017) is \$5,637,446.99, which is 87.5% of the GMP total of \$6,446,115. The total billed is appropriate for the level of completeness for work on 5.5 of the 5.5 city blocks being reconstructed.
7. Guho submitted a payment application for release of a portion of retainage for construction work that has been completed, accepted, and opened to the public as of December 29, 2017.

Retainage is being maintained for the portion of construction work that remains to be completed in accordance with the agreement between TFURA and Guho.

8. Guho is preparing a deductive change order to reduce the overall contract amount to account for the savings realized on the project and to release the unused contingency amount included in the construction contract GMP No. 2. Deductive change order value is anticipated in time to share during the January 8, 2018 Board meeting.
9. 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 Topics

10. Otak provided project record drawing CAD files to City.



Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Corey Beam, Captain, Jesse Bowman, Driver/Operator

Request:

Update on fire stations and remodels: Programming Committee will give an update on future fire stations and remodel projects.

Time Estimate:

Approximately 5 - 8 minutes.

Background:

Captain Corey Beam, and Driver/Operator Jesse Bowman from the Programming Committee will give an update on future fire stations and remodel projects.

Approval Process:

N/A

Budget Impact:

N/A

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

N/A

Attachments:

None



Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Jackie Fields, City Engineer

Request:

Request to adopt the Resolution authorizing the Mayor to execute the State Local Agreement for Key 20752 Intersection Washington Street and Caswell.

Time Estimate:

5 minutes

Background:

In October, 2016, the City Council was presented with 3 Local Highway Safety Improvement project applications. Two of these projects were awarded last year and are signal improvements along Washington St.. N., and Shoshone St. The third project is ready to be awarded this year for installation of safety improvement at the intersection of Washington St. N. and Caswell.

This project installs intersection lighting, improved pedestrian crossing features and automated pedestrian signal equipment.

Approval Process:

The City Council adopts a resolution that authorizes the Mayor to execute the state local agreement for project development (design). Execution of the agreement will also authorize payment of a portion of the City share: \$2000.00.

Budget Impact:

There is a currently budgeted capital Improvement project entitled "Ped Signal at Caswell and Washington St. N" that reflects the City's estimated match of \$26,300. Execution of the SLA for Project Development includes a financial commitment of \$2000 of those funds at this time. The remainder will be due with the Execution of the SLA for Construction.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends adopting the resolution that authorizes the Mayor to execute the State Local Agreement for Project Development of Key 20752 Intersection Washington St and Caswell.

Attachments:

1. 20752 SLA PD
2. LSHIP application for Caswell PHB

**STATE/LOCAL AGREEMENT
(PROJECT DEVELOPMENT)**

**PROJECT NO. A020(752)
INTERSECTION WASHINGTON STREET AND CASWELL
TWIN FALLS COUNTY
KEY NO. 20752**

PARTIES

THIS AGREEMENT is made and entered into this _____ day of _____, _____, by and between the IDAHO TRANSPORTATION BOARD, by and through the IDAHO TRANSPORTATION DEPARTMENT, hereafter called the State, and the CITY OF TWIN FALLS acting by and through it Mayor and Council, hereafter called the Sponsor.

PURPOSE

The Sponsor has requested that the State include in its Idaho Transportation Investment Program the Local Highway Safety Improvement Program (LHSIP) Project with Key No. 20752, described as Intersection Washington Street and Caswell. Project development is to be performed by Consultant Engineers. The purpose of this Agreement is to set out the terms and conditions to accomplish the project development phase of this project.

NOTE: Securing the services of a consultant for project development services must follow the process outlined in the Idaho Transportation Department Guidelines for Local Public Agency Projects.

Since certain functions under this Agreement are to be performed by the State, requiring the expenditure of funds, and since the State can only pay for work associated with the State Highway System, the Sponsor is fully responsible for all costs incurred by the State related to the project.

Authority for this Agreement is established by Section 40-317 of the Idaho Code.

The Parties agree as follows:

SECTION I. GENERAL

1. It is necessary to develop construction plans and specifications in order that federal participation may be obtained in the construction costs of the project. Federal-aid for project development and right of way is available on this project.
2. Federal participation in the project is at the rate of 92.66%; local participation is 7.34%. Scheduled funding for this project is listed in the approved Idaho Transportation Investment Program, and subsequent revisions. Current **estimated** funding is as follows:
 - a. **Project Development - \$48,000**
 - (PE-\$2,000, PL-\$6,000, PC-\$40,000)
 - b. **Right-of-Way - \$0**
 - c. **Utilities - \$0**
 - d. **Construction Engineering - \$39,000**
 - (CE-\$1,000, CL-\$8,000, CC-\$ 20,000 Cont.-\$10,000)
 - e. **Construction - \$195,000**
 - f. **Total Estimated Project Costs - \$282,000**
3. The Sponsor's match for this project will be provided as follows:
 - a. Cash in the amount of 7.34 percent of the entire project (current **estimate** \$20,698.80);
4. Funds owed by the Sponsor shall be remitted to the State through the ITD payment portal at:
<https://apps.itd.idaho.gov/PayITD> .
5. This project shall be designed to State Standards as defined in the current version of the Idaho Transportation Department's Design Manual, or as subsequently revised. The current version of the Design Manual can be viewed at the following web site:
<http://itd.idaho.gov/manuals/ManualsOnline.htm>.
6. All information, regulatory and warning signs, pavement or other markings, and traffic signals required and warranted will be developed as a part of the plans, regardless of whether the work is done as a portion of the contract or by the Sponsor's forces.

7. If the project is terminated prior to completion, the Sponsor shall repay to the State all federal funds received for the project, and shall be liable to the State for any un-reimbursed incidental expenses as provided for in Section II, Paragraph 1 of this Agreement.
8. Sufficient Appropriation. It is understood and agreed that the State is a governmental agency, and this Agreement shall in no way be construed so as to bind or obligate the State beyond the term of any particular appropriation of funds by the Federal Government or the State Legislature as may exist from time to time. The State reserves the right to terminate this Agreement if, in its sole judgment, the Federal Government or the legislature of the State of Idaho fails, neglects or refuses to appropriate sufficient funds as may be required for the State to continue payments. Any such termination shall take effect immediately upon notice and be otherwise effective as provided in this Agreement.

SECTION II. That the State shall:

1. Provide the following services incidental to the project development:
 - a. Assist Sponsor in the selection of a Consulting Engineer and negotiations as needed, and furnish the Agreement for Engineering Services and any supplements thereto, to be used between the Sponsor and Consultant Engineers on this project.
 - b. Review Preliminary Environmental Evaluation and recommend other appropriate environmental documentation.
 - c. Furnish to the engineers copies of materials test reports and other data applying to the project and available to the State.
 - d. Provide a hearing officer to conduct a formal public hearing as necessary.
 - e. File with the Federal Highway Administration applications for exceptions to AASHTO Standards when appropriate.

- f. If requested by the Sponsor, assist in negotiations with public carriers and utilities for agreements on behalf of the Sponsor.
 - g. Review the Consultant plans, estimates, reports and environmental studies, and issue notice of approval.
 - h. Supply roadway summary sheets and such standard drawings as may be required to supplement the plans.
 - i. Print and assemble plans, special provisions, specifications and contracts.
 - j. Advertise for bids and let the construction contract. Prior to construction, the parties will enter into a separate agreement covering responsibilities of the parties relating to construction.
- 2. Within sixty (60) days of receipt of appropriate documentation from the Sponsor showing expenditure of funds for project development, reimburse the Sponsor for eligible expenses at the approved Federal-aid rate.
 - 3. Bill the Sponsor for costs incurred by the State under this Agreement for project development, if those costs exceed the amount set out in Section III, Paragraph 1.
 - 4. Bill the Sponsor for any federal funds to be repaid by the Sponsor if the project is terminated prior to completion, and the Sponsor has been reimbursed with federal funds for preliminary engineering and/or right-of-way acquisition.
 - 5. Appoint the Local Highway Technical Assistance Council as the contract administrator for the State.

SECTION III. That the Sponsor shall:

- 1. Pay to the State, before the State begins the incidental services referred to in Section II, Paragraph 1, the sum of **TWO THOUSAND DOLLARS (\$2,000)**,

estimated to be the total expense to the State. In addition, pay to the State the cost of all incidental services provided by the State upon receipt of the billing provided for in Section II, Paragraph 3.

2. Sponsor warrants that it will repay any federal reimbursements on this project if the project is terminated prior to completion.
3. With the assistance of the State, hire a consultant for development of the project.
4. Make timely payment of all consultant invoices throughout the design of the project. Periodically the Sponsor may submit allowable Consultant invoices and receipts to the State showing payment of same. The State will reimburse the Sponsor for eligible expenses less the Sponsor's match.
5. Advertise for formal public hearing if required.
6. If requested by a utility company, hold hearings before the City Council or Board of Commissioners. The Sponsor will issue orders to the utilities.
7. Acquire all rights-of-way and easements needed to provide for construction and maintenance of the project.
8. Employ an approved certified general appraiser to complete all appraisals and an independent certified general appraiser to review appraisals required for the project.
9. Review the appraisal reviewer's statement of the estimated fair market value and approve an amount to be just compensation for each parcel to be acquired.
10. Provide a monthly right-of-way status report (ITD-2161), and forward it to the project manager.
11. Before initiating negotiations for any real property required for right-of-way, establish, in writing, an amount considered to be just compensation, under Idaho law, Federal Regulations or any other applicable law, and make a prompt offer to acquire the property for the full amount established.

12. Make a good faith effort, in accordance with Real Property Acquisition Policies Act of 1970, to acquire the real property by negotiation. Employ a State Approved Negotiator if necessary.
13. Inform the property owner, in those cases where he indicates a willingness to donate a portion of his real property for rights-of-way, of all his rights including his right to full compensation in money for land and damages, if any, in accordance with Idaho Code.
14. Provide relocation assistance and payments for any displaced person, business, farm operation, or nonprofit organization in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; 49 CFR 24; 23 CFR 710; the Idaho Real Property Acquisition Act of 1971; Title 40, Chapter 20; and Title 58, Chapter 11; Idaho Code, as amended, and regulations promulgated thereunder. No individual or family shall be displaced until decent, safe and sanitary replacement housing is available to the relocatees for immediate occupancy. In addition, advise the State of any relocations required by the project and upon request of the State, authorize the State to negotiate on the Sponsor's behalf for all relocation assistance and payments, the cost of which will be assumed by the Sponsor at the time of negotiation.
15. Ensure to the greatest extent practicable that no person lawfully occupying the real property shall be required to move from his home, farm or business without at least ninety (90) days written notice prior to advertisement of the project.
16. Before advertisement for bids, provide a certification that all rights-of-way, easements, permits, materials sources and agreements necessary for the construction of the project have been acquired in accordance with the provisions of this Section. Provide a value of any right-of-way donations obtained, which may be credited as a matching share.

17. Evaluate the impact the project might have on the quality of the human environment and prepare and furnish to the State an environmental evaluation that includes cultural resources and any other documentation required by the National Environmental Policy Act.
18. At all required public hearings, furnish all necessary exhibits and provide for a representative of the Sponsor to describe the project; present information about the location and design, including alternates; discuss the tentative schedules for rights-of-way acquisitions and construction; discuss the Sponsor's relocation assistance program; discuss the economic, sociological, and environmental effects of the project; and answer all questions concerning the project.
19. Comply with Attachment 1 attached hereto and made a part hereof. By this agreement Sponsor agrees to comply with and be bound to the Civil Rights provisions of Title VI of the Federal Code and to generally insert those provisions in all contracts that it enters into that are federally funded on this project. If property acquired for this project with Federal financial assistance is transferred, the recipient of the property will be subject to Attachment 1 if the property is used for the same purpose it was originally acquired or for another purpose involving similar services or benefits to the general public. Sponsor should contact the State prior to disposing of any property acquired under this agreement.
20. Maintain all project records, including source documentation for all expenditures and in-kind contributions, for a period of three (3) years from the date of final acceptance. If any litigation, claim, negotiation, or audit has been started before expiration of the three-year period, the records shall be retained until completion of the action and resolution of all issues that arise from it.
21. Comply with all other applicable State and Federal regulations.

EXECUTION

This Agreement is executed for the State by its Engineering Services Division Administrator, and executed for the Sponsor by the Mayor, attested to by the Clerk, with the imprinted Corporate Seal of the City of Twin Falls.

IDAHO TRANSPORTATION DEPARTMENT

Engineering Services
Division Administrator

ATTEST:

CITY OF TWIN FALLS

Clerk

Mayor

(SEAL)

By regular/special meeting
on _____.

Reviewed by FS: DW 10-25-17
hm:20752 SLAPD.docx

RESOLUTION

WHEREAS, the Idaho Transportation Department, hereafter called the **STATE**, has submitted an Agreement stating obligations of the **STATE** and the **CITY OF TWIN FALLS**, hereafter called the **CITY**, for development of Int. Washington St and Caswell; and

WHEREAS, the **STATE** is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal-aid Highway System when there is federal participation in the costs; and

WHEREAS, certain functions to be performed by the **STATE** involve the expenditure of funds as set forth in the Agreement; and

WHEREAS, The **STATE** can only pay for work associated with the State Highway system; and

WHEREAS, the **CITY** is fully responsible for its share of project costs; and

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal Aid Highway Project A020(752) is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the **CITY**.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a *regular, duly* called special (X-out non-applicable term) meeting of the City Council, City of Twin Falls, held on _____, _____.

(Seal)

City Clerk

ATTACHMENT 1

1050.20 Appendix A:

During the performance of work covered by this Agreement, the Consultant for themselves, their assignees and successors in interest agree as follows:

1. **Compliance With Regulations.** The Consultant shall comply with all regulations of the United States Department of Transportation relative to Civil Rights, with specific reference to Title 49 CFR Part 21, Title VI of the Civil Rights Act of 1964 as amended, and Title 23 CFR Part 230 as stated in the ITD EEO Special Provisions and Title 49 CFR Part 26 as stated in the appropriate ITD DBE Special Provisions.
<http://apps.itd.idaho.gov/apps/ocr/index.aspx>
2. **Nondiscrimination.** The Consultant, with regard to the work performed by them during the term of this Agreement, shall not in any way discriminate against any employee or applicant for employment; subcontractor or solicitations for subcontract including procurement of materials and equipment; or any other individual or firm providing or proposing services based on race, color, sex, national origin, age, disability, limited English proficiency or economic status.
3. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment.** In all solicitations, either by bidding or negotiation, made by the Consultant for work or services performed under subcontract, including procurement of materials and equipment, each potential subcontractor or supplier shall be made aware by the Consultant of the obligations of this Agreement and to the Civil Rights requirements based on race, color, sex, national origin, age, disability, limited English proficiency or economic status.
4. **Information and Reports.** The Consultant shall provide all information and reports required by regulations and/or directives and sources of information, and their facilities as may be determined by the State or the appropriate Federal Agency. The Consultant will be required to retain all records for a period of three (3) years after the final payment is made under the Agreement.
5. **Sanctions for Noncompliance.** In the event the Consultant or a Subconsultant is in noncompliance with the EEO Special Provisions, the State shall impose such sanctions as it or the appropriate Federal Agency may determine to be appropriate, including, but not limited to:
 - Withholding of payments to the Consultant until they have achieved compliance;
 - Suspension of the agreement, in whole or in part, until the Consultant or Subconsultant is found to be in compliance, with no progress payment being made during this time and no time extension made;
 - Cancellation, termination or suspension of the Agreement, in whole or in part;
 - Assess against the Consultant's final payment on this Agreement or any progress payments on current or future Idaho Federal-aid Projects an administrative remedy by reducing the final payment or future progress payments in an amount equal to 10% of this agreement or \$7,700, whichever is less.
6. **Incorporation of Provisions.** The Consultant will include the provisions of paragraphs 1 through 5 above in every subcontract of \$10,000 or more, to include procurement of materials and leases of equipment unless exempt by the Acts, the Regulations, and directives pursuant thereto. The Consultant shall take such action with respect to any subcontract or procurement as the State or the appropriate Federal Agency may direct as a means of enforcing such provisions, including sanctions for noncompliance. Provided, that if the Consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Consultant may request the State to enter into any litigation to protect the interest of the State. In addition, the Consultant may request the United States to enter into the litigation to protect the interests of the United States.

1050.20 Appendix E

During the performance of this contract, the Consultant, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with all non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U .S.C. 1681 et seq).

Implementation Procedures

This agreement shall serve as the Sponsor's Title VI plan pursuant to 23 CFR 200 and 49 CFR 21.

For the purpose of this agreement, "Federal Assistance" shall include:

1. grants and loans of Federal funds,
2. the grant or donation of Federal property and interest in property,
3. the detail of Federal personnel,
4. the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the Sponsor, or in recognition of the public interest to be served by such sale or lease to the Sponsor, and
5. any Federal agreement, arrangement, or other contract which has as one of its purposes, the provision of assistance.

The Sponsor shall:

1. Issue a policy statement, signed by the Sponsor's authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Sponsor's organization and to the general public. Such information shall be published where appropriate in languages other than English.
2. Take affirmative action to correct any deficiencies found by ITD or the United States Department of Transportation (USDOT) within a reasonable time period, not to exceed 90 days, in order to implement Title VI

compliance in accordance with this agreement. The Sponsor's authorized representative shall be held responsible for implementing Title VI requirements.

3. Designate a Title VI Coordinator who has a responsible position in the organization and easy access to the Sponsor's authorized representative. The Title VI Coordinator shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
4. Adequately implement the civil rights requirements.
5. Process complaints of discrimination consistent with the provisions contained in this agreement. Investigations shall be conducted by civil rights personnel trained in discrimination complaint investigation. Identify each complainant by race, color, national origin, sex, or disability; the nature of the complaint; the date the complaint was filed; the date the investigation was completed; the disposition; the date of the disposition; and other pertinent information. A copy of the complaint, together with a copy of the Sponsor's report of investigation, will be forwarded to ITD's EEO Office – External Programs within 10 days of the date the complaint was received by the Sponsor.
6. Collect statistical data (race and sex) of participants in, and beneficiaries of the Transportation programs and activities conducted by the Sponsor.
7. Conduct Title VI reviews of the Sponsor and sub-recipient contractor/consultant program areas and activities. Revise where applicable, policies, procedures and directives to include Title VI requirements.
8. Attend training programs on Title VI and related statutes conducted by ITD's EEO Office.
9. Participate in an annual review of the Sponsor's Title VI Program, the purpose of which is to determine to what extent the Sponsor has complied with Title VI requirements including the ADA. This review is conducted one year from the date of approval of the Non-Discrimination Agreement and then annually on the same date. The format for the Title VI review will be provided each year to the Sponsor for completion. A determination of compliance will be made by ITD's EEO Office based on the information supplied in the review. This review of the Sponsor's Title VI Program may also include an on-site review in order to determine compliance.

Discrimination Complaint Procedure

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the Sponsor. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the Sponsor's Title VI Coordinator for review and action.

In order to have the complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:

- a) The date of alleged act of discrimination; or
- b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the Sponsor or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the Sponsor, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the Sponsor's investigative procedures.

Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as ITD and USDOT.

The Sponsor will advise ITD within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ITD:

- a) Name, address, and phone number of the complainant.
- b) Name(s) and address(es) of alleged discriminating official(s).
- c) Basis of complaint (i.e., race, color, national origin or sex)
- d) Date of alleged discriminatory act(s).
- e) Date of complaint received by the Sponsor.
- f) A statement of the complaint.
- g) Other agencies (state, local or Federal) where the complaint has been filed.
- h) An explanation of the actions the Sponsor has taken or proposed to resolve the issue raised in the complaint.

Within 60 days, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Sponsor's authorized representative. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint, the Sponsor's authorized representative will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ITD, or USDOT, if they are dissatisfied with the final decision rendered by the Sponsor. The Title VI Coordinator will also provide ITD with a copy of this decision and summary of findings upon completion of the investigation.

Contacts for the different Title VI administrative jurisdictions are as follows:

Idaho Transportation Department
Equal Employment Opportunity Office – External Programs
EEO Manager
PO Box 7129
Boise, ID 83707-1129
208-334-8884

Federal Highway Administration
Idaho Division Office
3050 Lakeharbor Lane, Suite 126
Boise, ID 83703
208-334-9180

Sanctions

In the event the Sponsor fails or refuses to comply with the terms of this agreement, the ITD may take any or all of the following actions:

1. Cancel, terminate, or suspend this agreement in whole or in part;
2. Refrain from extending any further assistance to the Sponsor under the program from which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Sponsor.
3. Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the Sponsor;
4. Refer the case to the Department of Justice for appropriate legal proceedings.

Distribution: EEO Office
Revised: 03-09, 08-10, 08-17

Washington St & Caswell Ave PHB Project

Local Highway Safety Improvement Program (LHSIP) Application

Project Description:

The City of Twin Falls is requesting funds through the Local Highway Safety Improvement Program (LHSIP) to install a Pedestrian Hybrid Beacon as a vehicle/pedestrian crash reduction countermeasures at the intersection of Washington St and Caswell Ave in Twin Falls, Idaho. By installing a Pedestrian Hybrid Beacon, as well as other pedestrian crash reduction countermeasures, it is believed that the quantity and severity of pedestrian related injury accidents can be drastically reduced. Washington Street serves as an arterial street and the Caswell Ave intersection is a major pedestrian crossing, halfway between Filer Ave & Falls Ave. The current conditions provide a striped crosswalk with pedestrian ramps, however, lack the appropriate signing, striping and lighting for a pedestrian crossing. The existing crossing is across 5 lanes of traffic and approximately 85 feet long.

Location:

The mentioned safety improvements are proposed as the following intersections located in Northwest Twin Falls. Refer to Figure 1 - Project Location Map.

1. Washington St N & Caswell Ave

Crash Data Trends:

The five year crash data indicates that there have been a total of 11 intersection related crashes, 1 of which was a pedestrian related Type A Injury crash.

Intersection	Fatal Crash	A Injury Crash	B Injury Crash	C Injury Crash	PDO Crash
Caswell Ave.	0	1	2	3	5
Total	0	1	2	3	5

Of the 11 recorded crashes that occurred at Washington St and Caswell Ave, the only Type A injury crash involved a pedestrian/cyclist attempting to cross Washington St. In addition, 4 of the identified crashes included rear-end crashes, which could be attributed to vehicles attempting to stop for pedestrians waiting to cross Washington St. As a major crossing for pedestrians, this intersection location is in need of installing a pedestrian activated signal and other vehicle/pedestrian crash reduction countermeasures to provide both pedestrians and cyclists the opportunity to cross Washington St in a safe manner .

Proposed Countermeasures:

As mentioned above, the installation of a pedestrian hybrid beacon is critical in order to improve the safety for not only pedestrians and bicyclists, but also in an attempt to reduce the amount and severity of vehicle crashes. Additional proposed countermeasures include:

1. Install LED Luminaires at Intersection
2. Improve/Install Pedestrian Crossing (Advanced Signing & Striping, ADA pedestrian facilities)
3. Install Automatic Pedestrian Signal (APS) equipment.

Project Cost:

Total Estimated Project Cost: \$358,000

City of Twin Falls Match: \$26,300

Pedestrian Hybrid Beacon Warrant Analysis (Warranted):

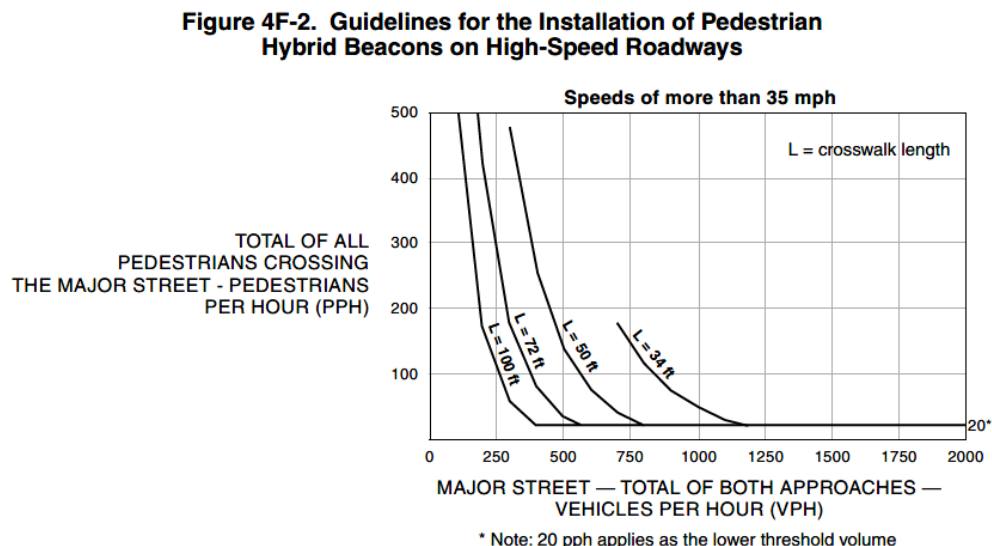
Guidelines:

1. NCHRP 562
2. MUTCD (Manual on Uniform Traffic Control Devices)

Summary:

1. The past five year crash data at the intersection of Washington St N & Caswell Ave indicates that a total of 11 crashes have occurred, where the only Type A accident included a pedestrian/cyclist attempting to cross Washington St. Additionally, there have been 4 other rear end accidents which could be attributed to vehicles attempting to stop for pedestrians/cyclists to cross the street at the marked crosswalk.
2. Safe access across Washington St is needed for nearby neighborhood residents to access nearby Robert Stuart Junior High School, I.B. Perrine Elementary School and the College of Southern Idaho Campus.
3. Traffic Volumes: 22000 ADT on Washington St (North of Falls Ave.)
4. Approach Speeds: >35 MPH
5. Pedestrian Crossing Distance: Exceptionally long at approximately 85 feet (5 lanes of traffic)
6. Peak hour pedestrian volume analysis: Long crosswalk distance combined with lack of traffic gap made it difficult for pedestrians to cross Washington St. During Peak Hour (2:45pm to 3:45 pm), pedestrian volumes show large amounts of students crossing Washington St once school is released. During the peak hour, the intersection experiences 23 pedestrians per hour crossing Washington St and 10 pedestrians crossing Caswell Ave per hour.
7. Critical Gap: Calculated to be 27.3 seconds
8. Calculated Total Pedestrian Delay is excessive. The total pedestrian delay exceeds the warrant total pedestrian delay of 21.3. Additionally, Per Section 4F.01.07 of the MUTCD, the total of all pedestrians crossing the major street for the peak hour falls above the applicable curve in Figure 4F-2 shown below, meaning a pedestrian hybrid beacon may be considered for a crossing treatment.

MUTCD Figure F4-2 Warrant Guidelines



Signal Warrant Analysis (Not Warranted):

Guidelines: MUTCD Warrants 1-9A: Pedestrian Hybrid Beacon may be considered for installation to facilitate pedestrian crossings as a location that does not meet traffic signal warrants (Refer to Chapter 4C of the MUTCD), or at a location that meets traffic signal warrants:

1. Warrant 1: Eight-Hour Vehicular Volume (Not Warranted)
2. Warrant 2: Four-Hour Vehicular Volume (Not Warranted)
3. Warrant 3: Peak Hour (Not Warranted)
4. Warrant 4: Pedestrian Volume (Not Warranted)
5. Warrant 5: School Crossings (Not Warranted)
6. Warrant 6: Coordinated Signal Systems (Not Warranted)
7. Warrant 7: Crash Experience (Not Warranted)
8. Warrant 8: Roadway Network (Not Warranted)
9. Warrant 9: Intersection Near a Grade Crossing (Not Warranted)

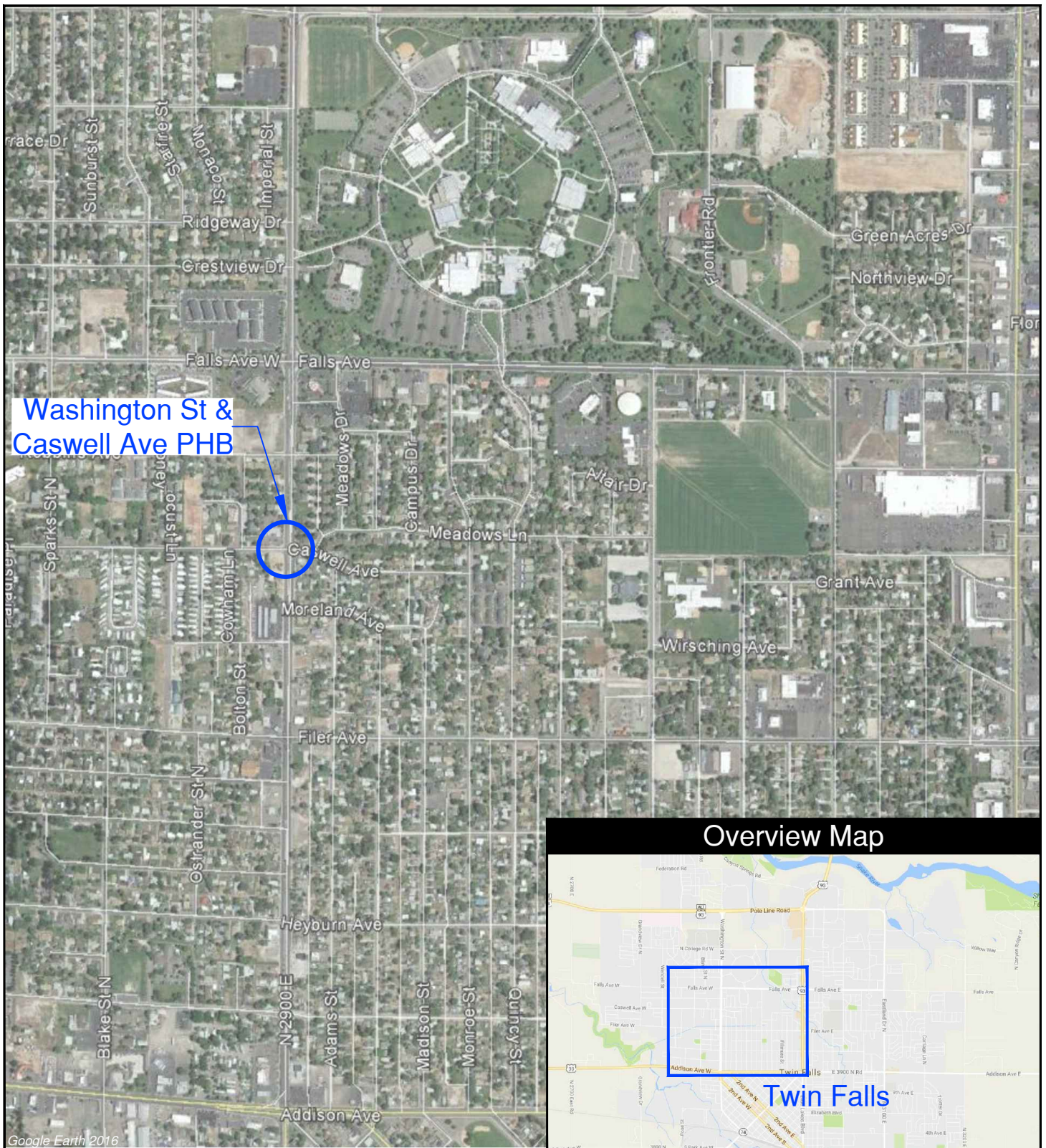
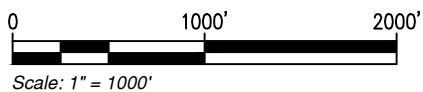
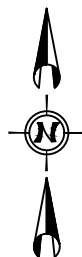


FIGURE 1
PROJECT LOCATION MAP
 Washington St & Caswell Ave Pedestrian Hybrid Beacon
 Local Highway Safety Improvement Program (LHSIP)



FY 2017 Additional Funding Local Highway Safety Improvement Program Application

Please respond to the following questions:

Local Highway Jurisdiction:	City of Twin Falls
Contact Person:	Jackie Fields, PE City Engineer
Mailing Address:	324 Hansen St. E. Twin Falls, Idaho 83301
Phone:	208-735-7273
E-Mail Address:	jfields@tfid.org

- 1 Is this safety project for a single site or a systemic solution?

Single
- 2 How many fatalities have occurred at this site/s in the past 5 years?

0

 *Fatal Crashes
- 3 How many serious (A) injury crashes have occurred at this site/s in the past 5 years?

1

 *Serious Injury Crashes
- 4 How many evident injury (B) crashes have occurred at this site/s in the past 5 years?

2

 Evident Injury Crashes
- 5 How many crashes with possible injury (C) have occurred at this site/s in the past 5 years?

3

 Possible Injury Crashes
- 6 How many crashes involved property damage only (PDO) in the past 5 years?

5

 Property Damage Only Crashes

** To be eligible, a project must have at least one Fatal or Type A Injury Accident.*

Select Countermeasures:

	Countermeasure 1 (from Toolbox)	Crash Reduction Factor 1 (percentage)	Service Life 1 (years)	*Project Cost 1 (dollars + match)
7	Install Pedestrian Hybrid Beac	69.00%	30	\$ 180,000
8	Select Countermeasure 2 Improve/Install Pedestrian Cro	25.00%	20	\$ 168,000
9	Select Countermeasure 3 Install Lighting	42.00%	15	\$ 10,000

Result: 9.3 to 1 Benefit-Cost Ratio
--

Estimated LHJ Cost: \$ 26,277 (7.34% Match)
--

** Project cost should include environmental, LHTAC, CE&I and State administrative cost. Estimated cost may be adjusted upon receipt and review of application by LHTAC staff.*

Additional Questions:

Does your jurisdiction have a Title VI plan that complies with 28 CFR 35.105 regarding Americans with Disabilities Act and complying with 23 CFR 200, Civil Rights Title VI Program? Yes ☒ No ☐

Who is your point of contact for your plan?

Jon Caton jcaton@tfid.org (208)736-2274

Please Include with this Application:

- A one page project description
- A Vicinity Map with Project Area clearly marked
- An ITD 1150 Form (financial estimate)
- An ITD 1983 Form (right-of-way)
- An ITD 2435 Form (Federal-aid project request)

3.3 ITD 1150 (Rev. 9-13) Project Cost Summary Sheet

Round Estimate to Nearest \$1,000

Key Number	Project Number			Date	10/07/2016
Location Washington St & Caswell Ave PHB (Twin Falls, Idaho)				District	4
Segment Code	007710	Begin Mile Post	NA	End Mile Post	NA
		Length in Miles		NA	

	Previous ITD 1150	Initial or Revise To
1a. Preliminary Engineering (PE)		\$ 5,000.00
1b. Preliminary Engineering by Consultant (PEC)		\$ 55,000.00
2. Right-of-Way: Number of Parcels Number of Relocations		
3. Utility Adjustments: <u>Work</u> <u>Materials</u> <u>By State</u> <u>By Others</u>		
4. Earthwork		\$ 6,000.00
5. Drainage and Minor Structures		\$ 5,000.00
6. Pavement and Base		\$ 7,000.00
7. Railroad Crossing: Grade/Separation Structure		
At-Grade Signals Yes No		
8. Bridges/Grade Separation Structures:		
New Structure Length/Width _____		
Location _____		
Repair/Widening/Rehabilitation Length/Width _____		
Location _____		
9. Traffic Items (Delineators, Signing, Channelization, Lighting, and Signals)		\$ 190,000.00
10. Construction Traffic Control (Sign, Pavement Markings, Flagging, and Traffic Separation)		\$ 7,000.00
11. Detours		
12. Landscaping		\$ 7,000.00
13. Mitigation Measures		\$ 3,000.00
14. Other Items (Roadside Development, Guardrail, Fencing, Sidewalks, Curb and Gutter, C.S.S. Items)		\$ 14,000.00
15. Cost of Constructions (Items 3 through 14)		\$ 239,000.00
16. Mobilization 10 % of Item 15		\$ 24,000.00
17. Construction Engineer and Contingencies 20 % of Items 15 and 16		\$ 53,000.00
18. Total Construction Cost (15 + 16 + 17)		\$ 316,000.00
19. Total Project Cost (1 + 2 + 18)		\$ 376,000.00
20. Project Cost Per Mile	N/A	N/A
Prepared By: Precision Engineering		

3.4 ITD 1983 (Rev. 10-15-10)
itd.idaho.gov

Local Public Agency's Certificate Of Completion Of Right-Of-Way Activities Idaho Transportation Department



Key Number	Project Number	Project Name Washington St & Caswell Ave PHB
Local Public Agency City of Twin Falls		

Complete the applicable section below and the Certification section.

Right-of-Way is Not Required

- ☒ All work will be done within the existing right-of-way
- ☒ No utilities are involved in this project
- ☐ Utilities are impacted and agreements are in place. Number of Utilities _____

Right-of-Way is Required

Number of ownerships acquired _____ Total amount paid
\$ _____

Number of parcels in condemnation or pending final settlement _____

Number of Relocations _____

☐ No utilities are involved in this project

☐ Utilities are impacted and agreements are in place. Number of Utilities _____

Certification

I hereby certify that all acquisitions and relocations, if any, were performed in accordance with our assurances to comply with state and federal laws and regulations related to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and amendments thereto.

It is further certified that in all cases where the real property rights were obtained through donation, that the property owner(s) was fully informed of the right to receive just compensation and the owner has released our agency from its obligation to appraise the property in the event that the estimated value may exceed \$5,000.00.

Agency Contact's Name (Printed) Jackie Fields	Phone Number 208-735-7273	E-Mail Address jfields@tfid.org	
Attester's Signature (Clerk or Secretary)	Date	Chairman, President, or Mayor's Signature	Date

3.2 ITD 2435 Local Federal-Aid Project Request

Instructions

1. Under Character of Proposed Work, mark appropriate boxes when work includes Bridge Approaches in addition to a Bridge.
2. Attach a Vicinity Map showing the extent of the project limits.
3. Attach an ITD 1150, Project Cost Summary Sheet.
4. Signature of an appropriate local official is the only kind recognized.

Note: In Applying for a Federal-Aid Project, You are Agreeing to Follow all of the Federal Requirements Which Can Add Substantial Time and Costs to the Development of the Project.

Sponsor (City, County, Highway District, State/Federal Agency) City of Twin Falls			Date 10/07/2016		
Project Title (Name of Street or Road) Washington St & Caswell Ave PHB		F.A. Route Number 00710		Project Length NA	
				Bridge Length NA	
Project Limits (Local Landmarks at Each End of the Project) Washington St & Caswell Ave Intersection					
Character of Proposed Work (Mark Appropriate Items)					
✓ Excavation		Bicycle Facilities		Utilities	
✓ Drainage		✓ Traffic Control		✓ Sidewalk	
✓ Base		Bridge(s)		Seal Coat	
✓ Bit. Surface		✓ Curb & Gutter		✓ Landscaping	
				Guardrail	
				✓ Lighting	
Estimated Costs (Attach ITD 1150, Project Cost Summary Sheet) \$ 358,000.00					
Preliminary Engineering (ITD 1150, Line 1) \$ 60,000.00					
Right-of-Way (ITD 1150, Line 2) \$ 0.00					
Construction (ITD 1150, Line 18) \$ 298,000.00					
Preliminary Engineering By: Sponsor Forces ✓ Consultant					
Checklist (Provide Names, Locations, and Type of Facilities)					
Railroad Crossing		N/A			
Within 2 miles of an Airport		N/A			
Parks (City, County, State or Federal)		N/A			
Environmentally Sensitive Areas		N/A			
Federal Lands (Indian, BLM, etc.)		N/A			
Historical Sites		N/A			
Schools		College of Southern Idaho, IB Perrine Elementary			
Other		N/A			
Additional Right-of-Way Required: ☒ None ☐ Minor (1-3 Parcels) ☐ Extensive (4 or More Parcels)					
Will any Person or Business be Displaced: ☐ Yes ☒ No ☐ Possibly					
Standards	Existing	Proposed	Standards	Existing	Proposed
Number of Lanes	5	5	Roadway Width (Shoulder to Shoulder)	85 ft	85 ft
Pavement Type	Asphalt	Aphalt	Right-of-Way Width	65 ft	65 ft
Sponsor's Signature			Title		

Additional Information to be Furnished by the District

Functional Classification Principal Arterial	Terrain Type Generally Flat < 3%	2016	ADT/DHV 22,000
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CHAPTER 4F. PEDESTRIAN HYBRID BEACONS

Section 4F.01 Application of Pedestrian Hybrid Beacons

Support:

- 01 A pedestrian hybrid beacon is a special type of hybrid beacon used to warn and control traffic at an unsignalized location to assist pedestrians in crossing a street or highway at a marked crosswalk.

Option:

- 02 A pedestrian hybrid beacon may be considered for installation to facilitate pedestrian crossings at a location that does not meet traffic signal warrants (see Chapter 4C), or at a location that meets traffic signal warrants under Sections 4C.05 and/or 4C.06 but a decision is made to not install a traffic control signal.

Standard:

- 03 **If used, pedestrian hybrid beacons shall be used in conjunction with signs and pavement markings to warn and control traffic at locations where pedestrians enter or cross a street or highway. A pedestrian hybrid beacon shall only be installed at a marked crosswalk.**

Guidance:

- 04 *If one of the signal warrants of Chapter 4C is met and a traffic control signal is justified by an engineering study, and if a decision is made to install a traffic control signal, it should be installed based upon the provisions of Chapters 4D and 4E.*
- 05 *If a traffic control signal is not justified under the signal warrants of Chapter 4C and if gaps in traffic are not adequate to permit pedestrians to cross, or if the speed for vehicles approaching on the major street is too high to permit pedestrians to cross, or if pedestrian delay is excessive, the need for a pedestrian hybrid beacon should be considered on the basis of an engineering study that considers major-street volumes, speeds, widths, and gaps in conjunction with pedestrian volumes, walking speeds, and delay.*
- 06 *For a major street where the posted or statutory speed limit or the 85th-percentile speed is 35 mph or less, the need for a pedestrian hybrid beacon should be considered if the engineering study finds that the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding total of all pedestrians crossing the major street for 1 hour (any four consecutive 15-minute periods) of an average day falls above the applicable curve in Figure 4F-1 for the length of the crosswalk.*
- 07 *For a major street where the posted or statutory speed limit or the 85th-percentile speed exceeds 35 mph, the need for a pedestrian hybrid beacon should be considered if the engineering study finds that the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding total of all pedestrians crossing the major street for 1 hour (any four consecutive 15-minute periods) of an average day falls above the applicable curve in Figure 4F-2 for the length of the crosswalk.*
- 08 *For crosswalks that have lengths other than the four that are specifically shown in Figures 4F-1 and 4F-2, the values should be interpolated between the curves.*

Section 4F.02 Design of Pedestrian Hybrid Beacons

Standard:

- 01 **Except as otherwise provided in this Section, a pedestrian hybrid beacon shall meet the provisions of Chapters 4D and 4E.**
- 02 **A pedestrian hybrid beacon face shall consist of three signal sections, with a CIRCULAR YELLOW signal indication centered below two horizontally aligned CIRCULAR RED signal indications (see Figure 4F-3).**
- 03 **When an engineering study finds that installation of a pedestrian hybrid beacon is justified, then:**
- A. **At least two pedestrian hybrid beacon faces shall be installed for each approach of the major street,**
 - B. **A stop line shall be installed for each approach to the crosswalk,**
 - C. **A pedestrian signal head conforming to the provisions set forth in Chapter 4E shall be installed at each end of the marked crosswalk, and**
 - D. **The pedestrian hybrid beacon shall be pedestrian actuated.**

Guidance:

- 04 *When an engineering study finds that installation of a pedestrian hybrid beacon is justified, then:*
- A. *The pedestrian hybrid beacon should be installed at least 100 feet from side streets or driveways that are controlled by STOP or YIELD signs,*

Figure 4F-1. Guidelines for the Installation of Pedestrian Hybrid Beacons on Low-Speed Roadways

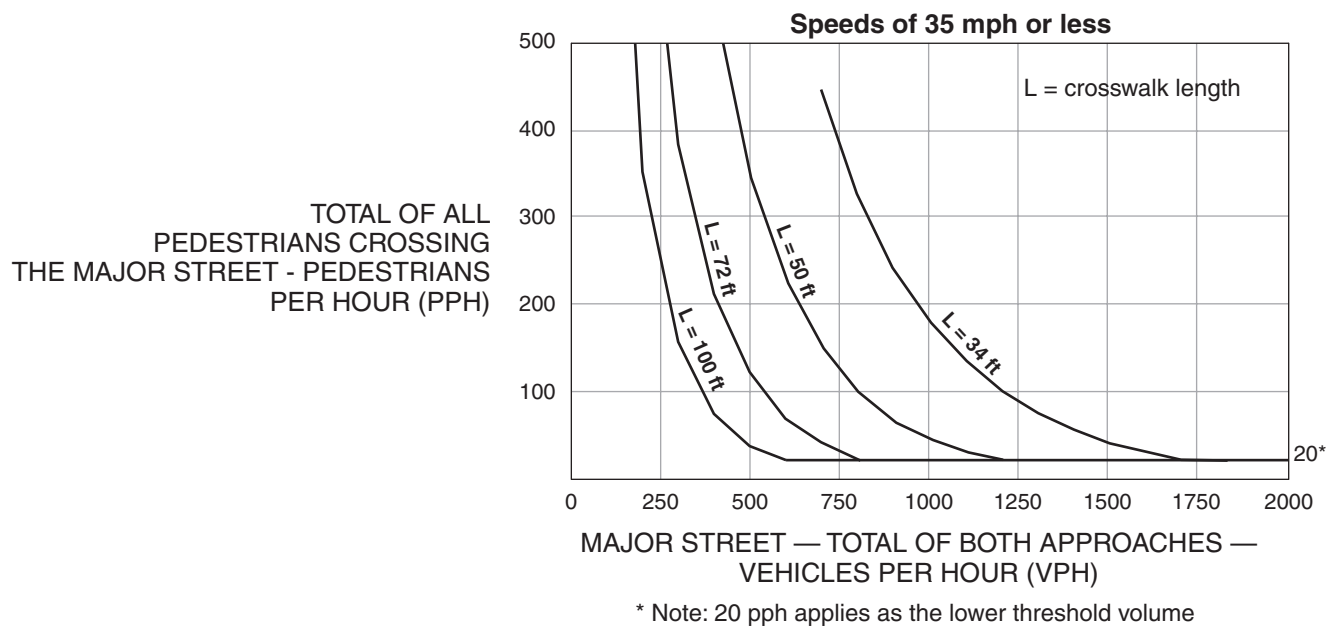
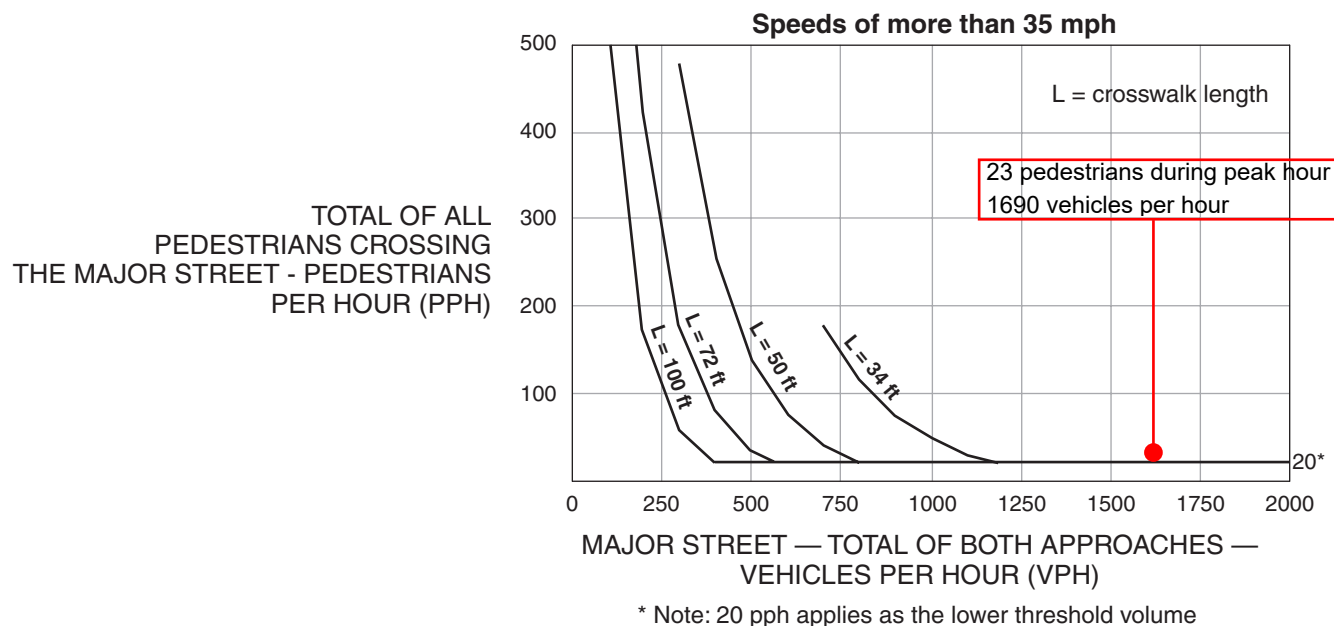


Figure 4F-2. Guidelines for the Installation of Pedestrian Hybrid Beacons on High-Speed Roadways



APPENDIX A

Guidelines for Pedestrian Crossing Treatments

Introduction

These guidelines provide general recommendations on pedestrian crossing treatments to consider at unsignalized intersections; in all cases, engineering judgment should be used in selecting a specific treatment for installation. The following guidelines build on the recommendations of several studies and focus on unsignalized intersections. They do not apply to school crossings. Considerations (in addition to the procedure provided in these guidelines) should be used where a pedestrian treatment could present an increased safety risk to pedestrians, such as where there is poor sight distance, complex geometrics, or traffic signals.

System of Treatments

The installation of a pedestrian crossing treatment alone does not necessarily result in more vehicles stopping for pedestrians unless that device shows a red indication to the motorist. Therefore, treating a location to improve pedestrian access or safety should include several components. For example, in addition to traffic control devices (TCDs) such as signs or markings, geometric improvements (e.g., refuge island, roadway narrowing, and curb extensions) may be used to shorten the crossing distance (and hence the exposure time for the pedestrian). Traffic calming may be used to slow vehicle speeds near the pedestrian crossing.

Overview of Procedure

Figure A-1 provides an overview of the procedure. Tables A-1 and A-2 list the variables needed for the evaluation and the calculations that are to be performed, respectively.

Step 1: Select Worksheet

Two worksheets are available—a worksheet for speeds of 35 mph (55 km/h) or less and a worksheet for speeds that exceed

35 mph (55 km/h) where the community has a population of less than 10,000 or where a major transit stop exists. The first step is to select the appropriate worksheet. The speeds represent the posted or statutory speed limit or the 85th percentile speed on the major street, whichever is higher. The worksheets available are

- Worksheet 1: 35 mph (55 km/h) or less (see Figure A-2) and
- Worksheet 2: exceeds 35 mph (55 km/h), in communities with less than 10,000 in population, or where a major transit stop exists (see Figure A-3).

Step 2: Check Minimum Pedestrian Volume

The minimum pedestrian volume for a peak-hour evaluation is 20 pedestrians per hour for both directions (14 ped/h if the major road speed exceeds 35 mph [55 km/h]). If fewer pedestrians are crossing the street, then geometric improvements (rather than signs, signals, or markings) such as traffic calming, median refuge islands, and curb extensions, are alternatives that can be considered.

Step 3: Check Signal Warrant

The MUTCD signal warrants are checked in Step 3 to determine whether to consider a signal at the site. The signal warrant procedures recommended in this step (which will be considered as changes to the MUTCD by the National Committee on Uniform Traffic Control Devices) more closely align the Pedestrian Signal Warrant with the current (2003) Peak-Hour Signal Warrant for vehicles (with adjustment made to reflect the counting of pedestrians crossing the major roadway from both approaches rather than only the highest approach as used in the vehicle signal warrant). The worksheets include equations that can determine the minimum required number of crossing pedestrians for a given major-road vehicle volume.

Step 4: Estimate Approach Pedestrian Delay

The average pedestrian delay equation from the *2000 Highway Capacity Manual* is used to determine the approach pedestrian delay.

Step 5: Select Appropriate Treatment

The total pedestrian delay along with the expected compliance is used to determine the treatment category to consider for the site.

Example Using Guidelines

Known

Citizens have requested a pedestrian treatment at the 2700 block crossing of Elm Street. Known characteristics of the site include

- Four-lane road with no pedestrian refuge median;
- 56 ft (17 m) crossing distance;
- 35 mph (55 km/h) speed limit;
- During the peak pedestrian hour, 50 pedestrians counted when the major-road volume was 1,000 veh/h;
- During the peak vehicle hour, 20 pedestrians counted when the major-road volume was 1,500 veh/h; and
- Motorists observed stopping for pedestrians, showing a “high” compliance.

The following assumptions were made:

- Walking speed is 3.5 ft/s (1.1 m/s) and
- Start-up time is 3 seconds.

Calculations

Figure A-1 provides an overview of the procedure. Tables A-1 and A-2 list the variables needed for the evaluation and the calculations that are to be performed, respectively. The following are the procedures for this example:

- **Step 1: Select Worksheet.** Worksheet 1 is the applicable worksheet for a speed limit of 35 mph (55 km/h). Figure A-4 shows the worksheet with appropriate values for the example. Given that the assumed walking speed and the crosswalk length match the values used to generate one of the figures included in the guidelines, that plot can be used rather than using Worksheet 1 to determine the suggested pedestrian treatment. Figure A-5 shows the plot.
- **Step 2: Check Minimum Pedestrian Volume.** The next step is to determine if a minimum number of pedestrians are present at the site. Because more than 20 pedestrians

are crossing the roadway during the peak hour, some form of a pedestrian treatment is suggested.

- **Step 3: Check Signal Warrant.** The minimum number of pedestrians needed on the minor-road approach crossing a four-lane roadway with 1,000 vehicles in the peak hour is 271. The number of crossing pedestrians (50) is less than the 271 value; therefore, a signal is not warranted under the pedestrian volume warrant. Checking the peak vehicle hour provides the same result: a signal is not warranted under the pedestrian volume warrant.
- **Step 4: Estimate Approach Pedestrian Delay.** The average pedestrian delay equation was used to determine the total pedestrian delay. A total pedestrian delay value of 9.8 ped-h was calculated.
- **Step 5: Select Appropriate Treatment.** The motorist compliance observed at the site is “high.” With a total pedestrian delay value of 9.8 ped-h and a motorist compliance of high, the worksheet indicates that an “enhanced/active” device should be considered. Figure A-5 shows the solution using the major roadway volume of 1,000 veh/h and the pedestrian volume of 50. The intersection of these two lines (see circle in Figure A-5) results in the same finding: “enhanced/active” device. The following section lists suggested treatments within the categories.

Descriptions of Sample Treatments

The treatments included in these guidelines are divided into broad classes of elements and devices. Elements are used either uniquely or to supplement a device. A device represents the primary component of a pedestrian treatment.

The **elements** discussed here have been divided into two categories:

- **Supplemental Signs and Markings.** This category is composed of applications of signs and markings beyond the standard crosswalk markings and pedestrian crossing signs discussed in the “Crosswalk” category of devices below. Items in this category include advance stop lines and advance signing.
- **Geometric Elements.** This category pertains to crosswalk elements that are permanent installations but are not signs, markings, or devices. These are elements installed based on engineering judgment rather than a warrant and include items such as median refuge islands and curb extensions.

The **devices** discussed here have been divided into five categories:

- **Crosswalk.** This category encompasses standard crosswalk markings and pedestrian crossing signs, as opposed to unmarked crossings.

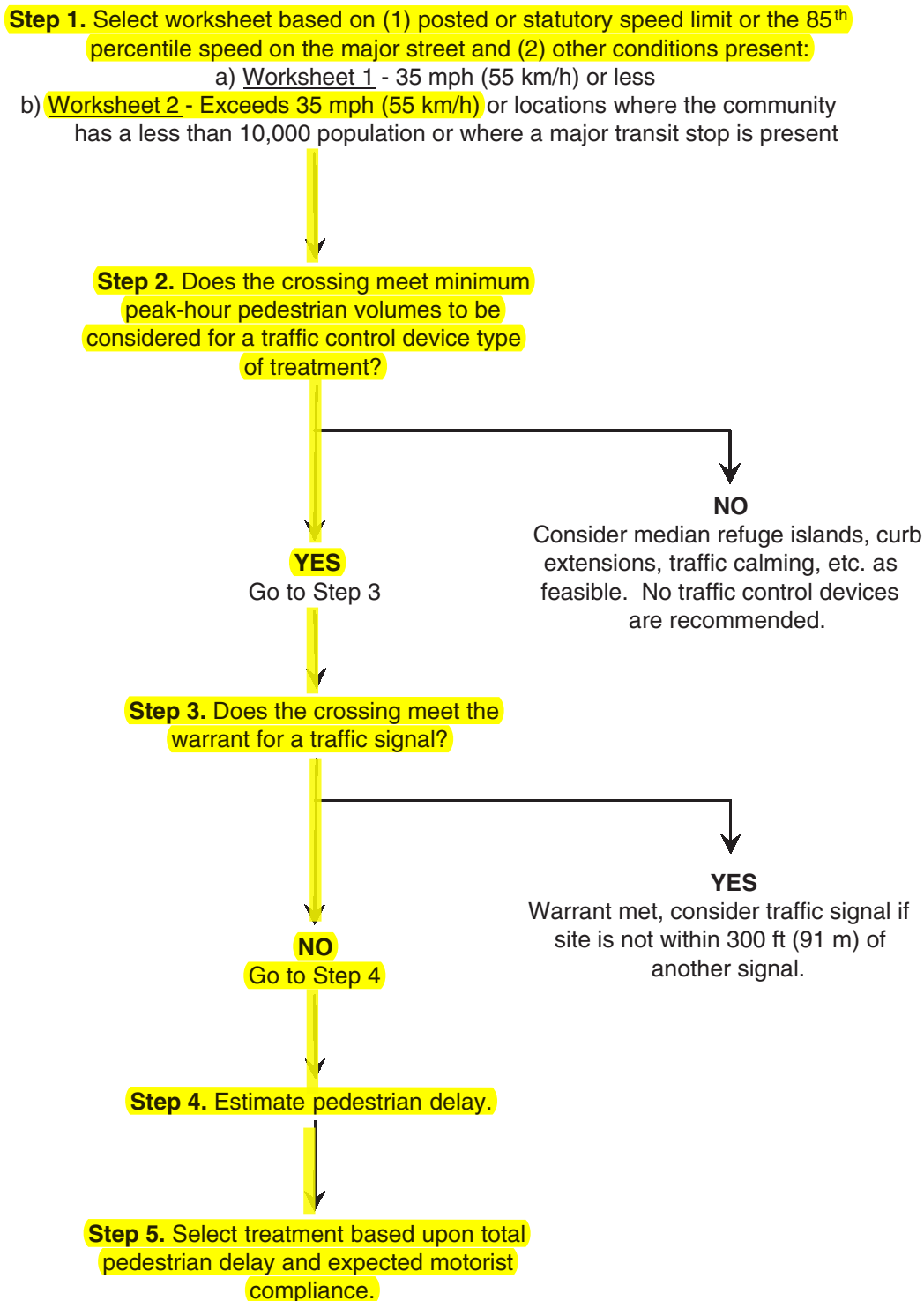


Figure A-1. Flowchart for Guidelines for Pedestrian Crossing Treatments.

Table A-1. Input Variables for Guidelines for Pedestrian Crossing Treatment.

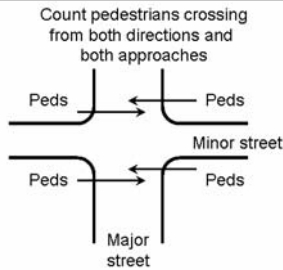
INPUT VARIABLES	TERM	DISCUSSION
ROAD CHARACTERISTICS		
Speed on the major street (mph)	S_{maj}	Use the major road posted or statutory speed limit for the facilities or, if available, the 85 th percentile speed to determine which worksheet is applicable. Worksheet 1 is used when the speed is 35 mph (55 km/h) or less, while Worksheet 2 is used when the speed exceeds 35 mph (55 km/h).
Pedestrian crossing distance (ft)	L	Pedestrian crossing distance represents the distance that a pedestrian would need to cross before reaching either the far curb or a median refuge island. The distance would be between the near and far curbs if a painted or raised median refuge island is not present, or to the median refuge island if the island is present. Note if a parking stall is present, its width should be included in the crossing distance measurement. Crossing distance rather than number of lanes was selected for the procedure so that the extra time needed by a pedestrian to cross bike lanes, two-way left-turn lanes, wide lanes, etc. could be considered.
COUNTS		
Peak-hour pedestrian volume crossing major roadway (ped/h)	V_p	Pedestrian volume is the number of pedestrians crossing the major roadway in a peak hour. The count includes all pedestrian crossings of the major roadway at the location. 
Major road peak hour vehicle volume (veh/h)	V_{maj-s} V_{maj-d}	Vehicle volume represents the number of vehicles and bicycles on both approaches of the major road during a peak hour. If a painted or raised median refuge island is present of sufficient size to store pedestrians (minimum of 6 ft [1.8 m] wide), then consider the volume on each approach individually. In the signal warrant calculations, use the volume on both approaches (V_{maj-s}). For the delay calculations, the volume (V_{maj-d}) would reflect either both approaches if a refuge island is not present or each approach individually if a refuge island is present.
LOCAL PARAMETERS		
Motorist compliance for region (high or low)	Comp	Compliance reflects the typical behavior of motorists for the site. If motorists tend to stop for a pedestrian attempting to cross at an uncontrolled location, then compliance is "high." If motorists rarely stop for a crossing pedestrian, then compliance is "low."
Pedestrian walking speed (ft/s)	S_p	Walking speed represents the speed of the crossing pedestrians. Recent research has suggested walking speeds of 3.5 ft/s (1.1 m/s) for the general population and 3.0 ft/s (0.9 m/s) for the older population. If calculating for a site, determine the 15 th percentile value of those using the crossing.
Pedestrian start-up time and end clearance time (s)	t_s	Start-up time is used in the calculation of the critical gap. A value of 3 s is suggested in the <i>Highway Capacity Manual</i> .

Table A-2. Calculations for Guidelines for Pedestrian Crossing Treatment.

CALCs	TERM	DISCUSSION
Signal warrant check (ped/h)	SC	Regression equations were determined for the plots shown in the 2003 <i>MUTCD</i> Figures 4C-3 and 4C-4. These equations can calculate the minimum number of vehicles that would be needed at the given major road volume to meet the signal warrant. The recommendation made in 2006 to the National Committee on Uniform Traffic Control Devices is that the vehicles signal warrants values for crossing two lanes be used as the pedestrian signal warrant values. Because the pedestrian signal warrant is to reflect total pedestrian crossings rather than just the number of pedestrians on the higher approach, the vehicle signal warrant values should be divided by 0.75 to reflect an assumed directional distribution split of 75/25. Different equations are provided for low-speed and high-speed conditions. The worksheets provide instructions on checking the peak hour. Both the peak vehicle hour and the peak pedestrian hour may need to be checked.
Critical gap (s)	T_c	Critical gap is the time in seconds below which a pedestrian will not attempt to begin crossing the street. For a single pedestrian, critical gap (t_c) can be computed using Equation 18-17 of the <i>2000 Highway Capacity Manual</i> . The equation includes consideration of the pedestrian walking speed (S_p), crossing distance (L), and start-up and end clearance times (t_s). $t_c = (L/S_p) + t_s$
Major road flow rate (veh/s)	v	Flow rate is a measure of the number of vehicles per second (v). For high-speed conditions, the number of vehicles is adjusted by dividing by 0.7. Flow rate is determined by: Low speed: $v = V_{maj-p}/3600$ high speed: $v = (V_{maj-p}/0.7)/3600$ It is based on the major road volume (V_{maj-d}), which is the total of both approaches (or the approach being crossed if median refuge island is present) during the peak hour (veh/h).
Average pedestrian delay (s/person)	d_p	The <i>2000 Highway Capacity Manual</i> includes Equation 18-21 that can be used to determine the average delay per pedestrian at an unsignalized intersection crossing (s/person). $d_p = \frac{1}{v} (e^{vt_c} - vt_c - 1)$ It depends upon critical gap (t_c), the vehicular flow rate of the crossing (v), and the mean vehicle headway.
Total pedestrian delay (ped-h)	D_p	Total pedestrian delay (D_p) uses the average pedestrian delay (d_p) and multiplies that value by the number of pedestrians (V_p) to determine the total pedestrian delay for the approach. $D_p = (d_p \times V_p)/3,600$

WORKSHEET 2: PEAK-HOUR, EXCEEDS 35 MPH (55 KM/H)		
Analyst and Site Information		
Analyst: Michael Sullivan	Major Street: Washington St N	
Analysis Date: October 13, 2016	Minor Street or Location: Caswell Ave	
Data Collection Date: October 13, 2016	Peak Hour: 2:45 pm - 3:45 pm	
Step 1: Select worksheet (speed reflects posted or statutory speed limit or 85 th percentile speed on the major street): a) Worksheet 1 – 35 mph (55 km/h) or less b) Worksheet 2 – exceeds 35 mph (55 km/h), communities with less than 10,000, or where major transit stop exists		
Step 2: Does the crossing meet minimum pedestrian volumes to be considered for a TCD type of treatment?		
Peak-hour pedestrian volume (ped/h), V_p	2a	23
If $2a \geq 14$ ped/h, then go to Step 3.		
If $2a < 14$ ped/h, then consider median refuge islands, curb extensions, traffic calming, etc. as feasible.		
Step 3: Does the crossing meet the pedestrian volume warrant for a traffic signal?		
Major road volume, total of both approaches during peak hour (veh/h), V_{maj-s}	3a	1690
Minimum signal warrant volume for peak hour (use 3a for V_{maj-s}), SC SC = $(0.00035 V_{maj-s}^2 - 0.80083 V_{maj-s} + 529.197)/0.75$ OR $[(0.00035 3a^2 - 0.80083 3a + 529.197)/0.75]$	3b	234
If $3b < 93$, then enter 93. If $3b \geq 93$, then enter 3b.	3c	234
If 15 th percentile crossing speed of pedestrians is less than 3.5 ft/s (1.1 m/s), then reduce 3c by up to 50 percent; otherwise enter 3c.	3d	234
If $2a \geq 3d$, then the warrant has been met and a traffic signal should be considered if not within 300 ft (91 m) of another traffic signal. Otherwise, the warrant has not been met. Go to Step 4.		
Step 4: Estimate pedestrian delay.		
Pedestrian crossing distance, curb to curb (ft), L	4a	85
Pedestrian walking speed (ft/s), S_p	4b	3.5
Pedestrian start-up time and end clearance time (s), t_s	4c	3
Critical gap required for crossing pedestrian (s), $t_c = (L/S_p) + t_s$ OR $[(4a/4b) + 4c]$	4d	27.3
Major road volume, total both approaches or approach being crossed if median refuge island is present during peak hour (veh/h), V_{maj-d}	4e	1690
Major road flow rate (veh/s), $v = (V_{maj-d}/0.7)/3600$ OR $[(4e/0.7)/3600]$	4f	.67
Average pedestrian delay (s/person), $d_p = (e^{v t_c} - v t_c - 1) / v$ OR $[(e^{4f \times 4d} - 4f \times 4d - 1) / 4f]$	4g	131100838
Total pedestrian delay (h), $D_p = (d_p \times V_p)/3,600$ OR $[(4g \times 2a)/3600]$ (this is estimated delay for all pedestrians crossing the major roadway without a crossing treatment – assumes 0% compliance). This calculated value can be replaced with the actual total pedestrian delay measured at the site.	4h	837589
Step 5: Select treatment based upon total pedestrian delay and expected motorist compliance.		
Expected motorist compliance at pedestrian crossings in region, Comp = high or low	5a	LOW
Total Pedestrian Delay, D_p (from 4h) and Motorist Compliance, Comp (from 5a)	Treatment Category (see Descriptions of Sample Treatments for examples)	
$D_p \geq 21.3$ h (Comp = high or low) OR $5.3 \text{ h} \leq D_p < 21.3$ h and Comp = low	RED	
$D_p < 5.3$ h (Comp = high or low) OR $5.3 \text{ h} \leq D_p < 21.3$ h and Comp = high	ACTIVE OR ENHANCED	

Figure A-3. Worksheet 2.

Location : On Washington St. N. just north of Falls Ave. SB Only
Study Dates : From Sun 10-8-2016 thry Thu 10-13-2016
Counter # : #2

Site: WASHINGTON

Seven Day Volume, per Channel

Interval Start	Southbound							Mon - Fri Average	7 Day Average
	Sun 10/9/2016	Mon 10/10/2016	Tue 10/11/2016	Wed 10/12/2016	Thu 10/13/2016	Fri 10/14/2016	Sat 10/15/2016		
12:00 AM	-	71	66	74	95	-	-	76.5	76.5
1:00 AM	-	55	60	41	42	-	-	49.5	49.5
2:00 AM	-	23	28	22	30	-	-	25.8	25.8
3:00 AM	-	21	17	23	18	-	-	19.8	19.8
4:00 AM	-	38	27	28	28	-	-	30.3	30.3
5:00 AM	-	88	106	98	101	-	-	98.3	98.3
6:00 AM	-	194	221	217	210	-	-	210.5	210.5
7:00 AM	-	485	556	508	553	-	-	525.5	525.5
8:00 AM	-	456	597	529	503	-	-	521.3	521.3
9:00 AM	247	414	453	450	466	-	-	445.8	406.0
10:00 AM	411	510	566	576	517	-	-	542.3	516.0
11:00 AM	389	646	645	767	-	-	-	686.0	611.8
12:00 PM	550	741	811	798	-	-	-	783.3	725.0
1:00 PM	508	718	796	775	-	-	-	763.0	699.3
2:00 PM	526	703	787	747	-	-	-	745.7	690.8
3:00 PM	487	838	905	920	-	-	-	887.7	787.5
4:00 PM	537	812	895	886	-	-	-	864.3	782.5
5:00 PM	523	847	923	930	-	-	-	900.0	805.8
6:00 PM	473	675	718	739	-	-	-	710.7	651.3
7:00 PM	518	570	561	652	-	-	-	594.3	575.3
8:00 PM	325	411	446	513	-	-	-	456.7	423.8
9:00 PM	257	308	294	301	-	-	-	301.0	290.0
10:00 PM	178	226	217	213	-	-	-	218.7	208.5
11:00 PM	136	136	155	143	-	-	-	144.7	142.5
Totals	6065	9986	10850	10950	2563	0	0	10601.3	9873.0
Peak Hours									
12:00 AM - 12:00 PM	10:45 AM	11:00 AM	7:30 AM	11:00 AM	7:15 AM	-	-	11:00 AM	7:30 AM
Volume	437	646	664	767	644	-	-	686.0	613.8
Factor	0.77	0.83	0.85	0.93	0.79	-	-	0.89	0.84
12:00 PM - 12:00 AM	12:15 PM	3:30 PM	4:30 PM	3:30 PM	-	-	-	3:30 PM	3:30 PM
Volume	553	888	968	973	-	-	-	925.7	823.3
Factor	0.96	0.83	0.98	0.83	-	-	-	0.85	0.89

Location : On Washington St. N. just north of Falls Ave. NB only
Study Dates : From Sun 10-2-2016 thru Thu 10-6-2016
Counter # : #2

Site: WASHINGTON

Seven Day Volume, per Channel

Northbound									
Interval Start	Sun 10/2/2016	Mon 10/3/2016	Tue 10/4/2016	Wed 10/5/2016	Thu 10/6/2016	Fri 10/7/2016	Sat 10/8/2016	Mon - Fri Average	7 Day Average
12:00 AM	-	59	43	40	44	-	-	46.5	46.5
1:00 AM	-	37	21	25	33	-	-	29.0	29.0
2:00 AM	-	16	28	22	18	-	-	21.0	21.0
3:00 AM	-	31	35	39	38	-	-	35.8	35.8
4:00 AM	-	71	58	61	59	-	-	62.3	62.3
5:00 AM	-	147	158	145	145	-	-	148.8	148.8
6:00 AM	-	337	392	345	308	-	-	345.5	345.5
7:00 AM	-	749	760	691	594	-	-	698.5	698.5
8:00 AM	189	683	646	822	644	-	-	698.8	698.8
9:00 AM	370	567	536	570	588	-	-	565.3	526.2
10:00 AM	427	623	628	622	-	-	-	624.3	575.0
11:00 AM	464	670	732	668	-	-	-	690.0	633.5
12:00 PM	541	820	818	789	-	-	-	809.0	742.0
1:00 PM	537	750	798	753	-	-	-	767.0	709.5
2:00 PM	507	723	660	725	-	-	-	702.7	653.8
3:00 PM	509	813	889	832	-	-	-	844.7	760.8
4:00 PM	499	828	842	861	-	-	-	843.7	757.5
5:00 PM	482	902	870	904	-	-	-	892.0	789.5
6:00 PM	452	666	690	718	-	-	-	691.3	631.5
7:00 PM	386	516	504	534	-	-	-	518.0	485.0
8:00 PM	336	337	338	355	-	-	-	343.3	341.5
9:00 PM	225	240	263	238	-	-	-	247.0	241.5
10:00 PM	123	143	164	175	-	-	-	160.7	151.3
11:00 PM	102	108	114	123	-	-	-	115.0	111.8
Totals	6149	10836	10987	11057	2471	0	0	10899.9	10196.2
Peak Hours									
12:00 AM - 12:00 PM	11:00 AM	7:15 AM	7:30 AM	7:45 AM	7:30 AM	-	-	7:30 AM	7:15 AM
Volume	464	834	853	876	671	-	-	805.8	783.5
Factor	0.86	0.79	0.76	0.87	0.76	-	-	0.79	0.77
12:00 PM - 12:00 AM	12:00 PM	4:30 PM	4:30 PM	4:45 PM	-	-	-	4:30 PM	4:30 PM
Volume	541	909	927	922	-	-	-	914.0	805.0
Factor	0.97	0.89	0.91	0.97	-	-	-	0.92	0.93



Caswell Ave E

Washington St N

(21)

(5)

||||

||

(2)

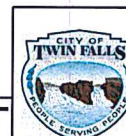
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(2)

DATE: 10-12-2016

TIME: 2:45 PM - 3:45 PM

PEDESTRIAN COUNT





Washington St N

Caswell Ave N

(23)

|||||
|||

(7)

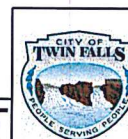
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(3)

DATE: 10-13-2016
TIME: 2:45pm - 3:45pm

PEDESTRIAN COUNT





Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Josh Baird, Staff Engineer, Jon Caton, Public Works Director

Request:

Request to award the 2017-07 Eastland Drive North and Pole Line Road: Bitterroot Dr. to Cheney Dr. and Cheney Dr. to Mountain View Dr project to Kloepper Inc. of Twin Falls, Idaho, in the amount of \$1,977,616.69.

Time Estimate:

The staff presentation will take approximately 10-15 minutes.

Background:

The 2017-07 Eastland Dr. North project will rehabilitate the roadway by using a Cement Treated Base (CTB) process which mixes cement with a combination of aggregate and pulverized recycled plantmix pavement for the base layer. After the CTB is placed and compacted, plantmix pavement is placed atop the base. The project will also replace irrigation lines, water lines, and water services. It will include some curb and gutter, sidewalk, and approach work as well.

The project is planned to rehabilitate the entire width of Eastland just south of Bitterroot Dr heading north beyond the curve and then west to a location west of the intersection of Mountain View Dr and Pole Line Rd.

The project was formally bid and on Thursday, December 14, 2017 bids were opened for the project. Two bids were received that ranged from \$1,977,616.69 to \$2,673,636.00. The lowest bid came from Kloepper, Inc. based out of Twin Falls, Idaho in the amount of \$1,977,616.69, approximately 4% lower than the Engineer's Estimate of \$2,063,129.00. The bid package from Kloepper, Inc. was checked for completeness and no irregularities were found.

Approval Process:

A majority vote of the Council to approve the Award of Contract.

Budget Impact:

The funding for this project is part of the \$4.4 million approved to be spent by City Council on April 10, 2017 from Street Department Reserves.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that City Council award the 2017-07 Eastland Drive North and Pole Line Road: Bitterroot Dr to Cheney Dr and Cheny Dr to Mountain View Dr project to Kloepper, Inc. in the amount of \$1,977,616.69.

Attachments:

1. Vicinity Map
2. Bid Tabulation
3. Civil Science Recommendation Letter

SAVED BY: le 12/5/2017 11:11:03 AM PLOTTED: LE 12/5/2017 9:26:22 PM
PATH: L:\IDAHO\PROJECTS\ACTIVE 2017\TX17208.00 - EASTLAND POLELINE\700 - CAD\SHEET_FILES\ROADWAY\TYPICAL SECTIONS MAP.DWG



				DRAWN B.P.	12/4/17
				CHECKED R.L.R.	12/4/17
				APPROVED J.W.S.	12/4/17
NO.	REVISIONS	BY	DATE		



CITY OF TWIN FALLS
PUBLIC WORKS
203 MAIN AVE E
TWIN FALLS

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EASTLAND DRIVE NORTH AND POLE LINE ROAD
BITTERROOT DR TO CHENEY DR & CHENEY DR TO MOUNTAIN VIEW DR

TYPICAL SECTION MAP

PROJECT NO.:
2017-07
SHEET NO.
4 OF 29
SCALE:
AS NOTED

2017-07 EASTLAND DRIVE NORTH AND POLE LINE ROAD: BITTERROOT DR TO CHENEY DRIVE, CHENEY DR TO MOUNTAIN VIEW DR

Bid Tabulation

Prepared by: Civil Science, Inc.
Date: December 14, 2017

Item No.	Bid Item Description	Est. Qty.	Unit
201.4.1.B.1	Clearing and Grubbing	1	LS
201.4.1.D.1	Removal of Sidewalk	497	SY
201.4.1.E.1	Removal of Curb and Gutter	564	LF
201.4.1.E.2	Removal of Valley Gutter	24	LF
201.4.1.E.3	Removal of Irrigation Line	500	LF
201.4.1.F.1	Removal of Tree	7	EA
201.4.1.F.2	Removal of Hydrant	2	EA
201.4.1.F.3	Removal of Irrigation Structure	3	EA
201.4.1.F.4	Removal of PRV Vault	1	EA
201.4.1.F.5	Removal of Sign	8	EA
201.4.1.G.1	Remove and Relocate Sign	3	EA
201.4.1.G.2	Remove and Relocate Mailbox	3	EA
202.4.1.C.1	Excavation	42,892	SY
307.4.1.F.1	Main Line Type "P" Surface Restoration	571	LF
307.4.1.F.5	Service Line Type "P" Surface Restoration	17	LF
307.4.1.K.5	Soft Spot Repair Crushed Aggregate Base Material (0 to 10 cu. yds)	10	CY
307.4.1.K.7	Soft Spot Repair Crushed Aggregate Base Material (11 cu. yds and above)	200	CY
401.4.1.A.1	Water Main Pipe – Size 12" – Type C-900	516	LF
401.4.1.A.2	Water Main Pipe – Size 8" – Type C-900	145	LF
401.4.1.A.3	Water Main Pipe – Size 6" – Type C-900	14	LF
402.4.1.A.1	Valve – Size 12" – Type Gate Valve	4	EA
402.4.1.A.2	Valve – Size 8" – Type Gate Valve	2	EA
402.4.1.A.3	Valve – Size 6" – Type Gate Valve	1	EA
403.4.1.A.1	Hydrant	4	EA
404.4.1.A.1	Water Service Connection, Size 1"	5	EA
404.4.1.A.2	Water Service Connection, Size 2"	1	EA
602.4.1.C.1	Shallow Gravity Irrigation Manhole	2	EA
602.4.1.F.1	Catch Basin Type 2	1	EA
704.4.1.C.1	Vault Width 8', Height 6', Length 6'	1	EA
706.4.1.A.5	Standard 6-inch Vertical Curb & Gutter	1,151	LF
706.4.1.B.3	Concrete Valley Gutter	700	SF
706.4.1.C.1	Curb Turn Fillet and Backfill	4	EA
706.4.1.E.1	Concrete Sidewalks, thickness 4"	420	SY
706.4.1.F.1	Concrete Driveway Approach	203	SY
706.4.1.H.1	Pedestrian Ramp w/ Detectable Warning Domes, Type Mid Block	2	EA
706.4.1.H.2	Pedestrian Ramp w/ Detectable Warning Domes, Type C3	2	EA
706.4.1.I.1	Curb Drain	1	EA
802.4.1.B.1	¾" Crushed Aggregate for Base Ty I	313	TON
806.4.1.B.1	Diluted Emulsified Asphalt for Tack Coat	3,438	GAL
807.4.1.A.1	Asphalt for Prime Coat	31	TON
810.4.1.A.1	½" Plant Mix Pavement – Superpave SP-3 PG 70-28	10,170	TON
901.4.1.A.1	12" Diameter, Pressure Irrigation Pipe, Type C-900	215	LF
1003.4.1.E.1	Sediment Trap Basin (20'x40')	1	EA
1006.4.1.C.1	Inlet Protection	6	EA
1103.4.1.A.1	Construction Traffic Control	1	LS
2010.4.1.A.1	Mobilization	1	LS
2020.4.1.F.1	Reference and Reset Monuments	14	EA
2030.4.1.A.1	Manhole, Adjust to Grade	16	EA
2030.4.1.C.1	Valve Box, Adjust to Grade	45	EA
2050.4.1.C.1	Subgrade Separation Geotextile, non-woven Ty II (Soft Spot Repair)	2,282	SY
2070.4.1.A.1	Survey, Inspection and Testing	1	LS
SP-3000.1	Cement Treated Base Course	40,834	SY
SP-3000.2	Portland Cement	530	TN
SP-3001.1	Lawn Repair	74	SY

Civil Science Engineer's Estimate	
Unit Price	Extension
\$5,000.00	\$5,000.00
\$3.00	\$1,491.00
\$10.00	\$5,640.00
\$20.00	\$480.00
\$4.00	\$2,000.00
\$800.00	\$5,600.00
\$650.00	\$1,300.00
\$500.00	\$1,500.00
\$1,000.00	\$1,000.00
\$150.00	\$1,200.00
\$275.00	\$825.00
\$150.00	\$450.00
\$8.00	\$343,136.00
\$40.00	\$22,840.00
\$40.00	\$680.00
\$30.00	\$300.00
\$30.00	\$6,000.00
\$44.00	\$22,704.00
\$40.00	\$5,800.00
\$38.00	\$532.00
\$3,610.00	\$14,440.00
\$2,800.00	\$5,600.00
\$1,825.00	\$1,825.00
\$5,000.00	\$20,000.00
\$1,825.00	\$9,125.00
\$2,500.00	\$2,500.00
\$2,270.00	\$4,540.00
\$1,800.00	\$1,800.00
\$5,000.00	\$5,000.00
\$30.00	\$34,530.00
\$14.00	\$9,800.00
\$2,875.00	\$11,500.00
\$50.00	\$21,000.00
\$50.00	\$10,150.00
\$1,200.00	\$2,400.00
\$1,200.00	\$2,400.00
\$500.00	\$500.00
\$25.00	\$7,825.00
\$6.00	\$20,628.00
\$350.00	\$10,850.00
\$85.00	\$864,450.00
\$44.00	\$9,460.00
\$600.00	\$600.00
\$100.00	\$600.00
\$50,000.00	\$50,000.00
\$200,000.00	\$200,000.00
\$750.00	\$10,500.00
\$900.00	\$14,400.00
\$500.00	\$22,500.00
\$3.00	\$6,846.00
\$50,000.00	\$50,000.00
\$3.00	\$122,502.00
\$156.00	\$82,680.00
\$50.00	\$3,700.00

Kloepfer, Inc. Low Bid	
Unit Price	Extension
\$28,500.00	\$28,500.00
\$9.05	\$4,497.85
\$3.50	\$1,974.00
\$15.25	\$366.00
\$21.00	\$10,500.00
\$1,000.00	\$7,000.00
\$950.00	\$1,900.00
\$275.00	\$825.00
\$1,650.00	\$1,650.00
\$50.00	\$400.00
\$150.00	\$450.00
\$200.00	\$600.00
\$5.29	\$226,898.68 *
\$22.15	\$12,647.65
\$47.00	\$799.00
\$138.71	\$1,387.10
\$54.81	\$10,962.00
\$37.80	\$19,504.80
\$126.00	\$18,270.00
\$31.50	\$441.00
\$4,374.30	\$17,497.20
\$1,508.85	\$3,017.70
\$1,289.40	\$1,289.40
\$5,199.60	\$20,798.40
\$2,100.00	\$10,500.00
\$2,625.00	\$2,625.00
\$4,200.00	\$8,400.00
\$2,310.00	\$2,310.00
\$26,000.00	\$26,000.00
\$19.00	\$21,869.00
\$11.00	\$7,700.00
\$2,700.00	\$10,800.00
\$37.80	\$15,876.00
\$50.00	\$10,150.00
\$2,100.00	\$4,200.00
\$2,100.00	\$4,200.00
\$900.00	\$900.00
\$113.71	\$35,591.23
\$2.99	\$10,279.62
\$665.00	\$20,615.00
\$87.16	\$886,417.20
\$147.00	\$31,605.00
\$750.00	\$750.00
\$80.00	\$480.00
\$85,000.00	\$85,000.00
\$57,196.00	\$57,196.00
\$485.00	\$6,790.00
\$800.00	\$12,800.00
\$550.00	\$24,750.00
\$1.21	\$2,761.22
\$50,700.00	\$50,700.00
\$3.56	\$145,369.04
\$167.42	\$88,732.60
\$1.00	\$74.00

Idaho Materials & Const 2nd Low Bid	
Unit Price	Extension
\$11,400.00	\$11,400.00
\$5.40	\$2,683.80
\$4.40	\$2,481.60
\$16.50	\$396.00
\$6.60	\$3,300.00
\$695.00	\$4,865.00
\$526.00	\$1,052.00
\$545.00	\$1,635.00
\$2,200.00	\$2,200.00
\$166.00	\$1,328.00
\$499.00	\$1,497.00
\$659.00	\$1,977.00
\$1.60	\$68,627.20
\$26.00	\$14,846.00
\$95.00	\$1,615.00
\$130.00	\$1,300.00
\$48.00	\$9,600.00
\$60.00	\$30,960.00
\$84.00	\$12,180.00
\$125.00	\$1,750.00
\$3,700.00	\$14,800.00
\$1,250.00	\$2,500.00
\$1,400.00	\$1,400.00
\$4,600.00	\$18,400.00
\$908.00	\$4,540.00
\$1,650.00	\$1,650.00
\$2,750.00	\$5,500.00
\$3,350.00	\$3,350.00
\$16,800.00	\$16,800.00
\$19.00	\$21,869.00
\$9.00	\$6,300.00
\$1,575.00	\$6,300.00
\$51.00	\$21,420.00
\$64.00	\$12,992.00
\$1,725.00	\$3,450.00
\$1,725.00	\$3,450.00
\$555.00	\$555.00
\$25.50	\$7,981.50
\$3.40	\$11,689.20
\$818.00	\$25,358.00
\$79.00	\$803,430.00
\$79.00	\$16,985.00
\$2,850.00	\$2,850.00
\$157.00	\$942.00
\$90,000.00	\$90,000.00
\$91,300.50	\$91,300.50
\$525.00	\$7,350.00
\$577.00	\$9,232.00
\$472.00	\$21,240.00
\$2.60	\$5,933.20
\$59,000.00	\$59,000.00
\$27.00	\$1,102,518.00
\$175.00	\$92,750.00
\$55.50	\$4,107.00

ESTIMATED TOTAL \$2,063,129.00

TOTAL \$1,977,616.69 *

TOTAL \$2,673,636.00 *

"Bid Proposal" Signed/Submitted:
"Bid Schedule" Correct:
5% Bid Bond
Subcontractor Form
Project References
Public Works License:
RESPONSIVE BID:

Yes
No*
Yes
Yes
Yes
Yes
Yes
Yes

Yes
No*
Yes
Yes
Yes
Yes
Yes
Yes

*Item 202.4.1.C.1.A - Incorrect total shown in their calculations on submitted bid (\$226,898.60) - Total shown above is corrected total

*Total bid shown on submitted bid (\$2,671,341.00) - Total shown above is corrected total

December 14, 2017

Mr. Josh Baird, P.E.
City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83303-1907

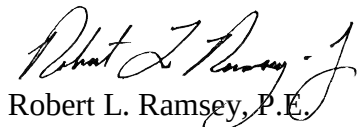
RE: Eastland Drive North and Pole Line Road: Bitterroot Dr to Cheney Dr and Cheney Dr to Mountain View Dr – Bid Opening and Engineer's Recommendation

Josh,

On Thursday, December 14, 2017, at 10:00 a.m., at the Twin Falls City offices, bids were publicly opened for the above-referenced project. Bids were submitted by Kloepper, Inc., and Idaho Materials and Construction. The bid tabulation is attached. I have reviewed the bids and found them responsive. As such, it is the recommendation of Civil Science, Inc., that the City of Twin Falls award the contract to the apparent low bidder (Kloepper, Inc.) with a bid of \$1,977,616.69.

It continues to be a pleasure to work with the City of Twin Falls. Please contact me with any questions regarding this project.

Sincerely,



Robert L. Ramsey, P.E.
Project Manager



Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Senior Planner, Mitch Humble, Deputy City Manager

Request:

Title 10 Code Amendments presentation with possible action.

Time Estimate:

The presentation will take approximately 10 minutes. Additional time will be needed for discussion and questions.

Background:

The current form and function of Title 10 was created with Ordinance 2012 in 1981. Over the years, various sections were amended, added or deleted as development and market trends changed.

The latest round of code revisions were authorized by the City Council on September 26, 2012. Over the last 5 years, various code amendments have taken place, including Building Height, Commercial Building Setbacks from residential properties, Parking Lot/Outside Commercial Displays, Parking Lot Standards, Public Hearing Notification Distances, and the PUD to ZDA conversion, among others.

Planning Staff still have several amendments to complete from the group previously authorized. Below is a list of Title 10 Amendments that have been authorized by the Council. A brief summary or status has been included. These are listed in no particular order:

- **Xeriscaping** - review landscape requirements to determine if the Code should amend to support, encourage, or require xeriscape landscaping.
 - *A Landscape Revision Rough Draft* has been created, but not reviewed by the PZ Commission.
- **Gateway Arterial Landscaping** - review the requirement for applicability and onerous standards. Some developers have suggested they are too restrictive for in-fill or redevelopment projects.
 - *A Landscape Revision Rough Draft* has been created, but not reviewed by the PZ Commission.
- **Urban Village/Urban Infill (now Mixed Use, Town Neighborhood)** - the Comprehensive Plan contains future land use designations. There is no zoning districts on the books that really match these zones.
 - On the list, has not been created.
- **Open Space Residential / Cluster Development** - The Comprehensive Plan encourages alternate subdivision and housing design by encouraging or requiring open space and cluster type projects.
 - On the list, has not been researched.

- **Neighborhood Center Development (Neighborhood Commercial)** - the Comprehensive Plan includes Neighborhood Commercial as a future land use. We need to review current standards and create new ones for this district.
 - On the list, has not been created.
- **Office District**- review and possibly create a separate zoning district, as opposed to an overlay. Most likely roll this into Neighborhood Commercial or Residential Business.
 - On the list, has not been created.
- **New Residential District(s)** -review and possibly create a residential district for single family between R-1 and R-2.
 - On the list, has not been researched.
- **Downtown Zoning District(s)** -the Comprehensive Plan shows a unified downtown district as a future land use. This most likely takes the form of a mixed use type with some downtown specifics.
 - The Historic Preservation Commission recently completed design guidelines for the Downtown and City Park areas. Compliance with those guidelines is required when developing or redeveloping in those areas.
 - Still on the list, new district creation or rewrite of the downtown zones has not commenced.
- **Land Uses** -our permitted use regulations are extremely dated (1981). They need to be reviewed, updated, and or rewritten. Consideration needs to be taken to creating several "Conditional Uses" and reduce the need for a special use public hearing for some land uses. The definitions chapter needs significant updating and as new land uses are created. Reorganize the structure of the use regulations into a matrix which is easier to understand and cross reference is preferred.
 - Staff has been working on this item exclusively this past year. At this time we have completed an initial draft of the Definitions Chapter. This draft included adding approximately ~100 terms/uses, deleting ~80 terms/uses, creating definitions for ~200 terms/uses, and modifying ~40 terms/uses. It is a large project that required significant time to complete. From here, we will be going through the land use chapter to identify permitted, conditional, and special uses for each zoning district and then creating those conditions if needed.
 - Recently staff conducted an experiment by replacing the land use lists/paragraphs with a Matrix (see attachment #1). This composed of almost entirely of structural changes to the code, although some minor regulatory changes were also included. By switching to the matrix we are able to condense ~100 pages of land use lists into 6 pages of tables.

By far the **Land Use Sections** is the largest of all the code amendments. The magnitude of these changes is also compounded by the need to keep the existing form and function of Title 10 (ie... the land use lists) as opposed to the matrix style. Furthermore, this is encumbered by the need to keep track of each

addition, deletion, or modification to the existing title (see attachment of the Definitions Draft). the clerical task of keeping track of the changes becomes monumental as the current title is in itself a patchwork of amendments taking place over the last 35+ years.

The following is an additional list of code sections we have identified as needing changes due to other factors. Again, in no particular order:

- Parking: we found some references to parking and stacking standards which were not originally contained in the old parking section. When the parking standards were updated, some of these sections of code buried in other locations were not identified and subsequent conflicts or contradictions were created.
- Sexually Oriented Businesses (SOB's) - this section of our code is unenforceable and has been superseded by some State Statutes. The whole section needs to be deleted.
- Sign Code - Temporary Sign section: Due to a recent U.S. Supreme Court Case (2015 - Reed v Town of Gilbert) some of our sign code needs to be re-evaluated and rewritten to be in-line with this federal decision.
- Chapter 7 - this chapter contains multiple regulations which should be reassessed and/or relocated to be more user friendly and serve the customer better (additional height, centerline setbacks, satellite dish placement, wireless towers, commercial painting, and some others.)
- Chapter 11 - Multiple elements: driveway length, stormwater management, landscaping, screening, parking surface.
- Chapter 12 - some minimum design standards need to be reassessed for validity and potential changes. Parks standards need to be updated/modified to preclude water retention areas to dominate miniparks. The CAM system may need to be updated or re-evaluated.

In total, we anticipate all the changes previously authorized by the Council, and those staff has found which are in conflict or need to be updated, will disrupt or touch on 10 to 12 of the existing 18 Chapters within Title 10. In terms of pages: Title 10 amounts to 206 pages. Chapters 2 and 4 amount to 161 pages. With the other chapters identified we anticipate the total page count to 182. This large of an amendment, touching this many chapters and pages would be extremely difficult to track and implement on a section by section, or chapter by chapter, basis due to all the cross references found within.

Another element to this discussion regards the disconnect between the current Zoning Districts and the Future Land Use Map recently approved with the Comprehensive Plan Update. State Code states "zoning districts shall be in accordance with the policies set forth in the adopted Comprehensive Plan". Many of the zoning districts we have do not correlate with the new Future Land Use Map. This becomes an issue when a rezone request is sought by an applicant. We feel it could become a more serious issue in the future.

Approval Process:

N/A

Budget Impact:

N/A

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends the Council discuss the status of the various Code amendments, and the possibility of authorizing staff to conduct a complete re-write of Title 10.

Although we are seeking authorization to conduct a complete re-write of Title 10, it is imperative to know staff feel a substantial amount of the code is still applicable. Some sections would be kept, and some may need modification. Despite keeping some or modifying some we anticipate changing the structure/layout of the entirety of title 10 and that is best facilitated through a re-write.

Attachments:

1. DRAFT - Land Use Matrix
2. Definitions - Draft

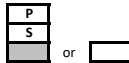
City of Twin Falls Title 10 Zoning and Land Use Matrix

(Proposed **Structural** Changes DRAFT Nov 9, 2017)

PERMITTED USES

PERMITTED USE WITH A SPECIAL USE PERMIT

NOT PERMITTED



LAND USE	AG (\$10-4-1.2)	SUI (\$10-4-2.2)	R-1 VAR (\$10-4-3.2)	R-2 (\$10-4-4.2)	R-4 (\$10-4-5.2)	R-6 (\$10-4-6.2)	CB (\$10-4-7.2)	C-1 (\$10-4-8.2)	M-1 (\$10-4-9.2)	M-2 (\$10-4-10.2)	OS (\$10-4-11.2)	AP (\$10-4-12.2)	OT (\$10-4-13.2)	CM (\$10-4-14.2)	RM (\$10-4-15.2)	CSI (\$10-4-16.2)	PRO (\$10-4-18.2)	PRO - Addison Ave and Blue Lakes Blvd (\$10-4-19.3)	CRO (\$10-4-19.3)	NCO (\$10-4-21.2)	RB (\$10-4-23.2)
1. AGRICULTURAL																					
Agricultural Activities (within 750' of Residential Use or Zone)	S	S																			
Agricultural Activities (beyond 750' of Residential Use or Zone)	P	P																			
Farms - animals on pasture	P	P							P	P	P	P									
Farms - fish	S								S	P	S	S									
Farms - plants and trees	P	P							P	P	P	P									
Intensive agriculture units of five (5) acres or more without residential facilities	P	P							P	P	P	P									
2. AGRICULTURAL PROCESSING																					
Dairy product processing									S	P											
Fish, meat, & poultry processing									S	P											
Grain & seed processing									S	P											
Livestock sales										P											
3. COMMUNICATIONS & UTILITIES																					
Radio and television stations without transmission and receiving towers							P	P	P	P			P								P
Radio and television stations with wireless communications facilities								S	S	S											
Transmission and receiving towers over thirty-five feet (35') tall, provided that they are located near other tall structures.											S										
Telegraph centers and telegraph stations							P	P	P	P			P								
Telephone exchange stations							P	P	P	P			P								
Underground and aboveground transmission lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P
Utility owned buildings and structures less than twenty five (25') square feet in area and less than three (3') feet aboveground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P
Utility owned buildings and structures more than twenty five (25') square feet in area or more than three (3') feet aboveground	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			S	S	S
4. CULTURAL FACILITIES																					
Botanical gardens and arboretums	S	S	S	S	S	S	P	P	P	P	S	P	P	P	S	S			P	S	P
Cemeteries	S							S	P	P	S	S		S							
Historic sites and monuments	P	S	S	S	S	S	P	P	P	P	S	P	P	P	S	S			P	S	P
Libraries, museums and art galleries			S	S	S	S	P	P	P	P			P	P	S	S			P	S	P
Planetariums and aquariums			S	S	S	S	P	P	P	P			P	P	S	S			P	S	
Zoos	S	S					S	S	S	S	S			S	S	S					
5. GOVERNMENTAL FACILITIES																					
City, county, highway district - open storage yards								S	S	P											
City, county, highway district - shops									P	P											
Fire stations and police stations	S	S	S	S	S	S	P	P	P	P		P	S	P	S	S			S	S	
Governmental office buildings						S	P	P	P	P		P	P	P					S	P	
Jails, detention centers, work release centers							S	S	S	P											
Judicial facilities						S	P	P	P	P				P							
Sewage treatment plants										S	S										
Water treatment plants	S	S	S	S	S	S	S	S	P	P	S	P	S	S	S	S			S	S	
Uses by the City of Twin Falls - on real property owned and/or operated by the City of Twin Falls (§10-7-19B)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Uses by the City of Twin Falls- New uses on real property owned and/or operated by the City of Twin Falls, not already permitted by other provisions (§10-7-	Must be approved at a City of Twin Falls public hearing by the City Council																				

LAND USE	AG (§10-4-1.2)	SUI (§10-4-2.2)	R-1 VAR (§10-4-3.2)	R-2 (§10-4-4.2)	R-4 (§10-4-5.2)	R-6 (§10-4-6.2)	CB (§10-4-7.2)	C-1 (§10-4-8.2)	M-1 (§10-4-9.2)	M-2 (§10-4-10.2)	OS (§10-4-11.2)	AP (§10-4-12.2)	OT (§10-4-13.2)	CM (§10-4-14.2)	RM (§10-4-15.2)	CSI (§10-4-16.2)	PRO (§10-4-18.2)	PRO - Addison Ave and Blue Lakes Blvd (§10-4-19.3)	CRO (§10-4-19.3)	NCO (§10-4-21.2)	RB (§10-4-23.2)
6. MANUFACTURING																					
Business park ZDA only								P													
Apparel and related items									S	P			S								
Building materials									S	P											
Chemicals and chemical products (H-1 and H-7(2)) facilities not closer than three hundred feet (300') to a dwelling but excluding the residential uses allowed by subsections (A)10c & (B)9a of this section										S											
Concrete products									S	P											
Food products									S	P											
Furniture and fixtures									S	P			S								
Handcrafted furniture							S	S	S	P			S								S
Metal products									S	P											
Miscellaneous products									S	P			S								
Paper products									S	P			S								
Petroleum products									S	P											
Plastic products									S	P			S								
Professional and scientific products									S	P			S								
Recycling center									S	S											
Rubber products									S	P			S								
Sand and gravel yards									S	P											
Textile products									S	P			S								
Wrecking yards, automobile salvage yards and junkyards, but prohibited within canyons, within two hundred feet (200') of canyon rims and on land with slopes greater than fifteen percent (15%) grade										S											
7. MEDICAL FACILITIES																					
Acupuncture facilities approved by South Central District Health Department or other State regulatory agency							P	P	P	P			P	P							P
Ambulance service					S	P	P	P	P												S
Animal hospital - small animal						S	S	P	P				S	S							S
Animal hospital - large animal							S	S	P												
Doctors offices							P	P	P	P			P	P		S	S	S		S	P
Drug and alcohol treatment centers							P	P	P	P			P	S		S					P
Hospitals and clinics							P	P	S	S			P	P		S				S	
Prosthetics - sales, service and construction							S	S	P	P			P	S							S
Rehabilitation services							P	P	P	P			P	P		S				S	P
8. MISCELLANEOUS																					
Any facility with drive-through service							S	S	S	S		S	S	S		S				S	S
Any facility with drive through service in the Canyon Rim Overlay Zoning District adjacent to Rock Creek Canyon																			S		
Construction yards- See "13. Services"									S												
Notwithstanding the foregoing list of permitted uses, any such use which broadcasts amplified music or sound by speakers to the exterior of the building shall also require a Special Use Permit	S	S					S	S	S	S			S	S					S	S	S
Outside commercial painting																					
Inside commercial painting (spray booth)							S	S	S	S		S	S	S						S	
9. PARKS																					
Amusement parks							S	S	S	S											
Open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P
Park concessions	S	S	S	S	S	S	P	P	P	P	S	S	P	P	S	S			S	S	
Private parks and playgrounds without crowd attracting facilities	P	P	P	P	P	P	P	P	P	P	S	P	P	P	P	P				P	P
Public parks and playgrounds without crowd attracting facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P
Public parks and playgrounds with crowd attracting facilities	S	S	S	S	S	S	S	P	P	P	S	S		S	S	S				S	

LAND USE	AG (§10-4-1.2)	SUI (§10-4-2.2)	R-1 VAR (§10-4-3.2)	R-2 (§10-4-4.2)	R-4 (§10-4-5.2)	R-6 (§10-4-6.2)	CB (§10-4-7.2)	C-1 (§10-4-8.2)	M-1 (§10-4-9.2)	M-2 (§10-4-10.2)	OS (§10-4-11.2)	AP (§10-4-12.2)	OT (§10-4-13.2)	CM (§10-4-14.2)	RM (§10-4-15.2)	CSI (§10-4-16.2)	PRO (§10-4-18.2)	PRO - Addison Ave and Blue Lakes Blvd (§10-4-19.3)	CRO (§10-4-21.2)	NCO (§10-4-21.2)	RB (§10-4-23.2)
10. PUBLIC ASSEMBLY																					
Auditoriums	S	S	S	S	S	S	P	P	P	P			P	P	S	S			S	S	
Exhibition halls							S	S	P	P			P	S					S		
Exposition and recreational vehicle shows													S								
Fairgrounds								S	P	P				S							
Farmer's markets, flea markets													S								
Funeral chapels							P	P	P	P			P	P					P		P
Religious facilities	S	S	S	S	S	S	S	P	P	P			S	P	S	S			P	S	P
Schools - private vocational and/or academic							P	P	P	P			P	P		S				S	P
Schools - private academic				S	S	S															
Schools - private, single purpose							P	P	P	P			P	P						S	P
Schools - public	S	S	S	S	S	S	P	P	S	S			P	P	S	S				S	P
Sports arena							S	S	P	P		S	S	S							
Theaters - indoor							P	P	S	S			P	P						S	
Theaters - outdoor							S	S	S	S			S	S							
Wedding chapels and/or reception halls							P	P	P	P			P	P							P
11. RESIDENTIAL																					
Accessory buildings (less than 1,500 square feet), personal swimming pools and other accessory uses	P	P										P									
Detached accessory buildings (more than 1,500 square feet) i.e., garages and other accessory buildings	S	S										S									
Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses			P	P	P	P	P	P			S			P	P	P					P
Accessory buildings (less than 1,000 square feet) i.e., garages and other accessory buildings except those physically attached garages that are built at the same time the home is built											S										
Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings			S	S	S	S	S	S													S
Accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings except those physically attached garages built at the same time the home is built														S	S	S					
Bed and breakfast facilities	S	S	S	S	S	S	P	P					P	P	S	S		S			P
Dwellings - Attached Single Household							S						S								
Dwellings - Attached single household dwellings on lots fronting on an arterial or collector street		S	P	P	P	P								P	P	P					
Dwellings - detached single household	P	P	P	P	P	P						P			P	P					
Dwellings - duplex				P	P	P	S						S	P	P	P					
Dwellings - triplex and fourplex					S	P	S						S	P	P	P					
Dwellings - multiple household (5 units or more)						P	P	P					S	P	P	P					
Home occupations	S	S	S	S	S	S	P	P	P	P		S		P	S	S					P
Household units existing at the time this Title was adopted							P	P	P	P	P	P									P
Household units in same building as an allowed use and occupied by the owner or an employee of the allowed use							P	P	P	P			P	P			S	S			P
Household units in upper floors of commercial or professional buildings							P	P					P	P		P		S		P	P
Mobile homes Household Units , if accessory to and located on the same property of an allowed use and occupied by the owner or an employee of the allowed									S	S											
Motels and transient hotels							P	S					S	S					S		
Nursing homes and rest homes						S	P	P					S	P	S	S			P		S
R.V. and camping parks								S	S					S							
Residence halls, residence hotels, rooming houses						S	P	P	S				S	P	S	S			S		
Residential ZDA, not to exceed SUI density		S									S										
Shelter homes						S	S	S	S				S	S							S

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12. RETAIL TRADE																					
Agricultural equipment sales and service							S														
Alcoholic beverages, when consumed on premises where sold							P		S	S		P	S	S					S	S	
Alcoholic beverages when consumed on the premises where sold if located less than three hundred feet (300') from residential property								S													S
Alcoholic beverages when consumed on the premises where sold if located three hundred feet (300') or more from residential property								P													P
Antique shop																	S				P
Apparel and accessories							P	P	P	P			P	P					P	S	P
Art galleries and frame shops																	S				P
Automobile and recreational vehicle rental / storage yard								S	S	S											
Automobile and truck sales and/or rentals							S	S	P	P				S							
Automobile parts store							P	P	P	P			P	P							P
Bakery							P	P	P	P			P	P					P	P	P
Bookstore							P	P	P	P			P	P				S	P	P	P
Car wash facilities							S	S	P	P				S						S	
Commercial greenhouses							S	P	P	P				P						S	
Cottage businesses																		S			P
Craft shop																		S			
Craft shop, in conjunction with retail business							P	P	P	P			P	P					P	P	P
Eating places							P	P	P	P			P	P					P	P	P
Equipment rental							S	S	P	P			S	S							
Fabric and pattern shop																		S			P
Farm and garden supplies							P	P	P	P			P	P						S	
Florist shop							P	P	P	P			P	P				S	P	P	P
Food, drugs, etc.							P	P	P	P			P	P						P	P
Fuel sales (bulk)							S	S	P	P				S							
Gasoline service stations							S	S	P	P				S						S	
General merchandise							P	P	P	P			P	P						P	P
Hardware store							P	P	P	P			P	P						P	P
Hobby and toy store							P	P	P	P			P	P				S	P	P	P
Home decor, excluding appliances																		S			
Home furnishings & equipment/appliances (RB Zone)							P	P	P	P			P	P							P
Ice cream store							P	P	P	P			P	P					P	P	P
Import store							P	P	P	P			P	P					P	P	P
Large implement and heavy equipment sales and/or rentals								S	P	P											
Laundering and dry cleaning							P	P	P	P			P	P						P	P
Laundromats							P	P	P	P			P	P						P	P
Lumber, plumbing and/or electrical supply stores							S	P	P	P			S	S							
Manufactured/mobile homes sales and/or rentals							S	S	S	P				S							
Mobile/manufactured home sales and/or rentals in the Rock Creek CRO between Martin Street and 2750 East																		S			
Music store							P	P	P	P			P	P					P	P	P
Pawnshop							P	P	P	P			P	P							
Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.							S	S	P	P			S	S					S		S
Pet shop							P	P	P	P			P	P					S	P	P
Sporting goods store							P	P	P	P			P	P						P	P
Sporting vehicles and motorcycles - sales and/or rentals							S	S	P	P			S	S							
Storage unit rentals							S	S	P	P			S	S							
Taxidermy studio							P	P	P	P			P	P					P	S	P
Temporary automobile, truck and recreational vehicle sales permitted with staff approval, provided that there shall be City & state approval, no parking or display of vehicles in landscaped areas, and no sight								P													
Tire shops							S	S	P	P				S							
Truck stop									P	P											

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13. SERVICES																					
Advertising							P	P	P	P			P	P					P	S	P
Apparel repair and alteration							P	P	P	P			P	P					P	S	P
Appliance repair							S	S	P	P			P	P							
Auctions and/or public sales								S	S	S			S								
Automobile and truck service and/or repair							S	S	S	S			S								
Automobile impound facility										S											
Beauty and barber shops							P	P	P	P			P	P			S	S	P	P	P
Building care contracting offices							P	P	P	P			P	P					P		P
Business associations							P	P	P	P			P	P					P		P
Civic, social and fraternal organizations							S	P	P	P			P	S					P		P
Commercial daycare facilities and preschools																	S	S			S
Construction trade offices							P	P	P	P			P	P					P		P
Construction yards										S	P										
Consumer credit collection offices							P	P	P	P			P	P			S	S	P		P
Copy center - self service							P	P	P	P			P	P						P	P
Day care services							P	P	S	S			P	P		S			P	P	S
Dog grooming and/or kennels							S	P	P	P				S						S	S
Duplicating and stenographic offices							P	P	P	P			P	P					P	P	P
Employment agency							P	P	P	P			P	P			S	S	S	S	S
Finance and investment offices							P	P	P	P			P	P		S	S	S	P	S	P
Furniture repair/upholstery							S	S	S	P											
Horticultural services							P	P	P	P			P	P							P
In home daycare services	S	S	S	S	S	S	P	P	S	S			P	P	S	S			P	P	P
Insurance and related business							P	P	P	P			P	P		S	S	S	P	S	P
Labor unions and organizations							P	P	P	P			P	P					P		P
Photography studios							P	P	P	P			P	P			S	S	P	P	P
Professional organizations							P	P	P	P			P	P					P	S	P
Professional services							P	P	P	P			P	P		S	S	S	P	S	P
Publishing and printing business							S	S	P	P			P	S							S
Real estate and related business							P	P	P	P			P	P		S	S	S	P	S	P
Seamstress																		S			P
Sporting vehicle and motorcycle service and/or repair							S	S	S	P			S								
Tattoo parlors or dermagraphic studios approved by the South Central District Health Department or other state regulatory agency							S	S	S	S										S	
Testing laboratories							S	S	P	P			P								S
Tourist information center							P	P	P	P	S		P	P							P
Welfare and charitable facilities							S	P	P	P			P	S					P	S	S
14. SPORTS FACILITIES																					
Athletic areas	S						S	P	P	P	S	S	S	S		S			S		
Equestrian facilities and/or riding stables	S										S										
Go-cart tracks								S	S	P											
Golf courses and country clubs	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			S		
Golf driving ranges	S				S		S	S	S	S	S	S		S	S	S			S		
Gun clubs										S		S									
Indoor recreation facility							S	S	S	S			S	S						S	S
Miniature golf courses	S						S	P	P	P	S		S	S	S	S			S	S	
Outdoor, public and commercial ice and roller skating facilities	S	S	S	S	S	S	S	P	P	S	S		S	S	S	S			S	S	
Outdoor, public and commercial swimming pools	S	S	S	S	S	S	S	P	P	S	S		S	S	S	S			S	S	
Outdoor, public and commercial tennis courts	S	S	S	S	S	S	S	P	P	S	S		S	S	S	S			S	S	
Racetracks										P		S									
Zip lines operated by outfitters and guides licensed by the Idaho outfitters and guides licensing board											S										

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15. TRANSPORTATION																					
Airport and related facilities												S									
Airport supplemental uses- Supplemental uses shall be allowed on Joslin Field, Magic Valley Regional Airport in conjunction with the use of the airport as recommended by the Airport Advisory Commission and approved by the City Council and County Commissioners												P									
<u>Accessory Airport Uses - Permitted through recommendation of Airport Board then City Council and County Commissioner Approval.</u>												P									
Bus facilities including pick-up shelters	S	S	S	S	S	S	P	P	P	P			P	P					P	S	
Freight transfer points							S	S	P	P			S	S							
Open parking lot or garage for automobiles							S	P	P	P			P	S							
Open parking lot or garage for trucks and buses							S	S	P	P			S	S							
Open parking lot or garage for trucks and equipment									P	P											
Packing and crating							S	S	P	P			S	S							
Railroad buildings, equipment and yards									S	P											
Taxicab office							P	P	P	P			P	P					S	S	
Ticket and arrangement facilities							P	P	P	P			P	P					S		
Trucking facilities							S	S	P	P				S							
16. WHOLESALE FACILITIES																					
H-1 and H-7(2) facilities not closer than three hundred feet (300') to a dwelling but excluding the residential uses allowed by subsections (A)10c and (B)9a of this section										S											
Wholesale distribution and warehousing, excluding H-1 facilities							S	S	P					S							
Wholesale distribution and warehousing, excluding H-1 and H-7(2) facilities										P											

	A	B
	Use or Item	Definition
1		The establishment which sells unfinished, incomplete, or assembly completed pieces to use in the production of handmade items such as but not limited to: fabrics, model kits, wood items, artificial bone, jewelry, costume jewelry, quilts, and quilts.
106	Craft and Hobby Shop	Any business establishment that produces articles of artistic quality or effect and/or handmade or crafted merchandise on the premises which may or may not be sold on site. Typically includes: handcrafted furniture, jewelry, paintings, photography, sculptures, and similar items. This definition excludes those establishments utilizing assembly line production.
107	Craft Studio	Any facility, structure, building, or thing that attracts a lot of attention and that people will not be seen.
108	Ground attracting facility	Activities, programs, displays or performances, presented for the enjoyment, education or other benefit of the general public, involving art, music, literature, live theater, craft shows, history or humanities. (Ord. 2851, 3-6-2006)
109	CULTURAL ACTIVITIES	
110	Both Product Processing	An establishment which is designed or is intended to provide floor space, used for the primary purposes of teaching dance lessons under the direction/supervision of a coach or trainer. The establishment may or may not conduct occasional dance competitions.
111	Dance Studio	
112	Day Care – In Home	A daycare service operating within the owners/operators primary residence.
113	Daycare Service	<u>Any facility operated for the purpose of providing supervised care, protection, and/or guidance to six (6) or more individuals during part of a 24-hour period. This includes commonly used terms such as nursery, schools, preschools, and other similar uses. This definition excludes businesses, or religious institutions, which provide incidental daycare services for patrons or attendees while parents are on the premises.</u>
	DEDICATION	The setting apart of land or interest in land for use by the public by ordinance, resolution or entry in the official minutes as by the recording of a plat. Dedicated land becomes public land upon the acceptance by the local governing authority. (Ord. 2012, 7-6-1981)
114		

	A	B
	Use or Item	Definition
1		<u>An industrial facility used for the production of asphalt or concrete and associated products used in building or construction. Facilities for the administration or management of the business are considered incidental. The stockpiling of bulk materials, or of finished products, used in the production process, or manufactured on the premises are considered incidental.</u>
93	Concrete/Asphalt Batch Plant – Permanent	
94	CONDOMINIUM OWNERSHIP	An estate consisting of: a) an undivided interest in common in real property in an interest or interests in real property or in any combination thereof, together with b) a separate interest in real property, in an interest or interests in real property, or any combination thereof.
95	CONDOMINIUM PLAT	The drawing of a division of real property into individual interests in common together with a separate declaration in the real property for the purpose of establishing condominium ownership together with the declaration that is filed according to law with the county recorder. (Ord. 2012, 7-6-1981)
96	Construction Activities	<u>An activity relating to the construction of buildings or infrastructure. Typically produces noise, noise, vibration or other disturbance to surrounding properties.</u>
97	Construction Supply Store	<u>The establishment which sells building materials or tools for the purpose of construction, renovation, remodeling, or other construction activities.</u>
98	Consumer credit collection offices	The establishment engaged in the collection or receiving of payment for others on any account bill, or other indebtedness.
99	Contractor Office-Major	An establishment used for the day to day operations of contracting, construction, and building.
100	Contractor Office-Minor	An establishment used for the day to day operations of contracting, construction, and building.
101	Convention Center	A facility designed to accommodate 500 or more persons used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with accessory functions, including temporary displays, food and beverage preparation and service.
102	COFFACE BUSINESS	A small, individually owned business or concern that functions without altering the residential character of the neighborhood and which does not create any negative impacts on the public health, safety, and general welfare of the adjacent property owners. (Ord. 2657, 6-19-2009)
103	COUNCIL	The City of Twin Falls City Council.
104	COUNTY	Twin Falls County, Idaho and its governing board.
105	GOVERNANT	A written promise or pledge. (Ord. 2012, 7-6-1981)

	A	B
	Use or Item	Definition
1		
126	Dwelling - Accessory Unit (ADU)	A dwelling unit located on the same property as a detached single dwelling unit, either within the same building or in a detached building. <u>Not to exceed 35% of the square footage of the main building.</u>
129	Dwelling - attached single unit	<u>A building containing one (1) dwelling unit, built on a separate lot or parcel, sharing one or more common walls.</u>
130	Dwelling - detached single unit	<u>A building containing one (1) dwelling unit, built on a separate lot or parcel, separated from other dwelling units by a yard on all four (4) sides.</u>
131	DWELLING - MULTIPLE UNIT	A building, or portion thereof, containing three (3) or more dwelling units, designed for three (3) or more households, living independently of each other and including apartment hotels.
132	DWELLING - TWO UNIT	A building containing two (2) dwelling units, designed exclusively for occupancy for two (2) households living independently of each other, including duplexes, semi-detached houses and separately owned, shared wall dwellings.
133	Dwelling UNIT	Space within the dwelling designed to accommodate all normal cooking, sleeping and sanitation needs of the residents household.
134	Dwelling units existing at the time this Title was adopted	A residential unit that was built, constructed or existed prior to the adoption of Ordinance 2012.
135	EASEMENT	A right of use for a stated purpose, falling short of ownership, granted by a property owner to the public or to another person and restricting the property owner's use of the property by prohibiting the construction of any permanent building or structure over the easement and by prohibiting any other stated restriction of use.
136	Electric Power Generating Plant	An electrical power generation facility, regardless of fuel or energy source, operated by a public utility or independent power producer and whose primary function is the production of electricity to the electrical distribution system or transmission grid.
137	Emergency Service Stations	A facility or premises which houses communication equipment, emergency response personnel, equipment, gear, vehicles, and any other items pertinent to the protection of the health, safety and welfare of the general public.
138	ENGINEER	A professional engineer registered in the state of Idaho.
139	Equestrian facilities and/or riding stables	A facility or establishment primarily used for the boarding, exercise, exhibition, training of, or training of, equestrian animals. These uses include, but are not limited to common terms such as barns, stables, corals, and paddocks, accessory and incidental to the primary function above.
140	EQUESTRIANWAY	A public way designed to be used for horseback riding. (Ord. 2012, 7-6-1981)
141	Equipment and Machinery Repair, Major	Establishments primarily engaged in the repair of Major Equipment and Machinery.

	A	B
	Use or Item	Definition
1		
115	Detention Center	A facility established in conjunction with a law enforcement or public safety building, used primarily for the temporary detention of adult or juvenile persons while being processed for arrest or detention by law enforcement.
116	DEVELOPED	<u>A deep-seep property is a property for which a certificate of occupancy, or letter of completion, has been issued to occupy a building on the property. (Ord. 2957, 12-8-2008)</u>
117	DEVELOPER	The owner, or his legally authorized agent, of lands that are being platted or mapped. (Ord. 2012, 7-6-1981)
118	DEVELOPMENT	Lands within the boundaries of an area that is platted or mapped in accordance with this title that are intended to be improved by the construction or addition of buildings or other structures, by mining, dredging, filling, grading, paving, excavation or drilling. (Ord. 2045, 7-6-1982)
119	Doctors Offices	<u>See Medical Clinic</u>
120	Drug treatment and/or rehab	See Kennedy & Pete Grobman
121	Drugs/Alcohol Treatment Center	<u>An area or location intended to be used for sales and/or services to patrons who remain in their vehicles.</u>
122	DORMITORY	Structure specifically designed for a long-term stay by students of a college, university, or nonprofit organization for the purpose of providing rooms for sleeping purposes. One common kitchen and some common gathering rooms for social purposes may also be provided.
123	Dry Cleaning	<u>An area or location intended to be used for sales and/or services to patrons who remain in their vehicles.</u>
124	Dry Cleaning/laundrette Plant	<u>A building, portion of a building, or a premises used, or intended to be used, for cleaning of apparel, clothing, fabrics, textiles, or other articles of any sort. Such cleaning method may or may not involve volatile solvents including, but not limited to solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and any other incidental process or chemical.</u>
125	Dry Cleaning/laundrette Service	An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry, without the maintenance or operation of any laundry or dry cleaning equipment or machines on the premises.
126	DWELLING	A building or portion thereof designed exclusively for residential occupancy by one or more households, containing one or more dwelling units, including manufactured homes, but not including hotels/motels, recreational vehicles, tents, trailers or other temporary lodgings, boarding and lodging houses, trailers, camp cars or trailer houses. (Ord. 2110, 7-16-1984)
127		

	A	B
	Use or Item	Definition
1		
154	Feed Store	An establishment engaged in the sale of livestock directly related to the day-to-day activities of feedlot and dairies.
155	FEEDLOTS AND DAIRIES	A parcel or parcels of land under the same ownership or management, with more than five (5) animals per acre or a total of fifty (50) animals, whichever is less. (Ord. 2275, 7-17-1989)
156	<u>Financial Institution</u>	An establishment which the primary function is to receive, hold, invest, loan, secured, save, or transfer monies for individuals or other establishments. Such establishments may include, but are not limited to, banks, credit unions, savings and loan offices, and moderate loan offices. Automated teller machines, (ATMs) are considered accessory to the primary business. This definition does not include payday, cash advance or check advance loan service establishments.
157	FINISH FLOOR	Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "Finish floor".
158	Flea market	<u>See "Open Air Market."</u>
159	FLOOD INSURANCE RATE MAP	The official map on which the federal insurance administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
160	FLOOD INSURANCE STUDY	The official report provided by the federal insurance administration that includes flood profiles, the flood boundary/floodway map, and the water surface elevation of the base flood. (Ord. 2012, 7-6-1981)
161	FLOOD OR FLOOD WATERS	A temporary overflow of water on lands not normally covered by water. (Ord. 2045, 7-6-1982)
162	FLOOD PLAIN	The relatively flat areas or lowlands adjoining the channel of a watercourse, or areas where drainage is or may be restricted by manmade structures which have been or may be covered partially or wholly by flood water, but shall compose an area not less than that area confined by the 50-year flood and shall not exceed that area confined by the 100-year flood. (Ord. 2012, 7-6-1981)
163	FLOOD PLAIN REGULATIONS	The codes, ordinances and other regulations relating to the use of land and construction within the channel and flood plain areas, including zoning ordinances, subdivision regulations, building codes, housing codes, setback requirements, open area regulations and similar methods of control affecting the use and development of the areas.

	A	B
	Use or Item	Definition
1		
172	FRONTAGE, ENTIRE	All the property fronting on one side of a street between intersecting streets, or between a street and right of way, waterway, end of dead end street or city boundary, measured along the street line. Any intersecting street shall determine only the boundary of the frontage on the side of the street which it intersects.
173	Fuel sales (bulk)	An establishment or premises primarily engaged in the storage and sale of large (semi Truck/Trailer) quantities of fuel to end users or distributors.
176	Fuel/Charging Station	An establishment which sells fuel and enable lubricants for motor vehicles or a location which provides an electrical hook-up for charging electric vehicles.
177	<u>Golf Center (Studio)</u>	A facility or establishment primarily designed for entertainment activities. Such activities include, but are not limited to: billiards, bingo, bowling, card/robber games, darts, escape/puzzle rooms, ice or roller skating, sport shooting areas, swimming, and video arcades. With a total occupant load of forty-nine (49), individuals or less.
178	<u>Golf Facility</u>	A facility or establishment primarily destined for entertainment activities. Such activities include, but are not limited to: billiards, bingo, bowling, card/robber games, darts, escape/puzzle rooms, ice or roller skating, sport shooting areas, swimming and video arcades. With a total occupant load of fifty (50), individuals or more.
179	<u>Golf Park</u>	An establishment, location, or premises where three (3) or more of the following take place on the same, or adjacent properties: amusement rides, Fun Studio, Fun Facility, Go-Carts, Miniature Golf Course, Ziplines, or other similar activities.
180	Funeral Chapel	An establishment which provides space for human funeral services, but which does not contain facilities for the preparation, cremation or storage of human remains.
181	<u>Funeral Home</u>	<u>See Mortuary</u>
182	<u>Furniture and fixtures</u>	<u>Directs: such as chairs, desks, filecets, partitions, or tables used to make a house or office suitable for use as a workplace.</u>
183	<u>Furniture, Home Furnishings and Appliance Store</u>	<u>An establishment which sells furniture and appliances for homes or offices.</u>
184	Furniture/Upholstery Repair	The fitting, mending or reconditioning of furniture, such as chairs, desks, tables or other items used to make a house or office suitable for living or working.
185	<u>GARAGE, ATTACHED</u>	A garage having all or part of one wall common to the dwelling or to a covered porch attached to the dwelling, or located within ten (10) feet of the primary dwelling.

	A	B
	Use or Item	Definition
1		
142	<u>Equipment and Machinery Repair, Minor</u>	Establishments primarily engaged in the repair of Minor Equipment and Machinery.
	<u>Equipment and Machinery Sales/Rental, Major</u>	Establishments primarily engaged in the sale or rental of high-capacity mechanical devices for moving earth or other materials, and/or mobile power units including but not limited to: carnival, rides, graders, loaders and unloading devices, cranes, digger lines, trench diggers, tractors, augers, bulldozers, concrete mixers and concrete, harvesters, combines, or other major agricultural equipment/implements, and similar devices, operated by mechanical power, as distinguished from manpower.
143		Establishments primarily engaged in the sale or rental of bulky nonvehicular items, for agricultural, commercial construction, or industrial purposes which individually can be transported in or with a common passenger vehicle. Such items include but are not limited to: barrels, construction or mechanical hand tools, lawn and garden equipment, party supplies and similar goods and equipment.
144	<u>Equipment and Machinery Sales/Rental, Minor</u>	Establishments primarily engaged in the sale or rental of high-capacity mechanical devices for moving earth or other materials, and/or mobile power units including but not limited to: carnivals, graders, loaders and unloading devices, cranes, digger lines, trench diggers, tractors, augers, bulldozers, concrete mixers and concrete, harvesters, combines, or other major agricultural equipment/implements, and similar devices, operated by mechanical power, as distinguished from manpower.
145		Establishments primarily engaged in the sale or rental of bulky nonvehicular items, for agricultural, commercial construction, or industrial purposes which individually can be transported in or with a common passenger vehicle. Such items include but are not limited to: barrels, construction or mechanical hand tools, lawn and garden equipment, party supplies and similar goods and equipment.
146	Exhibit and Pattern Shop	
147	EXHIBIT MOUNTED	Directly attached or affixed to the elevation of a building, tank, or other structure. (Ord. 2678, 1-16-2001)
148	Fairgrounds	An area wherein buildings, structures, and land are used for the exhibition of livestock, farm products, fairs, occasional carnival like entertainment, and other similar activities or events.
149	FARM	An area twenty (20) acres or more in the area of impact which is being used for the purpose of producing food, fiber, seed stock, fodder or oil producing crops. (Ord. 2012, 7-6-1981)
150	FARM Fish Hatchery	An property on which a primary use is the hatchery and raising of fish for the purpose of harvesting and sale. This definition excludes recreational fishing operations.
151	Farmers Market	<u>See "Open Air Market."</u>
152	Farms – animals on pasture	An premises on which a primary use is the breeding, raising, or maintaining of animals for sale or where the primary income from the premises is derived from such uses. This definition excludes Poultry or Pigs.
153	Farms – plants and trees	An premises on which a primary use is the growing of crops, flowers, plants, or trees, for off premise consumption, use, or sale.

	A	B
	Use or Item	Definition
1		
164	<u>FLOOD ZONE</u>	<u>Flood hazard areas identified on the Flood Insurance Rate Map. Individual zones are defined by FEMA, or as amended.</u>
165	FLOODPROOFING	Any combination of structural and nonstructural additions, changes or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures and contents of buildings.
166	FLOODWAY	The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot (1'). (Ord. 2045, 7-6-1982)
167	<u>Food Processing, Major</u>	<u>An facility or premises primarily engaged in producing food products by way of the Manufacturing Process. Typically includes Slaughter House, processing plant, bottling plant, and large manufacturers.</u>
168	<u>Food Processing, Minor</u>	<u>Any facility or premises engaged in processing, packaging and selling food products directly to the end user. Typically includes: Bakery, Butcher Shop, Deli, Micro Brewery, and similar small scale establishments.</u>
169	Food products	A substance that can be used or prepared for use as food for human or animal consumption.
170	Game Shop	<u>See Amusement Game Shop or Manufacture</u>
171		
172	FREESTANDING TOWER	A tower not physically attached to a building or structure. A tower is attached to the ground by a foundation. (Ord. 2678, 1-16-2001)
173	Freight Transfer Station	<u>An establishment, facility or location used for the distribution, pick-up, repacking or transferring of freight.</u>
174		
175	FRONT	The front of a building shall be the wall so designated by the building official which best conforms to the intent of this title. The front property line shall be the lot line most nearly parallel to the front of a building. In designating the front of a building, the building official shall base his decision on the location of the door which provides the principal access into the building and/or the location of the traffic way which provides the principal access to the property. The decision of the building official may be appealed to the city council for interpretation of the intent of this title and final determination of the designated front.



Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Senior Planner

Request:

Request for an **Amendment** to CSI PUD #262-Section 2, to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' on property located at 315 Falls Avenue. College of Southern Idaho c/o Spencer Cutler on behalf of the College of Southern Idaho. (app. 2906)

Time Estimate:

Applicant may take up to fifteen (15) minutes, Staff presentation may take up to ten (10) minutes. Additional time may be necessary to address questions and or clarifications asked by the commission.

Background:

Applicant College Of Southern Idaho Mr. Jeffery M Harmon, VP of Administration PO Box 1238 Twin Falls, ID 83301-1238 jharmon@csi.edu Representative Spencer Cutler PO Box 1238 Twin Falls, ID 83301-1238 208.732.6602 scutler@csi.edu	Status: Owner	Size: ~359 +/- acres (Section 1 is 87 +/- acres and Section 2 is 272 +/- acres)
	Current Zoning: CSI PUD #262	Requested Zoning: Amendment to Section 2 of the existing CSI PUD #262
	Comprehensive Plan: CSI	Lot Count: 6+ Lots
	Existing Land Use: College of Southern Idaho Campus	Proposed Land Use: No Change
	Zoning Designations & Surrounding Land Use(s)	
	North: Cheney Dr. & North College Rd; C-1 PUD; R-4 (Aol); Agriculture/Vacant & CSI Heritage Farm, Lazy J Ranch	East: Fillmore St & Frontier Rd; R-4 PRO, R-2, OS; Commercial, Residential, Renaissance Center, Frontier Park, Fire Station, Nat'l Guard Depot
	South: Falls Ave; OS, R-4 PRO, R-4 PRO PUD; Tom Courtney Park, Professional & Governmental offices, Medical Clinic	West: Washington St N; C-1 PUD, R-6 PUD, R-4, R-4 PRO, R-2 PUD; Canyon Ridge H.S., various professional and commercial uses, & Residential
Applicable Regulations: 10-1-4, 10-1-5, 10-4-16, CSI PUD #262, 10-6-1, 10-11-1 thru 8, 10-14-1 thru 7		

Approval Process:

As per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District:

The applicant is required to do a presentation to the Planning and Zoning Commission and the Public a preliminary review. The Commission and Public are allowed to give suggestions and ask questions of the applicant about the proposed project. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Budget Impact:

No impact to budget from this presentation.

Regulatory Impact:

The Commission makes a recommendation on the requested change. The request is then able to proceed to the City Council for a decision.

History:

CSI has a long history in the Magic Valley but has had a physical presence, at its current location, in Twin Falls since the early '60s. Prior to that, it was agricultural land. The campus has seen steady growth over the decades and has responded over time to such growth. The College of Southern Idaho-North Campus PUD Agreement #254 was adopted in 2008. This PUD rezoned the 87+/- acres north of North College Rd. In 2011 the current CSI PUD #262 was approved by the City Council. Currently the entire college grounds, referenced as Section 1; the campus north of North College Rd and Section 2; the campus south of North College Rd, are governed by PUD #262. This PUD was recorded in January 2012.

Analysis:

This is a request to amend CSI PUD #262. CSI PUD #262 is separated into two (2) sections; Section 1 is the campus north of North College Rd and Section 2 is the campus south of North College Rd. This proposed amendment is to amend Section 2; the campus south of North College Rd. The proposed amendment is to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' which would allow for 3-story buildings within Section 2 of the CSI campus.

The College has expanded over its existence and new residence halls are required now to meet current and future demands. PUD #262 prohibits building heights over thirty-five feet (35'), basically limiting buildings to no more than 2 stories high. PUD #262 allows residence halls or rooming houses by special use permit. The current PUD regulations met the code at the time of adoption. The College would like to update their PUD Covenants and to allow a new residential hall to proceed in a timelier manner. The allowance of additional building height from 35' to 50' matches the current commercial building heights and would allow for 3-story residence halls.

The College stated they feel this is a reasonable request given the changes fit what the C-1 zone currently allow, and also outright permits residence halls on a college campus, rather than requiring an SUP.

The applicant is requesting the following changes to the PUD Agreement:

I. Increase the Allowable Building Height

- A. Under COVENANTS **2. Nature of Property Development** item **B. Building Height**.
Revise "thirty- five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- B. Under COVENANTS **4. Building/Structural Standards** item **B. Building Height**, revise "thirty-five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- C. Under COVENANTS **4. Building/Structural Standards** item **C. Architectural Standards**, revise "two (2) stories" to "three (3) stories".

II. Change Residence Halls and Rooming Houses to be Permitted Uses

- A. Under **EXHIBIT "C", USE REGULATIONS, (A) Permitted Uses:**
Add a new item - "12. Residential:
 - a. Dwellings - multiple household (5 units or more)
 - b. Residence halls, residence hotels, rooming houses."
- B. **Under EXHIBIT "C", USE REGULATIONS, (B) Special Uses: 4. Residential**
Remove items - b. Dwellings - multiple household (5 units or more)
 - e. Residence halls, ~~residence hotels~~, rooming houses."

Conclusion:

The Planning and Zoning Commission forwarded a positive recommendation to the City Council by unanimous vote of all who were present. The Council may approve the request as presented, approve the request with conditions, or denying the request.

Attachments:

- 1. CSI_Amendment Attachments
- 2. 12-12-2017 PZ Hearing Minutes

To: City of Twin Falls Planning and Zoning

Date: October 5, 2017

Re: Request to amend the College of Southern Idaho, Planned Unit Development Agreement (PUD-262)

The College of Southern Idaho requests to amend PUD-262 for the CSI zone. CSI desires to build a three-story residence hall on the main campus near the existing residence halls. The current PUD, which was recorded in 2012, sets the maximum building height at 35' and would require new residence halls to seek a special use permit.

At the time the PUD was created, it matched current Twin Falls' zoning standards for commercial and industrial height limits at 35'. Those zones have since increased the height limit to 50' and CSI would like to increase also.

Making these revisions should not affect the overall character and quality of the development or surrounding area. Prior to the CSI Zone being created in 2012 there were several buildings and structures built over 35' and a residence hall has been part of campus for 46 years. These are all part of a cohesive and beautiful campus environment. Part of CSI's stated strategic plan is to ensure the campus is "...safe, sustainable, and inviting to all members of our communities." Future projects will continue to be built with the purpose of enhancing the beauty and aesthetics of campus and be pleasing to the surrounding neighborhoods.

Specific changes to the PUD are detailed below:

- I. Increase the Allowable Building Height
 - A. Under COVENANTS **2. Nature of Property Development** item **B. Building Height**, revise "thirty-five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-1 zones are amended higher".
 - B. Under COVENANTS **4. Building/Structural Standards** item **B. Building Height**, revise "thirty-five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-1 zones are amended higher".
 - C. Under COVENANTS **4. Building/Structural Standards** item **C. Architectural Standards**, revise "two (2) stories" to "three (3) stories".

II. Change Residence Halls and Rooming Houses to be Permitted Uses

A. Under **EXHIBIT "C", USE REGULATIONS, (A) Permitted Uses:**

Add a new item - "12. Residential:

- a. Dwellings – multiple household (5 units or more)
- b. Residence halls, residence hotels, rooming houses."

B. Under **EXHIBIT "C", USE REGULATIONS, (B) Special Uses:, 4. Residential**

Remove items -

- b. Dwellings – multiple household (5 units or more)
- e. Residence halls, residence hotels, rooming houses."

Zoning Vicinity Map

- PRO
- PUD
- C-1
- CSI
- OS
- R-1 VAR
- R-2
- R-4
- R-6



0 250 500 1,000

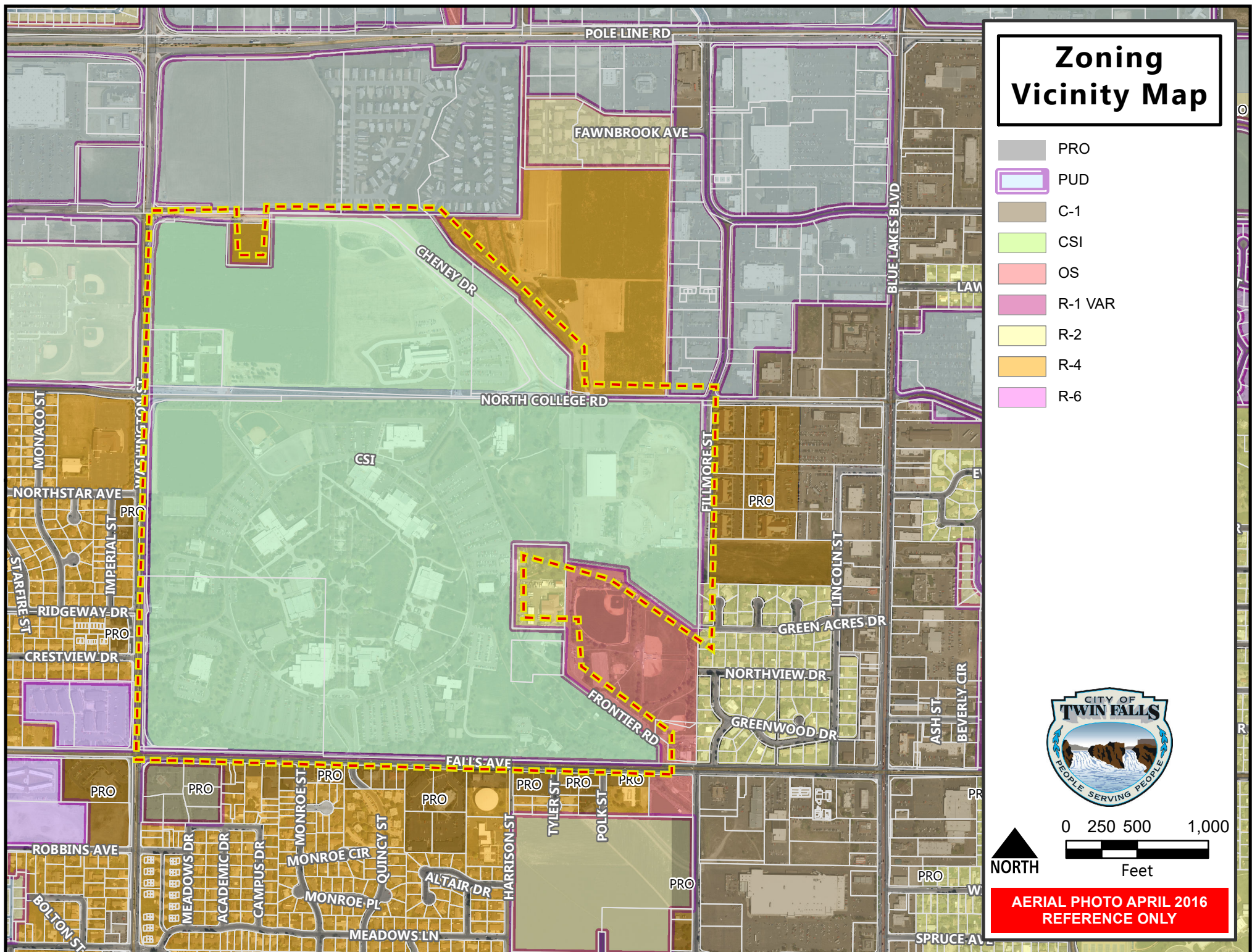


Feet



NORTH

**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**





Aerial Map



0 250 500
Feet

**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Future Land Use Map

- College of Southern Idaho
- Commercial
- Mixed Use
- Neighborhood Commercial
- Town Neighborhood



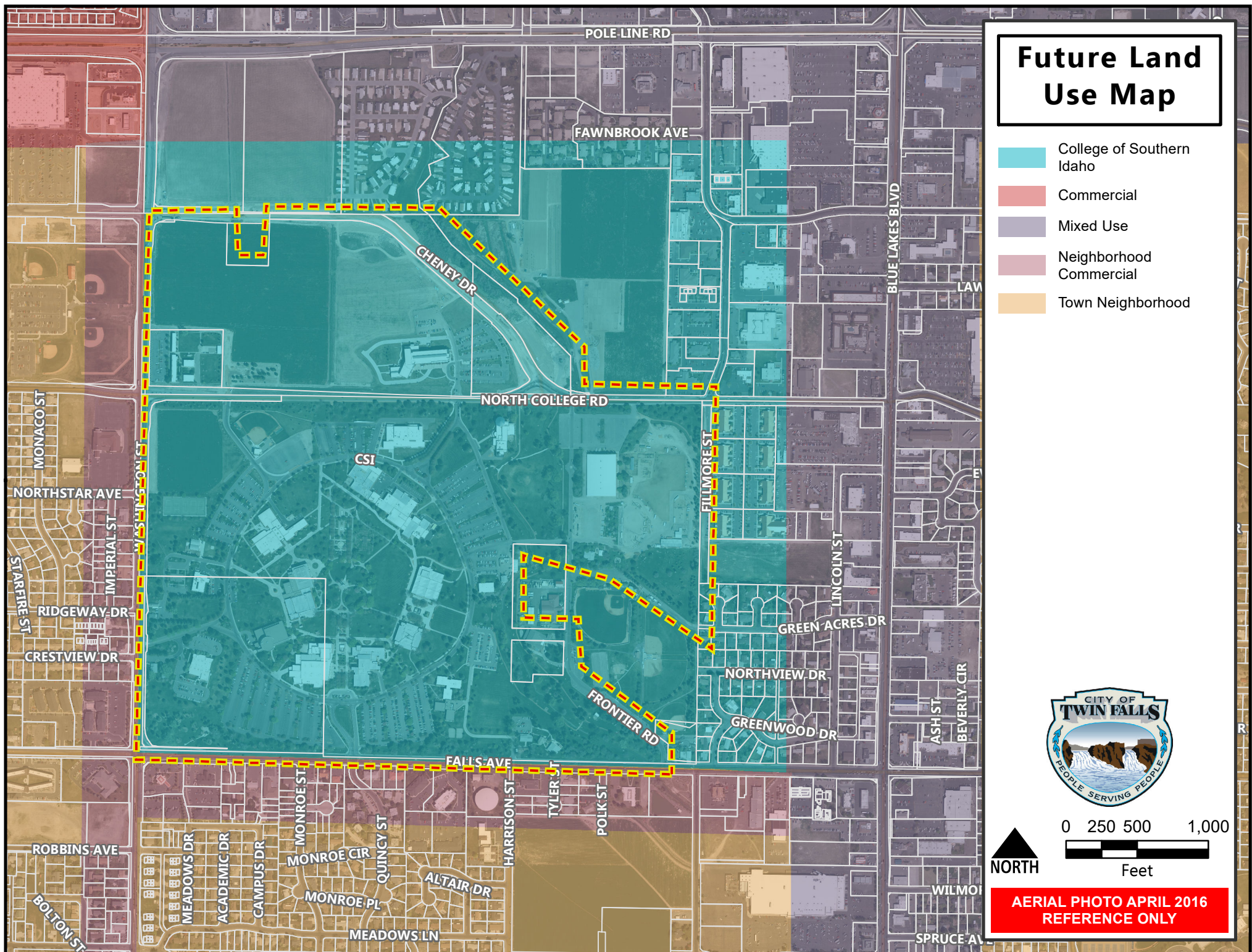
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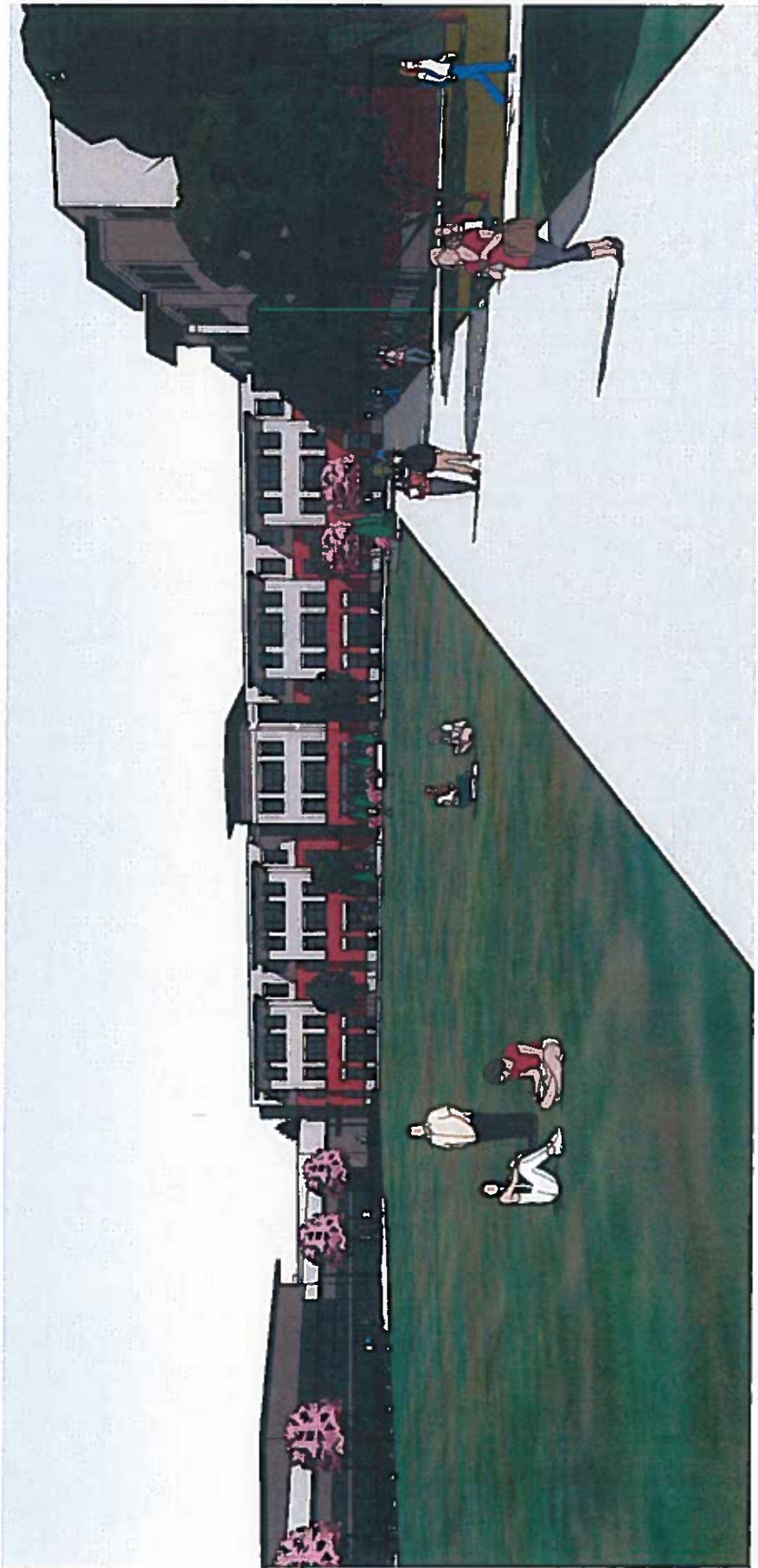
Feet



AERIAL PHOTO APRIL 2016
REFERENCE ONLY







COLLEGE OF SOUTHERN IDAHO
PLANNED UNIT DEVELOPMENT AGREEMENT

PUD-262

This agreement, made and entered into this 23rd day of January, 2012, by and between the City of Twin Falls, a municipal corporation, State of Idaho, hereinafter called "City" and the College of Southern Idaho, hereinafter called "College" whose address is 315 Falls Avenue, Twin Falls, Idaho 83303-1238.

RECITALS

WHEREAS, the College of Southern Idaho holds title to properties particularly described in Exhibit "A", Section 1 and Section 2, attached hereto, which land is located adjacent to the College of Southern Idaho (CSI), east of Washington Street North between the 900 N and 1500 N blocks, south of Cheney Drive West extended between the 100 to 600 blocks, west of Fillmore Street between the 900 N and 1500 N blocks and north of Falls Avenue between the 100 to 600 blocks and consisting of approximately 359. +/-acres, and

WHEREAS, the College intends to use the property for College related activities, including a health sciences and humans services building, future educational facilities, agricultural uses and alternative energy education facilities and has submitted to the City a Master Development Plan thereof, Exhibit "B" Section 1 and Section 2, and

WHEREAS, the property, also known as "COLLEGE OF SOUTHERN IDAHO – NORTH CAMPUS PUD AGREEMENT #254, is currently zoned CSI PUD and the remaining property is currently zoned R-4, and

WHEREAS, College has made a request to the City to rezone properties, as described in Exhibit "A", Section 1 and Section 2, to "CSI PUD" zone and has submitted to the City a Master Development Plan, Exhibit "B" Section 1 and Section 2.

WHEREAS, Master Development Plan, Exhibit "B"-Section 1, also known as "COLLEGE OF SOUTHERN IDAHO – NORTH CAMPUS PUD AGREEMENT #254, shall not require any changes, and

WHEREAS, Master Development Plan, Exhibit "B"-Section 2, which includes all remaining properties within Exhibit "A" outside of Master Development Plan, Exhibit "B"-Section 1, also known as "COLLEGE

OF SOUTHERN IDAHO – NORTH CAMPUS PUD AGREEMENT #254, thereof was presented to the City Council on April 25, 2011 (zoning application #2433) and was approved. Ordinance #3008 was approved by the City Council on Aug 08, 2011, and

WHEREAS, the City, by and through its City Council, has agreed to the Development of said property within the City of Twin Falls, Idaho, subject to certain terms, conditions and understanding, which terms, conditions and understandings are the subject of this "PUD" Agreement.

COVENANTS

1. Master Development Plan, Exhibit "B"-Section 1

On May 19, 2008 the City Council annexed and approved development of properties described in Exhibit "A" – Section 1 and the Master Development Plan, Exhibit "B"-Section 1, also known as "COLLEGE OF SOUTHERN IDAHO – NORTH CAMPUS PUD AGREEMENT #254. No change is being considered to this document at this time. Any changes to NORTH CAMPUS PUD AGREEMENT #254 shall require an amendment, in compliance with current state and local zoning codes, to the PUD.

2. Master Development Plan, Exhibit "B"-Section 2

On April 25, 2011 the City Council approved development of properties described in Exhibit "A" Section 1 & Section 2 and the Master Development Plan, Exhibit "B"-Section 1 & Section 2, subject to the following conditions:

- 1) Subject to amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and Standards;**
- 2) Subject to Fillmore Street being constructed during Phase One construction of the apartments; (construction of the proposed apartments presented at the City Council public hearing were deleted from this PUD therefore this condition is null & void)**
- 3) Subject to a recorded PUD Agreement prior to any further development on campus;**
- 4) Subject to setback on windmills to be 3 to 1 and may be allowed by Special Use Permit only;**
- 5) Subject to the exclusion of the 6.4 acres showing as the future apartment development from the rezone; and**
- 6) Subject to the PUD language for building height to mirror commercial buildings height regulations found in Title 10; Section 7, or as amended.**

Now, Therefore, in consideration of the mutual promises and covenants contained herein, College of Southern Idaho and the City agree as follows:

1. NATURE OF THE "PUD" AGREEMENT. This "PUD" Agreement shall become part of the "CSI PUD" zone with respect to the Property identified in Exhibit "A" and upon its full execution and recording. This "PUD" Agreement is specific to the College owning the property. In the event of a change of ownership, a new PUD application will have to be filed. This portion of the "PUD" Agreement is specific to development within the property located within the Master Development Plan, Exhibit "B" - Section 2.

2. NATURE OF PROPERTY DEVELOPMENT. It is agreed by the parties hereto that certain language and requirements pertaining to the "CSI PUD" zone, Master Development Plan, Exhibit "B" - Section 2, shall be interpreted as follows:

A. Uses. The College will use the property in a manner consistent with the CSI Mission Statement with the development being similar to the existing campus and/or as listed hereto as Exhibit "C".

B. Building Height. No building/structure shall exceed thirty-five feet (35') in height except as provided by City Code section 10-7-3, or as amended. All existing building/structure heights as of the execution to date of this PUD Agreement are approved as constructed.

C. Phasing of Development. Fillmore Street extended shall be constructed to the south property boundary of the 6.41 acres south of Renaissance Subdivision and north of Green Acres Subdivision as which time CSI develops the property. Traffic shall be controlled by a signal light at the intersection of Fillmore Street and North College Road.

D. Illumination. Exterior lighting shall be a maximum height of 30 feet, no brighter than 400 watt bulbs and shall be shielded to preclude the light source being visible from the adjacent properties.

E. Non-Compliance. In the event that uses of the Property are not within the restriction of this "CSI PUD" Agreement, the City shall give written notice to the College. College shall cure said non-compliance within thirty days of its receipt of notice (or in the case of non-compliance that will take in excess of thirty days to cure, College shall commence to cure within thirty days of receipt of notice and diligently pursue the same to completion). In the event the College fails to cure said non-compliance in the manner set forth hereinabove,

the City shall have the right to withhold the issuance of any future building permits and certificates of occupancy within that phase of such "PUD" until such time as all requirements specified have been complied with; provided, however, the College shall have the right to appear before the City Council at any regular meeting after any building permits and certificates of occupancy have been withheld for reasons set forth in this paragraph and shall have the right to be heard as to why such building permits and certificates of occupancy should be issued. The City Council shall then in good faith and in an objective manner decide whether said building permits and certificates of occupancy should be issued, and its decision shall be final, except that the rights of parties are preserved at law and equity.

3. PARCEL DEVELOPMENT CRITERIA

A. Landscaping and Planting. In addition to the other landscaping requirements of City Code Title 10, the following landscaping shall be provided on all properties fronting CSI property on Washington Street North, North College Road and Falls Avenue except properties containing single and duplex household dwellings: A berm of at least three feet (3') in height and twelve feet (12') in width shall be provided immediately behind the sidewalk or future sidewalk. The berm shall be planted in grass with a minimum of one conifer tree per three hundred (300) square feet of berm area and a minimum of one deciduous shrub per three hundred (300) square feet. Trees and shrubs may be grouped, but there shall be no open space greater than fifty feet (50') between tree and shrub grouping.

B. Screening. Buffering area shall be constructed as shown on the Master Development Plan. A vinyl screening fence will be installed and maintained on the North, West and South side of the property which is not bordered by Falls Avenue West, Washington Street North or North College Road. The height of said fence is to be eight (8) feet or lesser height agreed upon by the adjacent property owners.

4. BUILDING/STRUCTURAL STANDARDS.

A. Height Limitations. No building/structure shall exceed thirty-five feet (35') in height except as provided by City Code section 10-7-3, or as amended. All existing building/structure heights as of the execution to date of this PUD Agreement are approved as constructed.

B. Sign Plan. Proposed signage will be in compliance with Title 10; Chapter 9, or as amended, and upon approval of a sign coordination plan.

C. Architectural Standards. All buildings shall be constructed as existing buildings and consistent in color and materials. Multi-household units shall be one (1) and two (2) bedroom units only. **Maximum height shall be two (2) stories.**

D. Enterprises Developed Along The Perimeter Of The CSI Properties: The City reserves the right to review these developments for compliance with all City Codes.

5. GENERAL PROVISIONS

A. Cooperation. The parties hereto agree to cooperate each with the other.

B. Entire "PUD" Agreement. This "PUD" Agreement constitutes the entire "PUD" Agreement between the parties concerning the property described herein, and no amendment or modification to this "PUD" Agreement shall be valid or effective unless reduced to writing and signed by the parties.

C. Applicable Law. This "PUD" Agreement shall be constructed in accordance with the laws of the State of Idaho.

D. Notices. If notices from one party to the other are desired or required hereunder, such notices shall be delivered or mailed to the party to receive such at its addressed last known to the sender of such notice. Notices shall be deemed received on the date of hand delivery or upon seventy-two (72) hours following deposit in the United States mail, if properly addressed, stamped and sent with "return receipt requested". On the date of this "PUD" Agreement, the addressed of the parties are as follows:

College: College of Southern Idaho
c/o John M. Mason, Vice President of Administration
315 Falls Avenue
P.O. Box 1238
Twin Falls, Idaho 83303-1238

City: City of Twin Falls
P.O. Box 1907
321 Second Avenue East
Twin Falls, Idaho 83303-1907

In the event the College seeks to amend the Master Development Plan and/or this "PUD" Agreement, it will provide notice to the adjoining neighbors at the time application is made for such a change in accordance with City requirements/ordinances.

E. Successors and Assigns. This "PUD" Agreement shall be binding upon successors, assigns and legal representatives of the parties hereto.

F. Severability. In the event any portion of this "PUD" Agreement is declared by a Court of competent jurisdiction to be invalid, illegal or unenforceable, such portion shall be deemed severed from this "PUD" Agreement, and the remaining portions shall not be affected thereby.

G. Signatories. Each of the persons executing this "PUD" Agreement hereby represent and warrant that he or she is duly authorized and empowered to so act on behalf of the entity for which he or she is signing and that this "PUD" Agreement is binding on, and enforceable against, such entity.

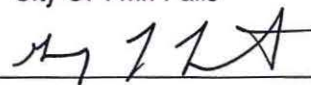
H. Effective Date. This "PUD" Agreement shall become valid and binding only upon its approval by the City, through its City Council, and upon its execution by the Mayor and College.

I. Attorneys Fees. In the event that either party should be required to retain an attorney because of the default or breach of the other or to pursue any other remedy provided by law, that party which prevails in any litigation shall be entitled to reasonable attorney's fee.

J. Attachments. All attachments and recitals are incorporated herein and made a part hereof as if set forth in full.

In Witness Whereof, the City has affixed its seal and caused these presents to be executed by its Mayor on the date above written.

City Of Twin Falls

By: 
Mayor

College Of Southern Idaho

By: 
John M. Mason,
Vice President of Administration

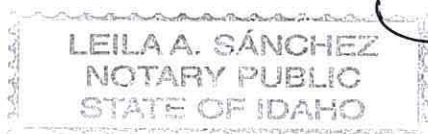
Acknowledgments

State of Idaho

County of

On this 23rd day of January, 2012, before me the undersigned, a Notary Public in and for said State and County, personally appeared Gregory Lanting.
Known to me to be the Mayor of Twin Falls, the municipal corporation that executed the within and foregoing instrument, and acknowledged to me that such municipal corporation executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Leila A. Sanchez

Notary Public for Idaho

Residence of Twin Falls

My Commission Expires: 5-18-2012

State of Idaho

County of

On this 13 day of January, 2012, before me the undersigned, a Notary Public in and for said State and County, personally appeared Mike Mason to me personally known, who, being by me duly sworn, did for himself say that he is an authorized representative of the College of Southern Idaho and that the within instrument was executed by him of behalf of the College of Southern Idaho.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Lisa A. Strickland

Notary Public for Idaho

Residence of Jerome County

My Commission Expires: 8/25/12

EXHIBIT "A" – SECTION 1

A tract of land located in the South Half of the Northwest Quarter of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of said S1/2 NW1/4;

THENCE North 0°42'17" East a distance of 1,275.74 feet along the westerly boundary of said S1/2 NW1/4 to the northwest corner of said S1/2 NW1/4;
 THENCE South 89°45'01" East a distance of 1,997.79 feet along the northerly boundary of said S1/2 NW1/4;
 THENCE South 35°10'00" East a distance of 254.74 feet;
 THENCE South 51°20'00" East a distance of 219.01 feet;
 THENCE South 0°57'30" West a distance of 943.07 feet to a point on the southerly boundary of said S1/2 NW1/4;
 THENCE North 89°28'42" West a distance of 2,315.50 feet along the southerly boundary of said S1/2 NW1/4 to the southwest corner of said S1/2 NW1/4 and being the TRUE POINT OF BEGINNING.

The above described tract contains 66.74 acres more or less and is subject to the rights of public roads which affects the westerly 25.00 and a strip varying from 25 to 58 feet in width along the southerly boundary of said tract.

AND

A tract of land located in the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of the NW1/4 of said Section 4;

THENCE, South 89°28'42" East a distance of 2315.50 feet along the southerly boundary of said NW1/4 to the center of a power line and the TRUE POINT OF BEGINNING;
 THENCE North 0°57'30" East a distance of 943.07 feet along the center of said power line to a point in the center of a coulee;
 THENCE South 51°20'00" East a distance of 399.99 feet along the center of said coulee to a point on the easterly boundary of said SE1/4 NW1/4;
 THENCE South 0°52'55" West a distance of 24.00 feet along the easterly boundary of said SE1/4 NW1/4, and the westerly boundary of said SW1/4 NE1/4;
 THENCE South 44°45'00" East a distance of 530.00 feet;
 THENCE South 0°00'00" West a distance of 299.01 feet to a point on the southerly boundary of said SW1/4 NE1/4;

THENCE North 89°28'42" West a distance of 700.86 feet along the southerly boundary of said SW1/4 NE1/4 and the southerly boundary of said SE1/4 NW1/4 to the TRUE POINT OF BEGINNING.

The above described tract contains 10.20 acres more or less and is subject to a permanent easement for roadway purposes over a strip of land located in the SE1/4 NW1/4 and the SW1/4 NE1/4 of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of the NW1/4 of said Section 4;

THENCE, South 89°28'42" East a distance of 2315.50 feet along the southerly boundary of said NW1/4 to the TRUE POINT OF BEGINNING;

THENCE North 0°57'30" East a distance of 20.57 feet to the northerly line of said permanent easement;

THENCE South 89°04'24" East a distance of 69.34 feet;

THENCE North 86°17'08" East a distance of 270.74 feet;

THENCE South 89°28'42" East a distance of 361.01 feet to a point on the easterly boundary of the above described tract;

THENCE South 0°00'00" East a distance of 40.08 feet to the southerly boundary of the SW1/4 NE1/4 of said Section 4;

THENCE North 89°28'42" West a distance of 700.86 feet along the southerly boundary of said SW1/4 NE ¼ and the southerly boundary of said SE1/4 NW1/4 to the TRUE POINT OF BEGINNING, containing 0.55 acres more or less.

Containing approximately 77.49 acres.

EXHIBIT "A" – SECTION 2

A parcel of land located in a portion of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows:

Commencing at the West quarter corner of Section 4 and being the REAL POINT OF BEGINNING.

Thence North 00°50'26" East 1275.76 feet along the West boundary of Section 4 to the Northwest corner of "CSI North Campus Subdivision".

Thence South 89°37'31" East 587.02 feet along the North boundary of said subdivision.

Thence South 00°50'26" West 370.00 feet along the extended Westerly boundary of Lot 2 of said subdivision to the Southwest corner thereof.

Thence South 89°37'10" East 296.00 feet along the Southerly boundary of said Lot 2 to the Southeast corner thereof.

Thence North 00°51'54" East 370.00 feet along the Easterly boundary of said Lot 2 extended to a point on the Northerly boundary of "CSI North Campus Subdivision".

Thence South 89°37'10" East 1129.58 feet along the Northerly boundary of said subdivision.

Thence South 34°09'13" East 243.67 feet along the boundary of said subdivision.

Thence South 50°19'13" East 219.01 feet along the boundary of said subdivision.

Thence South 01°17'47" West 6.88 feet along the boundary of said subdivision.

Thence South 51°14'56" East 395.58 feet along the Westerly boundary of the CSI Endowment Parcel.

Thence South 01°00'53" West 24.00 feet along the boundary of said Endowment parcel.

Thence South 44°32'32" East 530.00 feet along the boundary of said Endowment Parcel.

Thence South 00°03'24" West 299.01 feet along the boundary of said Endowment Parcel.

Thence South 89°20'47" East 932.19 feet along the Northerly boundary of the W²SE⁴ of Section 4, to the Northeast corner thereof.

Thence South 01°05'22" West 1602.83 feet along the Easterly boundary of said W²SE⁴.

Thence North 89°07'16" West 59.41 feet along the Northerly boundary of the Frontier Park joint use parcel.

Thence North 55°05'57" West 514.28 feet along said joint use parcel boundary as amended.

Thence North 00°52'24" East 122.24 feet along said joint use parcel boundary as amended.

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Thence North $82^{\circ}27'56''$ West 459.94 feet along said joint use parcel boundary as amended.

Thence North $01^{\circ}00'53''$ East 110.63 feet along the Easterly boundary of the National Guard Armory parcel to the Northeast corner thereof.

Thence North $89^{\circ}29'07''$ West 370.00 feet along the Northerly boundary of said Armory Parcel to the Northwest corner thereof.

Thence South $01^{\circ}00'53''$ West 590.00 feet along the Westerly boundary of said Armory parcel to the Southwest corner thereof.

Thence South $89^{\circ}29'07''$ East 370.00 feet along the Southerly boundary of said Armory parcel to the Southeast corner thereof.

Thence South $01^{\circ}00'53''$ West 103.75 feet along the Westerly boundary of the Frontier Park joint use parcel.

Thence North $88^{\circ}52'43''$ West 4.52 feet along said joint use parcel boundary.

Thence South $01^{\circ}00'53''$ West 208.64 feet along said joint use parcel boundary.

Thence South $51^{\circ}53'51''$ East 859.00 feet along said joint use parcel boundary as amended.

Thence South $01^{\circ}08'53''$ West 138.37 feet along said joint use parcel boundary as amended.

Thence North $88^{\circ}51'29''$ West 1050.40 feet along the Southerly boundary of the W^2SE^4 of Section 4 to the Southwest corner thereof.

Thence North $88^{\circ}53'05''$ West 2625.05 feet along the Southerly boundary of Section 4 to the Southwest corner thereof.

Thence North $00^{\circ}50'29''$ East 2558.09 feet along the Westerly boundary of Section 24 to the REAL POINT OF BEGINNING.

Containing approximately 281.33 acres.

Unsurveyed

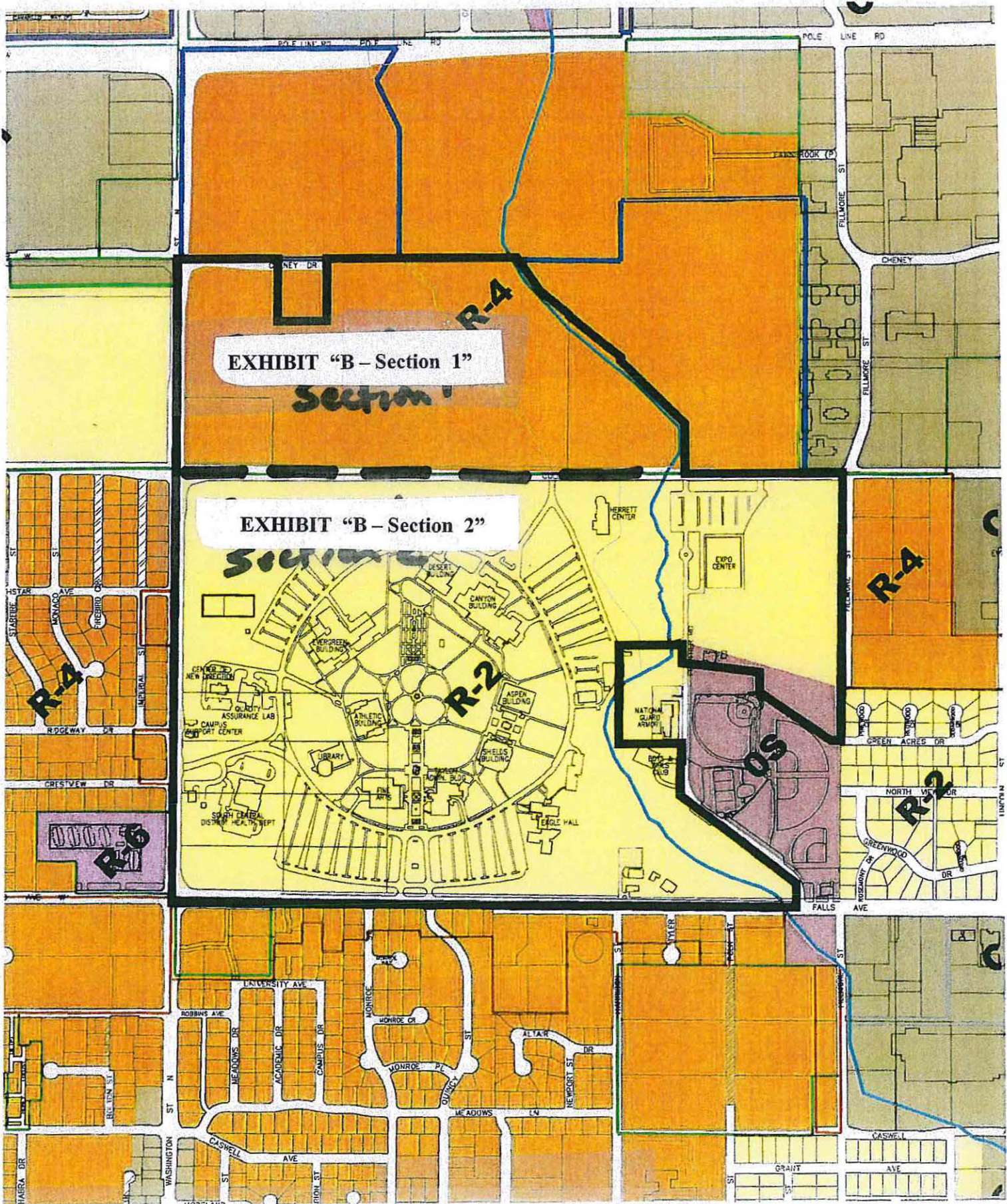
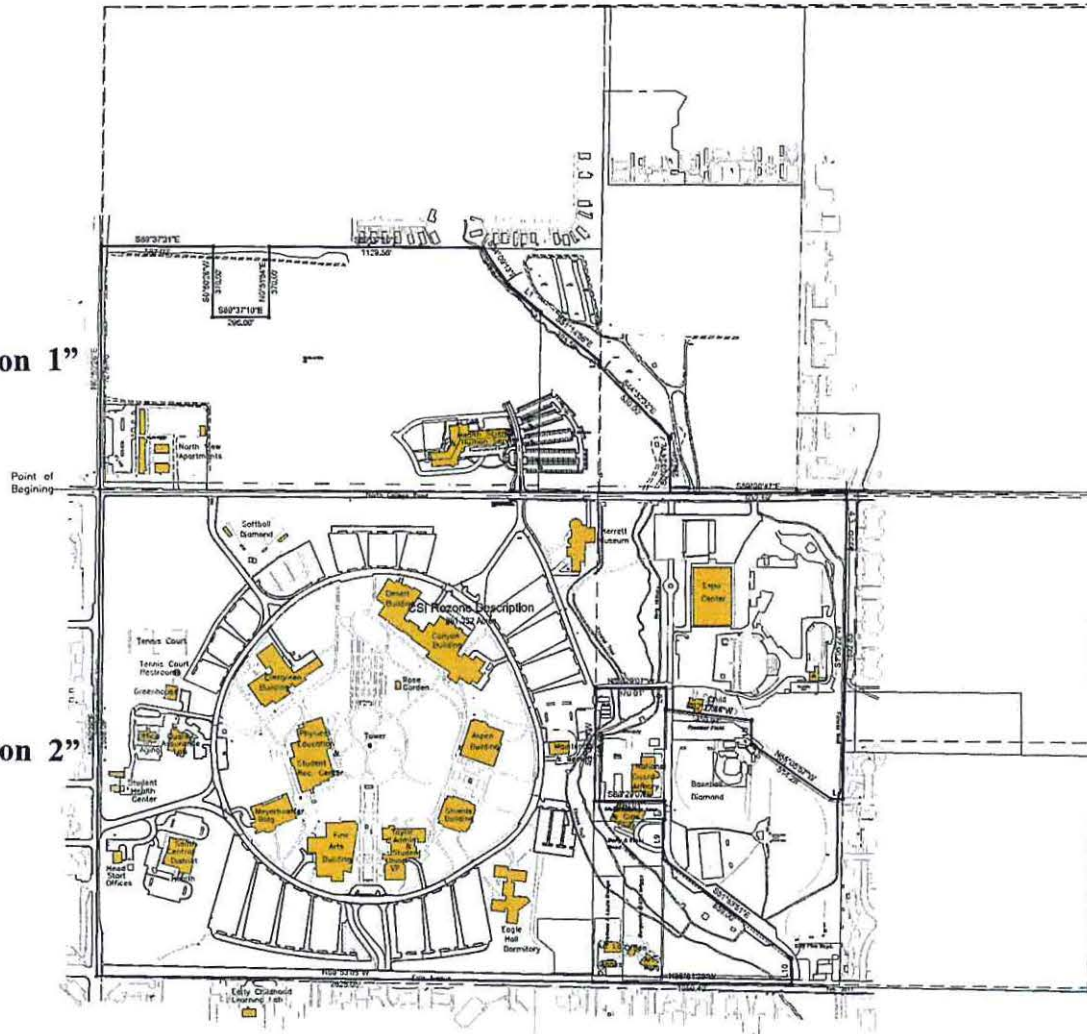


EXHIBIT "B - Section 1"

EXHIBIT "B - Section 2"



LINE	BEARING	HORIZ DIST
L1	S50°19'13"E	210.01'
L2	S1°17'47"W	6.00'
L3	S1°00'53"W	24.00'
L4	N85°07'16"W	59.41'
L5	N0°52'24"E	122.24'
L6	N1°00'53"E	110.83'
L7	S1°00'53"W	103.70'
L8	N82°34'43"W	4.52'
L9	S1°00'53"W	208.64'
L10	S1°08'53"W	138.37'

EHM Engineers Inc.
ENGINEERING/PLANNING/DESIGN
COLLEGE RD., SUITE 100
221 N. W. 10TH AVE.
MINNAPOLIS, MN 55403
TEL: 208.234.8049
FAX: 208.234.8049
E-MAIL: ehm@earthlink.net

CSI

DO NOT SCALE DIMENSIONS
CONTRACTOR SHALL VERIFY ALL
DIMENSIONS AND PROPORTIONS IN THE
FIELD AND NOTIFY THE ENGINEER OF
ANY DISCREPANCIES, ERRORS, OMISSIONS,
OR OMISSIONS BEFORE BEGINNING
OR PROCEEDING WITH WORK

APPROVED

DESIGN

BRAND J.R. SKEEN

DATE 6-17-11

SCALE AS SHOWN

DWG. NO. 102-11bndry

1200262

EXHIBIT "B - Section 1"

TWIN FALLS COUNTY

RECORDED FOR:
TWIN FALLS, CITY OF
3:02:32 pm 08-26-2009
2009-019522

NO. PAGES: 15 FEE: \$

KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BHUNTER

COLLEGE OF SOUTHERN IDAHO - NORTH CAMPUS
PLANNED UNIT DEVELOPMENT AGREEMENT

PUD 262
PUD-234
COPY

This agreement, made and entered into this 4TH day of August, 2009, by and between the City of Twin Falls, a municipal corporation, State of Idaho, hereinafter called "City" and the College of Southern Idaho, hereinafter called "College" whose address is 315 Falls Avenue, Twin Falls, Idaho 83303-1238.

RECITALS

Whereas, the College of Southern Idaho holds title to properties particularly described in Exhibit "A" attached hereto, which land is located adjacent to the College from the 100 to the 400 blocks on the north side of North College Road and consisted of approximately 71.09 acres, and

WHEREAS, the College intends to use the property for College related activities, specifically a health sciences and humans services building, future educational facilities and agriculture and has submitted to the City a Master Development Plan thereof, Exhibit "B", and

Whereas, the property at 100 - 400 blocks on the north side of North College Road is currently zoned R4 within the city's area of impact, and

Whereas, College has made a request to the City to annex and rezone properties, as described in Exhibit "A", to "CSI PUD" zone and has submitted to the City a Master Development Plan, Exhibit "B", thereof which has been reviewed by the Planning and Zoning Commission on April 22, 2008, and was approved, as presented, for development as a Planned Unit Development by the City Council on May 19, 2008 and which Ordinance #2941 was later approved by the City Council and published on July 03, 2008, and

Whereas, the City, by and through its City Council, has agreed to the Development of said property within the City of Twin Falls, Idaho, subject to certain terms, conditions and understanding, which terms, conditions and understandings are the subject of this agreement.

COVENANTS

On May 19, 2008 the City Council annexed and approved development of properties described in Exhibit "A" subject to the following conditions:

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1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to the approved PUD Agreement to include:
 - a. Development Criteria including a "Height" section that indicates that the height of development within the project may be a maximum thirty-seven feet (37') tall.
 - b. Development criteria regarding utility/infrastructure
4. Subject to the attached exhibit titled "CSI Phase I" being adopted as the approved Master Development Plan. Any future phase of development will require an amendment to the PUD and the Master Development Plan.

Now, Therefore, in consideration of the mutual promises and covenants contained herein, College and the City agree as follows:

1. NATURE OF THE AGREEMENT. This agreement shall become part of the "CSI PUD" zone with respect to the Property upon its full execution and recording. This agreement is specific to the College owning the property. In the event of a change of ownership, a new PUD application will have to be filed. This agreement is subject to the attached exhibit titled "CSI Phase I" being adopted as the approved Master Development Plan, Exhibit "B". Any future development will require an amendment to the PUD.

2. NATURE OF PROPERTY USE. It is agreed by the parties hereto that certain language and requirements pertaining to the "CSI PUD" zone shall be interpreted as follows:

A. Uses. The College will use the property in a manner consistent with our community college mission with the development of the north campus being similar to the existing campus.

Phase 1 The first building to start the second circle of buildings will be a health science and human services building. The two story building may be a maximum thirty-seven feet (37')

tall and shall be approximately 72,000 square feet and will house our health related programs along with numerous general use classrooms.

As a part of Phase 1, the first 1,000 feet of the irrigation lateral (running east to west) bordering the property on the south side will be piped in accordance with Twin Falls Canal Company criteria. The entry to the property will be from North College Road with a turnout lane for vehicles coming from the east and two exit lanes onto North College for departing traffic. The parking lot for the building will consist of spaces for approximately 300 vehicles. All drainage for the building and parking lots will be retained on-site. A 12 inch water line coming off of the North College water line will run by the building and dead end at the end of the portion of the loop road constructed in Phase 1. The water line coming off of this main line will feed the building and loop back to the North College Road water line. These changes as outlined above are shown as, Proposed Water Plan, included with Exhibit "B"-Master Development Plan. This agreement is subject to the attached exhibit titled "CSI Phase I" being adopted as the approved Master Development Plan, Exhibit "B".

Phase 2 Phase 2 and/or any future development will require an amendment to the PUD. Future buildings will be constructed as the need is established and the funding obtained. In the interim, the property not utilized for buildings will be farmed. Phase 2 will include a future by-pass road running north on the west side of the Perrine Coulee to the north side of the property and run west to connect at the Cheney and Washington intersection to be developed prior to Phase 2 development.

B. Non-Compliance. In the event that uses of the Property are not within the restriction of this "CSI PUD" Agreement, the City shall give written notice to the College. College shall cure said non-compliance within thirty days of its receipt of notice (or in the case of non-compliance that will take in excess of thirty days to cure, College shall commence to cure within thirty days of receipt of notice and diligently pursue the same to completion). In the event the College fails to cure said non-compliance in the manner set forth hereinabove, the City shall have the right to withhold the issuance of any future building permits and certificates of occupancy within that phase of such "PUD" until such time as all requirements specified have been complied with; provided, however, the College shall have the right to appear before the City Council at any regular meeting after any building permits and

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PUD 234

certificates of occupancy have been withheld for reasons set forth in this paragraph and shall have the right to be heard as to why such building permits and certificates of occupancy should be issued. The City Council shall then in good faith and in an objective manner decide whether said building permits and certificates of occupancy should be issued, and its decision shall be final, except that the rights of parties are preserved at law and equity.

3. GENERAL PROVISIONS

A. Cooperation. The parties hereto agree to cooperate each with the other.

B. Entire Agreement. This agreement constitutes the entire agreement between the parties concerning the property described herein, and no amendment or modification to this agreement shall be valid or effective unless reduced to writing and signed by the parties.

C. Applicable Law. This agreement shall be constructed in accordance with the laws of the State of Idaho.

D. Notices. If notices from one party to the other are desired or required hereunder, such notices shall be delivered or mailed to the party to receive such at its addressed last known to the sender of such notice. Notices shall be deemed received on the date of hand delivery or upon seventy-two (72) hours following deposit in the United States mail, if properly addressed, stamped and sent with "return receipt requested". On the date of this agreement, the addressed of the parties are as follows:

College: College of Southern Idaho
315 Falls Avenue
P.O. Box 1238
Twin Falls, Idaho 83303-1238

City: City of Twin Falls
P.O. Box 1907
321 Second Avenue East
Wind Falls, Idaho 83301

In the event the College seeks to amend the master plan and/or this agreement, it will provide notice to the adjoining neighbors at the time application is made for such a change in accordance with City requirements/ordinances.

E. Successors and Assigns. This agreement shall be binding upon successors, assigns and legal representatives of the parties hereto.

F. Severability. In the event any portion of this agreement is declared by a Court of competent jurisdiction to be invalid, illegal or unenforceable, such portion shall be deemed severed from this agreement, and the remaining portions shall not be affected thereby.

G. Signatories. Each of the persons executing this agreement hereby represent and warrant that he or she is duly authorized and empowered to so act on behalf of the entity for which he or she is signing and that this agreement is binding on, and enforceable against, such entity.

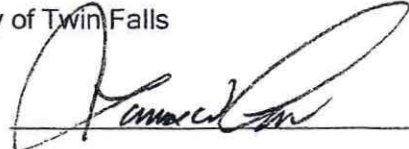
H. Effective Date. This "PUD" agreement shall become valid and binding only upon its approval by the City, through its City Council, and upon its execution by the Mayor and College.

I. Attorneys Fees. In the event that either party should be required to retain an attorney because of the default or breach of the other or to pursue any other remedy provided by law, that party which prevails in any litigation shall be entitled to reasonable attorney's fee.

J. Attachments. All attachments and recitals are incorporated herein and made a part hereof as if set forth in full.

In Witness Whereof, the City has affixed its seal and caused these presents to be executed by its Mayor on the date above written.

City of Twin Falls

By: 

College of Southern Idaho

By: 

John M. Mason,
Vice President of Administration

PUD 262
PUB 244

Acknowledgments

State of Idaho

County of

On this 25th day of August, 2009, before me the undersigned, a

Notary Public in and for said State and County, personally appeared _____

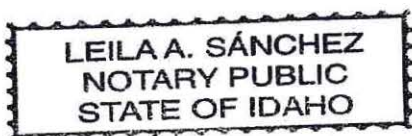
Lance W. Clow Known to me to be the Mayor
of Twin Falls, the municipal corporation that executed the within and foregoing instrument, and
acknowledged to me that such municipal corporation executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day
and year in this certificate first above written.

Leila A. Sánchez
Notary Public for Idaho

Residence of Twin Falls

My Commission Expires 5/18/2012



State of Idaho

County of

On this 4th day of August, 2009, before me the undersigned, a

Notary Public in and for said State and County, personally appeared _____

John M. Mason to me personally known, who, being by me duly sworn,
did for himself say that he is an authorized representative of the College of Southern Idaho and
that the within instrument was executed by him of behalf of the College of Southern Idaho.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day
and year in this certificate first above written.



Jeffrey M. Harrison
Notary Public for Idaho

Residence of Twin Falls Idaho

My Commission Expires 11-08-2011

Exhibit "A" PUD 262
PUD-
254

ORDINANCE NO. 2941

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

WHEREAS, the College of Southern Idaho has made application for annexation of property located on the north side of the 100-400 blocks of North College Road; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 22nd day of April, 2008, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 16th day of June, 2008, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described.

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

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

SEE ATTACHMENT "A"

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

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

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of

DUB 262
PUD-234

development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

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

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

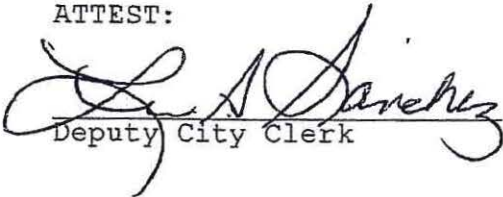
PASSED BY THE CITY COUNCIL June 16, 2008

SIGNED BY THE MAYOR June 23 , 2008



Mayor

ATTEST:



Deputy City Clerk

PUBLISH: Thursday, July 3 , 2008

7ud-262
P40-244

ATTACHMENT "A"

A tract of land located in the South Half of the Northwest Quarter of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of said S1/2 NW1/4;

THENCE North 0°42'17" East a distance of 1,275.74 feet along the westerly boundary of said S1/2 NW1/4 to the northwest corner of said S1/2 NW1/4;
THENCE South 89°45'01" East a distance of 1,997.79 feet along the northerly boundary of said S1/2 NW1/4;
THENCE South 35°10'00" East a distance of 254.74 feet;
THENCE South 51°20'00" East a distance of 219.01 feet;
THENCE South 0°57'30" West a distance of 943.07 feet to a point on the southerly boundary of said S1/2 NW1/4;
THENCE North 89°28'42" West a distance of 2,315.50 feet along the southerly boundary of said S1/2 NW1/4 to the southwest corner of said S1/2 NW1/4 and being the TRUE POINT OF BEGINNING.

The above described tract contains 66.74 acres more or less and is subject to the rights of public roads which affects the westerly 25.00 and a strip varying from 25 to 58 feet in width along the southerly boundary of said tract.

AND

A tract of land located in the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of the NW1/4 of said Section 4;

THENCE, South 89°28'42" East a distance of 2315.50 feet along the southerly boundary of said NW1/4 to the center of a power line and the TRUE POINT OF BEGINNING;
THENCE North 0°57'30" East a distance of 943.07 feet along the center of said power line to a point in the center of a coulee;
THENCE South 51°20'00" East a distance of 399.99 feet along the center of said coulee to a point on the easterly boundary of said SE1/4 NW1/4;
THENCE South 0°52'55" West a distance of 24.00 feet along the easterly boundary of said SE1/4 NW1/4, and the westerly boundary of said SW1/4 NE1/4;
THENCE South 44°45'00" East a distance of 530.00 feet;
THENCE South 0°00'00" West a distance of 299.01 feet to a point on the southerly boundary of said SW1/4 NE1/4;

DUD-262
DUD-234

THENCE North 89°28'42" West a distance of 700.86 feet along the southerly boundary of said SW1/4 NE1/4 and the southerly boundary of said SE1/4 NW1/4 to the TRUE POINT OF BEGINNING.

The above described tract contains 10.20 acres more or less and is subject to a permanent easement for roadway purposes over a strip of land located in the SE1/4 NW1/4 and the SW1/4 NE1/4 of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of the NW1/4 of said Section 4;

THENCE, South 89°28'42" East a distance of 2315.50 feet along the southerly boundary of said NW1/4 to the TRUE POINT OF BEGINNING;

THENCE North 0°57'30" East a distance of 20.57 feet to the northerly line of said permanent easement;

THENCE South 89°04'24" East a distance of 69.34 feet;

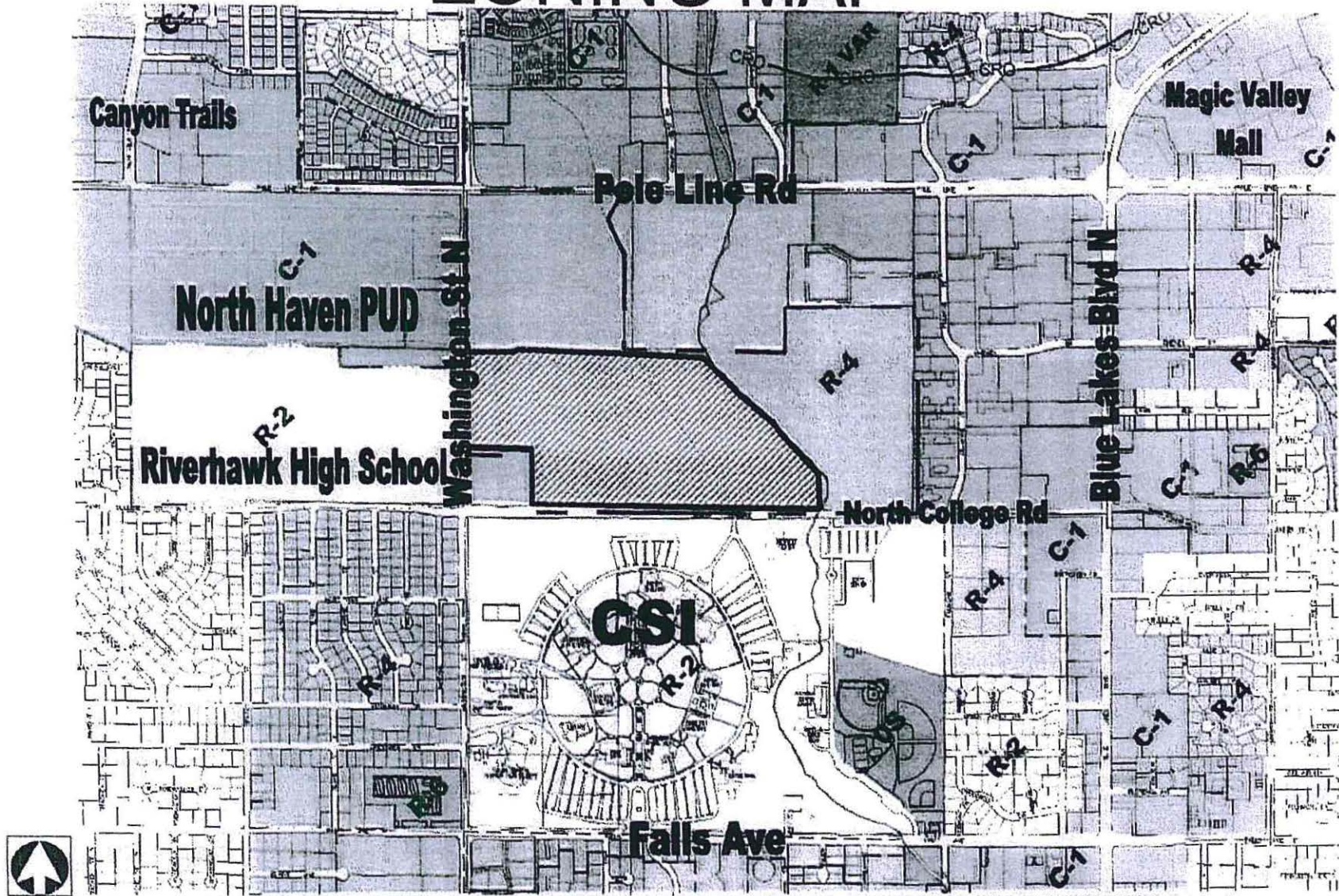
THENCE North 86°17'08" East a distance of 270.74 feet;

THENCE South 89°28'42" East a distance of 361.01 feet to a point on the easterly boundary of the above described tract;

THENCE South 0°00'00" East a distance of 40.08 feet to the southerly boundary of the SW1/4 NE1/4 of said Section 4;

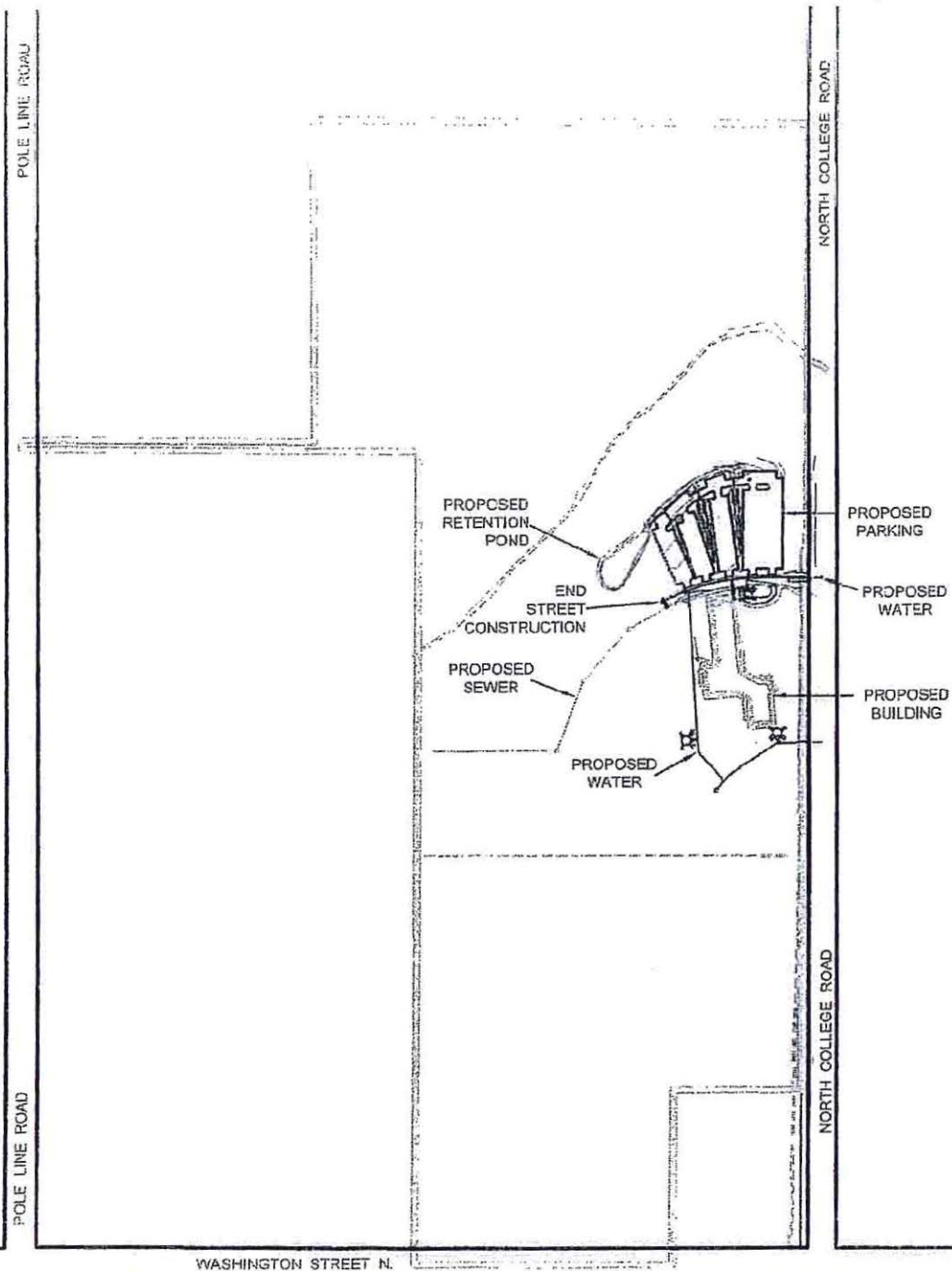
THENCE North 89°28'42" West a distance of 700.86 feet along the southerly boundary of said SW1/4 NE ¼ and the southerly boundary of said SE1/4 NW1/4 to the TRUE POINT OF BEGINNING, containing 0.55 acres more or less.

ZONING MAP



PUD-262 PUD 294

PUD 262
1411-241



CSI PHASE 1
SCALE: 1"=500'

Drawn By MLJ
Checked By M. SMITH
Date 1-28-08
CTA # CSHS
Cad File: CSHS-EX1



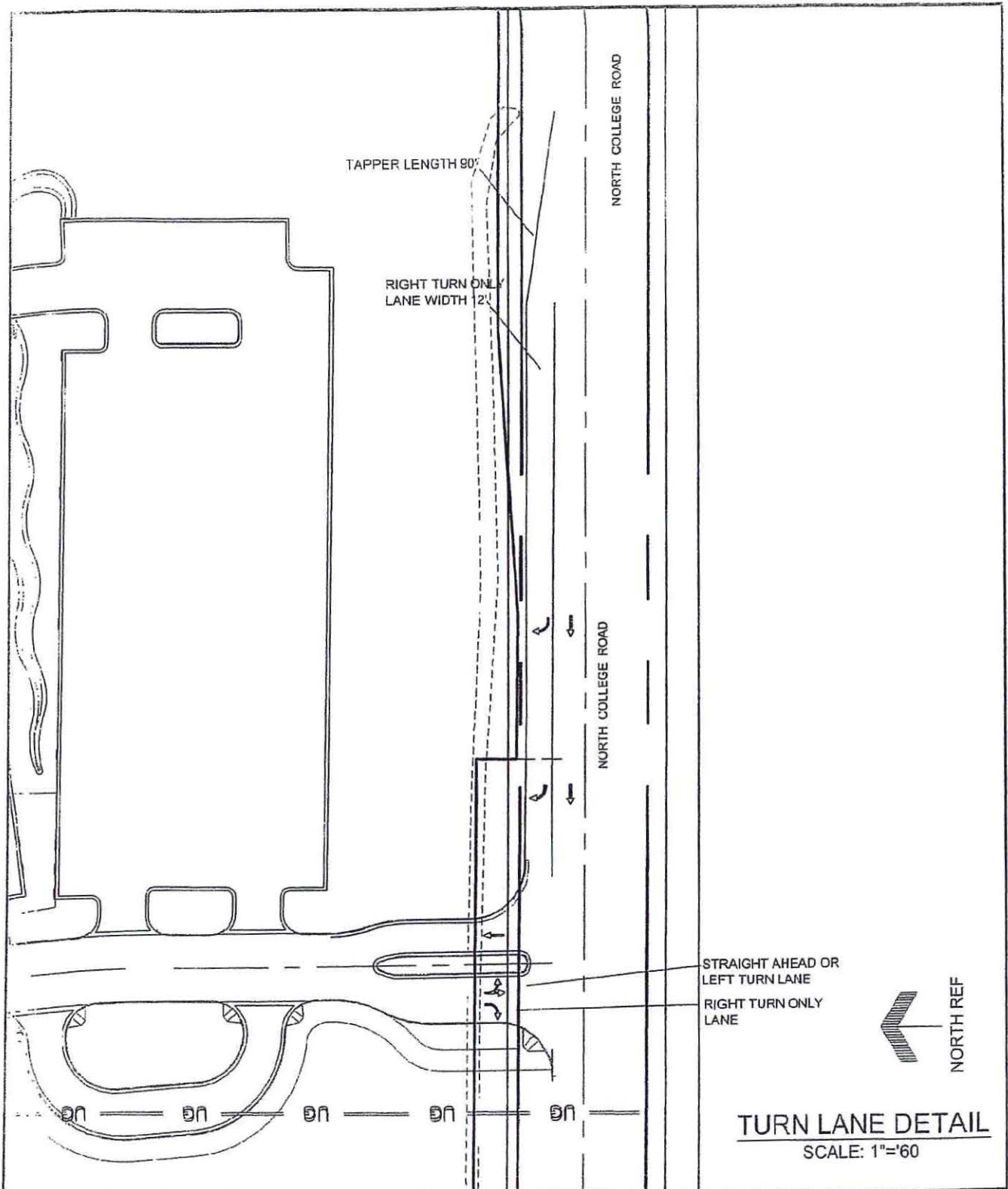
BILLINGS, MT
(406)248-7455
Fax (406)248-3779

COLLEGE OF SOUTHERN IDAHO
HEALTH SCIENCES AND HUMAN SERVICES
DPW PROJECT NO. 08102

ADDENDUM

SHEET# 1
REF SHEET#

PUD-2627
 PUD-254



Drawn By MLJ
 Checked By M.SMITH
 Date 3-05-08
 CTA # CSHS
 Cad File: CSHS-EX2

CTA
 BILLINGS, MT
 (406)248-7455
 Fax (406)248-3779

COLLEGE OF SOUTHERN IDAHO
 HEALTH SCIENCES AND HUMAN SERVICES
 DPW PROJECT NO. 08102

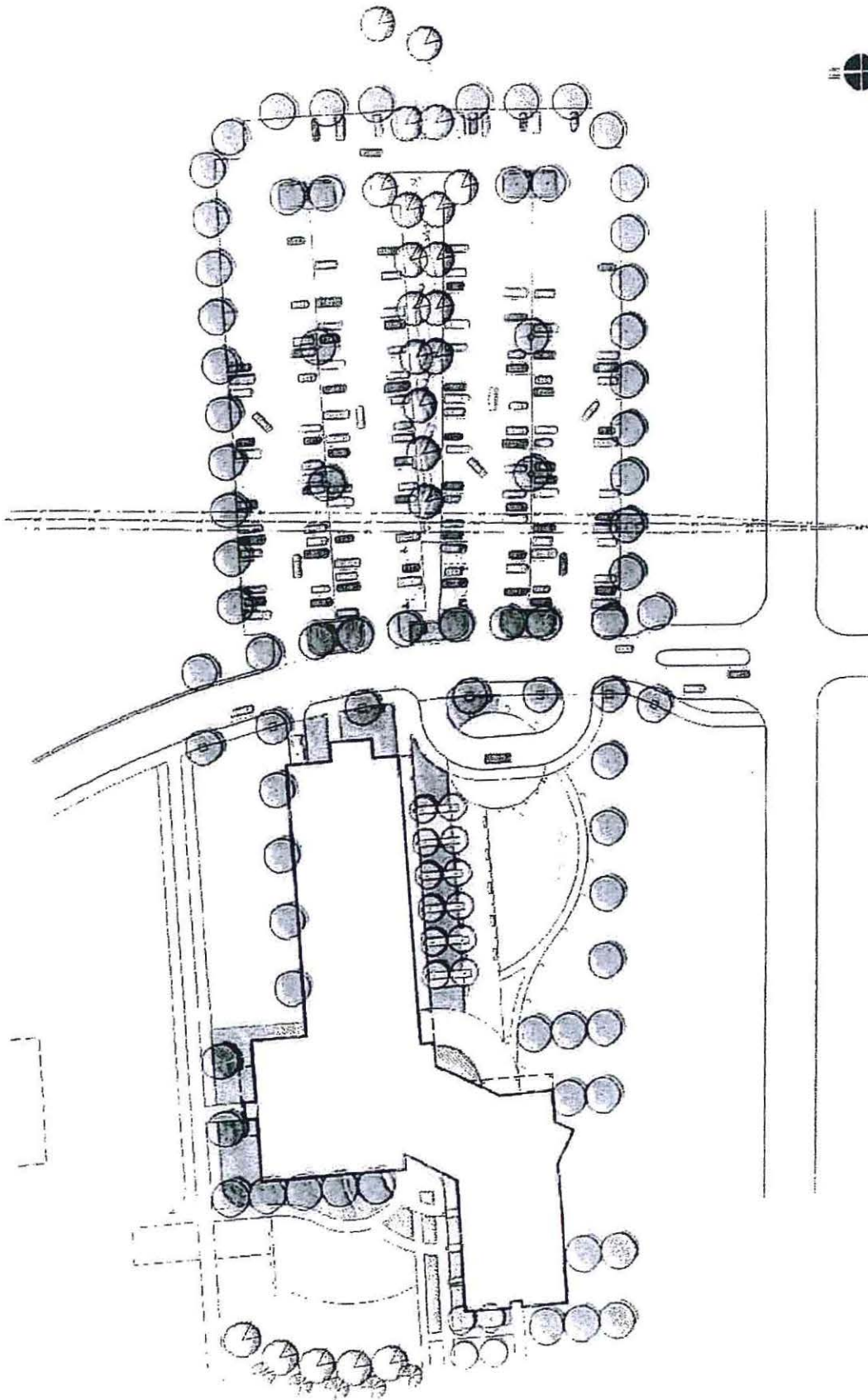
ADDENDUM

SHEET#

1

REF SHEET#

PUD 2002 (PUD-284)



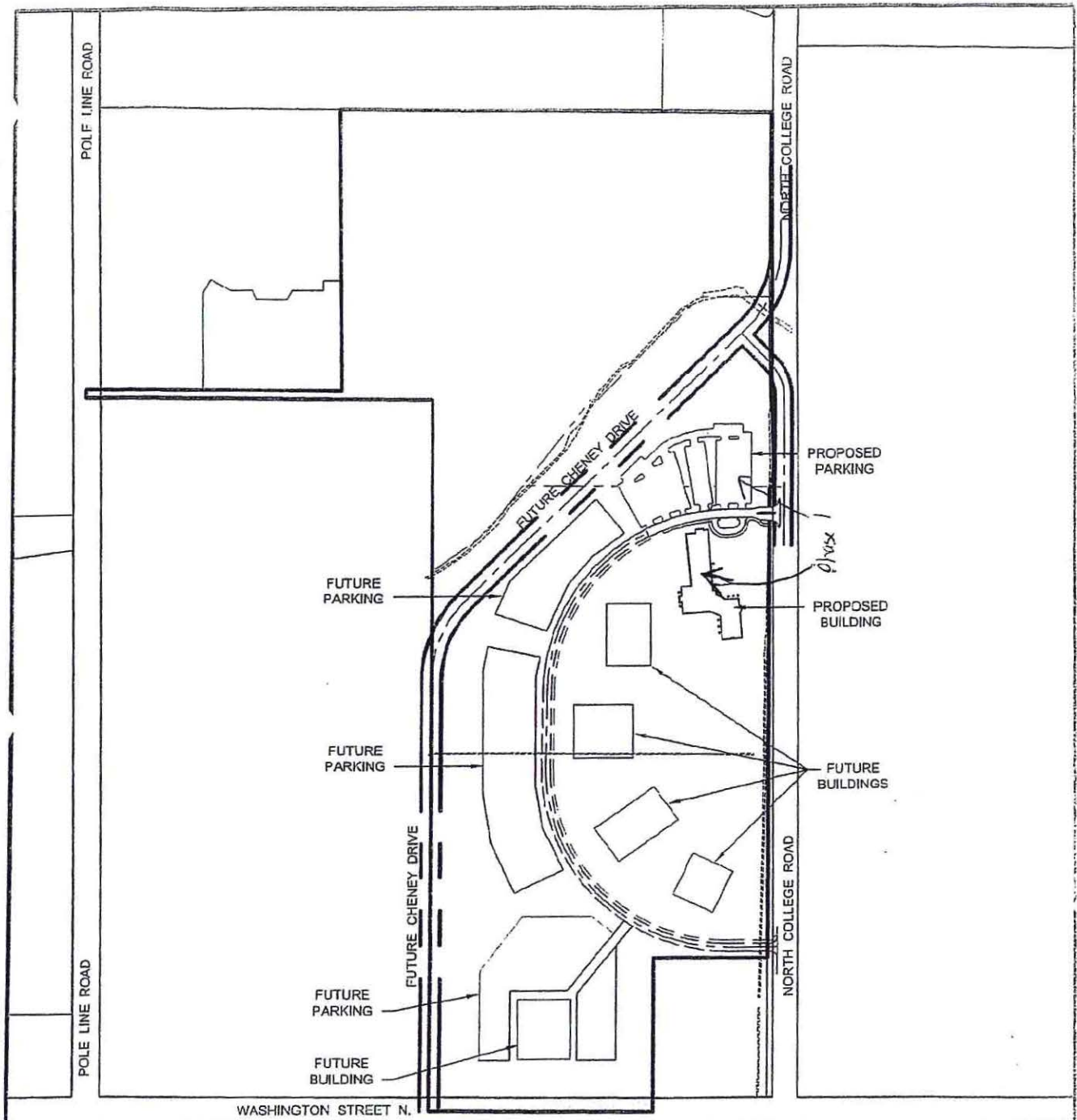
DPW # 08102
12-17-07

College of Southern Idaho
Health Sciences and Human Services Building

SCHEMATIC MODEL



PUD 262
PUD-284



PHASE 2
DEVELOPMENT PLAN
SCALE: 1"=500'

Drawn By MLJ
Checked By M SMITH
Date 2-7-08
CTA # CSHHS
Cad File: CSHS-EX1

CTA
BOISE, ID
(208)336-4900
Fax (208)343-3531

COLLEGE OF SOUTHERN IDAHO
HEALTH SCIENCES AND HUMAN SERVICES
DPW PROJECT NUMBER 08102

SHEET# 2
REF SHEET#

PUD 262

EXHIBIT "C"

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. Agriculture:

- a. Agricultural use.
- b. Animals for agricultural education, veterinary technology and rodeo use.
 - 1. Rodeo program – 50 large animals continuously, 200 large animals during events.
 - 2. Veterinary technology – 25 small animals and 18 large animals
- c. Garden plots leased to others.

2. Communications And Utilities:

- a. Geothermal resources for educational support equipment but would also generate power.
- b. Photo voltaic (solar panels) systems on buildings or freestanding to be used as educational support equipment but would also generate power.
- c. Underground and aboveground transmission lines.
- d. Utility-owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

3. Cultural Facilities:

- a. Botanical gardens and arboretums.
- b. Historic sites and monuments.
- c. Libraries, museums and art galleries.
- d. Planetariums and aquariums.

4. Governmental Facilities:

- a. Fire stations and police stations.
- b. Water treatment plants.

5. Medical Facilities (as part of educational purposes):

- a. Doctors' offices.
- b. Drug and alcohol treatment centers.
- c. Hospitals and clinics.
- d. Rehabilitation services.

6. Miscellaneous:

- a. Any facility with drive-through service.

7. Parks:

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

8. Public Assembly:

- a. Auditoriums.
- b. Exposition Center – Commercial events.
- c. Religious facilities.
- d. Schools - private, vocational and/or academic.
- e. Schools - public.

9. Residential:

- a. Accessory buildings, personal swimming pools and other accessory uses.
- b. Household units in upper floors of commercial or professional buildings.
- c. Nursing homes and rest homes. (as part of educational purposes)

10. Retail:

- a. Eating places – commercial and college operations.
- b. Farmers' Markets
- c. Private and commercial lease of facilities.

11. Services (as part of educational purposes):

- a. Daycare services.
- b. Finance and investment offices.
- c. In-home daycare services.
- d. Insurance and related business.
- e. Private and commercial lease of facilities.
- f. Professional services.
- g. Quality Assurance Lab
- h. Real estate and related business.

11. Sports Facilities:

- a. Athletic areas, indoor and outdoor.
- b. Golf driving ranges.
- c. Miniature golf courses.
- d. Outdoor, public and commercial ice and roller-skating facilities.
- e. Outdoor, public and commercial swimming pools.
- f. Outdoor, public and commercial tennis courts. (Ord. 2620, 8-2-1999)
- g. Student fundraising activities.

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

1. Communications And Utilities:

- a. Utility-owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
- b. Windmills not exceeding a maximum blade height of 120 feet (120') to be used as educational support equipment but would also generate power. Setback to be 3-1 ratio.

2. Cultural Facilities:

- a. Zoos.

3. Parks:

- a. Public parks and playgrounds with crowd attracting facilities.

4. Residential:

- a. Bed and breakfast facilities.
- b. Dwellings - multiple household (5 units or more).
- c. Dwellings – tri-plex and four-plex.
- d. Home occupations.
- e. Residence halls, residence hotels, rooming houses.

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



Twin Falls Planning & Zoning Commission Minutes

Tuesday, December 12, 2017, 6:00 PM

305 3rd Avenue East
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Members Present: Woods, Frank, Higley, Grey, Hawkins

Staff Present: Carraway-Johnson, Spendlove, Strickland, O'connor, Vitek, Wonderlich

2) Consideration of Amendments to Agenda

Staff Presentation:

Zoning & Development Manager Carraway-Johnson stated there was an amendment to the agenda, to withdraw agenda item 6e from the public hearings. She explained the Commission can take comments on this item during the General Public Input portion of the agenda if they choose.

Motion:

Commissioner Grey made a motion to approve the request to amend the agenda, Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

3) General Public Input

Senior Planner Spendlove explained that during the preparation of the staff report and consultation with City Attorney Wonderlich it was determined the request is premature. As a result of this determination the item needed to be removed from the public hearing portion of the agenda and moved to the general public input portion of the meeting. It is up to the Commission's discretion whether or not to allow public comment on the item and to offer input. However, no decision about the status of the permit can be made at this time.

City Attorney Wonderlich clarified the item that was removed from the public hearing section of the Agenda was request regarding the Acorn Learning Center. This item has been moved to the general public input portion of the agenda. There are a lot of people here tonight and they should be allowed to speak on this item.

Public Comment:

- Wali Fedaie, the applicant for this request, stated he does not understand why this was removed and why he was not notified.
- James Jolly, 473 Eastland Drive, explained that he and his wife support this school and are thankful the school is there.

- Rick Kuhn, 635 3rd Avenue East, and his home faces the Bickel School playground and he has never consider the noise from kids playing an issue. He has lived in his home for 30 years and Bickel School is much larger than Acorn Learning Center so he doesn't understand how the children could create enough noise to be disturbing.
- Heidi Campbell, 435 Hailee Avenue, stated she was the board president when the original special use permit was approved and they met the notification requirements for their request.
- Nancy Larson ,573 Eastland Drive, stated she doesn't think children playing is disruptive but the neighbors in the apartments that come in all hours of the night drunk and yelling at each other are much more disturbing.
- Teron Floyd, 667 Sunrise Boulevard North, stated they possibly have 20 kids max out at one time for 15 minutes twice a day.
- Laird Stone, kids were students at this school, he has taken the opportunity to take a look at the school and the distance between the playground and the apartments. The distance between the playground to the apartments is far enough there shouldn't be any impacts to the people that live in the apartments. There is a fence around the play area and he thinks it would be a travesty if their SUP was revoked.
- Wali Fedaie, stated he was not notified originally, the noise level is unbearable, the tenants work grave yard shift and it is unbearable for his tenants. They have armed security for the apartments and they don't allow a disruptive noise level. They have been managing these apartments about 14 years and have not had incidents at the apartments.

Closing Comments:

- Commissioner Frank reminded the people that spoke that this is not a public hearing but that if this item does get scheduled again for a public hearing he encourage them to come and speak at that meeting also.
- Senior Planner Spendlove explained while preparing for the hearing staff discovered that the Special Use Permit was not actually sent to the applicant because they have not yet fulfilled the conditions of the permit, for example blocking off the north access, parking lot striping. Because the conditions have not been completed the Special Use Permit has not been issued, therefore a revocation cannot occur on a Special Use Permit that has not been issued. Acorn Learning Center has been notified of this situation and they are working with staff to rectify the situation.

4) Consent Calendar

a) Approval of minutes from the following meeting:

- 11-14-17 Public Hearing Minutes
- 11-28-17 Public Hearing Minutes

b) Approval of Findings of Fact and Conclusions of Law for the following meeting: 11-04-17

- Temple View (pre-plat)
- Z Country (pre-plat)
- Yurivilca (SUP)
- Locust Grove North (pre-plat)

Motion:

Commissioner Woods made a motion to approve the consent calendar, as presented.

Commissioner Higley seconded the motion.

Unanimously Approved

5) Items of Consideration

None

6) Public Hearings

- a) Request for consideration of **Revocation of Special Use Permit #1233**, granted to Afrim Hetemi on June 14, 2011 to allow an indoor recreation facility to operate in conjunction with an existing bar and grocery store outside the permitted retail hours of operation on property located at 139 Shoshone Street North. c/o City of Twin Falls (app. 2455)

Staff Presentation:

- Planner I O'Connor reviewed the request and stated there is no addition analysis from Staff for this item. However, Officer Loosli will be presenting more information as requested by the Commission in October of this year.
- Officer Loosli, stated that they have collected more data on calls for service though December 3, 2017. He explained there are some incidents that are specifically associated and some that are vehicle stops. He reviewed each call for service attributed to this 139 Shoshone Street North address. The calls are associated to the address whether they occur inside the business or outside the business, the majority of the issues occur in the parking lot, which is typical when they have to respond to a bar fight. The calls for service are associated to the business that is open and this is the only business open in this location at the times of the calls.
- Commissioner Frank asked if the issues are the same at this time or is it generally the same.
- Officer Loosli stated he can't say that it is worse.
- Commissioner Grey stated that the business being open is drawing the element, that is clear, however to he does want to recognize the business for reporting the

disturbances in an area that he has no control over, but it is also attributed to the business address.

- Officer Loosli explained that there could be more research on the calls if he has the phone numbers of the business security he could narrow down how many calls they make to the police. In his experience they are not calling as often as has been lead to believe. The calls don't appear to be from the business and if security is calling their names are put in the report. He is not familiar with the security at the business. Considering the weather, the numbers have dropped off a bit, however the real issue typically occur in the warmer months.
- Commissioner Woods reviewed the data and stated it appears the numbers are dropping.
- Commissioner Grey stated he is tempted to let it go for now.
- Commissioner Woods stated he would say let it go but to keep an eye on things, and he would also like to see the business owner install some more lighting.
- Officer Loosli clarified that the data for this time frame is very hard to interpret, he thinks that there will be better data when the weather starts to warm up again. His experience with businesses that cater to people that have consume a lot of alcohol throughout the evening and that come and hangout longer at a place that is open past 1:30 am they cause a lot of problems. He thinks the data is very difficult to use to determine if there has been an improvement. These issues have been going on at this establishment for many years. He would hope that things would change, he and several other officers have tried to speak with them and have been unsuccessful and getting things to change.
- Commissioner Frank asked about the conversations that have taken place.
- Officer Loosli explained they understand they have had problems in the parking lot outside their business. A appointment was set up after the last meeting to work with the owner and he never showed up for the appointment.
- Commissioner Woods asked if this revocation or amendment were to happen would the people just move to another location.
- Officer Loosli explained without other businesses like this operating he couldn't answer that question.
- Commissioner Grey suggested that the Commission follow-up on this situation again in the Spring and Summer. The concern he has is that with all the changes going on downtown and growth Twin Falls is having there are going to be others that want to be open as well which may decentralize the people. There here because its the only place open like this around town.
- Officer Loosli explained he has grown up here and never knew if the downtown plans would work and he is impressed with what has happened so far. The question he has is does this type of business fit into the downtown plans and he doesn't want to limit businesses, but his biggest concern is making it safe. The multiple fights and disturbances in a parking lot pulls the patrol units off the roads where they monitor for drunk drivers. He also knows from experience if there are more of these types of businesses operating this will continue to be a problem.

- Commissioner Woods asked how hard the data is to keep track of the calls for service month to month.
- Officer Loosli explained that pulling data by address is simple but looking at the data to provide more specific information takes a little extra time. He also thinks the data for this time frame is very hard to analyze.

Planner I O'Connor stated upon conclusion the commission is tasked to approve revocation, deny the revocation, or amend SUP #1233. Staff recommends amending the SUP per the Police Department's recommendation and subject to:

1. Subject to removal of condition #3 of SUP #1233
2. Subject to closing down the establishment to all uses and patrons at 1:30 am, with no patrons allowed within the premises beyond the 1:30 am closing time –the PD suggested time per normal bar operating hours.

Public Hearing:

- Berham Hetemi explained winter time is their busiest time of year, they don't have an outside area for people to sit and people want to be inside. His father installed a light on the back of the building shining towards the parking lot area. There have been zero fights in the bar and zero fights in the parking lot. He is not sure where the complaints are coming from, because the bar is dead until 11:30 or so and these calls are at 9:30. They use their addresses for cars that they pull over. They use to have officers come in and check the alcohol and have had several officer come in and stated that things have gotten better. They have been packed for the last few months, other businesses have not complained to them. The no loitering sign has made a difference for his security guards to warn the people they will call the police for hanging out or they need to come back in the building. The big brawls are not happening at their location.
- Commissioner Frank asked if the security is identified and with the light do they have cameras installed.
- Mr. Hetemi explained that he has just installed cameras and the security staff are identified with lime green t-shirts that glow in the dark. He is aware that the City is trying to renovate and revitalize downtown and if this is revoked this will send the wrong message, if we want it to be like Boise and keep people local.
- Commissioner Frank asked about the address association.
- Officer Loosli explained the business owner is correct the data could be calculated that way.

Discussion Followed:

- Commissioner Woods explained the business owner is convinced that he is making an attempt to improve and but monitoring should continue.
- Commissioner Higley agreed.

- Commissioner Frank stated Twin Falls is in transition and he has mixed feelings because the business does draw the people to this location, he is concerned that no other surrounding businesses came up to speak and the quality of the information provided is questionable.
- Commissioner Grey explained that we are focused on the incidences that happen after 1:30 am in comparison to the incidences that happen before 1:30 am at similar establishments. The other question is how do we want Twin Falls to evolve, and do want to allow businesses to be open after 1:30 am.
- Commissioner Hawkins explained that this is difficult there is not a clear solution, it does sound like he is trying to improve, a lot of things are out of his control, but we should continue to monitor the progress.
- Commissioner Frank stated he also thinks the police department should continue monitoring and develop some strategies for dealing with this because this is something the community has not really had to deal with but it will have to eventually as the community grows. He would like more data and make sure the business understands they will be monitored closely.
- Zoning & Development Manager Carraway-Johnson explained that the Commission needs to make a motion on the request and the monitoring can continue.

Motion:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Hawkins seconded the motion. Commissioner Hawkins voted in favor of the motion with Commissioners Woods, Frank, Higley & Grey voting against the motion.

Motion Failed

- b) Request for the Commission's **recommendation on a PUD Amendment** to the CSI PUD #262-Section 2, to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' on property located at 315 Falls Avenue. c/o Spencer Cutler on behalf of the College of Southern Idaho (app. 2906)

Applicant Presentation:

Jeff Harmon, explained they are here to request a PUD Amendment to #262 to allow the building height restriction to be raised to 50' so that they can construct residence halls/rooming houses on the campus.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated CSI has a long history in the Magic Valley but has had a physical presence, at its current location, in Twin Falls since the early '60s. Prior to that, it was agricultural land. The campus has seen steady growth over the decades and has responded over time to such growth. The College of Southern Idaho-North Campus PUD Agreement #254 was adopted in 2008. This PUD rezoned the 87+/- acres north of North College Rd. In 2011 the current CSI PUD #262 was approved

by the City Council. Currently the entire college grounds, referenced as Section 1; the campus north of North College Rd and Section 2; the campus south of North College Rd, are governed by PUD #262. This PUD was recorded in January 2012.

This is a request to amend CSI PUD #262. CSI PUD #262 is separated into two (2) sections; Section 1 is the campus north of North College Rd and Section 2 is the campus south of North College Rd. This proposed amendment is to amend Section 2; the campus south of North College Rd. The proposed amendment is to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' which would allow for 3-story buildings within Section 2 of the CSI campus. The College has expanded over its existence and new residence halls are required now to meet current and future demands. PUD #262 prohibits building heights over thirty-five feet (35'), basically limiting buildings to no more than 2 stories high. PUD #262 allows residence halls or rooming houses by special use permit. The current PUD regulations met the code at the time of adoption. The College would like to update their PUD Covenants and to allow a new residential hall to proceed in a timelier manner. The allowance of additional building height from 35' to 50' matches the current commercial building heights and would allow for 3-story residence halls. The College stated they feel this is a reasonable request given the changes fit what the C-1 zone currently allow, and also outright permits residences halls on a college campus, rather than requiring an SUP.

The applicant is requesting the following changes to the PUD Agreement:

I. Increase the Allowable Building Height

- A. Under COVENANTS **2. Nature of Property Development** item **B. Building Height**. Revise "thirty- five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- B. Under COVENANTS **4. Building/Structural Standards** item **B. Building Height**, revise "thirty-five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- C. Under COVENANTS **4. Building/Structural Standards** item **C. Architectural Standards**, revise "two (2) stories" to "three (3) stories".

II. Change Residence Halls and Rooming Houses to be Permitted Uses

- A. Under **EXHIBIT "C", USE REGULATIONS, (A) Permitted Uses:**
Add a new item - "12. Residential:
 - a. Dwellings - multiple household (5 units or more)
 - b. Residence halls, residence hotels, rooming houses."
- B. **Under EXHIBIT "C", USE REGULATIONS, (B) Special Uses: 4. Residential**
Remove items - b. Dwellings - multiple household (5 units or more)
 - e. Residence halls, ~~residence hotels~~, rooming houses."

Senior Planner Spendlove stated upon conclusion should the Planning and Zoning Commission is tasked with forwarding a recommendation to the City Council. The Commission may recommend approving the request as presented, approving the request with conditions, or

denying the request.

Public Hearing: Opened

- Senior Planner Spendlove read into the record a comment letter from a citizen that has been filed in the application packet.
- Heidi Cambell, 435 Hailey Avenue explained there are several potential student activities that could be provided during the summer and the dormitory space available now limits these opportunities.

Public Hearing: Closed

Discussion Followed: Without Concerns

Motion:

Commissioner Higley made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended, Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

- c) Request for the Commissions recommendation on a **Zoning District Change and Zoning Map Amendment** from C-1 PUD to C-1 for a .22 acre tract located at the south east corner of Canyon Falls Road and Harrison Street. c/o Ryan Bybee (app. 2908)

Public Hearing Items 6c & 6D will be presented together but will require separate motions.

- d) Request for **Vacation** of a 15' x 264', 3,960 sq ft, public utility easement to allow commercial development of property located at the southeast corner of Canyon Falls Drive and Harrison Street. c/o Ryan Bybee(app. 2909)

Applicant Presentation:

Ryan Bybee, the applicant explained he would like to rezone Tract A to C-1 and vacate an easement to allow him to build on the lot. He has received letters from all of the utilities in support of this request.

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated There are two parcels the applicant has purchased. They were at one point part of the larger Breckenridge Farm. The

slim long sliver parcel was, according to the applicant, the old driveway to access the Breckenridge farm. The Smaller triangular piece was zoned C-1 PUD when the Northbridge PUD was adopted in 1998. The old driveway was annexed as C-1 in late 2016.

This is a request for a Zoning District Change and Zoning Map Amendment to rezone .22 +/- acres located at the NE corner of Pole Line Rd. and Harrison St N. from C-1 PUD to C-1. The applicant has purchased this tract and wishes to develop a commercial business at this location. To do this the tract needs to be removed from the Northbridge PUD and be zoned to a C-1. In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- evaluate the request to determine the extent and nature of the amendment requested.

The Comprehensive Plan indicates this corridor as appropriate for Mixed Uses. There is no development plan to evaluate as this request is to only rezone the property. Any changes will require a full review by staff to determine the extent and nature of the changes. Any change shall comply with the purpose, uses and development standards of the RB Zoning District prior to development.

To make a positive recommendation, the Commission must determine that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to the Commercial Highway District would allow land development that would be compatible with and not detract from the surrounding area.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Mixed Use." Mixed use is a very broad category, which supports high density residential and commercial development. Staff has determined this request complies with the 2016 comprehensive plan.

Senior Planner Spendlove stated upon conclusion should the Commission is asked to make a recommendation to the City Council on this request

Senior Planner Spendlove stated the second portion of the request is to vacate a 15 foot public utility easement along the eastern boundary and a sign easement on a triangular parcel identified as Tract A. All other utility easements along Harrison St N. and Canyon Falls Dr. will remain in place. The applicant has purchased this tract and the adjacent 60' x 435' +/- parcel and wishes to develop a commercial business at this location. The purpose of vacating the easement is to allow a building to be constructed across the lot lines as seen in the applicant's site plan. The sign easement to be vacated is a private easement for a sign advertising the residential development which is currently not built. Staff has received all the required letters from the utility companies and governmental jurisdictions as well as the required letter for the sign easement, all in agreement for vacation thereof.

Senior Planner Spendlove stated upon conclusion should the Commission recommend to the

City Council, this request be granted as presented, staff recommends approval be subject to the following conditions:

1. 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

Motion for 6c-ZDC

Commissioner Grey made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended Approval to City Council, As Presented

Motion for 6d-VAC

Commissioner Hawkins made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

- e) Request for consideration of the **Revocation of Special Use Permit#1432**, granted to Acorn Learning Center on May 23, 2017 to operate a private school offering pre-school through 5th Grade in a portion of an existing professional office building on property located at 493 Eastland Drive. c/o Wali Fedaie (app. 2910)

This item was withdrawn and moved to general public input. See general public input for discussion related to this item

- f) Request for the Commission's recommendation on a **Zoning Title Amendment** to add "Wedding Chapel and Event Center" to the SUI Zoning District: 10-4-2.2 (B) 5, to allow by Special Use Permit and to add the definition of "Wedding Chapel and Event Center" to Title 10; Chapter 2; Definitions. c/o BB55, LLC(app. 2911)

Applicant Presentation:

Dave Thibault, EHM Engineer, Inc., representing the applicant, stated that the code presently identified uses allowed and permitted, however wedding chapel and event centers are not listed in the code. they would like to add this particular use to the code section as a special use item and they have seen these types of amendments have been made in other sections of the code and they ask for a positive recommendation for the request.

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated the R-1 43,000/SUI zone is located within the Area of Impact. The purpose of this zoning 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.

This request is to amend City Code 10-4-2; SUI Zoning District, to allow by Special Permit, Wedding Chapels / Event Centers. The SUI Zone lists the following permitted uses: farming in the form of animals on pasture, trees and plants, and intense agriculture on parcels 5 acres or larger. However, there are limited commercial uses listed under Special Uses, attachment #3.

The applicants state there are limited options for large gathering places for more than 200 people on properties located within this zoning district. This request looks to expand the special uses by adding Wedding Chapels/Event Centers, with a minimum of 3 acres, and meeting specific development standards with regards to fire, water, parking, landscaping, lighting, storm water retention, etc... Approval of this request would amend City Code 10-4-2 as listed below.

1. **10-4-2.1: PURPOSE:** This district is intended to preserve the rural integrity of areas adjacent to the city. (Ord. 2796, 6-14-2004)

10-4-1.2: USE REGULATIONS:

...

(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. Public Assembly:
 1. Auditoriums
 2. Religious facility.
 3. Schools – public.
 4. [Wedding Chapel/Event Center with 3 acres or more.](#)

The addition of Wedding Chapel/Event Center into the Special Use category for the SUI zone could have some detrimental effects across the Area of Impact. However, staff feels that since this request places the use into the Special Use section, each request will be scrutinized based on the conditions of the property, and the proposed development on a case by case basis. This process will place a burden on the Commission to evaluate each request consistently, and mitigate each request for those impacts which contribute to detrimental effects in those

areas.

Lastly, if the Commission decides to approve the request, Staff recommends modifying the language to match the Use currently portrayed in City Code: *Wedding chapels and/or reception halls* this will alleviate some confusion within the code, and keep the land use consistent across Zoning Districts. Furthermore, a new definition would not need to be created at this time, as we would be using the terminology currently in use within City Code.

Senior Planner Spendlove stated upon conclusion the Commission may recommend the zoning title amendment as requested, recommend a modification of the amendment as presented (this may require another public hearing before the Commission), recommend with staff's modifications, or recommend the amendment be denied.

Public Hearing: Opened & Closed

Closing Statements:

Mr. Thibault explained he is in support of the Special Use Permit concept because there are some mitigating impacts to surrounding neighbors, and give the Commission some controls.

Discussion Followed: Without Concerns

Motion:

Commissioner Woods made a motion to recommend approval of the request, as presented. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

Recommended, Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

7) Upcoming Meeting(s)

December 19, 2017 at 2:00 pm Work Session/Special Meeting for Public Hearing

January 3, 2018 12:00 pm Work Session/Special Meeting for Public Hearing

8) Adjournment

Lisa A. Strickland, Administrative Assistant



Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Senior Planner

Request:

Request for a **Zoning District Change and Zoning Map Amendment** from C-1 PUD to C-1 for a .22 acre tract located at the south east corner of Canyon Falls Road and Harrison Street. c/o Ryan Bybee. (app. 2908)

Time Estimate:

Applicant may take up to fifteen (15) minutes, Staff presentation may take up to ten (10) minutes and Additional time may be necessary to address questions and or clarifications asked by the commission.

Background:

Applicant Ryan Bybee 924 E 4300 N Buhl, ID 83316 208.543.2633 ryanb.pm@gmail.com Representative	Status: Owner	Size: .22 +/- acres
	Current Zoning C-1 PUD	Requested Zoning: Rezone to C-1
	Comprehensive Plan: Mixed Use	Lot Count: 1 Tract
	Existing Land Use: Vacant	Proposed Land Use: Commercial
	Zoning Designations & Surrounding Land Use(s)	
	North: Canyon Falls Dr.; C-1 PUD & R-6; Assisted Living & Agriculture	East: C-1 PUD; Hotel (La Quinta Inn)
	South: Pole Line Rd.; C-1 PUD	West: Harrison St.; C-1 PUD; Hotel & Restaurant (Hilton & Black Bear Diner)
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-6, 10-14, Northbridge PUD #2185	

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:

Redevelopment of this property to a commercial use will have a positive impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to proceed with the process of rezoning property at the North East Corner of Pole Line Rd. and Harrison St. N.

History:

There are two parcels the applicant has purchased. They were at one point part of the larger Breckenridge Farm. The slim long sliver parcel was, according to the applicant, the old driveway to access the Breckenridge farm. The Smaller triangular piece was zoned C-1 PUD when the Northbridge PUD was adopted in 1998. The old driveway was annexed as C-1 in late 2016.

Analysis:

This is a request for a Zoning District Change and Zoning Map Amendment to rezone .22 +/- acres located at the NE corner of Pole Line Rd. and Harrison St N. from C-1 PUD to C-1. The applicant has purchased this tract and wishes to develop a commercial business at this location. To do this the tract needs to be removed from the Northbridge PUD and be zoned to a C-1. In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- evaluate the request to determine the extent and nature of the amendment requested.

The Comprehensive Plan indicates this corridor as appropriate for Mixed Uses. There is no development plan to evaluate as this request is to only rezone the property. Any changes will require a full review by staff to determine the extent and nature of the changes. Any change shall comply with the purpose, uses and development standards of the RB Zoning District prior to development.

To make a positive recommendation, the Commission must have determined that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to the Commercial Highway District would allow land development that would be compatible with and not detract from the surrounding area.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Mixed Use." Mixed use is a very broad category, which supports high density residential and commercial development. Staff has determined this request complies with the 2016 comprehensive plan.

Conclusion:

On December 12, 2017 the Planning and Zoning Commission forwarded a positive recommendation by unanimous vote of all who were present.

The Council may approve the request as presented, approve the request with conditions, or deny the request.

Attachments:

1. Bybee_ZDC Attachments

2. 12-12-2017 PZ Hearing Minutes

4. Provide a detailed written statement on a separate sheet of paper containing:

a. The reason for the request indicating the intended use of the vacated property.

The reason for the request to vacate Tract A in the Twin Falls Canyon subdivision is because it is zoned PUD which there is really no written documents explaining why it was a PUD Tract A on record. We are asking to vacate the PUD Tract A and merge it with the adjoining property to the east #RPT0097338810 combining the two properties and rezoning them C1.

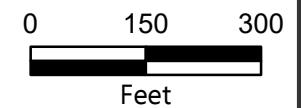
The intended use would then be to develop three buildings on the property. One being a standalone Papa Murphy's Take n Bake Pizza Store and the two other buildings retail space.

b. An evaluation of the effects of the vacation on all adjoining properties.

I feel there would be no adverse effects in any form on any of the adjacent properties due to the vacation of this property. After the rezone there will still be a 10' utilities easement running to the west and north of the property making it accessible to all adjoining properties for any additional or future utilities.

Zoning Vicinity Map

-  Area Of Impact
-  CRO
-  PRO
-  PUD
-  C-1
-  OS
-  R-1 VAR
-  R-4
-  R-6



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Northbridge
No 2
2291

Northbridge
No 2
2291

Northbridge
No 2 2291

Northbridge
2185

Northbridge
2185

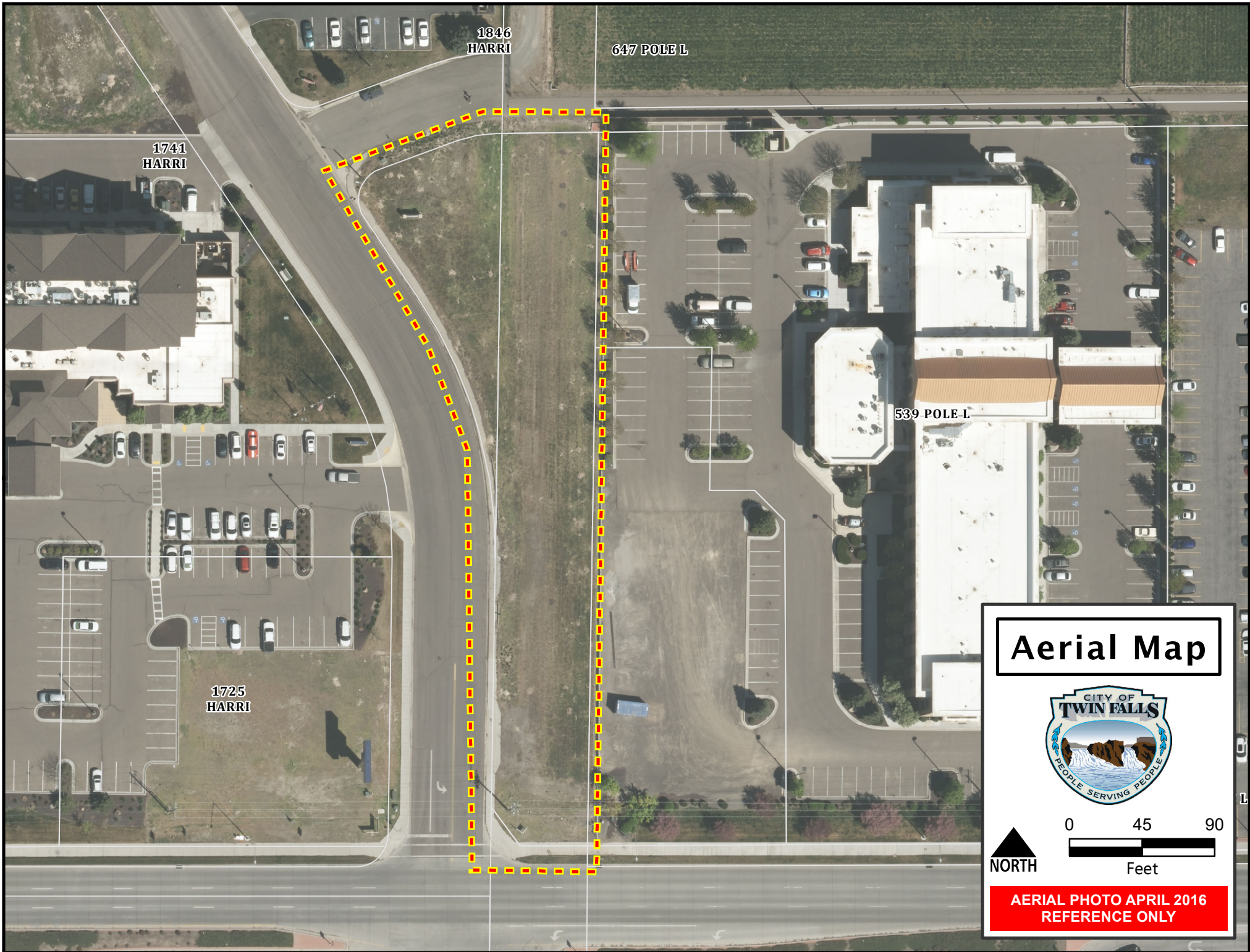
Northbridge
2185

Northbridge
2185

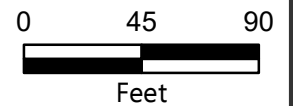
Pole
Line
Commercial 220

Sun West -
Lazy
J 259

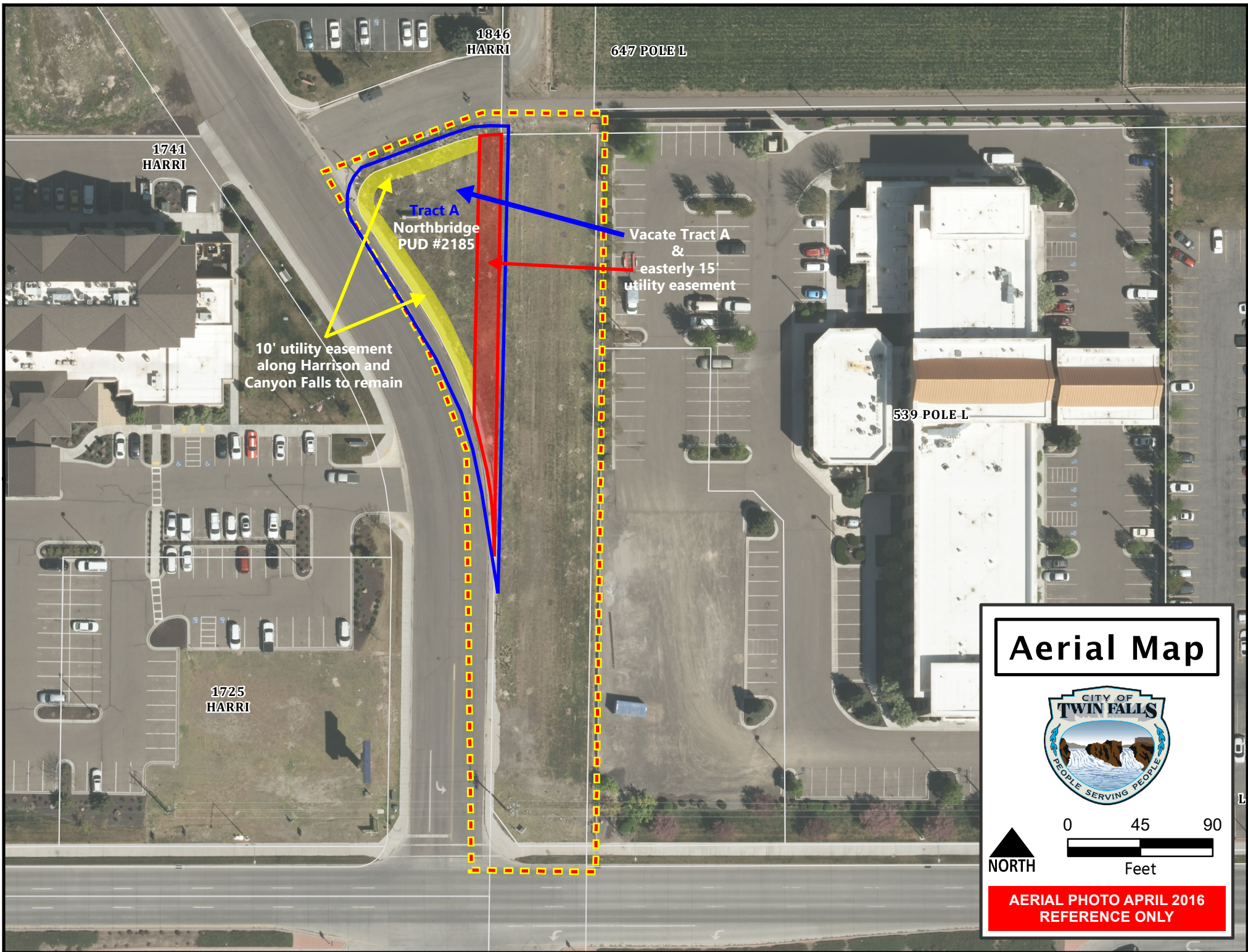
Fawnbrook
2042



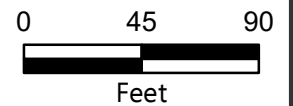
Aerial Map



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



Aerial Map



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



August 30, 2017

Sent Via Email: ryanb.pm@gmail.com

Ryan Bybee
924 E. 4300 N.
Buhl, Idaho 83316

Re: Relinquishment of 15-foot public utility easement

Mr. Bybee:

This is in response to the application submitted to Idaho Power Company dated August 21, 2017, regarding the possible relinquishment of the 15-foot public utility easement as platted in Tract A of Canyon Falls Subdivision, located in the E ½ of the SW ¼ of Section 33, Township 9 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho and as shown on Exhibit A attached hereto (the "Utility Easement Area").

Our records and a physical inventory indicate that there are no Idaho Power Company facilities with the Utility Easement Area. As such, Idaho Power can support a vacation of the Alleyway Area. Future electrical needs may require that a new easement be granted to Idaho Power.

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

Sincerely,

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

cc: rlancaster@idahopower.com



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

Office (208) 736-8760

Facsimile (208) 736-8755

June 14, 2017

RE: Canyon Falls Subdivision
Vacation of 15' Easement Tract A

To whom it may concern:

Reference is made to your request for CenturyLink to vacate the existing 15' easement along the Easterly property line of Tract A, said easement located in a portion in Tract A of Canyon Falls Subdivision, located in the City of Twin Falls, County of Twin Falls, State of Idaho. CenturyLink has facilities in this area and construction charges would apply to relocate existing facilities to the 10' utility easement along Harrison St & Canyon Falls Dr in Tract A.

Please call me if you have any questions.

Sincerely,

Brad McNew



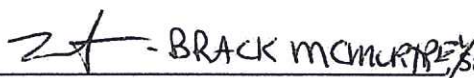
451 Alan Dr, Jerome, Id 83338-5505

Office: (208) 737-6300•Fax: (208) 737-6342•In-State: 1-800-548-8771•www.intgas.com

8/29/2017

To Whom It May Concern:

We the undersigned public utility company, Intermountain Gas Company, release rights for the 15' utility easement located on the east side of Tract A, in the Canyon Falls Subdivision, Twin Falls, Idaho.

 - BRACK MCMURPHY, Sawtooth Operations Manager

Intermountain Gas Company

451 Alan Dr.

Jerome, ID 83338



Watch us make you smile.

October 12, 2017

RE: Easement Vacation Request on TRACT A of the Canyon Falls Subdivision
Mr. Ryan Bybee
Twin Falls, Idaho 83305-0305

Dear Sir,

We will Agree to Vacate the Eastern Easement of TRACT A of the Canyon Falls Subdivision, However We need to retain the 10 Ft Utility Easement That Runs along the East side of Harrison Street and the 10 Ft. easement that Runs on the South Side of Canyon Falls Drive.

Thank you,

A handwritten signature in black ink, appearing to read "Ron Burns", written over a horizontal line.

Ron Burns
Cable One Construction
261 Eastland Dr.
P.O. Box 1946
Twin Falls, Idaho 83301
208-733-6877 Ext. 7150
208-539-9886

261 EASTLAND DRIVE
P.O. Box 1946
TWIN FALLS, IDAHO 83301
PH: 208•733•6230
FX: 208•733•6296



TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



August 25, 2017

Ryan Bybee
924 E 4300 N
Buhl, Idaho 83316

RE: Canyon Falls Subdivision Easement Vacation

Dear Ryan,

I have reviewed the easement vacation documents for the vacation of a utility easement in Canyon Falls Subdivision Tract A on parcel #RPT058200000A0A. This letter is to inform you that the Twin Falls Canal Company has no facilities in the area and therefore has no issues with the proposed vacation of the easement.

If you have any questions, please contact me at 733-6731.

Sincerely,

Jay Barlogi
Field Supervisor
Twin Falls Canal Company

THOMAS INVESTMENTS LIMITED PARTNERSHIP
413 W. IDAHO, SUITE 200
BOISE, IDAHO 83702
208-343-8877

August 16, 2017

Via Email: rvanb.pm@gmail.com

Ryan Bybee
Papa Murphy's
924 E. 4300 N.
Buhl, ID 83316

RE: Canyon Falls – Sign Easement

We received your email correspondence dated Tuesday, August 15, 2017 regarding an agreement you made with the City of Twin Fall to make the Tract A property buildable, and that the property needs to be rezoned strictly C1.

Based on the details and request set forth in your email, the sign easement will need to be vacated to proceed with the rezone.

Your request to vacate the sign easement that is on the property has been approved.

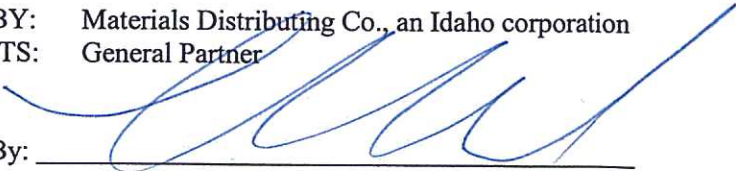
Please accept this letter from Thomas Investments, LP, as our official approval to proceed with vacating the sign easement so that the C1 rezone can take place.

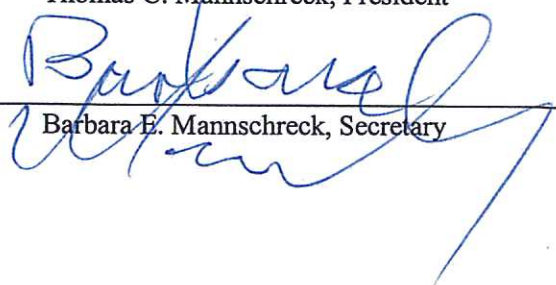
Thank you again.

Sincerely,

THOMAS INVESTMENTS LIMITED
PARTNERSHIP,
an Idaho limited partnership,

BY: Materials Distributing Co., an Idaho corporation
ITS: General Partner

By: 
Thomas C. Mannschreck, President

By: 
Barbara E. Mannschreck, Secretary

TCM:dls



SE Corner Looking NW



Canyon Falls Subdivision Sign

NE Corner looking SW



Sign Easement to be vacated

Approximate location
of Easement to be
vacated

Looking South



Twin Falls Planning & Zoning Commission Minutes

Tuesday, December 12, 2017, 6:00 PM

305 3rd Avenue East
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Members Present: Woods, Frank, Higley, Grey, Hawkins

Staff Present: Carraway-Johnson, Spendlove, Strickland, O'connor, Vitek, Wonderlich

2) Consideration of Amendments to Agenda

Staff Presentation:

Zoning & Development Manager Carraway-Johnson stated there was an amendment to the agenda, to withdraw agenda item 6e from the public hearings. She explained the Commission can take comments on this item during the General Public Input portion of the agenda if they choose.

Motion:

Commissioner Grey made a motion to approve the request to amend the agenda, Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

3) General Public Input

Senior Planner Spendlove explained that during the preparation of the staff report and consultation with City Attorney Wonderlich it was determined the request is premature. As a result of this determination the item needed to be removed from the public hearing portion of the agenda and moved to the general public input portion of the meeting. It is up to the Commission's discretion whether or not to allow public comment on the item and to offer input. However, no decision about the status of the permit can be made at this time.

City Attorney Wonderlich clarified the item that was removed from the public hearing section of the Agenda was request regarding the Acorn Learning Center. This item has been moved to the general public input portion of the agenda. There are a lot of people here tonight and they should be allowed to speak on this item.

Public Comment:

- Wali Fedaie, the applicant for this request, stated he does not understand why this was removed and why he was not notified.
- James Jolly, 473 Eastland Drive, explained that he and his wife support this school and are thankful the school is there.

- Rick Kuhn, 635 3rd Avenue East, and his home faces the Bickel School playground and he has never consider the noise from kids playing an issue. He has lived in his home for 30 years and Bickel School is much larger than Acorn Learning Center so he doesn't understand how the children could create enough noise to be disturbing.
- Heidi Campbell, 435 Hailee Avenue, stated she was the board president when the original special use permit was approved and they met the notification requirements for their request.
- Nancy Larson ,573 Eastland Drive, stated she doesn't think children playing is disruptive but the neighbors in the apartments that come in all hours of the night drunk and yelling at each other are much more disturbing.
- Teron Floyd, 667 Sunrise Boulevard North, stated they possibly have 20 kids max out at one time for 15 minutes twice a day.
- Laird Stone, kids were students at this school, he has taken the opportunity to take a look at the school and the distance between the playground and the apartments. The distance between the playground to the apartments is far enough there shouldn't be any impacts to the people that live in the apartments. There is a fence around the play area and he thinks it would be a travesty if their SUP was revoked.
- Wali Fedaie, stated he was not notified originally, the noise level is unbearable, the tenants work grave yard shift and it is unbearable for his tenants. They have armed security for the apartments and they don't allow a disruptive noise level. They have been managing these apartments about 14 years and have not had incidents at the apartments.

Closing Comments:

- Commissioner Frank reminded the people that spoke that this is not a public hearing but that if this item does get scheduled again for a public hearing he encourage them to come and speak at that meeting also.
- Senior Planner Spendlove explained while preparing for the hearing staff discovered that the Special Use Permit was not actually sent to the applicant because they have not yet fulfilled the conditions of the permit, for example blocking off the north access, parking lot striping. Because the conditions have not been completed the Special Use Permit has not been issued, therefore a revocation cannot occur on a Special Use Permit that has not been issued. Acorn Learning Center has been notified of this situation and they are working with staff to rectify the situation.

4) Consent Calendar

a) Approval of minutes from the following meeting:

- 11-14-17 Public Hearing Minutes
- 11-28-17 Public Hearing Minutes

b) Approval of Findings of Fact and Conclusions of Law for the following meeting: 11-04-17

- Temple View (pre-plat)
- Z Country (pre-plat)
- Yurivilca (SUP)
- Locust Grove North (pre-plat)

Motion:

Commissioner Woods made a motion to approve the consent calendar, as presented.

Commissioner Higley seconded the motion.

Unanimously Approved

5) Items of Consideration

None

6) Public Hearings

- a) Request for consideration of **Revocation of Special Use Permit #1233**, granted to Afrim Hetemi on June 14, 2011 to allow an indoor recreation facility to operate in conjunction with an existing bar and grocery store outside the permitted retail hours of operation on property located at 139 Shoshone Street North. c/o City of Twin Falls (app. 2455)

Staff Presentation:

- Planner I O'Connor reviewed the request and stated there is no addition analysis from Staff for this item. However, Officer Loosli will be presenting more information as requested by the Commission in October of this year.
- Officer Loosli, stated that they have collected more data on calls for service though December 3, 2017. He explained there are some incidents that are specifically associated and some that are vehicle stops. He reviewed each call for service attributed to this 139 Shoshone Street North address. The calls are associated to the address whether they occur inside the business or outside the business, the majority of the issues occur in the parking lot, which is typical when they have to respond to a bar fight. The calls for service are associated to the business that is open and this is the only business open in this location at the times of the calls.
- Commissioner Frank asked if the issues are the same at this time or is it generally the same.
- Officer Loosli stated he can't say that it is worse.
- Commissioner Grey stated that the business being open is drawing the element, that is clear, however to he does want to recognize the business for reporting the

disturbances in an area that he has no control over, but it is also attributed to the business address.

- Officer Loosli explained that there could be more research on the calls if he has the phone numbers of the business security he could narrow down how many calls they make to the police. In his experience they are not calling as often as has been lead to believe. The calls don't appear to be from the business and if security is calling their names are put in the report. He is not familiar with the security at the business. Considering the weather, the numbers have dropped off a bit, however the real issue typically occur in the warmer months.
- Commissioner Woods reviewed the data and stated it appears the numbers are dropping.
- Commissioner Grey stated he is tempted to let it go for now.
- Commissioner Woods stated he would say let it go but to keep an eye on things, and he would also like to see the business owner install some more lighting.
- Officer Loosli clarified that the data for this time frame is very hard to interpret, he thinks that there will be better data when the weather starts to warm up again. His experience with businesses that cater to people that have consume a lot of alcohol throughout the evening and that come and hangout longer at a place that is open past 1:30 am they cause a lot of problems. He thinks the data is very difficult to use to determine if there has been an improvement. These issues have been going on at this establishment for many years. He would hope that things would change, he and several other officers have tried to speak with them and have been unsuccessful and getting things to change.
- Commissioner Frank asked about the conversations that have taken place.
- Officer Loosli explained they understand they have had problems in the parking lot outside their business. A appointment was set up after the last meeting to work with the owner and he never showed up for the appointment.
- Commissioner Woods asked if this revocation or amendment were to happen would the people just move to another location.
- Officer Loosli explained without other businesses like this operating he couldn't answer that question.
- Commissioner Grey suggested that the Commission follow-up on this situation again in the Spring and Summer. The concern he has is that with all the changes going on downtown and growth Twin Falls is having there are going to be others that want to be open as well which may decentralize the people. There here because its the only place open like this around town.
- Officer Loosli explained he has grown up here and never knew if the downtown plans would work and he is impressed with what has happened so far. The question he has is does this type of business fit into the downtown plans and he doesn't want to limit businesses, but his biggest concern is making it safe. The multiple fights and disturbances in a parking lot pulls the patrol units off the roads where they monitor for drunk drivers. He also knows from experience if there are more of these types of businesses operating this will continue to be a problem.

- Commissioner Woods asked how hard the data is to keep track of the calls for service month to month.
- Officer Loosli explained that pulling data by address is simple but looking at the data to provide more specific information takes a little extra time. He also thinks the data for this time frame is very hard to analyze.

Planner I O'Connor stated upon conclusion the commission is tasked to approve revocation, deny the revocation, or amend SUP #1233. Staff recommends amending the SUP per the Police Department's recommendation and subject to:

1. Subject to removal of condition #3 of SUP #1233
2. Subject to closing down the establishment to all uses and patrons at 1:30 am, with no patrons allowed within the premises beyond the 1:30 am closing time –the PD suggested time per normal bar operating hours.

Public Hearing:

- Berham Hetemi explained winter time is their busiest time of year, they don't have an outside area for people to sit and people want to be inside. His father installed a light on the back of the building shining towards the parking lot area. There have been zero fights in the bar and zero fights in the parking lot. He is not sure where the complaints are coming from, because the bar is dead until 11:30 or so and these calls are at 9:30. They use their addresses for cars that they pull over. They use to have officers come in and check the alcohol and have had several officer come in and stated that things have gotten better. They have been packed for the last few months, other businesses have not complained to them. The no loitering sign has made a difference for his security guards to warn the people they will call the police for hanging out or they need to come back in the building. The big brawls are not happening at their location.
- Commissioner Frank asked if the security is identified and with the light do they have cameras installed.
- Mr. Hetemi explained that he has just installed cameras and the security staff are identified with lime green t-shirts that glow in the dark. He is aware that the City is trying to renovate and revitalize downtown and if this is revoked this will send the wrong message, if we want it to be like Boise and keep people local.
- Commissioner Frank asked about the address association.
- Officer Loosli explained the business owner is correct the data could be calculated that way.

Discussion Followed:

- Commissioner Woods explained the business owner is convinced that he is making an attempt to improve and but monitoring should continue.
- Commissioner Higley agreed.

- Commissioner Frank stated Twin Falls is in transition and he has mixed feelings because the business does draw the people to this location, he is concerned that no other surrounding businesses came up to speak and the quality of the information provided is questionable.
- Commissioner Grey explained that we are focused on the incidences that happen after 1:30 am in comparison to the incidences that happen before 1:30 am at similar establishments. The other question is how do we want Twin Falls to evolve, and do want to allow businesses to be open after 1:30 am.
- Commissioner Hawkins explained that this is difficult there is not a clear solution, it does sound like he is trying to improve, a lot of things are out of his control, but we should continue to monitor the progress.
- Commissioner Frank stated he also thinks the police department should continue monitoring and develop some strategies for dealing with this because this is something the community has not really had to deal with but it will have to eventually as the community grows. He would like more data and make sure the business understands they will be monitored closely.
- Zoning & Development Manager Carraway-Johnson explained that the Commission needs to make a motion on the request and the monitoring can continue.

Motion:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Hawkins seconded the motion. Commissioner Hawkins voted in favor of the motion with Commissioners Woods, Frank, Higley & Grey voting against the motion.

Motion Failed

- b) Request for the Commission's **recommendation on a PUD Amendment** to the CSI PUD #262-Section 2, to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' on property located at 315 Falls Avenue. c/o Spencer Cutler on behalf of the College of Southern Idaho (app. 2906)

Applicant Presentation:

Jeff Harmon, explained they are here to request a PUD Amendment to #262 to allow the building height restriction to be raised to 50' so that they can construct residence halls/rooming houses on the campus.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated CSI has a long history in the Magic Valley but has had a physical presence, at its current location, in Twin Falls since the early '60s. Prior to that, it was agricultural land. The campus has seen steady growth over the decades and has responded over time to such growth. The College of Southern Idaho-North Campus PUD Agreement #254 was adopted in 2008. This PUD rezoned the 87+/- acres north of North College Rd. In 2011 the current CSI PUD #262 was approved

by the City Council. Currently the entire college grounds, referenced as Section 1; the campus north of North College Rd and Section 2; the campus south of North College Rd, are governed by PUD #262. This PUD was recorded in January 2012.

This is a request to amend CSI PUD #262. CSI PUD #262 is separated into two (2) sections; Section 1 is the campus north of North College Rd and Section 2 is the campus south of North College Rd. This proposed amendment is to amend Section 2; the campus south of North College Rd. The proposed amendment is to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' which would allow for 3-story buildings within Section 2 of the CSI campus. The College has expanded over its existence and new residence halls are required now to meet current and future demands. PUD #262 prohibits building heights over thirty-five feet (35'), basically limiting buildings to no more than 2 stories high. PUD #262 allows residence halls or rooming houses by special use permit. The current PUD regulations met the code at the time of adoption. The College would like to update their PUD Covenants and to allow a new residential hall to proceed in a timelier manner. The allowance of additional building height from 35' to 50' matches the current commercial building heights and would allow for 3-story residence halls. The College stated they feel this is a reasonable request given the changes fit what the C-1 zone currently allow, and also outright permits residences halls on a college campus, rather than requiring an SUP.

The applicant is requesting the following changes to the PUD Agreement:

I. Increase the Allowable Building Height

- A. Under COVENANTS **2. Nature of Property Development** item **B. Building Height**. Revise "thirty- five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- B. Under COVENANTS **4. Building/Structural Standards** item **B. Building Height**, revise "thirty-five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- C. Under COVENANTS **4. Building/Structural Standards** item **C. Architectural Standards**, revise "two (2) stories" to "three (3) stories".

II. Change Residence Halls and Rooming Houses to be Permitted Uses

- A. Under **EXHIBIT "C", USE REGULATIONS, (A) Permitted Uses:**
Add a new item - "12. Residential:
 - a. Dwellings - multiple household (5 units or more)
 - b. Residence halls, residence hotels, rooming houses."
- B. **Under EXHIBIT "C", USE REGULATIONS, (B) Special Uses: 4. Residential**
Remove items - b. Dwellings - multiple household (5 units or more)
 - e. Residence halls, ~~residence hotels~~, rooming houses."

Senior Planner Spendlove stated upon conclusion should the Planning and Zoning Commission is tasked with forwarding a recommendation to the City Council. The Commission may recommend approving the request as presented, approving the request with conditions, or

denying the request.

Public Hearing: Opened

- Senior Planner Spendlove read into the record a comment letter from a citizen that has been filed in the application packet.
- Heidi Cambell, 435 Hailey Avenue explained there are several potential student activities that could be provided during the summer and the dormitory space available now limits these opportunities.

Public Hearing: Closed

Discussion Followed: Without Concerns

Motion:

Commissioner Higley made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended, Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

- c) Request for the Commissions recommendation on a **Zoning District Change and Zoning Map Amendment** from C-1 PUD to C-1 for a .22 acre tract located at the south east corner of Canyon Falls Road and Harrison Street. c/o Ryan Bybee (app. 2908)

Public Hearing Items 6c & 6D will be presented together but will require separate motions.

- d) Request for **Vacation** of a 15' x 264', 3,960 sq ft, public utility easement to allow commercial development of property located at the southeast corner of Canyon Falls Drive and Harrison Street. c/o Ryan Bybee(app. 2909)

Applicant Presentation:

Ryan Bybee, the applicant explained he would like to rezone Tract A to C-1 and vacate an easement to allow him to build on the lot. He has received letters from all of the utilities in support of this request.

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated There are two parcels the applicant has purchased. They were at one point part of the larger Breckenridge Farm. The

slim long sliver parcel was, according to the applicant, the old driveway to access the Breckenridge farm. The Smaller triangular piece was zoned C-1 PUD when the Northbridge PUD was adopted in 1998. The old driveway was annexed as C-1 in late 2016.

This is a request for a Zoning District Change and Zoning Map Amendment to rezone .22 +/- acres located at the NE corner of Pole Line Rd. and Harrison St N. from C-1 PUD to C-1. The applicant has purchased this tract and wishes to develop a commercial business at this location. To do this the tract needs to be removed from the Northbridge PUD and be zoned to a C-1. In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- evaluate the request to determine the extent and nature of the amendment requested.

The Comprehensive Plan indicates this corridor as appropriate for Mixed Uses. There is no development plan to evaluate as this request is to only rezone the property. Any changes will require a full review by staff to determine the extent and nature of the changes. Any change shall comply with the purpose, uses and development standards of the RB Zoning District prior to development.

To make a positive recommendation, the Commission must determine that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to the Commercial Highway District would allow land development that would be compatible with and not detract from the surrounding area.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Mixed Use." Mixed use is a very broad category, which supports high density residential and commercial development. Staff has determined this request complies with the 2016 comprehensive plan.

Senior Planner Spendlove stated upon conclusion should the Commission is asked to make a recommendation to the City Council on this request

Senior Planner Spendlove stated the second portion of the request is to vacate a 15 foot public utility easement along the eastern boundary and a sign easement on a triangular parcel identified as Tract A. All other utility easements along Harrison St N. and Canyon Falls Dr. will remain in place. The applicant has purchased this tract and the adjacent 60' x 435' +/- parcel and wishes to develop a commercial business at this location. The purpose of vacating the easement is to allow a building to be constructed across the lot lines as seen in the applicant's site plan. The sign easement to be vacated is a private easement for a sign advertising the residential development which is currently not built. Staff has received all the required letters from the utility companies and governmental jurisdictions as well as the required letter for the sign easement, all in agreement for vacation thereof.

Senior Planner Spendlove stated upon conclusion should the Commission recommend to the

City Council, this request be granted as presented, staff recommends approval be subject to the following conditions:

1. 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

Motion for 6c-ZDC

Commissioner Grey made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended Approval to City Council, As Presented

Motion for 6d-VAC

Commissioner Hawkins made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

- e) Request for consideration of the **Revocation of Special Use Permit#1432**, granted to Acorn Learning Center on May 23, 2017 to operate a private school offering pre-school through 5th Grade in a portion of an existing professional office building on property located at 493 Eastland Drive. c/o Wali Fedaie (app. 2910)

This item was withdrawn and moved to general public input. See general public input for discussion related to this item

- f) Request for the Commission's recommendation on a **Zoning Title Amendment** to add "Wedding Chapel and Event Center" to the SUI Zoning District: 10-4-2.2 (B) 5, to allow by Special Use Permit and to add the definition of "Wedding Chapel and Event Center" to Title 10; Chapter 2; Definitions. c/o BB55, LLC(app. 2911)

Applicant Presentation:

Dave Thibault, EHM Engineer, Inc., representing the applicant, stated that the code presently identified uses allowed and permitted, however wedding chapel and event centers are not listed in the code. they would like to add this particular use to the code section as a special use item and they have seen these types of amendments have been made in other sections of the code and they ask for a positive recommendation for the request.

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated the R-1 43,000/SUI zone is located within the Area of Impact. The purpose of this zoning 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.

This request is to amend City Code 10-4-2; SUI Zoning District, to allow by Special Permit, Wedding Chapels / Event Centers. The SUI Zone lists the following permitted uses: farming in the form of animals on pasture, trees and plants, and intense agriculture on parcels 5 acres or larger. However, there are limited commercial uses listed under Special Uses, attachment #3.

The applicants state there are limited options for large gathering places for more than 200 people on properties located within this zoning district. This request looks to expand the special uses by adding Wedding Chapels/Event Centers, with a minimum of 3 acres, and meeting specific development standards with regards to fire, water, parking, landscaping, lighting, storm water retention, etc... Approval of this request would amend City Code 10-4-2 as listed below.

1. **10-4-2.1: PURPOSE:** This district is intended to preserve the rural integrity of areas adjacent to the city. (Ord. 2796, 6-14-2004)

10-4-1.2: USE REGULATIONS:

...

(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. Public Assembly:
 1. Auditoriums
 2. Religious facility.
 3. Schools – public.
 4. [Wedding Chapel/Event Center with 3 acres or more.](#)

The addition of Wedding Chapel/Event Center into the Special Use category for the SUI zone could have some detrimental effects across the Area of Impact. However, staff feels that since this request places the use into the Special Use section, each request will be scrutinized based on the conditions of the property, and the proposed development on a case by case basis. This process will place a burden on the Commission to evaluate each request consistently, and mitigate each request for those impacts which contribute to detrimental effects in those

areas.

Lastly, if the Commission decides to approve the request, Staff recommends modifying the language to match the Use currently portrayed in City Code: *Wedding chapels and/or reception halls* this will alleviate some confusion within the code, and keep the land use consistent across Zoning Districts. Furthermore, a new definition would not need to be created at this time, as we would be using the terminology currently in use within City Code.

Senior Planner Spendlove stated upon conclusion the Commission may recommend the zoning title amendment as requested, recommend a modification of the amendment as presented (this may require another public hearing before the Commission), recommend with staff's modifications, or recommend the amendment be denied.

Public Hearing: Opened & Closed

Closing Statements:

Mr. Thibault explained he is in support of the Special Use Permit concept because there are some mitigating impacts to surrounding neighbors, and give the Commission some controls.

Discussion Followed: Without Concerns

Motion:

Commissioner Woods made a motion to recommend approval of the request, as presented. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

Recommended, Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

7) Upcoming Meeting(s)

December 19, 2017 at 2:00 pm Work Session/Special Meeting for Public Hearing

January 3, 2018 12:00 pm Work Session/Special Meeting for Public Hearing

8) Adjournment

Lisa A. Strickland, Administrative Assistant



Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Senior Planner

Request:

Request for a **Vacation** of a 15' x 264', 3,960 sq ft, public utility easement to allow commercial development of property located at the southeast corner of Canyon Falls Drive and Harrison Street. c/o Ryan Bybee. (app. 2909)

Time Estimate:

Applicant may take up to fifteen (15) minutes, Staff presentation may take up to ten (10) minutes and Additional time may be necessary to address questions and or clarifications asked by the commission.

Background:

Applicant Ryan Bybee 924 E 4300 N Buhl, ID 83316 208.543.2633 ryanb.pm@gmail.com Representative	Status: Owner	Size: .22 +/- acres
	Current Zoning: C-1 PUD	Requested Zoning: Vacation of Utility Easement and a private sign easement
	Comprehensive Plan: Mixed Use	Lot Count: 1 Tract
	Existing Land Use: Vacant	Proposed Land Use: Commercial
	Zoning Designations & Surrounding Land Use(s)	
	North: Canyon Falls Dr.; C-1 PUD & R-6; Assisted Living & Agriculture	East: C-1 PUD; Hotel (La Quinta Inn)
	South: Pole Line Rd.; C-1 PUD	West: Harrison St.; C-1 PUD; Hotel & Restaurant (Hilton & Black Bear Diner)
	Applicable Regulations: 10-1-4, 10-1-5, 10-16-1	

Approval Process:

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

Budget Impact:

Approval of this request will allow for commercial development which could impact the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to proceed to the City Council with the request to vacate the Easements as listed in the description.

History:

There are two parcels the applicant has purchased. They were at one point part of the larger Breckenridge Farm. The slim long sliver parcel was, according to the applicant, the old driveway to access the Breckenridge farm. The Smaller triangular piece was zoned C-1 PUD when the Northbridge PUD was adopted in 1998. The old driveway was annexed as C-1 in late 2016.

Analysis:

This is a request to vacate a 15 foot public utility easement along the eastern boundary and a sign easement on a triangular parcel identified as Tract A. All other utility easements along Harrison St N. and Canyon Falls Dr. will remain in place. The applicant has purchased this tract and the adjacent 60' x 435' +/- parcel and wishes to develop a commercial business at this location. The purpose of vacating the easement is to allow a building to be constructed across the lot lines as seen in the applicant's site plan. The sign easement to be vacated is a private easement for a sign advertising the residential development which is currently not built. Staff has received all the required letters from the utility companies and governmental jurisdictions as well as the required letter for the sign easement, all in agreement for vacation thereof.

Conclusion:

On December 12, 2017 the Planning and Zoning Commission forwarded a positive recommendation by unanimous vote of all who were present; with the following condition:

1. 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.

The Council may approve the request as presented, approve the request with conditions, or deny the request.

Attachments:

1. Bybee_Vacation Attachments
2. 12-12-2017 PZ Hearing Minutes

4.

a. The reason for the request to rezone Track A in the Twin Falls Canyon subdivision is due to it being a Track A PUD with no written documentation as to what the Track A is intended for or the usability of the land. By rezoning the Track A PUD to C1 we can now join it with the property to the east creating a buildable piece of property out of the Track A that would otherwise not be a buildable piece of property as it stands.

b.

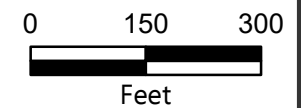
i. The proposed zoning change relates to the comprehensive plan in a way that by rezoning Track A, which is such a small piece of property, that it is deemed unbuildable due to the setbacks that would be required to place a building on the property. By rezoning Track A to C1 we can now merge the small unbuildable property with the property to the east making it a viable, buildable piece of property.

ii. The Track A property as it stands is basically unbuildable. By rezoning the property C1 it would now be buildable with the adjoining property to the east, making the property a lot more compatible with the existing surrounding area. The existing surrounding area is a majority of C1 which consists of restaurants and Hotels. There is also some R4 and R6 zoning as well which is a wonderful mix for our intended use of the property which would be a small retail development.

iii. The intended use/development of the property once rezoned and merged with the property to the east is to build a standalone Papa Murphy's Take-n-Bake pizza store as well as two other small retail buildings on the property.

Zoning Vicinity Map

-  Area Of Impact
-  CRO
-  PRO
-  PUD
-  C-1
-  OS
-  R-1 VAR
-  R-4
-  R-6



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

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No 2
2291

Northbridge
No 2
2291

Northbridge
No 2 2291

Northbridge
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Northbridge
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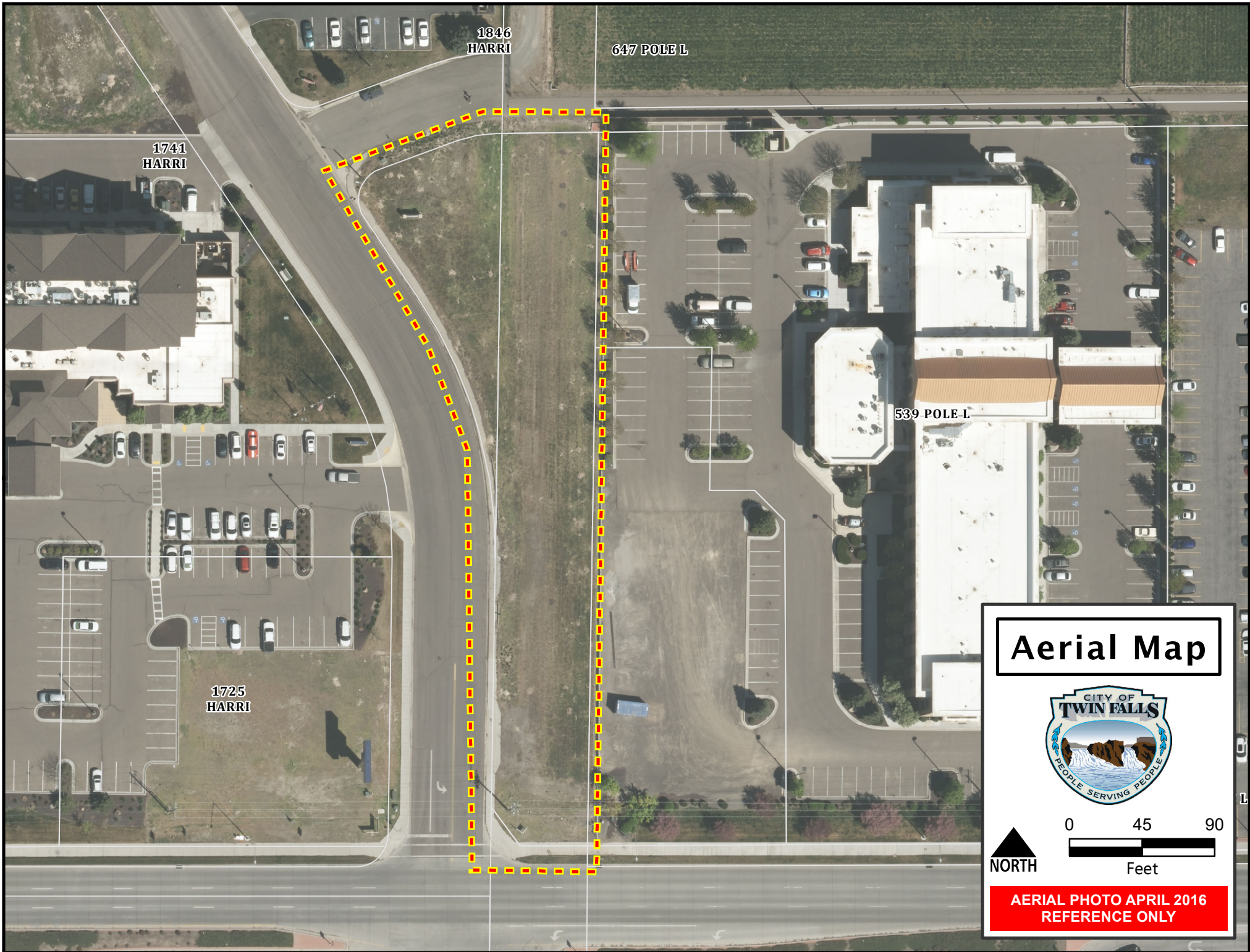
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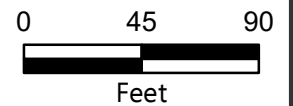
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Line
Commercial 220

Sun West -
Lazy
J 259

Fawnbrook
2042



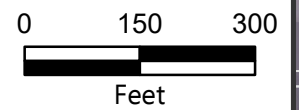
Aerial Map



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Future Land Use Map

 Mixed Use



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



SE Corner Looking NW



NE Corner looking SW



Twin Falls Planning & Zoning Commission Minutes

Tuesday, December 12, 2017, 6:00 PM

305 3rd Avenue East
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Members Present: Woods, Frank, Higley, Grey, Hawkins

Staff Present: Carraway-Johnson, Spendlove, Strickland, O'connor, Vitek, Wonderlich

2) Consideration of Amendments to Agenda

Staff Presentation:

Zoning & Development Manager Carraway-Johnson stated there was an amendment to the agenda, to withdraw agenda item 6e from the public hearings. She explained the Commission can take comments on this item during the General Public Input portion of the agenda if they choose.

Motion:

Commissioner Grey made a motion to approve the request to amend the agenda, Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

3) General Public Input

Senior Planner Spendlove explained that during the preparation of the staff report and consultation with City Attorney Wonderlich it was determined the request is premature. As a result of this determination the item needed to be removed from the public hearing portion of the agenda and moved to the general public input portion of the meeting. It is up to the Commission's discretion whether or not to allow public comment on the item and to offer input. However, no decision about the status of the permit can be made at this time.

City Attorney Wonderlich clarified the item that was removed from the public hearing section of the Agenda was request regarding the Acorn Learning Center. This item has been moved to the general public input portion of the agenda. There are a lot of people here tonight and they should be allowed to speak on this item.

Public Comment:

- Wali Fedaie, the applicant for this request, stated he does not understand why this was removed and why he was not notified.
- James Jolly, 473 Eastland Drive, explained that he and his wife support this school and are thankful the school is there.

- Rick Kuhn, 635 3rd Avenue East, and his home faces the Bickel School playground and he has never consider the noise from kids playing an issue. He has lived in his home for 30 years and Bickel School is much larger than Acorn Learning Center so he doesn't understand how the children could create enough noise to be disturbing.
- Heidi Campbell, 435 Hailee Avenue, stated she was the board president when the original special use permit was approved and they met the notification requirements for their request.
- Nancy Larson ,573 Eastland Drive, stated she doesn't think children playing is disruptive but the neighbors in the apartments that come in all hours of the night drunk and yelling at each other are much more disturbing.
- Teron Floyd, 667 Sunrise Boulevard North, stated they possibly have 20 kids max out at one time for 15 minutes twice a day.
- Laird Stone, kids were students at this school, he has taken the opportunity to take a look at the school and the distance between the playground and the apartments. The distance between the playground to the apartments is far enough there shouldn't be any impacts to the people that live in the apartments. There is a fence around the play area and he thinks it would be a travesty if their SUP was revoked.
- Wali Fedaie, stated he was not notified originally, the noise level is unbearable, the tenants work grave yard shift and it is unbearable for his tenants. They have armed security for the apartments and they don't allow a disruptive noise level. They have been managing these apartments about 14 years and have not had incidents at the apartments.

Closing Comments:

- Commissioner Frank reminded the people that spoke that this is not a public hearing but that if this item does get scheduled again for a public hearing he encourage them to come and speak at that meeting also.
- Senior Planner Spendlove explained while preparing for the hearing staff discovered that the Special Use Permit was not actually sent to the applicant because they have not yet fulfilled the conditions of the permit, for example blocking off the north access, parking lot striping. Because the conditions have not been completed the Special Use Permit has not been issued, therefore a revocation cannot occur on a Special Use Permit that has not been issued. Acorn Learning Center has been notified of this situation and they are working with staff to rectify the situation.

4) Consent Calendar

a) Approval of minutes from the following meeting:

- 11-14-17 Public Hearing Minutes
- 11-28-17 Public Hearing Minutes

b) Approval of Findings of Fact and Conclusions of Law for the following meeting: 11-04-17

- Temple View (pre-plat)
- Z Country (pre-plat)
- Yurivilca (SUP)
- Locust Grove North (pre-plat)

Motion:

Commissioner Woods made a motion to approve the consent calendar, as presented.

Commissioner Higley seconded the motion.

Unanimously Approved

5) Items of Consideration

None

6) Public Hearings

- a) Request for consideration of **Revocation of Special Use Permit #1233**, granted to Afrim Hetemi on June 14, 2011 to allow an indoor recreation facility to operate in conjunction with an existing bar and grocery store outside the permitted retail hours of operation on property located at 139 Shoshone Street North. c/o City of Twin Falls (app. 2455)

Staff Presentation:

- Planner I O'Connor reviewed the request and stated there is no addition analysis from Staff for this item. However, Officer Loosli will be presenting more information as requested by the Commission in October of this year.
- Officer Loosli, stated that they have collected more data on calls for service though December 3, 2017. He explained there are some incidents that are specifically associated and some that are vehicle stops. He reviewed each call for service attributed to this 139 Shoshone Street North address. The calls are associated to the address whether they occur inside the business or outside the business, the majority of the issues occur in the parking lot, which is typical when they have to respond to a bar fight. The calls for service are associated to the business that is open and this is the only business open in this location at the times of the calls.
- Commissioner Frank asked if the issues are the same at this time or is it generally the same.
- Officer Loosli stated he can't say that it is worse.
- Commissioner Grey stated that the business being open is drawing the element, that is clear, however to he does want to recognize the business for reporting the

disturbances in an area that he has no control over, but it is also attributed to the business address.

- Officer Loosli explained that there could be more research on the calls if he has the phone numbers of the business security he could narrow down how many calls they make to the police. In his experience they are not calling as often as has been lead to believe. The calls don't appear to be from the business and if security is calling their names are put in the report. He is not familiar with the security at the business. Considering the weather, the numbers have dropped off a bit, however the real issue typically occur in the warmer months.
- Commissioner Woods reviewed the data and stated it appears the numbers are dropping.
- Commissioner Grey stated he is tempted to let it go for now.
- Commissioner Woods stated he would say let it go but to keep an eye on things, and he would also like to see the business owner install some more lighting.
- Officer Loosli clarified that the data for this time frame is very hard to interpret, he thinks that there will be better data when the weather starts to warm up again. His experience with businesses that cater to people that have consume a lot of alcohol throughout the evening and that come and hangout longer at a place that is open past 1:30 am they cause a lot of problems. He thinks the data is very difficult to use to determine if there has been an improvement. These issues have been going on at this establishment for many years. He would hope that things would change, he and several other officers have tried to speak with them and have been unsuccessful and getting things to change.
- Commissioner Frank asked about the conversations that have taken place.
- Officer Loosli explained they understand they have had problems in the parking lot outside their business. A appointment was set up after the last meeting to work with the owner and he never showed up for the appointment.
- Commissioner Woods asked if this revocation or amendment were to happen would the people just move to another location.
- Officer Loosli explained without other businesses like this operating he couldn't answer that question.
- Commissioner Grey suggested that the Commission follow-up on this situation again in the Spring and Summer. The concern he has is that with all the changes going on downtown and growth Twin Falls is having there are going to be others that want to be open as well which may decentralize the people. There here because its the only place open like this around town.
- Officer Loosli explained he has grown up here and never knew if the downtown plans would work and he is impressed with what has happened so far. The question he has is does this type of business fit into the downtown plans and he doesn't want to limit businesses, but his biggest concern is making it safe. The multiple fights and disturbances in a parking lot pulls the patrol units off the roads where they monitor for drunk drivers. He also knows from experience if there are more of these types of businesses operating this will continue to be a problem.

- Commissioner Woods asked how hard the data is to keep track of the calls for service month to month.
- Officer Loosli explained that pulling data by address is simple but looking at the data to provide more specific information takes a little extra time. He also thinks the data for this time frame is very hard to analyze.

Planner I O'Connor stated upon conclusion the commission is tasked to approve revocation, deny the revocation, or amend SUP #1233. Staff recommends amending the SUP per the Police Department's recommendation and subject to:

1. Subject to removal of condition #3 of SUP #1233
2. Subject to closing down the establishment to all uses and patrons at 1:30 am, with no patrons allowed within the premises beyond the 1:30 am closing time –the PD suggested time per normal bar operating hours.

Public Hearing:

- Berham Hetemi explained winter time is their busiest time of year, they don't have an outside area for people to sit and people want to be inside. His father installed a light on the back of the building shining towards the parking lot area. There have been zero fights in the bar and zero fights in the parking lot. He is not sure where the complaints are coming from, because the bar is dead until 11:30 or so and these calls are at 9:30. They use their addresses for cars that they pull over. They use to have officers come in and check the alcohol and have had several officer come in and stated that things have gotten better. They have been packed for the last few months, other businesses have not complained to them. The no loitering sign has made a difference for his security guards to warn the people they will call the police for hanging out or they need to come back in the building. The big brawls are not happening at their location.
- Commissioner Frank asked if the security is identified and with the light do they have cameras installed.
- Mr. Hetemi explained that he has just installed cameras and the security staff are identified with lime green t-shirts that glow in the dark. He is aware that the City is trying to renovate and revitalize downtown and if this is revoked this will send the wrong message, if we want it to be like Boise and keep people local.
- Commissioner Frank asked about the address association.
- Officer Loosli explained the business owner is correct the data could be calculated that way.

Discussion Followed:

- Commissioner Woods explained the business owner is convinced that he is making an attempt to improve and but monitoring should continue.
- Commissioner Higley agreed.

- Commissioner Frank stated Twin Falls is in transition and he has mixed feelings because the business does draw the people to this location, he is concerned that no other surrounding businesses came up to speak and the quality of the information provided is questionable.
- Commissioner Grey explained that we are focused on the incidences that happen after 1:30 am in comparison to the incidences that happen before 1:30 am at similar establishments. The other question is how do we want Twin Falls to evolve, and do want to allow businesses to be open after 1:30 am.
- Commissioner Hawkins explained that this is difficult there is not a clear solution, it does sound like he is trying to improve, a lot of things are out of his control, but we should continue to monitor the progress.
- Commissioner Frank stated he also thinks the police department should continue monitoring and develop some strategies for dealing with this because this is something the community has not really had to deal with but it will have to eventually as the community grows. He would like more data and make sure the business understands they will be monitored closely.
- Zoning & Development Manager Carraway-Johnson explained that the Commission needs to make a motion on the request and the monitoring can continue.

Motion:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Hawkins seconded the motion. Commissioner Hawkins voted in favor of the motion with Commissioners Woods, Frank, Higley & Grey voting against the motion.

Motion Failed

- b) Request for the Commission's **recommendation on a PUD Amendment** to the CSI PUD #262-Section 2, to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' on property located at 315 Falls Avenue. c/o Spencer Cutler on behalf of the College of Southern Idaho (app. 2906)

Applicant Presentation:

Jeff Harmon, explained they are here to request a PUD Amendment to #262 to allow the building height restriction to be raised to 50' so that they can construct residence halls/rooming houses on the campus.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated CSI has a long history in the Magic Valley but has had a physical presence, at its current location, in Twin Falls since the early '60s. Prior to that, it was agricultural land. The campus has seen steady growth over the decades and has responded over time to such growth. The College of Southern Idaho-North Campus PUD Agreement #254 was adopted in 2008. This PUD rezoned the 87+/- acres north of North College Rd. In 2011 the current CSI PUD #262 was approved

by the City Council. Currently the entire college grounds, referenced as Section 1; the campus north of North College Rd and Section 2; the campus south of North College Rd, are governed by PUD #262. This PUD was recorded in January 2012.

This is a request to amend CSI PUD #262. CSI PUD #262 is separated into two (2) sections; Section 1 is the campus north of North College Rd and Section 2 is the campus south of North College Rd. This proposed amendment is to amend Section 2; the campus south of North College Rd. The proposed amendment is to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' which would allow for 3-story buildings within Section 2 of the CSI campus. The College has expanded over its existence and new residence halls are required now to meet current and future demands. PUD #262 prohibits building heights over thirty-five feet (35'), basically limiting buildings to no more than 2 stories high. PUD #262 allows residence halls or rooming houses by special use permit. The current PUD regulations met the code at the time of adoption. The College would like to update their PUD Covenants and to allow a new residential hall to proceed in a timelier manner. The allowance of additional building height from 35' to 50' matches the current commercial building heights and would allow for 3-story residence halls. The College stated they feel this is a reasonable request given the changes fit what the C-1 zone currently allow, and also outright permits residences halls on a college campus, rather than requiring an SUP.

The applicant is requesting the following changes to the PUD Agreement:

I. Increase the Allowable Building Height

- A. Under COVENANTS **2. Nature of Property Development** item **B. Building Height**. Revise "thirty- five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- B. Under COVENANTS **4. Building/Structural Standards** item **B. Building Height**, revise "thirty-five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- C. Under COVENANTS **4. Building/Structural Standards** item **C. Architectural Standards**, revise "two (2) stories" to "three (3) stories".

II. Change Residence Halls and Rooming Houses to be Permitted Uses

- A. Under **EXHIBIT "C", USE REGULATIONS, (A) Permitted Uses:**
Add a new item - "12. Residential:
 - a. Dwellings - multiple household (5 units or more)
 - b. Residence halls, residence hotels, rooming houses."
- B. Under **EXHIBIT "C", USE REGULATIONS, (B) Special Uses: 4. Residential**
Remove items - b. Dwellings - multiple household (5 units or more)
 - e. Residence halls, ~~residence hotels~~, rooming houses."

Senior Planner Spendlove stated upon conclusion should the Planning and Zoning Commission is tasked with forwarding a recommendation to the City Council. The Commission may recommend approving the request as presented, approving the request with conditions, or

denying the request.

Public Hearing: Opened

- Senior Planner Spendlove read into the record a comment letter from a citizen that has been filed in the application packet.
- Heidi Cambell, 435 Hailey Avenue explained there are several potential student activities that could be provided during the summer and the dormitory space available now limits these opportunities.

Public Hearing: Closed

Discussion Followed: Without Concerns

Motion:

Commissioner Higley made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended, Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

- c) Request for the Commissions recommendation on a **Zoning District Change and Zoning Map Amendment** from C-1 PUD to C-1 for a .22 acre tract located at the south east corner of Canyon Falls Road and Harrison Street. c/o Ryan Bybee (app. 2908)

Public Hearing Items 6c & 6D will be presented together but will require separate motions.

- d) Request for **Vacation** of a 15' x 264', 3,960 sq ft, public utility easement to allow commercial development of property located at the southeast corner of Canyon Falls Drive and Harrison Street. c/o Ryan Bybee(app. 2909)

Applicant Presentation:

Ryan Bybee, the applicant explained he would like to rezone Tract A to C-1 and vacate an easement to allow him to build on the lot. He has received letters from all of the utilities in support of this request.

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated There are two parcels the applicant has purchased. They were at one point part of the larger Breckenridge Farm. The

slim long sliver parcel was, according to the applicant, the old driveway to access the Breckenridge farm. The Smaller triangular piece was zoned C-1 PUD when the Northbridge PUD was adopted in 1998. The old driveway was annexed as C-1 in late 2016.

This is a request for a Zoning District Change and Zoning Map Amendment to rezone .22 +/- acres located at the NE corner of Pole Line Rd. and Harrison St N. from C-1 PUD to C-1. The applicant has purchased this tract and wishes to develop a commercial business at this location. To do this the tract needs to be removed from the Northbridge PUD and be zoned to a C-1. In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- evaluate the request to determine the extent and nature of the amendment requested.

The Comprehensive Plan indicates this corridor as appropriate for Mixed Uses. There is no development plan to evaluate as this request is to only rezone the property. Any changes will require a full review by staff to determine the extent and nature of the changes. Any change shall comply with the purpose, uses and development standards of the RB Zoning District prior to development.

To make a positive recommendation, the Commission must determine that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to the Commercial Highway District would allow land development that would be compatible with and not detract from the surrounding area.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Mixed Use." Mixed use is a very broad category, which supports high density residential and commercial development. Staff has determined this request complies with the 2016 comprehensive plan.

Senior Planner Spendlove stated upon conclusion should the Commission is asked to make a recommendation to the City Council on this request

Senior Planner Spendlove stated the second portion of the request is to vacate a 15 foot public utility easement along the eastern boundary and a sign easement on a triangular parcel identified as Tract A. All other utility easements along Harrison St N. and Canyon Falls Dr. will remain in place. The applicant has purchased this tract and the adjacent 60' x 435' +/- parcel and wishes to develop a commercial business at this location. The purpose of vacating the easement is to allow a building to be constructed across the lot lines as seen in the applicant's site plan. The sign easement to be vacated is a private easement for a sign advertising the residential development which is currently not built. Staff has received all the required letters from the utility companies and governmental jurisdictions as well as the required letter for the sign easement, all in agreement for vacation thereof.

Senior Planner Spendlove stated upon conclusion should the Commission recommend to the

City Council, this request be granted as presented, staff recommends approval be subject to the following conditions:

1. 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

Motion for 6c-ZDC

Commissioner Grey made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended Approval to City Council, As Presented

Motion for 6d-VAC

Commissioner Hawkins made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

- e) Request for consideration of the **Revocation of Special Use Permit#1432**, granted to Acorn Learning Center on May 23, 2017 to operate a private school offering pre-school through 5th Grade in a portion of an existing professional office building on property located at 493 Eastland Drive. c/o Wali Fedaie (app. 2910)

This item was withdrawn and moved to general public input. See general public input for discussion related to this item

- f) Request for the Commission's recommendation on a **Zoning Title Amendment** to add "Wedding Chapel and Event Center" to the SUI Zoning District: 10-4-2.2 (B) 5, to allow by Special Use Permit and to add the definition of "Wedding Chapel and Event Center" to Title 10; Chapter 2; Definitions. c/o BB55, LLC(app. 2911)

Applicant Presentation:

Dave Thibault, EHM Engineer, Inc., representing the applicant, stated that the code presently identified uses allowed and permitted, however wedding chapel and event centers are not listed in the code. they would like to add this particular use to the code section as a special use item and they have seen these types of amendments have been made in other sections of the code and they ask for a positive recommendation for the request.

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated the R-1 43,000/SUI zone is located within the Area of Impact. The purpose of this zoning 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.

This request is to amend City Code 10-4-2; SUI Zoning District, to allow by Special Permit, Wedding Chapels / Event Centers. The SUI Zone lists the following permitted uses: farming in the form of animals on pasture, trees and plants, and intense agriculture on parcels 5 acres or larger. However, there are limited commercial uses listed under Special Uses, attachment #3.

The applicants state there are limited options for large gathering places for more than 200 people on properties located within this zoning district. This request looks to expand the special uses by adding Wedding Chapels/Event Centers, with a minimum of 3 acres, and meeting specific development standards with regards to fire, water, parking, landscaping, lighting, storm water retention, etc... Approval of this request would amend City Code 10-4-2 as listed below.

1. **10-4-2.1: PURPOSE:** This district is intended to preserve the rural integrity of areas adjacent to the city. (Ord. 2796, 6-14-2004)

10-4-1.2: USE REGULATIONS:

...

(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. Public Assembly:
 1. Auditoriums
 2. Religious facility.
 3. Schools – public.
 4. [Wedding Chapel/Event Center with 3 acres or more.](#)

The addition of Wedding Chapel/Event Center into the Special Use category for the SUI zone could have some detrimental effects across the Area of Impact. However, staff feels that since this request places the use into the Special Use section, each request will be scrutinized based on the conditions of the property, and the proposed development on a case by case basis. This process will place a burden on the Commission to evaluate each request consistently, and mitigate each request for those impacts which contribute to detrimental effects in those

areas.

Lastly, if the Commission decides to approve the request, Staff recommends modifying the language to match the Use currently portrayed in City Code: *Wedding chapels and/or reception halls* this will alleviate some confusion within the code, and keep the land use consistent across Zoning Districts. Furthermore, a new definition would not need to be created at this time, as we would be using the terminology currently in use within City Code.

Senior Planner Spendlove stated upon conclusion the Commission may recommend the zoning title amendment as requested, recommend a modification of the amendment as presented (this may require another public hearing before the Commission), recommend with staff's modifications, or recommend the amendment be denied.

Public Hearing: Opened & Closed

Closing Statements:

Mr. Thibault explained he is in support of the Special Use Permit concept because there are some mitigating impacts to surrounding neighbors, and give the Commission some controls.

Discussion Followed: Without Concerns

Motion:

Commissioner Woods made a motion to recommend approval of the request, as presented. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

Recommended, Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

7) Upcoming Meeting(s)

December 19, 2017 at 2:00 pm Work Session/Special Meeting for Public Hearing

January 3, 2018 12:00 pm Work Session/Special Meeting for Public Hearing

8) Adjournment

Lisa A. Strickland, Administrative Assistant



Date: Monday, January 8, 2018
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Senior Planner

Request:

Request for a **Zoning Title Amendment** to add “Wedding Chapels and Event Centers” to the SUI District 10-4-2.2 (B)5 Special Use Permit and to add to Title 10-2-1 the definition of “Wedding Chapel and Event Center”. BBR, LLC [c/o Louise 2911](#)

Time Estimate:

Applicant may take up to fifteen (15) minutes, Staff presentation may take up to ten (10) minutes and Additional time to address questions and or clarifications asked by the commission.

Background:

Applicant:	
BB55, LLC 2757 Carriage Way Twin Falls, ID 83301 208.734.2625 blakepedersen@gmail.com	Requested Zoning: Request for the Commission’s recommendation on a Zoning Title Amendment to add “Wedding Chapel and Event Center” to the SUI District 10-4-2.2 (B)5 as allowed by Special Use Permit and to add to Title 10-2-1 the definition of “Wedding Chapel and Event Center.”
Representative:	
Louise Ward PO Box 176 Murtaugh, ID 83344 208.731.1174 louise@imtprop.com	Applicable Regulations: 10-2-1, 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. the public hearing, the Commission may forward the amendment with its recommendation to the City Council. Any the Commission from what was presented during the public hearing will require an additional hearing prior to the forwarding its recommendation to the Council.

After the Council receives a recommendation from the Commission, a public hearing shall be scheduled where the grant with changes, or deny the Zoning Title Amendment. In any event the Council shall specify the regulations and 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 and publication of an ordinance.

Budget Impact:

N/A

Regulatory Impact:

A recommendation from the Planning and Zoning Commission on the proposed Zoning Title Amendment will allow proceed to the City Council. Upon approval by the City Council an ordinance is later approved and codified.

History:

The R-1 43,000/SUI zone is located within the Area of Impact. The purpose of this zoning district is intended to provide district from agricultural land uses to residential land uses in the area of impact. This district is also intended as a holding future higher density residential zones, to be annexed and developed when city water and sewer services become available.

Analysis:

This request is to amend City Code 10-4-2; SUI Zoning District, to allow by Special Permit, Wedding Chapels / Event Zone lists the following permitted uses: farming in the form of animals on pasture, trees and plants, and intense agriculture acres or larger. However, there are limited commercial uses listed under Special Uses, attachment #3.

The applicants state there are limited options for large gathering places for more than 200 people on properties located zoning district. This request looks to expand the special uses by adding Wedding Chapels/Event Centers, with a minimum and meeting specific development standards with regards to fire, water, parking, landscaping, lighting, storm water Approval of this request would amend City Code 10-4-2 as listed below.

1) **10-4-2.1: PURPOSE:** This district is intended to preserve the rural integrity of areas adjacent to the city. (Ord. 2796, 6-14-2004)

10-4-1.2: USE REGULATIONS:

...

(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:

...

5. Public Assembly:

- a. Auditoriums
- b. Religious facility.
- c. Schools – public.
- d. [Wedding Chapel/Event Center with 3 acres or more.](#)

Conclusion:

Possible Impacts: The addition of Wedding Chapel/Event Center into the Special Use category for the SUI zone could detrimental effects across the Area of Impact. However, staff feels that since this request places the use into the Special each request will be scrutinized based on the conditions of the property, and the proposed development on a case process will place a burden on the Commission to evaluate each request consistently, and mitigate each request for which contribute to detrimental effects in those areas.

On December 12, 2017 the Commission unanimously voted to recommend approval with the following Staff recommendation:

1. Modify the language to match the Use currently portrayed in City Code: *Wedding chapels and/or reception halls* some confusion within the code, and keep the land use consistent across Zoning Districts. Furthermore, a new definition need to be created at this time, as we would be using the terminology currently in use within City Code.

The Council may approve the zoning title amendment as requested, approve the request with additional modifications another public hearing before the Commission), approve the request as recommended by the PZ Commission and modifications, or deny the request.

Attachments:

1. BB55, LLC_ZTA Attachments
2. 12-12-17 PZ Hearing Minutes

Our request is to add to the SUI Zone 10-4-2.2: USE REGULATIONS: 5.

Public Assembly: **Item d. Wedding Chapel/Event Center**

This would allow the Option to apply for a Special Use Permit to develop a property of not less than 3 Acres and after meeting specific requirements to include; the standard requirements for Water, Sewer, Fire protection, parking, landscaping, etc.

then you would be able to apply for a Permit to construct a building for the approved use.

The following Narrative explains why we and others we have conferred with feel this would be beneficial to our area.:

Twin Falls proper needs a large gathering place for events. There are very few, if any, options to house more than 200 people.

With the exception of a closed-windowed hotel conference room, Twin Falls has limited options for large groups to hold weddings, meetings, dinners, receptions, family parties, etc.

Other communities similar in size to ours have benefitted from similar events centers in the size we are proposing. They have been well-received and seen as an asset in their communities.

We have talked to a number of people in the Twin Falls community, including caterer's, party planners, and those who have a need for a venue for a wedding, community event, or family event. The general consensus is that our community would benefit – and has a need for – a large, attractive events center. People have voiced that they cannot find a location large enough and with the features they would want to have the gathering that they desire to have.

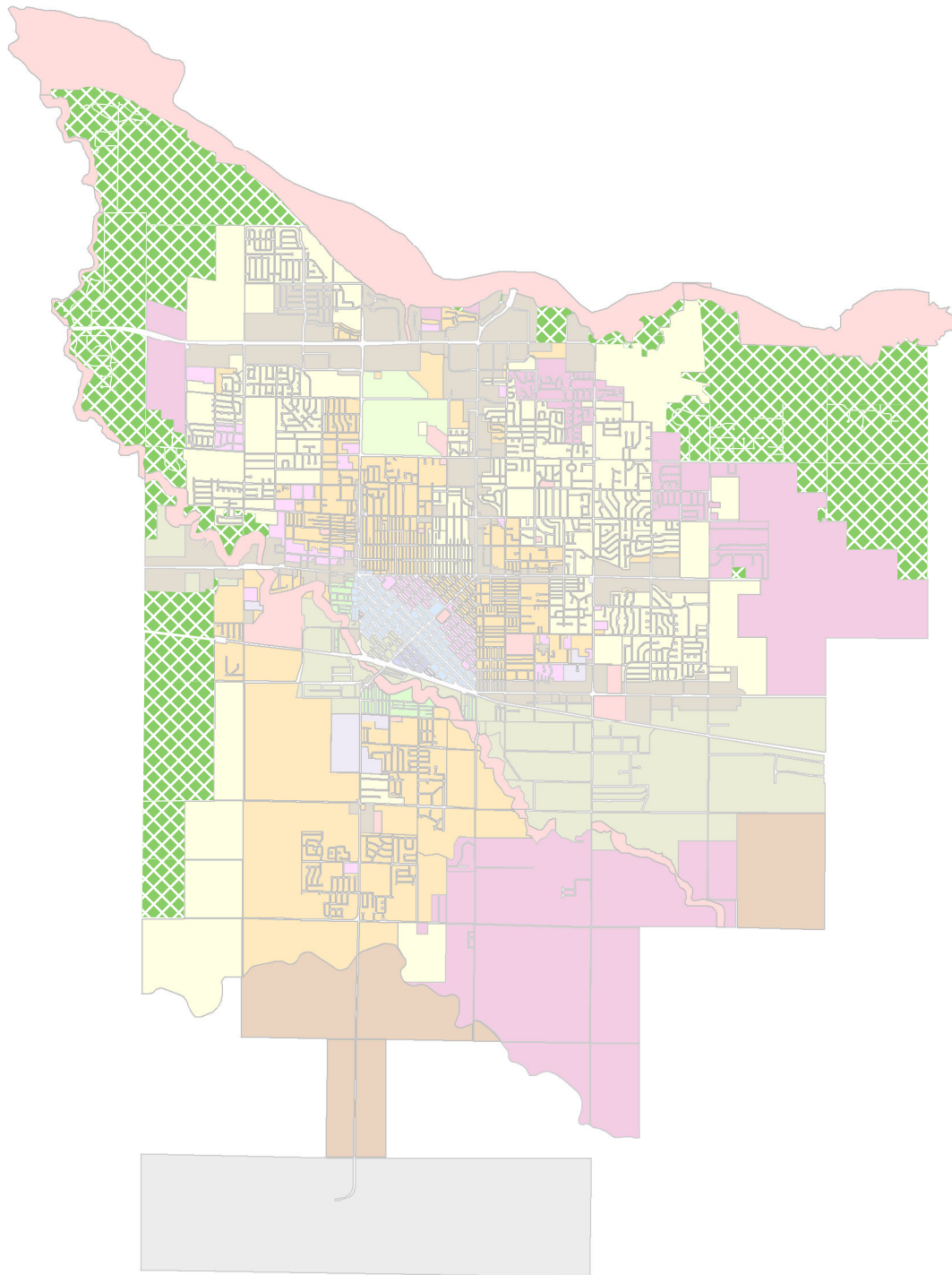
Our plan is to build the event center North 3300 East. We would be beautifying the approach to Shoshone Falls with an events center and it's beautiful grounds. The grounds will be well thought-out because of the tourist attraction of the Falls. It would serve as an improvement to the area as a beautiful building with beautifully maintained grounds.

In addition to private parties, weddings, receptions, and family events, we see this events center as being an ideal location to host community events, local food vendor nights, boutique and craft events, potential farmers market days, and so forth.

Currently, the code in Twin Falls will not permit a wedding chapel/event center to be located in a rural area. Our intent is to have a barn-style reception center with some acreage so there could be indoor and outdoor weddings in a rural-type setting. As the code currently stands, there is no place in Twin Falls for us to develop this property. There are limitations on parking, landscaping, and even the over-all footprint to make a building large enough to accommodate the number of people we propose – not to mention the inability to make an events center profitable with such limitations. By changing the code, we can help beautify Twin Falls as well as provide a desirable space for the residents of Twin Falls and the surrounding areas to gather.

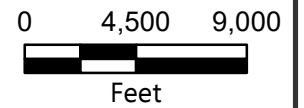
We have conferred with the Idaho Department of water Resources regarding the requirements to drill a well for both facility use as well as Fire Protection. Attached is a copy of the Idaho Statute along with side notes from the meeting, which indicated that the same well can be used for both but the filling of the Fire Protection storage water tank must be filled using the amount of water allowed daily.

We also conferred with the South Central Health Department and were instructed that we would need to install a Complex Alternative Septic System, which would have several tanks and a To be determined size or multiple drain fields. If it is determined that the Perk Tests completed previously are not sufficient; additional tests will be done.



Zoning Vicinity Map

-  SUI
-  RB
-  AG
-  AP
-  C-1
-  C-B
-  CSI
-  M-1
-  M-2
-  O-T
-  OS
-  R-1 VAR
-  R-2
-  R-4
-  R-6
-  R-6-MHO-1



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

10-4-2: SUI, SUBURBAN-URBAN INTERFACE DISTRICT:

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:

- a. Farms - animals on pasture.
- b. Farms - plants and trees.
- c. Intensive agricultural units of five (5) acres or more without residential facilities.

2. Communications and utilities:

- a. Underground and aboveground transmission lines.
- b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

3. Parks:

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

4. Residential:

- a. Accessory buildings (less than 1,500 square feet), personal swimming pools and other accessory uses.
- b. Dwellings - detached single household. (Ord. 2526, 5-20-1996; amd. Ord. 2773, 12-15-2003)

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

1. Communications and utilities:

- a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.

2. Cultural facilities:

- a. Botanical gardens and arboretums.
- b. Historic sites and monuments.
- c. Zoos.

3. Governmental facilities:

- a. Fire stations and police stations.
- b. Water treatment plants.

4. Parks:

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

5. Public assembly:

- a. Auditoriums.
- b. Religious facilities.
- c. Schools - public.

6. Residential:

- a. Detached accessory buildings (more than 1,500 square feet) i.e., garages and other accessory buildings.
- b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
- c. Home occupations.
- d. Residential ZDA, not to exceed SUI density.

e. Bed and breakfast facilities.

7. Services:

a. In home daycare services.

8. Sports facilities:

a. Golf courses and country clubs.

b. Outdoor, public and commercial ice and roller skating facilities.

c. Outdoor, public and commercial swimming pools.

d. Outdoor, public and commercial tennis courts.

9. Transportation:

a. Bus facilities, including pick up shelters. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2796, 6-14-2004; Ord. 2850, 2-21-2006; Ord. 3082, 12-8-2014)

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

10-4-2.3: PROPERTY DEVELOPMENT STANDARDS:

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

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

(B) Lot Area:

1. The minimum lot area per household dwelling shall be one acre, or as set forth in the "Technical Guidance Manual For Individual And Subsurface Sewage Disposal Systems" as adopted by the South Central district board of health, whichever is larger. (Ord. 2796, 6-14-2004)
2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than forty percent (40%) of a lot.

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

(E) Yards:

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

a. The front building line shall not be closer than thirty feet (30') to the front property line.

b. Where lots have double frontage on two (2) streets the required front yard of thirty feet (30') shall be provided on both streets.

c. On a corner lot the required front yard of thirty feet (30') shall be provided on both streets. (Ord. 2526, 5-20-1996)

d. No accessory buildings shall be constructed in the front yard nor closer than thirty feet (30') to other street frontages, except when the accessory building is more than one hundred feet (100') from any public access road or to the front property line, whichever is further. (Ord. 2850, 2-21-2006)

2. Side Yard:

a. The side building line shall not be closer than seven feet (7') to the side property line.

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

c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than thirty feet (30') to the rear property line.

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

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

(G) Landscaping: All nonresidential uses shall have five percent (5%) of the site landscaped and shall comply with the provisions of section [10-11-2](#) of this title.

(H) Off Street Parking:

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

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

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



Twin Falls Planning & Zoning Commission Minutes

Tuesday, December 12, 2017, 6:00 PM

305 3rd Avenue East
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Members Present: Woods, Frank, Higley, Grey, Hawkins

Staff Present: Carraway-Johnson, Spendlove, Strickland, O'connor, Vitek, Wonderlich

2) Consideration of Amendments to Agenda

Staff Presentation:

Zoning & Development Manager Carraway-Johnson stated there was an amendment to the agenda, to withdraw agenda item 6e from the public hearings. She explained the Commission can take comments on this item during the General Public Input portion of the agenda if they choose.

Motion:

Commissioner Grey made a motion to approve the request to amend the agenda, Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

3) General Public Input

Senior Planner Spendlove explained that during the preparation of the staff report and consultation with City Attorney Wonderlich it was determined the request is premature. As a result of this determination the item needed to be removed from the public hearing portion of the agenda and moved to the general public input portion of the meeting. It is up to the Commission's discretion whether or not to allow public comment on the item and to offer input. However, no decision about the status of the permit can be made at this time.

City Attorney Wonderlich clarified the item that was removed from the public hearing section of the Agenda was request regarding the Acorn Learning Center. This item has been moved to the general public input portion of the agenda. There are a lot of people here tonight and they should be allowed to speak on this item.

Public Comment:

- Wali Fedaie, the applicant for this request, stated he does not understand why this was removed and why he was not notified.
- James Jolly, 473 Eastland Drive, explained that he and his wife support this school and are thankful the school is there.

- Rick Kuhn, 635 3rd Avenue East, and his home faces the Bickel School playground and he has never consider the noise from kids playing an issue. He has lived in his home for 30 years and Bickel School is much larger than Acorn Learning Center so he doesn't understand how the children could create enough noise to be disturbing.
- Heidi Campbell, 435 Hailee Avenue, stated she was the board president when the original special use permit was approved and they met the notification requirements for their request.
- Nancy Larson ,573 Eastland Drive, stated she doesn't think children playing is disruptive but the neighbors in the apartments that come in all hours of the night drunk and yelling at each other are much more disturbing.
- Teron Floyd, 667 Sunrise Boulevard North, stated they possibly have 20 kids max out at one time for 15 minutes twice a day.
- Laird Stone, kids were students at this school, he has taken the opportunity to take a look at the school and the distance between the playground and the apartments. The distance between the playground to the apartments is far enough there shouldn't be any impacts to the people that live in the apartments. There is a fence around the play area and he thinks it would be a travesty if their SUP was revoked.
- Wali Fedaie, stated he was not notified originally, the noise level is unbearable, the tenants work grave yard shift and it is unbearable for his tenants. They have armed security for the apartments and they don't allow a disruptive noise level. They have been managing these apartments about 14 years and have not had incidents at the apartments.

Closing Comments:

- Commissioner Frank reminded the people that spoke that this is not a public hearing but that if this item does get scheduled again for a public hearing he encourage them to come and speak at that meeting also.
- Senior Planner Spendlove explained while preparing for the hearing staff discovered that the Special Use Permit was not actually sent to the applicant because they have not yet fulfilled the conditions of the permit, for example blocking off the north access, parking lot striping. Because the conditions have not been completed the Special Use Permit has not been issued, therefore a revocation cannot occur on a Special Use Permit that has not been issued. Acorn Learning Center has been notified of this situation and they are working with staff to rectify the situation.

4) Consent Calendar

a) Approval of minutes from the following meeting:

- 11-14-17 Public Hearing Minutes
- 11-28-17 Public Hearing Minutes

b) Approval of Findings of Fact and Conclusions of Law for the following meeting: 11-04-17

- Temple View (pre-plat)
- Z Country (pre-plat)
- Yurivilca (SUP)
- Locust Grove North (pre-plat)

Motion:

Commissioner Woods made a motion to approve the consent calendar, as presented.

Commissioner Higley seconded the motion.

Unanimously Approved

5) Items of Consideration

None

6) Public Hearings

- a) Request for consideration of **Revocation of Special Use Permit #1233**, granted to Afrim Hetemi on June 14, 2011 to allow an indoor recreation facility to operate in conjunction with an existing bar and grocery store outside the permitted retail hours of operation on property located at 139 Shoshone Street North. c/o City of Twin Falls (app. 2455)

Staff Presentation:

- Planner I O'Connor reviewed the request and stated there is no addition analysis from Staff for this item. However, Officer Loosli will be presenting more information as requested by the Commission in October of this year.
- Officer Loosli, stated that they have collected more data on calls for service though December 3, 2017. He explained there are some incidents that are specifically associated and some that are vehicle stops. He reviewed each call for service attributed to this 139 Shoshone Street North address. The calls are associated to the address whether they occur inside the business or outside the business, the majority of the issues occur in the parking lot, which is typical when they have to respond to a bar fight. The calls for service are associated to the business that is open and this is the only business open in this location at the times of the calls.
- Commissioner Frank asked if the issues are the same at this time or is it generally the same.
- Officer Loosli stated he can't say that it is worse.
- Commissioner Grey stated that the business being open is drawing the element, that is clear, however to he does want to recognize the business for reporting the

disturbances in an area that he has no control over, but it is also attributed to the business address.

- Officer Loosli explained that there could be more research on the calls if he has the phone numbers of the business security he could narrow down how many calls they make to the police. In his experience they are not calling as often as has been lead to believe. The calls don't appear to be from the business and if security is calling their names are put in the report. He is not familiar with the security at the business. Considering the weather, the numbers have dropped off a bit, however the real issue typically occur in the warmer months.
- Commissioner Woods reviewed the data and stated it appears the numbers are dropping.
- Commissioner Grey stated he is tempted to let it go for now.
- Commissioner Woods stated he would say let it go but to keep an eye on things, and he would also like to see the business owner install some more lighting.
- Officer Loosli clarified that the data for this time frame is very hard to interpret, he thinks that there will be better data when the weather starts to warm up again. His experience with businesses that cater to people that have consume a lot of alcohol throughout the evening and that come and hangout longer at a place that is open past 1:30 am they cause a lot of problems. He thinks the data is very difficult to use to determine if there has been an improvement. These issues have been going on at this establishment for many years. He would hope that things would change, he and several other officers have tried to speak with them and have been unsuccessful and getting things to change.
- Commissioner Frank asked about the conversations that have taken place.
- Officer Loosli explained they understand they have had problems in the parking lot outside their business. A appointment was set up after the last meeting to work with the owner and he never showed up for the appointment.
- Commissioner Woods asked if this revocation or amendment were to happen would the people just move to another location.
- Officer Loosli explained without other businesses like this operating he couldn't answer that question.
- Commissioner Grey suggested that the Commission follow-up on this situation again in the Spring and Summer. The concern he has is that with all the changes going on downtown and growth Twin Falls is having there are going to be others that want to be open as well which may decentralize the people. There here because its the only place open like this around town.
- Officer Loosli explained he has grown up here and never knew if the downtown plans would work and he is impressed with what has happened so far. The question he has is does this type of business fit into the downtown plans and he doesn't want to limit businesses, but his biggest concern is making it safe. The multiple fights and disturbances in a parking lot pulls the patrol units off the roads where they monitor for drunk drivers. He also knows from experience if there are more of these types of businesses operating this will continue to be a problem.

- Commissioner Woods asked how hard the data is to keep track of the calls for service month to month.
- Officer Loosli explained that pulling data by address is simple but looking at the data to provide more specific information takes a little extra time. He also thinks the data for this time frame is very hard to analyze.

Planner I O'Connor stated upon conclusion the commission is tasked to approve revocation, deny the revocation, or amend SUP #1233. Staff recommends amending the SUP per the Police Department's recommendation and subject to:

1. Subject to removal of condition #3 of SUP #1233
2. Subject to closing down the establishment to all uses and patrons at 1:30 am, with no patrons allowed within the premises beyond the 1:30 am closing time –the PD suggested time per normal bar operating hours.

Public Hearing:

- Berham Hetemi explained winter time is their busiest time of year, they don't have an outside area for people to sit and people want to be inside. His father installed a light on the back of the building shining towards the parking lot area. There have been zero fights in the bar and zero fights in the parking lot. He is not sure where the complaints are coming from, because the bar is dead until 11:30 or so and these calls are at 9:30. They use their addresses for cars that they pull over. They use to have officers come in and check the alcohol and have had several officer come in and stated that things have gotten better. They have been packed for the last few months, other businesses have not complained to them. The no loitering sign has made a difference for his security guards to warn the people they will call the police for hanging out or they need to come back in the building. The big brawls are not happening at their location.
- Commissioner Frank asked if the security is identified and with the light do they have cameras installed.
- Mr. Hetemi explained that he has just installed cameras and the security staff are identified with lime green t-shirts that glow in the dark. He is aware that the City is trying to renovate and revitalize downtown and if this is revoked this will send the wrong message, if we want it to be like Boise and keep people local.
- Commissioner Frank asked about the address association.
- Officer Loosli explained the business owner is correct the data could be calculated that way.

Discussion Followed:

- Commissioner Woods explained the business owner is convinced that he is making an attempt to improve and but monitoring should continue.
- Commissioner Higley agreed.

- Commissioner Frank stated Twin Falls is in transition and he has mixed feelings because the business does draw the people to this location, he is concerned that no other surrounding businesses came up to speak and the quality of the information provided is questionable.
- Commissioner Grey explained that we are focused on the incidences that happen after 1:30 am in comparison to the incidences that happen before 1:30 am at similar establishments. The other question is how do we want Twin Falls to evolve, and do want to allow businesses to be open after 1:30 am.
- Commissioner Hawkins explained that this is difficult there is not a clear solution, it does sound like he is trying to improve, a lot of things are out of his control, but we should continue to monitor the progress.
- Commissioner Frank stated he also thinks the police department should continue monitoring and develop some strategies for dealing with this because this is something the community has not really had to deal with but it will have to eventually as the community grows. He would like more data and make sure the business understands they will be monitored closely.
- Zoning & Development Manager Carraway-Johnson explained that the Commission needs to make a motion on the request and the monitoring can continue.

Motion:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Hawkins seconded the motion. Commissioner Hawkins voted in favor of the motion with Commissioners Woods, Frank, Higley & Grey voting against the motion.

Motion Failed

- b) Request for the Commission's **recommendation on a PUD Amendment** to the CSI PUD #262-Section 2, to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' on property located at 315 Falls Avenue. c/o Spencer Cutler on behalf of the College of Southern Idaho (app. 2906)

Applicant Presentation:

Jeff Harmon, explained they are here to request a PUD Amendment to #262 to allow the building height restriction to be raised to 50' so that they can construct residence halls/rooming houses on the campus.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated CSI has a long history in the Magic Valley but has had a physical presence, at its current location, in Twin Falls since the early '60s. Prior to that, it was agricultural land. The campus has seen steady growth over the decades and has responded over time to such growth. The College of Southern Idaho-North Campus PUD Agreement #254 was adopted in 2008. This PUD rezoned the 87+/- acres north of North College Rd. In 2011 the current CSI PUD #262 was approved

by the City Council. Currently the entire college grounds, referenced as Section 1; the campus north of North College Rd and Section 2; the campus south of North College Rd, are governed by PUD #262. This PUD was recorded in January 2012.

This is a request to amend CSI PUD #262. CSI PUD #262 is separated into two (2) sections; Section 1 is the campus north of North College Rd and Section 2 is the campus south of North College Rd. This proposed amendment is to amend Section 2; the campus south of North College Rd. The proposed amendment is to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' which would allow for 3-story buildings within Section 2 of the CSI campus. The College has expanded over its existence and new residence halls are required now to meet current and future demands. PUD #262 prohibits building heights over thirty-five feet (35'), basically limiting buildings to no more than 2 stories high. PUD #262 allows residence halls or rooming houses by special use permit. The current PUD regulations met the code at the time of adoption. The College would like to update their PUD Covenants and to allow a new residential hall to proceed in a timelier manner. The allowance of additional building height from 35' to 50' matches the current commercial building heights and would allow for 3-story residence halls. The College stated they feel this is a reasonable request given the changes fit what the C-1 zone currently allow, and also outright permits residences halls on a college campus, rather than requiring an SUP.

The applicant is requesting the following changes to the PUD Agreement:

I. Increase the Allowable Building Height

- A. Under COVENANTS **2. Nature of Property Development** item **B. Building Height**. Revise "thirty- five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- B. Under COVENANTS **4. Building/Structural Standards** item **B. Building Height**, revise "thirty-five feet (35') in height" to "fifty feet (50') in height or higher if City of Twin Falls C-I zones are amended higher".
- C. Under COVENANTS **4. Building/Structural Standards** item **C. Architectural Standards**, revise "two (2) stories" to "three (3) stories".

II. Change Residence Halls and Rooming Houses to be Permitted Uses

- A. Under **EXHIBIT "C", USE REGULATIONS, (A) Permitted Uses:**
Add a new item - "12. Residential:
 - a. Dwellings - multiple household (5 units or more)
 - b. Residence halls, residence hotels, rooming houses."
- B. Under **EXHIBIT "C", USE REGULATIONS, (B) Special Uses: 4. Residential**
Remove items - b. Dwellings - multiple household (5 units or more)
 - e. Residence halls, ~~residence hotels~~, rooming houses."

Senior Planner Spendlove stated upon conclusion should the Planning and Zoning Commission is tasked with forwarding a recommendation to the City Council. The Commission may recommend approving the request as presented, approving the request with conditions, or

denying the request.

Public Hearing: Opened

- Senior Planner Spendlove read into the record a comment letter from a citizen that has been filed in the application packet.
- Heidi Cambell, 435 Hailey Avenue explained there are several potential student activities that could be provided during the summer and the dormitory space available now limits these opportunities.

Public Hearing: Closed

Discussion Followed: Without Concerns

Motion:

Commissioner Higley made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended, Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

- c) Request for the Commissions recommendation on a **Zoning District Change and Zoning Map Amendment** from C-1 PUD to C-1 for a .22 acre tract located at the south east corner of Canyon Falls Road and Harrison Street. c/o Ryan Bybee (app. 2908)

Public Hearing Items 6c & 6D will be presented together but will require separate motions.

- d) Request for **Vacation** of a 15' x 264', 3,960 sq ft, public utility easement to allow commercial development of property located at the southeast corner of Canyon Falls Drive and Harrison Street. c/o Ryan Bybee(app. 2909)

Applicant Presentation:

Ryan Bybee, the applicant explained he would like to rezone Tract A to C-1 and vacate an easement to allow him to build on the lot. He has received letters from all of the utilities in support of this request.

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated There are two parcels the applicant has purchased. They were at one point part of the larger Breckenridge Farm. The

slim long sliver parcel was, according to the applicant, the old driveway to access the Breckenridge farm. The Smaller triangular piece was zoned C-1 PUD when the Northbridge PUD was adopted in 1998. The old driveway was annexed as C-1 in late 2016.

This is a request for a Zoning District Change and Zoning Map Amendment to rezone .22 +/- acres located at the NE corner of Pole Line Rd. and Harrison St N. from C-1 PUD to C-1. The applicant has purchased this tract and wishes to develop a commercial business at this location. To do this the tract needs to be removed from the Northbridge PUD and be zoned to a C-1. In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- evaluate the request to determine the extent and nature of the amendment requested.

The Comprehensive Plan indicates this corridor as appropriate for Mixed Uses. There is no development plan to evaluate as this request is to only rezone the property. Any changes will require a full review by staff to determine the extent and nature of the changes. Any change shall comply with the purpose, uses and development standards of the RB Zoning District prior to development.

To make a positive recommendation, the Commission must determine that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to the Commercial Highway District would allow land development that would be compatible with and not detract from the surrounding area.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Mixed Use." Mixed use is a very broad category, which supports high density residential and commercial development. Staff has determined this request complies with the 2016 comprehensive plan.

Senior Planner Spendlove stated upon conclusion should the Commission is asked to make a recommendation to the City Council on this request

Senior Planner Spendlove stated the second portion of the request is to vacate a 15 foot public utility easement along the eastern boundary and a sign easement on a triangular parcel identified as Tract A. All other utility easements along Harrison St N. and Canyon Falls Dr. will remain in place. The applicant has purchased this tract and the adjacent 60' x 435' +/- parcel and wishes to develop a commercial business at this location. The purpose of vacating the easement is to allow a building to be constructed across the lot lines as seen in the applicant's site plan. The sign easement to be vacated is a private easement for a sign advertising the residential development which is currently not built. Staff has received all the required letters from the utility companies and governmental jurisdictions as well as the required letter for the sign easement, all in agreement for vacation thereof.

Senior Planner Spendlove stated upon conclusion should the Commission recommend to the

City Council, this request be granted as presented, staff recommends approval be subject to the following conditions:

1. 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

Motion for 6c-ZDC

Commissioner Grey made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended Approval to City Council, As Presented

Motion for 6d-VAC

Commissioner Hawkins made a motion to recommend approval of the request, as presented. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

Recommended Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

- e) Request for consideration of the **Revocation of Special Use Permit#1432**, granted to Acorn Learning Center on May 23, 2017 to operate a private school offering pre-school through 5th Grade in a portion of an existing professional office building on property located at 493 Eastland Drive. c/o Wali Fedaie (app. 2910)

This item was withdrawn and moved to general public input. See general public input for discussion related to this item

- f) Request for the Commission's recommendation on a **Zoning Title Amendment** to add "Wedding Chapel and Event Center" to the SUI Zoning District: 10-4-2.2 (B) 5, to allow by Special Use Permit and to add the definition of "Wedding Chapel and Event Center" to Title 10; Chapter 2; Definitions. c/o BB55, LLC(app. 2911)

Applicant Presentation:

Dave Thibault, EHM Engineer, Inc., representing the applicant, stated that the code presently identified uses allowed and permitted, however wedding chapel and event centers are not listed in the code. they would like to add this particular use to the code section as a special use item and they have seen these types of amendments have been made in other sections of the code and they ask for a positive recommendation for the request.

Staff Presentation:

Senior Planner Spendlove reviewed the request and stated the R-1 43,000/SUI zone is located within the Area of Impact. The purpose of this zoning 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.

This request is to amend City Code 10-4-2; SUI Zoning District, to allow by Special Permit, Wedding Chapels / Event Centers. The SUI Zone lists the following permitted uses: farming in the form of animals on pasture, trees and plants, and intense agriculture on parcels 5 acres or larger. However, there are limited commercial uses listed under Special Uses, attachment #3.

The applicants state there are limited options for large gathering places for more than 200 people on properties located within this zoning district. This request looks to expand the special uses by adding Wedding Chapels/Event Centers, with a minimum of 3 acres, and meeting specific development standards with regards to fire, water, parking, landscaping, lighting, storm water retention, etc... Approval of this request would amend City Code 10-4-2 as listed below.

1. **10-4-2.1: PURPOSE:** This district is intended to preserve the rural integrity of areas adjacent to the city. (Ord. 2796, 6-14-2004)

10-4-1.2: USE REGULATIONS:

...

(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. Public Assembly:
 1. Auditoriums
 2. Religious facility.
 3. Schools – public.
 4. [Wedding Chapel/Event Center with 3 acres or more.](#)

The addition of Wedding Chapel/Event Center into the Special Use category for the SUI zone could have some detrimental effects across the Area of Impact. However, staff feels that since this request places the use into the Special Use section, each request will be scrutinized based on the conditions of the property, and the proposed development on a case by case basis. This process will place a burden on the Commission to evaluate each request consistently, and mitigate each request for those impacts which contribute to detrimental effects in those

areas.

Lastly, if the Commission decides to approve the request, Staff recommends modifying the language to match the Use currently portrayed in City Code: *Wedding chapels and/or reception halls* this will alleviate some confusion within the code, and keep the land use consistent across Zoning Districts. Furthermore, a new definition would not need to be created at this time, as we would be using the terminology currently in use within City Code.

Senior Planner Spendlove stated upon conclusion the Commission may recommend the zoning title amendment as requested, recommend a modification of the amendment as presented (this may require another public hearing before the Commission), recommend with staff's modifications, or recommend the amendment be denied.

Public Hearing: Opened & Closed

Closing Statements:

Mr. Thibault explained he is in support of the Special Use Permit concept because there are some mitigating impacts to surrounding neighbors, and give the Commission some controls.

Discussion Followed: Without Concerns

Motion:

Commissioner Woods made a motion to recommend approval of the request, as presented. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

Recommended, Approval to City Council, As Presented

Scheduled for City Council Public Hearing January 8, 2018

7) Upcoming Meeting(s)

December 19, 2017 at 2:00 pm Work Session/Special Meeting for Public Hearing

January 3, 2018 12:00 pm Work Session/Special Meeting for Public Hearing

8) Adjournment

Lisa A. Strickland, Administrative Assistant