

WELCOME
To a Regular Meeting of the
Coeur d'Alene City Council
Held in the Library Community Room

AMENDED AGENDA

VISION STATEMENT

Our vision of Coeur d'Alene is of a beautiful, safe city that promotes a high quality of life and sound economy through excellence in government.

NOTE: The City is utilizing Governor Little's Stage 2 Rebound Idaho guidance for its public meeting. As such, we are abiding by the social distancing standard of 6' within the physical meeting room, and limiting gatherings to 10 people, seating will be first come first serve. Therefore, we are still encouraging the public to participate electronically. While participating electronically the public comments will be taken during that section of the meeting by indicating a raised hand through the Zoom meeting application. Public comments will not be acknowledged during any other time in the meeting. Additionally, you may provide written public comments to the City Clerk at renata@cdaid.org any time prior to 4:00 p.m. the day of the meeting.

*The meeting will be aired on Zoom meeting network with the following options:
<https://zoom.us/j/99918005838> Password: 522103 or Dial: US: +1 346 248 7799 or +1 646 518 9805 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)*

Live viewing options include Facebook Live and YouTube, and is rebroadcast on Spectrum Cable channel 1301 and on YouTube through a link on the city's website (www.cdaid.org).

The purpose of the Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of Public Hearings. Any individual who wishes to address the Council on any other subject should plan to speak when **Item E - Public Comments** is identified by the Mayor. The Mayor and Council will not normally allow audience participation at any other time.

January 19, 2021: 6:00 p.m.

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Pastor David Bond with Compel Community

C. PLEDGE OF ALLEGIANCE:

D. AMENDMENTS TO THE AGENDA: Any items added less than forty-eight (48) hours prior to the meeting are added by Council motion at this time.

E. PUBLIC COMMENTS: (Each speaker will be allowed a maximum of 3 minutes to address the City Council on matters that relate to City government business. Please be advised that the City Council can only take official action this evening for those items listed on the agenda.)

*****ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS**

F. ANNOUNCEMENTS:

1. **City Council**
2. **Mayor Appointments** – Jim Windisch to the Library Board.

G. CONSENT CALENDAR: Being considered routine by the City Council, these items will be enacted by one motion unless requested by a Councilmember that one or more items be removed for later discussion.

1. Approval of Council Minutes for the January 5, 2021 Council Meeting.
2. Approval of General Services/Public Works Committee Minutes for the January 11, 2021 Meeting.
3. Approval of Bills as Submitted.
4. Approval of Financial Report.
5. Setting of General Services/Public Works Committee meeting for Monday, January 25, 2021 at 12:00 noon.
6. Setting of a Public Hearings:
 - a. February 2, 2021 - V-20-07, Vacation of a portion of undeveloped right-of-way adjoining the southerly boundary of Tract 328 of the Amended Plat of Hayden Lake Irrigated Tracts in the City of Coeur d'Alene.
 - b. February 16, 2021- Community Development Block Grant Annual Action Plan for Plan Year 2021.
7. Approval of SS-20-14c, Mill Place Townhouses, Final Plat.

Recommended by the City Engineer

8. **Resolution No. 21-004 -**

- a. Approval of Personnel Rule Amendment No. 27, FLSA Exempt Employees.
- b. Approval of Updated Employee Coronavirus (COVID-19) Policy.

As Recommended by the General Services/Public Works Committee

H. OTHER BUSINESS:

1. **Council Bill No. 21-1001** - Approval of Amendments to Municipal Code Titles 16 and 17 to revise a definition, to clarify the appeals process, and to make technical changes for consistency and clarification.

Staff Report by: Hilary Anderson, Community Planning Director

2. **Resolution 21-005** – Approval of Amendment to Section I(F) of the Commercial Design Guidelines to clarify when residential screening is required.

Staff Report by: Hilary Anderson, Community Planning Director

J. RECESS: February 1, 2021 at 5:30 p.m. in the Library Community Room, located at 702 E. Front Avenue for a workshop regarding Envision Coeur d'Alene, Comprehensive Plan Update.

*This meeting is aired live on CDA TV Spectrum Cable Channel 1301
and on Facebook live through the City's Facebook page.*



Coeur d'Alene

CITY COUNCIL MEETING

January 19, 2021

MEMBERS OF THE CITY COUNCIL:

Steve Widmyer, Mayor

Council Members McEvers, English, Evans, Gookin, Miller, Wood

ANNOUNCEMENTS

Memo to Council

DATE: January 11, 2021

RE: Appointments to Boards/Commissions/Committees

The following reappointment is presented for your consideration for the January 19, 2021, Council Meeting:

JIM WINDISCH
(Reappointment)

Library Board

A copy of the data sheet has been placed by your mailboxes.

Sincerely,

Sherrie Badertscher
Executive Assistant

cc: Renata McLeod, Municipal Services Director
Michael Priest, Library Director

CONSENT CALENDAR

MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM

January 5, 2021

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room January 5, 2021, at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

WoodyMcEvers)	Members of Council Present
Dan Gookin)	
Christie Wood)	
Dan English)	
Kiki Miller)	
Amy Evans)	

CALL TO ORDER: Mayor Widmyer called the meeting to order.

INVOCATION: Quannah Matheson, Director of Cultural Affairs, with the Coeur d'Alene Tribe provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember McEvers led the Pledge of Allegiance.

PRESENTATION REGARDING THE KOOTENAI COUNTY INTEGRATED REGIONAL MOBILITY APP FOR TRANSPORTATION.

Tim Hibbard, Vice President of Technology for Passio Technologies noted that they have created a mobility smart phone application for Kootenai County. This smart phone app will allow users to track bus line stops and anticipated arrival times. Since there are multiple transportation providers, with different hours of operations, and service areas between Citylink, Kootenai Health and the Coeur d'Alene Tribe, it was important to find an application that could work for all, with integrated information. Riders will be able to compare routes, costs, and availability and it will be available around the Fall of 2021. He clarified that the payment portion will be integrated into the system by Spring 2022. Councilmember Gookin asked how much the application cost the tax payers. Jody Bieze, Director of Kootenai County Public Transportation, noted that they were awarded a \$150,000 grant with a \$30,000 match and they have been working on the project for about 8 months. Councilmember English noted that this type of system may be good for health care rides; however, he felt it might be too large for a system of our size. Ms. Bieze noted that the app will integrate all the transportation resources in one spot, including White Tail, and give options to all riders.

COUNCIL COMMENTS:

Councilmember Miller reminded the community that the City will be holding a Historic Preservation Commission meeting on January 14, 2021, at 5:30 p.m. Zoom links are located on the city's webpage at www.cdavid.org.

Councilmember McEvers noted that the city has updated equipment in the studio, which should enhance the Zoom watching experience, as we can now broadcast the same camera angles as the CDATV Channel that is rebroadcast through YouTube.

Councilmember Gookin reminded citizens that it is illegal to discharge a firearm in the city limits.

CONSENT CALENDAR:

1. Approval of Council Minutes for the December 15, 2020, Council Meeting.
2. Approval of General Services/Public Works Subcommittee Minutes for the December 21, 2021, Meeting.
3. Setting of General Services/Public Works Committee Meeting for January 11, 2021.
4. Approval of Bills as Submitted.
5. Approval of Final Plat: SS-20-11, Thanthitima Addition.
6. **Resolution No. 21-001** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AN AGREEMENT WITH SPECIALTY PUMP SERVICE, INC., FOR THE ATLAS WELL PUMP REHABILITATION PROJECT.

MOTION: Motion by McEvers, seconded by Evans, to approve the Consent Calendar as presented, including **Resolution No. 21-001**.

ROLL CALL: English Aye; Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye.
Motion carried.

RESOLUTION NO. 21-002

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE SOLE SOURCE PROCUREMENT OF A CERTIFIED RECIRCULATION PUMP SYSTEM FROM MARS COMPANY IN THE AMOUNT OF \$133,585.00, AND AUTHORIZING THE CITY CLERK TO PUBLISH THE NOTICE OF A SOLE SOURCE PROCUREMENT AS REQUIRED BY IDAHO CODE § 67-2808(2).

STAFF REPORT: Assistant Water Superintendent Kyle Marine explained that the Atlas well was originally drilled in July 1971, to 350' deep and went into operation in September 1972, and has a tested production capacity of nearly 5000 gpm. The production well is 20" in diameter and cased or screened to the bottom. He noted that the well needs a recirculation pump, and that the Water Department has budgeted \$98,000 through the operations and maintenance budget and no additional engineering services are required for this project. One bid was received for the project, with a base bid of \$88,100 received from Specialty Pump Service Inc. Options were

included in the bid packet for potential replacement of the pump columns, stainless steel shafts; brass spider bearings in the event undue wear is detected. Exercising all options would bring the total bid to \$143,860, approximately 16.4% over budget. While staff anticipates there may be a need to replace at least some of the pump column based on previous history, it is not anticipated to have to replace everything. Therefore, staff is proposing approval for the base bid of \$88,100 and a contract not to exceed the budget amount of \$98,000.00, should additional replacements be required. Staff proposes to have the pump assembly removed, cleaned, inspected, and replace any necessary parts. Options were included in the bid should any of the assembly components exhibit undue wear. The stainless-steel shafts shall be inspected and straightened as necessary to ensure factory tolerances. Once removal is approved to begin, staff anticipates that the project should be complete within 120 business days barring any unanticipated problems such as damaged or defective equipment or materials.

DISCUSSION: Councilmember McEvers noted that the intent of the purchase of the meter bench was to save some money on the testing of meters, and asked if it was working. Mr. Marine confirmed they expected a savings over a 5-year period; however, they are happy with the current results. Councilmember McEvers asked if this current request would include a yearly fee. Mr. Marine stated that equipment is a one-time cost; however, there will be yearly software updates that will have costs.

MOTION: Motion by McEvers, seconded by Evans to approve **Resolution No. 21-002;** declaring MARS Company as the Sole Source Provider for the purchase of a certified Recirculation Pump System.

ROLL CALL: Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye.
Motion carried.

COUNCIL BILL NO. 21-1000

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTIONS 10.20.010(A), 10.22.100(C), AND 10.24.020(A) OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF SECTION 10.20.060(C) OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

STAFF REPORT: City Administrator Troy Tymesen explained that the parking regulations of the City are found in several places in the Municipal Code, including Chapters 10.20, 10.22, 10.24, and 10.27. Parking Commissioner Stephen Peterson took the time to review the Code, as well as State law and regulations, in detail and submitted recommendations to the City Administrator. The recommendations are intended to clarify the Code and make certain provisions more consistent. The City Administrator and Legal Department reviewed the recommendations and forwarded several of them to the Parking Commission. On December 8, 2020, the Parking Commission considered the proposed amendments and approved them. During that meeting, Commissioner Peterson made a motion to add four words and delete one

word in the amended Municipal Code § 10.20.010(A)(5), but the motion failed for lack of a second. Staff believes that the motion did not garner a second because of poor audio during the Zoom meeting. The added/deleted words do not change the intent of the amendment, but may add clarity. Accordingly, staff believes that the four words should be added and the one word deleted, clarifying the parking from a corner and/or cross walk or fire hydrant.

DISCUSSION: Councilmember Miller asked if the setback for the parking near a fire hydrant is applicable even if curbs are not painted. Mr. Tymesen confirmed that they are and clarified that the City does not intend to paint curbs due to cost and maintenance. Councilmember Wood asked Fire Chief Gabriel what happens when someone parks in front of a hydrant when it is needed. Fire Chief Gabriel noted that they are neighborly and do not break windows like you see in the movies; however, it does not work well for the firefighters to have to wrap the hose around the vehicle.

MOTION: Motion by Evans, seconded by McEvers, to dispense with the rule and read **Council Bill No. 21-1000** once by title only.

ROLL CALL: Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye.
Motion carried.

MOTION: Motion by Evans, seconded by Miller, to adopt **Council Bill No. 21-1000**.

ROLL CALL: Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye.
Motion carried.

RESOLUTION NO. 21-003

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE TRANSFER OF A 3.8 ACRE PARCEL OF PROPERTY, WHICH IS A TRIANGULAR-SHAPED PARCEL FRONTING SELTICE WAY AND ADJACENT TO THE ATLAS MILL WATERFRONT PROPERTY, OWNED BY THE CITY, TO IGNITE CDA FOR INCLUSION IN THE ATLAS WATERFRONT DEVELOPMENT.

STAFF REPORT: Mr. Tymesen explained the process of transferring land ownership to ignite cda (ignite), and noted that it is staff's recommendation to utilize that same process. He reminded Council that this item was discussed at its last meeting where Council had requested additional information, which will be presented tonight by Mr. Boyd, including the review of the financials for the two options for development of the triangle parcel. One option was for the city to take the lead on the development of that parcel; however, taking the parcel through ignite makes more sense, who will process proposals through the request for proposal process already established. Mr. Tymesen noted that there are two options being presented Option 1 plans for residential only uses and Option 2 includes a mix of use. Option 1 is estimated to bring in an additional \$228,000 in land sales and \$450,000 less in tax increment over time. Option 2 would net a higher tax increment overall. The triangle piece is estimated to bring in \$2 million in net land sale revenue, and the southern tip would allow a reconfiguration of the development and an

increase in density, which would net approximately \$1.1 million. Phil Boyd, President of Welch Comer Engineering, provided a history of how the City came into ownership of the Atlas property, noting the City's intent to protect the water front for public access/use. The concept included development of the upland area for residential, commercial, and mixed uses through a partnership with ignite. The City then transferred the site to ignite because, by statute, ignite can more efficiently and effectively develop and dispose of the property. The City later acquired the triangle parcel through a land exchange with River's Edge Development. With River's Edge project approval, the City agreed that the special use permit for R-34 density on the parcel would expire. In addition, the City indicated to the Planning Commission that its intent, if the land exchange took place, was for the triangle parcel to be incorporated into the Atlas Waterfront project. Council requested that ignite provide additional information on the development options prior to Council approving the transfer of the triangle parcel to ignite.

Mr. Boyd noted that after further evaluation following the December 1, 2020, Council presentation, it became apparent that the financial benefit to the City by taking the lead in development and disposition of the triangle parcel was overstated, as there would be the same or additional land preparation expenses, including grading, infrastructure, and platting, as well as staff time to manage the sale of the platted properties. Additionally, selling land through the surplus process would likely result in lower prices than through the proposed ignite disposition and sale process. The two viable options available were evaluated in terms of land sale revenue and tax increment. Option 1 is for the parcel to be developed as entirely single-family residential and Option 2 is for the parcel to be developed as a mix of single-family residential and townhouses. Option 1 is projected to generate an additional \$228,000 in land sales initially, but would generate \$453,000 less in tax increment value, resulting in \$225,000 less revenue over 20 years. Option 2, would net a higher tax increment and overall value than Option 1. Ignite's analysis indicates the triangle parcel will generate an additional \$2,520,000 in net land sale revenue. Additionally, the triangle "tip" will allow ignite to reconfigure the Atlas Waterfront Development layout, increasing saleable land area and density, which is anticipated to generate an additional \$1,145,000. Ignite has agreed to include the triangle parcel in its Atlas Waterfront PUD Amendment #2 at no cost to the City. Ignite is submitting its PUD #2 Amendment to the City in January 2021. The purpose of the amendment is to revise its current development standards in order to improve land sales without negatively impacting the development. Therefore, the timing is ideal to transfer the triangle parcel so that it can be included in the PUD #2 Amendment for the Atlas Waterfront project. Including the triangle parcel in the Atlas Waterfront PUD would be beneficial in several ways. It would allow the parcel to be developed without being subject to the restrictions of the hillside ordinance. If the parcel were to remain under the hillside ordinance, some of the lots may need to be increased in size to allow for development which would result in fewer lots and less revenue. Adding the property to the PUD would also allow the parcels to be smaller than standard lots, have reduced setbacks, and different heights than standard zoning. Incorporating the triangle parcel into the PUD would also protect the investment of the developers and builders in Phase 1 of Atlas Waterfront as well as all future phases of the Atlas Waterfront project because the character and quality of the project would be ensured. Developing the triangle parcel outside the PUD process and separate from the Atlas Waterfront project could have unintended negative consequences related to reduced developer confidence in the project that may also impact tax increment. Mr. Boyd noted that neighbors would not be happy about large amounts of dirt moving. Therefore, they decided to

shrink the phases that includes dirt moving to earlier stages and noted that there was some economy of scale to continue working the contractor rather than up and down startups. Mr. Boyd discussed the concepts for the look of Mt. Hink, including moving it around and leaving it in a natural shape with trails. Another option would be to process the material to generate revenue and use it throughout the project. The hillside ordinance will impact the lots, however, the future lots will be less steep after using it as fill. He noted that within the PUD process they will add some items that are included in the hillside ordinance, but gives more flexibility than what the hillside ordinance allows.

DISCUSSION: Councilmember McEvers asked for clarification regarding the \$3 million land value. Mr. Boyd clarified that the \$3 million is based on the sale of land at four lot increments after the infrastructure is completed. Mayor Widmyer noted that in the cash flow model the addition of the triangle piece brings more revenue forward and it will allow for payback sooner. Councilmember Miller asked about the reasoning behind pulling the retail out of the triangle piece. Mr. Boyd noted that there should be something in the corner to activate the area with some sort of retail; however, developers have not been too keen on the concept, so they are still exploring options such as a mixed-use development with housing on upper floor and lower floor as retail, but it will be based on the market. Mayor Widmyer noted that the final revenue comes in a year earlier at 2024, since the completion date has shrunk by one year. He also noted that the original schedule would be May 2021, with the debt paid back sooner rather than later, which would be his preference.

Mayor Widmyer noted that Mt. Hink is too expensive to remediate it enough to make it buildable, but maybe there would be an opportunity in that area for a potential future fire station. Mr. Boyd noted that there are two potential sites within pit 1 and pit 2, noting that the road creates a nice dividing line between residential and another use. He noted a potential site near pit 2 might provide a better location for a fire station. Councilmember Gookin noted that he has discussed options with the Fire Department and the School District, as he feels the commitment to the community should be extended to those uses. Councilmember Wood noted that she likes the idea of trees for an arboretum and future baseball field options in the future. Councilmember English concurred that down the road there will be a need for a fire station, noting it would add value to the city as a cost avoidance from buying another parcel.

Councilmember Gookin noted that the hillside ordinance was adopted with a lot of discussion and it seems like the PUD process would be circumventing the ordinance. Mr. Boyd noted that it is unique because this is a City project, which is the entity that adopted the ordinance. Mr. Gridley noted that the rules that are in place at the time of development would be met, and that Council can always review rules and change them as they see fit. Community Planning Director Hilary Anderson noted that the hillside ordinance allows for deviations through PUD's. She clarified that this slope is a pocket with the Atlas area that is not consistent with the other hillsides located in the City and/or annexed into the City. She noted that the concept behind the ordinance is to protect the integrity of the hillside and to avoid landslides. Councilmember Gookin expressed concern that this would set a precedent for future requests. Ms. Anderson clarified that this deviation process is allowed to any developer within the code, so this is not outside what others could also ask for today. Councilmember English concurred that the PUD is an option for all, and appreciates options for the greater good and tradeoffs that are worth it.

Discussion ensued regarding the shoreline ordinance and hillside developments, the reasons behind the ordinances; including appearance of hillside and road collapse/mud slides and public tradeoffs of PUD's.

Councilmember Wood noted that the decision seems to be short term versus long term tax increment and she supports the plan for the future and Option 2 is a better long-term plan. Mr. Boyd concurred and explained that the intent would be to put the RFP out in two ways and see what proposals come in. He reiterated that they will include architectural standards in the proposal packets. Councilmember McEvers asked if within Option 2 will the lots be sold in blocks or individually. Mr. Boyd said that townhomes would be in one big block to ensure consistent architecture, and the single-family would be sold in blocks of 4. Councilmember McEvers asked about the removal of the commercial aspect and expressed concern about the lack of commercial opportunities for a large amount of residential use. Mr. Boyd noted that the developer does not feel it is feasible for commercial on the southern side; however, within Area 13, ignite had upheld the commercial proposal. Mayor Widmyer further explained that commercial space is market driven, so it has to be carefully planned. Councilmember Miller noted that she is supportive of Option 2, with mixed-use. She noted that the production of material at Mt. Hink will be good to make land more valuable and leaves options on the table. Councilmember Evans thanked the team for the presentation and noted that she likes Option 2, which allows various housing option types.

MOTION: Motion by Wood, seconded by Miller to approve **Resolution No. 21-003**, approving a transfer of the triangle parcel to ignite cda with the condition that the parcel to be included in ignite cda's Atlas Waterfront PUD Amendment #2, and to direct staff to draft a land transfer agreement with ignite cda, authorizing the Mayor and City Clerk to execute such agreement.

DISCUSSION: Councilmember Gookin noted that he is good with transferring the parcel to ignite, but does not like townhomes.

ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye.
Motion carried.

ADJOURNMENT: Motion by McEvers, seconded by Gookin, that there being no other business this meeting be adjourned. **Motion carried.**

The meeting adjourned at 7:43 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, CMC
City Clerk

January 11, 2021
GENERAL SERVICES/PUBLIC WORKS COMMITTEE
MINUTES
12:00 p.m., Library Community Room

COMMITTEE MEMBERS

Council Member Amy Evans, Chairperson
Council Member Christie Wood **ABSENT**
Council Member Dan English

STAFF

Juanita Knight, Senior Legal Assistant
Melissa Tosi, Human Resources Director
Randy Adams, Chief Civil Deputy City Attorney
Vonnie Jensen, Comptroller

Item 1. Approval of Personnel Rule Amendment No. 27, FLSA Exempt Employees.
(Consent Resolution)

Melissa Tosi, Human Resources Director, is requesting Council approve an amendment to Rule 27 – FLSA Exempt Employees. Mrs. Tosi explained in her staff report that the proposed amendment adds “Accountant” to the list of FLSA exempt employees. The employees listed in this rule represent classifications that are responsible for management within a city department, and under the day-to-day guidance of the Department Head. The Accountant position is under the day-to-day guidance of the Comptroller and handles the duties of the Comptroller in their absence. Ameriben, HR Consulting, also reviewed the responsibilities of the Accountant classification and agreed the position fairly falls under the Administrative exemption under the Fair Labor Standards Act (FLSA). This proposed amendment to the Personnel Rules has been posted for all employees to review. The classification is leveled appropriately and will remain at a pay grade 14. The only potential future cost associated with the amendment to Personnel Rule 27 is that, as an exempt position, the Accountant classification would be eligible for a 5 – 8% performance increase annually, opposed to the general 5% increase for non-exempt employees. Additionally, as an FLSA exempt position, this classification will be salaried and will no longer be eligible for overtime and/or comp-time.

Councilmember Evans asked what triggers a change like this to a position. Mrs. Tosi said that the City’s Comptroller suggested about a year ago that it should be a salary position. As staff looked at the position duties, as well as the comp time being earned due to the Covid related duties added to the position, it became clear the position should be a salary position.

Councilmember English said he always takes a hard look when an employee is moved from hourly to salary to ensure it is for the right motives.

Mrs. Tosi noted that the FLSA requirement is that the position has to be making a minimum of \$35,568 to be a salary position. This was increased per Federal law in the last year. This minimum salary for this position is currently just over \$57,000.

MOTION: by Councilmember English, seconded by Councilmember Evans, to recommend that Council approve an amendment to Personnel Rule NO. 27, FLSA Exempt Employees. Motion Carried.

**Item 2. Approval of updated Coronavirus (COVID-19) Policy.
(Consent Resolution)**

Melissa Tosi, Human Resources Director, is requesting Council approve an updated Coronavirus (COVID-19) policy regarding paid leave specifically related to the COVID-19 pandemic. Mrs. Tosi explained in her staff report that in April 2020, under the Emergency Declaration approved by Council on March 21, 2020, the Mayor approved the COVID-19 policy that detailed steps for safety precautions and paid leave options for all employees. This policy, along with other federal COVID related policies, expired December 31, 2020. As staff continues to try to make the best decisions for our employees and the citizens of the City of Coeur d'Alene, the proposed amendments to the COVID-19 policy update our current practice and specifically detail the paid leave options the City proposes to continue utilizing through March 31, 2021. For the period of January 1, 2021, through March 31, 2021, we are proposing to continue the voluntary paid leave benefits offered through the Families First Coronavirus Response Act (FFCRA). Additionally, we propose continuing to offer the administrative paid leave option for police and fire due to a significant risk of exposure to other employees and citizens. The Financial impact on the City is difficult to predict since any additional expenses will be based on future COVID-19 related exposures and the health of the employees. The FFCRA provides up to 80 hours of paid sick leave for eligible employees during the timeframe of April 1, 2020, through March 31, 2021. If an employee has already utilized the hours allotted under the FFCRA, and there is a need for additional COVID-19 related leave, that employee would be required to utilize their own accrued personal leave.

MOTION: by Councilmember English, seconded by Councilmember Evans, to recommend that Council approve the updated Coronavirus (Covid-19) policy. Motion Carried.

The meeting adjourned at 12:15 p.m.

Respectfully submitted,
[Juanita Knight](#)
Recording Secretary

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
THREE MONTH ENDED
December 31, 2020

RECEIVED
JAN 8 2021
CITY CLERK

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 12/31/2020	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$243,342	\$55,470	23%
	Services/Supplies	8,400	(519)	-6%
Administration	Personnel Services	214,699	54,219	25%
	Services/Supplies	3,000	178	6%
Finance	Personnel Services	695,484	168,808	24%
	Services/Supplies	539,300	271,102	50%
Municipal Services	Personnel Services	1,278,345	300,380	23%
	Services/Supplies	516,561	190,419	37%
	Capital Outlay	10,000	9,716	97%
Human Resources	Personnel Services	342,230	85,962	25%
	Services/Supplies	76,595	38,898	51%
Legal	Personnel Services	1,265,260	306,060	24%
	Services/Supplies	48,153	3,094	6%
Planning	Personnel Services	641,592	154,081	24%
	Services/Supplies	85,300	5,111	6%
	Capital Outlay			
Building Maintenance	Personnel Services	336,901	63,365	19%
	Services/Supplies	210,625	47,568	23%
	Capital Outlay			
Police	Personnel Services	14,988,826	3,800,600	25%
	Services/Supplies	1,619,594	244,800	15%
	Capital Outlay	117,738		
Fire	Personnel Services	10,068,973	2,955,401	29%
	Services/Supplies	633,838	80,755	13%
	Capital Outlay	8,000	4,158	52%
General Government	Services/Supplies	153,050	299,062	195%
	Capital Outlay			
Police Grants	Personnel Services		16,186	
	Services/Supplies	6,000	4,200	70%
	Capital Outlay			
CdA Drug Task Force	Services/Supplies		600	
	Capital Outlay			
Streets	Personnel Services	3,073,344	731,091	24%
	Services/Supplies	1,772,853	203,419	11%
	Capital Outlay	135,000	27,925	21%
Parks	Personnel Services	1,751,110	367,425	21%
	Services/Supplies	697,620	67,345	10%
	Capital Outlay			

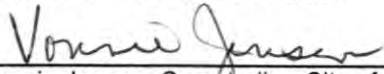
CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 THREE MONTH ENDED
 December 31, 2020

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 12/31/2020	PERCENT EXPENDED
Recreation	Personnel Services	561,328	118,932	21%
	Services/Supplies	183,880	22,933	12%
	Capital Outlay			
Building Inspection	Personnel Services	918,356	224,823	24%
	Services/Supplies	40,129	6,047	15%
	Capital Outlay			
Total General Fund		<u>43,245,426</u>	<u>10,929,614</u>	<u>25%</u>
Library	Personnel Services	1,330,045	328,042	25%
	Services/Supplies	226,000	42,532	19%
	Capital Outlay	180,000	13,797	8%
CDBG	Personnel Services	74,754	15,918	21%
	Services/Supplies	620,278	37,431	6%
Cemetery	Personnel Services	200,837	47,385	24%
	Services/Supplies	105,950	22,056	21%
	Capital Outlay			
Impact Fees	Services/Supplies	450,000		
Annexation Fees	Services/Supplies	195,000	95,000	49%
Parks Capital Improvements	Capital Outlay	323,260	98,126	30%
Cemetery Perpetual Care	Services/Supplies	166,500	43,083	26%
Jewett House	Services/Supplies	26,353	1,072	4%
Reforestation	Services/Supplies	6,500	188	3%
Street Trees	Services/Supplies	112,000	15,523	14%
Community Canopy	Services/Supplies	1,500		
Public Art Fund	Services/Supplies	271,300	12,427	5%
		<u>4,290,277</u>	<u>772,580</u>	<u>18%</u>
Debt Service Fund		<u>876,281</u>		

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
THREE MONTH ENDED
December 31, 2020

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 12/31/2020	PERCENT EXPENDED
LaCrosse Ave / NW Blvd	Capital Outlay	1,200,000		
Seltice Way Sidewalks	Capital Outlay			
Traffic Calming	Capital Outlay	15,997		
Kathleen Avenue Widening	Capital Outlay	885,635		
US 95 Upgrade	Capital Outlay			
15th Street	Capital Outlay		3,173	
Industrial Park Loop & Atlas	Capital Outlay			
Downtown Signal Imprvmnts	Capital Outlay	100,000		
Atlas Waterfront Project	Capital Outlay			
NW Blvd Traffic Signals	Capital Outlay		5,351	
		<u>2,201,632</u>	<u>8,524</u>	<u>0%</u>
Street Lights	Services/Supplies	733,250	114,851	16%
Water	Personnel Services	2,315,352	523,822	23%
	Services/Supplies	4,952,518	408,654	8%
	Capital Outlay	7,298,500	743,795	10%
Water Capitalization Fees	Services/Supplies	5,300,000		
Wastewater	Personnel Services	2,959,700	698,285	24%
	Services/Supplies	7,242,415	523,015	7%
	Capital Outlay	7,205,000	160,805	2%
	Debt Service	2,704,263	2,985,691	110%
WW Capitalization	Services/Supplies	1,484,809		
Sanitation	Services/Supplies	4,215,002	888,695	21%
Public Parking	Services/Supplies	1,600,036	309,727	19%
	Capital Outlay	40,000		
Drainage	Personnel Services	222,668	57,963	26%
	Services/Supplies	944,195	81,462	9%
	Capital Outlay	535,000		
Total Enterprise Funds		<u>49,752,708</u>	<u>7,496,765</u>	<u>15%</u>
Kootenai County Solid Waste		2,800,000	484,486	17%
Police Retirement		188,132	46,805	25%
Business Improvement District		176,000	40,000	23%
Homeless Trust Fund		5,300	1,264	24%
Total Fiduciary Funds		<u>3,169,432</u>	<u>572,555</u>	<u>18%</u>
TOTALS:		<u>\$103,535,756</u>	<u>\$19,780,038</u>	<u>19%</u>

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE, ON THE CASH BASIS, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Vonnice Jensen, Comptroller, City of Coeur d'Alene, Idaho

RECEIVED


JAN 8 2021

CITY OF COEUR D'ALENE
Treasurer's Report of Cash and Investment Transactions

CITY CLERK

FUND	BALANCE 11/30/2020	RECEIPTS	DISBURSE- MENTS	BALANCE 12/31/2020
<u>General-Designated</u>	\$1,940,706	\$21,470	\$19,148	\$1,943,028
<u>General-Undesignated</u>	4,637,749	3,750,289	5,542,039	2,845,999
<u>Special Revenue:</u>				
Library	14,778	66,618	119,302	(37,906)
CDBG	(6,820)		15,409	(22,229)
Cemetery	97,341	34,986	20,616	111,711
Parks Capital Improvements	761,949	771	84,819	677,901
Impact Fees	4,395,007	76,798		4,471,805
Annexation Fees	381			381
Cemetery P/C	1,322,386	12,390	21,646	1,313,130
Jewett House	26,734	14	181	26,567
Reforestation	28,976	15		28,991
Street Trees	179,021	5,490	10,130	174,381
Community Canopy	3,258	2		3,260
Public Art Fund	54,478	28		54,506
Public Art Fund - ignite	627,693	316		628,009
Public Art Fund - Maintenance	128,240	64	10	128,294
<u>Debt Service:</u>				
2015 G.O. Bonds	97,498	35,220		132,718
<u>Capital Projects:</u>				
Street Projects	731,857	368	5,351	726,874
<u>Enterprise:</u>				
Street Lights	177,732	53,830	59,430	172,132
Water	1,490,491	1,755,050	1,784,364	1,461,177
Water Capitalization Fees	8,186,609	67,933	673,181	7,581,361
Wastewater	7,584,042	2,336,811	1,126,143	8,794,710
Wastewater - Equip Reserve	1,420,212	27,500	247,959	1,199,753
Wastewater - Capital Reserve	2,500,000			2,500,000
WWTP Capitalization Fees	4,012,664	195,963	813,792	3,394,835
WW Property Mgmt	60,668			60,668
Sanitation	1,652,443	544,449	558,774	1,638,118
Public Parking	376,963	51,734	79,085	349,612
Drainage	1,340,001	92,348	87,627	1,344,722
Wastewater Debt Service	2,349,065	265,292	264,111	2,350,246
<u>Fiduciary Funds:</u>				
Kootenai County Solid Waste Billing	236,221	240,200	236,233	240,188
Police Retirement	767,669	14,605	28,678	753,596
Sales Tax	1,562	1,517	1,562	1,517
BID	244,033	3,912	40,000	207,945
Homeless Trust Fund	780	929	780	929
GRAND TOTAL	\$47,442,387	\$9,656,912	\$11,840,370	\$45,258,929

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE, ON THE CASH BASIS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Vonnice Jensen, Comptroller, City of Coeur d'Alene, Idaho

RECEIVED

JAN 8 2021

CITY CLERK

City of Coeur d Alene
Cash and Investments
12/31/2020

Description	City's Balance
U.S. Bank	
Checking Account	1,635,872
Checking Account	53,688
Checking Account	58,673
Investment Account - Police Retirement	744,693
Investment Account - Cemetery Perpetual Care Fund	1,291,078
Idaho Central Credit Union	
Certificate of Deposit	271,070
Idaho State Investment Pool	
State Investment Pool Account	39,928,196
Spokane Teacher's Credit Union	
Certificate of Deposit	256,448
Numerica Credit Union	
Certificate of Deposit	1,017,161
Cash on Hand	
Finance Department Petty Cash	500
Treasurer's Change Fund	1,350
Library Change fund	180
Cemetery Change Fund	20
Total	<u>45,258,929</u>

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE
ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Vonnie Jensen, Comptroller, City of Coeur d'Alene, Idaho

CITY COUNCIL STAFF REPORT

DATE: January 19, 2021
FROM: Dennis J. Grant, Engineering Project Manager
SUBJECT: **SS-20-14c, Mill Place Townhouses, Final Plat Approval**

DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a one (1) lot, twenty-three (23) unit residential condominium subdivision.

HISTORY

Applicant: Kirk W. Hill, Manager
Mill Place, LLC
1218 S. Main Street
Moscow, ID 83843

Location: 3210 N. Huetter Road

FINANCIAL ANALYSIS

There are no financial issues with this development.

PERFORMANCE ANALYSIS

This is a re-plat, of a portion of Lot 36, Block 1 of Edgewater at Mill River plat located in Coeur d'Alene, into a one (1) lot, twenty-three (23) unit condominium plat. All infrastructure improvements were addressed during the construction of the residential units on the subject property, and the property is now fully developed and ready for final plat approval.

DECISION POINT RECOMMENDATION

City Council approval of the final plat document

MILL PLACE TOWNHOUSES

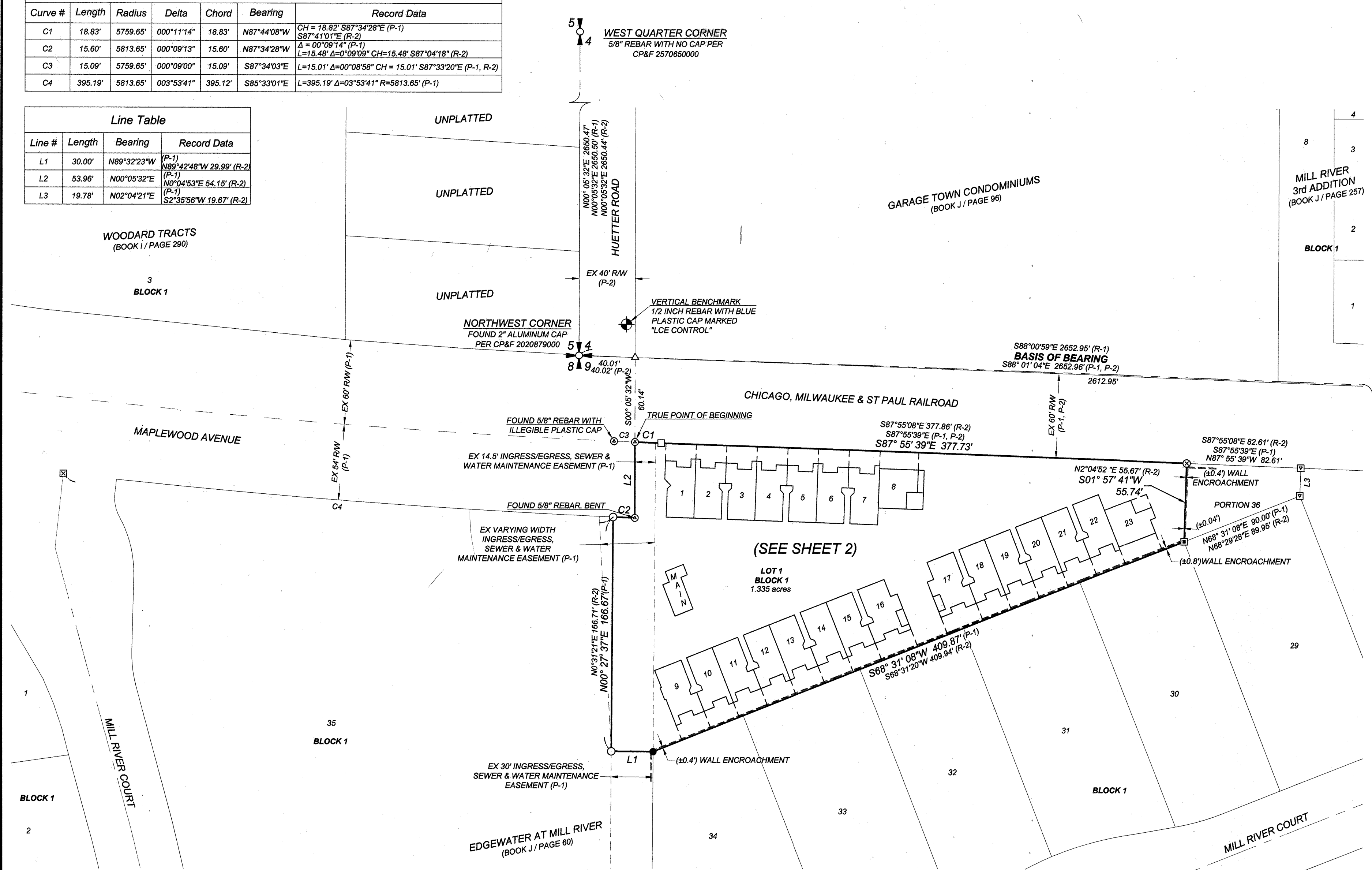
A CONDOMINIUM

A PORTION OF LOT 36, BLOCK 1 OF EDGEWATER AT MILL RIVER
 LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK: _____ PAGE: _____
 INSTRUMENT No. _____

Curve Table						
Curve #	Length	Radius	Delta	Chord	Bearing	Record Data
C1	18.83'	5759.65'	000°11'14"	18.83'	N87°44'08"W	CH = 18.82' S87°34'28"E (P-1) S87°41'01"E (R-2)
C2	15.60'	5813.65'	000°09'13"	15.60'	N87°34'28"W	Δ = 00°09'14" (P-1) L = 15.48' Δ = 0°09'09" CH = 15.48' S87°04'18" (R-2)
C3	15.09'	5759.65'	000°09'00"	15.09'	S87°34'03"E	L = 15.01' Δ = 00°08'58" CH = 15.01' S87°33'20"E (P-1, R-2)
C4	395.19'	5813.65'	003°53'41"	395.12'	S85°33'01"E	L = 395.19' Δ = 03°53'41" R = 5813.65' (P-1)

Line Table			
Line #	Length	Bearing	Record Data
L1	30.00'	N89°32'23"W	(P-1) N89°42'48"W 29.99' (R-2)
L2	53.96'	N00°05'32"E	(P-1) N0°04'53"E 54.15' (R-2)
L3	19.78'	N02°04'21"E	(P-1) S2°35'56"W 19.67' (R-2)



NOTES

1. THERE WAS NO ATTEMPT MADE TO SHOW ALL OF THE PHYSICAL FEATURES OF THIS PROPERTY, NOR ANY EASEMENTS NOT OF RECORD, EXCEPT FOR THOSE SHOWN HEREON.
2. ANY AREA NOT SPECIFICALLY DESIGNATED AS A UNIT OR LIMITED COMMON AREA IS CONSIDERED TO BE COMMON AREA.
3. INFORMATION SHOWN HEREON IS BASED PARTIALLY ON ARCHITECTURAL DRAWINGS AND HAS BEEN FIELD VERIFIED TO THE EXTENT POSSIBLE DURING ACTUAL CONSTRUCTION OF THE BUILDING.
4. DECKS AND PATIOS AS SHOWN HEREON ARE CONSIDERED LIMITED TO BE COMMON AREA.

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS S88°01'04"E, SHOWN HEREON AND ON (P-1) AS THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 4 WEST.

VERTICAL DATUM

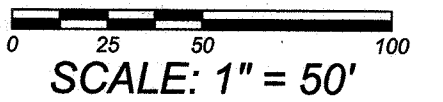
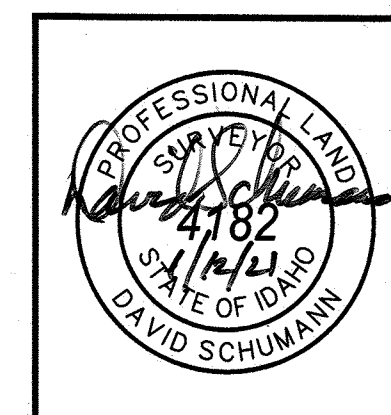
VERTICAL SOLUTION ON +2 HOUR OCCUPATION OF PT 1 (1/2 INCH REBAR WITH BLUE PLASTIC CAP MARKED "LCE CTRL") NAVD 88 ELEV (2137.43 FT NAVD 88) ADJUSTED POINTS -3.82 FEET TO NGVD 29 CITY OF CDA DATUM (2133.61 NGVD 29) ALL ELEVATIONS SHOWN HEREON ARE NGVD 29

LEGEND

- SET 5/8" x 24" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
 - REPLACE 1/2" REBAR WITH ILLEGIBLE YELLOW PLASTIC CAP WITH 5/8" x 24" REBAR WITH YELLOW PLASTIC MARKED "PLS 4182"
 - FOUND 5/8" REBAR WITH BLUE PLASTIC CAP MARKED "PLS 10559"
 - FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
 - ⊗ FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 14220"
 - ⊠ FOUND 2" ALUMINUM CAP MARKED "PLS 4182"
 - ⊙ FOUND 5/8" REBAR OR AS NOTED
 - ⊡ FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182"
 - △ CALCULATED POINT, NOTHING FOUND OR SET
- BOUNDARY LINE
 - LOT LINE
 - ADJACENT LOT LINE
 - - - EASEMENT LINE
 - - - CENTER LINE
 - - - SECTION LINE
 - - - BUILDING SETBACK
 - - - EXISTING BLOCK RETAINING WALL

REFERENCE DOCUMENTS

- (R-1) RECORD OF SURVEY SETLICE WAY PREPARED BY WELCH-COMER AND FILED AT BOOK 30 OF SURVEYS, PAGE 416, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-2) RECORD OF SURVEY PREPARED BY NORTH ENGINEERING, PLLC. AND FILED AT BOOK 30 OF SURVEYS, PAGE 218, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-1) PLAT OF EDGEWATER AT MILL RIVER PREPARED BY LAKE CITY ENGINEERING, INC. AND FILED AT BOOK J OF PLATS, PAGE 60, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-2) PLAT OF GARAGE TOWN CONDOMINIUMS PREPARED BY LAKE CITY ENGINEERING, INC. AND FILED AT BOOK J OF PLATS, PAGE 96, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (A-1) APPROVED ARCHITECTURAL PLANS: PERMIT SET #134958-B (UNITS 1-8), DATED 12/16/2019, PERMIT SET #135519-B (UNITS 9-16), DATED 04/03/2020, PERMIT SET #135749-B (UNITS 17-23), DATED 04/22/2020.



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DATE:	01/11/2021
JOB NO:	LCE 19-021

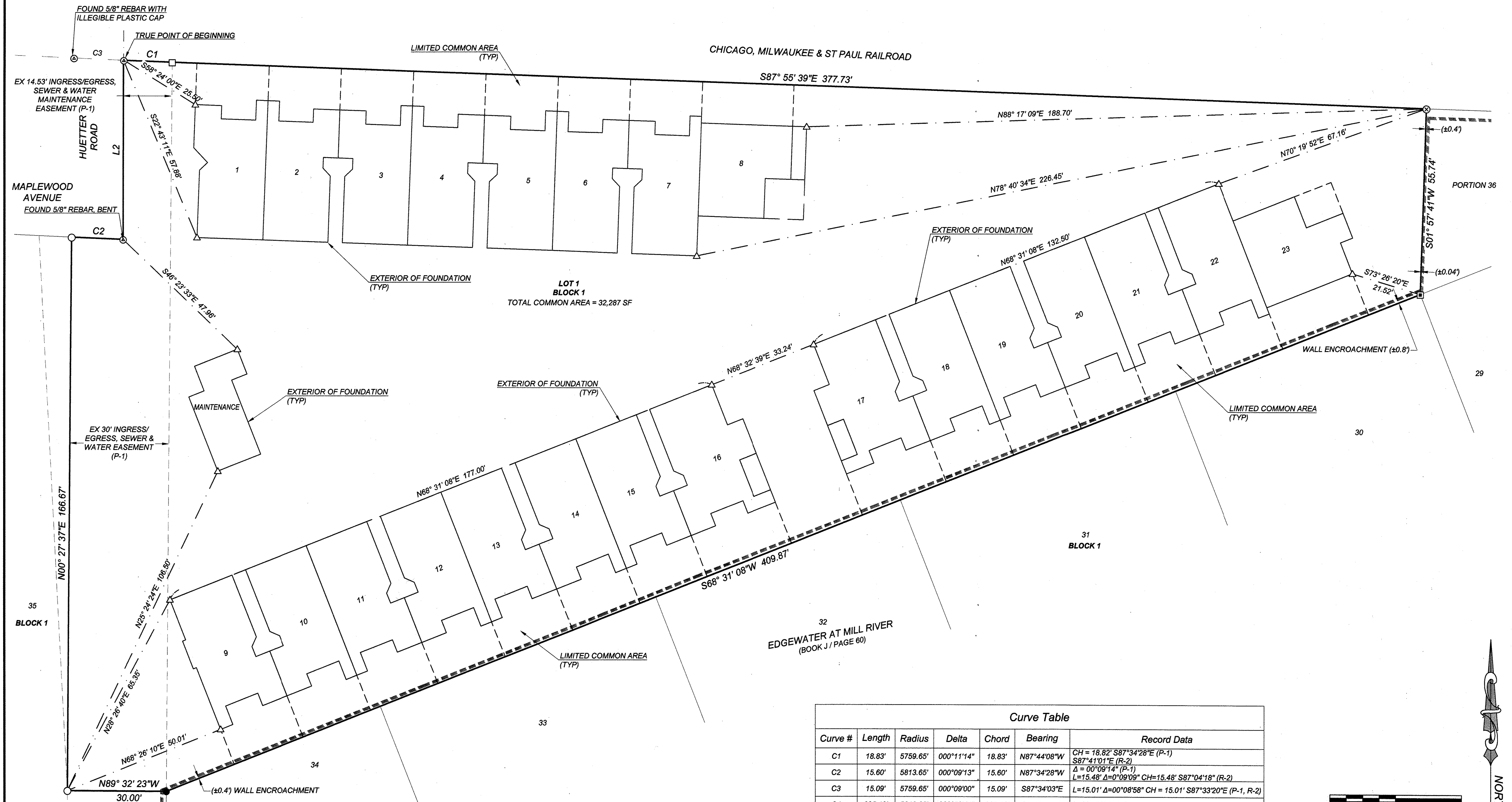
MILL PLACE TOWNHOUSES

A CONDOMINIUM

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 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

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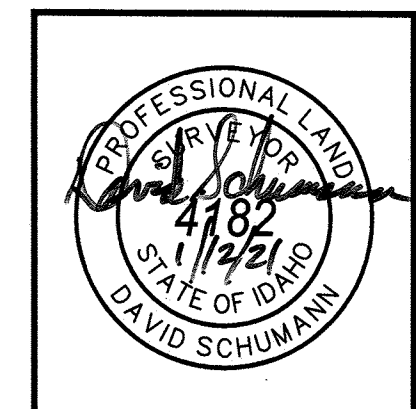
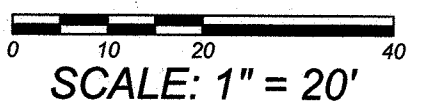


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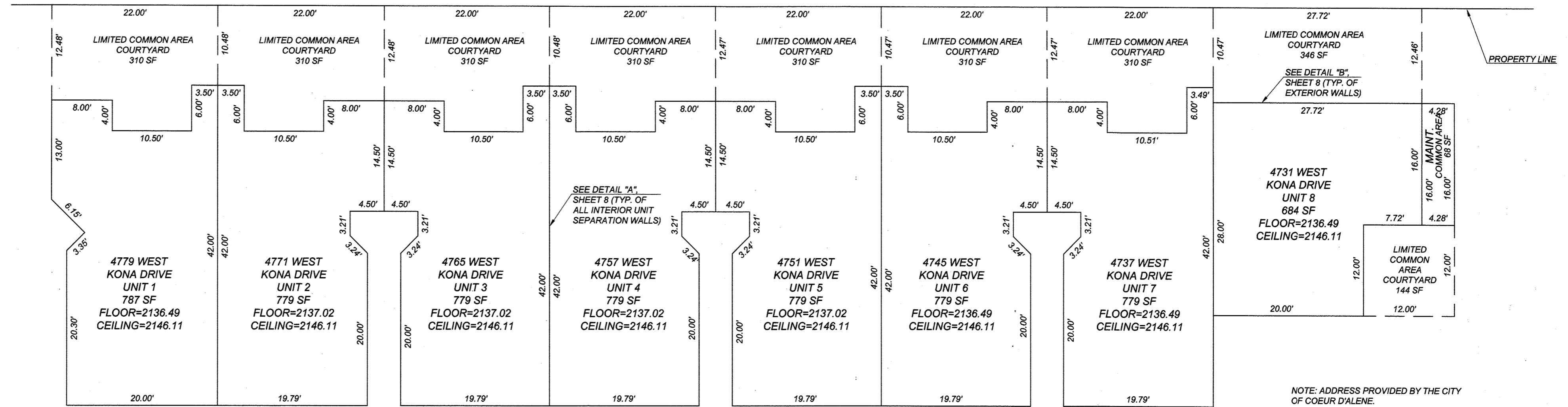
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MILL PLACE TOWNHOUSES

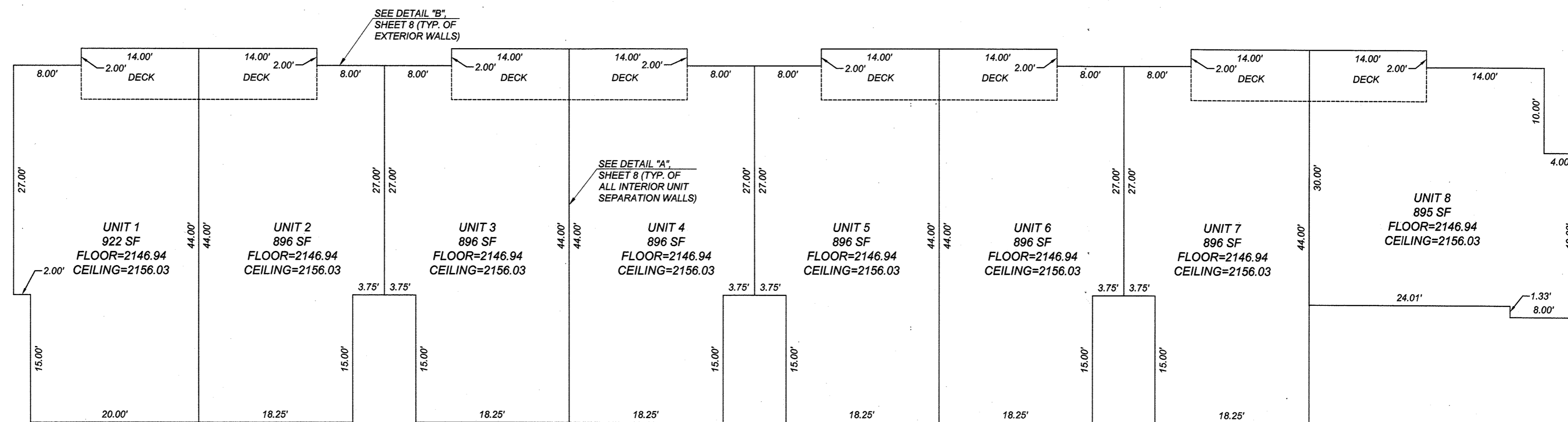
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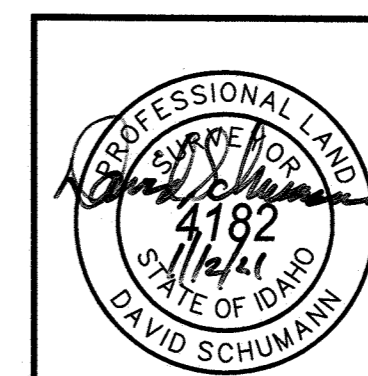


UNITS 1-8 - FIRST FLOOR



UNITS 1-8 - SECOND FLOOR

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JOB NO:	LCE 19-021

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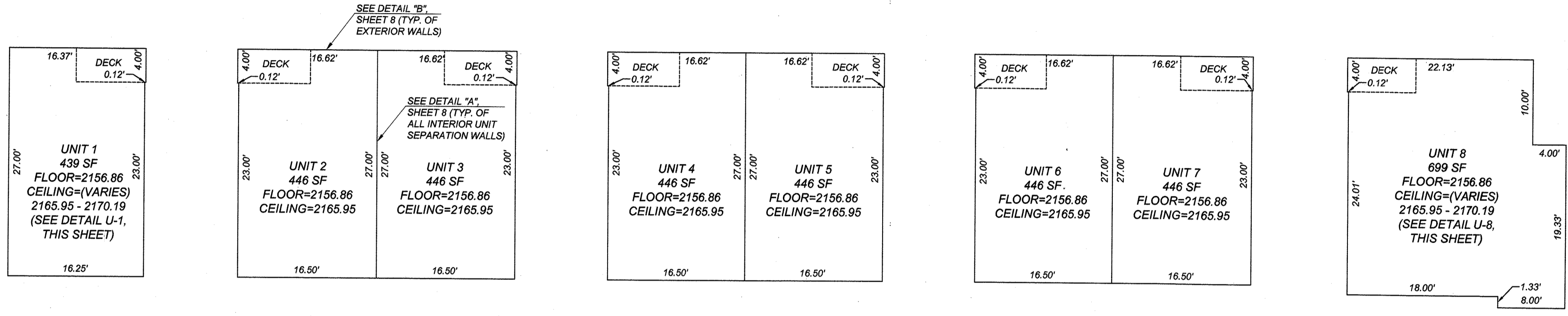
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MILL PLACE TOWNHOUSES

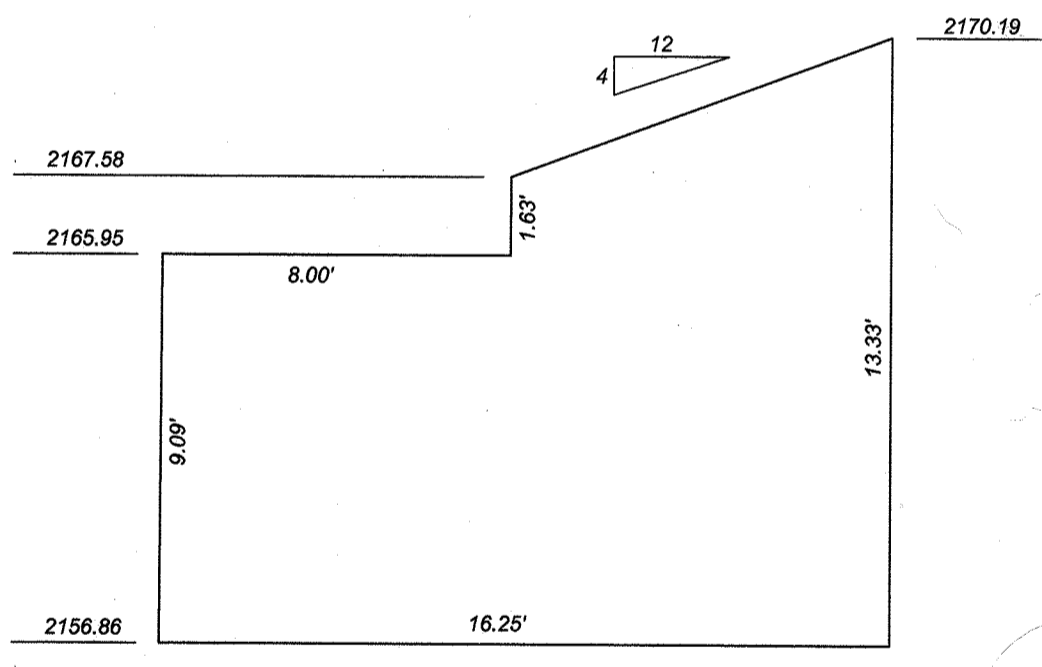
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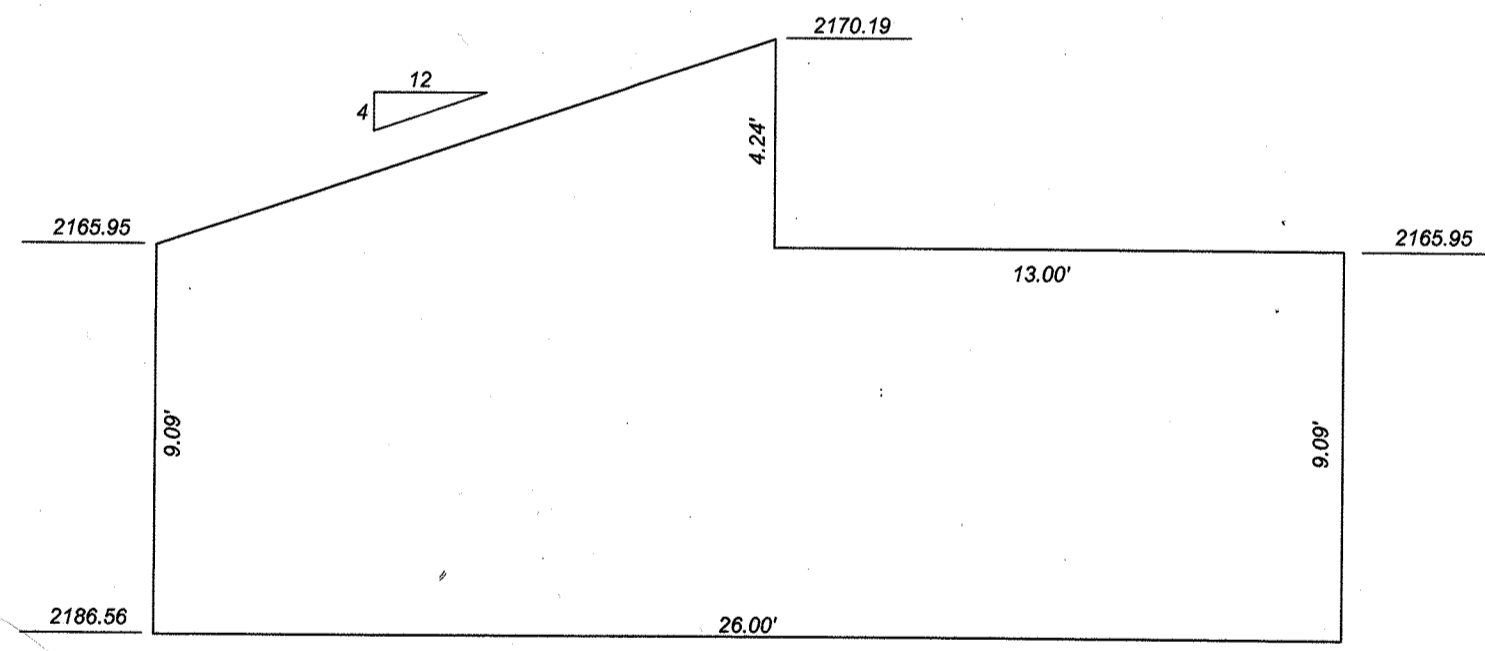


UNITS 1-8 - THIRD LEVEL



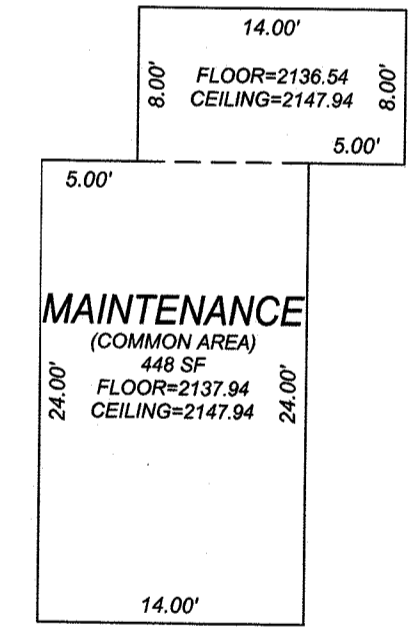
DETAIL "U-1"

UNIT 1
 THIRD FLOOR VAULTED CEILING SECTION
 N.T.S.

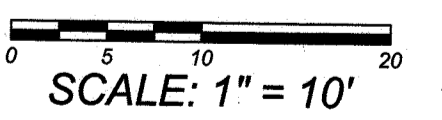


DETAIL "U-8"

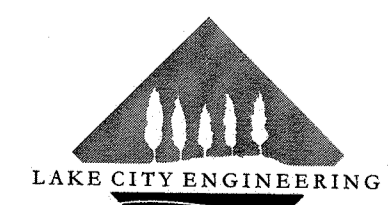
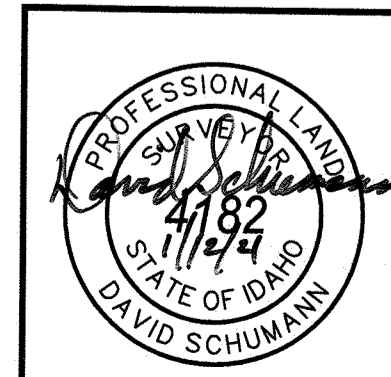
UNIT 8
 THIRD FLOOR VAULTED CEILING SECTION
 N.T.S.



MAINTENANCE GARAGE



SCALE: 1" = 10'



126 E. POPLAR AVENUE
 COEUR D'ALENE, IDAHO 83814
 PHONE: 208.676.0230

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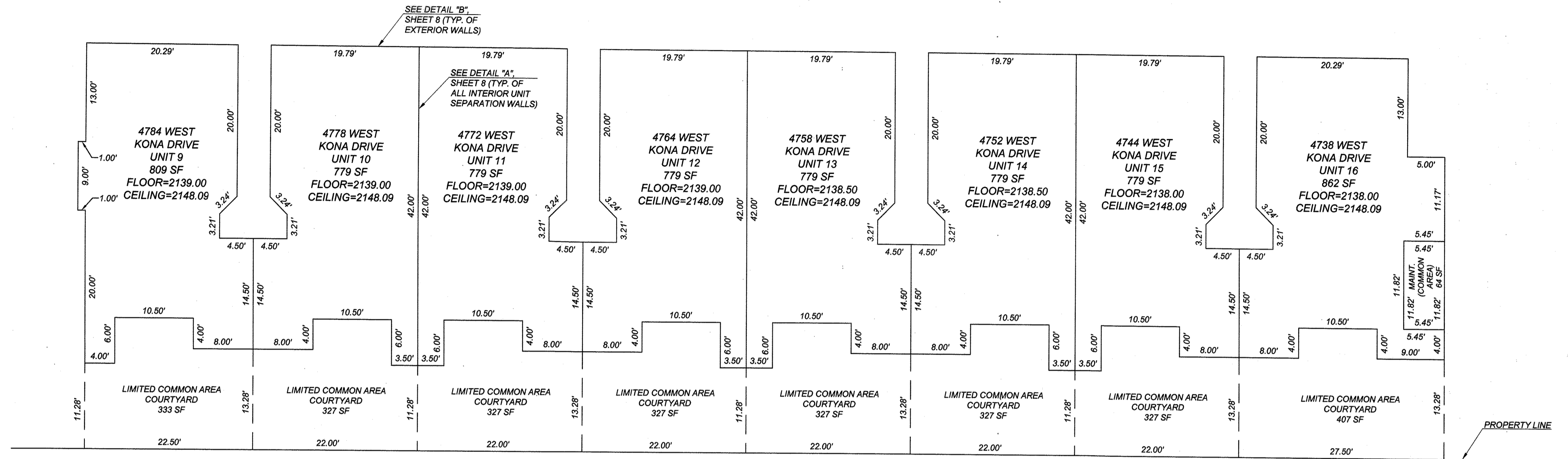
MILL PLACE TOWNHOUSES

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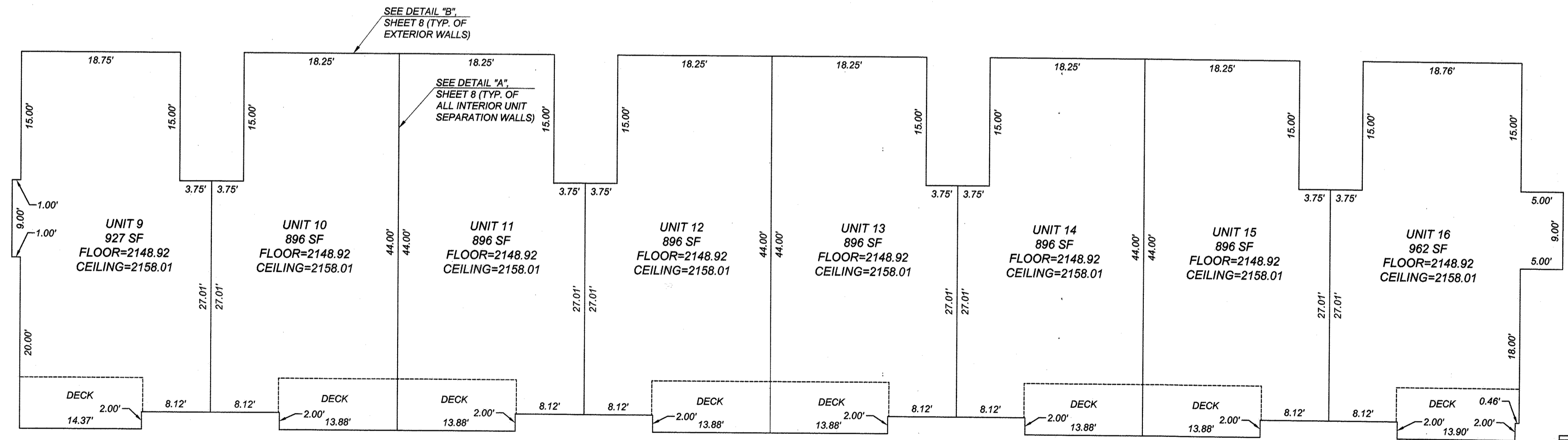
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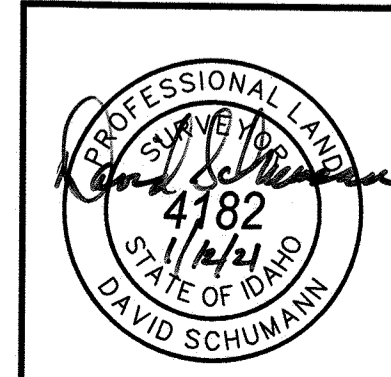


UNITS 9-16 - FIRST FLOOR



UNITS 9-16 - SECOND FLOOR

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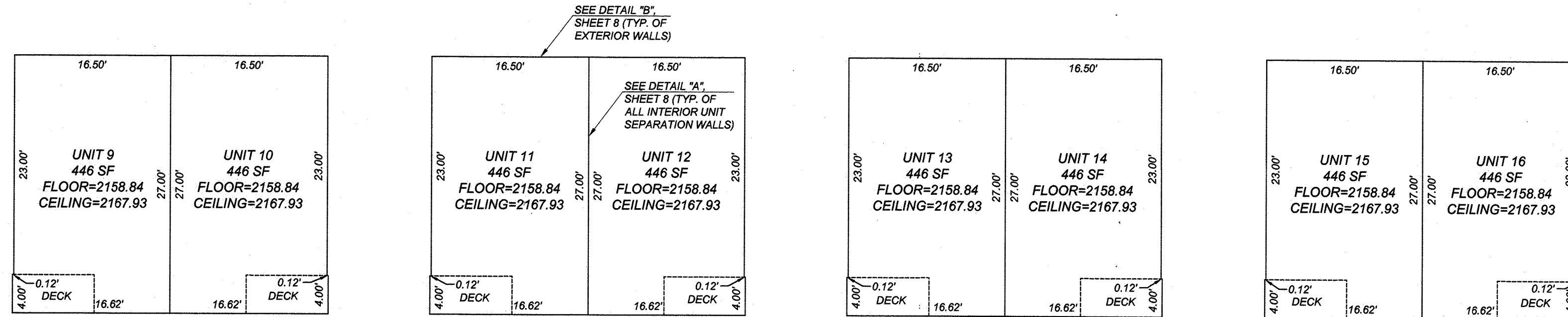
MILL PLACE TOWNHOUSES

A CONDOMINIUM

A PORTION OF LOT 36, BLOCK 1 OF EDGEWATER AT MILL RIVER
 LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK: _____ PAGE: _____

INSTRUMENT No. _____



UNITS 9-16 - THIRD FLOOR

0 5 10 20
 SCALE: 1" = 10'

	<p>LAKE CITY ENGINEERING</p> <p>126 E. POPLAR AVENUE COEUR D'ALENE, IDAHO 83814 PHONE: 208.676.0230</p>	CHECKED BY: DES/WAL
		DRAFTED BY: SEG
		SCALE: 1" = 10'
		DATE: 01/11/2021
		JOB NO: LCE 19-021
		6
		9

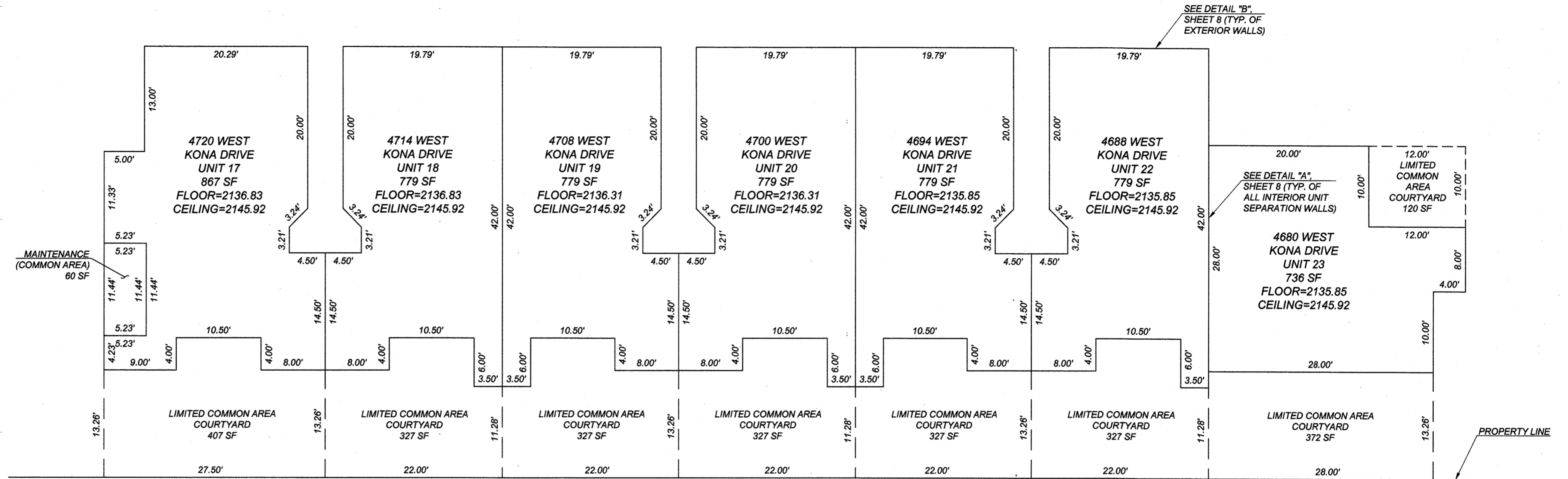
MILL PLACE TOWNHOUSES

A CONDOMINIUM

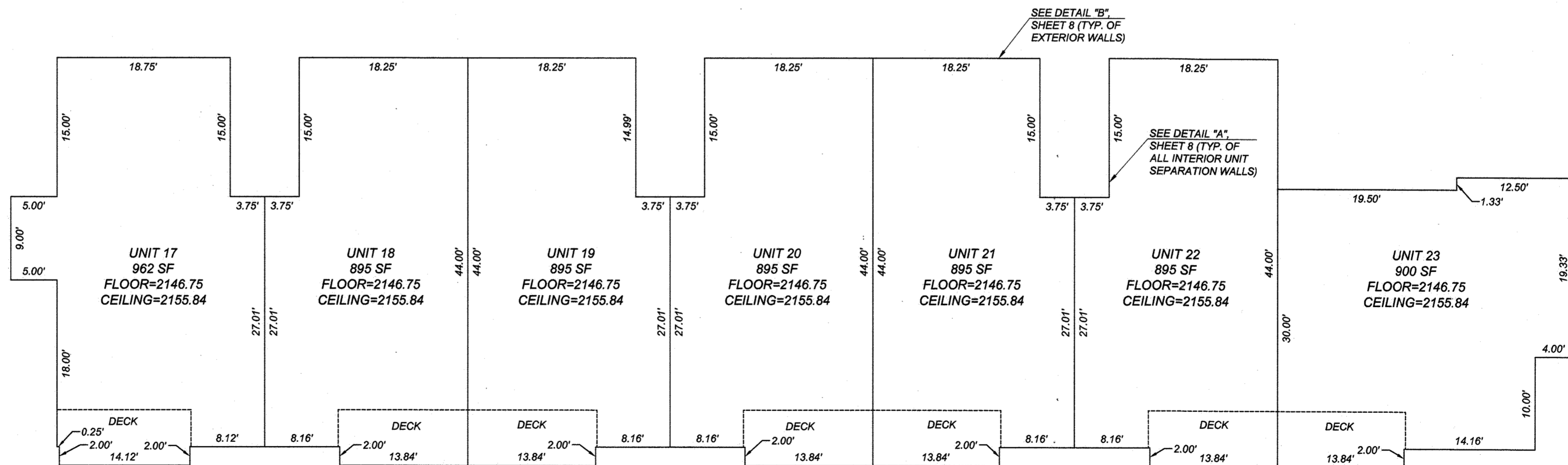
A PORTION OF LOT 36, BLOCK 1 OF EDGEWATER AT MILL RIVER
 LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK: _____ PAGE: _____

INSTRUMENT No. _____

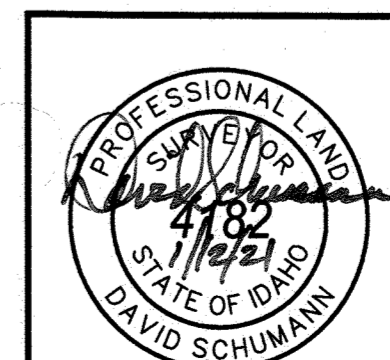


UNITS 17-23 - FIRST FLOOR



UNITS 17-23 - SECOND FLOOR

0 5 10 20
 SCALE: 1" = 10'



CHECKED BY:	DES/WAL
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SCALE:	1" = 10'
DATE:	01/11/2021
JOB NO.:	LCE 19-021
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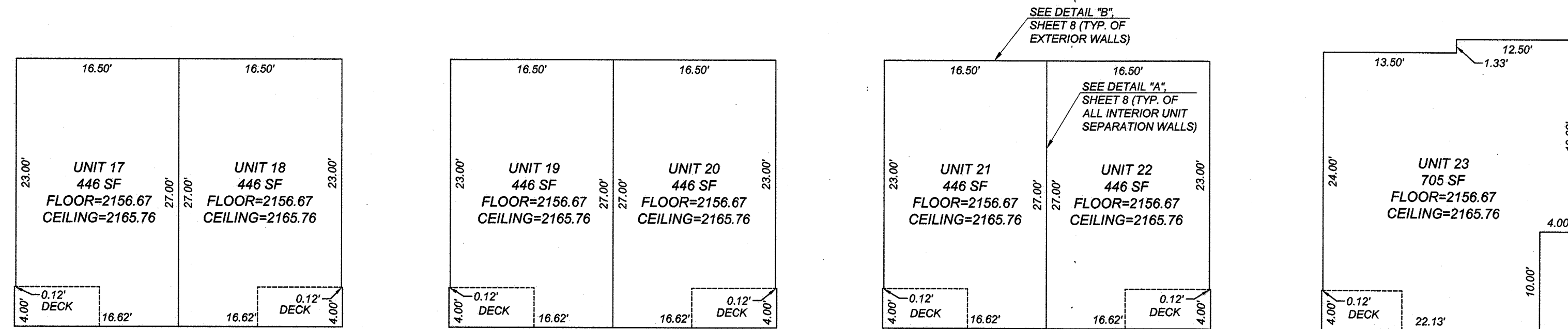
MILL PLACE TOWNHOUSES

A CONDOMINIUM

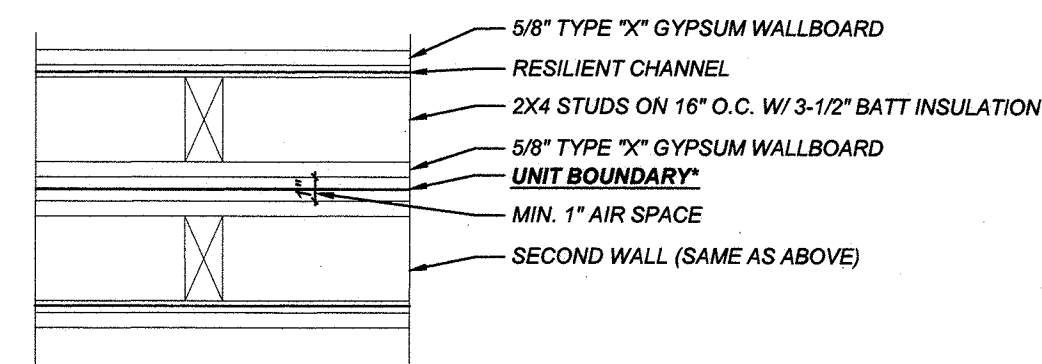
A PORTION OF LOT 36, BLOCK 1 OF EDGEWATER AT MILL RIVER
 LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK: _____ PAGE: _____

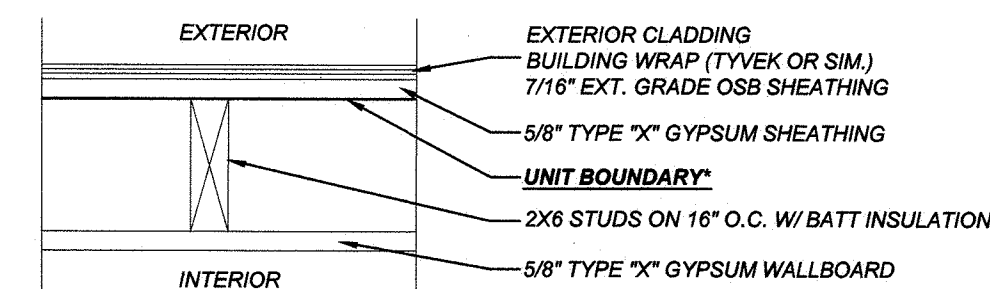
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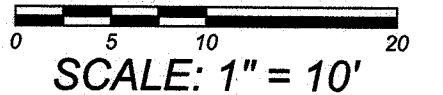
UNITS 17-23 - THIRD FLOOR



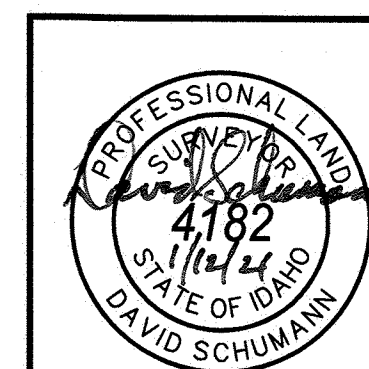
DETAIL "A"
 INTERIOR UNIT SEPARATION WALL
 (NOT TO SCALE)



DETAIL "B"
 EXTERIOR WALL
 (NOT TO SCALE)



(*) UNIT BOUNDARIES ARE DEFINED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MILL PLACE TOWNHOUSES. BOUNDARIES SHOWN AND DETAILS FOR GRAPHICAL REPRESENTATION ONLY.



CHECKED BY: DES/WAL
 DRAFTED BY: SEG
 SCALE: 1" = 10'
 DATE: 01/11/2021
 JOB NO: LCE 19-021

8

9

MILL PLACE TOWNHOUSES

A CONDOMINIUM

A PORTION OF LOT 36, BLOCK 1 OF EDGEWATER AT MILL RIVER
LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK: _____ PAGE: _____
INSTRUMENT No. _____

KOOTENAI COUNTY RECORDER

THIS PLAT WAS RECORDED AT THE REQUEST OF MILL PLACE, LLC FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, THIS _____ DAY OF _____, 20____, AT _____ M. IN BOOK OF PLATS, PAGE(S) _____, AS INSTRUMENT NUMBER _____

FEE \$ _____

DEPUTY CLERK _____

JIM BRANNON, KOOTENAI COUNTY CLERK

CITY COUNCIL CERTIFICATE

THIS PLAT HAS BEEN ACCEPTED AND APPROVED BY CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO.

DATED THIS _____ DAY OF _____, 20____.

CITY OF COEUR D'ALENE - CLERK _____

CITY OF COEUR D'ALENE - CITY ENGINEER _____

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE OWNERS CERTIFICATE AND DEDICATION HAVE BEEN PAID THROUGH 31, December 2020.

DATED THIS 12 DAY OF January, 2021

Mary Bidwell
KOOTENAI COUNTY TREASURER, Deputy Treasurer

HEALTH DISTRICT APPROVAL

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON A REVIEW BY A QUALIFIED LICENSED PROFESSIONAL ENGINEER (QLE) REPRESENTING CITY OF COEUR D'ALENE AND THE QLE APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER EXTENSIONS OR SEWER EXTENSIONS WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER EXTENSIONS OR SEWER EXTENSIONS HAVE SINCE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES, THEN SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

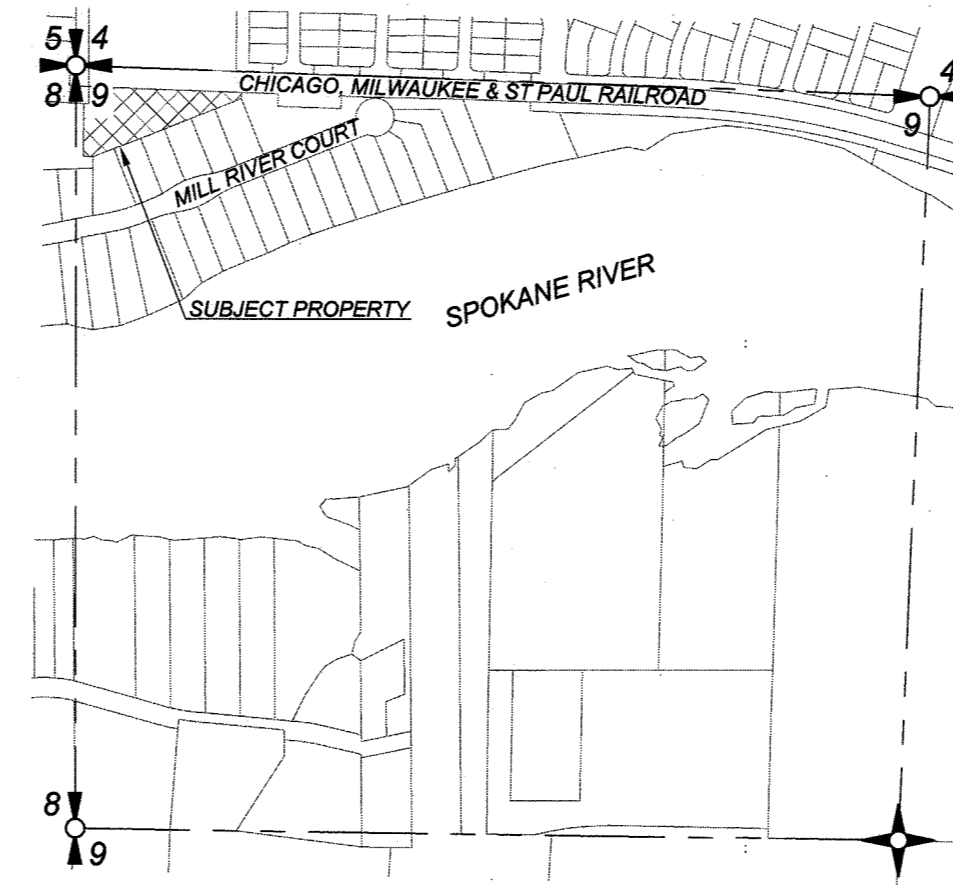
DATED THIS _____ DAY OF _____, 20____.

PANHANDLE HEALTH DISTRICT 1

COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN PLAT AND CHECKED THE PLAT COMPUTATIONS AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE STATE CODE PERTAINING TO PLATS AND SURVEYS HAVE BEEN MET.

DATED THIS _____ DAY OF _____, 20____.



NORTHWEST QUARTER SECTION 9, TOWNSHIP 50 NORTH, RANGE 4 WEST
VICINITY MAP
SCALE 1" = 600'

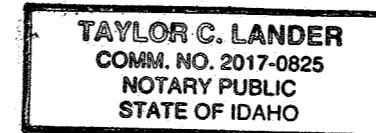
NOTARY CERTIFICATE

STATE OF IDAHO _____)
COUNTY OF KOOTENAI _____)

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON THIS 12 DAY OF January IN THE YEAR 2021, BY KIRK W. HILL THE MANAGER OF THE MILL PLACE, LLC, AN IDAHO LIMITED LIABILITY COMPANY.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES ON 10/27/2023



SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO ESTABLISH THE BOUNDARY OF THE SUBJECT PROPERTY USING RECORD INFORMATION, FOUND MONUMENTATION AND THE ESTABLISHED SECTIONAL INFORMATION. RECORD DEED CALLS WERE HELD TO ESTABLISH THE EXTERNAL BOUNDARY FOR CREATING THE NEW UNITS SHOWN HEREON.

SURVEYOR'S CERTIFICATE

I, DAVID SCHUMANN, PROFESSIONAL LAND SURVEYOR #4182, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE CONDOMINIUM PLAT OF MILL PLACE TOWNHOUSES IS BASED UPON AN ACTUAL FIELD SURVEY OF THE LAND DESCRIBED HEREON, UNDER MY DIRECT SUPERVISION, AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, ARE IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS. ALL INTERIOR CORNERS ARE SET, AS SHOWN ON THIS PLAT, IN ACCORDANCE WITH IDAHO CODE 50-1331 & 50-1303.

David Schumann
DAVID SCHUMANN
DATE 1/12/2021

OWNER'S CERTIFICATE AND DEDICATION

BE IT KNOWN BY THESE PRESENTS THAT MILL PLACE, LLC, AN IDAHO LIMITED LIABILITY COMPANY, DOES HEREBY CERTIFY THAT IT OWNS THE PROPERTY DESCRIBED AND INCLUDES SAID PROPERTY IN THIS CONDOMINIUM PROJECT TO BE AS MILL PLACE TOWNHOUSES, BEING A PORTION OF LOT 36, BLOCK 1 OF EDGEWATER AT MILL RIVER FILED IN BOOK J OF PLATS AT PAGE 60, RECORDS OF KOOTENAI COUNTY, LYING IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 9, BEING A 2 INCH ALUMINUM CAP PER CP&F INSTRUMENT NUMBER 2020879000, RECORDS OF KOOTENAI COUNTY, FROM WHICH THE NORTH QUARTER CORNER BEARS SOUTH 88°01'04" EAST A DISTANCE OF 2652.96 FEET; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 9, SOUTH 88°01'04" EAST A DISTANCE OF 40.01 FEET TO THE INTERSECTION OF SAID NORTH LINE AND THE EAST RIGHT OF WAY OF HUETTER ROAD; THENCE SOUTH 00°05'32" WEST A DISTANCE OF 60.14 FEET TO THE NORTHWEST CORNER OF SAID LOT 36, BLOCK 1 ON THE SOUTH RIGHT-OF-WAY OF THE CHICAGO, MILWAUKEE & ST. PAUL RAILROAD, BEING A 5/8 INCH REBAR, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID NORTH LINE AND SOUTH RAILROAD RIGHT-OF-WAY, ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 5759.65 FEET, AN ARC LENGTH OF 18.83 FEET, A CENTRAL ANGLE OF 00°11'14" WITH A LONG CHORD THAT BEARS SOUTH 87°44'08" EAST A DISTANCE OF 18.83 FEET TO A 5/8 INCH REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4182";

THENCE CONTINUING ALONG SAID NORTH LINE AND SOUTH RAILROAD RIGHT-OF-WAY, SOUTH 87°55'39" EAST A DISTANCE OF 377.73 FEET TO THE NORTHWEST CORNER OF THE TRANSFERRED AREA PER THE RECORD OF SURVEY FILED IN BOOK 30 OF SURVEYS AT PAGE 218, RECORDS OF KOOTENAI COUNTY, BEING A 5/8 INCH REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 14220";

THENCE ALONG THE WEST LINE OF SAID TRANSFERRED AREA, SOUTH 01°57'41" WEST A DISTANCE OF 55.74 FEET TO THE NORTHEAST CORNER OF LOT 30, BLOCK 1 OF SAID PLAT OF EDGEWATER AT MILL RIVER;

THENCE ALONG THE NORTH LINE OF LOTS 30 THROUGH 34, BLOCK 1 OF SAID PLAT OF EDGEWATER AT MILL RIVER, SOUTH 68°31'08" WEST A DISTANCE OF 409.87 FEET TO THE NORTHWEST CORNER OF SAID LOT 34, BLOCK 1 OF EDGEWATER AT MILL RIVER;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 35, BLOCK 1, NORTH 89°32'23" WEST A DISTANCE OF 30.00 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE OF LOT 35, BLOCK 1 BEING A 5/8 INCH REBAR WITH BLUE PLASTIC CAP MARKED "PLS 10559";

THENCE CONTINUING ALONG SAID EASTERLY LINE OF LOT 35, BLOCK 1, NORTH 00°27'37" EAST A DISTANCE OF 166.67 FEET TO THE NORTHEAST CORNER OF SAID LOT 35, BLOCK 1 ON THE SOUTH RIGHT-OF-WAY OF MAPLEWOOD AVENUE, BEING A 5/8 INCH REBAR WITH BLUE PLASTIC CAP MARKED "PLS 10559";

THENCE ALONG SAID SOUTH RIGHT-OF-WAY, ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 5813.65 FEET, AN ARC LENGTH OF 15.60 FEET, A CENTRAL ANGLE OF 00°09'13" WITH A LONG CHORD BEARING SOUTH 87°34'28" EAST A DISTANCE OF 15.60 FEET TO THE SOUTHEAST CORNER OF SAID MAPLEWOOD AVENUE RIGHT-OF-WAY, BEING A 5/8 INCH BENT REBAR;

THENCE ALONG THE EAST RIGHT-OF-WAY OF SAID MAPLEWOOD AVENUE, NORTH 00°05'32" EAST A DISTANCE OF 53.96 FEET TO THE TRUE POINT OF BEGINNING;

SAID PARCEL CONTAINING 1.335 ACRES, MORE OR LESS.

BE IT FURTHER KNOWN THAT:

SANITARY SEWER DISPOSAL IS PROVIDED BY THE CITY OF COEUR D'ALENE;

DOMESTIC WATER FOR THIS PLAT IS SUPPLIED BY THE CITY OF COEUR D'ALENE;

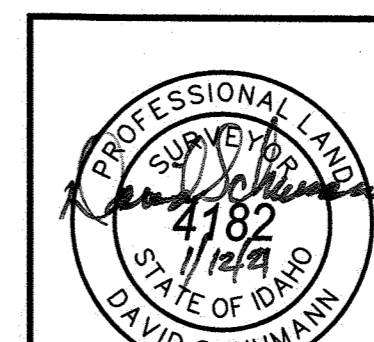
ALSO SUBJECT TO ANY EXISTING EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS, RESERVATIONS, RIGHTS OR ENCUMBRANCES OF RECORD;

LOTS WITHIN THIS PLAT ARE SUBJECT TO THE DECLARATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR MILL PLACE TOWNHOUSES A CONDOMINIUM RECORDED UNDER INSTRUMENT No. _____, RECORDS OF KOOTENAI COUNTY, TOGETHER WITH ANY AND ALL AMENDMENTS MADE THEREAFTER;

THE OWNER HEREBY CONSENTS TO THE RECORDATION OF DOCUMENTS PURSUANT TO IDAHO CODE TITLE 55, CHAPTER 15.

[Signature]
KIRK W. HILL, MANAGER
DATE 1-12-2021

MILL PLACE, LLC



CHECKED BY:	DESJWAL
DRAFTED BY:	SEG
SCALE:	N.T.S.
DATE:	01/11/2021
JOB NO:	LCE 19-021



Date: January 11, 2020

To: General Services/Public Works Committee

From: Melissa Tosi; Human Resources Director

Re: Personnel Rule Amendments

Decision Point: Should the City Council approve the amendment for Rule 27 – FLSA Exempt Employees?

History: The proposed amendment adds “Accountant” to the list of FLSA exempt employees. The employees listed in this rule represent classifications that are responsible for management within a city department, and under the day-to-day guidance of the Department Head. The Accountant position is under the day-to-day guidance of the Comptroller and handles the duties of the Comptroller in their absence.

Ameriben, HR Consulting, also reviewed the responsibilities of the Accountant classification and agreed the position fairly falls under the Administrative exemption under the Fair Labor Standards Act (FLSA). This proposed amendment to the Personnel Rules has been posted for all employees to review.

Financial Analysis: The classification is leveled appropriately and will remain at a pay grade 14. The only potential future cost associated with the amendment to Personnel Rule 27 is that, as an exempt position, the Accountant classification would be eligible for a 5 – 8% performance increase annually, opposed to the general 5% increase for non-exempt employees. Additionally, as an FLSA exempt position, this classification will be salaried and will no longer be eligible for overtime and/or comp-time.

Performance Analysis: Authorizing the above-noted amendment will provide an updated job classification for the duties and responsibilities needed for the Finance Department and aligns with other equivalent FLSA Exempt classifications. The updates are further important to keep the Personnel Rules consistent with a general understanding of the essential operations of the City.

Recommendation: The City Council should approve the amendments for Rule 27 – FLSA Exempt Employees.



Accountant

Department: Finance
Date Established: 1/2017

Reports to: Deputy Finance Director/Comptroller
Date Revised: 12/2020

Pay Grade: 14
FLSA Status: ~~Covered~~ Exempt

Classification Summary

The Accountant performs accounting functions including the proper recording of assets, liabilities, revenue and expense transactions, and maintains subsidiary ledgers for accounts receivable, accounts payable, special assessments, cash receipting, investments, fixed assets and debt. The job prepares and analyzes reports for accuracy and compliance, assists in the annual audit, and assists departments with the City budget. The Accountant reports to the Comptroller and performs work within established regulations and protocols with latitude for independent judgment. The position requires a Bachelor's Degree in Finance, Accounting, or related field; and two (2) years' experience in governmental accounting.

Essential Duties and Responsibilities *(illustrative only and may vary by assignment)*

- Independently performs accounting and financial activities in support of the citywide financial system including the proper recording of assets, liability, revenue and expense transactions;
- Maintains subsidiary ledgers for accounts receivable, accounts payable, special assessments, cash receipts, investments, grants, fixed assets and debt;
- Prepares financial reports and statements detailing the financial operations of the City including the monthly financial summaries and the City's Comprehensive Annual Financial Report;
- Analyzes reports to ensure they accurately reflect the City's financial position;
- Assists in the City's independent annual financial audit in concert with the City's external auditors ensuring all necessary reports and supporting documentation are complete and accurate;
- Assists with the preparation of all City department budgets;
- Provides back-up when needed to accounts payable, payroll, utility billing and cash receipting;
- Responds to management's, supervisor's, co-workers' and citizens' questions and comments in a courteous, thorough and timely manner;
- Performs time management and scheduling functions, meets deadlines, and sets project priorities;
- Maintains strict confidentiality of all matters;
- Assists other department and City employees as needed or requested.
- Performs all work duties and activities in accordance with City policies, procedures, and safety practices.

Secondary Duties and Responsibilities:

- Performs the duties of the Comptroller in that employee's absence;
- Prepares annual invoices for Local Improvement District billings and past due letters;
- Prepares annual invoices for Downtown Business Association billings; makes adjustments and prepares past due letters;
- Performs other duties as assigned.

Classification Requirements:

The requirements listed below are representative of the minimum knowledge, skill, and/or ability required for an individual to satisfactorily perform each essential duty satisfactorily and be successful in the position.

Knowledge of:

- Standards for governmental accounting and generally accepted accounting principles;
- Modern principles and practices of finance, accounting, budgeting, purchasing, internal control and investment;
- Perform complicated mathematical calculations and analyses, including preparation of clear, concise and comprehensive financial statements, reports and written material;
- Cash flow management;
- Modern office equipment and related software;
- Computerized accounting systems and software.

Skill and Ability to:

- Apply accounting principles to resolve problems;
- Accurately perform complex mathematical calculations;
- Use accounting and spreadsheet software to prepare reports;
- Juggle multiple deadlines and requests;
- Manage time and prioritize;
- Research and analyze data;
- Maintain accurate and detailed accounting records;
- Reconcile complex, high volume accounts;
- Read, interpret and apply rules, regulations, policies and procedures;
- Use good judgment in problem-solving and decision making regarding complex management issues;
- Compile, develop and organize data and information into clear and concise written reports;
- Exercise tact and diplomacy in dealing with sensitive, complex and often confidential issues and situations;
- Use English and speak clearly for understanding;
- Listen carefully to, understand, and effectively communicate through verbal, written, and electronic communication channels;
- Perform duties to supervisor's expectations;
- Follow verbal and written instructions;
- Work independently or with minimal supervision; exercise initiative, with general guidance and supervision;
- Maintain a professional demeanor at all times;
- Perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Demonstrate integrity and ingenuity in the performance of assigned tasks and solving problems;
- Perform all duties in accordance with City policies and procedures with regard for personal safety and that of other employees and the public.

Acceptable Experience and Training:

- Bachelor's Degree in Finance, Accounting, or related field;
- Two (2) years' experience in governmental accounting; or

- An equivalent combination of education and experience that provides the required skills, knowledge and abilities to successfully perform the essential functions of the position may be considered.

Physical Demands & Work Environment:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this classification. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this classification, the employee is frequently required to stand, walk, sit, stoop, kneel, bend, use hands to keyboard or type, handle materials, or manipulate tools used in performing the essential functions of the classification, and reach with hands and arms. The employee must (occasionally or frequently) lift and/or move up to 25 pounds. Specific vision abilities required by this classification include close vision, distance vision, color vision peripheral vision, depth perception and ability to adjust focus. Sufficient clarity of speech and hearing abilities required by this classification includes those which permit the employee to discern verbal instructions and communicate effectively in person, by telephone. While performing the duties of this classification, the employee works in an office setting where the noise level in the work environment is usually moderate.



Date: January 11, 2021

To: General Services

From: Melissa Tosi; Human Resources Director

Re: Coronavirus (COVID-19) policy

Decision Point: Should the City Council approve an updated Coronavirus (COVID-19) policy regarding paid leave specifically related to the COVID-19 pandemic?

History: In April 2020, under the Emergency Declaration approved by Council on March 21, 2020, the Mayor approved the COVID-19 policy that detailed steps for safety precautions and paid leave options for all employees. This policy, along with other federal COVID related policies, expired December 31, 2020.

As we continue to try to make the best decisions for our employees and the citizens of the City of Coeur d'Alene, the proposed amendments to the COVID-19 policy update our current practice and specifically details the paid leave options the City proposes to continue utilizing through March 31, 2021.

For the period of January 1, 2021, through March 31, 2021, we are proposing to continue the voluntary paid leave benefits offered through the Families First Coronavirus Response Act (FFCRA). Additionally, we propose continuing to offer the administrative paid leave option for police and fire due to a significant risk of exposure to other employees and citizens.

Financial Analysis: The Financial impact on the City is difficult to predict since any additional expenses will be based on future COVID-19 related exposures and the health of the employees. The FFCRA provides up to 80 hours of paid sick leave for eligible employees during the timeframe of April 1, 2020, through March 31, 2021. If an employee has already utilized the hours allotted under the FFCRA, and there is a need for additional COVID-19 related leave, that employee would be required to utilize their own accrued personal leave.

Performance Analysis: Continuing this policy through March 31, 2021, will allow the City to offer paid benefits to those who qualify in the face of this public health emergency. We will evaluate the need to extend the policy in another three months because of the uncertainty of the duration of the pandemic. With positive cases at a record high, we feel extending our paid leave options will encourage employees to stay home when ill and avoid spreading the virus to other employees and citizens while at work.

Recommendation: The City Council should approve the proposed updated Coronavirus (COVID-19) policy regarding paid leave specifically related to the COVID-19 pandemic.



Coronavirus (COVID-19) Policy

Contents

Section 1. Purpose.....	1
Section 2. Definitions	1
Section 3. COVID-19 Control	2
Section 4. Preventing the spread of infection in the workplace	2
Section 5. Hours of Work.....	2
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Section 7. Paid Leave Options.....	3
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Section 1. Purpose

The City of Coeur d'Alene (hereinafter the “City”) is committed to protecting the safety, health, and well-being of all of its employees as well as members of the public. This plan has been prepared to aid City officials and staff in gathering the information and resources to prepare and communicate the business responsiveness plan to City employees. Additionally, this plan will provide information on workplace safety precautions and leave options. Except as provided herein, the City’s Personnel Rules remain in effect. The provisions of this policy apply to all employees of the City who are employed for at least 30 calendar days and will expire March 31, 2021.

Section 2. Definitions

- *Coronavirus (COVID-19)*: infectious disease caused by a new virus that had not been previously identified in humans. The virus causes respiratory illness which can cause a range of symptoms from very mild to severe such as a cough, fever, and shortness of breath or difficulty breathing.
- *Epidemic*: a widespread occurrence of an infectious disease in a community at a particular time.
- *Pandemic*: spread of an epidemic over several countries or continents, usually affecting a large number of people.
- *Telework*: the practice of working from home.

Section 3. COVID-19 Control

The City of Coeur d'Alene will take steps to safeguard its employees in the workplace in the event of an epidemic or pandemic. These steps include:

- Implementing a plan to operate effectively (specifics included in the City of Coeur d'Alene Pandemic/Exposure/Quarantine/Isolation Plan & Continuity of Operations Plan).

- Ensuring that all essential services are continuously provided.
- Ensuring that employees are safe within the workplace.
- Providing communications intended to keep staff apprised of current information about the nature and spread of infectious and communicable diseases, including symptoms and signs to watch for, and steps to take in the event of an illness or epidemic.
- Assign City's EMS Officer to guide all departments through the process of how to obtain a COVID-19 test and provide consistent guidance to all City departments.

Section 4. Preventing the spread of infection in the workplace

It is our goal to ensure a safe and clean workplace. We ask all employees to cooperate in taking steps to reduce the transmission of communicable diseases in the workplace.

Employee responsibilities are:

- Use technology methods to conduct online conferencing and meetings and maintain social distancing of 6 feet when able;
- Wash your hands & use hand sanitizers;
- Stay home if you are sick or have any symptoms of illness;
- Be proactive with cleaning frequently touched surfaces and work stations.

Employees who have symptoms of acute (as opposed to chronic or long-standing) respiratory illness shall stay home and not come to work or immediately leave work. The employee needs to contact their supervisor and the City's EMS Officer to provide notification that they are sick as soon as practical. The EMS Officer will guide/assist the employee in the process of obtaining a COVID-19 test if indicated.

It is critical that employees do not report to work while they are experiencing symptoms. Our desire is to slow the spread of this virus by being proactive while protecting other employees and the public.

Section 5. Hours of Work

To be prepared for COVID-19, departments should consider incorporating temporary flexible work schedules or a compressed work week, either of which must be approved by the City Administrator and Department Head in advance. Additionally, telework may be approved by the Department Head and the employee must sign the City's Temporary Telecommuting Policy. Department heads need to evaluate staffing and identify which employees have the ability to work from home.

There may be flexibility around telework for social distancing purposes and can be an option for an employee instead of using accrued leave. These telework arrangements are temporary and subject to change as the COVID-19 situation develops. Additionally, there may be limited resources due to the restricted VPN access and advanced approval is required by the Department Head, in consultation with Municipal Services Director or designee.

Section 6. Business Travel

All non-essential work-sponsored travel by all City employees shall be prohibited until further notice.

Section 7. Paid Leave Options

Effective December 31, 2020, the Families First Coronavirus Response Act (FFCRA) expired. However, the recently passed Consolidated Appropriations Act 2021 allows employers to voluntarily extend the FFCRA Emergency Paid Sick Leave (EPSL) and Emergency Family Medical Leave Act (EFMLA) benefits through March 31, 2021. Due to the ongoing epidemic, the City recognizes the need to provide a reasonable amount of continued paid leave and will voluntarily extend the availability of the benefits of the FFCRA, without providing additional benefits. The EPSL under the FFCRA provides up to 80 hours for an employee's required absence for those who are subject to self-isolation under the direction of public health authorities due to a significant risk exposure to COVID-19 or who have tested positive.

The benefits for this FFCRA leave are for the timeframe of April 1, 2020, through March 31, 2021. If additional absences are necessary due to COVID-19, and the employee has utilized the allowable leave under the FFCRA, the employee shall utilize their personal accrued leave (i.e. vacation, sick, or comp-time). The City will follow regular leave policies and procedures for employees who are absent from work.

Since emergency responders may be excluded from the FFCRA, the City of Coeur d'Alene may authorize paid administrative leave for first responder employees who are subject to self-isolation under the direction of public health authorities or the City's EMS Officer due to a significant risk exposure to COVID-19 or who fail the symptom check-list below.

- Fever of 100.4 degrees F or higher **OR** if experiencing chills;
- Uncontrollable secretions or excretions that would likely result in sneezing or blowing of the nose during the course of caring for a patient or talking to a colleague;
- Cough, Sore throat, Congestion or Runny Nose;
- shortness of breath, or difficulty breathing;
- Diarrhea associated with an acute illness;
- Body aches and pains;
- Loss of taste or smell;
- Nausea or vomiting.

Proof from a public health official, health care professional, or City's EMS Officer shall be required and provided for the approval of paid administrative leave. If an employee tests positive for COVID-19, documentation from a health care professional must be provided to Human Resources prior to returning to work.

The Fire Chief and Police Chief who place an employee on Paid Administrative Leave must notify the City Administrator and Human Resources. The City will continually re-evaluate compensation options due to the uncertainty of the duration of the COVID-19 pandemic.

Section 8. Family Medical Leave Act

The City of Coeur d'Alene observes the Family Medical Leave Act (FMLA) as well as the Americans with Disabilities Act (ADA) to provide employees job protection and accommodations as required by law. Employees should consult with HR to determine if the FMLA or ADA apply when addressing concerns related to COVID-19.

Section 9. Protected Health Information

An infected employee's privacy will be protected to the greatest extent possible and their identity will not be disclosed without consent or a lawful order by a court or other authority. In an epidemic of a quarantinable communicable disease such as COVID-19, management will only share the information determined to be necessary to protect the health of the employees in the workplace while maintaining confidentiality as required by the Americans with Disabilities Act (ADA). If we do have a confirmed case involving an employee, departments should consult with Legal and Human Resources to determine what information is releasable.

RESOLUTION NO. 21-004

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE APPROVAL OF AN AMENDMENT TO PERSONNEL RULE 27 – FLSA EXEMPT EMPLOYEES; AND APPROVAL OF AN UPDATED CORONAVIRUS (COVID-19) POLICY REGARDING PAID LEAVE SPECIFICALLY RELATED TO THE PANDEMIC.

WHEREAS, it has been recommended that the City of Coeur d'Alene approve the actions listed below, pursuant to the documents attached hereto as Exhibits "A" through "B" and by reference made a part hereof as summarized as follows:

- A) Approval of an amendment to Personnel Rule 27 – FLSA Exempt Employees; and
- B) Approval of an updated Coronavirus (COVID-19) policy regarding paid leave specifically related to the pandemic.

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such agreements or other actions;

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City approve the amendments to Personnel Rule 27 and the COVID-19 policy, as set forth in substantially the form attached hereto as Exhibits "A" through "B" and incorporated herein by reference, with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify the text of said amendments, so long as the substantive provisions of the amendments remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such documents as may be required on behalf of the City.

DATED this 19th day of January, 2021.

Steve Widmyer, Mayor

ATTEST

Renata McLeod, City Clerk

Motion by _____, Seconded by _____, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER ENGLISH	Voted
COUNCIL MEMBER MILLER	Voted
COUNCIL MEMBER GOOKIN	Voted
COUNCIL MEMBER EVANS	Voted
COUNCIL MEMBER MCEVERS	Voted
COUNCIL MEMBER WOOD	Voted

_____ was absent. Motion _____.

OTHER BUSINESS

**CITY COUNCIL
STAFF REPORT**

DATE: January 19, 2021

FROM: Hilary Anderson, Community Planning Director

SUBJECT: Proposed Housekeeping Amendments to Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Municipal Code, and the Commercial Design Guidelines

BACKGROUND:

The City's Subdivision and Zoning Ordinances need regular review and updates to ensure consistency. The proposed edits to Title 16 and Title 17 are housekeeping edits that will clean up inconsistencies with regard to how the appeal process works and clean up old references to a male planning director. There are also proposed amendments to clarify performance standards in some of the zoning districts. There are also inconsistencies between the Zoning Ordinance and the Commercial Design Guidelines with regard to landscape buffering when adjacent to a residential use versus a residential zone. Staff is bringing forward updates to clean up these sections of the Municipal Code and the Commercial Design Guidelines.

The Planning Commission heard both items at the December 8, 2020 meeting and unanimously recommended approval. The City Council is being asked to consider the requested changes and make findings to approve of the housekeeping amendments to Title 16, Title 17 and the Commercial Design Guidelines.

PROPOSED AMENDMENTS:

Title 16 Amendments:

- Appeal timing will be based on the date of mailing the notice of decision rather than date of publication.

Title 17 Amendments:

- Aggrieved or affected party definition is being clarified using language from the State Statutes related to standing for an appeal.
- Clarifying the R-34 zoning district to make it clear that it is only available through the special use permit process and that it does provide the increased height in addition to the increased density; clarifying that the referenced Coeur d'Alene transportation plan is KMPO's 2020 Metropolitan Transportation Plan; and clarifying that schools are not relevant if it is an adult only apartment complex, but park proximity would be a consideration.
- Clarifying the maximum height for a single-family home built in an MH-8 zoning district. (note: they are already allowed, but the height was not defined).
- Clarifying site performance standards for C-17 ... regarding side and rear setbacks to ensure no

eaves cross over a property line or result in offsite stormwater impacts and allowing for horizontal mixed use projects to have setbacks associated with the various uses.

- Cleaning up carryover language from when there was a male planning director and making the language gender neutral.
- Clarifying that an ADU can be as tall as 24 feet if over a garage. A stand-alone ADU in the rear yard would have a maximum height of 18 feet.
- Clarifying bufferyard regulations so that they would apply if next to a residential use or zone. (Note: this is the section that also affects the Commercial Design Guidelines and the need for amendments to both documents).
- Revisions to Planning Director, City Engineer and City Attorney references for consistency and to use proper titles, and adding in missing references to “or designee.”
- Clarifying the appeal process related to mailing the notice of decision and referring to an amended 17.09.125B for consistency.

Commercial Design Guidelines:

- Clarifying under I. SITE DESIGN, F. Residential/Parking Lot Screening on page 11 of the Commercial Design Guidelines that the buffering is required when a site abuts a residential district or residential use. (Note: see bullet point above related to clarifying bufferyard regulations to make the Zoning Ordinance and Design Guidelines consistent).

DECISION POINT/RECOMMENDATION:

Approve the housekeeping amendments to Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Municipal Code, and the Commercial Design Guidelines.

I. SITE DESIGN

F. Residential/Parking Lot Screening

Intent: To diminish the amount of asphalt and parked cars visible from the street and abutting residential by buffering it from less intensive uses.

1. Along any street frontage, parking lots shall be separated from the sidewalk by a planting strip, a minimum of 6 feet wide. This strip shall be planted with trees having a minimum caliper of 1.5" and equivalent in number to that produced by one tree every 35 feet. Not less than 20% of the trees shall be a native evergreen variety. However, trees may be grouped. In addition, there shall be evergreen shrubs at least 30" in height at time of planting, no less than 48" on center. A masonry wall, 24"- 42" in height, with ground cover, may be substituted for the shrubs. A combination of all of the above, i.e., trees, shrubs, wall and ground cover, are encouraged.
2. Where a site abuts a residential district or residential use, there shall be a planting strip, at least 10 feet in width containing evergreen trees along the area bordering the two districts. This strip shall be planted with trees 8 to 12 feet tall spaced no more than 25 feet apart. In addition, there shall be evergreen shrubs at least 30" in height at time of planting, no less than 48" on center as approved by the urban forester.
3. The Planning Director may approve other approaches to screening, so long as the intent is satisfied.☐



planting strip between sidewalk and parking lot



wider planting strip between parking lot for commercial use and residential development

For planting instructions and approved species refer to the City Urban Forestry Division:

<http://www.cdaid.org/urban/index.html>

2010 Coeur d'Alene Commercial Zones Design Guidelines 4.7.10

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wider planting strip between parking lot for commercial use and residential development

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1. Applicant: City of Coeur d'Alene
Request: Proposed housekeeping amendments to Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Municipal Code. LEGISLATIVE, (0-2-20)

OTHER BUSINESS: *ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.**

1. Applicant: City of Coeur d'Alene
Request: Proposed amendment to the Commercial Design Guidelines regarding Residential/Parking Lot Screening

NOTE: The Public Hearing and Other Business items were presented together by staff because they are directly related. The Planning Commission was directed to make separate findings.

Ms. Anderson provided the following statements:

- The City's Subdivision and Zoning Ordinances need regular review and updates to ensure consistency.
- The proposed edits to Title 16 and Title 17 are housekeeping edits that will clean up inconsistencies with regard to how the appeal process works and clean up old references to a male planning director.
- There are also proposed amendments to clarify performance standards in some of the zoning districts. There are also inconsistencies between the Zoning Ordinance and the Commercial Design Guidelines with regard to landscape buffering when adjacent to a residential use versus a residential zone.
- Staff is bringing forward updates to clean up these sections of the Municipal Code and the Commercial Design Guidelines.
- The Planning Commission will need to hold a public hearing on the proposed housekeeping amendments to the Municipal Code and make a recommendation to the City Council. The Commercial Design Guidelines do not need a public hearing, but are directly related to the housekeeping edits and, therefore, will be presented as one item to the Planning Commission. The Commission will need to make two separate motions.

PROPOSED AMENDMENTS:

Title 16 Amendments:

- Appeal timing will be based on the date of mailing the notice of decision rather than date of publication.

Title 17 Amendments:

- Aggrieved or affected party definition is being clarified using language from the State Statutes related to standing for an appeal.
- Clarifying the R-34 zoning district to make it clear that it is only available through the special use permit process and that it does provide the increased height in addition to the increased density; clarifying that the referenced Coeur d'Alene transportation plan is KMPO's 2020 Metropolitan Transportation Plan; and clarifying that schools are not relevant if it is an adult only apartment complex, but park proximity would be a consideration.
- Clarifying the maximum height for a single-family home built in an MH-8 zoning district. (note: they are already allowed, but the height was not defined).
- Clarifying site performance standards for C-17 regarding side and rear setbacks to ensure no eaves cross over a property line or result in offsite stormwater impacts and allowing for horizontal mixed-use projects to have setbacks associated with the various uses.
- Cleaning up carryover language from when there was a male planning director and

- making the language gender neutral.
- Clarifying that an ADU can be as tall as 24 feet if over a garage. A stand-alone ADU in the rear yard would have a maximum height of 18 feet.
- Clarifying buffer yard regulations so that they would apply if next to a residential use or zone. (Note: this is the section that also affects the Commercial Design Guidelines and the need for amendments to both documents).
- Revisions to Planning Director, City Engineer and City Attorney references for consistency and to use proper titles, and adding in missing references to “or designee.”
- Clarifying the appeal process related to mailing the notice of decision and referring to an amended 17.09.125B for consistency.

Commercial Design Guidelines:

- Clarifying under I. SITE DESIGN, F. Residential/Parking Lot Screening on page 11 of the Commercial Design Guidelines that the buffering is required when a site abuts a residential district or residential use. (Note: see bullet point above related to clarifying buffer yard regulations to make the Zoning Ordinance and Design Guidelines consistent).

Ms. Anderson concluded her presentation.

Commission Comments:

Commissioner Luttrupp inquired if the information we received in the packet today is online. Ms. Anderson stated that is correct.

Commissioner Ingalls commented when the newspapers state that the city is changing its subdivision code it gets people’s attention but after reading through this amendment these changes are really housekeeping changes and don’t see anything that would have a significant impact. Ms. Anderson stated that is correct.

Public testimony open.

David Lyons stated he is opposed to the R-34 changes because the way they are written that expand the existing high density loop hole into a high density/height loop hole. He referenced the Missing Middle housing presentation done by Tony Perez of Opticos a few years ago and explained Mr. Perez’s idea for density housing is “house scale buildings with multiple housing units inside” that includes duplexes, triplexes, court yard bungalows in/or on the edge of residential neighborhoods with buildings that look like a large house that fit in with the character of the neighborhood and don’t destroy it. He said there should be a plan for where to put this high density. His question is why is R-34 treated so differently than other zoning. He asked the City to develop a plan for where to put this high density and eliminate spot density.

He stated that he doesn’t agree with the proposed changes to the Administrative Appeal and the definition of “aggrieved.” He explained that the previous definition was “very broad” that stated anyone who is a resident of Coeur d’Alene, or owns property in Coeur d’Alene etc. can file an appeal and now with the change states you have to have an interest in the property that might be adversely affected by whatever the decision was. He stated that the aggrieved party definition works for the state because it is related to lawsuits, but he doesn’t feel it is appropriate for the City’s appeal process.-Planning Commission and City Council decide on matters that are city-wide. People should be able to come and oppose a project even if they live several miles away. So, he said he believes the difference of standing is different for the state than the city. He said the argument to change the definition of standing and aggrieved has some superficial plausibility to line up with State Statutes, but he thinks they are two entirely different issues.

Commissioner Luttrupp asked about the R-34 density height limit and questioned what is the height change.

Mr. Lyons explained that the way the law is now is that you can only get density by the Special Use Permit. There are other things you can get with zoning. If you applied for R-34 zoning, you could get up to 63 feet for multifamily which is 5-stories plus. But if you only get a density increase through the Special Use Permit, you are bound by the height of the existing zoning district. He said he thinks there are gimmicks and loopholes with the R-34, and doesn't feel that the proposed changes are housekeeping edits because he thinks it is increasing the height from 45 to 63 feet.

Commissioner Fleming believes that the city would not accept an R-34 zoning district without a lot of opposition and as a group we look at each R-34 request on how it will impact other surrounding properties whether it is a four story or multifamily and because it is an exception under a special use, we "drill down" a little harder.

Mr. Lyons stated it makes sense to have an R-34 zoning district to be only allowed in commercial areas and restricted to major corridors. Mr. Lyons gave an example of a project that was approved for R-34 that was next to R-12 that he believes will tower over the neighborhood. That could impact some sensitive neighborhoods, especially those that are not well organized.

Applicant Rebuttal.

Ms. Anderson, on behalf of the City as the applicant, clarified the definition for aggrieved or affected parties. She said it is beneficial for the appeals process and definition of aggrieved mirror the state statute because if you wanted to file a lawsuit you have to go through the appeal process with the city to take it to the next level, which is the court. She explained that this change is needed to prevent someone from appealing every project because they didn't like that person. The proposed language is similar to other sections of the Municipal Code tied to a person's interest in the property.

She responded to the comment by Mr. Lyons regarding having an R-34 zone and respectfully disagrees with him on the height limit associated with the R-34 special use permit. It specifically states in the code that the city has the option of granting an R-34 request through the special use permit process. She did agree with his comment that maybe not every location in the city is appropriate for R-34. She said that is one of the reasons why the City is working on the Coeur Housing Code to give other opportunities for developers to build various housing options at the house-scale to make sure they won't be impacting neighborhoods, and also why the City is working on Envision Coeur d'Alene to provide a future land use map that will help with decision making to determine where should special use permits be granted or where certain zone changes are appropriate.

Discussion:

Commissioner Luttrupp questioned the appeal process and if this change will restrict an applicant's right to appeal.

Ms. Anderson explained that it would restrict who can appeal to someone who has an interest in real property which was not stated before. The current code says the person who files the appeal could be a resident of the City of Coeur d'Alene, or any person having interest in real property, or any person with an interest in real property located within a 300 ft radius of the property.

Commissioner Luttrupp commented that an appeal is a chance for the people to voice their opinion and questioned in the past has this been a problem and if you don't let people talk it causes more problems.

Mr. Adams clarified that the amendment to "who can appeal" has nothing to do with who can speak at a public hearing and address council or the Planning Commission on any particular

issue.

Commissioner Rumpler stated that he is in support of all the changes.

Commissioner Ingalls concurs with all the commissioner's comments especially Commissioner Fleming's assessment of R-34 and only available through a special use permit that includes all the attributes that go with R-34.

Commissioner Ward concurs with all the comments and approves this request.

Motion by Ingalls, seconded by Fleming, to approve Item O-2-20 Title 16 and 17. Motion approved.

Motion by Fleming, seconded by Ward, to approve the amendment to the Commercial Guidelines. Motion approved.

City Council Meeting



January 19, 2021

Proposed Housekeeping Amendments

Titles 16 & 17

Commercial Design Guidelines



Title 16 (Subdivision Ordinance)

- Appeal timing related to notice of decision mailing rather than date of publication



Title 17 (Zoning Ordinance)

- Aggrieved or affected party – State Statutes language
- Clarification to R-34 as a special use permit, increased height, KMPO 2020 transportation plan, and park proximity
- MH-8 maximum height of SFR
- C-17 site performance standards regarding side and rear setbacks – stormwater and horizontal mixed use project
- Cleaned up old language, used property titles, and added designee
- Clarified ADU height if over garage
- Bufferyard regulations – residential use or zone
- Clarified appeal process



Commercial Design Guidelines

- Residential/Parking Lot Screening (I. SITE DESIGN)
related to residential district or use



DECISION POINT/RECOMMENDATION:

Approve the housekeeping amendments to Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Municipal Code, and the Commercial Design Guidelines.



ORDINANCE NO. _____
COUNCIL BILL NO. 21-1001

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO: 16.05.050, 16.25.050, 17.02.030, 17.05.330, 17.05.455, 17.05.560, 17.06.015, 17.06.660, 17.06.830, 17.07.320, 17.07.945, 17.08.945, 17.08.955, 17.09.125, 17.09.340, 17.09.472, 17.09.710, 17.44.050, 17.44.090, 17.44.170, 17.44.220, AND 17.44.225, TO REVISE THE DEFINITION OF “AFFECTED PERSON OR AGGRIEVED PARTY,” TO CLARIFY THE APPEALS PROCESS, AND TO MAKE VARIOUS TECHNICAL CHANGES FOR CONSISTENCY AND CLARIFICATION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after public hearing on the hereinafter provided amendments before the Planning Commission, and after recommendation by the Community Planning Director, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d’Alene that said amendments be adopted;

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Coeur d’Alene:

SECTION 1. *That Coeur d’Alene Municipal Code Section 16.05.050 is amended as follows:*

16.05.050: APPEAL OF STAFF INTERPRETATIONS:

A. A person who is aggrieved by city staff’s interpretation or administration of this title may appeal staff’s decision, action or refusal to act to the planning commission. The appeal must be submitted in writing to the planning director specifying the grounds for the appeal within ten (10) days following the date of staff’s decision, action or notification that staff will not act. The commission will review the appeal and render a decision at the next available meeting allowing time for staff review and input on the request. The commission must interpret the provisions of this title in such a way as to carry out the purpose and intent of this title.

B. The decision of the planning commission is final unless an aggrieved person files a notice of appeal to the ~~city council~~City Council with the ~~city clerk~~Planning Director within ten (10) days after the decision by the Planning Commission has been mailed to the applicant. ~~of the date of the planning commission decision.~~ The appeal, which must be accompanied by the required fee, must be in writing and state the basis for the appeal. Upon receiving notice of appeal, the council will set a date for a review of the matter, which will be held within thirty (30) days of the date of the appeal. In its review, the ~~city council~~City Council will review all relevant records and may take such additional evidence and argument as it deems relevant. The council may overrule or alter the decision of the

planning commission, provided, however, that the council must interpret the provisions of this title in such a way as to carry out the purposes and intent of this title.

SECTION 2. *That Coeur d'Alene Municipal Code Section 16.25.050 is amended as follows:*

16.25.050: APPEAL TO CITY COUNCIL:

A. An affected person may request an appeal of the Planning Commission's decision by filing a written request for appeal with the Planning Director within ten (10) days after written notice of the decision by the Planning Commission has been mailed to the applicant. ~~has been published. The appeal must be accompanied by the fee established by the City Council.~~ The appeal shall state the file number of the item and shall state specifically the basis for the appeal, including all objections to the decision or alleged abuse of discretion, or in what ways a decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be necessary to facilitate a full and complete review, and by the fee as referenced in the fee schedule. Upon receipt of an appeal, the Planning Director will notify the City Clerk, so that a time and place may be set for a public hearing by the City Council.

B. The City Council will, after notice as prescribed in subsection 17.09.120B of this Code, hold a de novo public hearing on the proposal. The City Council may approve, conditionally approve, deny or deny the request without prejudice. Alternatively, the City Council may defer action on the request until the next scheduled hearing in order to review additional information that it deems necessary in order to render a final decision. In order to approve a preliminary plat request the City Council must make the findings contained in section 16.25.030 of this chapter.

C. A copy of the City Council's final decision shall be mailed to the applicant and the Clerk shall make the decision available for public inspection.

SECTION 3. *That Coeur d'Alene Municipal Code Section 17.02.030(N) is amended as follows:*

17.02.030(N) Aggrieved or affected party

N. "Affected person" or "aggrieved party" ~~means any resident of the City of Coeur d'Alene; or any person having interest in real property in the City of Coeur d'Alene; or any person with an interest in real property located within three hundred feet (300') of the external boundaries of the land being considered~~ shall mean one having a bona fide interest in real property which may be adversely affected by:

1. The approval, denial or failure to act upon an application for a subdivision, variance, special use permit and such other similar application required or authorized pursuant to this Title;

2. The approval of an ordinance first establishing a zoning district upon annexation or the approval or denial of an application to change the zoning district applicable to specific parcels or sites pursuant to section 67-6511, Idaho Code; or
3. An approval or denial of an application for conditional rezoning pursuant to section 67-6511A, Idaho Code.

SECTION 4. *That Coeur d'Alene Municipal Code Section 17.05.330 is amended as follows:*

17.05.330: GENERALLY:

A. The R-34 District is intended as a high-density residential district, permitting thirty-four (34) units per gross acre and increased height, that the City has the option of granting, through the special use permit procedure, to any property zoned R-17, C-17, C-17L or LM. This designation is only allowed through the special use permit and is not a stand-alone zoning district. To warrant consideration, the property must in addition to having the R-17, C-17, C-17L or LM designation meet the following requirements:

1. Be in close proximity to an arterial, as defined in the Coeur d'Alene transportation plan (KMPO's 2020 Metropolitan Transportation Plan), sufficient to handle the amount of traffic generated by the request in addition to that of the surrounding neighborhood; and the project and accessing street must be designed in such a way so as to minimize vehicular traffic through adjacent residential neighborhoods.
2. Be in close proximity to shopping, schools and park areas (if it is an adult only apartment complex proximity to schools ~~and parks~~ is not required).

B. This district is appropriate as a transition between R-17 and commercial/industrial.

C. Single-family detached and duplex housing are not permitted in this district.

D. Project review (chapter 17.07, article IV of this title) is required for all subdivisions and for all residential, civic, commercial, service and industry uses except residential uses for four (4) or fewer dwellings.

SECTION 5. *That a new Section 17.05.455 is added to the Coeur d'Alene Municipal Code as follows:*

17.05.455 SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT FOR SINGLE-FAMILY DETACHED HOUSING AND ASSOCIATED ACCESSORY STRUCTURES:

Maximum height requirements in an MH-8 District for single family detached housing and associated accessory structures shall be as follows:

MAXIMUM HEIGHT

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Principal structure	32 feet ¹	n/a
Detached accessory building including garages and carports	32 feet ¹	With Low or no slope: 14 feet With Medium to high slope roof: 18 feet

Note:

1. Unless otherwise specified; an additional story may be permitted on hillside lots that slope down from the street.

SECTION 6. *That Coeur d’Alene Municipal Code Section 17.05.560 is amended as follows:*

17.05.560: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements in a C-17 district shall be as follows:

A. Single-family and duplex structures must meet the minimum yard requirements for a single-family structure established by the R-3 district.

B. For multiple-family housing, see the R-17 district.

C. For remaining uses:

1. Front: The front yard requirement shall be ten feet (10') except where a majority of the property of the same block is already developed to the property line, in which case the front yard setback is zero feet (0').

2. Side And Rear: The side and rear yard requirements shall be zero feet (0') except as required by life safety or uniform building codes and except when the side or rear abuts a lot in a different district that requires rear or side yards in which case the property in this district shall have setbacks as specified in section 17.06.475 of this title. In no circumstance shall an eave extend over a property line or result in stormwater impacts offsite. The building shall be set back five feet (5') minimum from the eave to the property line where the roof slopes towards the property line. If a metal roof is being used, the setback or installation of snow brakes shall be determined by the Building Department.

D. For horizontal mixed use projects with both multiple-family housing and commercial uses, the setbacks shall be those which are applicable to the individual use in that portion of the project.

DE. There will be no permanent structures constructed within the corner cutoff.

SECTION 7. *That Coeur d'Alene Municipal Code Section 17.06.015 is amended as follows:*

17.06.015: APPLICATIONS:

All applications required by this title shall be notarized and filed with the Planning Director or ~~his~~ designee unless otherwise indicated. Application may be made by any owner of property as defined in this chapter. Properly completed applications will be formally accepted by the Planning Director or designee within ten (10) days of filing.

SECTION 8. *That Coeur d'Alene Municipal Code Section 17.06.660 is amended as follows:*

17.06.660: ACCESSORY DWELLING UNITS; BASIC DEVELOPMENT STANDARDS:

A. Maximum Building Height: Maximum building heights for ADUs are:

1. Thirty-two feet (32') when built within the building envelope for the principal structure.
2. One story ADU structure: Eighteen feet (18') when built in the rear yard.
3. ADU above a detached garage: Twenty-four feet (24') when built in the rear yard over a garage and must meet the second story step back requirement as provided in subsection M of this section.
4. Railing, parapets, equipment, and other similar structures/fixtures/architectural elements are included in the maximum height.

SECTION 9. *That Coeur d'Alene Municipal Code Section 17.06.830 is amended as follows:*

17.06.830: BUFFER YARD REGULATIONS:

A. Definition: A "buffer yard" is a landscape area which serves to physically and/or visually separate land uses having incompatible facilities, activities, or differing intensities of use. For the purposes of buffer yard regulations, a display lot as defined in section 17.44.020 of this title shall not be construed to be a parking lot.

B. Applicability: A buffer yard is required as follows:

1. When a commercial, civic, or manufacturing use abuts a residential use or a residential zone.

2. Between a parking lot not associated with a residential activity, and a residential activity or a residential zone.
3. Where a parking lot abuts a public street right of way.
4. To conceal outdoor storage areas, trash receptacles, and exposed machinery associated with any commercial activity when adjacent to a residential activity or a public street right of way.
5. As established in subsection 17.44.250D of this title for loading berth adjacent to residential activity or a residential zone.
6. For planting screen easements required by section 16.15.180 of this code.

SECTION 10. *That Coeur d'Alene Municipal Code Section 17.07.320 is amended as follows:*

17.07.320: FINDINGS REQUIRED AT FINAL REVIEW:

Pursuant to section 17.09.525 of this title, before a building permit may be issued for any building or structure under project review, the ~~director of planning~~ Planning Director or his designee shall make all the following findings:

- A. Conformity With Site Plan: The proposed building is in conformity with the development plan, applicable regulations and/or conditions of approval.
- B. Dedications Obtained: All of the required dedications have been obtained.

SECTION 11. *That Coeur d'Alene Municipal Code Section 17.07.945 is amended as follows:*

17.07.945: APPEAL OF DECISION OF PLANNING DIRECTOR:

A. Timing Of Appeal: An appeal may be taken to the design review commission by an aggrieved party from a determination of the planning director made pursuant to subsection 17.07.920B, section 17.07.935 or 17.07.940 of this chapter. Such appeal must be filed ~~in writing with the planning director within ten (10) days following the mailing date of the official written notice of the decisions as provided by Municipal Code § 17.09.125B.~~ The appeal shall state specifically the objections to the decision or abuse of discretion or otherwise state how the decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be required to facilitate review, and by the appeal fee set by resolution of the city council.

B. Setting Of Hearing: The design review commission shall hear the appeal within forty (40) days after filing. At least ten (10) days prior to the hearing date, written notice shall be given to the appellant and to any known adverse parties, or their representatives, of the time and place of the hearing on the appeal.

C. Design Review Commission Action: The design review commission shall hold a public hearing to consider the appeal. The commission shall consider the purpose and intent, as well as the language, of the pertinent provisions, and may affirm, modify or reverse the determination of the planning director. Notice of the decision of the commission shall be given to the appellant in writing within forty (40) days of the hearing.

SECTION 12. *That Coeur d'Alene Municipal Code Section 17.08.945 is amended as follows:*

17.08.945: DEVIATION FROM DEVELOPMENT STANDARDS:

The developer, or the property owner, may request deviations from any of the development standards of the hillside overlay ordinance to the planning director. Deviations may be granted only as listed herein:

A. Minor Deviations: The planning director shall notify the public of the request for minor deviation in accordance with subsection A6 of this section. After public notice and comment on the deviation request, the ~~city~~ Planning Director will review and decide on the proposed deviations. This decision may be appealed to the planning commission for approval or denial. Minor deviations may only be granted if all of the following circumstances are found to exist:

1. The deviation will result in equal or greater protection of the resources protected under this chapter;
2. The deviation is the minimum necessary to alleviate the difficulty;
3. The deviation does not conflict with Idaho Code, the city of Coeur d'Alene comprehensive plan and zoning ordinance and, in the case of the Fernan Lake planning area, the Fernan watershed management plan.
4. The requested modification was not specifically appealed during the public hearing process; and
5. The requested modification will not cause adverse physical impacts on adjacent properties.

Deviations typical of this category include:

- a. Reduction of portion or all of the requirements for geotechnical study, grading plan, tree survey, etc., if the work is minor in nature or if adequate information already exists to determine the impact of the development.
- b. Modification of dimensional requirements for driveway lengths, curb and sidewalk requirements, architectural features.

c. The use of seedlings (rather than 4 foot – 8 foot tall B&B trees) for tree replacements on steep slopes where there are shallow soils.

d. Deviation from the maximum cut and fill slopes and fill slope inclination all as defined in subsection 17.08.920E of this chapter.

6. Prior to granting or denying a minor deviation request, notice and opportunity to be heard shall be provided to property owners adjoining the parcel under consideration. The city shall cause notice to be mailed to adjoining property owners no less than seven (7) calendar days before application review. The applicant shall provide an accurate mailing list and shall be responsible for all costs of public notice.

B. Substantial Deviations: Substantial deviations may be granted by the planning commission to the conditions and limitations of the hillside development regulations, after public notice and hearing. This decision may be appealed to the ~~city council~~ City Council for approval or denial as provided by Municipal Code §17.09.125B. Substantial deviations may only be granted if all of the following circumstances are found to exist:

1. The deviation is the minimum necessary to alleviate the difficulty;
2. The deviation will result in equal or greater protection of the resources protected under this article;
3. The requested modification was not specifically appealed during the public hearing process;
4. The requested modification will not cause adverse physical impacts on adjacent properties; and
5. The deviation does not conflict with Idaho Code, the city of Coeur d'Alene comprehensive plan and zoning ordinance and, in the case of the Fernan Lake planning area, the Fernan watershed management plan.

C. Planned Unit Developments: Modifications to the development standards of this article approved through the planned unit development process (section 17.07.205 et seq., of this title) shall not be subject to the foregoing review and hearing process for deviations.

Public notice for substantial deviations shall be pursuant to section 67-6509 Idaho Code, and shall include mailed notice to abutting property owners not less than fifteen (15) days before the public hearing. The applicant shall provide an accurate mailing list and shall be responsible for all costs of public notice.

SECTION 13. *That Coeur d'Alene Municipal Code Section 17.08.955 is amended as follows:*

17.08.955: PROHIBITED CONDUCT, ENFORCEMENT, AND PENALTIES:

If any violation of this article occurs, the Planning Director or his designee may revoke the permit or order the work stopped by notice, in writing, served on any persons engaged in doing or causing such work to be done. Such person shall stop all site work until authorized by the Planning Director or designee to proceed. The Planning Director, or his designee, may also withhold further issuance of permits. Stop work orders may be appealed in the same manner as other appeals.

Violations of this article may be considered a criminal misdemeanor and shall be punishable as provided in section 1.28.010 of this Code. Each day of violation shall constitute a separate offense. The City may also take civil action to compel performance and completion of, or maintenance of, improvements installed pursuant to this article.

SECTION 14. *That Coeur d'Alene Municipal Code Section 17.09.125 is amended as follows:*

17.09.125: CITY COUNCIL ACTION ON PRIVATE PARTY APPLICATION:

A. Action On Recommendation Of Approval: Upon recommendation of approval by the Planning Commission, a time shall be set for a hearing before the City Council.

B. Appeal: Within ten (10) days after written notice of the decision by the Planning Commission on a private party application ~~has been published~~ has been mailed to the applicant, an appeal of the decision may be submitted to the Planning Department taken to the City Council by an affected person. The appeal shall be in the form of a letter written to the Mayor and City Council a completed Appeal Application and shall be filed with the Planning Director or his designee. The appeal shall state the file number of the item and shall state specifically the basis for the appeal, including all objections to the decision or alleged abuse of discretion, or in what ways a decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be necessary to facilitate a full and complete review, and by the fee as referenced in the fee schedule. It is the responsibility of the appellant to provide all information needed to support the appeal. A failure to provide such information may result in a denial of the appeal. Upon receipt of ~~an~~ a valid appeal, the Planning Director or designee shall notify the City Clerk, ~~so who will that the time and place may be set for~~ who will that the time and place may be set for the public hearing before the City Council.

C. City Council Action: The City Council shall, after notice of the public hearing (as prescribed in subsection 17.09.120B of this chapter), hold said public hearing on the proposal. The City Council may approve, conditionally approve, refer back to the Planning Commission, deny or deny without prejudice. If the proposal is approved by the City Council, the City Attorney or designee will prepare the documents to enact the zone change or text change ordinance. The City Council also may defer action upon the consent of the applicant. A copy of the decision shall be mailed to the applicant at the address on the application. The decision shall be made within fifteen (15) days of the hearing. If the proposed amendment is referred back to the commission, the commission shall hold a public hearing as prescribed in section 17.09.120 of this chapter, and shall render a report to the City

Council within forty (40) days of such referral and the City Council shall then hold a public hearing as prescribed in this section.

SECTION 15. *That Coeur d'Alene Municipal Code Section 17.09.340 is amended as follows:*

17.09.340: APPEALS OF A DECISION OF THE DESIGN REVIEW COMMISSION:

A. Perfecting Appeal: A final decision of the Commission may be appealed to the Council. The appeal shall be as provided by Municipal Code § 17.09.125B. ~~in the form of a written Notice of Appeal filed with the Director within ten (10) days after the decision has been mailed to the applicant. The appeal shall be accompanied by the appeal fee established by resolution of the Council. Upon receipt of an appeal, the Director shall notify the City Clerk, who shall set an appeal hearing before the City Council.~~

B. Appeal on The Record: The Council's review of the decision of the Commission shall be based on the record developed before the Commission. No new evidence or materials shall be allowed by any party in the appeals proceedings.

C. Hearing: Only the applicant, City staff, the appellant, and their representatives may participate in the appeals hearing. Although the hearing is open to the public, no general public testimony will be taken. Any participant in the appeal may provide comments and argument, based on the established record, concerning the decision of the Commission.

D. Burden Of Proof: The appellant must establish by a preponderance of evidence that an error was made in the decision or that design standards or guidelines were ignored or incorrectly applied, and that the appellant was prejudiced thereby. Objections to the development, its height, intensity, parking, or traffic impacts are not grounds for redress on appeal because they are not design review criteria. Basic zoning standards and allowances embodied within the code shall be presumed to be correct and are not subject to the appeal. Factual findings by the Commission will be accepted by the Council if they are supported by substantial evidence.

E. Council Action: The Council may affirm or reverse the Commission decision, or refer the project back to the Commission for further action or clarification. The Council shall issue its decision within fifteen (15) days of the appeal hearing. If the project is referred back to the Commission, the Commission shall hold a public meeting to consider the referral and shall render a report to the Council within forty (40) days of such referral. The City Council shall then reconvene the appeal hearing to consider the report and render a final decision as prescribed in this section.

SECTION 16. *That Coeur d'Alene Municipal Code Section 17.09.472 is amended as follows:*

17.09.472: PLANNING COMMISSION DECISION:

Action taken by the pPlanning eCommission on a submitted development plan may be any one of the following:

A. Approval;

B. Conditional approval, wherein certain changes are required, or certain conditions of approval have been imposed, as deemed necessary and desirable in the judgment of the Planning Commission to ensure conformity to applicable criteria and standards;

C. Denial, when the Planning Commission finds that the proposed development does not meet applicable criteria and standards. Any denial will state the reasons for denial and specify deficiencies of the proposal;

D. Denial without prejudice.

E. A copy of the Planning Commission decision shall be mailed to the applicant and the Planning Director shall make the commission's decision available for public inspection. Approval or denial of a development plan shall become effective ten (10) days after written notice of the decision has been mailed to the applicant, published in the official newspaper, unless an appeal has been made by any affected party, including the applicant, to the City Council pursuant to subsection 17.09.125B of this chapter.

SECTION 17. *That Coeur d'Alene Municipal Code Section 17.09.710 is amended as follows:*

17.09.710: APPEALS REQUIREMENT:

An appeal may be taken to the ~~city council~~City Council by an aggrieved party, from any administrative determination or interpretation made by the ~~planning commission~~Planning Commission, ~~city engineer~~City Engineer or the ~~director of planning~~Planning Director, or their designees, under the zoning ordinance, except where provided by the zoning ordinance that a decision by the ~~planning commission~~Planning Commission is final.

Such written appeal shall be filed with the ~~planning director~~Planning Director or designee within ten (10) days following the date of mailing of written notice of the decision. The appeal shall state specifically the basis for the appeal, including all objections to the decision or alleged abuse of discretion, or wherein in what ways a decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be ~~required~~ necessary to facilitate a full and complete review, and by the fee as referenced in the fee schedule. It is the responsibility of the appellant to provide all information needed to support the appeal. A failure to provide such information may result in a denial of the appeal.

SECTION 18. *That Coeur d'Alene Municipal Code Section 17.44.050 is amended as follows:*

17.44.050: CIVIC USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off_street parking is required for the specified civic uses:

	Civic Uses	Requirement
A.	Administrative	1 space for each 330 square feet of floor area
B.	Community organization	1 space for each 330 square feet of floor area
C.	Community assembly:	
	1. Enclosed spaces:	
	a. Public meeting halls	1 space for each 330 square feet of floor area
	b. Museum, art galleries, observatories	1 space per 1,000 square feet of floor area
	c. Libraries	1 space per 330 square feet of floor area
D.	Community education:	
	1. Childcare facility	1 space for each 6 beds
	2. Juvenile offenders facility	1 space for each 6 beds
	3. Daycare facilities, nursery schools	Where the number of occupants (children plus employees) is less than 13, 2 off street parking spaces shall be provided. Where the number of occupants is equal to or greater than 13, 1 off street parking space for each 5 persons or fraction thereof shall be provided
	4. Elementary schools, junior high schools, intermediate schools ^{1,2,3,4}	2 spaces for each classroom or teaching station, plus 1 space for every 8 seats in the largest assembly or meeting room
	5. High schools ^{1,2,3,4}	5 spaces per teaching station; plus 1 space for every 8 seats in largest assembly hall
	6. Colleges, universities, and vocational schools ⁴	As determined by the planning director pursuant to section 17.44.220 of this chapter
E.	Hospitals/healthcare:	
	1. Outpatient clinics	1 space for each 330 square feet of floor area
	2. Hospitals	3.25 spaces per bed. Alternative parking arrangements may be acceptable as determined by the planning director pursuant to section 17.44.220 of this chapter
F.	Nursing/convalescent, rest homes and aged	1 space for every 4 beds; plus 0.50 space per dwelling unit when applicable

G.	Rehabilitative facilities (greater than 2 persons)	1 space for every bed
H.	Criminal transitional facility (greater than 2 persons)	1 space for each 4 beds
I.	Handicapped or minimal care facility (greater than 8)	1 space for every 6 beds
J.	Religious assembly	1 space for each 10 seats
K.	Neighborhood recreation	None required
L.	Public recreation	As determined by the planning director <u>Planning Director or designee</u> pursuant to section 17.44.220 of this chapter
M.	Essential services	None required
N.	Extensive impact	As determined by the planning director <u>Planning Director or designee</u> pursuant to section 17.44.220 of this chapter
O.	Courthouse	1 space for every 330 square feet of floor area and 1 space for each 4 seats in the courtrooms

Exceptions:

1. Off street parking for portable classrooms will not be required if: a) the school is either a tax supported school accredited by the Idaho ~~department of education~~Department of Education or is a nonprofit; and b) the added area in the portable classroom facilities do not exceed 12 percent of the gross area of the permanent school buildings (elementary schools may add an additional 3 classrooms or teaching stations above the 12 percent threshold); and c) the portable classrooms or other like facilities are temporary (remaining at the school for 5 years or less).
2. Alternative parking arrangements proposed by the specific school may be acceptable as determined by the ~~planning director~~Planning Director or ~~director's~~ designee pursuant to section 17.44.220 of this chapter.
3. Existing permanent structures may be expanded without providing additional off street parking provided the expansion does not exceed 125 percent of the existing floor area.
4. Required off street parking for permanent school buildings must meet the requirements of this code, unless the school enters into an agreement with the city to install the improvements. The agreement shall provide that the improvements will be installed within 5 years of the ~~city council~~City Council approval of the agreement, and the school shall secure the agreement by a performance bond or other sufficient security acceptable to the ~~city~~City ~~attorney~~Attorney or designee. Such bonding or security shall be for 150 percent of the estimated costs of the improvements as determined by the ~~city~~City ~~engineer~~Engineer or designee. The educational institution may provide additional temporary unpaved parking spaces in excess of the minimum requirements that are not subject to the mandatory design

standards contained in this chapter for up to 5 years. The temporary parking spaces must be maintained with a dustless surface, approved by the city, capable of preventing tracking of mud or dirt onto public streets.

SECTION 19. *That Coeur d'Alene Municipal Code Section 17.44.090 is amended as follows:*

17.44.090: INDUSTRY USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off street parking is required for the specified industry uses:

	Industry Activities	Requirement
A.	Custom manufacture	1 space for each 1,000 square feet of floor area
B.	Light manufacture	1 space for each 1,000 square feet of floor area or 1 for each 2,000 square feet of floor area if more than 50 percent of the production floor space is occupied automated machinery
C.	Heavy manufacture	1 space for every 2,000 square feet of floor area
D.	Extractive manufacture	As determined by the planning commission in conjunction with a recommendation from the planning <u>Planning</u> director <u>Director</u> or director's designee

SECTION 20. *That Coeur d'Alene Municipal Code Section 17.44.170 is amended as follows:*

17.44.170: TANDEM SPACES AND BERTHS:

On any lot containing three (3) or more off_street parking spaces, a vehicle shall not have to cross another parking space, or a loading berth, to gain access to a required parking or loading space. Exception:

A. Tandem parking may be permitted for nonresidential uses if it is determined by the ~~planning~~ Planning ~~director~~ Director or ~~director's~~ designee that a full time parking attendant will supervise the parking arrangements at all times during normal operation hours.

B. This requirement shall not apply to parking areas serving single-family or duplex dwelling units.

SECTION 21. *That Coeur d'Alene Municipal Code Section 17.44.220 is amended as follows:*

17.44.220: DETERMINATION BY PLANNING DIRECTOR:

In the case of activities for which the ~~planning~~Planning ~~director~~Director or ~~director's~~ designee is required to prescribe a number of parking spaces or loading berths, the director's determination shall be based ~~his determination~~ on the following:

- A. Traffic generation;
- B. Location and hours of operation of the activities;
- C. Extent and frequency of loading operations thereof; and
- D. Such other factors as affect the need for off_street parking and loading.

Any such determination shall be subject to appeal pursuant to the administrative appeal procedure commencing at section 17.09.705 of this title.

SECTION 22. *That Coeur d'Alene Municipal Code Section 17.44.225 is amended as follows:*

17.44.225: SHARED USE PARKING:

A. The planning department may, upon written request by the owner or lessee of any property, authorize the shared use of parking facilities under the conditions specified herein:

1. Up to fifty percent (50%) of the parking facilities required by this section for a use considered to be primarily a daytime use as shown in the examples in table A of this section may be provided by the parking facilities of a use considered to be primarily a nighttime use or vice versa, provided, that the shared parking area shall be subject to the conditions set forth in subsections A4 through A6 of this section.
2. Up to one hundred percent (100%) of the Sunday and/or nighttime parking facilities required by this section for a church or auditorium incidental to a public or parochial school may be supplied by parking facilities required for the school use, provided, that the shared parking area shall be subject to the conditions set forth in subsections A4 through A6 of this section.
3. The distances between the required off street parking spaces and the use it serves shall be as set forth in section 17.44.250 of this chapter.
4. The applicant shall demonstrate to the satisfaction of the ~~planning~~Planning ~~director~~Director or ~~director's~~ designee that there is no substantial conflict in the principal operating hours of the buildings or uses for which the shared use of the parking facility is proposed.

5. Parties jointly using off street parking facilities, as provided for herein, shall execute a legal easement regarding their shared use agreement. The agreement shall run with the land and not be terminable without authorization being given by the ~~city~~City council~~Council~~, based upon changed conditions.
6. Changes of use require reevaluation of shared use parking. Any subsequent change in land uses within a mixed use development will require proof that sufficient parking will be available.

B. For the purposes of this chapter, the following table provides examples of shared use parking that will be permitted between the uses or activities listed below as having primarily daytime or evening hours of operation:

TABLE A	
Uses With Daytime Hours	Uses With Evening Hours
Banks	Auditoriums
Business offices	Bars
Churches	Bowling alleys
Grade schools/high schools and daycare centers	Dance halls
Manufacture/wholesale (with limited hours)	Hotels/motels
Medical clinics	Meeting halls
Professional offices	Nightclubs
Retail stores (with limited hours)	Restaurants
Service stores	Theaters

SECTION 23. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 24. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 25. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on January 19, 2021.

APPROVED, ADOPTED and SIGNED this 19th day of January, 2021.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amendments to Municipal Code Titles 16 & 17

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO: 16.05.050, 16.25.050, 17.02.030, 17.05.330, 17.05.455, 17.05.560, 17.06.015, 17.06.660, 17.06.830, 17.07.320, 17.07.945, 17.08.945, 17.08.955, 17.09.125, 17.09.340, 17.09.472, 17.09.710, 17.44.050, 17.44.090, 17.44.170, 17.44.220, AND 17.44.225, TO REVISE THE DEFINITION OF "AFFECTED PERSON OR AGGRIEVED PARTY," TO CLARIFY THE APPEALS PROCESS, AND TO MAKE VARIOUS TECHNICAL CHANGES FOR CONSISTENCY AND CLARIFICATION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Amendments to Municipal Code Titles 16 & 17, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 19th day of January, 2021.

Randall R. Adams, Chief Deputy City Attorney

RESOLUTION NO. 21-005

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION I(F) OF THE COMMERCIAL DESIGN GUIDELINES (C-17& C-17L) OF THE CITY OF COEUR D'ALENE.

WHEREAS, consistency between the Zoning Code and the Commercial Design Guidelines with respect to landscape buffering has been deemed necessary by the Planning Commission of the City Coeur d'Alene; and

WHEREAS, the Planning Department has proposed an amendment to Section I(F) of the Commercial Design Guidelines; and

WHEREAS, the City Council of the City of Coeur d'Alene has deemed the amendment prudent and necessary; and

WHEREAS, it is deemed to be in the best interests of the city of Coeur d'Alene and the citizens thereof that such amendment be adopted.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the city of Coeur d'Alene that the amendment to Section I(F) of the Commercial Design Guidelines, attached hereto as Exhibit "A," be and is hereby adopted.

DATED this 19th day of January, 2021.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

Motion by _____, Seconded by _____, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER EVANS	Voted
COUNCIL MEMBER MILLER	Voted
COUNCIL MEMBER GOOKIN	Voted
COUNCIL MEMBER ENGLISH	Voted
COUNCIL MEMBER MCEVERS	Voted
COUNCIL MEMBER WOOD	Voted

_____ was absent. Motion _____.