

establishing the roles and responsibilities for the GIFT pilot project. The motion carried by the following vote: Aye - Councilors Hally, Radford, Francis, Dingman, Burtenshaw, Freeman. Nay - none.

E. Community Development Services

1) Downtown Parking Memorandum of Understanding between Idaho Falls Downtown Development Corporation (IFDDC) and the City of Idaho Falls.

The attached MOU is for management of downtown parking facilities. The parking spaces are public but managed by IFDDC. The agreement is a renewal for one year. This MOU also outlines fees to be paid for management services. Fees have increased \$10,000 over last year for additional facilities IFDDC has been asked to manage.

Community Development Services Director Brad Cramer appeared. He clarified a scrivener's error of the numerical spelling of the dollar amount. Councilor Francis stated this agreement is to protect the downtown businesses to ensure parking is available for their customers.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Downtown Parking Memorandum of Understanding between IFDDC and the City of Idaho Falls. The motion carried by the following vote: Aye - Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - none.

2) Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards, Skyline Manor Townhomes.

Attached is the application for the Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards for Skyline Manor Townhomes. The Planning and Zoning Commission considered this item at its June 1, 2021, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

No discussion occurred.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Development Agreement for Skyline Manor Townhomes and give authorization for the Mayor and City Clerk to sign said Final Plat. The motion carried by the following vote: Aye - Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay - none.

The motion was later amended as follows:

It was moved by Council Radford, seconded by Councilor Francis, to amend item E.2)1. to delete the words Final Plat. The motion carried by the following vote: Aye – Councilors Dingman, Burtenshaw, Radford, Hally, Francis, Freeman. Nay – none.

It was moved by Councilor Radford, seconded by Councilor Francis, to accept the Final Plat for Skyline Manor Townhomes and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried by the following vote: Aye - Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay - none.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Skyline Manor Townhomes and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay - none.

3) Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards, Sand Pointe Division 4.

Attached is the application for the Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards for Sand Pointe Division 4. The Planning and Zoning Commission considered this item at its April 6, 2021, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

No discussion occurred.

Per Mayor Casper, Director Cramer clarified the motion to approve the Development Agreement should not include 'sign said Final Plat'.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Development Agreement for Sand Pointe Division 4 and give authorization for the Mayor and City Clerk to sign. The motion carried by the following vote: Aye - Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay - none.

It was moved by Councilor Radford, seconded by Councilor Francis, to accept the Final Plat for Sand Pointe Division 4 and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried by the following vote: Aye - Councilors Burtenshaw, Hally, Radford, Dingman, Freeman, Francis. Nay - none.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Sand Point Division 4 and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Dingman, Burtenshaw, Francis, Freeman, Hally, Radford. Nay - none.

4) Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards, Fairway Estates Division No. 29.

Attached is the application for the Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards for Fairway Estates Division No. 29. The Planning and Zoning Commission considered this item at its June 1, 2021, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

It was moved by Councilor Radford to approve the Development Agreement for Fairway Estates Division No. 29 and give authorization for the Mayor and City Clerk to sign.

Councilor Francis questioned the number of remaining lots. Director Cramer stated the lots must be developed which includes utilities and the road. He also stated the correct number is included in the development agreement which is being recorded with the county. He indicated, per the development process, eight (8) lots are left before construction of the bridge is required. Per Councilor Burtenshaw, Director Cramer stated there is no timeframe to develop plats, however plats must be recorded within six (6) months. Per Mayor Casper, Director Cramer stated as development continues, per the preliminary plat, there must be an easterly exit from Fairway Estates which includes a bridge. Councilor Freeman clarified a bridge must be built by the developer, not the city. The motion was then seconded by Councilor Francis. The motion carried by the following vote: Aye - Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - none.

It was moved by Councilor Radford, seconded by Councilor Francis, to accept the Final Plat for Fairway Estates Division No. 29 and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried by the following vote: Aye - Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay - none.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Fairway Estates Division No. 29 and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Hally, Francis, Radford, Dingman, Burtenshaw, Freeman. Nay - none.

5) Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards, Good Harbor Subdivision.

Attached is the application for the Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards for Good Harbor Subdivision. The Planning and Zoning Commission considered this item at its April 6, 2021, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Development Agreement for Good Harbor Subdivision and give authorization for the Mayor and City Clerk to sign. The motion carried by the following vote: Aye - Councilors Freeman, Radford, Burtenshaw, Francis, Dingman, Hally. Nay - none.

Per Councilor Francis, Director Cramer stated any improvements are paid by the developer. He confirmed all access is from Valencia, there is insufficient space from Sunnyside for an access.

It was moved by Councilor Radford, seconded by Councilor Francis, to accept the Final Plat for Good Harbor Subdivision and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried by the following vote: Aye - Councilors Hally, Radford, Francis, Dingman, Burtenshaw, Freeman. Nay - none.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Good Harbor Subdivision

and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - none.

- 6) Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 40.96 acres, Southwest ¼ of the Northeast ¼ of Section 26, Township 2 North, Range 37 East.

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of LC, Limited Commercial Zone with Airport Overlay Controlled Development which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 40.96 acres, Southwest ¼ of the Northeast ¼ of Section 26, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its July 20, 2021, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record. She requested applicant presentation.

Kurt Roland, Eagle Rock Engineering, appeared on behalf of the developer. Mr. Roland stated this property will be called The Reserve at Snake River Landing. He noted the property is approximately 37 acres, the right-of-way (ROW) includes the remaining three (3) acres. Mr. Roland indicated the surrounding property and the existing property is A1 Zone, the request is for LC Zone. He identified the property on Pioneer Road.

Mayor Casper requested staff presentation.

Director Cramer appeared. He stated this is a Category A annexation request. He presented the following:

Slide 1 - Property under consideration in current zoning

Slide 2 - Comprehensive Plan Future Land Use Map

Director Cramer identified the current mixed-use zones.

Slide 3 - Aerial photo of property under consideration

Slide 4 - Additional aerial photo of property under consideration

Director Cramer stated the increase in the acreage is due to the platted ROW on Pioneer Road to connect with the existing portion of the city.

Slide 5 - Airport Overlay

Director Cramer stated there are no development restrictions other than height for this area.

Slide 6 - Photos looking east across the property

Per Councilor Freeman, Director Cramer believes the strip on the southeast side is a remnant piece of land, this strip is not a road. Councilor Burtenshaw questioned creating an island on the southern end. Director Cramer noted that specific parcel is different ownership from the parcel under consideration. Per Councilor Radford, Director Cramer stated utilities exist on each end of the property and in the immediate area. Also per Councilor Radford, Director Cramer identified the county parcels. Mayor Casper questioned the annexation of Pioneer

Road. Director Cramer stated, at a minimum, the property owner would annex the ROW adjacent to the property as part of the development, which is the vast majority of Pioneer Road. He noted the city has already annexed Pioneer Road to the north, this annexation is filling in the remaining gap of Pioneer Road. He also noted the responsibilities of the roadway will be identified at time of platting.

Mayor Casper requested public comment. No one appeared. Mayor Casper closed the public hearing.

Councilor Radford stated he has reservations of housing close to interstates although he realizes that's an individuals' decision. Councilor Francis believes this may be considered infill in the future. Councilor Radford stated he supports the road issues as this is problematic for Public Works.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the ordinance annexing 40.96 acres, Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 26, Township 2 North, Range 37 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. The motion carried by the following vote: Aye - Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay - none.

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

ORDINANCE NO. 3417

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 40.96 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation as previously described and give authorization for the Mayor to execute the necessary document. The motion carried by the following vote: Aye - Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay - none.

- 7)** Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of LC, Limited Commercial Zone with Airport Overlay Controlled Development, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 40.96 acres, Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 26, Township 2 North, Range 37 East.

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of LC with Airport Overlay Controlled Development which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 40.96 acres, Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 26, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its July 20, 2021, meeting and recommended approval of LC with Airport Overlay by a unanimous vote. Staff recommends the requested zoning of LC with Airport Overlay Controlled Development.

It was moved by Councilor Radford, seconded by Councilor Francis, to assign a Comprehensive Plan Designation of “Higher Density Residential and Medical Service Centers” and approve the Ordinance establishing the initial zoning for LC with Airport Overlay Controlled Development as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request 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 annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office. The motion carried by the following vote: Aye - Councilors Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay - none.

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

ORDINANCE NO. 3418

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 40.96 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS LC, LIMITED COMMERCIAL ZONE WITH AIRPORT OVERLAY CONTROLLED DEVELOPMENT ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of LC with Airport Overlay Controlled Development and give authorization for the mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay - none.

- 8)** Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 13.43 acres, Southeast ¼ of Section 30, Township 3 North, Range 38 East.

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of R2, Mixed Residential with Airport Overlay which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 13.43 acres, Southeast ¼ of Section 30, Township 3 North, Range 38 East. The Planning and Zoning Commission considered this item at its April 6, 2021, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record. She requested applicant presentation.

Blake Jolley, Connect Engineering, appeared. Mr. Jolley stated as Planning and Zoning (P&Z) reviewed and Council approved the Comprehensive (Comp) Plan amendment several months ago, the amendment adjusted this area and the intersection to the east. He also stated the zoning request is R2, which is the current zone of the adjacent property in the county as of this date.

Mayor Casper requested staff presentation.

Director Cramer appeared. He stated this is a Category A annexation request with R2 zoning. He presented the following:

Slide 1 - Property under consideration in current zoning

Director Cramer stated this property is contiguous to the southern property.

Slide 2 - Comprehensive Plan Future Land Use Map

Director Cramer stated, per the Comp Plan map included in packet, that lower density was true several months ago although since that time the Council voted to amend the Comp Plan map in this area specifically as a result of this application. The zoning was changed from lower-density residential to a mix of higher-density, employment center, and commercial. Director Cramer stated this changes the anticipated land uses near this area, the requested R2 is consistent with the Comp Plan, and this intersection was identified as a walkable center with neighborhood services. Director Cramer identified this area near the Sage Lakes Golf Course and west of the intersection of Lewisville Highway and 65th N.

Slide 3 - Aerial photo of property under consideration

Director Cramer stated there is single-family housing to the southwest, some larger lot development adjacent to this parcel, and a platted division to the southeast.

Slide 4 - Additional aerial photo of property under consideration

Slide 5 - Area of Impact (AOI) Map

Director Cramer stated Category A can legally be annexed outside of the AOI, noting this parcel is currently outside of the AOI. He also noted this map is the proposed AOI map that was previously proposed to the county. He explained, per the AOI map, arterial roadways are not good jurisdictional boundaries, and the boundary line was proposed to move beyond the arterial to allow development as well as a transition to the county. He noted this boundary line is on 65th N but not Lewisville Highway due to the lack of utilities.

Slide 6 - Utility Map

Director Cramer stated sewer and water are currently just west of the golf course, and power is in this area. He also stated a developer is actively replating the area but utilities are not currently in the ground.

Slide 7 - Photos of the property, including the canal

Per Councilor Freeman, Director Cramer stated State law allows crossing bodies of water, roadways, and highways for annexation as being contiguous. He also stated staff prefers to pick these up whenever possible to eliminate the question of contiguity. Per Councilor Francis, Director Cramer does not believe the city has gone beyond the AOI in the previous four (4) years for annexations. Also per Councilor Francis, Director Cramer stated services would have to be developed per county standards if not annexed, including a possible community water system, septic services, and Rocky Mountain Power (RMP). Per Councilor Burtenshaw, Director Cramer stated there are no legal ramifications for a Category A annexation outside of the AOI as long as the property is contiguous. Per Councilor Radford, Director Cramer stated the roadway will become a city roadway.

Mayor Casper requested public comment. No one appeared.

Per Councilor Francis, Mr. Jolley believes the best use of the property would be to develop inside the city due to the available utility services.

Mayor Casper closed the public hearing.

Councilor Radford noted this piece of property was previous property within his family and he's personally excited to see this property annexed. He stated he prefers to limit annexations on the fringes although he wants to ensure there are walkable centers that have livable corridors and have commercial opportunities. He believes the opportunity to surround the golf course with city property makes sense. He reiterated he's committed to slow the process of growing the fringe as he does not believe funds will be available in future years for sewer lines and roads at the current rate of growth. Councilor Francis believes the city is committing to precedence if the city goes beyond the AOI although he believes the better service is the city service. Councilor Freeman believes this may be an opportunity to show that the AOI should have been expanded. He also reiterated this is a Category A annexation, this annexation is not being forced. Councilor Burtenshaw believes there is no AOI on this lot as the boundary is right on the city line. She believes this piece should be brought into the city. Councilor Hally stated he is pleased to see development on this side of the city. He would prefer commercial development in this area although he believes commercial development will follow residential development. He indicated there is a 10% premium on housing or structures surrounding the golf courses. Mayor Casper believes Category A annexation connotes the property owners' will, and those property rights should be respected.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the ordinance annexing 13.43 acres, Southeast $\frac{1}{4}$ of Section 30, Township 3 North, Range 38 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. The motion carried by the following vote: Aye - Councilors Burtenshaw, Hally, Radford, Dingman, Freeman, Francis. Nay - none.

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

ORDINANCE NO. 3419

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 13.430 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Radford to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation as previously described and give authorization for the Mayor to execute the necessary documents. Councilor Francis noted the Reasoned Statement of Relevant Criteria and Standards should be amended to not include line 3 regarding the AOI. It was then moved by Councilor Radford, seconded by Councilor Francis, to amend the motion to

strike line 3. that states the property is within the city's Area of Impact. The motion carried by the following vote: Aye - Councilors Dingman, Burtenshaw, Francis, Freeman, Hally, Radford. Nay - none.

- 9) Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of R2, Mixed Residential with Airport Overlay Approach Surface, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 9.8604 acres, Southeast ¼ of Section 30, Township 3 North, Range 38 East.

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of R2 with Airport Overlay Approach Surface which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 9.8604 acres, Southeast ¼ of Section 30, Township 3 North, Range 38 East. The Planning and Zoning Commission considered this item at its April 6, 2021, meeting and recommended approval of R2 with Airport Overlay by a unanimous vote. Staff concurs with this recommendation.

It was moved by Councilor Radford, seconded by Councilor Francis, to assign a Comprehensive Plan Designation of "Higher Density" and approve the Ordinance establishing the initial zoning for R2 with Airport Overlay Approach Surface as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request 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 annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office. The motion carried by the following vote: Aye - Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - none.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:
ORDINANCE NO. 3420

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 13.430 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS R2, MIXED RESIDENTIAL ZONE WITH AIRPORT OVERLAY APPROACH SURFACE ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R2 with Airport Overlay Approach Surface and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay - none.

- 10) Public Hearing: Amendment of Title 11 of City Code, Requiring Neighborhood Meetings for Certain Land Use Applications.

For consideration on the regular agenda is an ordinance requiring a neighborhood meeting to be held prior to applications for preliminary plats, planned unit developments, rezones, and conditional use permits. The neighborhood meeting gives the developer an opportunity to share their development concept with the community and allows neighbors to ask questions

and to discuss concerns related to the development proposal prior to the Planning Commission public meeting. This ordinance was considered by the Planning and Zoning Commission at its August 3, 2021 and recommended for approval by a 3-1 vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record. She requested staff presentation.

Director Cramer appeared. He stated this item was discussed in a previous (September 7, 2021) Work Session. He also stated preliminary plats are the exception for a quasi-judicial hearing and therefore is not required by the State. He noted this ordinance amendment would do away with the public hearing for preliminary plats, which typically occurs only at P&Z, although it does not do away with the right for a public hearing as State code preserves the right for citizens to hold a public hearing with submittal of a petition. A public hearing must be considered with one (1) signature, and a public hearing would be required if the petition has 20 signatures. Director Cramer stated neighborhood meetings would be required to be held prior to an application being submitted to the city. He explained that an application to the city requires so much detail, especially with a preliminary plat, that a significant amount of time and money has already been invested into the plan. The idea for the neighborhood meeting is to allow a realistic timeframe for any changes that can be made to the plan prior to an application being submitted. Director Cramer stated, as part of the application process, the applicant would have to submit proof of the neighborhood meeting, notes from the meeting, and demonstrate how concerns raised or requested changes were/were not addressed. Councilor Francis expressed his concern per the P&Z notes referring to the role of the P&Z as he realizes the amount of volunteer time by the P&Z. However, he stated he is in favor of developers showing their proposed ideas to calm individuals' fears. Director Cramer commended the P&Z for their dedication and their decision making and recommendations. He believes the P&Z would only potentially lose the public hearing for a preliminary plat as the normal part of the process. The P&Z would still hold hearings for the other items, and they are the primary recommended body for the Council. Director Cramer stated this is one small thing for the P&Z. He also stated the hearings could still be held with P&Z. Mayor Casper indicated P&Z would continue to approve plats, meeting notes would be used versus a hearing as a basis for their decision. Mr. Kirkham stated the P&Z decision making is limited, the P&Z is making sure the plat meets the conditions in the current subdivision code. He also stated instead of P&Z receiving direct public input, they would receive notes from the neighborhood meeting as well as motions from the public to have a hearing. He reiterated hearings would still be required if requested. Councilor Burtenshaw expressed her concern for the developer potentially not giving accurate information or misrepresenting information from the neighborhood meeting to P&Z and the only way to address any concerns would be to pay for an appeal. She suggested a slower start versus immediately cutting the public out of the process that they have been used to. Mr. Kirkham clarified a fee would not be required for an appeal. He explained the Section in the proposed ordinance for a petition. Director Cramer explained the appeal period. Council President Dingman believes the neighborhood meeting

adds a new layer of communication and requirement for the developer and this is a reasonable hurdle in a transitional time which could be reviewed in the future. She also believes the city wants to encourage relationship building and wants to discourage discontent and she is hopeful the neighborhood meetings will create a relationship and will solve problems in advance although she does not understand the additional layer for someone to express their concern or opinion. Mayor Casper believes communication is needed due to some hearings only covering a narrow scope and homeowners are not getting a chance to say anything satisfying because they don't get a response and there is no dialogue. Per Mayor Casper, Director Cramer stated the neighborhood meeting concept is not new, several communities hold these meetings, and the Comp Plan has recommended a process since 1995 to involve neighbors early in the development process. He also stated this particular model is mainly based off Lewiston/Moscow Idaho, although the city process is simpler. He clarified the neighborhood meeting is not to cut off the public comment as he indicated staff works really hard to hear from the public. He also indicated the concern with preliminary plat hearings is they are setting up false expectations. He noted research from Assistant Planning Director Kerry Beutler regarding the 24 preliminary plats since 2016 indicated P&Z has no control over or the ability to adjust any of the issues identified including lot sizes, traffic patterns, or housing types which creates frustration on both sides. He indicated staff was trying to take that element of frustration somewhere else where these issues could be talked about and to simplify the overall process while not adding another layer on both sides. Mayor Casper apologized if she mis-spoke. Councilor Radford indicated he and Councilor Francis worked on this proposed ordinance for a year to try and find a solution to the frustration. He believes the neighborhood meeting could benefit the developer and could help the process. Per Mayor Casper, Director Cramer stated a guidebook has been developed for more than a year that describes the process, including minute-taking. He indicated the developers who have been doing neighborhood meetings have had far more success at the public hearings throughout the process as the neighbors believe they were heard. He also indicated smart developers will make requested changes as best that they can. He believes if a developer shows up with poor minutes, and a room full of individuals are clearly not happy, those individuals will not accept that and they have the right to request a hearing. He also believes the P&Z will not accept shoddy minutes. Per Council President Dingman, Director Cramer explained the public hearing request by one (1) individual and the requirement by 20 individuals. Councilor Burtenshaw stated she doesn't want to take that extra step at this time although she expressed her appreciation for the neighborhood meeting. She believes if the neighborhood meeting is presented well the developer should have success at the P&Z. Director Cramer stated a developer must go to P&Z regardless, the difference is the process as a business item can move quickly, where a public hearing, which requires advertising, is a more complex process which is causing a delay up front. Mayor Casper believes being pro-development is understanding that time is money. She also believes the neighborhood meeting may streamline the process and may speed up the timeframe by several weeks. Per Councilor Francis, Director Cramer stated P&Z has several options if they are dissatisfied with a request. Mr. Kirkham reiterated the public hearing is to verify the plat meets the conditions of the city's zoning and subdivision ordinances. Councilor Burtenshaw believes the public hearing is a way for similar comments to

possibly change the subdivision code over time. Per Councilor Radford, Mr. Kirkham stated public hearings are required per the Local Land Use Planning Act (LLUPA) to change the subdivision ordinance or zoning codes which is the opportunity for individuals to comment and weigh in. Councilor Radford believes the subdivision code may need tweaked more often and regularly. He also believes hearing from the public helps the Council make good decisions moving forward. He noted the Council will still hear controversial issues. Council President Dingman referenced the paragraph in Section 2 (C) regarding a Petition for Public Hearing, stating this paragraph is not clear. Mayor Casper believes this language could be clarified.

Mayor Casper requested any public testimony.

Blake Jolley appeared. Mr. Jolley stated he is asked regularly by developers how fast a project can be completed. He believes this ordinance may speed up the process, which would be much appreciated by the development community. He questioned if a neighborhood meeting is held, and a petition is granted between the 6-week period, this process would be extended another six (6) weeks per project. He believes most projects, realizing this would only be for preliminary plats, would receive a petition and, therefore, the project would be extended to 12 weeks. Councilor Burtenshaw believes an automatic hearing would allow six (6) weeks and not the additional six (6) weeks. She questioned if this would be to the advantage of the developer. Director Cramer believes an appeal could delay a project, noting P&Z typically only meets once a month. Per Councilor Radford, Director Cramer stated there have been five (5) appeals per the 24 preliminary plats since 2016. Mr. Jolley reappeared. He stated he appreciates the opportunity for a neighborhood meeting, even if this means an extra step for the developer, as he believes a lot of concerns can be addressed and resolved. He noted not all concerns/changes have to be done if they meet the minimum requirements of the subdivision ordinance. He also believes the neighborhood meeting could occur between the time of application and the actual hearing. Per Councilor Radford, Mr. Jolley would prefer the predictability of six (6) weeks.

Mayor Casper closed the public hearing.

Mayor Casper reviewed options available to the Council. She expressed her concern that if this ordinance is tabled, that follow-up discussion and decision occur before year end due to the new development season which would allow ample community training. Brief discussion followed regarding potential motions. Mr. Kirkham stated if Council does not approve the ordinance, it would be helpful that Council provides specific language. Councilor Burtenshaw prefers to table the ordinance with some direction for staff. Councilor Francis believes all statements for the neighborhood meeting are good, he also believes the wording for an appeal may need clarified. Per Mr. Kirkham, Council is in favor of the requirement for a neighborhood meeting. Following additional discussion, it was moved by Councilor Radford, seconded by Councilor Francis, to table the item with a date certain for discussion at a Work Session with approval at the following City Council Meeting, and whether to automatically hold a public hearing or should it be not part of the process. Mr. Kirkham indicated he would provide two (2)

options of the proposed ordinance. It was clarified that legal staff and Community Development Services will need to modify the section referring to what happens after the neighborhood meeting. Mayor Casper stated Council needs to be prepared to discuss the layering of a new requirement on top of the existing process and if that is a good idea. She believes in some cases this may be good, although this also may add another process for developers. Councilor Hally believes some developers may not mind a neighborhood meeting as it may save some time and there is still a chance for a public hearing. Councilor Burtenshaw expressed her concern for the potential of 12 weeks. Councilor Francis believes this needs to be written to meet the need for consistency and efficiency. Per Mayor Casper, Mr. Kirkham stated amended versions of the ordinance will be written and presented to Council. It was then moved by Councilor Radford, seconded by Councilor Francis, to table this item and move as quickly as possible per the directors and liaisons based on content of the discussion. The motion carried by the following vote: Aye - Councilors Hally, Francis, Radford, Dingman, Burtenshaw, Freeman. Nay - none.

7. Announcements.

Councilor Radford announced that events are occurring each weekend at the zoo. Mayor Casper announced forums are occurring for the City Council and Mayoral races in the coming weeks.

8. Adjournment.

There being no further business, the meeting adjourned at 10:54 p.m.

Kathy Hampton, City Clerk

Rebecca L. Noah Casper, Mayor