

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

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 4 Rebound Idaho guidance for its public meeting. As such, we are abiding by the social distancing guidelines of 6' within the physical meeting room, and limiting seating, 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 F - Public Comments** is identified by the Mayor. The Mayor and Council will not normally allow audience participation at any other time.

May 18, 2021: 6:00 p.m.

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Pastor Mike Slothower with River of Life Friends

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. PRESENTATIONS:

1. Proclamation: National Safe Boating Week – Week of May 22, 2021

Accepted by: Kathleen Goodwin, Immediate Past District Commodore of the USCG Auxiliary

F. 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**

G. ANNOUNCEMENTS:

1. **City Council**
2. **Mayor Appointments** – Brad Jordan and Don Walters to the Parking Commission.

H. 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 May 4, 2021, Council Meeting.
2. Approval of General Services/Public Works Committee Minutes for the May 10, 2021, Meeting.
3. Approval of Bills as Submitted.
4. Approval of Financial Report.
5. Setting of General Services/Public Works Committee Meeting for Monday, May 24, 2021, at 12:00 noon.
6. Approval SS-21-02, Neider Conference Center First Addition to CD'A: Final Plat.

As Recommended by the City Engineer

7. Resolution No. 21-031

- a. Approve a Film Production Permit and Hold Harmless Agreement with Henry Wolsten dba Netslow Productions for Use of City Sidewalks and an Alley.

As Recommend by the General Services/Public Works Committee

- b. Declaration of Sole Source purchase of Iteris – Traffic Signal Detection Cameras and Associated Equipment and Siemens – Traffic Signal Controller and Associated Equipment and Valmont – Traffic Signal Poles and Associated Equipment from Western Systems of Everett, Washington and Blankenship & Associates of Spokane, Washington for the Lacrosse Avenue Extension Project.

**As Recommended by the City Engineer pursuant to
the Procurement Policy adopted via Res. 17-061**

I. GENERAL SERVICES/PUBLIC WORKS COMMITTEE:

1. **Council Bill No. 21-1010** – Approving amendments to Municipal Code Section 5.08.170 to allow the Sale of Alcoholic Beverages by a Non-Profit Theater and to Remove the Restriction Related to Proximity to a Park.

Staff Report by: Renata McLeod, Municipal Services Director/City Clerk

J. OTHER BUSINESS:

1. **Resolution No. 21-032** - Approval of an Agreement with North Idaho College for daytime use RV Parking on campus lot.

Staff Report by: Troy Tymesen, City Administrator

K. PUBLIC HEARING:

Please sign up to testify at <https://www.cdaid.org/signinpublic/Signinformlist>

1. Quasi-Judicial - ZC-1-21- A proposed zone change from R-12 to R-17; located at 2nd Street, South of Neider Avenue, Hickman Place Lot 2, Block 1; Applicant: Habitat for Humanity of North Idaho.

Staff Report by: Hilary Anderson, Community Planning Director

- a. **Council Bill No. 21-1011** – Approving ZC-1-21- A proposed zone change from R-12 to R-17; located at 2nd Street, South of Neider Avenue, Hickman Place Lot 2, Block 1.
2. Quasi-Judicial - ZC-4-21 - A proposed zone change from R-1 to R-3; located at 3395 E. Fernan Hill Road; Applicant: Janet Daily.

Staff Report by: Mike Behary, Associate Planner

- a. **Council Bill No. 21-1012** – Approving ZC-4-21 - A proposed zone change from R-1 to R-3; located at 3395 E. Fernan Hill Road.

L. ADJOURNMENT



Coeur d'Alene

CITY COUNCIL MEETING

May 18, 2021

MEMBERS OF THE CITY COUNCIL:
Steve Widmyer, Mayor
Council Members McEvers, English, Evans, Gookin, Miller, Wood

PRESENTATIONS

PROCLAMATION

WHEREAS, on average, 700 people die each year in boating-related accidents in the United States, and nearly 70% of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn life jackets; and

WHEREAS, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public.

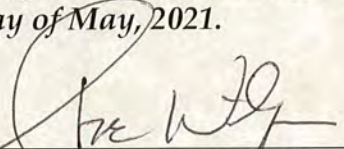
NOW, THEREFORE, I Steve Widmyer, Mayor of the City of Coeur d'Alene, Idaho, do hereby proclaim the week of May 22nd through May 28th, 2021 as

"NATIONAL SAFE BOATING WEEK"

In support of the goals of the North American Safe Boating Campaign and the start of the year-round effort to promote safe boating

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of Coeur d'Alene to be affixed this 18th day of May, 2021.




Steve Widmyer, Mayor

ATTEST:


Renata McLeod, City Clerk

ANNOUNCEMENTS

Memo to Council

DATE: May 18, 2021

RE: Appointment to Boards/Commissions/Committees

The following appointments are presented for your consideration for the May 18, 2021, Council Meeting:

BRAD JORDAN	Parking Commission (Re-Appointment)
DON WALTERS	Parking Commission (Re-Appointment)

A copy of the data sheets have been placed by your mailboxes.

Sincerely,

Sherrie Badertscher
Executive Assistant

cc: Renata McLeod, Municipal Services Director
Stephanie Padilla, Parking Commission Liaison

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

May 4, 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 May 4, 2021, at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Dan Gookin) Members of Council Present
Christie Wood)
Woody McEvers)
Amy Evans)

Dan English) Members of Council absent
Kiki Miller)

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

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

Mayor noted that Councilmember Miller is absent due to her son being in the hospital, as he was struck by a drunk driver while on a motorcycle. Councilmember Miller asked the Mayor to share a brief statement which noted that her son has been cleared of any neurological or internal injuries. Although he has had numerous surgeries, he is on the road to recovery. She is grateful for the well wishes and is happy to share that she will be celebrating Mother's Day with her son.

CDA 2030 Update-Nicole Kahler, Executive Director and Vice Chair Maren Maier noted the mission and principals of the group to include strengthening community relationships, improving communication, creating community involvement opportunities and collaboration. Ms. Maier reviewed the partners and those that have supported the group over the years, including the City of Coeur d'Alene (City). She noted that they have 180 action items within the implementation plan, and this year they have identified five (5) projects including Envision Coeur d'Alene (Comprehensive Plan update), housing, early care and education, lake management, and east Sherman Avenue revitalization. Ms. Kahler noted that the lake education priority includes local experts, noting they hosted several on-line speaker series and news articles featuring this topic. The housing priority includes attendance at housing taskforce and committees, and work with United Way. Community engagement included eight (8) meetings with up to 80 attendees and various game nights that featured a community planning game. They continue to plan for community involvement with defined metrics to track progress and monitor the goals within the Master Plan.

Councilmember Gookin asked how many projects are they involved in versus how many they lead. Ms. Kahler noted that they are currently working on five (5) priorities and 180 goals within their implementation plan. She noted that they are leading survey efforts regarding lake management and assist with several other partnerships including the City's. Ms. Maier noted that they are assisting other organizations to pull resources together. Councilmember Gookin expressed concern with the amount of leadership roles the organization takes on versus their offering support. He asked for more information about the Innova Foundation Grant. Ms. Kahler noted that the group was previously called the Inland Northwest Community Foundation, and expressed that she liked that the action plan was laid out in a way they could pick out the goals that aligned with their missions. They worked on a literacy program with the group, that took place for three (3) years and was in the amount of \$600,000. Councilmember Gookin noted concerns about transparency, specifically about meetings open to the public and the budget. Ms. Kahler noted that they included the annual report in the Council packet and they are working to develop their website to have more information about the projects and how people can get involved and that their tax returns are posted. Councilmember Wood thanked them for their report and noted that if every entity they helped had to do the work themselves, such as running the surveys, they, like the City would have to hire additional staff. Councilmember Wood noted that she believes that CDA2030 fills a gap that the City would otherwise have to hire someone to do the work and push out project information, so she supports the use of CDA2030. She did note that the concern with transparency is probably based on the City's open meeting laws and distribution of meeting minutes, but understands that CDA2030 operates under the nonprofit rules and regulations. Councilmember Evans thanked them for their presentation and education to the community.

CONSENT CALENDAR:

1. Approval of Council Minutes for the April 20, 2021, Council Meeting.
2. Approval of General Services/Public Works Committee Minutes for the April 26, 2021, Meeting.
3. Approval of Bills as Submitted.
4. Setting of General Services/Public Works Committee meeting for Monday, May 10, 2021, at 12:00 noon.
5. Setting of a Public Hearing for June 1, 2021: Quasi-judicial - ZC-2-21 -A proposed zone change from R-12 to R-17; located at 3135 Fruitland; Applicant: George Hughes.
6. Approval of a cemetery lot repurchase from Arnold & Lori Garza for Lot 548, Block H, forest Cemetery Annex (Riverview).
7. **Resolution No. 21-026** -A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FOLLOWING: PURCHASE OF RIGHT-OF-WAY AND ACCEPTANCE OF A GRANT DEED FROM CECIL W. HATHAWAY, CURT W. HATHAWAY, BRENT R. HATHAWAY AND SHAWN C. HATHAWAY; A CONTRACT WITH BADGER METER, INC., FOR ORION ME RADIO READ HEADS; AN AGREEMENT WITH ACTIVE WEST, LLC, FOR CONSTRUCTION OF A SEWER LINE AND PURCHASE OF FILL MATERIAL; A RIGHT-OF-WAY AGREEMENT WITH THE BUREAU OF LAND MANAGEMENT FOR CONSTRUCTION OF SEWER LINE; AN AGREEMENT WITH GLACIER NW BLVD – SELTICE, LLC, FOR VACATION OF RIGHT-OF-WAY AND CONSTRUCTION OF A WATER MAIN, A SLIP LANE, AND PATH;

DECLARATION OF STREETS AND ENGINEERING DEPARTMENT VEHICLES AS SURPLUS AND AUTHORIZATION FOR DISPOSAL BY AUCTION; AND AGREEMENT FOR PLACEMENT OF TEMPORARY BANNER BY NIC OVER E. ROSENBERRY DRIVE

MOTION: Motion by McEvers, seconded by Evans, to approve the Consent Calendar as presented, including **Resolution No. 21-026**.

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

RESOLUTION NO. 21-027

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE PURCHASE OF ONE (1) PATROL VEHICLE AND RELATED EQUIPMENT FROM MIKE WHITE FORD IN THE AMOUNT OF \$70,551.00 FOR THE POLICE DEPARTMENT.

STAFF REPORT: Police Chief White noted that several vehicles in the fleet have very high mileage and are in varying states of disrepair and mechanical failure. This request is to replace one (1) patrol vehicle, which would ultimately replace one (1) of their high-mileage, aging vehicles. It was the Police Department's request to ask for several vehicles in next year's budget process; this request will reduce that request by one (1) vehicle. He noted that the cost of a police vehicle is approximately \$33,500. The required equipment, including radios, computers, cameras, lights, prisoner transport equipment, and other safety equipment is \$37,500. A vehicle that meets the police-vehicle specifications is currently available at a local dealership. He noted that the Department has budget capacity in this fiscal year's budget to fund this purchase due to savings in personnel and services.

DISCUSSION: Councilmember Wood asked what kind of car it would be, noting that this is a good use of savings. Chief White noted that it is a Ford Explorer SUV.

MOTION: Motion by Wood, seconded by Gookin to approve **Resolution No. 21-027**, approving the Purchase of One (1) Patrol Vehicle and Related Equipment.

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

RESOLUTION NO. 21-028

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF, AND AUTHORIZING A CONTRACT WITH, LARIVIERE, INC., FOR THE ATLAS TRANSMISSION MAIN PROJECT IN THE AMOUNT OF \$831,287.00.

STAFF REPORT: Water Department Director Terry Pickel explained that during the last water system Comprehensive Plan Update, deficiencies were identified in regard to system capacity and supply in the General Zone which supplies the southern half of the city. The plan set forth a

general construction schedule, based on projected growth, for a future supply for the General Zone. It was determined that a new source, or sources, totaling 4000 gallons per minute would be required to adequately supply the General Zone to expected build out. The ultimate problem is locating a suitable site for a new well within the existing boundaries of the General Zone as space is at a premium. An engineering consultant came up with the idea that since they were already drilling a new source on the western edge of the city, why not divert an existing source, in this case the Atlas Well, to the General Zone via a new transmission main. This is a more logical approach than trying to push water from the western edge of the city limits. Funding for the proposed project is included in the 2020-21 Fiscal Year (FY) budget at \$4,000,000.00 to be paid out of Capitalization Fees. Funding in this line item for phase 3, and possibly a portion of phase 2, will be carried over into the next FY budget as it is not expected to be completed within this fiscal year. Bids received for phase 2 were as follows: Apollo, Inc., at \$1,154,152.00, S & L Underground at \$1,496,425.00, Big Sky ID, Corp., at \$1,442,997.00, Northwest Grading, Inc., at \$1,109,620.00; with the lowest responsive bid received from La Riviere Inc. at \$831,287.00. The engineer's estimate was \$1,030,000.00 with use of ductile iron piping. The consulting engineer reviewed all bids for accuracy and verified with the lowest bidder that they were comfortable with their numbers. The Atlas Transmission Main and the future Centennial Trail Transmission Main will move water from the Atlas Well south to I90 and then east along the trail to the Riverstone Drive area where it will supply adequate water to the General Zone to meet peak demand. Construction on this second phase is scheduled to take place this summer after school is out to prevent interruption of school bus routes as sections of Atlas Road will have traffic detours and restrictions while construction takes place. A 250' section of welded steel carrier pipe will need to be installed under I90 as part of the Idaho Transportation Department (ITD) encroachment permit.

DISCUSSION: Councilmember Gookin thanked Mr. Pickel for bringing the information forward. He noted that the condition of Atlas Road is terrible, and asked if they will be making improvements. Mr. Pickel explained that they will be replacing the old asphalt with new 3" asphalt. Councilmember Gookin thought it was good to be able to take water from that area and move it to another area where there is a future need. Councilmember McEvers asked how many wells the City runs in the winter versus summer. Mr. Pickel noted that only two (2) or three (3) wells are needed in winter, versus 10 wells at full capacity in the summer with more needed. This well will be able to be used for each zone, as needed. Mayor Widmyer reiterated that the community goes from three (3) wells to 10 wells just to keep the grass green.

MOTION: Motion by McEvers, seconded by Evans to approve **Resolution No. 21-028**, approving a Contract to La Riviere, Inc., for the Atlas Road Transmission Main Project in the Amount of \$831,287.00.

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

RESOLUTION NO. 21-029

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A NAMING AGREEMENT WITH IDAHO CENTRAL CREDIT UNION FOR THE RIVERSTONE PARK AMPHITHEATER FOR A PERIOD OF TEN (10 YEARS).

STAFF REPORT: Parks and Recreation Director Bill Greenwood noted that private and public partnerships are becoming more and more prevalent; as such an opportunity arose to help offset some park costs and create public goodwill by offering naming opportunities. In June of 2012, the City Council adopted the Naming Policy Guideline to manage the opportunities. When the concept of the amphitheater at Riverstone Park was developed in 2007, a shade structure was identified as a possible amenity for the stage. One of the City’s partners, the Arts & Cultural Alliance (A&C Alliance), has been providing free concerts there since 2012, and many of the performers at the amphitheater refer to it as the frying pan. A shade structure will provide a more pleasant experience for everyone who uses the amphitheater. Ali Shute, with the A&C Alliance, spearheaded a fund-raising campaign for a shade structure and she has acquired all the funds needed to purchase and install this structure over the amphitheater. No City funds are required to accept this donation and grant naming rights, although there is some labor involved with the project management, installation, and maintenance. The cost of the shade structure is \$53,653 and the installation is estimated at \$40,000. The installation cost is an estimate because of the possible need to breach the pond liner. Idaho Central Credit Union (ICCU) provided a \$40,000 contribution for the naming rights. In addition, an anonymous donor is providing \$40,000 for the project, ignite cda has allocated \$35,000 toward the project, and the A&C Alliance has \$11,000 available to be used.

DISCUSSION: Councilmember Gookin asked for details regarding the sign recognition. Mr. Greenwood noted that they could do a sign that faces the audience and noted that they have not had discussions with ICCU yet, but would strongly suggest the location in the planter strip so it doesn’t overpower the stage. Councilmember Wood noted that the Parks and Recreation Commission and Ms. Shute noted that the shade is very important to the entertainers on the stage and they support this project. Councilmember Gookin noted that he is not a fan of naming rights as it seems that it could lead to advertising.

MOTION: Motion by Evans, seconded by McEvers to approve **Resolution No. 21-029**, approving a Naming Rights Agreement with Idaho Central Credit Union (ICCU) for the Riverstone Park Amphitheater for a Period of Ten (10) Years.

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

COUNCIL BILL NO. 21-1009

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF COEUR D’ALENE MUNICIPAL CODE SECTIONS 4.05.070 AND 4.05.090; 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: Parks and Recreation Director Bill Greenwood explained that the code amendment is proposed to change the wording for a School District representative listed as “School District 271” to be referred to as “community education.” It is still required that such

member be either a member of the school board or an administrative staff person. The student representative from the district will no longer be part of the quorum, but will continue to vote and have input. There has been some difficulty with the students attending consistently, which is problematic to achieving a quorum. The Commission quorum will now be four (4) instead of five (5). The other change is to clarify that if a member misses three (3) consecutive meetings, that member is subject to removal by the Commission Chair. The changes to the ordinance and adopting the bylaws will help streamline the function of the Parks & Recreation Commission, as well as provide a clearer outline for all new members to follow.

DISCUSSION: Councilmember Wood noted that the Parks and Recreation Commission had a lot of discussion on this item and the students are great, but it has been problematic to get a quorum in the summer.

MOTION: Motion by Wood, seconded by Gookin, to dispense with the rule and read **Council Bill No. 21-1009** once by title only.

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

MOTION: Motion by Wood, seconded by Gookin, to adopt **Council Bill No. 21-1009**.

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

EAST SHERMAN – PROPOSED DEVELOPMENT PLAN AND SPENDING AUTHORITY TO IMPROVE THE CITY-OWNED PROPERTIES LOCATED AT 1516 AND 1620 E. SHERMAN AVENUE.

STAFF REPORT: Community Planning Director Hilary Anderson noted that the City entered into an agreement in April 2019, to exchange real property with the Society of St. Vincent De Paul for properties located at 1516 and 1620 East Sherman Avenue in exchange for real property owned by the City located at 102/106 East Homestead in Coeur d’Alene. She noted that local realtor Chad Oakland donated \$5,000 today, which will cut the amount needed from City funds. The City Council approved the exchange after a public hearing on June 4, 2019, with the City taking possession of the properties on December 20, 2019. During the public hearing, staff shared possible uses of the two (2) properties and community preferences for how the sites could be utilized to further support the East Sherman revitalization efforts. A variety of uses were suggested with varying costs and levels of improvement, some requiring public-private partnerships or possible future acquisition of the sites by private parties for redevelopment purposes. While staff presented the various uses that could be achieved on the properties, it was also noted that the short-term goal and lowest cost investment would be to provide pocket park greenspace to allow for community gathering places and public parking to support the growing business community and avoid the potential challenges like the City has been experiencing with parking in Midtown. Longer term goals could include land exchanges and/or public-private partnerships in support of redevelopment consistent with the community vision outlined in the draft East Sherman Revitalization Plan. At the August 18, 2020, City Council meeting staff requested authorization to demolish, abate and improve the two (2) properties in support of pocket park/public parking uses. As staff analyzed the properties prior to the August 2020

meeting, it was determined that the buildings and parking lots were not inhabitable in their current state and were not built to commercial standards. At that meeting, Council authorized staff to spend \$79,465 to abate, demolish and improve the two (2) properties and to come back with a development plan (including a long-term use plan) and budget for improvements. Ms. Anderson noted that she worked with the Parks Department and Streets and Engineering Department and made the following recommendations.

The proposal for the property located at 1516 East Sherman Avenue appears to be best suited for potential future development, rather than developing it as a public parking lot or making significant improvements for a pocket park. Therefore, staff is proposing very minimal improvements to the property in order to make it clean and green. The site needs limited grading to create an area for stormwater, as well as irrigation, seeding, and some large rocks to line the southern border to prevent vehicular access and allow for passive use. These improvements will set it up well for current and future use with very little effort or expense. The Parks & Recreation Department already has a large supply of rocks for use along the southern border adjacent to the alley and the irrigation will be able to be reused at other locations in the future, if the site is ever traded or sold for development. Staff is proposing that while in the City's ownership, the site can function as a simple pocket park for neighborhood use, recreation, and events. This site is not currently planned to have power, lighting, parking, or a porta potty. Given its location, this site could be an ideal location for a mixed-use project or an affordable/attainable housing project in support of community goals identified through the public input process over several years for East Sherman.

The property located at 1620 East Sherman Avenue would be ideal for a pocket park, it is a corner lot, and could include green space and parking off the alley. This would support neighborhood uses such as picnics and events such as a farmers' market. Staff's proposal is to have micro clover and low-maintenance landscaping including trees, ornamental grasses and shrubs, decorative rocks, irrigation, lighting, power for events and City usage, a flat concrete platform for the potential of live music, a porta potty with a shelter, below grade storm drainage on the east side of the lot, and public parking off of the alley, including an ADA stall. This would include 11 new parking spaces, including one (1) accessible space. The property will have a 200-amp service with 50-amp power to allow for food trucks and live music. There will also be outlets on the light poles to allow for lighting for events and power for vendors. This site has the option for a future park sign at the northeast corner, which could be paid for if naming rights are secured. Additionally, it can include a site for donated artwork. Signage will be posted with hours of the park so that the Police Department can do enforcement, similar to other public parks.

Both parcels would maintain power, water and wastewater connections, making both parcels development-ready. Unlike the proposal in August 2020, staff did not feel there was a need to spend money to bring in structural fill. Additionally, staff is only proposing improving 1620 E. Sherman Avenue to become a multipurpose/multi-use pocket park with public parking for the long-term. As such, staff is proposing the minimal improvements noted above to make it usable in the short-term, but allow for maximum potential with limited expense. The Parks and Recreation Department would be able to mow the properties, collect trash, and attend to needs of the pocket parks while they are attending to the City-owned property at Sherman Avenue and

Coeur d'Alene Lake Drive. Due to the low-maintenance landscaping and micro clover, this would require minimal staff time to keep the parks operational and well maintained. The Streets and Engineering and Parks and Recreation crews are ready to begin improvements right away, which would allow the properties to be ready for use as soon as the micro clover has established. Ms. Anderson reviewed the East Sherman concept plan and action items that support the location of these pocket parks, such as healthy lifestyles and community gathering space. She noted that it is also consistent with the recently adopted Parks Master Plan. Ms. Anderson reviewed the financial plan to include savings within the Parks, and Streets and Engineering Department budgets equaling \$24,000, plus the \$5,000 donation. Ms. Anderson noted that the Coeur d'Alene Realtor's Association would like to donate some labor for park improvements and that she has received nine (9) letters of support.

DISCUSSION: Councilmember McEvers asked what the total amount of funding is needed. Ms. Anderson noted that \$18,000 is needed, as inhouse labor makes a huge difference. Councilmember Wood suggested that the 1620 Sherman property could include an educational opportunity similar to the North Idaho College (NIC) Bureau of Land Management (BLM) property, in which they included rocks and trees marked with bar codes explaining the geology of rocks and trees for school field trips. Councilmember Gookin noted that the funding is great, but expressed concern about the time it would take labor away from other City projects. Streets and Engineering Director Todd Feusier noted that his Department got an early start on spring projects and proposed to work on this mid-May before summer needs ramp up. He estimated the use of a 3-person drainage crew, and two (2) weeks for the concrete crew and simple rough grading. At the 17th Street location, the electrician will work for two (2) weeks. Mr. Greenwood noted that they will make time for this project, and although they are experiencing staffing shortages of seasonal workers; however, staff love these types of projects. Each site will take a day for irrigation and landscaping. They will be utilizing some labor from the realtors, but plantings can get done in two (2) days. They will subcontract out the hydroseeding of micro-clover, which will be 10 days total project time. These are not large sites. Councilmember Wood asked if residents would be able to use these sites this summer. Mr. Greenwood noted that he would like the seeds for the clover to take root and then have a few mowing's before use, which would be about a month.

MOTION: Motion by Evans, seconded by McEvers to authorize staff to proceed with the Proposed Development Plan for the Two (2) City-Owned Properties Located at 1516 and 1620 E Sherman Avenue and Authorize Spending Authority of \$24,300 to complete the project.

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

Mayor Widmyer commended the parks crew for their work in Forest Cemetery on the wind damage clean up.

RESOLUTION NO. 21-030

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE DONATION OF ART PIECES "COR LEONIS" AND "NOTO THISTLE" TO THE CITY'S PUBLIC ART COLLECTION.

STAFF REPORT: City Administrator Troy Tymesen noted that the City of Coeur d'Alene Arts Commission Public Art Policy, adopted by the City Council pursuant to Resolution No. 00-101, on November 2, 1999, and as amended several times thereafter, designates the Coeur d'Alene Arts Commission as the standing committee charged by the City Council to oversee the Public Art program. Oversight responsibilities of the commission include donations of artwork to the public collection. The Arts Commission has recently been approached regarding the donation of two (2) pieces of public art described as follows; "Cor Leonis," which is an 8'x3'x3' steel and stainless-steel statue by artist Michael Ford Dunton, valued at \$35,000. The donors are Mr. and Mrs. Dunton of Coeur d'Alene, Idaho. There are shipping and installation costs of up to \$2,500, as the art is currently on display in Palm Desert, CA; and "Noto Thistle," which is a steel sculpture by artist Dan Good and is currently a part of the ArtCurrents collection. The art piece is valued at \$6,200, and is being donated by the artist. The Arts Commission have reviewed the proposed donations and recommends that they be accepted into the City's public art collection. There is no cost to the City for the art pieces themselves, but there will be costs associated with the shipping and installation of one of the pieces, which will be covered by the public art fund. He noted that the installation will be accomplished in-house.

DISCUSSION: Councilmember Gookin asked if the Arts Commission would consider placing art to the north part of the City. Mr. Tymesen concurred that they are open to suggestions, noting that he will ask the Dunton's for their desired location as well. Councilmember Wood noted that this was a wonderful donation, noting that the Duntons have been involved in the community for a long time.

MOTION: Motion by Wood, seconded by Gookin to Approve **Resolution No. 21-030** and Accept the Donation of Art Pieces "Cor Leonis" and "Noto Thistle" to the City's Public Art Collection.

ROLL CALL: McEvers Aye; Gookin Aye; Evans Aye; Wood Aye. **Motion Carried.**

PURCHASE OF PUBLIC ART PIECE ENTITLED THE CLIMB, IN THE AMOUNT OF \$9,000.00.

STAFF REPORT: Mr. Tymesen noted that the Arts Commission wanted to add this to the City's collection. The location they proposed would go in the Lake District in the City park at the entrance near Independence Point. They have been seeking to acquire some of their favorite ArtsCurrent pieces. It is a sturdy piece that would be a long-term piece to add to the City's art collection.

MOTION: Motion by Evans, seconded by Wood to approve the Purchase of the Public Art Piece Entitled "The Climb" in the Amount of \$9,000.

DISCUSSION

ROLL CALL: Wood Aye; Evans Aye; McEvers Aye; Gookin Aye. **Motion Carried.**

Councilmember Wood asked Mayor Widmyer to talk about his history and friendship with Mr. Hagadone. Mayor Widmyer noted that with Mr. Hagadone's passing it marks the end of an era. He expressed that it is hard to imagine the community without Duane Hagadone. The Mayor noted that he certainly left a legacy and the projects he has put together are quality projects and will be carried on through his sons Brad and Tom. He felt that he was a fabulous business person and a budget genius, which is the reason why he was so successful.

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

The meeting adjourned at 7:23 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, CMC
City Clerk

May 10, 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
~~Council Member Dan English~~ **ABSENT**
Council Member Woody McEvers

STAFF

Juanita Knight, Senior Legal Assistant
Renata McLeod, Municipal Services Director
Kelley Setters, Deputy City Clerk
Kenny Gabriel, Fire Chief
Tom Greif, Deputy Fire Chief
Randy Adams, Chief Deputy City Attorney
Troy Tymesen, City Administrator

Item 1. Approval of Amendments to Municipal Code Section 5.08.170 to allow the Sale of Alcoholic Beverages by a Non-Profit Theater and to Remove the Restriction Related to Proximity to a Park

(Agenda)

Renata McLeod is requesting City Council approve amendments to Municipal Code § 5.08.170 to allow the sale of beer to be consumed on the premises of a non-profit theater and to remove the proximity restriction related to a park. Mrs. McLeod explained in her staff report that Municipal Code § 5.08.170 establishes proximity limits on the sale of beer to be consumed on the premises. Currently, such sale is prohibited within three hundred feet (300') of any park, school or church, and within six hundred feet (600') of any R-1, R-3, R-5, R-8 or R-12 Zone, nursing home or hospital. Establishments within the prescribed areas are exempt only if such sale is incidental to the operation of an eating establishment. Lake City Playhouse has contacted the City with a request to amend the code to allow for their non-profit to do fundraising through the sale of beer and wine during events. Non-profit theaters provide a benefit to our community both in terms of tourism and culture. As a practical matter, theaters are and may be located within the prescribed distance from parks, schools, churches, residential areas, nursing homes, and/or hospitals. The sale of alcoholic beverages provides an important source of revenue for non-profit theaters. It is the opinion of staff that the sale of beer for consumption on the premises of a theater will not create enforcement issues or disturb the surrounding areas. In addition, the City's restriction on such sales within three hundred (300') of a park is not found in the corresponding state law. In fact, alcohol is now permitted in City parks for certain special events with a permit. Increasingly, businesses are being established within the restricted area and the service of beer for consumption within those businesses would violate this unique City ordinance. For these reasons, the proximity restriction related to parks is believed to be inconsistent with current circumstances and practices.

Mrs. McLeod also noted that she ran this past the Police Department and, at this time, they are not in support of removing the 300 ft from a park. The Police Department expressed concerns about crimes related to intoxication. Additionally, they expressed concern that this may create an increased work load for them.

Discussion ensued to clarify the requested amendment and the existing codes protecting residential zones.

MOTION: by Wood, seconded by McEvers, to recommend that Council approve amendments to Municipal Code Section 5.08.170 to allow the sale of alcohol beverages by a non-profit theater and to remove the restriction related to proximity to a park. Motion Carried.

Item 2. Approval of a Film Production Permit and Hold Harmless Agreement with Henry Wolsten dba Netslow Productions for Use of City Sidewalks and an Alley as Allowed by Municipal Code Section 17.08.620

(Consent)

Kelley Setters is requesting City Council authorize a temporary permit, with a Hold Harmless Agreement, for use of City sidewalks and an alley for a film production. Ms. Setters explained in her staff report that Henry Wolsten is requesting a temporary film production permit for use of City sidewalks and an alley near 115 S. 4th Street on June 12th/13th between the hours of 10:30 p.m. to 5:00 a.m. The production consists of 15 crew and 7 cast members from the City's homeschool community and is for the purpose of filmmaking education. Legal recommended a Hold Harmless Agreement in place of insurance due to cost. City staff has reviewed the plan and finds that it meets the criteria outlined in Municipal Code Chapter § 17.08. The applicant will pay the temporary film permit fee in the amount of \$100.00, together with a \$150.00 refundable security deposit.

Councilmember McEvers comment that if the City has a regular permit for this type of thing what makes this one different. Ms. Setters said the applicant requested the City waive the large insurance requirement due to the short duration of filming and requested a hold harmless agreement instead. Councilmember McEvers asked if anyone asking for a Film Production Permit could ask for this. Ms. Setters said yes and it would be up to City Council to deny or approve the request.

MOTION: by McEvers, seconded by Wood, to recommend that Council approve a film production permit and Hold Harmless Agreement with Henry Wolsten dba Netslow Productions for use of city sidewalks and an alley. Motion Carried.

Item 3. PRESENTATION – Fire Department

Tom Greif, Deputy Fire Chief, presented a short video that was created thanks to new AV equipment that was acquired through the CARES ACT. The equipment can be used by both Fire and Police to enhance training and public education abilities.

Deputy Fire Chief Greif also presented a PowerPoint presentation, going into greater detail, regarding the following points:

- The mission of Fire Service in general is “Save Lives and Protect Property”
- Events in our nation have forced our department to be more of an “All-Hazards” Fire Department. These are the four teams in the City's Fire Department:
 - USA/ITRT Teams (Confine Space, High Angled Rescue, Search & Rescue, and Water Rescue)
 - Rescue Task Force Teams (Active Shooter Incidents)
 - K-9 Team
 - SWAT Paramedics
- Things they do when not responding to emergencies:
 - Health & Safety; Mandatory PT time each shift; Mandatory annual NFPA physicals; Promote Healthy In / Healthy Out Initiative; Provide the best PPE and equipment for staff to do their jobs

- Training – “Low frequency, high risk.”
 - Annual Wildland Refresher, Monthly EMS continuing education; Hazardous Materials; Water Rescue’ Technical Rescue; Vehicle Extrication; Company and Crew Trainings.
- Fire & Injury Prevention/Public Education/Community Outreach. This is the backbone of the organization. This is where the Fire Department gets to interact with the citizens in a positive, non-traumatic environment:
 - Fire safety lectures for children; Fire extinguisher training for businesses; Daycare inspections; Station tours; Annual Open House; Community events; Mask promotion at schools; Mock DUI at the high schools; Fire Wise for urban interface areas.
- Dedicated Event Standbys:
 - Spring Dash; CDA Marathon; Ironman Triathlon; Fourth of July events; Race the River Triathlon; Street Fair; UGM Open Water Swim; CDA Triathlon; and Christmas lighting ceremony.
- Why the Fire Department is so successful:
 - Our Customer Service philosophy: “Provide the citizens and valued guests with a service they don’t expect.”
 - Community Partnerships: Local 710; other city departments; neighboring fire department and law enforcement agencies; hospitals and care facilities; NIC; School Districts; Health District; and businesses.
 - The NIC and School District relationships pays dividends to the Fire Department because of these programs: Fire fighter 1 Program; EMT program; CPR/First Aid and AED training; Paramedic Internship site; and High School Cadet Program.
- Local 710 is the Fire Department and the Fire Department is Local 710:
 - Mobile Santa / Food Bank; Santa Pictures; Fill the Boot for MDA; Stair Climb for Leukemia; Coats 4 kids; Toys for Tots; Pipes & Drums; and Honor Guard.
- Exciting things going on in your Fire Department right now:
 - Finished first round of mobile COVID-19 vaccinations; staffing plans for the upcoming Ironman & Fourth of July events; there are three personnel in Paramedic school with three additional starting in September; beginning our preparation for the next G.O. Bond in 2025; ongoing boat station project; possibility of a third ambulance; and planning for Fire Station #6.

The meeting in its entirety can be seen using this link: <https://youtu.be/UWppHKnCIDI>

The meeting adjourned at 12:45 p.m.

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

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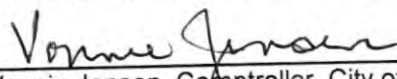
MAY 10 2021

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

CITY CLERK

FUND	BALANCE 3/31/2021	RECEIPTS	DISBURSE- MENTS	BALANCE 4/30/2021
<u>General-Designated</u>	\$1,977,278	\$2,265	\$9,829	\$1,969,714
<u>General-Undesignated</u>	14,250,127	7,515,010	6,528,391	15,236,746
<u>Special Revenue:</u>				
Library	473,067	23,886	122,424	374,529
CDBG	(15,809)	82,749	75,355	(8,415)
Cemetery	112,826	58,466	27,070	144,222
Parks Capital Improvements	380,411	98,326	11,730	467,007
Impact Fees	4,614,674	51,262		4,665,936
Annexation Fees	329			329
Cemetery P/C	1,273,796	9,390	15,862	1,267,324
Jewett House	24,226	116,804	1,069	139,961
Reforestation	29,060	4		29,064
Street Trees	182,949	3,626	7,830	178,745
Community Canopy	2,897			2,897
Public Art Fund	54,545	8		54,553
Public Art Fund - ignite	628,458	91	18,750	609,799
Public Art Fund - Maintenance	128,301	18	19	128,300
<u>Debt Service:</u>				
2015 G.O. Bonds	577,297	11,370		588,667
<u>Capital Projects:</u>				
Street Projects	723,813	104	10,897	713,020
<u>Enterprise:</u>				
Street Lights	212,156	51,578	103,228	160,506
Water	767,458	369,036	588,297	548,197
Water Capitalization Fees	7,803,208	105,438	4,356	7,904,290
Wastewater	9,475,695	941,977	567,246	9,850,426
Wastewater - Equip Reserve	1,282,253	27,500		1,309,753
Wastewater - Capital Reserve	2,500,000			2,500,000
WWTP Capitalization Fees	3,707,689	121,776	841	3,828,624
WW Property Mgmt	60,668			60,668
Sanitation	1,703,494	517,487	506,760	1,714,221
Public Parking	360,623	42,672	20,534	382,761
Drainage	1,408,581	88,777	35,086	1,462,272
Wastewater Debt Service	2,351,949	339		2,352,288
<u>Fiduciary Funds:</u>				
Kootenai County Solid Waste Billing	245,369	234,413	245,369	234,413
Police Retirement	705,597	14,605	28,981	691,221
Sales Tax	2,738	3,745	2,738	3,745
BID	219,308	3,983		223,291
Homeless Trust Fund	957	649	957	649
GRAND TOTAL	<u><u>\$58,225,988</u></u>	<u><u>\$10,497,354</u></u>	<u><u>\$8,933,619</u></u>	<u><u>\$59,789,723</u></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.


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

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 SEVEN MONTHS ENDED
 April 30, 2021

RECEIVED

MAY 10 2021

CITY CLERK

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 4/30/20021	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$243,342	\$137,126	56%
	Services/Supplies	8,400	1,642	20%
Administration	Personnel Services	214,699	125,014	58%
	Services/Supplies	3,000	222	7%
Finance	Personnel Services	695,484	394,276	57%
	Services/Supplies	539,300	544,788	101%
Municipal Services	Personnel Services	1,278,345	699,350	55%
	Services/Supplies	516,561	496,603	96%
	Capital Outlay	10,000	9,715	97%
Human Resources	Personnel Services	342,230	197,606	58%
	Services/Supplies	76,595	47,841	62%
Legal	Personnel Services	1,265,260	715,556	57%
	Services/Supplies	48,153	13,599	28%
Planning	Personnel Services	641,592	362,226	56%
	Services/Supplies	85,300	62,921	74%
	Capital Outlay			
Building Maintenance	Personnel Services	336,901	152,131	45%
	Services/Supplies	210,625	116,944	56%
	Capital Outlay			
Police	Personnel Services	14,988,826	8,295,446	55%
	Services/Supplies	1,619,594	602,534	37%
	Capital Outlay	117,738	156,281	133%
Fire	Personnel Services	10,068,973	6,094,713	61%
	Services/Supplies	633,838	279,854	44%
	Capital Outlay	8,000	5,215	65%
General Government	Services/Supplies	153,050	1,298,703	849%
	Capital Outlay			
Police Grants	Personnel Services		38,950	
	Services/Supplies	6,000	31,608	527%
	Capital Outlay			
CdA Drug Task Force	Services/Supplies		1,868	
	Capital Outlay			
Streets	Personnel Services	3,073,344	1,752,463	57%
	Services/Supplies	1,772,853	504,154	28%
	Capital Outlay	135,000	93,396	69%
Parks	Personnel Services	1,751,110	848,298	48%
	Services/Supplies	697,620	171,329	25%
	Capital Outlay			

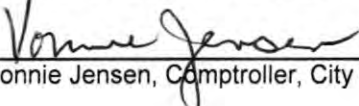
CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
SEVEN MONTHS ENDED
April 30, 2021

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 4/30/20021	PERCENT EXPENDED
Recreation	Personnel Services	561,328	280,244	50%
	Services/Supplies	183,880	35,524	19%
	Capital Outlay			
Building Inspection	Personnel Services	918,356	526,191	57%
	Services/Supplies	40,129	12,430	31%
	Capital Outlay			
Total General Fund		<u>43,245,426</u>	<u>25,106,761</u>	<u>58%</u>
Library	Personnel Services	1,330,045	731,569	55%
	Services/Supplies	226,000	108,500	48%
	Capital Outlay	180,000	56,862	32%
CDBG	Personnel Services	74,754	38,781	52%
	Services/Supplies	620,278	239,650	39%
Cemetery	Personnel Services	200,837	106,443	53%
	Services/Supplies	105,950	47,534	45%
	Capital Outlay			
Impact Fees	Services/Supplies	450,000		
Annexation Fees	Services/Supplies	195,000	184,000	94%
Parks Capital Improvements	Capital Outlay	323,260	539,003	167%
Cemetery Perpetual Care	Services/Supplies	166,500	96,328	58%
Jewett House	Services/Supplies	26,353	107,166	407%
Reforestation	Services/Supplies	6,500	188	3%
Street Trees	Services/Supplies	112,000	29,910	27%
Community Canopy	Services/Supplies	1,500	365	24%
Public Art Fund	Services/Supplies	271,300	31,281	12%
		<u>4,290,277</u>	<u>2,317,580</u>	<u>54%</u>
Debt Service Fund		<u>876,281</u>	<u>42,342</u>	<u>5%</u>

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
SEVEN MONTHS ENDED
April 30, 2021

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 4/30/20021	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	6,580	1%
US 95 Upgrade	Capital Outlay			
15th Street	Capital Outlay		11,070	
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	
		2,201,632	23,001	1%
Street Lights	Services/Supplies	733,250	335,457	46%
Water	Personnel Services	2,315,352	1,239,469	54%
	Services/Supplies	4,952,518	956,435	19%
	Capital Outlay	7,298,500	1,741,838	24%
Water Capitalization Fees	Services/Supplies	5,300,000		
Wastewater	Personnel Services	2,959,700	1,643,476	56%
	Services/Supplies	7,242,415	1,581,085	22%
	Capital Outlay	7,205,000	432,462	6%
	Debt Service	2,704,263	3,443,150	127%
WW Capitalization	Services/Supplies	1,484,809		
Sanitation	Services/Supplies	4,215,002	2,311,866	55%
Public Parking	Services/Supplies	1,600,036	429,969	27%
	Capital Outlay	40,000		
Drainage	Personnel Services	222,668	133,568	60%
	Services/Supplies	944,195	162,470	17%
	Capital Outlay	535,000	85,867	16%
Total Enterprise Funds		49,752,708	14,497,112	29%
Kootenai County Solid Waste		2,800,000	1,435,101	51%
Police Retirement		188,132	109,144	58%
Business Improvement District		176,000	40,000	23%
Homeless Trust Fund		5,300	4,773	90%
Total Fiduciary Funds		3,169,432	1,589,018	50%
TOTALS:		\$103,535,756	\$43,575,814	42%

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


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

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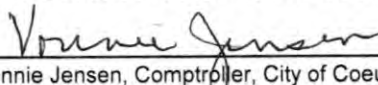
MAY 10 2021

CITY CLERK

City of Coeur d Alene
Cash and Investments
4/30/2021

Description	City's Balance
U.S. Bank	
Checking Account	3,471,475
Checking Account	53,688
Checking Account	37,702
Investment Account - Police Retirement	685,275
Investment Account - Cemetery Perpetual Care Fund	1,241,461
Idaho Central Credit Union	
Certificate of Deposit	272,791
Idaho State Investment Pool	
State Investment Pool Account	52,745,552
Spokane Teacher's Credit Union	
Certificate of Deposit	257,292
Numerica Credit Union	
Certificate of Deposit	1,022,437
Cash on Hand	
Finance Department Petty Cash	500
Treasurer's Change Fund	1,350
Library Change fund	180
Cemetery Change Fund	20
Total	<u>59,789,723</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: May 18, 2021
FROM: Dennis Grant, Engineering Project Manager
SUBJECT: **SS-21-02, Neider Conference Center First Addition to CD'A: Final Plat Approval**

DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a two (2) lot commercial subdivision.

HISTORY

- a. Applicant: Jim Magnuson
Magnuson Properties Partnership
P.O Box 469
Wallace, ID 83873
- b. Location: 200 W. Neider Ave (South side of Neider Ave btwn US HW 95 & Gov't Wy).
- c. Previous Action:
 1. Preliminary plat approval, April 13, 2021

FINANCIAL ANALYSIS

There are no financial issues with this development.

PERFORMANCE ANALYSIS

This commercial development is a re-plat of Lot 3 Block 1 Neider Conference Center Addition to Coeur d'Alene located in Coeur d'Alene. This subdivision created two (2) lots. The infrastructure has been previously installed and accepted by the appropriate departments. There were two conditions that will be taken care of during the building permit process; therefore, the document is ready for approval and recordation.

DECISION POINT RECOMMENDATION

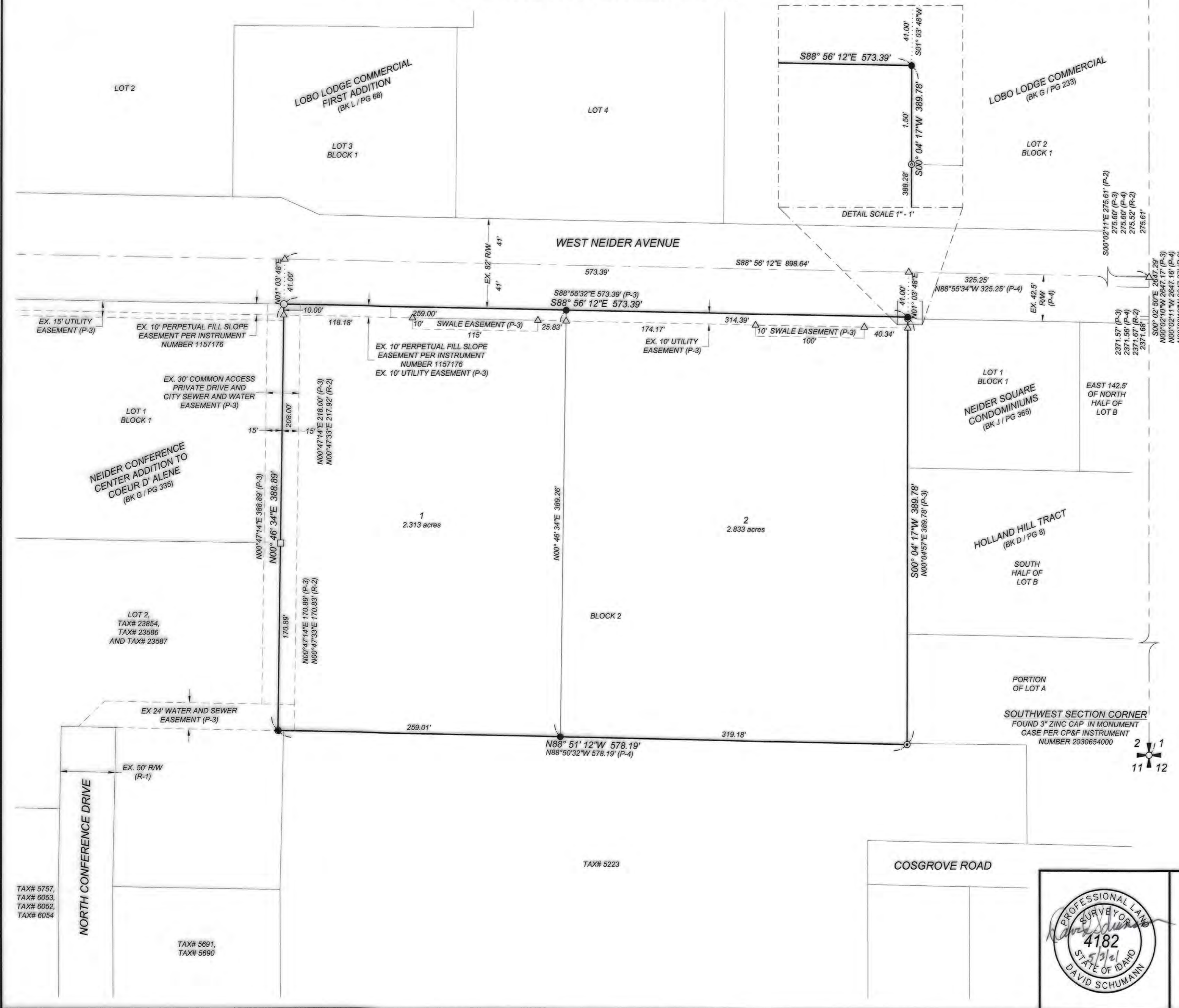
City Council approval of the final plat document

NEIDER CONFERENCE CENTER FIRST ADDITION TO COEUR D'ALENE

BOOK: _____ PAGE: _____

INSTRUMENT No. _____

A REPLAT OF LOT 3 BLOCK 1 NEIDER CONFERENCE CENTER ADDITION TO COEUR D'ALENE
LYING IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE IDAHO STATE PLANE COORDINATE SYSTEM, WEST ZONE (1103)-US SURVEY FEET. BEARINGS SHOWN ARE GRID BEARINGS AND DISTANCES SHOWN ARE GROUND DISTANCES. A CONVERGENCE ANGLE OF -00°46'12" AND A CAF OF 1.00009635 WAS CALCULATED AT THE EAST QUARTER CORNER OF SECTION 2.

NOTE

THERE WAS NO ATTEMPT MADE TO SHOW ALL OF THE PHYSICAL FEATURES OF THIS PROPERTY, NOR ANY EASEMENTS OF RECORD, EXCEPT FOR THOSE SHOWN HEREON.

REFERENCE DOCUMENTS

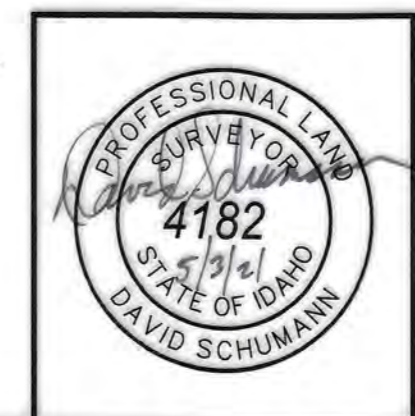
- (R-1) RECORD OF SURVEY PREPARED BY MECKEL ENGINEERING & SURVEYING AND FILED AT BOOK 1 OF SURVEYS, PAGE 128, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-2) RECORD OF SURVEY PREPARED BY DURTSCHI & ASSOCIATES AND FILED AT BOOK 28 OF SURVEYS, PAGE 36, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (R-3) RECORD OF SURVEY PREPARED BY FRAME & SMETANA, PA AND FILED AT BOOK 28 OF SURVEYS, PAGE 262, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-1) PLAT OF HOLLAND HILL TRACT PREPARED BY VERNE E. ASHLEY AND FILED AT BOOK D OF PLATS, PAGE 8, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-2) PLAT OF LOBO LODGE COMMERCIAL TRACTS PREPARED BY TAYLOR ENGINEERING, INC. AND FILED AT BOOK G OF PLATS, PAGE 233, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-3) PLAT OF NEIDER CONFERENCE CENTER ADDITION TO COEUR D'ALENE PREPARED BY EMPIRE SURVEYING & ENGINEERING, INC. AND FILED AT BOOK G OF PLATS, PAGE 335, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-4) PLAT OF NEIDER SQUARE CONDOMINIUMS PREPARED BY FRAME & SMETANA, PA. AND FILED AT BOOK J OF PLATS, PAGE 365, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-5) PLAT OF LOBO LODGE COMMERCIAL TRACTS FIRST ADDITION PREPARED BY LAKE CITY ENGINEERING, INC. AND FILED AT BOOK L OF PLATS, PAGE 68, RECORDS OF KOOTENAI COUNTY, IDAHO.

LEGEND

- SET 5/8" x 24" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS4182"
- FOUND 5/8" REBAR WITH ILLEGIBLE YELLOW PLASTIC CAP
- ⊙ FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4194"
- FOUND MAG NAIL WITH YELLOW PLASTIC CAP MARKED "PLS 14749"
- ⊕ FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 5289"
- △ CALCULATED POINT, NOTHING FOUND OR SET
- BOUNDARY LINE
- LOT LINE
- ADJACENT LOT LINE
- - - EASEMENT LINE
- CENTER LINE
- - - SECTION LINE



SCALE: 1" = 60'



CHECKED BY:	DES
DRAFTED BY:	WAL
SCALE:	1" = 60'
DATE:	04/29/2021
JOB NO:	LCE 21-020.1

1

2

NEIDER CONFERENCE CENTER FIRST ADDITION TO COEUR D'ALENE

BOOK: _____ PAGE: _____

INSTRUMENT No. _____

A REPLAT OF LOT 3 BLOCK 1 NEIDER CONFERENCE CENTER ADDITION TO COEUR D'ALENE
 LYING IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

KOOTENAI COUNTY RECORDER

THIS PLAT WAS RECORDED AT THE REQUEST OF MAGNUSON PROPERTIES PARTNERSHIP 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, 20 20
 DATED THIS 3 DAY OF May, 2021

Mary Bidwell
 KOOTENAI COUNTY TREASURER, Acting Chief 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 (QLPE) FROM THE CITY OF COEUR D'ALENE AND
 APPROVAL FOR THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER
 FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. WATER LINES HAVE BEEN COMPLETED AND
 SERVICES CERTIFIED AS AVAILABLE. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH
 SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

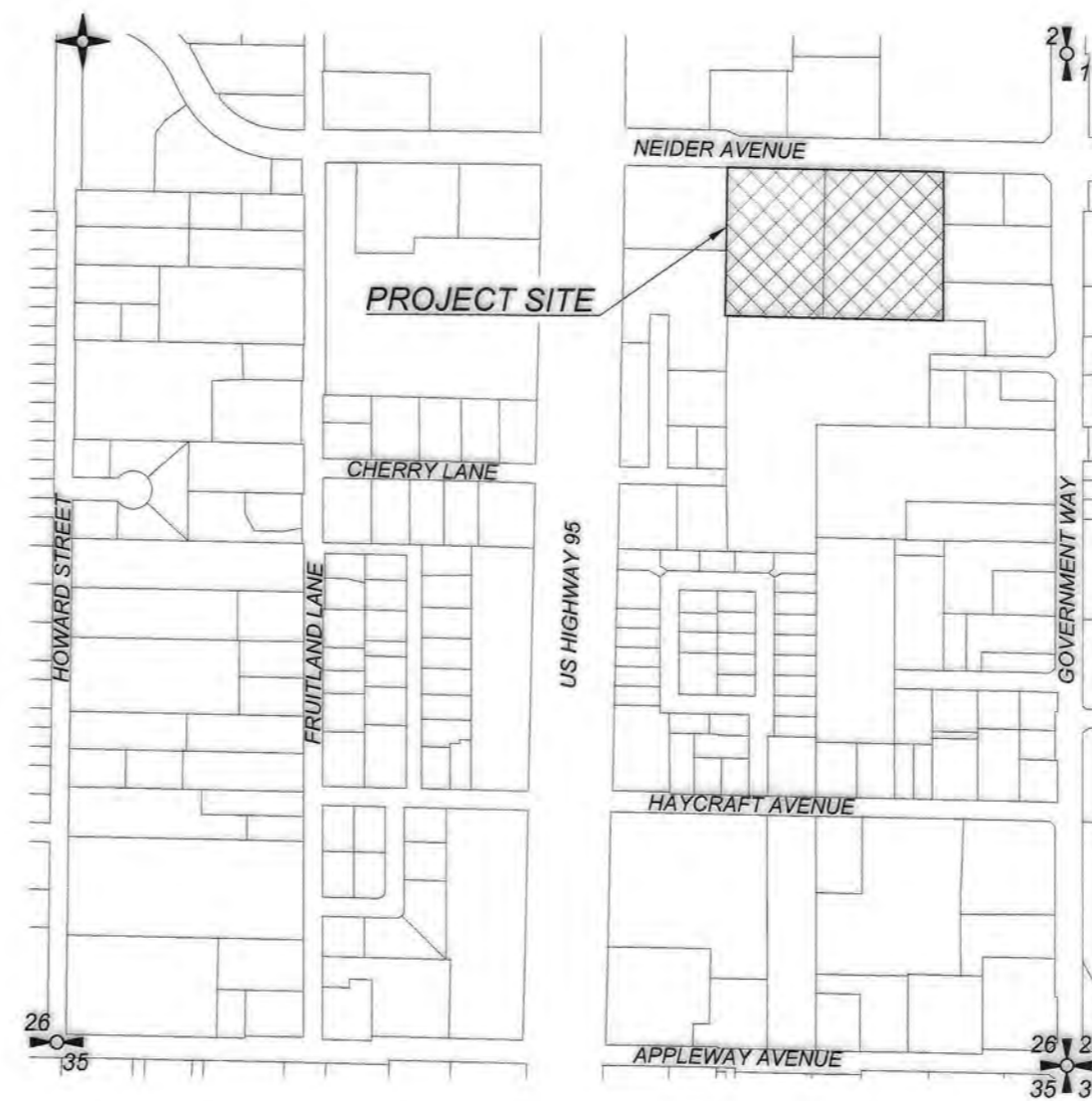
DATED THIS 29th DAY OF April, 2021.

[Signature]
 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____.



SOUTHEAST QUARTER SECTION 2, TOWNSHIP 50 NORTH, RANGE 4 WEST
VICINITY MAP
 SCALE 1" = 500'

SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS PLAT IS TO CREATE LOTS UNDER THE CITY OF COEUR D'ALENE ORDINANCE TITLE 16
 SUBDIVISIONS. RECORD INFORMATION AND FOUND MONUMENTATION, SHOWN HEREON, WERE USED FOR
 DETERMINING THE BOUNDARY OF THE PARENT PARCEL.

SURVEYOR'S CERTIFICATE

I, DAVID SCHUMANN, PROFESSIONAL LAND SURVEYOR #4182, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE
 PLAT OF NEIDER CONFERENCE CENTER FIRST ADDITION TO COEUR D'ALENE 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 WILL BE SET, AS SHOWN ON THIS PLAT, ON OR BEFORE ONE YEAR FROM
 RECORDING OF THIS PLAT, IN ACCORDANCE WITH IDAHO CODE 50-1331 & 50-1303.

David Schumann
 DAVID SCHUMANN
 5/3/2021
 DATE

OWNER'S CERTIFICATE AND DEDICATION

BE IT KNOWN BY THESE PRESENTS THAT MAGNUSON PROPERTIES PARTNERSHIP, AN IDAHO GENERAL
 PARTNERSHIP, DOES HEREBY CERTIFY THAT IT OWNS AND HAS LAID OUT THE LAND EMBRACED WITHIN THIS
 PLAT TO BE KNOWN AS NEIDER CONFERENCE CENTER FIRST ADDITION TO COEUR D'ALENE, BEING A REPLAT OF
 LOT 3, BLOCK 1 OF NEIDER CONFERENCE CENTER ADDITION TO COEUR D'ALENE, FILED IN BOOK G OF PLATS,
 PAGE 335, RECORDS OF KOOTENAI COUNTY, IDAHO AND LYING IN THE SOUTHEAST QUARTER OF SECTION 2,
 TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO.

SAID PARCEL CONTAINING 5.146 ACRES, MORE OR LESS.

BE IT FURTHER KNOWN THAT:

- SANITARY SEWER DISPOSAL IS PROVIDED BY CITY OF COEUR D'ALENE;
- DOMESTIC WATER FOR THIS PLAT IS SUPPLIED BY CITY OF COEUR D'ALENE;

H. James Magnuson
 H. JAMES MAGNUSON, TRUSTEE
 MAGNUSON PROPERTIES PARTNERSHIP
 4/29/21
 DATE

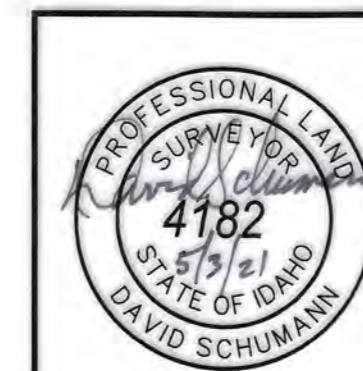
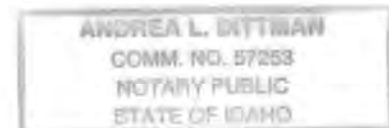
NOTARY CERTIFICATE

STATE OF IDAHO _____)
 _____)
 COUNTY OF KOOTENAI _____)

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON THIS 29th DAY OF April IN THE
 YEAR 2021, BY H. JAMES MAGNUSON AS TRUSTEE OF MAGNUSON PROPERTIES PARTNERSHIP, AN IDAHO
 GENERAL PARTNERSHIP.

Andrea L. Dittman
 NOTARY PUBLIC

MY COMMISSION EXPIRES ON 1-10-23



CHECKED BY:	DES
DRAFTED BY:	WAL
SCALE:	N.T.S.
DATE:	04/29/2021
JOB NO:	LCE 21-020.1

2

2

RESOLUTION NO. 21-031

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A TEMPORARY FILM PRODUCTION PERMIT AND HOLD HARMLESS AGREEMENT WITH HENRY WOLSTEN DBA NETSLOW PRODUCTIONS; AND DECLARING THERE IS ONLY ONE SOURCE REASONABLY AVAILABLE FOR THE PURCHASE OF TRAFFIC SIGNAL EQUIPMENT AND ONE SOURCE REASONABLY AVAILABLE FOR THE PURCHASE OF TRAFFIC SIGNAL POLES, AND APPROVAL OF THE PURCHASE OF TRAFFIC SIGNAL EQUIPMENT AND TRAFFIC SIGNAL POLES FOR THE LACROSSE AVENUE PROJECT.

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

- A) Approve a Temporary Film Production Permit and Hold Harmless Agreement with Henry Wolsten dba Netslow Productions for use of city sidewalks and an alley near 115 S. 4th Street; and
- B) Declare there is only one source reasonably available for the purchase of traffic signal equipment and only one source reasonably available for the purchase of traffic signal poles for the Lacrosse Avenue project, and authorize the purchase of the traffic signal equipment from Western Systems and the traffic signal poles from Blankenship & Associates.

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 enter take the actions for the subject matter as set forth in substantially the documents 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 said documents, so long as the substantive provisions of the documents remain intact.

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

DATED this 18th day of May, 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 _____.

**GENERAL SERVICES/PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: MAY 10, 2021
FROM: KELLEY SETTERS, DEPUTY CITY CLERK
RE: VICTOR KING: PRIVATE EYE - FILM PERMIT

DECISION POINT: Should the City Council authorize a temporary permit, with a Hold Harmless Agreement, for use of City sidewalks and an alley for a film production?

REQUEST: Henry Wolsten is requesting a temporary film production permit for use of City sidewalks and an alley near 115 S. 4th Street on June 12th/13th between the hours of 10:30 p.m. to 5:00 a.m. The production consists of 15 crew and 7 cast members from the City's homeschool community and is for the purpose of filmmaking education. Legal recommended a Hold Harmless Agreement in place of insurance due to cost. City staff has reviewed the plan and finds that it meets the criteria outlined in Municipal Code Chapter § 17.08.

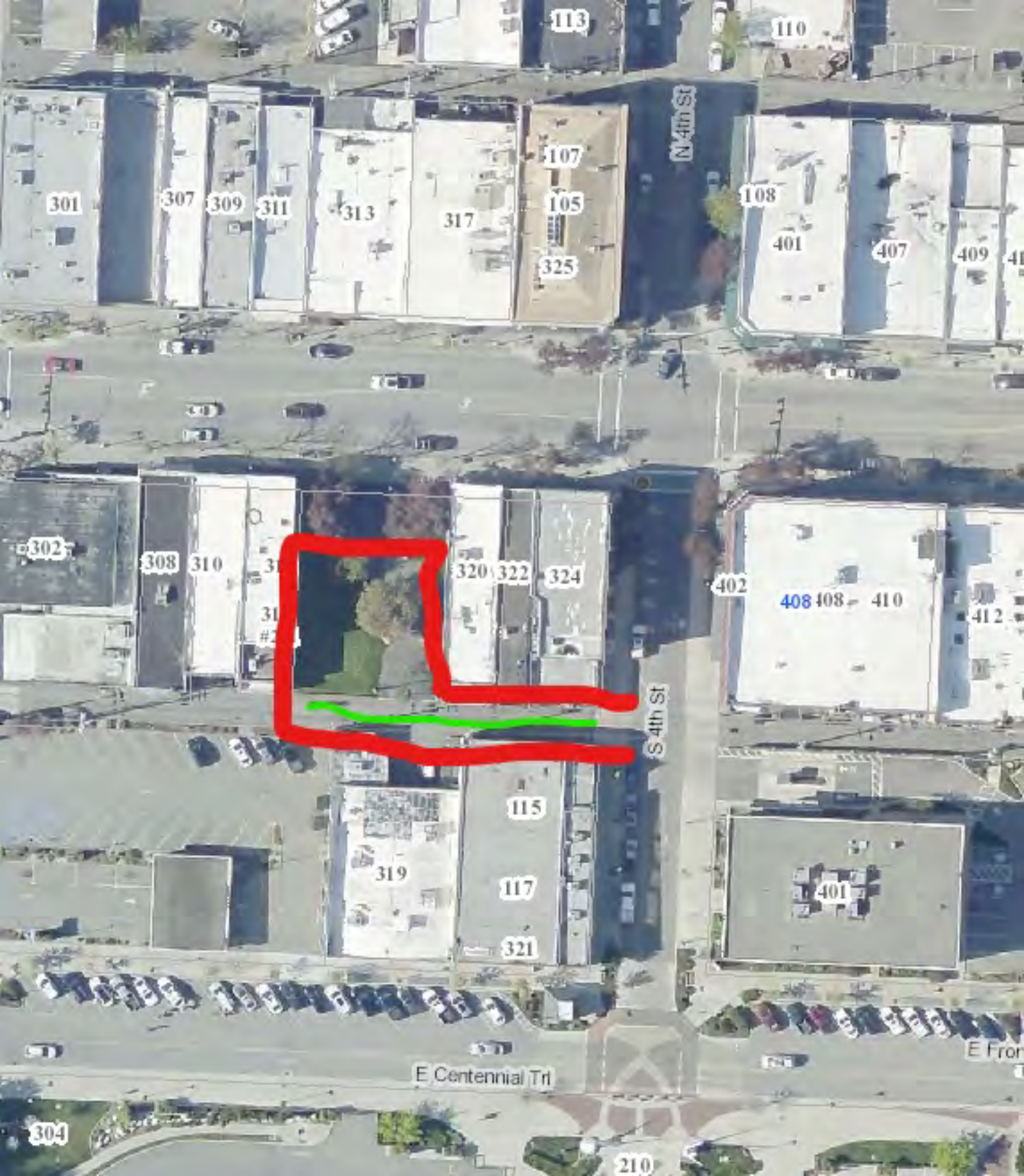
17.08.620: CRITERIA/APPROVAL:

The City Council may grant a temporary film production permit only if at least the following criteria are met:

- A. The event will not be materially detrimental to the public welfare;
- B. The event will not be materially detrimental to the surrounding neighborhood;
- C. The event includes measures to minimize injury to real and personal property and, in case of damage, the applicant agrees to make affected owners whole;
- D. The event would not materially affect the surrounding area in regard to anticipated traffic generation;
- E. Adequate provisions for parking are made;
- F. Appropriate permit fees are paid;
- G. Applicant agrees to execute a permit agreement acceptable to the City Council containing but not necessarily limited to controls for the provision of parking, liability insurance based upon intended activities and use, street closures, security, repair and maintenance of location sites and property, minimum noise level requirements, minimum notice requirements, and other applicable site performance requirements.
- H. Applicant agrees to comply with all relevant Federal, State, County, and local laws, ordinances, rules, regulations, and policies, and to obtain all required permits, licenses, and other forms of authorization from other individuals or governmental entities having jurisdiction over the activity or the location of the activity.

FINANCIAL IMPACT: The applicant will pay the temporary film permit fee in the amount of \$100.00, together with a \$150.00 refundable security deposit.

DECISION POINT: The City Council should authorize a temporary film production permit with a Hold Harmless Agreement for use of City sidewalks and an alley as allowed under Municipal Code § 17.08.620 at 115 S. 4th Street on June 12th/13th between the hours of 10:30 p.m. to 5:00 a.m.



113

110

N 4th St

301

307

309

311

313

317

107

105

325

108

401

407

409

411

302

308

310

312

314

316

318

320

322

324

402

408 408 410

412

S 4th St

115

319

117

321

401

E Centennial Trl

E Front St

303

210



City of Coeur d Alene
710 E Mullan Avenue
Coeur d' Alene, ID 83814-3958
208.769.2229

HOLD HARMLESS AGREEMENT

I (WE) (APPLICANT)

Henry Wolsten

IN CONSIDERATION FOR A FILM PRODUCTION PERMIT HEREBY AGREE(S) TO SAVE AND HOLD THE CITY OF COEUR D'ALENE HARMLESS FROM ALL CLAIMS FOR PROPERTY DAMAGE, BODILY OR PERSONAL INJURY, DEATH, OR OTHER LOSS OR DAMAGE RESULTING FROM THE ACTIONS OR OMISSIONS OF

APPLICANT Henry Wolsten

DOING BUSINESS AS Netslow Productions

HIS/HER AGENTS, EMPLOYEES, OR ASSIGNS, IN THE OPERATION, MAINTENANCE, OR PERFORMANCE OF THE FILM PRODUCTION PERMIT ON CITY PROPERTY OR PUBLIC RIGHT-OF-WAY IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO.

Netslow Productions

NAME OF BUSINESS

Henry Wolsten

SIGNATURE

5/4/21

DATE

Director & Producer

TITLE

**CITY COUNCIL
STAFF REPORT**

DATE: May 11, 2021
FROM: Chris Bosley – City Engineer
SUBJECT: Approval for Sole Source Purchase of Traffic Signal Equipment for the Lacrosse Ave Extension Project.

=====

DECISION POINT: Should Council approve the purchase of traffic signal equipment for the traffic signal, pursuant to sole source purchase requirements, to be located at Lacrosse Avenue and Northwest Boulevard?

HISTORY: The City is in the process of securing traffic signal components for the Lacrosse Avenue Extension Project to be completed this summer. The City wishes to purchase the equipment ahead of time to reduce delays and costs associated with the contractor ordering the equipment. The City, therefore, intends to purchase the needed traffic signal equipment from Western Systems and the traffic signal poles from Blankenship & Associates to be utilized for the traffic signal. All of our equipment throughout the City is provided by the same manufacturers in order to maintain compatibility between the component parts and availability of service. Many of the component parts are configured to operate with other specific component parts, making it infeasible to accept substitutes that would inevitably occur through the bidding process. With regards to the signal equipment specifically, service for the controllers, detection, and related signal logic equipment is provided by the supplier. With regards to the signal poles, the City is unaware of any other source for securing these poles and the lead time for delivery is long. So, it is critical that the suppliers be located close to Coeur d’Alene and are able to deliver expediently in order to complete this project by September 30th, prior to ignite cda’s Lake District’s closure.

FINANCIAL ANALYSIS: Funding for this project is provide by ignite cda. Future maintenance will be the responsibility of the City, so compatibility of parts is important to reduce future costs.

PERFORMANCE ANALYSIS: Approval of this sole source purchase will allow the City to control and maintain the signal without compatibility issues.

DECISION POINT/RECOMMENDATION: City Council should declare that there is only one source reasonably available and approve the purchase of traffic signal equipment from Western Systems and the purchase of traffic signal poles from Blankenship & Associates for the traffic signal to be located at Lacrosse Avenue and Northwest Boulevard.



PERSONAL PROPERTY & SERVICES PRICE REASONABLENESS FORM

To: Finance Department

From: Chris Bosley, Streets & Engineering

Date: 5/10/2021

Required Action: Complete for procurements of:

- Any titled or rolling stock for not more than \$50,000;
- Property with a useful life of one year and more that cost between \$20,000 - 50,000
- All property between \$50,000 and \$100,000;

Personal property or Service Description: Traffic signal poles

Purchase in financial plan? Yes No If yes, budget amount in financial plan - \$ 1,800,000 (ignite cda funding)

If non-budgeted – Date Council approved: _____

Competitive Quotes Obtained:

1st vendor name and price: Valmont Industries, Inc.(Blankenship & Assoc.); \$53,980.00

2nd vendor name and price: N/A

3rd vendor name and price: N/A

If Competitive Quotes not obtained, provide Price Reasonableness Analysis: The Streets & Engineering Department must have signal poles installed for the Lacrosse Ave Extension project by the end of September to utilize ignite cda funding.

The City knows of no other pole manufacturer that can deliver in a timely manner.

Vendor Awarded: Valmont Industries, Inc. Date: 5/10/2021

New vendor to the City? Yes No If yes, attach a completed W-9

Department Head Signature: _____

Department: Streets & Engineering Date: 5/6/2021

Comptroller Approval Signature: _____



BLANKENSHIP & ASSOCIATES, INC
2219 N DICKEY RD
Spokane Valley WA 99212
Phone: (509) 535-6006
Fax: (509) 535-6514
Page 1/1
From: Tom Cook

Date: May 10, 2021

Project Lacrosse Ave Improvements CD AL
Location
Quote SPOKANE21-34378-2

To: TODD FEUSIER
CITY OF COEUR D'ALENE
STREET MAINTENANCE DEPARTME
3800 N. RAMSEY ROAD
COEUR D'ALENE ID 83815
EMail: tfeusier@cdaid.org
For
Bid Date May 10, 2021
Expires Jun 9, 2021

Remarks:

Valmont is freight pre-paid - Currently 11-13 weeks to ship after receipt of approved & released order

QTY	Type	MFG	Part
2	POLE A & C	VALMONT IND	ID-1-35-L-30-15-HH-GV-ELSSTC-AB Sized per Valmont Drawing DB00153 Rev G"
2	POLE B & D	VALMONT IND	ID-2-45-L-30-15-HH-GV-ELSSTC-AB Sized per Valmont Drawing DB00153 Rev G"

Total: \$53,980.00

Terms and conditions of sale:

Lamps and Accessories NOT INCLUDED unless otherwise specified.

If there are devices included in this quote, please specify the color BEFORE placing order.

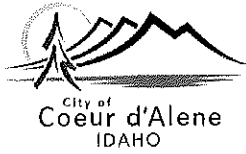
→ Quote firm for 30 days from date of bid. !!

ONLY THE MANUFACTURERS TERMS AND CONDITIONS APPLY TO ANY PURCHASE ORDERS THAT MAY ARISE FROM THIS QUOTE.

A MINIMUM OF 2 WEEKS' NOTICE IS RECOMMENDED FOR LIGHTING CONTROL SYSTEM STARTUP AND COMMISSIONING

IF THIS QUOTE CONTAINS CONCRETE BOLLARDS, THEY WILL BE PLUS FREIGHT

GV = Galvanized Finish.
=



**PERSONAL PROPERTY & SERVICES PRICE
REASONABLENESS FORM**

To: Finance Department

From: Chris Bosley, Streets & Engineering

Date: 5/10/2021

Required Action: Complete for procurements of:

- Any titled or rolling stock for not more than \$50,000;
- Property with a useful life of one year and more that cost between \$20,000 - 50,000
- All property between \$50,000 and \$100,000;

Personal property or Service Description: Traffic signal equipment

Purchase in financial plan? Yes No If yes, budget amount in financial plan - \$ 1,800,000 (ignite cda funding)

If non-budgeted – Date Council approved: _____

Competitive Quotes Obtained:

1st vendor name and price: Western Systems; \$143,908.33

2nd vendor name and price: N/A

3rd vendor name and price: N/A

If Competitive Quotes not obtained, provide Price Reasonableness Analysis: The Streets & Engineering Department desires the implementation and use of compatible equipment in all traffic signals throughout the City to ensure compatibility between signalized intersections, familiarity with equipments, service availability, and reduced cost for maintaining spare parts.

Vendor Awarded: Western Systems Date: 5/10/2021

New vendor to the City? Yes No If yes, attach a completed W-9

Department Head Signature: _____

Department: Streets & Engineering Date: 5/6/2021

Comptroller Approval Signature: _____



Date: March 23, 2021
Quote #: WSQ ID-HF555-1
Estimator: Holton Ferguson

Project: City of Coeur d'Alene: Lacrosse Ave and Northwest Blvd
Attention: Estimator
Bid Opening: 03/22/2021

We are pleased to provide you this quotation. If you have any questions, please let us know immediately.

Bid Item # 1, Lacrosse Ave and Northwest Blvd

Controller Cabinet

<u>Qty</u>	<u>Description</u>
1	Enclosure Type 3P-3D+ Rolled Stock (F/R) Allen Wrench (S) Handles (Unfinished), Controller Cabinet (TS2-1); Coeur D'Alene w/BD SP+ with Sub-Assembly Polara ICCUS2 Navigator System Installation, SDLC Install. <u>Western Systems Part # 3017500200, 2515010070, 2100000021</u> To include the following plug-in devices: (1) Controller EPAC M62; ATC / ATC Comm Hub / Linux CPU / SEPAC 3.57C / 8133-0004-126 <u>Siemens ITS Part # 8133-0004-126</u> (1) Sub-Assembly Data Key 2MB 5V Flash <u>Datakey Electronics Part # 611-0105-000A</u> (1) Smart Monitor (MMU-16LEIP) 16CH Enhanced MMU W/FYA Support & Ethernet <u>EDI Part # MMU2-16LEIP</u> (1) Power Supply (PS250) Shelf Mount (TS2) 5A <u>EDI Part # PS250</u> (4) BUS Interface Unit (BIU700) (TS2) <u>EDI Part # BIU700</u> (16) Load Switch (SSS87I/O) Cube with I/O Indicators <u>PDC Part # SSS-87I/O</u> (1) Flasher (SSF87) Cube <u>PDC Part # SSF-87</u> (8) Flash Transfer Relay <u>Detrol Controls Part # 295</u> (1) Control Unit (iNavigator) Intelligent Central Control Unit Shelf Mount <u>Polara Part # ICCU-S2</u> (2) Loop Amplifier (Oracle4E) 4CH Rack Mount with Timing and LCD Display <u>EDI Part # ORACLE4E</u> (1) Ethernet Switch w/(8) 10/100TX Ports <u>Ruggedcom Part # i800-M-U-XX</u> (1) Power cable 18AWG 3 Conductor No Lugs 6' <u>Ruggedcom Part # 99-43-0008-001</u> (1) UPS Power Module HP 1100W w/(6) relays & 120V Input/Output IP/SNMP <u>Alpha Part # 0170024-001</u> (1) Automatic Transfer Switch Assembly 19" RM with Surge & Receptacles 120VAC <u>Alpha Part # 020-168-25</u> (1) RBMS; Controller, Sensor INT Cables <u>Alpha Part # 0370260-002</u> (4) Battery Cable Harness Kit 48V 8' ¼-20 Terminals w/13" Blk Ext <u>Alpha Part # 740-628-32</u> (1) Onsite Turn-On Assistance <u>Western Systems Part # 9780010000</u>





Traffic Displays

<u>Qty</u>	<u>Description</u>
10	Vehicle Signal 12" 3 Section Polycarbonate (R,Y,G) (Green), 12" LED (15 Year) Balls, Visor 12" Polycarbonate Tunnel (Green), Backplate Aluminum 3 Section 12" STD Louvered (Black) with 2" Wide Reflective Sheeting <u>Mobotrex Part # SG103A1C10GG030-00, A70012005</u> <u>Dialight Part # 433-1270-003XL15, 433-3270-901XL15, 433-2270-001XL15</u> <u>Western Systems Part # 7083333025</u>
2	Vehicle Signal 12" 3 Section Polycarbonate (R<,Y<,G<) (Green), 12" LED (15 Year) Arrows, Visor 12" Polycarbonate Tunnel (Green), Backplate Aluminum 3 Section 12" STD Louvered (Black) with 2" Wide Reflective Sheeting <u>Mobotrex Part # SG103A1C10GG030-00, A70012005</u> <u>Dialight Part # 432-1374-001XOD15, 431-3374-901XOD15, 432-2374-001XOD15</u> <u>Western Systems Part # 7083333025</u>
2	Vehicle Signal 12" 3 Section Polycarbonate (R>,Y>,G>) (Green), 12" LED (15 Year) Arrows, Visor 12" Polycarbonate Tunnel (Green), Backplate Aluminum 3 Section 12" STD Louvered (Black) with 2" Wide Reflective Sheeting <u>Mobotrex Part # SG103A1C10GG030-00, A70012005</u> <u>Dialight Part # 432-1374-001XOD15, 431-3374-901XOD15, 432-2374-001XOD15</u> <u>Western Systems Part # 7083333025</u>
4	Vehicle Signal 12" 4 Section Polycarbonate (R<,Y<,Y<,G<) (Green), 12" LED (15 Year) Arrows, Visor 12" Polycarbonate Tunnel (Green), Backplate Aluminum 4 Section 12" STD Louvered (Black) with 2" Wide Reflective Sheeting <u>Mobotrex Part # SG104A1C10GG040-18, A70012005</u> <u>Dialight Part # 432-1374-001XOD15, 431-3374-901XOD15, 432-2374-001XOD15</u> <u>Western Systems Part # 7084440325</u>
8	Astro-Brac (Stellar) 3-Section 62" Cable Mount <u>Pelco Part # AS-0125-3-62-PNC</u>
2	Astro-Brac (Stellar) 4-Section 62" Cable Mount <u>Pelco Part # AS-0125-4-62-PNC</u>
2	Side of Pole Mounting 3-Section 12" / 3-Section 12" (Type H) (Green) <u>Pelco Part # SP-8015-3-P30</u>
2	Side of Pole Mounting 3-Section 12" / 4-Section 12" (Type H) (Green) <u>Pelco Part # SP-8035-3-4-P30</u>

Pedestrian Displays

<u>Qty</u>	<u>Description</u>
8	Ped Signal 16" 1-Section Aluminum (L) Open Ports (Green), LED 16" Orange/White Pedestrian Countdown <u>Mobotrex Part # SG7SZ20C1GFF10-00</u> <u>Dialight Part # 430-6479-001X</u>
4	Side of Pole Mounting PED/PED (Type C) (Green) <u>Pelco Part # SP-8029-P30</u>

Push Button Poles

<u>Qty</u>	<u>Description</u>
3	Pole Galvanized Steel 4 1/2" Schedule 40 5' <u>Pelco Part # PB-5200-05-GLV</u>
3	Base, Flange w/Set Screws 3/4" Iron Galvanized <u>Pelco Part # PB-5304-GLV</u>
3	Pole Cap Dome 4 1/2" OD Aluminum <u>Pelco Part # PB-5402-PNC</u>





- 3 Anchor Bolt Kit 3/4" #10, Set of (3) Galvanized
Pelco Part # PB-5305-GLV

Street Name Signs & Mounts

- | <u>Qty</u> | <u>Description</u> |
|------------|--|
| 2 | Temple Edge-Lit IISNS, Razor Single Sided, Back brace Mount, with 3M Diamond Grade Sheeting for the City of Coeur d'Alene, 18x72
<u>Temple Part # 18x72" SS</u> |
| 2 | Temple Edge-Lit IISNS, Razor Single Sided, Back brace Mount, with 3M Diamond Grade Sheeting for the City of Coeur d'Alene, 18x78
<u>Temple Part # 18x78" SS</u> |
| 4 | Astro-Brac Stellar Clamp Kit with 62" Cables
<u>Pelco Part # AS-3009-62-PNC</u> |
| 4 | Safety Cable for Astro-Brac 84" Stainless Cable
<u>Pelco Part # AB-0503-84-SS</u> |

APS

- | <u>Qty</u> | <u>Description</u> |
|------------|---|
| 8 | INS2 APS (iNavigator) 2-Wire System w/9X15 HIRR R10-3E Sign, No Braille, No Voice (Green)
<u>Polaris Part # INS23TN0-G</u> |

Emergency Preemption

- | <u>Qty</u> | <u>Description</u> |
|------------|---|
| 2 | Opticom (722) Detector 2 Barrel 2 Channel
<u>GTT Part # 722</u> |
| 1 | Opticom (138/1000) Cable 500' Roll
<u>GTT Part # 138</u> |
| 2 | Opticom (575) Confirmation Light Kit
<u>GTT Part # 575</u> |
| 2 | Astro-Mini-Brac 42" Bands (NPT Threads)
<u>Pelco Part # AS-0121-42-PNC</u> |

Video Detection

- | <u>Qty</u> | <u>Description</u> |
|------------|---|
| 4 | Camera/Radar System (Vector-Next) 115VAC
<u>Iteris Part # Vector-Next</u> |
| 1 | Vantage Next CCU Unit w/Ship Kit (Shelf Mount) TS2 Version
<u>Iteris Part # NEXT-CCU-SM4-TS2-PAK</u> |
| 1 | Monitor Color LCD 8" (1) Each Composite Video/VGA/DHMI Inputs
<u>Iteris Part # MON-8HDMI</u> |
| 1 | Cable CAT5E Outdoor Rated 1000' Roll
<u>Iteris Part # CAT5E-SHLD-CABLE</u> |
| 1 | On-Site Turn-On Assistance
<u>Western Systems Part # 9780010000</u> |

Interconnect Radio





<u>Qty</u>	<u>Description</u>
2	BBX / Single Radio w/Integrated Dual Polarity Panel Antenna – 4.9GHZ – Up to 300Mbps <u>Intuicom</u> Part # BX4-I
2	Nipple, 1 ½" NPS X 6" Aluminum <u>Pelco Products</u> Part # SE-0436-06-PNC
2	Aluminum Support Tube 1 ½" x 36" <u>Pelco Products</u> Part # SE-0326-36-PNC
2	Elbow, Ell Serrated 1 ½" NPS, w/Set Screws Aluminum <u>Pelco Products</u> Part # SE-0457-PNC
2	Astro-Mini-Brac 42" Bands (NPT Threads) <u>Pelco</u> Part # AS-0121-42-PNC
\$138,519.05 Lump sum	

Bid Item # 2, Lakewood Dr Signal Interconnect

Interconnect Switch

<u>Qty</u>	<u>Description</u>
1	Ethernet Switch w/(8) 10/100TX Ports <u>Ruggedcom</u> Part # i800-M-U-XX
1	Power cable 18AWG 3 Conductor No Lugs 6' <u>Ruggedcom</u> Part # 99-43-0008-001

Intuicom

<u>Qty</u>	<u>Description</u>
2	BBX / Single Radio w/Integrated Dual Polarity Panel Antenna – 4.9GHZ – Up to 300Mbps <u>Intuicom</u> Part # BX4-I
2	Nipple, 1 ½" NPS X 6" Aluminum <u>Pelco Products</u> Part # SE-0436-06-PNC
2	Aluminum Support Tube 1 ½" x 36" <u>Pelco Products</u> Part # SE-0326-36-PNC
2	Elbow, Ell Serrated 1 ½" NPS, w/Set Screws Aluminum <u>Pelco Products</u> Part # SE-0457-PNC
2	Astro-Mini-Brac 42" Bands (NPT Threads) <u>Pelco</u> Part # AS-0121-42-PNC

\$5,389.28 Lump sum

GENERAL CONDITIONS OF SALE

Validity Period: All information contained within this quote is valid for 30 days from the date of the quotation.

Acceptance of Quotation: The acceptance of this quotation implies the acceptance of the following terms and conditions which cannot be varied or waived except by express written authorization by a Western Systems representative. These terms govern the sale of goods and services supplied by Western Systems. Differing terms from Buyer in any purchase order or written communication shall not be binding on Western Systems.

TERMS AND CONDITIONS

Purchase Order: All purchases require a formal purchase order. Emails or verbal communication does not constitute an acceptable purchase order.

Delivery: 45-120 days if released // Material lead time will be revised upon release date to better reflect current conditions. During the Covid-19 outbreak, Western Systems lead time dates will be estimates based on our best information available. We cannot guarantee deliveries during times of natural disasters.



Freight Terms: FOB Destination // FOB Destination, Freight Pre-paid and Added to Invoice.

Shipping Clarification During Covid-19: FOB Destination and FOB Destination Prepay & Add terms as quoted imply that the customer will be available to receive material deliveries. Any repeated delivery attempts, trucking reroutes, in route cancellations or product factory returns which incur additional shipping costs shall be billed to the customer.

Taxes/Fees: Unless current resale certificate is on file with Western Systems, purchaser shall be responsible for all tariffs, duties, sales or use taxes as applicable, in addition to the prices quoted herein. Any taxes listed in this quotation are estimated totals and should be verified against local requirements.

Payment Terms: Payment terms are based on approval of credit. If credit is approved, terms are Net 30 days / we impose a surcharge of 2% on the transaction amount on purchases using VISA or Master Card. We are unable to accept other types of credit cards for payment. We do not surcharge VISA and Master Card debit cards. All prices are quoted as USD funds.

Non-Payment Penalties: If payment has not been received within terms, the purchaser will be considered in default. Western Systems will be entitled, without prejudice to our other rights, without serving notice of default, to charge the purchaser for all costs incurred such as administration, storage, legal advice etc. The unpaid portion of any amount due to Western Systems will bear interest at the rate of 1.5% per month simple interest. Western Systems reserves the right to hold goods until customer balances their account. Western Systems will not be subject to contract penalties due to product holds on a delinquent account.

Project Retainage: Western Systems will not be subject to any project retainage of any kind. Material purchases are due and payable in accordance with customer terms. Any unpaid balances will be subject to Non-Payment Penalties.

Collections: Upon Buyer default of these terms, Western Systems may, in addition to any other rights or remedies at contract or law, declare the entire balance of Buyer's account immediately due and payable. If unpaid balance is referred for collections, Buyer agrees to pay Western Systems, to the extent permitted by law, reasonable attorney fees in addition to all damages otherwise available, plus any court costs or expenses incurred by Western Systems, plus any finance charges accrued on any unpaid balance owed by Purchaser.

Deferment or Cancellation Policy: Order deferment or cancellation once materials have been released will be subject to cancellation and/or restocking fees.

Documentation: Any operational documentation supplied as a part of this quotation remains the property of Western Systems and may not be copied, reproduced, transmitted or communicated to 3rd parties without the express written consent of Western Systems.

On-Site Services: On-site services such as signal or video system turn-on support shall be scheduled three weeks in advance. If services need to be cancelled or postponed, any non-reimbursable travel expenses will be billed to purchaser. This quotation does not provide nor imply any on-site support services unless mentioned specifically herein. If on-site support services are required, and not included as part of this proposed scope of work, please contact Western Systems for a revised quotation.

Warranty: Standard one-year warranty on material goods manufactured or supplied by Western Systems from the date of manufacturer's factory shipment, unless superseded by an additional manufacturer's warranty, provided such goods are maintained and operated in accordance with manufacturer's standard method of operation. For additional information on Western Systems warranty, please send an email to info@westernsystems-inc.com

Return and Restocking Policy: Western Systems will be the sole source in determining whether any item is eligible for return. To be eligible the item(s) must be standard product models, new and unused, in the original packaging, and invoiced within the last 90 days. Restocking fees are applied to all returns and can vary between 20-50% based on annual sales activity. In no case will Western Systems be obligated to take returns for materials, including items that are obsolete, custom orders, or past the 90-day invoice period.

Delivery Inspection: All materials deliveries must be inspected upon receipt from freight carrier. Any freight damages must be reported to the carrier at the time of receipt of goods. Any materials shortages or inaccuracies in shipment must be reported to Western Systems within ten days receipt of goods. Thereafter, any discrepancies will be considered incidental and the responsibility of the receiver.

Force Majeure: Western Systems, Inc. shall in no event be responsible for delays in performance due to actions beyond its reasonable control including without limitation acts of God, epidemics, strikes, labor shortage or disturbance, fire, accident, war, civil disturbance or carrier delays.

Western Systems, Inc. accepts no liability for errors or omissions or the accuracy or the completeness of this quotation. It has been prepared to the best of our knowledge per plans, specifications, documentation and communications provided but we do not guarantee these to be accurate or of the latest revision. Determination of accuracy of this quotation and final quantities are the sole responsibility of recipient. Western Systems, Inc. shall in no event be liable for any special, consequential, incidental or liquidated damages (including without limitation damages for loss of use of facilities or equipment, loss of revenue, loss of profits or loss of goodwill), regardless of whether seller (a) has been informed of the possibility of such damages or (b) is negligent.

Sincerely,
WESTERN SYSTEMS

Holton Ferguson

hferguson@westernsystems-inc.com
Estimator

**GENERAL SERVICES/PUBLIC WORKS
COMMITTEE**

**CITY COUNCIL
STAFF REPORT**

DATE: MAY 18, 2021

FROM: RENATA MCLEOD, MUNICIPAL SERVICES DIRECTOR

SUBJECT: AMENDMENT OF PREMISES RESTRICTIONS ON THE SALE OF BEER

DECISION POINT: Should the City Council approve amendments to Municipal Code § 5.08.170 to allow the sale of beer to be consumed on the premises of a non-profit theater and to remove the proximity restriction related to a park?

HISTORY: Municipal Code § 5.08.170 establishes proximity limits on the sale of beer to be consumed on the premises. Currently, such sale is prohibited within three hundred feet (300') of any park, school or church, and within six hundred feet (600') of any R-1, R-3, R-5, R-8 or R-12 Zone, nursing home or hospital. Establishments within the prescribed areas are exempt only if such sale is incidental to the operation of an eating establishment.

Lake City Playhouse has contacted the City with a request to amend the code to allow for their non-profit to do fundraising through the sale of beer and wine during events. Non-profit theaters provide a benefit to our community both in terms of tourism and culture. As a practical matter, theaters are and may be located within the prescribed distance from parks, schools, churches, residential areas, nursing homes, and/or hospitals. The sale of alcoholic beverages provides an important source of revenue for non-profit theaters. It is the opinion of staff that the sale of beer for consumption on the premises of a theater will not create enforcement issues or disturb the surrounding areas.

In addition, the City's restriction on such sales within three hundred (300') of a park is not found in the corresponding state law. In fact, alcohol is now permitted in City parks for certain special events with a permit. Increasingly, businesses are being established within the restricted area and the service of beer for consumption within those businesses would violate this unique City ordinance. For these reasons, the proximity restriction related to parks is believed to be inconsistent with current circumstances and practices.

The Police Department has noted that they would support the theater use, while it is incidental to the operation of the non-profit theater, as proposed; however, they were not in support of the removal of the 300' from a park rule.

FINANCIAL ANALYSIS: There will be no additional cost to the City.

PERFORMANCE ANALYSIS: Because of the current practices and circumstances prevailing in the City, amending § 5.08.170 of the Municipal Code to remove the proximity restriction related to parks and to add an exemption for non-profit theaters is believed to be reasonable and in the best interests of the community.

DECISION POINT/RECOMMENDATION: Council should approve the amendments to Municipal Code § 5.08.170.



MC 5.08.170

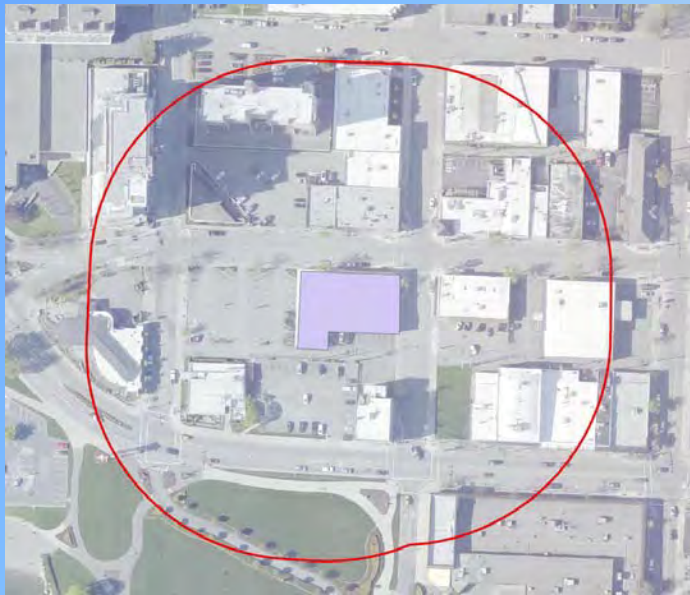
A. No persons shall sell beer to be consumed on the premises within three hundred feet (300') of any park, school or church, nor within six hundred feet (600') of any R-1, R-3, R-5, R-8 or R-12 Zone, nursing home or hospital except:

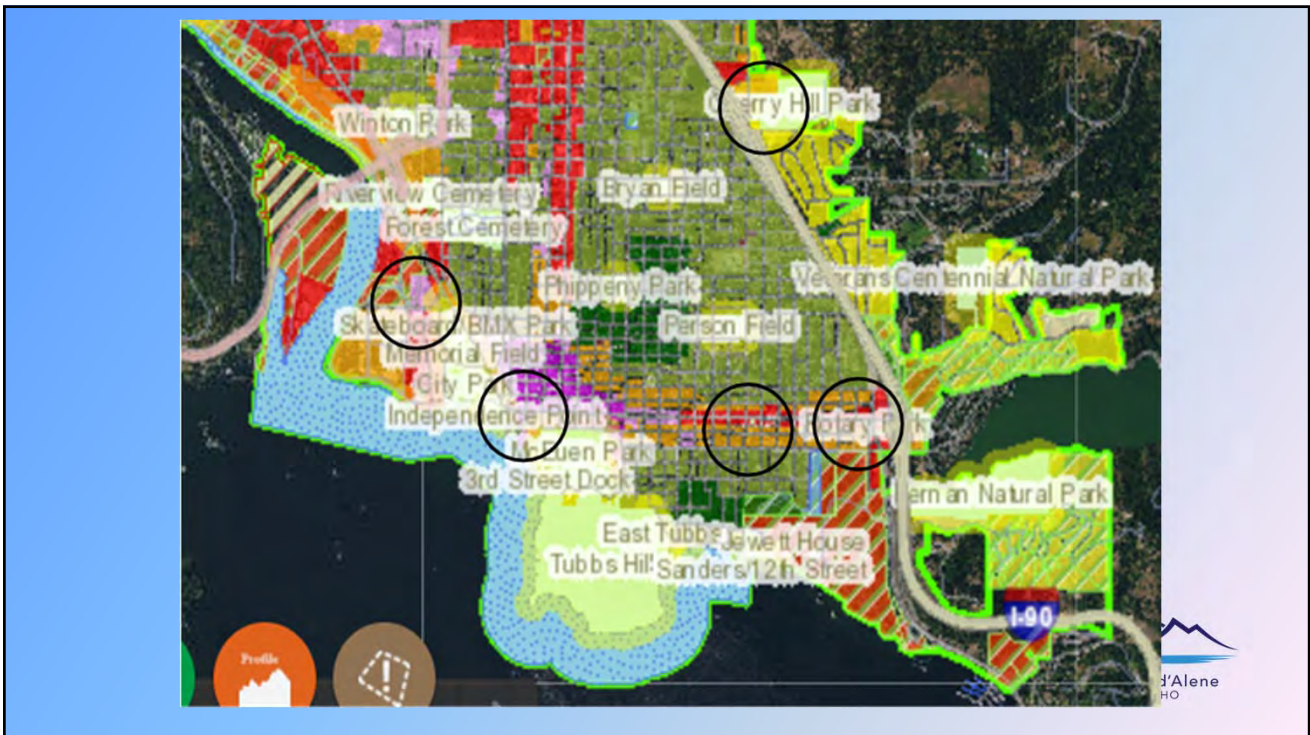
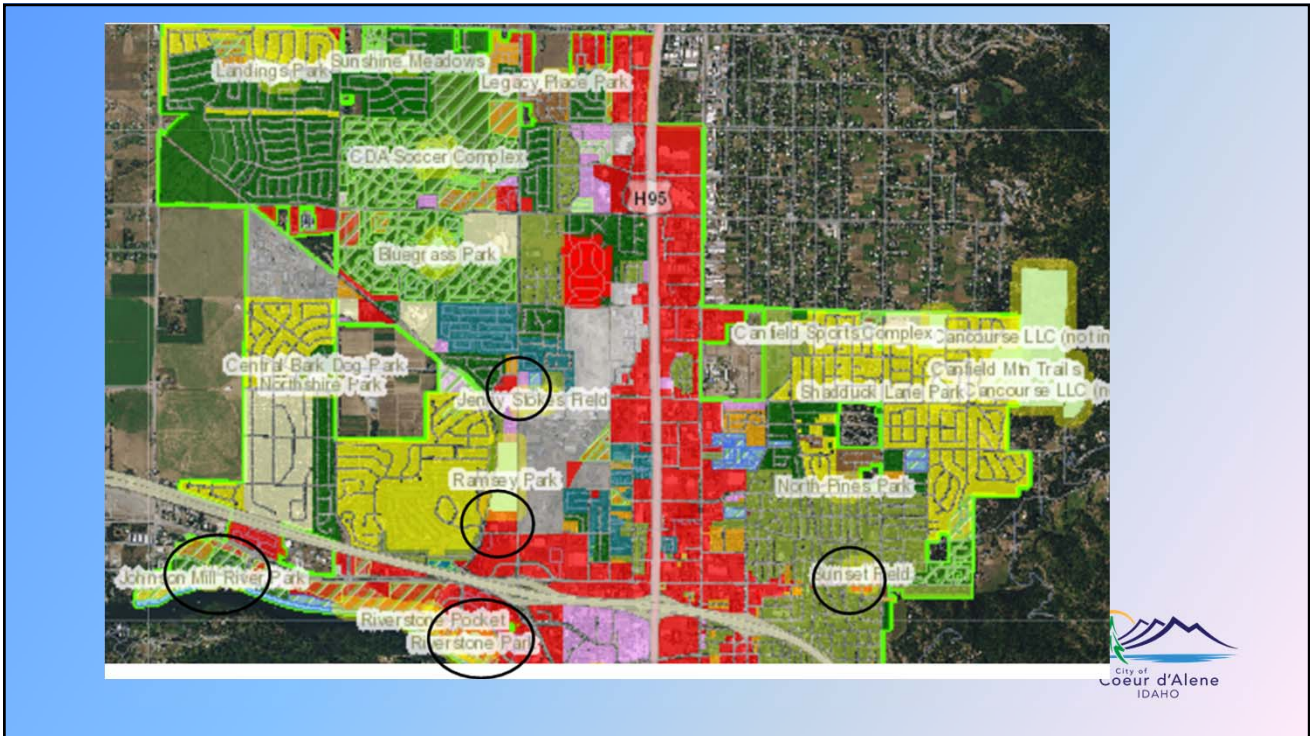
1. This section does not apply to the sale of beer for consumption on the premises when such sales are incidental to the operation of an eating establishment, or incidental to the operation of a non-profit theater.

Applicants for new licenses must sign and submit an affidavit with their application committing to commence the operation of an eating establishment and to operate the business as a bona fide eating establishment meeting the requirements of this chapter; or



3. This section does not apply to the area depicted below:





DECISION POINT: Should the Council approve amendments to Municipal Code § 5.08.170 to allow the sale of beer to be consumed on the premises of a non-profit theater and to remove the proximity restriction related to a park?



ORDINANCE NO. _____
COUNCIL BILL NO. 21-1010

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTION 5.08.170 OF THE COEUR D'ALENE MUNICIPAL CODE RELATED TO BEER; LIMITS ON AREAS OF SALE; 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.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendment be adopted;

NOW, THEREFORE,

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

SECTION 1. *That section 5.08.170 of the Coeur d'Alene Municipal Code be amended as follows:*

A. No persons shall sell beer to be consumed on the premises within three hundred feet (300') of any ~~park~~, school or church, nor within six hundred feet (600') of any R-1, R-3, R-5, R-8 or R-12 Zone, nursing home or hospital except:

1. This section does not apply to the sale of beer for consumption on the premises when such sales are incidental to the operation of an eating establishment, or incidental to the operation of a non-profit theater. Applicants for new licenses must sign and submit an affidavit with their application committing to commence the operation of an eating establishment and to operate the business as a bona fide eating establishment meeting the requirements of this chapter; or

2. Businesses located at least three hundred feet (300') from any ~~park~~, school or church and at least six hundred feet (600') from any nursing homes or hospital may serve beer to be consumed on the premises within three hundred feet (300') of any R-1, R-3, R-5, R-8 or R-12 zoned property if they have the written consent of a majority of the owners of those residential properties protected by this section that are within six hundred feet (600') of the business; or

3. This section does not apply to the area depicted below:



B. Businesses which now lawfully sell beer within the prohibited area set forth in this section are exempt from the provisions of this section so long as they continue their operation. However, in the event any such business seeks to expand beyond twenty percent (20%) of the business's original floor space, they must comply with all requirements set forth in section 5.08.015 of this chapter, including, but not limited to, this section. Should any such exempt business discontinue its operation for a period of six (6) months, it will no longer be exempt from the restrictions of this chapter.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. 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 4. After its passage and adoption, a summary of this Ordinance, pursuant to 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 this Ordinance 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 May 18, 2021.

APPROVED, ADOPTED and SIGNED this 18th day of May, 2021.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amending Section 5.08.170 of the City Code

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTION 5.08.170 OF THE COEUR D'ALENE MUNICIPAL CODE RELATED TO BEER; LIMITS ON AREAS OF SALE; 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. 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. _____, Amending Section 5.08.170 of the Coeur d'Alene Municipal Code, 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 18th day of May, 2021.

Randall R. Adams, Chief Deputy City Attorney

OTHER BUSINESS

**CITY COUNCIL
Staff Report**

DATE: May 18, 2021

FROM: Troy Tymesen

SUBJECT: Approve a Lease Agreement with North Idaho College (NIC) for a Portion of Parking Lot A

DECISION POINT:

Should the City Council enter into a lease agreement with North Idaho College (NIC) to provide day-use oversized parking in Parking Lot A to the visitors of Coeur d'Alene.

HISTORY:

NIC owns Parking Lot A located east of W. Hubbard Avenue, across from the City of Coeur d'Alene's (City) Wastewater Treatment Plant, located at 781 W. Hubbard Avenue. NIC would like to partner with the City in an effort to help with the increased demand for oversized large vehicle (i.e., RVs) parking during the summer months between Memorial Day and Labor Day. Currently, the upper parking lot at City Hall is the only location that provides free day-use for oversized parking. The upper parking lot at City Hall is intended for boat and trailer parking and fills up quickly. It is also not a convenient spot for large RVs.

FINANCIAL IMPACT:

The City of Coeur d Alene shall pay NIC the sum of One and no/100 (\$1.00) dollar per season, with payment made prior to the start of the season. The City's Streets and Engineering Department will post adequate signage and sweep and stripe Parking Lot A. The City will provide and maintain a garbage receptacle.

PERFORMANCE ANALYSIS:

The City would like to enter into a lease agreement from Memorial Day through Labor Day with NIC to lease approximately two-thirds (2/3) of the lot lying northerly from the W. Hubbard entrance to Parking Lot A. The lease will renew automatically unless notice is given by either party 30 days prior to the end of the current season. No overnight parking will be permitted. All vehicles must be removed by 10:00 P.M. and the City will enforce the 10:00 P.M. lot closure. NIC reserves the full rights of Parking Lot A for special events such as Ironman and Art on the Green.

DECISION POINT:

City Council should approve a Lease Agreement with North Idaho College (NIC) for the use of a portion of Parking Lot A for day use parking of oversized vehicles during the time period of Memorial Day to Labor Day.



Parking Lot A



Approve a Lease Agreement with North Idaho College (NIC) for a Portion of Parking Lot A







Approve a Lease Agreement with North Idaho College (NIC) for a Portion of Parking Lot A

DECISION POINT:

City Council should approve a Lease Agreement with North Idaho College (NIC) for the use of a portion of Parking Lot A for day use parking of oversized vehicles during the time period of Memorial Day to Labor Day.



RESOLUTION NO. 21-032

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A PARKING LOT LEASE AGREEMENT WITH NORTH IDAHO COLLEGE FOR USE OF A NIC OWNED PARKING LOT, KNOWN AS PARKING LOT "A," LOCATED ON HUBBARD AVENUE, FOR DAYTIME USE PARKING.

WHEREAS, the City Administrator of the City of Coeur d'Alene has recommended that the City of Coeur d'Alene enter into a Parking Lot Lease Agreement with North Idaho College for daytime use parking, pursuant to terms and conditions set forth in an agreement, a copy of which is attached hereto as Exhibit "A" and by reference made a part hereof; and

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 agreement.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City enter into a Parking Lot Lease Agreement with North Idaho College for daytime use parking, in substantially the form attached hereto as Exhibit "A" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreement to the extent the substantive provisions of the agreement remain intact.

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

DATED this 18th day of May, 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 _____.

PARKING LOT LEASE AGREEMENT

THIS AGREEMENT is made and dated this 18th day of May, 2021, by and between NORTH IDAHO COLLEGE, a community college established pursuant to the laws of the state of Idaho, with an address of 1000 W. Garden Ave., Coeur d'Alene, Idaho, hereinafter referred to as "NIC," and the CITY OF COEUR D'ALENE, a municipal corporation organized and existing under the laws of the state of Idaho, with its principal place of business at 710 Mullan Avenue, Coeur d'Alene, Kootenai County, Idaho, hereinafter referred to as the "CITY."

W I T N E S S E T H:

WHEREAS, NIC owns a parking lot known as Parking Lot A located east of W. Hubbard Avenue, across W. Hubbard Avenue from the CITY's Wastewater Treatment Plant, 781 W. Hubbard Avenue, Coeur d'Alene, Idaho; and

WHEREAS, the CITY desires to lease a portion of Parking Lot A for use by the public;

WHEREAS, NIC is willing to lease a portion of the Lot to the CITY, pursuant to the terms and conditions contained in this Parking Lot Lease Agreement, hereinafter referred to as the "Agreement."

NOW, THEREFORE,

In consideration of the terms and conditions contained herein, the parties agree as follows:

Section 1. Parking: NIC shall lease to the CITY a portion of Parking Lot A consisting of approximately two-thirds (2/3) of the lot, lying northerly from the W. Hubbard entrance to said Parking Lot A, hereinafter referred to as the "Leased Lot."

Section 2. Term: The term of this Agreement shall be from Memorial Day through Labor Day, hereinafter referred to as the "Season," in 2021. This Agreement shall renew automatically for additional Seasons unless a party gives notice of its intent not to renew at least thirty (30) days prior to the end of the current Season.

Section 3. Fee: The CITY shall pay NIC the sum of One and no/100 Dollar (\$1.00) per Season. Payment of the fee shall be made prior to the start of the Season.

Section 4. Use of Lot: No overnight parking shall be allowed by the CITY and all vehicles must be removed by ten o'clock (10:00) p.m. NIC reserves the entirety of Parking Lot A for Ironman, and Art on the Green staging, and for such other events as NIC may designate in writing to the CITY. The CITY shall prohibit public parking during such events.

Section 5. CITY's Duties and Responsibilities: The CITY shall:

- A. Enforce the prohibition of overnight parking at its sole cost and expense, and may retain a third party to enforce this prohibition;

- B. Post adequate signage, at its sole cost and expense, which indicates the hours of use and that violators will be towed;

- C. Close the Leased Lot to the public for the events referred to in Section 4 hereof;

- D. Sweep and stripe the Lease Lot as needed; and

- E. Provide and maintain a garbage receptacle adequate for the use of the Leased Lot.

Section 6. CITY Takes Lot "As Is": The CITY understands and acknowledges that Parking Lot A is unpaved, with loose asphalt and potholes, and that it is NIC's least maintained parking area. The CITY accepts the parking lot "as is" and shall have no claim on NIC for the condition of the parking lot. The CITY further understands and acknowledges that NIC shall only perform such maintenance on the parking lot as NIC, in its sole discretion, decides to perform.

Section 7. NIC Rights: NIC reserves the right to tow vehicles remaining in the Leased Lot for more than twenty-four (24) hours during the Season. NIC shall comply with all laws and regulations regarding the towing of vehicles. All costs related to the towing and storage of vehicles pursuant to this Section shall be borne by the CITY.

Section 8. Liability:

- A. The CITY acknowledges and agrees to be responsible for any damages proximately caused by the conduct, whether negligent or willful, of the CITY, its officers, agents, employees, and volunteers related to the use of the Leased Lot.

- B. NIC acknowledges and agrees to be responsible for any damages caused by the conduct, whether negligent or willful, of NIC, its officers, agents, employees, and volunteers related to Parking Lot A during the Season.

Section 9. Termination: Either party may terminate this Agreement upon sixty (60) days' written notice to the other party.

IN WITNESS WHEREOF, the Mayor and City Clerk of the City of Coeur d'Alene have executed this Agreement on behalf of said CITY, and NIC has caused the same to be signed by its President, attested by its Secretary, the day and year first above written.

CITY OF COEUR D'ALENE

NORTH IDAHO COLLEGE

Steve Widmyer, Mayor

By: _____
Its: President

ATTEST:

ATTEST:

Renata McLeod, City Clerk

By: _____
Its: Secretary

PUBLIC HEARINGS

CITY COUNCIL STAFF REPORT

FROM: HILARY ANDERSON, COMMUNITY PLANNING DIRECTOR

DATE: MAY 18, 2021

SUBJECT: ZC-1-21 ZONE CHANGE FROM R-12 TO R-17

LOCATION: +/- 1.52 ACRES OFF OF 2nd STREET SOUTH OF NEIDER AVENUE,
LEGALLY DESCRIBED AS HICKMAN PLACE, LOT 2, BLOCK 1

APPLICANT/OWNER:
Habitat for Humanity of North Idaho
176 W. Wyoming Ave.
Hayden, ID 83835

DECISION POINT:

The applicant is requesting approval of a zone change from the R-12 to the R-17 zoning district.

PLANNING COMMISSION RECOMMENDATION:

At their regular monthly meeting on April 13, 2021, the Planning Commission held a public hearing on this item and made a recommendation to approve this zone change request.

BACKGROUND INFORMATION:

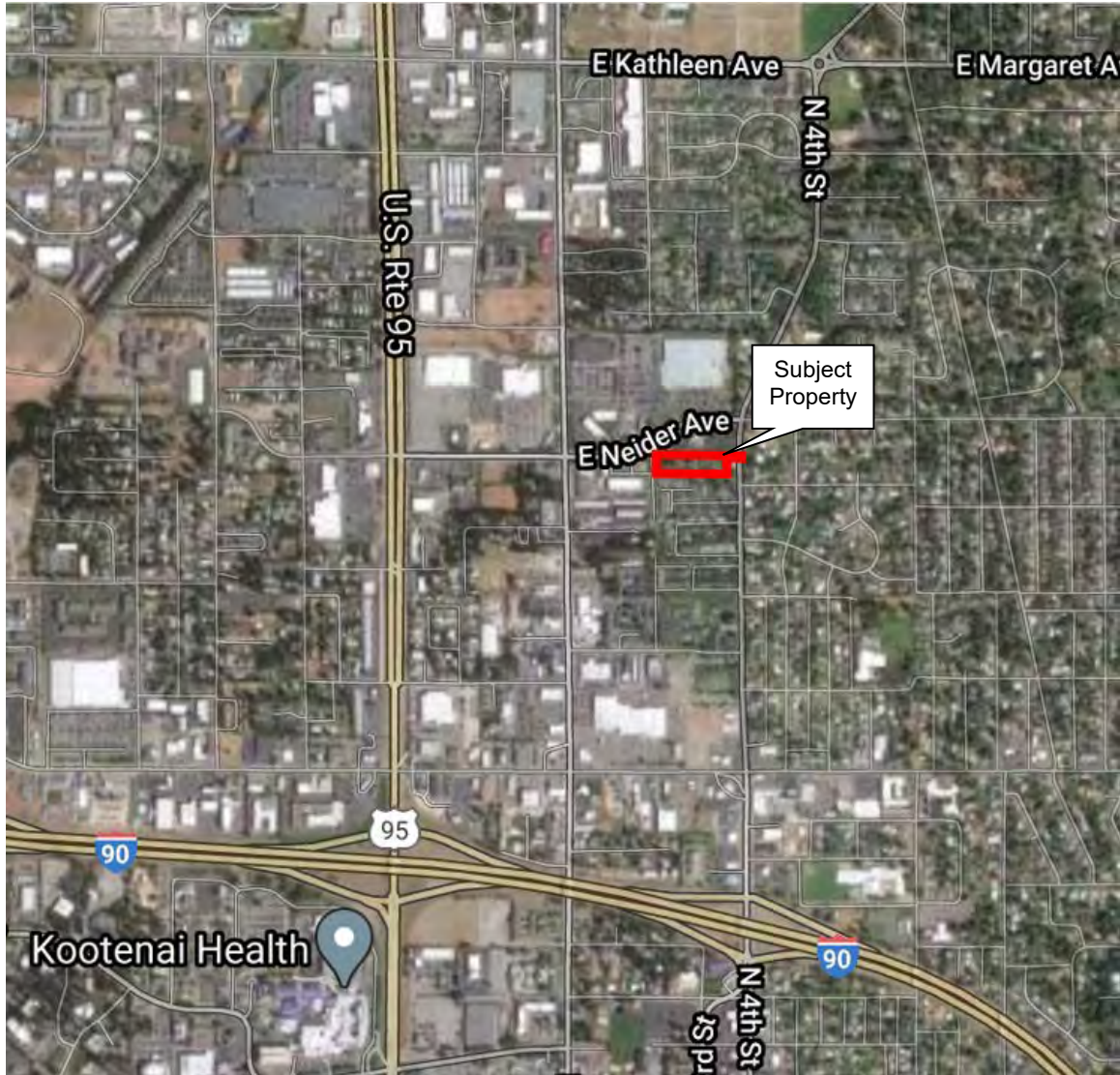
The 1.52-acre property is located off of 2nd Street south of Neider Avenue and has a small connection east to 4th Street. Habitat for Humanity of North Idaho purchased the property in 2019 with the intent to build for-sale affordable housing units. The property previously included the home to the east. That was split off through a short plat in October 2019 resulting in a 2-lot residential subdivision, Hickam Place (SS-19-08). The infrastructure had been previously installed and accepted by the appropriate departments. The property is largely vacant, other than an abandoned structure, and suitable for development.

The project will result in affordable for-sale townhouses that will be available for low-to-moderate income persons in Coeur d'Alene. The goal is to provide 24-25 units if possible. The City Council recently approved a \$120,000 Community Opportunity Grant for Habitat for Humanity of North Idaho using CDBG (Community Development Block Grant) funds, which will be used will be utilized for Phase 1 Project Planning which consists of Sight Design, Design Development, Code Analysis, Schematic Design and Construction Documentation for the project. The project will help the City meet the Affordable Housing Goal in the 5-year CDBG Consolidated Plan and meet the National Objective to serve low-to-moderate income persons by building the affordable homes for low- and moderate-income families. The requested zone change is necessary to build the multifamily townhouse project. R-12 zoning does not permit multifamily residential. The zone change also allows for a few additional units, helping make the project work financially.

Habitat for Humanity will be creating a land trust as part of the project. The housing units will be built on property that is part of a land trust. Families will own their homes, but not the land itself.

The underlying land will be owned by Habitat for Humanity of North Idaho and will be permanently reserved to create a long-term affordable housing stock. Recently, through research and discovery, Habitat for Humanity of North Idaho has shifted their home building model from building one house at a time to building multi-family condo style units built on a land trust.

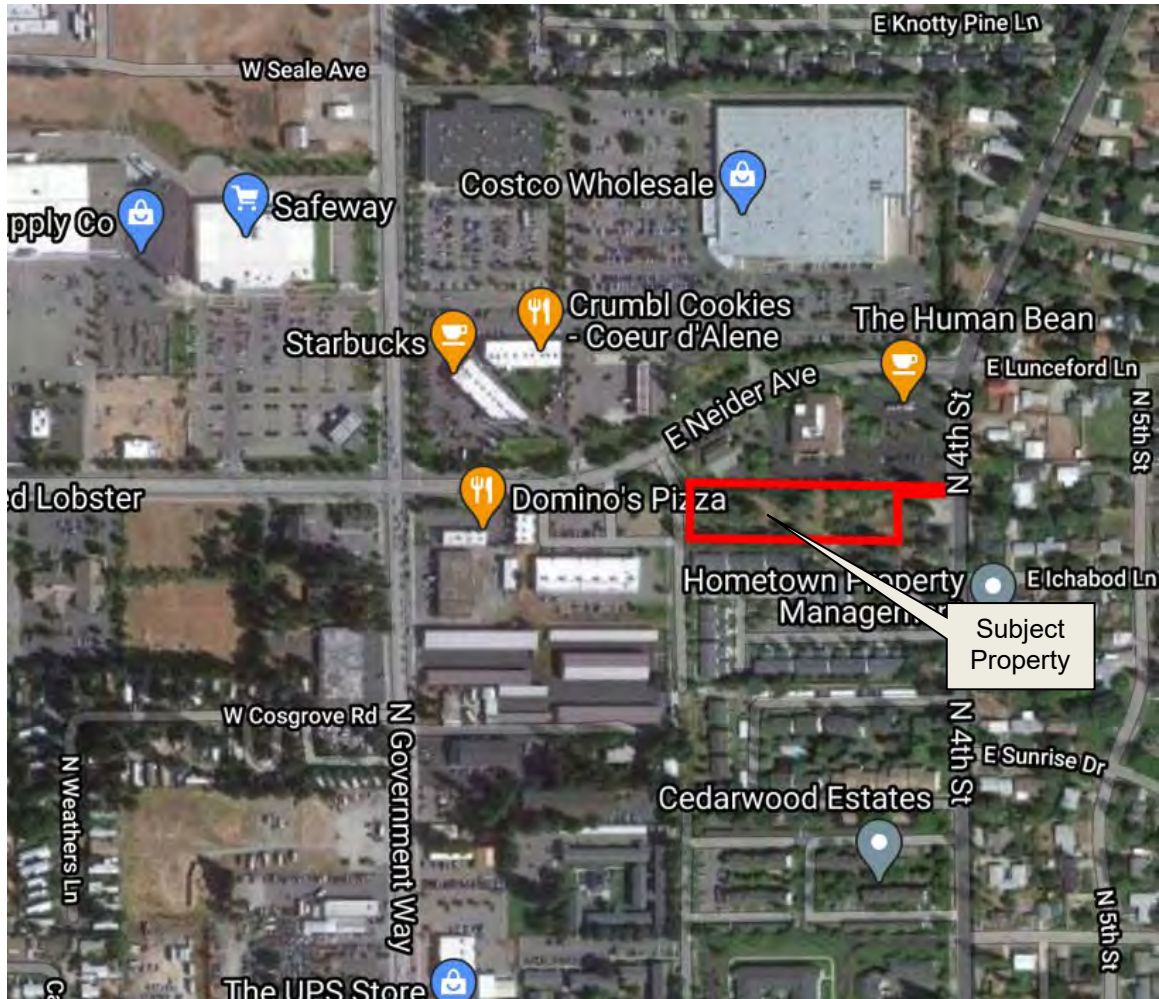
LOCATION MAP:



AERIAL PHOTO:

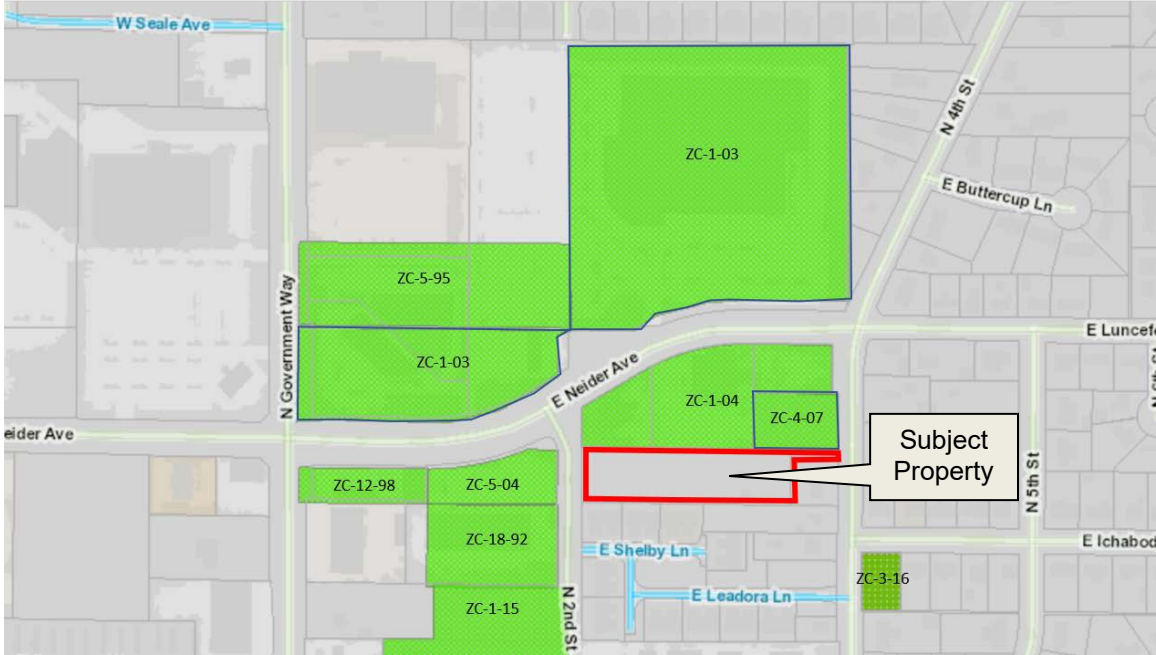


AERIAL PHOTO SHOWING NEARBY SERVICES:



PRIOR LAND USE ACTIONS:

The subject property is surrounded by previous zone change requests that were all approved. As noted below on the map and the list of zone changes, the changes took place between 1992 and 2016. The majority of the zone changes were from R-12 to C-17. There were a few to C-17 L and R-17. The most recent zone change was from R-12 to NC in 2016.



Zone Changes:

ZC-18-92	R-12 to C-17	Approved
ZC-5-95	R-12 to C-17	Approved
ZC-12-98	R-17 to C-17	Approved
ZC-1-03	R-12 to C-17	Approved
ZC-1-04	R-12 to C-17L	Approved
ZC-5-04	R-12 to C-17	Approved
ZC-4-07	R-12 to R-17	Approved
ZC-1-15	R-12 to C-17	Approved
ZC-3-16	R-12- to NC	Approved

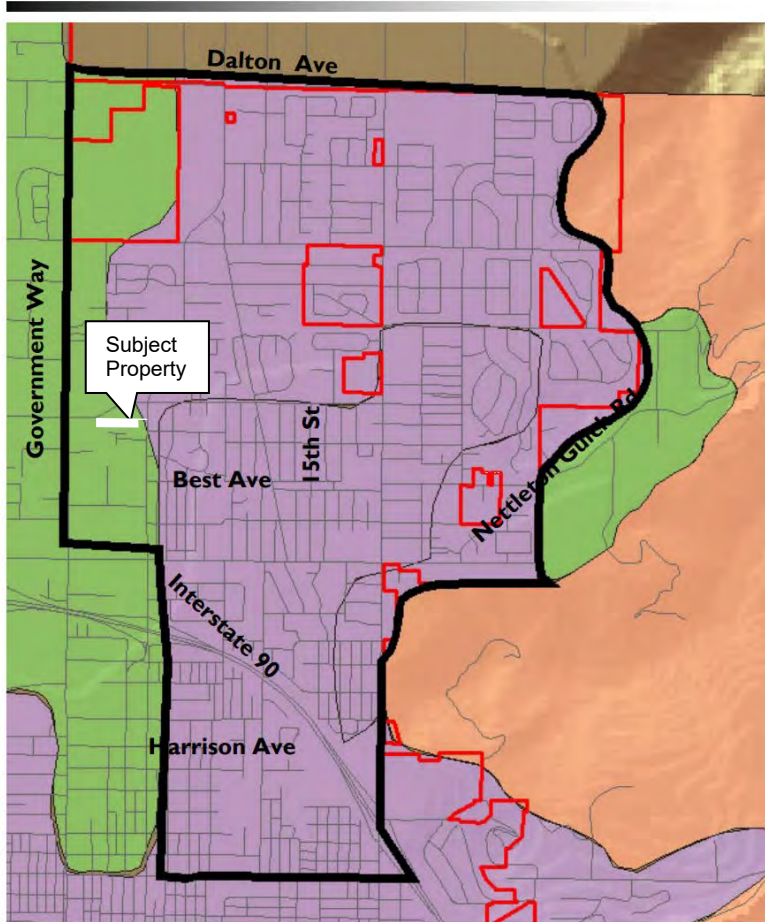
REQUIRED FINDINGS:

- A. **Finding #B8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as Northeast Prairie Transitional:

Land Use: NE Prairie



Transition:

These areas are where the character of neighborhoods is in transition and should be developed with care. The street network, the number of building lots and general land use are expected to change greatly within the planning period.

NE Prairie Tomorrow

It is typically a stable established housing area with a mix of zoning districts. The majority of this area has been developed. Special care should be given to the areas that remain such as the Nettleton Gulch area, protecting the beauty and value of the hillside and wetlands.

The characteristics of NE Prairie neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

Goal #1: Natural Environment

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Objective 1.16

Connectivity:

Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks and trail systems.

Goal #2: Economic Environment

Our Comprehensive Plan preserves the city's quality workplaces and encourages economic growth.

Objective 2.05

Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

Goal #3: Home Environment

Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

Objective 3.01

Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

Objective 3.05

Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.07

Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10

Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Goal #4: Administrative Environment

Our Comprehensive Plan advocates efficiency and quality management in city government.

Objective 4.06

Public Participation:

Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision-making process.

Evaluation: *The City Council must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

B. Finding #B9: That public facilities and utilities (are) (are not) available and adequate for the proposed use.

STORMWATER:

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site.

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by 2nd Street to the west and 4th Street to the east. Sidewalk will be required along the 2nd Street frontage with construction.

- Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation for the proposed zone change for Habitat for Humanity of North Idaho 2nd Street.

There is an existing 12" water main in N 4th St., and an 8" water main in N 2nd St.

-Submitted by Kyle Marine, Assistant Water Superintendent

SEWER:

Public sewer is available to this property via existing sewer lateral in 2nd Street

-Submitted by Larry Parsons, Wastewater Utility Project Manager

FIRE:

The Fire Department works with the Engineering, Water, and Building Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents.

Fire department access to the site (road widths, surfacing, maximum grade, and turning radiuses), in addition to, fire protection (size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the zone change as proposed.

-Submitted by Bobby Gonder, Fire Inspector / MIAAI – CFI

POLICE:

The Police Department reviewed the proposed zone change and has no concerns.

-Submitted by Lee White, Police Chief

Evaluation: *The City Council must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

- C. **Finding #B10:** **That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

The site is generally flat with an approximately four (4) foot drop across the entire property. The site has an abandoned structure, trees and other vegetation, along with some felled trees that will need to be removed for the project. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-12 to R-17.

TOPOGRAPHIC MAP:



SITE PHOTO 1: Looking east toward the subject property from 2nd Street



SITE PHOTO 2: Looking east onto the subject property from 2nd Street



SITE PHOTO 3: Looking south along 2nd Street toward the Briarwood Town Homes



SITE PHOTO 4: Looking north on 2nd Street toward Neider Avenue with the subject property on the right



SITE PHOTO 5: Looking east in the central portion of the property



SITE PHOTO 6: Looking west across 2nd Street toward the commercial uses from the southwest corner of the subject



SITE PHOTO 7: Looking west from the eastern most edge of the property on 4th Street



SITE PHOTO 8: Looking north on 4th Street from the eastern edge of the subject property



SITE PHOTO 9: Looking west from the eastern most edge of the property



SITE PHOTO 10: Looking east toward 4th Street



SITE PHOTO 11: Looking northwest toward the commercial uses along Neider Avenue



SITE PHOTO 12: Looking south along the eastern fence line



SITE PHOTO 13: Looking at the abandoned structure near the southeast corner of the property



Evaluation: *The City Council must determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

- D. **Finding #B11:** **That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.**

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant states that the zone change is needed to allow multifamily housing. If the property is developed to the maximum allowable density, traffic would only increase by 3 to 4 trips per peak hour. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

From 2007 Comprehensive Plan: Northeast Prairie Today

This area is composed of a variety of zoning districts with a majority of residential density at three to eight units per acre (3-8:1). Lower density development becomes more prominent moving north. The NE Prairie provides a range of housing choices that includes a number of large recreation areas and small pocket parks.

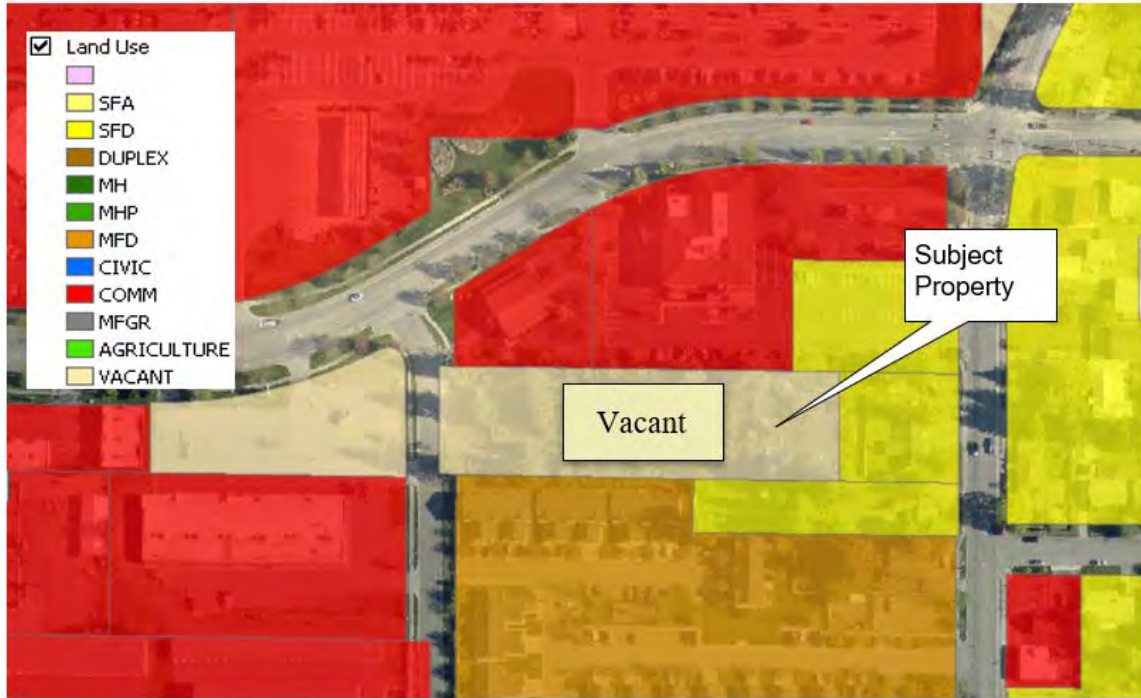
Canfield Mountain and Best Hill act as the backdrop for this portion of the prairie. Much of the lower lying, less inhibitive areas have been developed. Pockets of development and an occasional undeveloped lot remain.

SURROUNDING LAND USES:

The subject property is located near the commercial corridors of Neider Avenue and Government Way. It is located in between 2nd and 4th Streets adjacent to commercial, office, multi-family residential uses, and a few single-family residences. The properties to the north include a drive-through beverage retailer, an office complex, and a coffee stand. Further north across Neider Avenue is Costco. To the west across 2nd Street is a commercial strip center and southwest is a self-storage facility. To the south is the Briarwood Town Homes multi-family development. To the immediate east and southeast are single-family homes. To the east across 4th Street are single-family residential uses. Southeast of the property on 4th Street and Ichabod Lane is the property with a Neighborhood Commercial (NC) zoning designation. The subject property is in an ideal location for a multi-family residential project due to its proximity to services, employment, public transportation, walkability and bike ability. It is also within ½ mile of North Pines Park.

See Land Use Map on the following page.

GENERALIZED LAND USE PATTERN:



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from R-12 uses to R-17 uses (as listed below).

Existing R-12 Zoning District:

The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater of twelve (12) units per gross acre.

17.05.180: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-12 district shall be as follows:

- Administrative Office
- Duplex housing
- Essential service
- Home occupation
- Neighborhood recreation
- Public recreation
- Single-family detached housing

17.05.190: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-12 district shall be as follows:

- Accessory dwelling unit.
- Garage or carport (attached or detached).
- Private recreation facility (enclosed or unenclosed).

17.05.200: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-12 district shall be as follows:

- Boarding house
- Childcare facility
- Commercial film production
- Commercial recreation
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only
- Two (2) unit per gross acre density increase

17.05.240: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for residential activities in an R-12 District shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
3. Side, Street: The street side yard requirement shall be ten feet (10').
4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space

17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

- A. Front: The front yard requirement shall be twenty feet (20').
- B. Side, Interior: The interior side yard requirement shall be twenty five feet (25').
- C. Side, Street: The street side yard requirement shall be twenty five feet (25').
- D. Rear: The rear yard requirement shall be twenty five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space.

Proposed R-17 Zoning District:

The R-17 district is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre. This district is appropriate for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard, and landside hazard areas.

Principal permitted uses in an R-17 district shall be as follows:

- Administrative
- Childcare facility
- Community education
- Duplex housing
- Essential service
- Home occupation
- Multiple-family
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing as specified by the R-8 district

Permitted uses by special use permit in an R-17 district shall be as follows:

- Automobile parking when the lot is adjoining at least one point of, intervening streets and alleys excluded, the establishment which it is to serve; this is not to be used for the parking of commercial vehicles
- Boarding house
- Commercial film production
- Commercial recreation
- Community assembly
- Community organization
- Convenience sales
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders' facility
- Ministorage facilities
- Mobile home manufactured in accordance with section 17.02.085 of this title
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Rehabilitative facility.
- Religious assembly
- Residential density of the R-34 district as specified
- Three (3) unit per gross acre density increase
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office

17.05.290: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-17 District shall be as follows:

Structure Type	Structure Location	
	In Buildable Area for Principal Facilities	In Rear Yard
Single-family and duplex structure	32 feet	n/a
Multiple-family structure	45 feet	n/a
For public recreation, community education or religious assembly activities	45 feet	n/a
Detached accessory building including garages and carports	32 feet	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet

17.05.320: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

A. Minimum yard requirements for single family and duplex residential activities in an R-17 District shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
3. Side, Street: The street side yard requirement shall be ten feet (10').
4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half ($\frac{1}{2}$) when adjacent to public open space

C. Multiple-family housing at seventeen (17) units per acre:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be ten feet (10').
3. Side, Street: The street side yard requirement shall be twenty feet (20').
4. Rear: The rear yard requirement shall be twenty feet (20'). However, the required rear yard will be reduced by one-half ($\frac{1}{2}$) when adjacent to public open space

17.44.030: RESIDENTIAL USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off-street parking

D.	Multiple-family housing:	
	1. Studio units	1 space per unit
	2. 1 bedroom units	1.5 spaces per unit
	3. 2 bedroom units	2 spaces per unit
	4. 3 bedroom units	2 spaces per unit
	5. More than 3 bedrooms	2 spaces per unit

Evaluation: *The City Council must determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

APPLICABLE CODES AND POLICIES:

UTILITIES:

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.

STREETS:

4. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
5. All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
6. An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

7. A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

PROPOSED CONDITIONS:

None

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2017 Trails & Bikeways Master Plan

ACTION ALTERNATIVES:

The City Council must consider this request and make findings to approve, deny or deny without prejudice. The findings worksheet is attached.

Attachment: Applicant's Narrative

Habitat for Humanity of North Idaho's land trust model for affordable homeownership is implemented using multi-family townhouse/condo construction. By leveraging the land lease functionality of the land trust and a shared management condo owner's association Habitat can remain involved with the long-term management and use of the properties we're developing. The current R-12 zoning does not allow for multi-family building applications, which is the reason for requesting the change to R-17 that does allow multi-family. The impact of low supply for available housing of any kind has a significant impact on the cost of each housing unit including ownership to rental units. Maximizing the number of units built on properties in appropriate locations in the city is a responsible way to increase the availability of housing and to help those who are struggling due to the rising cost of housing.

We're still working with the architect on this project on the final footprint for each proposed building and how that will impact total number of units and the size of each unit, but we are interested in maximizing the number of units so 24-25 units is a possibility.

**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

ZC-1-21

A. INTRODUCTION

This matter having come before the Planning Commission on April 13, 2021, and there being present a person requesting approval of ITEM: ZC-1-21, a request for a zone change from R-12 to R-17 zoning district

APPLICANT: HABITAT FOR HUMANITY OF NORTH IDAHO

LOCATION: +/- 1.52 ACRES OFF OF 2nd STREET SOUTH OF NEIDER AVENUE, LEGALLY DESCRIBED AS HICKMAN PLACE, LOT 2, BLOCK 1

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

The Planning Commission adopts Items B1 to B7.

- B1. That the existing land uses are Residential and Commercial.
- B2. That the Comprehensive Plan Map designation is Northeast Prairie Transitional
- B3. That the zoning is R-17.
- B4. That the notice of public hearing was published on, March 27, 2021 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, April 1, 2021 ,which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on
- B7. That public testimony was heard on April 13, 2021.

B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:

Goal #1: Natural Environment

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.14 Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Objective 1.16 Connectivity:

Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trails systems.

Goal #2: Economic Environment

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes opportunities for economic growth.

Objective 2.05 Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

Goal #3: Home Environment

Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

Objective 3.01 Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

Objective 3.05 Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.07 Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

- B9. That public facilities and utilities are available and adequate for the proposed use. This is based on the information in the staff report.
- B10. That the physical characteristics of the site do make it suitable for the request at this time because of the topography.
- B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and existing land uses because of other zone changes that were approved surrounding this area.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of HABIAT FOR HUMANITY OF NORTH IDAHO for a zone change, as described in the application should be approved.

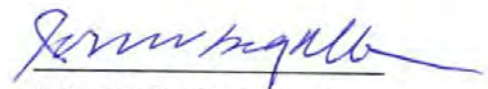
Motion by Luttrupp, seconded by Fleming, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Fleming	Voted Yes
Commissioner Luttrupp	Voted Yes
Commissioner Ward	Voted Yes

Commissioners Messina, Mandel and Rumpler were absent.

Motion to approve carried by a 3 to 0 vote.


VICE CHAIR JON INGALLS

1. Applicant: Habitat for Humanity of North Idaho
Location: 2nd Street
Request: A proposed zone change from R-12 to R-17
QUASI-JUDICIAL, (ZC-1-21)

Hilary Anderson, Community Planning Director, presented the staff report and stated:

The 1.52-acre property is located off of 2nd Street south of Neider Avenue and has a small connection east to 4th Street. Habitat for Humanity of North Idaho purchased the property in 2019 with the intent to build for-sale affordable housing units.

- The property previously included the home to the east. That was split off through a short plat in October 2019 resulting in a 2-lot residential subdivision, Hickam Place (SS-19-08).
- The infrastructure had been previously installed and accepted by the appropriate departments. The property is largely vacant, other than an abandoned structure, and suitable for development.
- The project will result in affordable for-sale townhouses that will be available for low-to-moderate income persons in Coeur d'Alene.
- The goal is to provide 24-25 units if possible.
- The City Council recently approved a \$120,000 Community Opportunity Grant for Habitat for Humanity of North Idaho using CDBG (Community Development Block Grant) funds, which will be used will be utilized for Phase 1 Project Planning which consists of Sight Design, Design Development, Code Analysis, Schematic Design and Construction Documentation for the project.
- The project will help the City meet the Affordable Housing Goal in the 5-year CDBG Consolidated Plan and meet the National Objective to serve low-to-moderate income persons by building the affordable homes for low- and moderate-income families. The requested zone change is necessary to build the multifamily townhouse project. R-12 zoning does not permit multifamily residential. The zone change also allows for a few additional units, helping make the project work financially.
- Habitat for Humanity will be creating a land trust as part of the project. The housing units will be built on property that is part of a land trust. Families will own their homes, but not the land itself. The underlying land will be owned by Habitat for Humanity of North Idaho and will be permanently reserved to create a long-term affordable housing stock. Recently, through research and discovery, Habitat for Humanity of North Idaho has shifted their home building model from building one house at a time to building multi-family condo style units built on a land trust.
- She stated that the Comprehensive Plan designates this area as Northeast Prairie Transitional
- She stated that there are not conditions if approved.

Ms. Anderson concluded her presentation

Commission Comments:

There were no questions for staff.

Public testimony open.

James Casper, applicant, provided the following statements:

- He stated that the proposed use for a land trust is something new that other developers aren't doing.
- He explained with this project the goal is long-term affordability and in the past Habitat for Humanity has built and sold land with the house and now the projects we built 5-10 years ago are no longer at an affordable price point.
- He explained the original theory was to build smaller more basic homes that would be

- more of an entry level home that would be affordable.
- He explained that the land trust provides long-term affordability because of tax preference as long as we are managing the project for people considered low income there is tax preference for the land with the improvements, the buildings get taxed as property which provides some stability to the long-term cost of taxes for the resident of these properties, but gives us a permanent building still get taxed.
- He explained that this is a proposed Condo project to look like a townhome, two story that are individual units, but connected and sold as condos with a shared area and maintained by a Homeowners Association (HOA).

The applicant concluded his presentation.

Commission Comments:

Commissioner Fleming inquired if there will be any amenities like playgrounds or dog area.

Mr. Casper explained there will be a little of that, but Habitat as a model is basic affordable housing. He explained what you get at large with Habitat across the country is the idea of what do we need from housing and that answer is different with everyone, and, in this case, the motivation is to make something that is affordable that wouldn't be available to someone in the market. He explained we make a lot of choices based on more about efficiency then anything else combined with volunteer labor we are more efficient.

Commissioner Ward stated that was a great report and that he is familiar with the Methow Housing Trust which was a concept brought forward a few years ago and questioned if this is a similar model.

Mr. Casper explained a trust is an entity that owns something and designates a purpose for the ownership of land as an example there are land trusts that are conservatory land trusts like "ducks unlimited" who buy property to keep for Habitat and that Habitat is the organization that is the long-term ownership and operator of the function of the land trust.

Public testimony closed.

Motion by Luttropp, seconded by Fleming, to approve Item ZC-1-21. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Luttropp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

City Council Meeting



May 18, 2021

ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

APPLICANT/OWNER:

Habitat for Humanity of North Idaho
176 W. Wyoming Ave.
Hayden, ID 83835

REQUEST:

Zone change from the R-12 to the R-17 zoning district.



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

LOCATION:

Property is located off of 2nd Street south of Neider Avenue

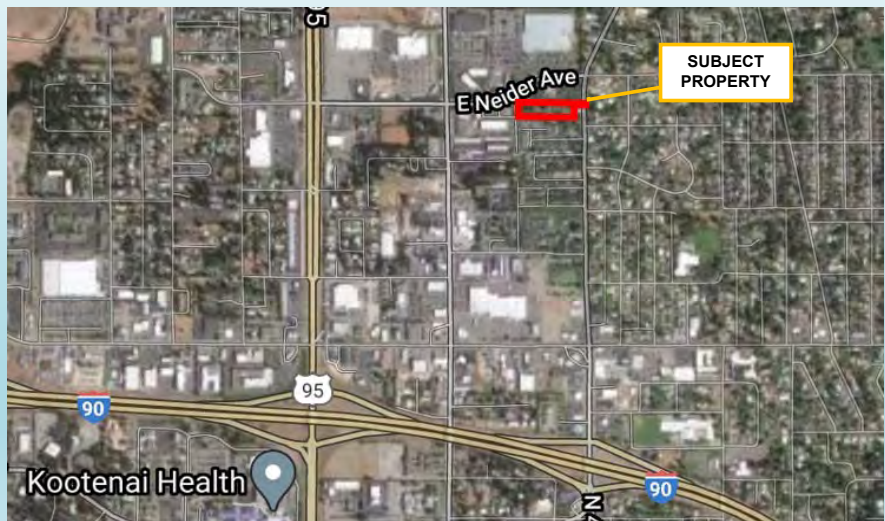
LEGAL NOTICE:

Published in the CDA Press on March 27, 2021



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Location Map



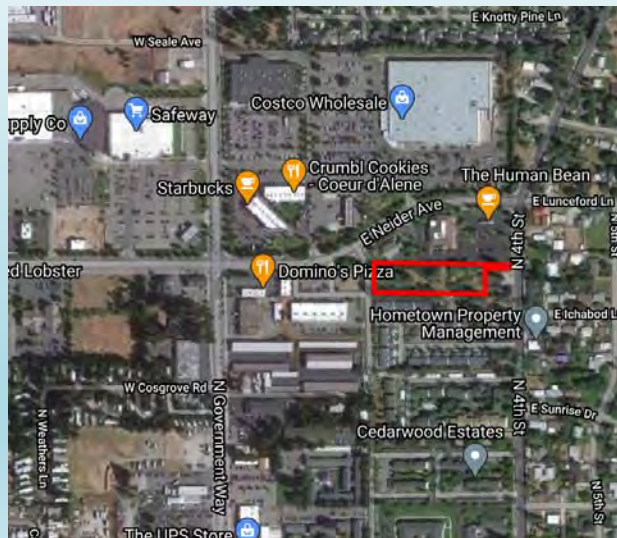
ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Aerial Photo



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

**Aerial Photo
Showing Nearby
Services**



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Finding #B8:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.

Finding #B9:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

Finding #B10:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

Finding #B11:

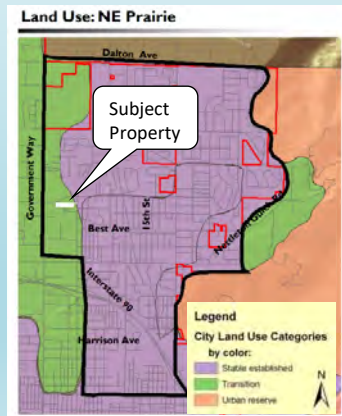
That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Finding #B8:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.



2007 Comprehensive Plan:
Northeast Prairie

Transition Areas:

These areas are where the character of neighborhoods is in transition and should be developed with care. The street network, the number of building lots and general land use are expected to change greatly within the planning period.



ZC-1-21 Zone Change from R-12 to R-17
 2nd Street south of Neider Ave. +/- 1.52 Acres

Finding #B8: continued...

The characteristics of Northeast Prairie neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, **pockets of higher density housing and multi-family units are appropriate in compatible areas.**
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- **Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.**
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

ZC-1-21 Zone Change from R-12 to R-17
 2nd Street south of Neider Ave. +/- 1.52 Acres

COMPREHENSIVE PLAN: GOALS & OBJECTIVES:

Goal #1 Natural Environment

- 1.12 Community Design
- 1.14 Efficiency

Goal #2 Economic Environment

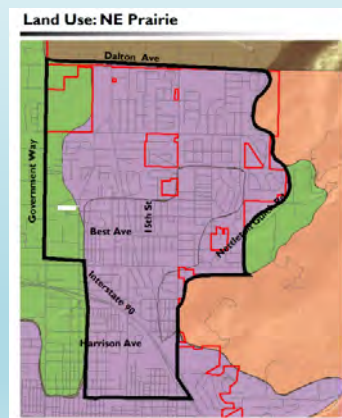
- 2.05 Pedestrian & Bicycle Environment

Goal #3 Home Environment

- 3.01 Managed Growth
- 3.05 Neighborhoods
- 3.07 Neighborhoods
- 3.10 Affordable & Workforce Housing

Goal #4 Administrative Environment

- 4.06 Public Participation



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Finding #B9:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

- City staff from Engineering, Streets, Water, Fire, Police, Parks, and Wastewater Departments have reviewed the application request in regards to public utilities and public facilities.
- Each department has indicated that there are adequate public facilities and public utilities available to serve the proposed request.
- No objection to this zone change request as proposed.

See pages 8 and 9 of the staff report for departmental comments.



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Finding #B10:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

PHYSICAL CHARACTERISTICS:

The site is generally flat. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-12 to R-17.



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Topographic Map



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 1



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 2



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 3



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 4



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 5



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 6



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 7



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 8



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 9



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 10



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 11



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 12



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Site Photo 13



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Finding #B11:

That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

Traffic:

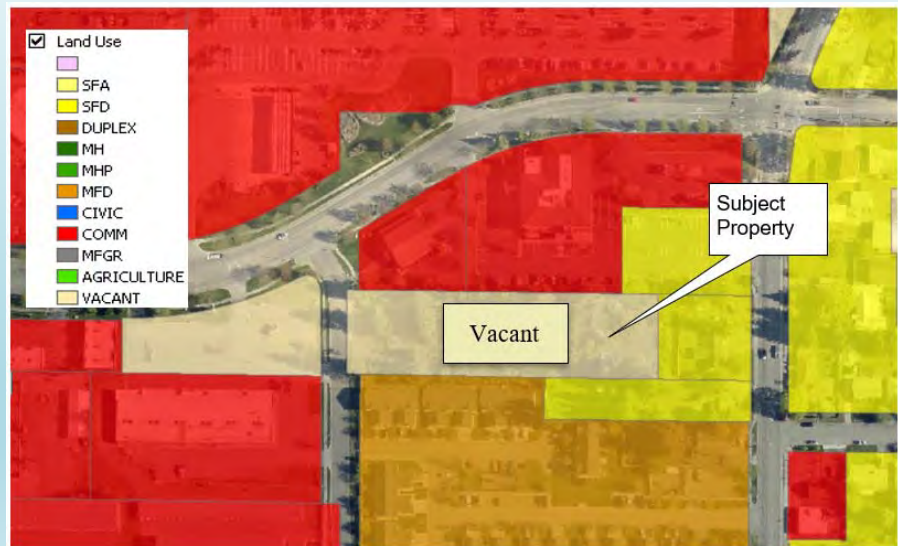
The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant states that the zone change is needed to allow multifamily housing. If the property is developed to the maximum allowable density, traffic would only increase by 3 to 4 trips per peak hour.

-Submitted by Chris Bosley, City Engineer



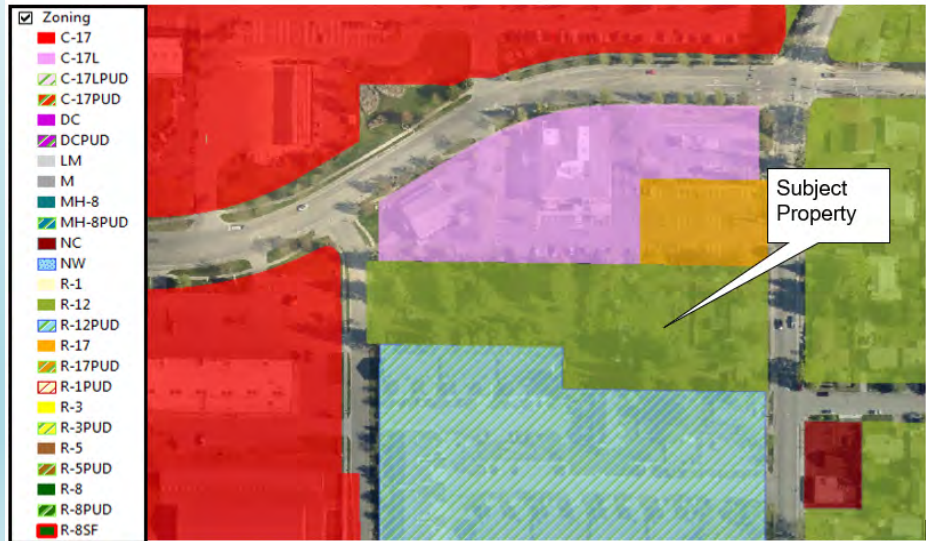
ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Surrounding Land Uses



ZC-1-21 Zone Change from R-12 to R-17
 2nd Street south of Neider Ave. +/- 1.52 Acres

Zoning Map



ZC-1-21 Zone Change from R-12 to R-17
 2nd Street south of Neider Ave. +/- 1.52 Acres

Proposed R-17 Zoning District:

- Intended as a medium/high density residential district that permits a mix of housing types.
- Permits single-family, duplex, and multi-family housing.
- This district is for establishment in those areas that are not suitable for lower density residential due to proximity to more intense types of land use.
- Appropriate as a transition between low density residential and commercial districts, or as a buffer between arterial streets and low-density residential districts.



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

The following is a list of the Principal uses that are permitted in the R-17 district:

- Single Family Housing.
- Duplex Housing.
- Child Care Facility.
- Community Education.
- Home Occupations
- Essential Services.
- Civic Administrative Offices.
- *Multi-Family Housing.*
- Neighborhood Recreation.
- Public Recreation.

See R-17 District information on pages 20 & 21 of the staff report



ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

Zone Changes - Map

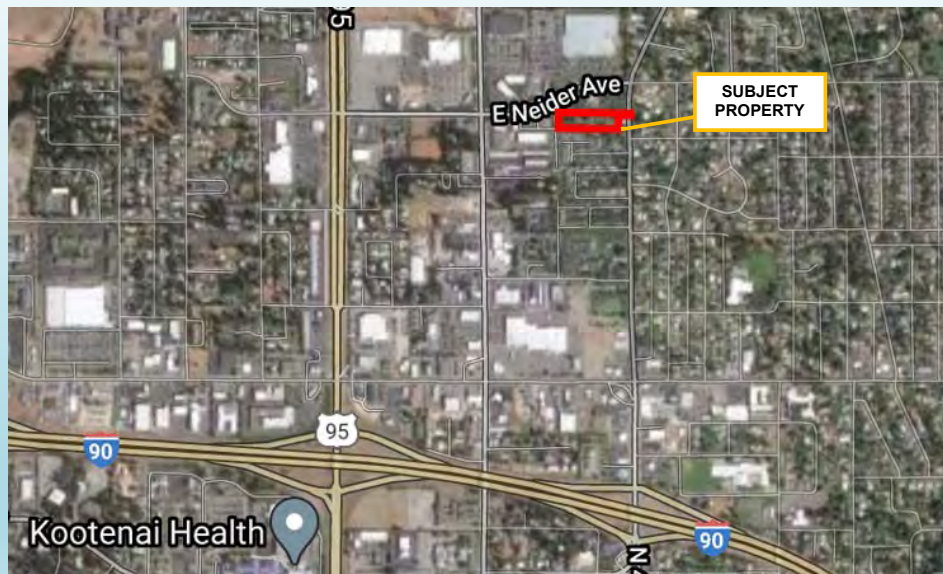


ZC-1-21 Zone Change from R-12 to R-17
2nd Street south of Neider Ave. +/- 1.52 Acres

ACTION ALTERNATIVES:

The City Council will need to consider this request and make appropriate findings to:

- Approve
- Deny
- Deny without prejudice.





ORDINANCE NO. _____
COUNCIL BILL NO. 21-1011

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-12 TO R-17, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A +/- 1.52 ACRES OFF OF 2ND STREET SOUTH OF NEIDER AVENUE, LEGALLY DESCRIBED AS HICKMAN PLACE, LOT 2, BLOCK 1; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after public hearing on the hereinafter provided amendments, and after recommendation by the Planning Commission, it is deemed by the Mayor and City Council to be for the best interests of the City of Coeur d'Alene, Idaho, 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 the following described property, to wit:

The property is described as Lot 2, Block 1, HICKAM PLACE, according to the plat recorded in the office of the County Recorder in Book L of Plats at Page 389, records of Kootenai County, Idaho.

is hereby changed and rezoned from R-12 (Residential at 12 units/acre) to R-17 (Residential at 17 units/acre.

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, is hereby amended as set forth in Section 1 hereof.

SECTION 3. That the Planning Director is hereby instructed to make such change and amendment on the official Zoning Map of the City of Coeur d'Alene, and shall make an electronic copy available on the City's website.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. 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 May 18, 2021.

APPROVED this 18th day of May 2021.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Zone Change – ZC-1-21
2ND ST S. OF NEIDER AVENUE

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-12 TO R-17, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A +/- 1.52 ACRES OFF OF 2ND STREET SOUTH OF NEIDER AVENUE, LEGALLY DESCRIBED AS HICKMAN PLACE, LOT 2, BLOCK 1; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. 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. _____, a zone change for Hickmam Place, Lot 2, Block 1, 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 18th day of May, 2021.

Randall R. Adams, Chief Civil Deputy City Attorney

CITY COUNCIL STAFF REPORT

FROM: MIKE BEHARY, ASSOCIATE PLANNER
DATE: MAY 18, 2021
SUBJECT: ZC-4-21 ZONE CHANGE FROM R-1 TO R-3
LOCATION: +/- 1.57 ACRE A PARCEL LOCATED AT 3395 E FERNAN HILL ROAD

APPLICANT/OWNER:

Janet Daily
5348 Gumwood Circle
Post Falls, ID 83854

ARCHITECT

Rex Anderson, AIA
Fusion Architecture, PLLC
221 N. Wall Street, Suite 354
Spokane, WA 99201

DECISION POINT:

The applicant is requesting approval of a zone change from the R-1 zoning district to the R-3 zoning district.

PLANNING COMMISSION INFORMATION:

At their regular monthly meeting on April 13, 2021, the Planning Commission held a public hearing on this item and recommended approval for this zone change request.

BACKGROUND INFORMATION:

The property is located off of Fernan Hill Road approximately 180 feet east of Frosty Pine Trail. The property was annexed into the city in 1990 in item A-2-90. At that time the property was brought into the city with an R-1 zoning designation.

The applicant has indicated that they intend to build a multi-generational house on this parcel for the mother and daughter to live in. The applicant has indicated that this type of home will allow her mom to age in her home and maintain some independence while having her (daughter) nearby to assist her.

According to K. Hovnanian Homes website; "Multi-generational housing is a progressive new trend that allows for families to live in close proximity to each other and still maintain some privacy. Multigenerational homes, also referred to as multi-gen or next-gen homes, are designed to provide space for multiple generations to live together under one roof. This style of home is on the rise in America because they're practical, affordable, and allow for more quality time with family. The basic idea of multigenerational living is that at least two adult generations live together. This could look like a home with grandparents living with their children and grandchildren, a home with parents and their adult children, or even a four-generation home. In a multigenerational home, each generation will benefit from having their own separate space and privacy."

Multigenerational homes are specifically designed to provide space for multiple generations to live under one roof. The benefits of multigenerational housing range from affordability, safety, security, care for one another, strengthening of family bonds, as well as providing home ownership opportunities and pass down inheritance. Some communities consider them single-family residences, whereas other communities consider them to be a single-family home with an accessory dwelling unit (ADU) or even a duplex because of the separate nature of the residential living arrangements. The design of the home is that the families can live together yet separately with separate bedrooms, living areas, sanitation areas (bathrooms), cooking and eating areas. The units may share a front door, or they can have separate entrances. Unlike an ADU, the separate unit is not limited by size, and it is under one roof; whereas an ADU can be detached. Multigenerational homes are also financed as a single-family home. The communities that do allow them under the single-family definition, include a clear definition in their zoning codes about multiple generations living together as a family unit, they have parking requirements to ensure there is adequate parking based on the total number of bedrooms, and they require a deed restriction so that the house functions as a single-family unit. Deed restrictions may also be imposed regarding the use of the unit as a short-term rental.

Coeur d'Alene does not have such a definition in the Zoning Code. As such, we look at each unit to determine if it meets the definition of a residence with separate sleeping, eating/cooking, sanitation, and living spaces or if it falls under a single-family with an ADU or a duplex definition. Coeur d'Alene's Zoning Code defines a "Dwelling Unit" as a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. The Zoning Code defines a "Duplex" as a two-family dwelling, each with a private exterior entrance, sharing common supporting structural elements. In this case, the request fits under two single-family dwelling units because Coeur d'Alene hasn't yet addressed multigenerational housing in the code. Staff plans to bring forward an amendment to the Zoning Code to allow multigenerational housing later this year if time permits.

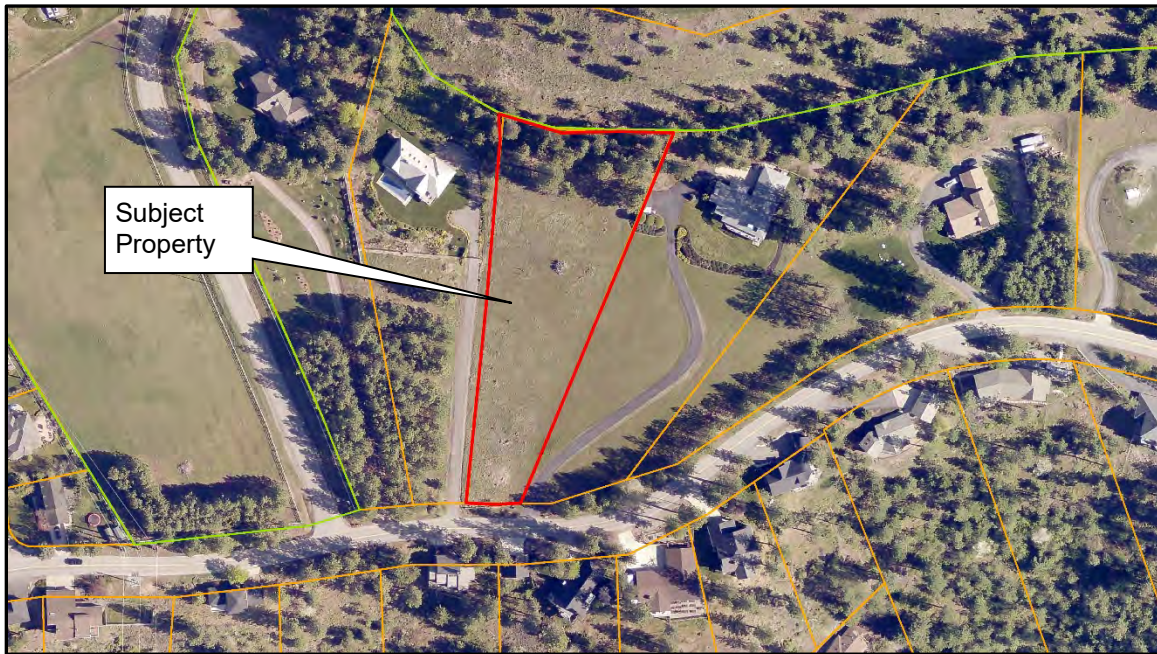
R-1 and R-3 lots allow for a maximum of two houses to be built if so long it has the minimum lot area for each house, which is 34,500 SF for the R-1. This lot is 68,345 SF and is short by 655 SF in order to be allowed to build a second residence on this parcel. The R-3 require a minimum lot area of 11,500 SF for each home. The proposed rezone to R-3 would allow the applicants to build a multi-generational home on the subject parcel because it would allow for two single-family homes to be constructed and meet the minimum lot area per home.

It should be noted that this lot cannot be split into more lots in either the R-1 or the R-3 due to the minimum lot frontage requirement of 75 feet. This lot has 68 feet of frontage and was approved in Schwartz Addition Subdivision in 1992.

LOCATION MAP:



AERIAL PHOTO:



BIRDS EYE AERIAL PHOTO:



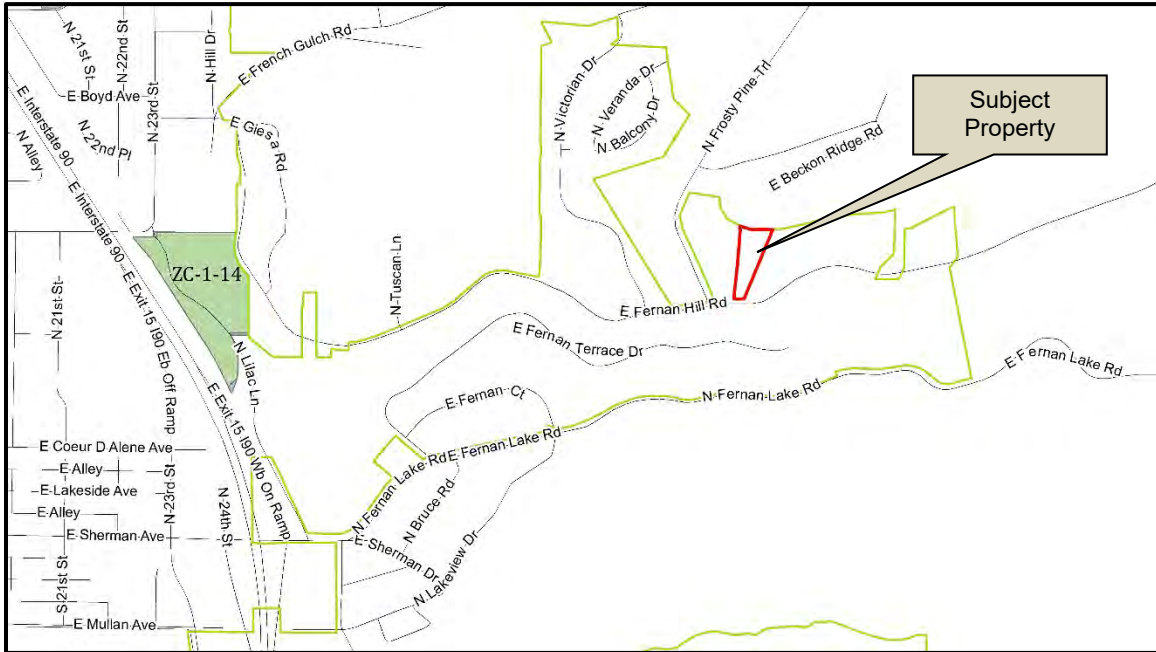
APPLICANT'S ZONING EXHIBIT:



PRIOR LAND USE ACTIONS:

Planning Commission and City Council approved a zone change request in item ZC-1-14 that is west of the subject property from R-3 to R-8 and R-17 in 2014. See the Land Use Actions Map below for the location of the above-mentioned zone change.

PRIOR LAND USE ACTIONS MAP:



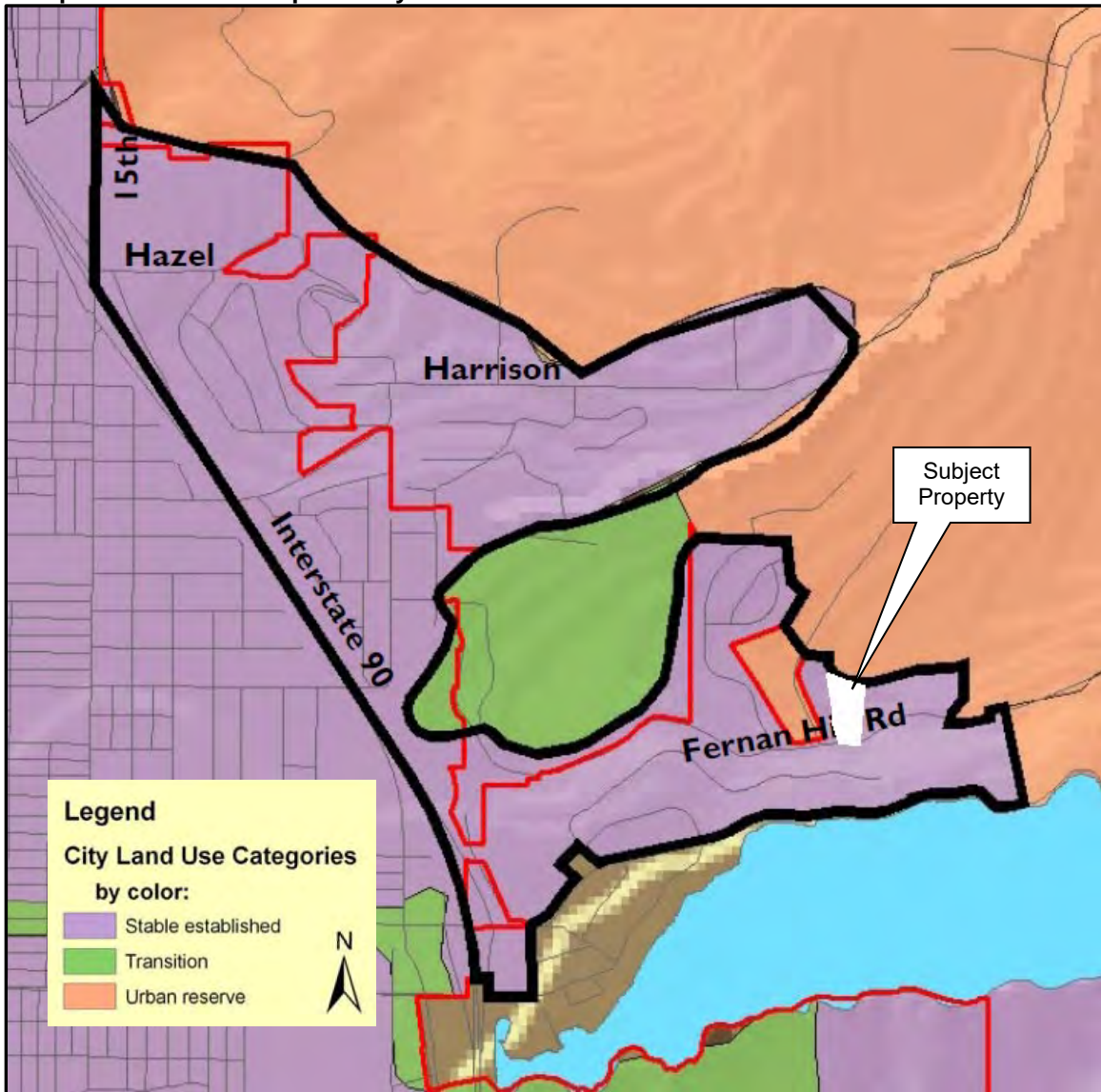
REQUIRED FINDINGS:

- A. **Finding #B8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within the existing city limits.
- The City Comprehensive Plan designates this area in the Cherry Hill: Stable Established.

Comprehensive Plan Map: Cherry Hill



Stable Established:

These areas are where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, the number of building lots, and general land use are not expected to change greatly within the planning period.

Cherry Hill Today:

This area is actually comprised of two hillsides, Cherry/Stanley Hill and Fernan Hill, as well as surrounding lands with less challenging slopes. Deer, elk, and bear frequent the area. These characteristics provide a very pleasant environment, but combined with clay soils, can provide development challenges.

The majority of this area is already inside city boundaries with the exception of the eastern part of the Cherry/Stanley Hill area.

Development in this area is typically single-family with densities ranging between one and three units per acre. Sewer is provided to all areas within city limits, but developments in

unincorporated areas use septic tanks. Coeur d'Alene's Sewer Master Plan shows that sewer service can be provided to this area in the future.

Water is provided to most of the developed area by the city's water system, which was acquired by the city from the Idaho Water Company in the 1970s. A unique aspect of the water system in the Cherry/Stanley Hill area that has a major impact on the development of the area is that, although this area is served by the city water system, generally, new water hookups are not allowed unless the property is within city boundaries. The Coeur d'Alene Water Master Plan indicates that this area can be served with water, with the exception of those areas above elevation contour 2,240 feet (the maximum water service elevation for the city).

Cherry Hill Tomorrow

This area will continue to develop as a lower density single-family residential area with care taken to preserve natural vegetation, views, and open space on steeper slopes. Future development will present challenges in preserving open space and tree cover, and providing necessary infrastructure in the context of hillside development. As this area continues to develop, parcels not suitable for development should be preserved as open space through conservation easements, clustering, and acquisitions.

The characteristics of Cherry Hill neighborhoods will be:

- That overall density in this area will be approximately one dwelling unit per acre (1:1). However, in any given development, higher densities, up to three units per acre (3:1) are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.
- Limited opportunity for future development.
- Developments within the Fernan Lake Watershed should reflect careful consideration of the impacts of the development on water quality in Fernan Lake.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:

- **Objective 1.02 - Water Quality:**
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **Objective 1.05 - Vistas:**
Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d'Alene unique.
- **Objective 1.06 - Urban Forests:**
Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.
- **Objective 1.08 - Forests & Natural Habitats:**
Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.
- **Objective 1.10 - Hillside Protection:**
Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

- **Objective 1.11- Community Design:**
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- **Objective 1.12 - Community Design:**
Support the enhancement of existing urbanized areas and discourage sprawl.
- **Objective 1.13 - Open Space:**
Encourage all participants to make open space a priority with every development and annexation.
- **Objective 1.14 - Efficiency:**
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- **Objective 1.15 - Natural Terrain:**
Wherever possible, the natural terrain, drainage, and vegetation should be preserved with superior examples featured within parks and open spaces
- **Objective 1.17 - Hazardous Areas:**
Areas susceptible to hazardous conditions (e.g. flooding, landslides, earthquakes, etc.) should be left in a natural state unless impacts are mitigated.
- **Objective 3.01 - Managed Growth:**
Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population
- **Objective 3.05 - Neighborhoods:**
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.08 - Housing:**
Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.
- **Objective 3.10 - Affordable & Workforce Housing:**
Support efforts to preserve and provide affordable and workforce housing.
- **Objective 3.16 - Capital Improvements:**
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- **Objective 4.01 - City Services:**
Make decisions based on the needs and desires of the citizenry.
- **Objective 4.02 - City Services:**
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).
- **Objective 4.06 - Public Participation:**
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision-making process.

Evaluation: *The City Council must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

B. Finding #B9: That public facilities and utilities (are) (are not) available and adequate for the proposed use.

STORMWATER:

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. The applicant will be required to include a stormwater management plan with any building permit submittal for the subject property.

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by Fernan Hill Road to the south. Fernan Hill Road is a former county road with no urban street sections in the vicinity. No frontage improvements will be required at the time of construction.

- Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation for the proposed zone change for 3395 E Fernan Hill Road. There is an existing 8" water main in E Fernan Hill Rd with a 1" service stubbed into the proposed lot. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.

-Submitted by Kyle Marine, Assistant Water Superintendent

SEWER:

This property is already connected to the Public Sanitary Sewer within Fernan Hill Road. The Wastewater Department has no objections to the zone change as proposed.

-Submitted by Larry Parsons, Wastewater Utility Project Manager

FIRE:

The Fire Department works with the Engineering, Water, and Building Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents.

Fire department access to the site (road widths, surfacing, maximum grade, and turning radiuses), in addition to, fire protection (size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the zone change as proposed.

-Submitted by Bobby Gonder, Fire Inspector

POLICE:

The Police Department reviewed the proposed zone change and has no concerns.

-Submitted by Lee White, Police Chief

Evaluation: *The City Council must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

C. **Finding #B10:** **That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

The site is sloping with a drop in elevation towards the south and west part of the property. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-1 to R-3.

TOPOGRAPHIC MAP:



SITE PHOTO 1: Across the street on Fernan Hill Road looking north.



SITE PHOTO 2: Southeast corner of property looking west



SITE PHOTO 3: South central part of property looking north.



SITE PHOTO 4: Central part of property looking south.



SITE PHOTO 5: Northern part of property looking south.



Evaluation: *The City Council must determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

- D. **Finding #B11:** **That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.**

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The applicant states that multigenerational housing is planned for the subject property. The increase in traffic from this proposed use is expected to be negligible. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

Comprehensive Plan: Cherry Hill Today

This area is actually comprised of two hillsides, Cherry/Stanley Hill and Fernan Hill, as well as surrounding lands with less challenging slopes. Deer, elk, and bear frequent the area. These characteristics provide a very pleasant environment, but combined with clay soils, can provide development challenges.

The majority of this area is already inside city boundaries with the exception of the eastern part of the Cherry/Stanley Hill area. Development in this area is typically single-family with densities ranging between one and three units per acre. Sewer is provided to all areas within city limits, but developments in unincorporated areas use septic tanks. Coeur d'Alene's Sewer Master Plan shows that sewer service can be provided to this area in the future.

Water is provided to most of the developed area by the city's water system, which was acquired by the city from the Idaho Water Company in the 1970s. A unique aspect of the water system in the Cherry/Stanley Hill area that has a major impact on the development of the area is that, although this area is served by the city water system, generally, new water hookups are not allowed unless the property is within city boundaries. The Coeur d'Alene Water Master Plan indicates that this area can be served with water, with the exception of those areas above elevation contour 2,240 feet (the maximum water service elevation for the city).

SURROUNDING LAND USES AND ZONING:

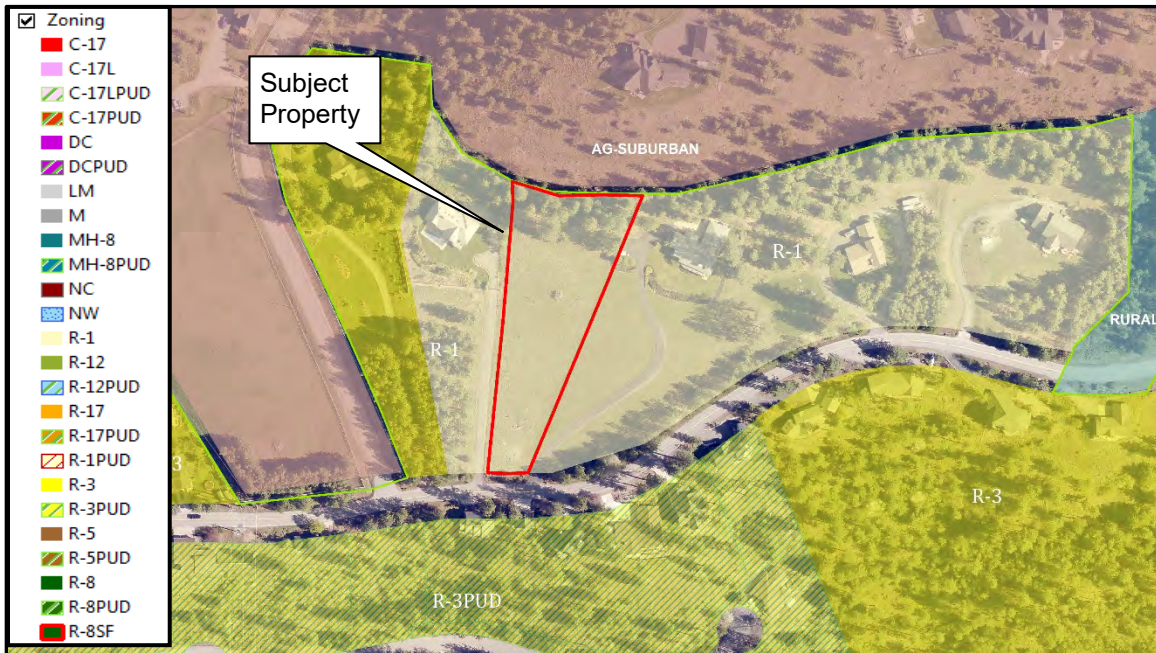
The properties to the north, south, east and west all have residential land uses with single family dwellings located on them. See *Land Use Map on page 13*.

The properties to the south of the subject site are zoned R-3PUD residential and properties further to the east on the south side of the road are zoned R-3. The properties to the east and west of the subject site are zoned R-1 residential. The properties to the north are zoned AG-Suburban in the County. See *Zoning Map below on page 14*.

GENERALIZED LAND USE PATTERN:



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from R-1 uses to R-3 uses (as listed below).

Existing R-1 Zoning District:

The R-1 District is intended as a residential area that permits single-family detached housing at a density of one unit per gross acre (i.e., the density for an acre of unsubdivided land, regardless of where streets, etc., may or may not be located, will be calculated at a maximum of 1 unit). The gross acre calculation is intended to provide the subdivider flexibility, so when dedicating land for public use, the density may be made up elsewhere in the subdivision as long as the other site performance standards are met. This district is intended for those areas of the City that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard, and landslide hazard. A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.

Principal permitted uses in an R1 district shall be as follows:

- Essential service (underground).
- "Home occupation", as defined in this title.
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing.

Permitted uses by special use permit in an R-1 district shall be as follows:

- Commercial film production.
- Community education.
- Essential service (aboveground).
- Noncommercial kennel.
- Religious assembly.

Maximum height requirements in an R-1 District shall be as follows:

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Principal structure	32 feet	n/a
For public recreation, community education or religious assembly activities	45 feet ¹	n/a
Detached garages and carports		With low or no slope roof: 14 feet With medium to high slope roof: 18 feet
All other accessory structures	25 feet	n/a

The minimum lot requirements in an R-1 district shall be as follows:

- Thirty-four thousand five hundred (34,500) square feet. All buildable lots must have seventy-five feet (75') of frontage on a public street, unless an alternative is approved by the City through normal subdivision procedure, or unless a lot is nonconforming.

Minimum yard requirements for residential activities in an R-1 district shall be as follows:

- Front: The front yard requirement shall be twenty feet (20').
- Side, Interior: The interior side yard requirement shall be ten feet (10').
- Side, Street: The street side yard requirement shall be twenty feet (20').
- Rear: The rear yard requirement shall be twenty-five feet (25').

Proposed R-3 Zoning District:

The R-3 District is intended as a residential area that permits single-family detached housing at a density of three (3) units per gross acre. The gross acre calculation is intended to provide the subdivider flexibility, so when dedicating land for public use, the density may be made up elsewhere in the subdivision as long as the other site performance standards are met. This district is intended for those areas of the City that are developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard. A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.

Principal permitted uses in an R-3 District shall be as follows:

- Administrative.
- Essential service (underground).
- "Home occupation", as defined in this title.
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing.

Permitted uses by special use permit in an R-3 District shall be as follows:

- Commercial film production.
- Community assembly.
- Community education.
- Community organization.
- Convenience sales.
- Essential service (aboveground).
- Noncommercial kennel.
- Religious assembly.

Maximum height requirements in an R-3 District shall be as follows:

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Principal structure	32 feet	n/a
For public recreation, community education or religious assembly activities	45 feet	n/a
Detached accessory building including garages and carports	32 feet	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet

Minimum lot requirements in an R-3 District shall be as follows

- Eleven thousand five hundred (11,500) square feet. All buildable lots must have seventy-five feet (75') of frontage on a public street, unless an alternative is approved by the City through normal subdivision procedure (i.e., cul-de-sac and flag lots), or unless a lot is nonconforming.

Minimum yard requirements for residential activities in an R-3 District shall be as follows:

- Front: The front yard requirement shall be twenty feet (20').
- Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
- Side, Street: The street side yard requirement shall be ten feet (10').
- Rear: The rear yard requirement shall be twenty-five feet (25').

Evaluation: *The City Council must determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

APPLICABLE CODES AND POLICIES:

UTILITIES:

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.

STREETS:

4. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
5. All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
6. An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

7. A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

PLANNING:

8. All site improvements must meet the site performance standards of the R-17 Zoning District.

PROPOSED CONDITIONS:

None

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2017 Trails & Bikeways Master Plan

ACTION ALTERNATIVES:

The City Council must consider this request and make findings to approve, deny or deny without prejudice. The findings worksheet is attached.

Attachment: Applicant's Narrative



Rex K. Anderson, AIA, LEED AP BD+C
Fusion Architecture, PLLC
221 N. Wall Street, Suite 345
Spokane, WA 99201

March 1, 2021

Mike Behary
City of Coeur d'Alene Planning
710 E Mullan Ave
Coeur d'Alene, Idaho 83814

RE: Zoning Change, Parcel Number C-8040-001-003-0

Mike,

This letter is the serve as the written narrative as part of our zoning change request package for the parcel listed in the reference line of this letter. We are requesting a zoning change from the R-1 zone to the R-3 zone. Converting this parcel to the R-3 will support the objectives of the 2007 comprehensive plan as well as the future of development in Coeur d'Alene.

From the owner's perspective, converting the zoning of this parcel to an R-3 zone will support their desire for the owner of the parcel and her daughter to build a multi-generational house. Multi-generational housing is a progressive new trend that allows for families to live in close proximity to each other and still maintain some privacy. In this case, the owner of the parcel will be allowed to age in her home and maintain some independence while having her daughter nearby to assist her.

Additionally, multi-generational housing clearly meets objective 3.01 which states, "Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population." As the city of Coeur d'Alene continues to grow, trends such as multi-generational housing which is one of the primary needs for a changing population.

Lastly, allowing this parcel to be converted to an R-3 zone will not be in conflict with the parcels adjacent to the one in question as most of the surrounding parcels are already zoned R-3.

If you have any further questions regarding our proposal to change the zoning of this property, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rex K. Anderson', written in a cursive style.

Rex K. Anderson, AIA, LEED AP BD+C
Owner, Fusion Architecture, PLLC

**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

ZC-4-21

A. INTRODUCTION

This matter having come before the Planning Commission on, April 13, 2021, and there being present a person requesting approval of ZC-4-21, a request for a zone change from R-1 to R-3 zoning district

APPLICANT: JANET DAILY

LOCATION: +/- 1.57 ACRE A PARCEL LOCATED AT 3395 E FERNAN HILL ROAD

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

The Planning Commission adopts Items B1 to B7.

- B1. That the existing land uses are single family.
- B2. That the Comprehensive Plan Map designation is Cherry Hill: Stable Established
- B3. That the zoning is R-1.
- B4. That the notice of public hearing was published on, March 27, 2021 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, March 30, 2021 ,which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on April 13, 2021.

B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:

Objective 3.01 Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

B9. That public facilities and utilities are available and adequate for the proposed use. This is based on city staff and department reports.

B10. That the physical characteristics of the site do make it suitable for the request at this time because of the topography and the shape of the property which limits other options.

B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses because the home when constructed will look like one home even though it will be two units with one driveway leading to the property.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of JANET DAILY for a zone change, as described in the application should be **approved**.

Motion by Ward, seconded by Fleming, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Fleming	Voted Yes
Commissioner Luttrupp	Voted Yes
Commissioner Ward	Voted Yes

Commissioners Messina, Mandel and Rumpler were absent.

Motion to approve carried by a 3 to 0 vote.



VICE CHAIR JON INGALLS

4. Applicant: Janet Dailey
Location: 3395 E. Fernan Hill Road
Request: A proposed zone change from R-1 to R-3
QUASI-JUDICIAL, (ZC-4-21)

Mike Behary, Associate Planner, presented the staff report and stated:

- The property is located off of Fernan Hill Road approximately 180 feet east of Frosty Pine Trail. The property was annexed into the city in 1990 in item A-2-90. At that time the property was brought into the city with an R-1 zoning designation.
- The applicant has indicated that they are intending to build one structure that will have two kitchens with in it, described as a multigenerational home. The applicant has indicated that they intend to build a multigenerational house on this parcel for the mother and daughter to live in. This will be one structure with two kitchens.
- Multigenerational Housing is a progressive new trend that allows for families to live in close proximity to each other and still maintain some privacy. The applicant has indicated that the owner of the parcel will be allowed to age in her home and maintain some independence while having her daughter nearby to assist her.
- The current zoning ordinance does not provide for the location and use of multigenerational homes. The current zoning ordinance defines this type of home as two units and it would need to meet the minimum lot area for each of the homes in order to be to be built.
- R-1 and R-3 lots allow for a maximum of two houses to be built it so long it has the minimum lot area for each house, which is 34,500 SF for the R-1. This lot is 68,345 SF and is short by 655 SF in order to be allowed to build a second residence on this parcel. The R-3 require a minimum lot area of 11,500 SF for each home.
- The proposed rezone to R-3 would allow the applicants to build a multi-generational home on the subject parcel because it would allow for two single-family homes to be constructed and meet the minimum lot area per home.
- It should be noted that this lot cannot be split into more lots in either the R-1 or the R-3 due to the minimum lot frontage requirement of 75 feet. This lot has 68 feet of frontage and was approved in Schwartz Addition Subdivision in 1992.
- He stated that the City Comprehensive Plan designates this area in the Cherry Hill: Stable Established.
- He stated that if approved there are no conditions.

Mr. Behary concluded his presentation.

Commission Comments:

Commissioner Fleming commented that this lot has an 800 foot frontage and if approved they will not be allowed to add another residence on the lot. Mr. Behary replied that is correct and clarified that the lot can't be split for an additional house. Commissioner Fleming inquired if the lot is big enough to put another house on the lot and questioned if an Assessor Dwelling Unit (ADU) is allowed in the R-1/R-3 zoning district.

Mr. Behary explained that ADU's are allowed with a maximum of 800 square feet for the ADU and if they did have two dwelling units on the lot, they wouldn't be allowed to have an ADU. They would have to choose either two houses, or one house with an ADU, or a multigenerational facility.

Commissioner Fleming inquired who will be supplying the water.

Mr. Behary answered per the Water Department comment, it will be the City.

Commissioner Luttrupp inquired what is the definition for a multigenerational unit.

Mr. Behary explained that our code doesn't address multigenerational housing, but basically it allows two kitchens that is one structure not separated by another unit.

Commissioner Luttrupp inquired what is the definition of a kitchen.

Ms. Anderson commented that we have a definition for a residential unit which has separate areas for cooking, sanitation, sleeping and living.

Commissioner Luttrupp inquired if this project is a design issue or zoning issue.

Mr. Behary explained that this would be considered another unit in the zoning ordinance which is the multigenerational housing facility which counts as two units. Under the zoning ordinance, we don't have a definition for multigenerational, so we call it "two units."

Mr. Adams explained that we are defining what they are proposing and trying to set a "word" to it.

Commissioner Luttrupp questioned where does it state that you can only have one kitchen per dwelling.

Ms. Anderson explained that we will be bringing this forward as a Zoning Code Amendment to address multigenerational housing, because it makes sense for a family that might be different generations living together. Staff have been looking at other zoning codes all over the United States. Most communities look at multigenerational as two homes, or as a home plus an ADU, or a duplex. But some have come up with a way to allow multigenerational homes that are specifically defined in the zoning code and have deed restrictions.

Commissioner Luttrupp stated this is strange and different that we have to do something different called "two kitchens".

Mr. Adams explained that the zoning code does define "dwelling unit" as a single unit containing all of these things including faculties for cooking and in this case, there are two units and doesn't matter how many kitchens it depends on if it is a single unit or two units.

Commissioner Fleming stated she sees this in other areas and we need to fix it.

Commissioner Luttrupp questioned if this is a design issue.

Ms. Anderson explained that it is not a design issue and that this will be an issue until our code changes.

Commissioner Ward concurs with Commissioner Luttrupp and also questioned if this could be a design issue and was looking at the uses allowed in a R-1 noticed the height limit allowed was 32 feet for a principal structure and perhaps there was a walk out basement with a full kitchen to not exceed 32 feet above grade the principal structure questioned if that would be permissible under and R-1.

Ms. Anderson explained once you hear the applicant's presentation on what they are trying to achieve with the dwelling units, it will make sense.

Commissioner Ward questioned if you could have two kitchens.

Ms. Anderson explained this is different. They are not just wanting two kitchens. They are trying to have two units with independent living yet connected.

Rex Anderson, applicant representative provided the following statements:

- He stated staff has been helpful in finding a vehicle for us to use as a tool to allow the desired multigenerational home. This proposal is to convert the property to an R-3 which allows two dwelling units to be onsite.
- He commented the applicants are a mother and daughter who want to build a multigenerational house and noted on the site plan that the home is on the north and pointed out where the homes will be located on the property.
- He stated that it's the applicant's intention to have everything on one level that will be fully accessible.
- He commented that on this lot development is restricted with the view easements that impact development and referenced the site plan showing the driveway from the road to the house. On the applicant's unit will be a garage with entry into the home on the one level and the daughter's unit will be behind. From the street it will look like one house. The two units will be connected to allow for someone to age in place and to live independently, but have her daughter close by in case she needs care.
- He stated that it's the desire of the applicant to have the home fit in with the neighborhood and that the design and scale of the units meets the average grade of the elevation of 32 feet which falls in line with a few of the Comprehensive Plan policies.
- He explained with the approval of the zone change from R-1 to R-3, the proposed design consolidates the development of the lot to appear as one structure when looking from the road.
- He stated that the frontage of the lot is 68 feet with the house to be 336 feet back from the road.
- He stated this is a growing trend where families are wanting to live together.
- He noted that it's not the intent of the applicant to create/split but intended for them to live together.
- He explained that by making this look like one house and conform to a single use checked all the boxes.

The applicant concluded his presentation.

Commission Comments

Commissioner Luttrupp questioned why is the applicant requesting two houses.

Mr. Anderson explained that the applicant will be living in one house on the northside and her daughter will be living in one dwelling unit on the southside. Commissioner Luttrupp asked are they separate or two dwellings. Mr. Anderson explained there is a connector between the two houses with the intent to make it appear as one house.

Commissioner Ingalls explained that once a zone change is granted it opens the door and that he likes what he sees, but after reading some comments from neighbors are "leery" of a second residence and don't want to see two residences on this property. He explained with a zone change details aren't locked in and if this is approved, and the applicant comes back with a proposal for two buildings that is a problem.

Mr. Anderson noted on the map the zoning for the area is all R-3 and only 4 parcels out of the 50 parcels in the area that aren't R-3 and would comply with the zoning code and we are trying to use this zone change as a vehicle for the applicant to use since we don't have a code that addresses Multigenerational Housing.

Commissioner Luttrupp questioned since it will be two structures connected can one structure be sold at a later date.

Ms. Anderson explained one could be sold through a condominium plat but would look/function the same.

Mr. Anderson stated the lots can't be split. Vice Chair Ingalls added that there is limited frontage on

Fernan Hill Road so it can't be split.

Commissioner Fleming inquired about the staff comments received regarding water pressure that a single home with two separate dwelling units that are joined the demand will be minimal.

Mr. Anderson explained the scale of house they intend to build could have been built as one and stacked.

Susan Knutson stated she loves this project and excited to see the zoning amendments change for Multigenerational housing.

Tony Chemetti commented that he has the property next door and thinks this is an excellent idea and might want to do the same thing to our home, but doesn't want to have to go through a zone change in order to put a kitchen downstairs. He commented that he is concerned if this doesn't work out for the applicant and they decide to move it turns into a rental.

Rebuttal:

Mr. Anderson thanked everyone for their comments and explained that the number of R-3 parcels around the site any of those people could do the same thing. He stated that he wanted to thank staff for being so receptive as they have been toward this request. He added that this type of housing should be instituted without having to go through a zone change. He added that the other city agencies have reviewed this and have no concerns.

Public testimony closed.

Discussion:

Commissioner Luttrupp stated we need to come up with a definition for multigenerational housing. He said he supports the concept and if staff can come up with a definition for multigenerational housing to bring forward to City Council that could be addressed.

Ms. Anderson explained that doing a code amendment was not feasible given the time frame this applicant is working with unfortunately. She explained that staff has many bigger projects in the works before we could consider this topic which would take staff time to come up with the code language that would first go the Planning Commission with a recommendation to City Council. When doing code amendments, staff like to bring a "bunch" of code amendments together for Council to consider. She explained that if the applicant had an additional 600 square feet on their lot, they wouldn't need a zone change and that this zone change worked for them as a tool to move forward.

Commissioner Luttrupp stated he will support this but encourages staffs to work on a definition for multigenerational housing.

Motion by Ward, seconded by Fleming, to approve Item ZC-4-21. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

STUHMILLER, SHANA

From: Kenny Pratt <kmpratt@gmail.com>
Sent: Tuesday, April 13, 2021 12:03 AM
To: STUHMILLER, SHANA
Subject: Janet Dailey R-1 to R-3 zoning change request

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Cindy Pratt and I live at 3373 E Fernan Hill Rd, on the neighboring property. We oppose the zoning change. We support Janet's desire to have amenities in her future home that promote multi-generational living, but do not want to see that accomplished through a zone change. We don't want to see Janet or any other future owner putting a second residence on the property. First, it is not consistent with the character of the neighborhood. Second, an additional dwelling unit on the property increases water usage in an already stressed city resource. Third, an additional dwelling unit increases the potential for short-term rental use and the challenges that can come to neighbors with short term rentals.

Thank you for considering our input as you rule on the proposed zone change.

Respectfully,
Kenneth and Cynthia Pratt
916-849-199 - cell

STUHMILLER, SHANA

From: Craig Owens <owensdirt@gmail.com>
Sent: Monday, April 12, 2021 1:58 PM
To: STUHMILLER, SHANA
Subject: 3395 fernan hill rd public hearing

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Regrading the zone change request for 3395 Fernan Hill Road

To the planning commissioners.

It is my understanding zone change goes with the land, not a proposed structure. Although there are R3 properties across the street, they are on a significant slope with limited road frontage making it virtually impossible for multiple structures to be built there. They are all single family residences.

The properties which are all R1 across the street are flat and more than an acre each. They were zoned to maintain the single family residential nature of the neighborhood. There are view Easements and Hillside ordinances that apply to this property. Other issues as well are traffic, Storm water and other congestion issues on Fernan hill.

I also understand that the applicant has indicated they want to build a multi family home and the disallowing of a "stove" in the second kitchen prohibits that. Nothing prohibits the owners from building a home with two separate, fully operational living spaces and I find it hard to believe that if a family had an older family member living in a separate space that they couldn't occasionally share a stove. It leads me to believe the rezone of the land is the primary objective. All indications led to this conclusion.

While I don't want to not allow enjoyment of their property, I don't believe the time is appropriate for an R3 rezone at this location, because conditions since being annexed as R1 have not changed.

STUHMILLER, SHANA

From: BRUCE MEYERS <lagsoot@msn.com>
Sent: Thursday, April 8, 2021 8:57 AM
To: PlanningDiv; BRUCE MEYERS
Subject: Dailey zoning request

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My name is Bruce Meyer and I live at 3361 E Fernan Hill Road. I am in opposition to Janet Daileys zone change request from R1 to R3 at 3395 Fernan Hill road.

I am under the impression that the zoning request would allow more than one residence on the property now and in the future. This would be detrimental to the character and quality of life of the Fernan Hill area. (Traffic, etc)
Therefore, I request that you reject Daileys zone change request.

STUHMILLER, SHANA

From: Toney Chimienti <tony.chimienti@gmail.com>
Sent: Tuesday, March 30, 2021 1:47 PM
To: PlanningDiv; STUHMILLER, SHANA
Subject: Regarding property at 3395 E Fernan Hill Rd.

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear City Planning Department,

We understand that the reason for this zone change is so that the owners can build a multigenerational home that would include two kitchens.

These types of structures are becoming quite common. It is our opinion that it would be more practical for the city to allow a variance for a home with two kitchens rather than change the zoning to allow up to five structures on the property. Our main concern is the potential for additional structures being built on this property. It is currently zoned for single residences and should stay that way.

Another major concern that most of the residents here share is that there is barely an adequate city water supply to support the existing homes in this area now. The current water system is already over taxed, and there isn't enough pressure available through the existing 4" waterline.

Additionally, there is only one road in or out of this area which could tragically be the ideal design for a major disaster, if there were ever a fire on the Mountian. (you only have to look at the terrible loss of life in Paradise, California) Continuing to add housing developments on Fernan Hill is problematic, and exasperated by the two conditions of an inadequate water supply and one narrow road in or out of the area.

Before any more developments are added to the Fernan Hill area the City needs to implement a 12" water supply and additional access roads for the safety of all residences. Perhaps the City could require that the builders or developers subsidize the cost to the city to improve both transportation infrastructure and water supply.

Respectfully,

Toney & Cathy Chimienti

3403 E Fernan Hill Rd.

CDA, ID. 83814

Sent from my iPhone

STUHMILLER, SHANA

From: Linda Meyer <mumsrw@gmail.com>
Sent: Friday, April 09, 2021 1:19 PM
To: STUHMILLER, SHANA
Subject: Janet Dailey zone change request

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My name is Linda Meyer and I am in opposition to the Janet Dailey zone change request from R1 to R3 at 3395 Fernan Hill Rd.

This is a low density area and Fernan Hill Rd cannot hold up to more traffic.

Planning Commission Meeting



May 18, 2021

ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

APPLICANT:

Janet Daily
5348 Gumwood Circle
Post Falls, ID 83854

Consultant:

Rex Anderson, AIA
Fusion Architecture, PLLC
221 N. Wall Street, Suite 354
Spokane, WA 99201

REQUEST:

Zone change from the R-1 to the R-3 zoning district.



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

LOCATION:

Property is located at 3395 Fernan Hill Road

LEGAL NOTICE:

Published in the CDA Press on May 1, 2021



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Location Map



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Birds Eye - View



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Multigenerational Housing



- Multigenerational homes are specifically designed to provide space for multiple generations of a family to live under one roof.
- Generally, it is at least two adult generations living together.
- The benefits: affordability, safety, security, care for one another, strengthening of family bonds, as well as providing home ownership opportunities and pass down inheritance.
- The design of the home is that the families can live together yet separately with separate bedrooms, living areas, sanitation areas (bathrooms), cooking and eating areas.

ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

**Multigenerational Housing and
Coeur d'Alene's Zoning Code**

- Multigenerational Housing is NOT defined.
- Dwelling Unit = a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- Duplex = a two-family dwelling, each with a private exterior entrance, sharing common supporting structural elements
- ADU = accessory to principal dwelling unit. Maximum 800 square feet. Separate address and separate entrance. Can be attached or detached.

ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Finding #B8:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.

Finding #B9:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

Finding #B10:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

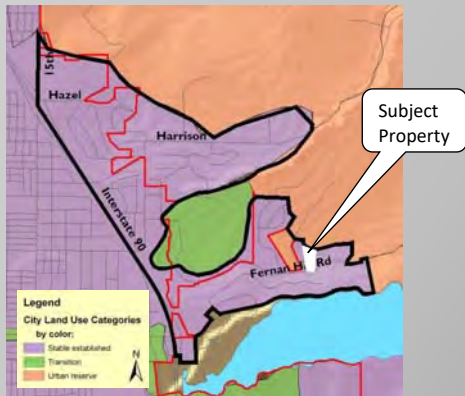
Finding #B11:

That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Finding #B8:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.



2007 Comprehensive Plan:
Cherry Hill

Stable Established:

These areas are where the character of neighborhoods have largely been established and, in general, should be maintained. The street network, the number of building lots, and general land use are not expected to change greatly within the planning period.



ZC-4-21 Zone change from R-1 to R-3
 3395 E Fernan Hill Road +/- 1.57 Acres

Finding #B8:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.



2007 Comprehensive Plan:

The characteristics of Cherry Hill neighborhoods will be:

- That overall density in this area will be approximately one dwelling unit per acre.
- However, in any given development, higher densities, up to **three units** per acre are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.

ZC-4-21 Zone change from R-1 to R-3
 3395 E Fernan Hill Road +/- 1.57 Acres

COMPREHENSIVE PLAN: GOALS & OBJECTIVES:

- Goal #1 Natural Environment**
 - 1.12 Community Design
 - 1.14 Efficiency
- Goal #2 Economic Environment**
 - 2.01 Business Image and Diversity
 - 2.02 Economic and Workforce Development
- Goal #3 Home Environment**
 - 3.05 Neighborhoods
 - 3.16 Capital Improvements
- Goal #4 Administrative Environment**
 - 4.01 City Services
 - 4.06 Public Participation



See pages 6 and 7 of the staff report for the full list of Comp Plan Goals and Objectives

ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Finding #B9:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

- City staff from Engineering, Streets, Water, Fire, Police, Parks, and Wastewater Departments have reviewed the application request in regards to public utilities and public facilities.
- Each department has indicated that there are adequate public facilities and public utilities available to serve the proposed request.
- No objection to this zone change request as proposed.

See pages 8 and 9 of the staff report for the full list of staff comments.



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Finding #B10:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

PHYSICAL CHARACTERISTICS:

The site is sloping with a drop in elevation towards the south and west part of the property. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-1 to R-3.



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Topographic Map



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Site Photo - 1



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Site Photo - 2



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Site Photo - 3



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Site Photo - 4



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Site Photo - 5



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Finding #B11:

That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

Traffic:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The applicant states that multigenerational housing is planned for the subject property. The increase in traffic from this proposed use is expected to be negligible. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineer

ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Zoning Map



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

Proposed R-3 Zoning District:

- Intended as a residential area that permits single-family detached housing at a density of three units per gross acre.
- This district is intended for those areas of the City that are developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.
- A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

The following is a list of the Principal uses that are permitted in the R-3 district:

- Administrative.
- Essential service (underground).
- "Home occupation",
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing.

See R-3 District information on pages 15 & 16 of the Staff Report



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

DECISION POINT: Zone Change

Provide a decision regarding the proposed zone change from R-1 to R-3 on approximately 1.57 acres.



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres

ACTION ALTERNATIVES:

The City Council will need to consider this request and make appropriate findings to:

- Approve
- Deny
- Deny without prejudice.



ZC-4-21 Zone change from R-1 to R-3
3395 E Fernan Hill Road +/- 1.57 Acres



ORDINANCE NO. _____
COUNCIL BILL NO. 21-1012

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-1 TO R-3, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A +/- 1.57 ACRE PARCEL LOCATED AT 3395 E FERNAN HILL ROAD, LEGALLY DESCRIBED AS LOT 3, BLOCK 1, SCHWARTZ ADDITION; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after public hearing on the hereinafter provided amendments, and after recommendation by the Planning Commission, it is deemed by the Mayor and City Council to be for the best interests of the City of Coeur d'Alene, Idaho, 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 the following described property, to wit:

The subject property is located at 3395 Fernan Hill Road and legally described as Lot 3, Block 1, Schwartz Addition, according to the Plat thereof, recorded in Book F of plats at Page(s) 382, records of Kootenai County, Idaho.

is hereby changed and rezoned from R-1 (Residential at 1 unit/acre) to R-3 Residential at 3 units/acre).

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, is hereby amended as set forth in Section 1 hereof.

SECTION 3. That the Planning Director is hereby instructed to make such change and amendment on the official Zoning Map of the City of Coeur d'Alene, and shall make an electronic copy available on the City's website.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. 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 May 18th, 2021.

APPROVED this 18th day of May 2021.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

Zone Change – ZC-4-21

3395 E Fernan Hill Road

LOT 3, BLOCK 1, SCHWARTZ ADDITION

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-1 TO R-3, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A +/- 1.57 ACRE PARCEL LOCATED AT 3395 E FERNAN HILL ROAD, LEGALLY DESCRIBED AS LOT 3, BLOCK 1, SCHWARTZ ADDITION; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. 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. _____, a zone change of Lot 3, Block 1, Schwartz Addition, 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 18th day of May, 2021.

Randall R. Adams, Chief Civil Deputy City Attorney