

May 31, 2018

The City Council of the City of Idaho Falls met in Special Council Meeting, Thursday, May 31, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 a.m.

Mayor Casper stated the purpose of the Special Meeting is to allow the Council to hear additional information that may impact decisions made at the May 24, 2018 Regular Council Meeting. She believes there may have been miscommunication between staff, the Community Development Services Director, applicants, and the Councilmembers. This information may result in the Councilmembers reconsidering their previous motions.

Call to Order:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember Shelly Smede
Councilmember John Radford
Councilmember Michelle Ziel-Dingman
Councilmember Jim Freeman

Absent:

Councilmember Jim Francis

Also present:

Brad Cramer, Community Development Services Director
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Regular Agenda:

Community Development Services

Subject: To Assign a Comprehensive Plan Designation of Planned Transition, Initial Zoning of LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Approximately 0.864 acres, Wallace Dairy

For consideration is the application to Assign a Comprehensive Plan Designation of Planned Transition, Initial Zoning of LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Approximately 0.864 acres NW ¼, Section 32, T 2N, R 38E, for the Wallace Dairy property. The Planning and Zoning Commission considered this request at its April 3, 2018 meeting and recommended approval with initial zoning of LC with the addition of a PT Overlay. Staff concurs with the LC zoning but does not concur with the addition of the PT Overlay. Recent amendments to the Zoning Ordinance have modified the development standards in the LC zone such that staff believes it is suitable for development adjacent to residential uses and the PT Overlay is unnecessary. Staff recommends approval of the Comprehensive Plan Designation of Planned Transition and Initial Zoning of LC.

Director Cramer stated this Special Meeting is also being held due to an ordinance error which was submitted to the City Clerk for inclusion on the May 24 Regular Council Meeting agenda. The action item on the agenda was to assign a Comprehensive Plan Designation as Low Density Residential, the action item should have been to assign a Comprehensive Plan Designation as Planned Transition (PT). Director Cramer indicated Low Density Residential has different implications versus Planned Transition and the application received for this area was never for PT Overlay. He indicated the P&Z had recommended the PT Overlay due to the timing of the application being considered at the April 4 P&Z meeting. This recommendation was prior to the new zoning ordinance which had not been approved by Council at that point. Staff recommended the PT Overlay in the event the new zoning ordinance was not approved, P&Z recommended the PT Overlay regardless. Director Cramer believes due to the new zoning

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ordinance being approved, the PT Overlay is not necessary. This will also align with the original application. Director Cramer also stated the Initial Zoning was incorrect on the agenda and should have been designated as Limited Commercial (LC). He briefly reviewed uses allowed in the LC zone. He indicated the main difference in the PT overlay limits hours of operation which would affect proposed businesses and existing businesses in the area. Director Cramer stated this is part of a City initiated annexation process and is currently a pending matter before the Council.

Councilmember Smede expressed her appreciation for this review. She reiterated the updated staff report and noted this is a timeliness issue for the applicant. She also indicated the LC was designed to be a zone which could function well near residential areas. Councilmember Freeman reiterated the hours of operation is a major change from PT to LC. Director Cramer stated standards have been written into City Code to address hours of operations.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to assign a Comprehensive Plan Designation of Planned Transition, and to approve the ordinance establishing the initial zoning for 0.864 acres NW ¼, Section 32, T 2N, R 38E as LC Zone under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said amendment to the Comprehensive Plan and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning Office. Roll call as follows: Aye – Councilmembers Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

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

ORDINANCE NO. 3191

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 0.864 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS LC LIMITED COMMERCIAL ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of LC, Limited Commercial, for 0.864 acres NW ¼, Section 32, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Freeman, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

Announcements and Adjournment:

There being no further business, the meeting adjourned at 7:44 a.m.

s/ Kathy Hampton

CITY CLERK

s/ Rebecca L. Noah Casper

MAYOR