

September 7, 2021

7:00 p.m.

Planning Department

City Annex Building

**MEMBERS PRESENT:** Commissioners Brent Dixon, Natalie Black, Lindsey Romankiw, Joanne Denney, Gene Hicks, George Morrison, Margaret Wimborne, Arnold Cantu.

**MEMBERS ABSENT:** none.

**ALSO PRESENT:** Assistant Planning Director Kerry Beutler, and planners Naysha Foster and Caitlin Long, and interested citizens.

**CALL TO ORDER:** Brent Dixon called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:** Hicks moved to approve the Minutes from August 3, 2021 with two minor corrections, Denney seconded the motion and it passed unanimously.

**Public Hearing (s):**

**1. ANNEX 21-012: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of HC and LC for 37.85 Acres.**

Dixon opened the public hearing.

**Applicant: Blake Jolley, Connect Engineering, 1150 Hollipark Drive, Idaho Falls, Idaho.** Jolley presented that the property that is located on the west side of I-15 and North of Sunnyside, adjacent to the Sleep Inn Hotel. Jolley indicated that the property is adjacent to a HC zone on the southeast side and the eastern side, and adjacent to LC and County on the north. Jolley requests on behalf of his client to have the subject property that is almost 38 acres, annexed and initially zoned with HC and LC, with the LC on the back of the property to the north and the HC will along Sunnyside on the south of the property. Jolley indicated that this request of HC and LC is in compliance with the Comprehensive Plan.

Dixon asked about the gravel pit/hole in the ground on the southwest corner. Jolley indicated that it is basically a storm pond/hole in the ground at this point.

Long presented the staff report, a part of the record.

**Support/Opposition:**

**Frank Ohn, 3190 W 33<sup>rd</sup> South, Idaho Falls, Idaho.** Ohn owns the property. Ohn clarified that the gravel pit/hole that Dixon asked about, that it was an old gravel pit in 1952 and the County took gravel out when they rebuilt the road years ago, but other than that it was a wastewater catch when they gravity watered. Ohn asked that the City annex and zone the property so he can sell it.

Dixon closed the public hearing.

Wimborne is pleased with this proposal and feels it is straight forward and a good fit for the area to annex these properties on the fringe.

**Wimborne moved to recommend to the Mayor and City Council approval of the Annexation of 37.85 Acres SW ¼ of the SE ¼ Sec 27, T2N, R37E, with initial zoning of HC and LC with Airport Overlay Zone, Black seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The motion passed unanimously.**

**Business:**

**2. PLAT 21-026: FINAL PLAT. Final Plat for Sand Creek Estates Division No. 3.**

**Applicant: Blake Jolley, Connect Engineering, 1150 Hollipark Drive, Idaho Falls, Idaho.** Jolley learned with this application that they do not have to continue to use the plat numbers in order. Jolley stated that they have done Division 1, and according to the preliminary plat this is Division 3, so they are calling it 3. Jolley indicated that east of Sand Creek 1 is Sandstone, S 15<sup>th</sup> East on the west, and Sandy Downs to the south ½ mile. Jolley is asking for the 3<sup>rd</sup> Division to be approved with some additional lots to make a connection to a road for both subdivisions out to S. 15<sup>th</sup> East.

Dixon noted that there is a curve in the road to calm traffic and he offered his appreciation therefor.

Long presented the staff report, a part of the record.

Dixon asked about the requirement for corner lots being 10% larger than the average lot and how it applies in cases like this with the smaller lots on the upper left, and medium sized lots on the left and to the right are large lots. Long stated that the corner lots only apply to lots that are not on a cul-de-sac or an unusual, shaped lots. Long pointed out the two lots that would fall under the necessity to be 10% larger.

**Romankiw moved to recommend to the Mayor and City Council approval of the Final Plat for Sand Creek Estates Division 3, Hicks seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The motion passed unanimously.**

**3. PLAT 20-046: FINAL PLAT. Final Plat for East River Estates Division No. 1.**

**Applicant: No applicant appeared.**

Foster presented the staff report, a part of the record.

Dixon asked about the distance between W 33<sup>rd</sup> N and Pevero, as it doesn't appear that there is a way to get east off of East River Road. Foster is unsure of the distance, looks to be ½ -3/4 mile. Dixon asked if staff has a problem with cul-de-sac's laying straight on to an arterial. Foster stated that N. 5<sup>th</sup> West is an arterial and there is nothing that would prohibit the developer from doing this layout as presented as it meets the requirements of the Subdivision Ordinance. Foster added that this plat has been reviewed by Foster, Public Works, Engineering, and so far, no one has found any issues besides minor technical comments. Dixon asked if Staff has concerns as far as how to get to the interior property off of the major arterials going east. Foster stated that they are not concerned as it goes to a gravel pit to the east that is owned by HK and the City of Idaho Falls, and there is no need to connect.

**Hicks moved to recommend to the Mayor and City Council approval of the Final Plat for East River Estates, Division 1, Romankiw seconded the motion. Dixon called for roll call vote: Black, yes; Cantu, yes; Denney, yes; Hicks, yes; Morrison, yes; Romankiw, yes; Wimborne, yes. The motion passed unanimously.**

**Miscellaneous:**

**Comprehensive Plan Update.**

Cramer wanted to update the Commission on the next steps and get feedback from the Commission. Cramer indicated that the Goal for staff is to walk through the next steps to get a public hearing by Mid-October. Cramer asked if there are enough members to have a meeting on October 19 to only have the Comprehensive Plan Public Hearing. Natalie Black cannot make the meeting on the 19<sup>th</sup>. Wimborne can make the meeting on the 19<sup>th</sup>. Morrison can make a meeting on the 19<sup>th</sup>. Cantu can make a meeting on the 19<sup>th</sup>. 3 Commissioners in the room are available for the meeting on the 19<sup>th</sup> as well. Cramer wants to have the document to City Council in November or December and have it adopted by the end of the year.

Cramer summarized the document walking through sections and talking about highlights.

Cramer stated that they tried to tie the plan to the history of Idaho Falls where they summarized periods of growth and highlights and most important Idaho Falls is a community that uses its resources including Ag, water, energy. Cramer included what the public believes the City is, including small town, good place to work, friendly, good place to live, and the proposal is trying to maintain those values.

Cramer reminded the Commission that the Comprehensive Plan has seventeen elements that the State requires them to address, and they will have an icon that identifies which element is being dealt with throughout the document.

Cramer indicated that the Plan is tied to the City's Strategic Plan. Agnew Beck was hired from Boise to help design the public outreach and at the same time they were hired to do a Strategic Plan with the intention that if they were done together, they could work together. Cramer stated that the Strategic Plan is an internal document for the Mayor, City Council and tier one leadership and it directs how the organization is supposed to operate. Cramer stated that the Comprehensive Plan makes references to the Strategic Plan and show that they are trying to accomplish the same things in the comprehensive plan as the City as an organization is trying to accomplish in its plan.

Cramer went through the triangle slide showing that the broader the triangle the more discretion the City has and as it gets narrower the less discretion the City has.

Cramer went through methodology showing the research, data collection and this time they added department interviews and tried to ask every single department what concerns them about growth and that was extremely helpful in introducing new thoughts and thinking about things in different ways and hopefully they will coordinate more inter-departmentally in the future.

Cramer stated that the community engagement included open houses, two surveys, meetings, and they received a lot of response and Cramer is happy with how it turned out.

Cramer stated that how the City grows matters financially to the City and taxpayers and good growth saves everyone money in the long run as it is expensive to have sprawling growth with lots of miles to maintain. Cramer stated that they looked at scenarios at what the City would look like in 10 years if they stayed at the same growth rate in terms of population and land consumption; scenario that is slightly accelerated; and scenario where there was a double in population. Cramer stated that if they don't start thinking about how land is used and developed the City will need to find a lot of acreage to continue to grow at the current rate. Cramer stated that the census number for 2020 show that the discussion and push to do infill has shown in the last 10 years, showing that the population grew faster in the last decade and the land consumption was cut in half. Cramer explained that the 14.8% growth in land includes all of the City initiated annexations, and property the City owns including fields, and landfills.

Cramer stated that they are trying to move away from high density/low density/ employment center, etc., and instead be very descriptive on how things work. Cramer introduced the transects and the diagrams of what the transect could look like, as well as the table showing intensity and density and how it would work, etc. Cramer stated that right now they are very specific about what low density means (i.e. single-family homes, single lots, 7 units or less per acre). Cramer stated that they have nothing in the middle, so instead of being so specific about the land use, they want to be more general in a variety of things that could be found in the area, and suburban doesn't only mean single unit dwellings, but a variety of things, in a lower intensity and scale. Cramer stated that the map will look very different with fewer colors, smaller due to the commitment that was made with the County during the Area of Impact discussions, and a significant reduction in yellow. Cramer stated that this new map will put a higher priority on general urban which is a little more intense and a bigger variety of housing types and that was supported in large part by the surveys and meetings.

Cramer state that the Imagine IF section has a write up on each of the five themes. Accountable implementation was a big goal that was a recommended best practice from the American Planning Association. Cramer stated that to hold that accountability they changed the idea and created a table in each of the themes that gives a theme on the left-hand side, issue listed (things that heard in public outreach, meetings, surveys, research), objectives/goals, actions, time frame, cost, action type.

Cramer stated that the areas are too big to be though of as neighborhoods and so they will go back in and define what the neighborhoods are in the community. Cramer stated that the sections are not fully baked and developed neighborhood plans, like the Downtown Plan, but rather first steps to guide the conversations with neighborhoods. Cramer stated that they will continue to engage with the community as an ongoing program with his department. Cramer stated that the areas will have write ups for the three themes (Housing, Transportation/Connectivity, Community health). Cramer showed a sample map for an area that shows what is happening on the ground showing parks, schools, pathways built, pathways planned, major roadways, infill sites, walkable centers, large tracts of greenfield.

Cramer stated that they will make progress on the plan part of the annual report, and they will annually review the plan for updates in minor ways and major updates every 3-5 years with an ongoing citizen engagement process.

Wimborne stated that she loves the examples of what different kinds of zoning looks like. Wimborne stated that when they discuss R1 they have an idea of a house on a lot in a subdivision

and that is not what R1 is. Wimborne stated that the description of the growth philosophy and local examples of what the neighborhoods look like and the graphic where the transect is shown is more helpful than what they have been doing in the past by simply stating R1 or R3. Wimborne feels that giving a sense of what it actually looks like will make a huge difference. Wimborne stated that the graphics show where urban and suburban development will go, and people can go and look and see what that looks like so there are not as many surprises when a mixed use like R3 is proposed in established areas. Wimborne feels it makes the process more accessible and useful by giving people better information.

Hicks believes the Plan is extremely well prepared and flows to make sense on what is currently on the ground and what could be coming. Hicks feels the Plan cleared up the idea that the Area of Impact Boundary is big enough and its time to fill it in and add in some services south of town in the developed areas. Hicks asked if there are any documents that defines land that is available for development. Cramer stated that short of the zoning map that either shows a color or no color there is nothing more. Cramer stated that the action plans show creating an inventory of developable land that the Economic Development Administrator can use. Cramer feels it would be valuable to have a list of “shovel ready” projects to show people.

Dixon stated it was interesting to see the descriptions of some of the areas based on when they developed and how that ties areas together, like Area 1 and 2, however area four seemed off on that with the oldest part and some of the newest parts. Dixon asked if it would make more sense to have an outer layer, rather than bringing the spoke from Downtown all the way to new development around the golf course. Cramer stated that it became clearer to staff the more they got into it, that it might work, but he is not sure how to address it at this point. Dixon stated that area two is up against other municipalities and so area 2 can be finalized. Dixon feels that in the planning looking forward they need to work out how to fill in between the City and the neighbors on the east. Dixon stated that the generic future suburban/urban development appears to apply to anything that is bear ground. Cramer agreed that is undeveloped ground. Dixon stated that area one is heavily developed and there is very little fill in and it would be more redevelopment so they would need to plan redevelopment for the future. Dixon stated that area five would be planning for initial development. Dixon doesn't feel that there is a sense of difference between the two plans.

Romankiw asked if the Greenbelt will be in transect 1. Cramer agreed that the greenbelt will be considered parks and open space.

Wimborne loved in the action plan summary some of the actions that have been identified are ways to expand and increase the open spaces for future parks and creating the storm pond standard so they can be used as open spaces.

Denney loves the structure of the document and felt it was easy to follow. Denney loves the action plan portion. Denney asked if there will be any due dates, or dates to look towards for actions to be finalized. Cramer stated that they plan to describe those with generic terms like short would be 1-2 years and then they would need to report, so if they hit year 3 there is a list of things that are short that haven't been started, they would need to be questioned on those items. Cramer stated that they could consider having specific due dates.

Dixon stated that the action areas have some actions that are the same in multiple areas and questioned if there is a way to flag those, so it is more obvious that it is a city-wide thing rather

than just in that area. Cramer stated that Dixon should highlight the ones that are jumping out to him, and also reminded Dixon that when the document is more structured and laid out the tables won't be together so the City-Wide Table will be its own thing, and it will feel less repetitive. Cramer added that the same action could mean something different in a different area. Cramer asked Dixon to highlight the repetitions. Dixon asked how the Planning Commission can use this document as it makes the point up front that it is not binding and not a legal requirement, but rather a guideline. Dixon asked with the ideas that are so great within the document, how can the Planning Commission cause those ideas to happen when individual property owners bring in what they want to develop and per the zoning code they are allowed to even though it doesn't address any of the idea in the Comprehensive Plan. Cramer stated that they are debating whether they try to adopt this document by the end of the year or wait until the codes have all caught up and pass the plan and the codes at the same time. Cramer feels that they should get the plan adopted and then push hard to make appropriate changes to make the good ideas regulatory and not just fluff in the plan. Dixon stated that there are the actions and then there is the question as to who would do the actions, and they could look through the actions and see who would be the lead on these actions. Cramer agreed that they could look at assigning a lead organization or group. Dixon asked if someone comes and asks to change a zone then the Commission could look and see if it is heading in the right direction of the Plan but questioned whether that could be a binding reason to support an application or recommend denial. Kirkham stated that the Comprehensive Plan is the policy that they should be looking at when they have a zoning decision to make. Kirkham stated that if someone came in with an application for a rezone, the Commission can look at the principles in the Comprehensive Plan and use that to guide their decision making on what the zone should be. Kirkham stated that if someone brings in a plat that they want to do, then the Comprehensive Plan is not the document to look at to guide that decision, but rather the zoning code. Dixon asked if they are talking about making areas more walkable and in the plat, they want them to add pedestrian pass throughs would the Comprehensive Plan be the document to guide that decision if the requirement is not in the zoning code. Kirkham stated that if it is not in the zoning code then there is a problem because the zoning code or subdivision ordinance is going to be the law that applies, so if you go outside of the zoning code the Supreme Court of Idaho says then you are creating new zoning law on the spot which violates 5<sup>th</sup> Amendment Right to due process. Kirkham stated that the appropriate place to decide paths and connections is now in the Comprehensive Plan so that when the zoning code is rewritten the mechanism is there to guide the decision on what future zones should be and then the future zones can be adopted. Kirkham stated that the larger conceptual goals should be in the Comprehensive Plan and that should guide what the zoning code looks like, but the zoning code is the actual law that will apply. Dixon asked if there is something in between the two like a master walkability plan that is more detailed than the Comprehensive Plan, but that the zoning code could say that it needs to be consistent with this bigger plan. Kirkham stated people looking at their property need to know what they can do and be able to anticipate when they are reading the zoning code that they would have to build a path into the proposal. Cramer stated that there is the Connecting Our Community Pathway Plan that is very detailed and it is being updated right now, and one of the recommendations in the zoning code will require that if you have a plat that touches or includes any one of the pathways that you have to build the pathway as the developer.

Morrison has sent in his comments.

Cantu feels the document is well put together and easy to understand. Cantu asked about public transportation and what the plan is for that. Cramer stated that public transportation is identified as a need and a priority, and they will continue to support GIFT which is the new entity that replaced TRPTA.

Dixon asked what else is still to come in the document that is not before them. Cramer indicated that they have the content it will be rearranged. Cramer stated that currently they are viewing the summary, and, in the end, they will assemble them together by theme or by area. Dixon asked Cramer to explain the map that is detailed for each area. Cramer stated that there are major roadways identified, major features, special districts are identified (like airport), call out future large tracts of land for future development, infill sites, walkable centers, pathways exist, or pathways that are proposed, where schools are. The map will show what is on the ground and what is planned for that area, so you can have a better feel when you get an application of what is happening in that area. Dixon asked how they transition from suggested pathways to required pathways. Cramer stated that those pathways are from Connecting Our Community and the code will read that if the development includes a pathway on connecting our community, they developer will need to build it.

Wimborne clarified that no additional meetings in September. Next meeting is regular October meeting on October 5 and additional meetings on October 19.

Dixon adjourned the meeting at approximately 8:30 p.m.

**Respectfully Submitted**

**Beckie Thompson, Recorder**