CITY OF KIMBERLY

PLANNING & ZONING COMMISSION
MEETING AGENDA

JANUARY 7, 2014
6:00PM

Planning & Zoning Commission meetings are televised, videotaped and/or recorded

Location: 242 Highway 30, Kimberly, Idaho 83341

CALL TO ORDER

WELCOME – PLEASE TURN OFF CELL PHONES – THANK YOU.

ROLL CALL OF COMMISSION MEMBERS

a. Happy New Year to Commissioners and Citizens in attendance.

1. APPROVE -

a. Minutes from December 3, 2013 Regular Meeting.

2. PUBLIC HEARINGS –

a. City of Kimberly initiated text amendment to the Kimberly City Code and Ordinance 605 for the amendment, the amendment being to Title 17, proposed to add under Chapter 17.17 Administration and Enforcement: Section 17:17.060 Processes & Procedures for Planning and Zoning Actions. The new section would show processes and procedures of planning and zoning actions and governing bodies responsible for consideration of the actions, as well as noticing requirements. Additionally the amendment, would also remove/amend procedure items from Section is 17.15.020 and a relating part in 17.15.030.

b. Public Hearing and Consideration of a City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment being to Title 17, proposed to amend Section 17.04.110: Agricultural – Residential (AR). The amendment would add language to the section stating no subdivisions are permitted within the AR zone. The amendment also proposes to amend Section 17.04.120 Agricultural (AG). The amendment adds language to the section stating no subdivisions are permitted within the AG zone and also adds language stating the AR zone may be applied so land both within the City and within the City's impact area may be zoned AG. The amendment would also remove the sentence "With exception to those parcels of land twenty (20) acres or larger used solely for agricultural purposes" as the AG zoning applies to all AG zoned land, not just land pieces smaller than twenty (20) acres.

3. NEW BUSINESS

a. Consideration and approval of an update to the City of Kimberly Comprehensive Plan and accompanying Resolution
b. Consideration and approval of an update to the City of Kimberly Land Use Map and accompanying Resolution.

4. UPCOMING MEETINGS: –

a. Special P&Z Meeting on Thursday January 9, 2014 – 8PM
b. Special P&Z Meeting on Wednesday January 22, 2014 – 8 PM
c. Regular P&Z Meeting on Tuesday February 4- 2014 – Cancelled.
d. Special P&Z Meeting on Tuesday February 18, 2014 - 6 PM

5. ADJOURNMENT

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 242 Highway 30, Kimberly, Idaho 83341 or call 208-423-4151.

Ted Wasko	Leland Belin	Perry Dangerfield	Candy Weth	VACANT	Cindy Schmidt	Dan Shewmaker
		Co-Chair	*Chairperson*		*Area of Impact*	*Area of Impact*

Posted Aug. 3, 2013

KIMBERLY PLANNING AND ZONING
DECEMBER 3, 2013

Call to Order:
The meeting was called to order at 6:02pm.

Roll Call of Commission Members:
Members present were Ted Wasko, Leland Belin, Perry Dangerfield, Candy Weth. Impact Area representatives Dan Shewmaker and Cindy Schmidt were also present.

1. Approve:
The minutes from the November 5, 2013 meeting were approved as presented.

2. New Business:
Findings of fact for the Consideration and Approval for a City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment being to Section 17.09.10H and pertaining section, including 17.09.020 was approved by a motion from Cindy Schmidt and seconded by Ted Wasko.

3. Public Hearings:
No public hearings were scheduled for December 2013.

4. Workshop and Discussion:
Staff reports that several landowners to the east of the City of Kimberly have expressed an interest in becoming part of the Kimberly Impact Area with the possibility of being annexed into the City of Kimberly. As development approaches the city's eastern border it is important to look at areas around the present city limits and Impact Areas to see where the City can expand to take advantage of any future expansion. Larry Hall said that the water situation is stable and that the City of Twin Falls is expanding the Waste Treatment Facility and that Kimberly will be able to buy more capacity from that expansion. It is necessary for the protection of Kimberly City interests to look for areas to expand to before the opportunity disappears. It makes sense to expand the

Area of Impact to include the area served by the Kimberly School District. This will include lands east to 3300 East and north to the Snake River. Twin Falls City has annexed the area to the west of previous Kimberly Impact Area on the north to the Snake River. The annexation will provide for a larger tax base in the future. The staff plans to begin the procedure to exend the Area of Impact in the coming months, probably around March 2014. Landowners who border the city are loyal to the City of Kimberly and would like to be associated with this city rather than Twin Falls. These properties are currently in the County of Twin Falls and if they oppose annexation they can go to the Zoning Commission for the County. It is timely to begin this process as the economy improves and more development begins. A map showing the proposed expansion to include more land in the Gateway along Kimberly Road, north to the Snake River and east to 3300 East Road was presented to the Commission. The Commission was in favor of the proposed expansion.

A waste pre-treatment plant for the City of Kimberly was discussed; and the need for a lot fee dedicated to the School District from future development was also discussed. Both of these ideas are necessary for the orderly expansion to the City of Kimberly.

5. January Meeting:
The January 2014 meeting will be on the 7th.

6. Adjournment:
The meeting was adjourned at 6:56pm.

Respectfully submitted,

Perry C. Dangerfield

STAFF REPORT

TO: Kimberly Planning and Zoning Commission

FROM: Bart Bingham, Community Development Director

RE: City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment being to Title 17, proposed to add under Chapter 17.17 Administration and Enforcement: Section 17:17.060 Processes & Procedures for Planning and Zoning Actions. The new section would show processes and procedures of planning and zoning actions and governing bodies responsible for consideration of the actions, as well as noticing requirements. Additionally the amendment, would also remove/amend procedure items from Section is 17.15.020 and a relating part in 17.15.030.

HEARING: January 7, 2014

Applicant: The City of Kimberly

Notice
Notice for the public hearing was published in the Times News on December 23, 2013 and mailed to public agencies and area media on December 23, 2013.

Proposal
The amendment is to the Kimberly City Code, Development Regulations, ands add under Chapter 17.17 Administration and Enforcement: Section 17:17.060 Processes & Procedures for Planning and Zoning Actions.

Background
The amendment is being brought to allow for the noticing requirements to be cataloged in a single, central area in the Zoning Ordinance and to provide for easy, fast reference for answering questions and carrying out noticing projects. Additionally, the amendment provides staff and applicants opportunities to share noticing responsibilities so city efforts may extend to both short and long term Community Development goals and objectives.

Procedural History
The text amendment was continued by the Planning and Zoning Commission on August 6, 2013 and on Sept 3, 2013 to the October 1, 2013 meeting. Subsequently, substantial information regarding the County Commissioners' role in reviewing applications from lands in the area of impact was obtained and made part of the processes and procedures section. Adding this new information was a substantial change made it necessary to bring the proposed Section back to the Commission.

Department Comments
Establishing a system where notice responsibilities are shared would spread noticing responsibilities between many applicants and assist the Community Development Department in focusing in on both short and long term department goals and objectives.

Standards of Evaluation

Note: Staff analysis is in lighter type,

When evaluating any proposed amendment, the Commission and Council shall make findings of fact on the following criteria:

a. The proposed amendment is in accordance with the Comprehensive Plan;
The Comprehensive Plan shows objectives for the City of Kimberly to grow and to optimize growth and development opportunities projected to come to the area. Establishing a system where notice responsibilities are spread among many applicants and Community Development staff would allow staff to focus in on both short and long term department goals and objectives.

b. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;
Not applicable

c. The proposed uses are compatible with the surrounding area; and
Not applicable

d. The proposed amendment will promote the public health, safety and general welfare.
The proposed amendment will promote the public health, safety and general welfare by allowing for Community Development Staff to focus on both short and long term department goals and objectives for the betterment of the City of Kimberly.

Summary
The Commission shall evaluate the request to determine the extent and nature of the amendment requested. The Commission shall hold a public hearing and make recommendations on the proposed zoning amendments. If the request is in accordance with the Comprehensive Plan, the Commission may recommend and the Council may adopt or reject the Ordinance Amendment under the notice and hearing procedures.

Motion Language

Approval:
P&Z

☐ Motion to recommend the Council approve the application with the ordinance to amendment Kimberly City Code Title 17, to add under Chapter 17.17 Administration and Enforcement: Section 17:17.060 Processes & Procedures for Planning and Zoning Actions. The new section would show and cover processes and procedures of planning and zoning actions, also removing/amending other procedure items from Section 17.15.020 and a relating part,. finding that the amendments are in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, and that the proposed amendment will promote the public health, safety and general welfare.

Denial:
P&Z

☐ Motion to deny the proposed the amendments to Kimberly City Code Title 17, to add under Chapter 17.17 Administration and Enforcement: Section 17:17.060 Processes & Procedures for Planning and Zoning Actions. The new section would show and cover processes and procedures of planning and zoning actions, also removing/amending other procedure items from Section 17.15.020 and a relating part, finding that _____ [the Commission should cite which standards are not met and provided the reason why each identified standard is not met].

Continuation:

☐ Motion to continue the public hearing upon the proposed amendments to Kimberly City Code, the application with the ordinance to amendment Kimberly City Code Title 17, amending Section 17:17.060 Processes & Procedures for Planning and Zoning Actions, to _____[the Commission should specify a date].

Table:

☐ Motion to table the proposed amendments to Kimberly City Code, Development Regulations, the application with the ordinance to amendment Kimberly City Code Title 17, amending Section 17:17.060 Processes & Procedures for Planning and Zoning Actions to a later date: _____.

Motion Seconded:_____

Signed this _____ day of_____, 2014.

_____
Candy Weth, Commission Chair, City of Kimberly

Attest:

_____
Bart Bingham, Community Development Director, City of Kimberly

KIMBERLY ORDINANCE NO. 605

Processes & Procedures for Planning & Zoning Actions (Noticing & Governing Bodies with Consideration)

AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, AMENDING KIMBERLY'S CITY CODE, BY ADDING UNDER CHAPTER 17.17 ADMINISTRATION AND ENFORCEMENT: SECTION 17:17.060: PROCESSES & PROCEDURES FOR PLANNING & ZONING ACTIONS (NOTICING & GOVERNING BODIES WITH CONSIDERATION).

THIS ORDINANCE PROVIDES FOR A SEVERABILITY CLAUSE AND A REPEALER CLAUSE; AND FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND FOR AMENDMENT OF CHAPTER 17: ZONING REGULATIONS UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Kimberly City Council has found that the following amendments to the Kimberly City Zoning Regulations generally conform to the Kimberly Comprehensive Plan; and

WHEREAS the amendments are compatible with the surrounding area.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY KIMBERLY, IDAHO, AS FOLLOWS:

Ordinance amendments are shown below in bold text, language deleted is delineated by a single-line strikethrough, and regular text is neither amended nor deleted, but is shown to provide context and placing of the amendments in the ordinance.

17.17.060: PROCESSES & PROCEDURES FOR PLANNING & ZONING ACTIONS (NOTICING & GOVERNING BODIES WITH CONSIDERATION:

A. Noticing Requirements: Idaho Code requires Planning and Zoning actions shown below to have at least one public hearing, and in many cases more as Table 17.17.060 shows. Notice for such public hearings shall be carried out by satisfying the requirements below for each particular action:

a. Official Newspaper or Paper of General Circulation: The Community Development Director or designee shall carry-out the notice requirement (a) for Official Newspaper of General Circulation.

i. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the plan to be discussed shall be published in

the official newspaper of record or paper of general circulation within the jurisdiction. Such notice is required for the following actions:

1. **Variance Permit**
2. **Special or Conditional Use Permit**
3. **Zoning Ordinance Text Amendment**
4. **Zoning Map Amendment**
5. **Zoning District Boundary Changes (see below)**
6. **Development Agreements (adopted or amended by ordinance)**
7. **Planned Unit Development Prelim. & Final Plat**
8. **Subdivision Prelim. Plat & Final Plat.**
9. **Design Review**
10. **Annexation**
    a. **Notice of annexation and the zoning designation must be mailed twenty eight (28) days prior to the public hearing at the Commission level. Fifteen (15) days is required at other levels.**
11. **Vacation (see below)**
12. **Adoption/Amendment of Comprehensive Plan**
13. **Recommendation of a plan (after Commission action , may hold Council Public Hearing)**
14. **Adoption of a plan (after Commission action , may hold Council Public Hearing)**
15. **Amendment of a plan (after Commission action , may hold Council Public Hearing)**
16. **Repeal of a plan (after Commission action , may hold Council Public Hearing)**
17. **Commission or Council makes a Material Change from what was noticed for a hearing.**

ii. **<u>Additional for Zoning District Boundary Changes</u>: When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of notice may be provided in lieu of mailed notice. Notice of a public hearing for a proposed zoning district change shall be in the official newspaper of the city, once a week for three (3) consecutive weeks, with at least one of said publications being fifteen (15) days prior to the date set for hearing.**

iii. **<u>For Vacations</u>: Notice of a public hearing for a vacation shall be published once a week for two (2) consecutive weeks in the official newspaper of the city, the last of which shall not be less than seven (7) days prior to the date of said hearing.**

b. **Political Subdivisions (Public Agencies) providing services: The Community Development Director or designee shall carry-out the notice requirement (b): Notice to Political Subdivisions.**

i. **At least fifteen (15) days prior to the public hearing, notice shall be sent to all political subdivisions providing services within the planning jurisdiction, including school districts. Such notice is required for the following actions:**
    1. **Variance Permit**
    2. **Special or Conditional Use Permit**
    3. **Zoning Ordinance Text Amendment**
    4. **Zoning Map Amendment**
    5. **Zoning District Boundary Change**
    6. **Development Agreements (adopted or amended by ordinance)**
    7. **Planned Unit Development Pre Plat & Final Plat**
    8. **Subdivision Pre Plat & Final Plat *******
    9. **Design Review*******
    10. **Annexation**
        a. **Notice of annexation and zoning designation must be mailed twenty eight (28) days prior to the public hearing at the Commission level. Fifteen (15) days at other levels.**
    11. **Vacation**
    12. **Adoption/Amendment of Comprehensive Plan**
    13. **Recommendation of a plan**
    14. **Adoption of a plan (after Commission action , may hold Council Public Hearing)**
    15. **Amendment of a plan (after Commission action , may hold Council Public Hearing)**
    16. **Repeal of a plan (after Commission action , may hold Council Public Hearing)**
    17. **Commission or Council makes a Material Change from what was noticed for a hearing.**

c. **Property Owners within three hundred (300) feet – The applicant shall assist to carry-out the notice requirements under this subsection (c) by providing:**

    1. **An official current 300 ft. around property owner list showing all property owners/easement holders of the property and property owners within 300 feet (and within the area) of it with their mailing addresses. These can be obtained at the County Assessor's Office or through a Title Company.**
    2. **A printed envelope addressee mailing sticker of each property owner /easement holder of the property and property owners within 300 feet.**
    3. **A signed affidavit stating all owners/easement holders of the property and property owners within 300 feet are included on**

the list and an addressed mailing sticker for each has been provided.

4. **Payment for mailing to the number of property owners and easement holders on the list/addressee stickers.**
5. **The Community Development Director or designee shall carry-out the remaining notice requirements for subsection (c) below.**

i. At least fifteen (15) days prior to the hearing, additional notice shall be provided by mail to property owners (or purchasers of record) within the land being considered and within three hundred (300) feet of the external boundaries of the land being considered. Also to owners of any additional land determined to be impacted. Such notice is required for the following:

1. **Variance Permit (see below when 200 or more property owners)**
2. **Special or Conditional Use Permit**
3. **Zoning Map Amendment**
4. **Zoning District Boundary Change**
5. **Development Agreements (adopted or amended by ordinance)**
6. **Planned Unit Development Pre & Final Plat**
7. **Subdivision Pre Plat & Final Plat**
    a. **Notification shall be sent by first class mail at least (10) days prior to Commission Meeting**
8. **Design Review**
9. **Annexation**
    a. **Notice of annexation and zoning designation must be mailed twenty eight (28) days prior to the public hearing at the Commission level. Fifteen (15) days at other levels.**
    b. **If Annexation is classified as Category C, after completion of all procedures for consideration of a category B annexation, but prior to enactment of an annexation ordinance, the City shall mail notice to all private landowners within the area to be annexed, exclusive of owners subject to a consent to annex. Such notice shall invite property owners to give written consent and inform them where the entire annexation record may be examined.**
10. **Vacations (see below)**
11. **Commission or Council make a Material Change from what was noticed for the hearing, use ii below to re-notice if more than 200. For annexation or vacation noticing or re-noticing, use regulations below.**

ii. **<u>When Two Hundred (200) or more property owners</u> (in lieu of mailed notice)**
    1. **Three (3) Newspaper notices required: When notice is required to two hundred (200) or more property owners or residents, notice of said proposed change and the hearing shall be published in the official newspaper of the city once a week for three (3) consecutive weeks, with at least one of said publications being fifteen (15) days prior to the date set for the hearing.**
        a. **For a Variance, the third notice shall appear (10) days prior to the public hearing.**

iii. **<u>For Vacations</u>: Notice of public hearing shall be given, by certified mail with return receipt, at least ten (10) days prior to the date of the public hearing to all property owners within three hundred (300') feet of the boundaries of the area described in the petition.**

d. **Posting on Premises- The Community Development Director or designee shall carry-out the notice requirement (d): Posting on Premises.**
    i. **At least (1) one week prior to the hearing, notice shall be posted on the exterior boundaries of the premises being considered under the application. Such notice is required for the following:**
        1. **Special or Conditional Use Permit**
        2. **Zoning Map Amendment**
        3. **Zoning District Boundary Change**
        4. **Development Agreements (adopted or amended by ordinance)**
        5. **Planned Unit Development Pre & Final Plat**
        6. **Subdivision Pre Plat & Final Plat1**
        7. **Annexation**
        8. **<u>When Two Hundred (200) or more property owners</u> (in lieu of mailed notice)**
            a. **There shall be site posting on all external boundaries of the site.**

e. **Additional Notice- Notice shall also be made available to other papers, radio and television stations serving the planning jurisdiction for use as public service announcement. Such notice may be satisfied by posting on the city's official website or by making notices available at City Hall upon**

request. **The Community Development Director or designee shall carry-out the notice requirements under this subsection (e).**

1. This notice shall be made available prior to recommending a plan, amendment to a plan, or repeal of a plan. Others include:
    a. Special or Conditional Use Permits
    b. Vacations
    c. Annexation

Note: The following Sections of the Development Regulations of the City of Kimberly are hereby amended by deleting/amending the language shown below utilizeing a single-line strikethrough through it. The Sections are 17.15.020 and relating part in 17,15.030. The portions of these sections to be deleted are being removed for clarification purposes in accordance with the amendments added in conjunction with Table 17.17.060.

Chapter 17.15
ANNEXATION REGULATIONS

17.15.020: PUBLIC HEARING; COMMISSION:

A. The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes.

B. At least ~~fifteen (15)~~ **twenty-eight (28)** days prior to the hearing, Notice of time and place, and a description of the proposed zoning changes for the unincorporated area shall be published in the "Twin Falls Times News". Additional notice, **using the same twenty-eight (28) day time frame** shall be provided by first class mail to property owners within the land being considered; three hundred feet (300') of the external boundaries of the land being considered; and any additional area that may be impacted by the proposed change as determined by the zoning administrator. Notice shall be posted on the premises not less than one week prior to the public hearing.

When notice is required to two hundred (200) or more property owners, in lieu of the mail notification, three (3) notices in the "Twin Falls Times News" are sufficient; provided that the third notice appears ten (10) days prior to the public hearing. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the proposal with its recommendations to the council. (Ord. 542, 2007)

17.15.030: PUBLIC HEARING; COUNCIL:

The council, prior to adoption, amendment or repeal of the plan or zoning ordinance, shall conduct at least one public hearing, having provided at least fifteen (15) days prior notice of time and place, and a

description of the proposed zoning changes for the unincorporated area published in the "Twin Falls Times News." The same other remaining notice and hearing procedures as were utilized for the commission public hearing shall also be used for the council hearing, except for the notice period on these notices shall also not be less than fifteen (15) days.

~~The council, prior to adoption, amendment or repeal of the plan or zoning ordinance, shall conduct at least one public hearing using the same notice and hearing procedures as the commission~~.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY KIMBERLY, IDAHO, AS FOLLOWS:

SECTION 1. The above described and shown text amendments are the subject of text amendments to the Kimberly City Code.

SECTION 2. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 3. All City of Kimberly ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after the approval, and publication according to law.

PASSED AND ADOPTED BY THE KIMBERLY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2014.

_____

Tracy Armstrong, Mayor, City of Kimberly

Attest:

_____

Shoshonie Heitmann, City Clerk

Publish: Times News _____ , 2013

Table: 17.17.060: PROCESSES & PROCEDURES FOR PLANNING & ZONING ACTIONS (NOTICING & GOVERNING BODIES WITH CONSIDERATION)

	Commission Action						Council Action							County Commissioners Action (if applicable action land is in the Area of Impact)						
	Newspaper	Political Subdivisions	Property Owners w/in 300'	Posting on Premises	Web site	Commission Recommendation to Council /or Action Final	Appeal of Commission Action	Newspaper	Political Subdivisions	Property Owners w/in 300'	Posting on Premises	Web site	Council Recommendation to County Commissioners /or Action Final	Appeal of Council Action	Newspaper (County carries out notice)	Political Subdivisions (City carries out)	Property Owners w/in 300' (City carries out)	Posting on Premises (City carries out)	Web site (City carries out)	Final Action
Variance Permit	•	•	•		•	Final	yes	•	•	•		•	Final	yes	•	•	•		•	Final
Special Use Permit	•	•	•	•	•	Final	yes	•	•	•	•	•	Final	yes	•	•	•	•	•	Final
Zoning Text Amendment	•	•			•	Recommendation	n/a	•	•			•	Final, but recommendation if AOI	n/a	•	•			•	Final
Zoning Map Amendment	•	•	•*	•	•	Recommendation	n/a	•	•	•*	•	•	Final, but recommendation if AOI	n/a	•	•	•*	•	•	Final
Zoning District Boundary Change	•*	•	•*	•	•	Recommendation	n/a	•*	•	•*	•	•	Final, but recommendation if AOI	n/a	•*	•	•*	•	•	Final
Development/PUD Agreements (noticed with/as part of Sub/PUD Plats)	•	•	•			Recommendation	n/a	•	•	•			Final, but recommendation if AOI	n/a	•	•	•			Final
PUD Pre & Final Plan/Plat	•	•	•	•	•	Recommendation	n/a	•	•	•	•	•	Final, but recommendation if AOI	n/a	•	•	•	•	•	Final
Subdivision Prelim. Plat	•	•	•	•	•	Final, but provide statement of action to Council	n/a	No Council Action						n/a	No Action from Commissioners					
Subdivision Final Plat	No Action from Commissioners, unless substantial difference from what was approved as a preliminary plat. In such case the submitted final plat shall be submitted to the Commission in a preliminary plat process.						n/a	•	•	•	•	•	Final, but recommendation if AOI	n/a	•	•	•	•	•	Final
Combined Subdivision Prelim. & Final Plat	•	•	•	•	•	Recommendation	n/a	•	•	•	•	•	Final, but recommendation if AOI	n/a	•	•	•	•	•	Final
Design Review	•	•	•		•	Final	No Council Action							No Action from Commissioners						
Annexation	•	•	•**	•	•	Recommendation	no	•	•	•**	•	•	Recommendation	n/a	•	•	•**	•	•	Final
Vacation (sub, plat, road, easement)	•****	•	•***	•	•	Recommendation	no	•****	•	•***	•	•	Final, but recommendation if AOI	n/a	•****	•	•***	•	•	Final
Adopt/Amd Comp Plan	•	•			•	Recommendation	no	•	•			•		n/a	•	•			•	Final
Dedications (street, easement)	No Commission Action Required						Council Accepts Street or Bond for it w/o noticing							n/a	Provide Commissioners a statement of the action					

LEGEND:

Note: See 17.17.060 for More Indepth Details.

* 1. When Two hundred (200) or more property owners or resdients, Three (3) Newspaper notices are required (in lieu of mailed notice), so notice of said proposed change and the hearing shall be published in the official newspaper of the city once a week for three (3) consecutive weeks, with at least one of said publications being fifteen (15) days prior to the date set for hearing.

** 2. For Annexation – Three (3) different time-frame Newspaper notices required): When notice is required to two hundred (200) or more property owners, in lieu of the mail notification, three (3) notices in the official newspaper of the city are sufficient; provided that the third notice appears ten(10) days prior to the public hearing.

*** 3. For Vacations: Notice of public hearing shall be given, by certified mail with return receipt, at least ten (10) days prior to the date of the public hearing to all property owners within three hundred (300') feet of the boundaries of the area described in the petition.

**** 4. For Vacations: Notice of a public hearing for a vacation shall be published once a week for two (2) consecutive weeks in the official newspaper of the city, the last of which shall not be less than seven (7) days prior to the date of said hearing.

Only Final Plats of PUDs are considered by the County Commissioners, not PUD Prelim. Plats

Applicant provides 300 ft around property list, printed addressee envelope stickers, and a signed affadavit stating the 300 ft. owners are current/accurate and an addressed sticker provided for each.

For Annexation Public Hearings at the Commission Level, 28 days notice is required. At the Council and County level, the regular 15 days are required for notice.

Notice shall be made availbe for media outlets. Such notice may be satisfied by posting on the city's official website or by making notices available at City Hall upon request.

At least one week prior to hearing, notice shall be posted on the exterior boundaries of the premises being considered under application. If 200 property owners, there should be posting on all external boundaries of the site.

County Commissioners act upon the action, unless the vacation is of a road which had been dedicated to a Highway District.

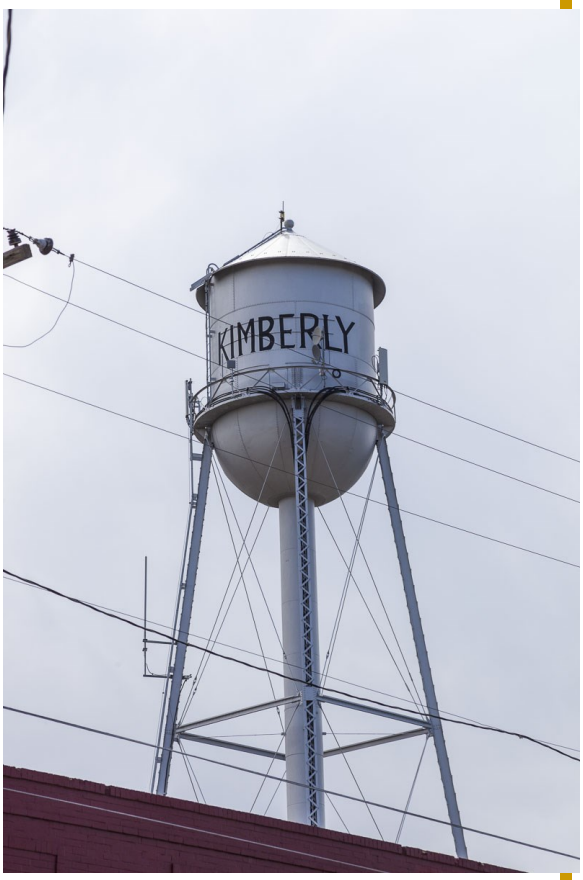
City of

Kimberly, Idaho

Comprehensive Plan

2013

INTRODUCTION



The City of Kimberly, Idaho Comprehensive Plan ("Plan") serves as a guide for discharging objectives, orchestrating decisions, and establishing policies pertaining to Land Use and Community and Economic Development. In utilizing the plan, the essence of maintaining/expanding appropriate amenities and infrastructure becomes ever more evident.

Ultimate resources of Kimberly, besides its people, are its agricultural lands and already in place transportation arteries (Railroad and Interstate 84) – which are suitable for Industrial and Commercial Development as well as for other uses. Maintaining the agricultural lands, until it is agreed upon that they should become commercial, industrial, or other appropriate uses – is of utmost importance. Actions in this plan, including those pertaining to enlargement of Kimberly's area through annexation and Kimberly's area of impact, are incorporated to protect Kimberly lands identified as part of the community so they are not annexed by neighboring cities. Additionally so citizens of Kimberly may realize the benefits from maintaining these areas as part of their community .

Kimberly's high quality of life, outstanding school district, and overall safe, clean, and caring community are crown jewels of the region. Kimberly residents realize this, as do those striving to come. It's important to have self-supporting recreational activities, sustainable cultural and art opportunities, and fun and positive park improvements, as well as other amenities.

To continue Kimberly's vitality and quality of life, the City must grow. The desire is for Kimberly's growth to be planned growth with consideration of land use and city services including sewer and water services, police, public works, community development, and the Library. Also, growth which fits the community, the design, and expectations.

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REFERENCES

The following documents indicating that the "current version is included by reference" are part of the City of Kimberly, Idaho Comprehensive Plan. The remaining documents are not included in this plan, but are referenced for information related to the content of the Plan. For each document, it is intended that the most up-to-date version is or is otherwise available. The City Kimberly will post this plan and these references on its website at www.cityofkimberly.org.

REFERENCES

- ☐ **City of Kimberly Planning Maps:**
  - **2013 - Current City of Kimberly Comprehensive Plan Land Use Map**
  - **2009 - Current City of Kimberly Zoning**
  - **2014 - Proposed City of Kimberly South Area Annexation Map**
  - **2014 - Proposed City of Kimberly Commercial Gateway Parcel Map**
  - **2014 - Proposed City of Kimberly Impact Area Map**
  - **2014 - Proposed City of Kimberly Impact Area Annexation Map**
  - **2014 - Proposed City of Kimberly Comprehensive Plan Land Use Map**
- ☐ **2009 City of Kimberly Transportation Plan (current version is included by reference)**
- ☐ **Idaho Local Mobility Management Network– Network 4B Mobility Plan– 2011 Revision—Coordinated Partnerships, Community Solutions**
- ☐ **Five-Year Strategic Plan for Housing & Community Development Programs—April 1, 2010 through to March 31, 2014**
- ☐ **2012 - Smart Growth America Planning Report**
- ☐ **Twin Falls County Emergency Operations Plan (EOP)**
- ☐ **Kimberly School District The Long Range Planning Document May 2011 – Reviewed June 2012**

STATEMENT OF PURPOSE

The Comprehensive Plan (Plan) will allow the City of Kimberly to implement the proper land use decisions concerning the type and quality of services that will aid in the continued growth and economic development.

The Comprehensive Plan is a document that Kimberly can use to guide local community decision makers through a series of goals and the plans and policies necessary to reach those goals. The Plan will use maps and statements to describe the City's current status and the desired future growth. The Plan further establishes steps to reach future goals. It provides direction for land use regulation and other implementation methodologies.

The Idaho Code requires a comprehensive plan to discuss specific elements. These elements are:

- Population
- Special Sites
- Natural Resources
- Hazardous Areas
- Economic and Community Development
- Housing
- School Facilities
- Land Use
- Public Services
- Public Works
  - Parks & Recreation
  - Transportation
  - Water, Waste Water & Sanitation
- Community Design
- Property Rights
- Implementation

The City of Kimberly Comprehensive Plan is to serve as an effective guide for the development and implementation of methods to reach the goals to secure proper and sustainable growth while ensuring the desired goals of the citizens, business owners and property owners.

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GOALS AND POLICIES

Throughout this document, goals and policies are part of the structure. Goals and policies and how they are used are explained below.

Goals are the explanation of the purpose and ideals of the community with respect to the future growth and management of Kimberly. The Policies are explanations of the course of action Kimberly intends to take in order to meet the goals the citizens and the city leaders actively pursue. Policies will provide for proper and sustainable growth through strategic city planning. The goals and policies in this Plan serve to enhance quality of life and services for the future of Kimberly.

These goals and policies should be reviewed and amended as necessary to comply with an ever-changing planning process to insure an open-ended process that meets the needs of the citizens, the City's business growth and economic development.

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HISTORY OF KIMBERLY

The first train through Kimberly, 7 August 1905.

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The Carey Act of 1901 is credited with commencing the development of more than a million acres of arid land, which eventually became the "Magic Valley". This act, and the encouragement of I.B. Perrine, caused Peter L. Kimberly, Frank H. Buhl and Colonel Stanley Milner to form the Twin Falls Land and Water Company. In 1904 the company opened a land and irrigation project known as the Twin Falls tract. Irrigation water soon became available from the Milner Dam Reservoir. Development of the land followed the construction of irrigation canals.

Shortly after the irrigation tract was developed in 1905, Peter Kimberly died. His partner, James McMillan, took control of the Twin Falls Land and Water Company and the Twin Falls tract. History records James McMillan as Kimberly's Founding Father.

Mr. McMillan saw to it that the town quickly progressed. He personally supervised many of the activities involved in assuring Kimberly's growth. Passenger trains soon began running regular service to the area, bringing needed commerce to build the City of Kimberly.

Kimberly grew like most farming communities. The first and major community organization was the Kimberly Farmers Association, organized June 7, 1905. By 1906 the Main Street consisted of stores, a meat market, a saloon and a bank with two-story false fronts and board sidewalks. The houses were mainly constructed of tarpaper with dirt roofs. People came to town only when absolutely necessary for supplies and to deliver crops and livestock to the railroad. Farmers grew grain, alfalfa, clover, sugar beets, potatoes and fruit.

As private individuals bought and sold the rich irrigated farmland, the town continued to develop. Early population statistics show Kimberly's population to be approximately 400 in 1920 and 963 in 1940. Census figures show the population dropped from 1,347 in 1950 to 1,298 in 1960, which was typical of farm communities during that period of time. The population increased to 1,557 in 1970, 2,307 in 1980, and 2,367 in 1990. It stood at 2,614 in the year 2000. The population was approximately 3,264 in 2*010.*

POPULATION

The City of Kimberly has experienced a slow, consistent increase in the population base over the past twenty-five years. The population base is expected to increase significantly in the next ten years, along with the County of Twin Falls.

GOALS

- ☐ Plan for expected growth to achieve and maintain a stable population
- ☐ Plan for quality, managed growth within Kimberly
- ☐ Encourage housing opportunities for all segments of the population to include multi-family/PUD housing as well as 55+ housing.

POLICY

- ☐ Develop land use criteria based on the physical, social, economic and aesthetic qualities of the community
- ☐ Require development that is compatible with a planned development model as adopted by the City of Kimberly Planning & Zoning Commission
- ☐ Manage future development to promote and attract retail, commercial, and industrial businesses that support the activities of the City and other businesses in Kimberly
- ☐ Promote opportunities and a quality of life to encourage citizens of all ages to remain in Kimberly

POPULATION

POLICY

- Promote high quality development for residential, commercial and light and heavy industrial uses. Development to include the necessary public facilities and services to meet the needs of the development without compromising the City's infrastructure planning.

- Maintain and improve the public facilities for current residents to enjoy the quality of life that they are accustomed to

- Develop and maintain appropriate zoning and management policies in coordination with the wellhead protection program to protect the water quality of existing and future municipal wells within the City and the impact area

- Develop zoning and management policies that fit with Kimberly's growth targets

- Implement and / or maintain appropriate zoning and management policies to protect the air quality and quiet ambiance in the City and Impact Area

SPECIAL SITES

The following special historical sites are unique to Kimberly and the surrounding areas: Big (Shoshone) and Little (Twin) Falls, China Mining Sites, Oregon Trail Historical Site, Stricker Store, Savage/ Nutting House, Larsen/Hodge House, Corner of Main and Center, Gill's Garage, Old Bank and others.

GOAL

- ☐ Preservation and protection of historical sites unique to Kimberly and the surrounding area.

POLICY

- ☐ Promote and preserve historical sites for the benefit of current and future residents
- ☐ Identify any additional sites
- ☐ Consider protection of sites in Ordinances

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NATURAL RESOURCES

The existing natural resources within the City and the surrounding area are water, air, the rim of the Snake River Canyon, quality portneuf loam soil of varying depths and the Goose Creek Mountains (aka the South Hills) beginning approximately 8 miles south of town and the Snake River, which flows in a 400-foot gorge north of town.

GOAL

- ☐ Preserve the natural resources within the City and impact area.
- ☐ Utilize resources effectively

POLICY

- ☐ Protect the quality, availability and quantity of these natural resources by promoting clean industry in the City
- ☐ Promote orderly development to insure the quality, quantity and accessibility of these resources

HAZARDOUS AREAS

Hazardous areas within the City and the impact area include chemical storage sites, dump sites, research areas, evaporation and/ or leach ponds relating to agricultural industry. Other hazardous conditions that exist are: some traffic conditions and attractive nuisances, such as canals, ditches, towers and cellars.

GOALS

- ☐ To protect the public health, safety and general welfare from hazardous areas
- ☐ To control the locations of hazardous sites and areas.

POLICY

- ☐ Develop a plan to minimize hazardous conditions and protect citizens within the City
- ☐ Direct private and commercial property owners to maintain their property to promote safety and reduce hazards of all types
- ☐ Develop traffic controls and sidewalks in identified hazardous areas and maintain sidewalks to control access and insure the safe movement of citizens within Kimberly

ECONOMIC AND COMMUNITY DEVELOPMENT

It is the desire of the citizens of Kimberly to provide proper economic and community planning to maintain and/or improve the economic stability and vitality of Kimberly. This is partially accomplished through the assistance local, regional and state organizations with a focus on economic development. Their careful analysis and evaluation of the information provided by the Idaho Department of Commerce and other organizations will promote sustainable economic development in Kimberly over time.

GOALS

- ☐ Promote and develop new and improved employment opportunities
- ☐ Support retention and expansion efforts of businesses
- ☐ Keep tax rates and city utility service fees competitive to be attractive to new businesses
- ☐ Promote economic growth in the City as opportunities arise that are fitting with its goals and objectives
- ☐ The City should encourage the activities of business organizations that support business growth and drive business revenue

ECONOMIC AND COMMUNITY DEVELOPMENT

POLICY

- ☐ Identify and zone areas for economic growth and development for commercial, light and heavy industrial
- ☐ Develop a plan to monitor and eliminate conflicting land uses
- ☐ Work with economic development organizations to attract and encourage private commercial, light, and heavy industry
- ☐ Organize a Ready Team in order to act when economic development opportunities arise
- ☐ Identify land for annexation and Urban Renewal Areas and implement these activities
- ☐ Develop a plan to promote and encourage local, new and existing businesses in concert with economic development organizations and business organizations that support or are part of the City
- ☐ The City will oversee the efforts of the Kimberly Urban Renewal Agency "KURA" in order to increase the effectiveness of this economic development tool

HOUSING

HOUSING

In 2001 the total housing units have increased to approximately 975. For year-end 2012, there were approximately 1,325 housing units. These consist of single-family dwellings, multi-family dwellings, mobile homes and manufactured homes.

GOALS

- ☐ Promote the development of multi-residential housing in specific locations within the City and impact area
- ☐ Enforce landscaping, fence and sign ordinances to enhance the aesthetics of the City
- ☐ Encourage development of housing that will accommodate all economic groups
- ☐ Ensure that housing is safe through adoption and enforcement of current Building Code and partnership with the Idaho Association of Building Officials
- ☐ Require the installation of curb, gutter, and sidewalk when older properties are updated or when the use of the property changes

POLICY

- ☐ Maintain zoning plans to eliminate spot zoning within the city and impact area
- ☐ Encourage and promote housing development including the development of multi-unit buildings in such a manner as to accommodate the City's desire for controlled growth
- ☐ Enforce codes that protect the public health, safety and welfare

SCHOOL FACILITIES

CURRENT CONDITIONS

The Kimberly School District #414 currently has four schools: Kimberly High School, Kimberly Middle School, Kimberly Elementary School, and Kimberly Intermediate School. The original High School Annex, was built in 1918, and was torn down in 2008 to make way for the Intermediate School.

The L.A. Thomas Building was built in 1942. The Round Building which houses the District Office was built in 1968. The vocational facilities, built in the 1960's, now house the transportation and maintenance departments.

- The new Kimberly High School complex was completed in 2001. In 2009 a new wing was added to the east side.
- The Middle School was completed in 1992 and meets all of the District's current needs. In 2009 new additions were added on to the east and west wings.
- The Elementary School has been built over several years with the last add-on in the early 1980's.
- The Intermediate School was built in 2009.
- A new Ag building was built behind the high school in 2009.
- City asphalted and marked with paint and reflectors a walk path from Oak Street South to the West along Center Street West.
- Boy Scout Troop 42 installed high visibility pedestrian flags at major crosswalks throughout the city.

SCHOOL FACILITIES

GOALS

- ☐ Assist the school district in providing strategic planning for the future to deal with these specific concerns
- ☐ Encourage the School Board and School District to establish one, two, five and ten year plans reflecting the Citizen's wishes
- ☐ Ensure that facilities are safe and have good access, particularly pedestrian access
- ☐ Encourage sufficient utilization of facilities
- ☐ Have the school be the hub for the bike/walk path

POLICY

- ☐ Support and promote school growth and construction of new schools within the close proximity of the existing schools
- ☐ Direct the School Board and School District to establish plans and/or programs to provide public use of school facilities such as public recreation and Citizen Meetings
- ☐ Lead the School Board and School District to develop a plan to upgrade the buildings and grounds to comply with ADA standards of accessibility

CITY OF KIMBERLY

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SCHOOL FACILITIES

FUTURE TRENDS

- Assuming a growth rate of approximately 2%, future trends for the next five years will be to continue to repair and maintain the current buildings.

ISSUES AND CONCERNS

- The immediate concern is to renovate/complete the L.A. Thomas Gymnasium, complete the Sports Complex, and construct the Technology Facility.

- Reconstruction of buildings and designated areas to comply with ADA standards.

- If growth increases more than two percent per year in Twin Falls County and/or the City of Kimberly, programs to deal with such increases will be implemented.

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Overview

LAND USE

LAND USE OVERVIEW

The City has initiated and taken necessary steps to implement strategy to manage future growth. In conjunction, past essential development land use patterns have been built upon. The following are land use types applicable to areas in Kimberly:

1. Agricultural: should include lands that are used for crop cultivation, irrigation, livestock grazing, food and feed production, horse stables and others;
2. Residential: should include single family residential low, medium and high densities in appropriate areas;
3. Public/Quasi-Public land uses: Public lands include parks, city hall, police, fire and EMS facilities, utility facilities, libraries, institutes for higher learning and other public land uses;
4. Mixed used development: May have a combination of land uses: residential and commercial land uses;
5. Commercial: Consider the proper location of retail establishments, such as food markets, restaurants, office, medical and other professional business: Some categories could be neighborhood, general, and highway commercial;
6. Light industrial: Small high-tech business, machine shop, warehouse and other industries;
7. Heavy Industrial: Land uses which create potential hazardous impacts to the community, and
8. Open Space: Conservation areas for wildlife reserve, scenic vistas and recreational uses.

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LAND USE

AGRICULTURAL GENERAL (AG)

The Agricultural General (AG) would include: single-family dwelling units, open space, stables, boarding/riding facilities, accessory structures, irrigated lands and other agricultural related activities. Issues that will be resolved are lot sizes (preservation of older, large lot areas that were established in the county), existing on-site septic tanks, drain fields, as well as managing grandfather/preexisting rights of livestock.

AGRICULTURAL RESIDENTIAL (AR)

Agricultural Residential (AR) – 1 unit per acre; Agricultural Residential land uses are characterized by low densities of single-family housing units. These are sensitive areas due to long-standing familial property ownership where sewer and water is not available within a reasonable investment.

LOW DENSITY RESIDENTIAL (LDR)

Low Density Residential (LDR) – 1.01 - 3.9 units per acre. Low Density Residential land uses are characterized by low densities and single-family housing types. Large apartment buildings or apartment complexes should not be allowed.

MEDIUM DENSITY RESIDENTIAL (MDR)

Medium Density Residential (MDR) – 4 - 9 units per acre. Single family, duplexes would be an allowed use, while three and four units would be allowed if they are compatible with the other densities. Large apartment buildings or apartment complexes should not be allowed.

HIGH DENSITY RESIDENTIAL (HDR)

High Density Residential (HDR) greater than 9 units per acre; - Residential dwelling unit developments comes is all shape, sizes and densities. The City expects creative designs and diverse types of housing units in all its new housing stock.

LAND USE

PUBLIC / QUASI-PUBLIC (PQ)

The Public/Quasi-Public designation describes areas with unique uses and functions. These areas host community services and/or educational, cultural, administrative, and recreational facilities often located within a well -landscaped setting. It should be noted that many Public/Quasi-Public uses are also allowed and are located in other land uses.

Public/Quasi-Public uses can include the following: government buildings, public and private schools, schools/colleges, hospitals, cemeteries, airports, transportation and utility facilities and other compatible public, quasi-public uses.

RESIDENTIAL NEIGHBORHOOD MIXED USE

Residential development in the City of Kimberly should be Innovate in design and placement; Incorporate usable open space; and provide pedestrian and street connectivity

Housing development in residential areas can be developed as:

Manufactured Homes;

Attached and Detached Residences;

Single Family Attached Homes;

Cluster Housing;

Patio Homes;

Townhomes; Duplexes;

Row Houses; Condominiums;

Apartments and other types of Multi-Family Residential Units, such as, group homes, homeless shelters, senior housing, assistance living facilities and others.

In addition, Master Planned Communities and Planned Unit Developments can combine residential development along with commercial development. Special requirements such as development agreements and special area plans may be implemented. These developments will be dependent on the final development agreement, these developments should be designed with the idea and projects that are modern and innovative, following the best planning practices available.

LAND USE

COMMUNITY MIXED USE (CMU)

Community Mixed-Use districts are recommended locations for development of activity centers that are specifically planned to include commercial uses focusing on more communitywide needs and services. These areas are along major transportation corridors.

BUSINESS PARKS MIXED USE (BP)

These areas as business office parks located where many office buildings are grouped together. All of the work that goes on is commercial and business-orientated high-tech industrial.

a. Forty (40) acre minimum sites;

b. Individual development projects in mixed-use areas should follow defined design standards;

c. Create compact development patterns;

d. Open space and; infrastructure and city services are available.

NEIGHBORHOOD COMMERCIAL (NC)

Neighborhood Commercial land uses should have some supporting uses to adjacent neighborhoods, and also have attractive convenient pedestrian connections with adjacent residential areas.

Examples of Neighborhood Commercial include retail and service business establishments, business offices and professional services (administrative, accounting, clerical, insurance and real estate sales offices and similar uses), banks, smaller grocery stores, service stations, mini markets, car washes, drive-through facilities, coffee shops, restaurants, entertainment and related uses; clinics and health care facilities, hotel and motels and small shopping centers. This land use could also be designed to act as a buffer between other more intense non-residential uses.

COMMERCIAL – GATEWAY (CG)

This land use might include a commercial neighborhood district focusing on specialized retail, restaurant, and service retail for surrounding residences, general commercial district and highway commercial focusing on service retail for travelers including restaurant, and office due to the access to transportation corridors, hotel/motel, general office, retail stores and services when in addition to other highway commercial uses, big box stores, Convenience/Gas Station combinations. In addition, standards for signs, screening, landscaping, parking, and access will need to be developed and implemented.

All uses in this use area must have approved landscaping plans. The landscaping shall be designed to enhance the aesthetic qualities of the Gateway area.

HIGHWAY COMMERCIAL(HC)

This land use would be located off of highway interchanges, major arterials and some collectors, based upon design and function, which provide access to major commercial development that accommodates large volumes of traffic (traffic ordinate business). These land uses will be more intense than other commercial land uses, and maybe uses such as Big Box projects, major shopping centers, hospitals, retail, services, drive-in restaurants, office complexes, institutes of higher learning and other destination land uses.

LIGHT INDUSTRIAL (LI)

This district is intended to provide for light non-polluting and major traffic producing industries. All uses must have approved site plans including lighting, parking, infrastructure uses, drainage, and landscaping plans, . The landscaping shall be designed to enhance the aesthetic qualities of the area and provide for quality transition between uses. Light industry is a "manufacturing activity that uses moderate amounts of partially processed materials to produce items of relatively high value per unit weight."

These activities could include the manufacturing of clothes, shoes, furniture, consumer electronics and home appliances.

HEAVY INDUSTRIAL (HI)

Heavy industrial businesses typically mean production of products which are either heavy in weight or in the processes leading to their production. Projects include the construction of large buildings, chemical plants, and production of construction equipment such as cranes and bulldozers.

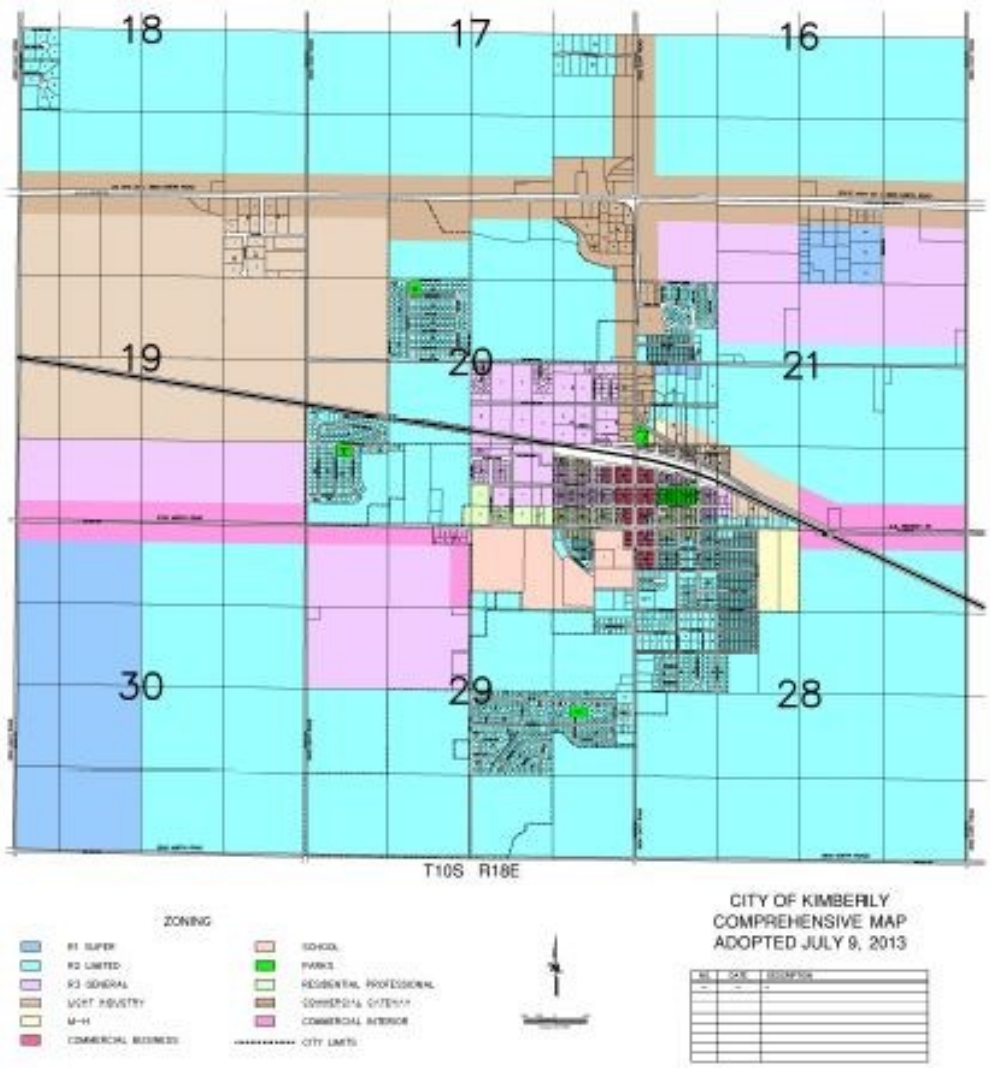
Heavy industry projects can be generalized as more capital intensive, requiring greater or more advanced resources, facilities or management. These uses should be located away from residential development and designed where they will have minimum impact to surrounding land uses.

Heavy industrial land uses have a potential to affect the public health and safety due to sound, odors, vibrations. All business types must be approved by a Special Use Permit through the legislative process. In all cases, standards for screening, landscaping and adequate access should be developed and implemented.

OPEN SPACES (OS)

Open Spaces are lands that are publicly (or privately owned but used by the public). Located throughout the community there are various destinations that are classified as open spaces such as schools, parks, green spaces, and plazas.

Comprehensive Plan Map Current



Attached to the left is the Comprehensive Plan Land Use Map adopted July 9, 2013; the primary intent of this Land Use Map was to establish the Commercial Gateway and annexation areas as well as land use changes and annexation areas just south of Kimberly Road and east of 3300 E. Rd.

The Commercial Gateway zoning as described on page 22, provides for a variety of commercial businesses within the planned area along the Kimberly Road corridor. Landscaping, design review and color palette ordinances will help guide the attractiveness of this business area for years to come..

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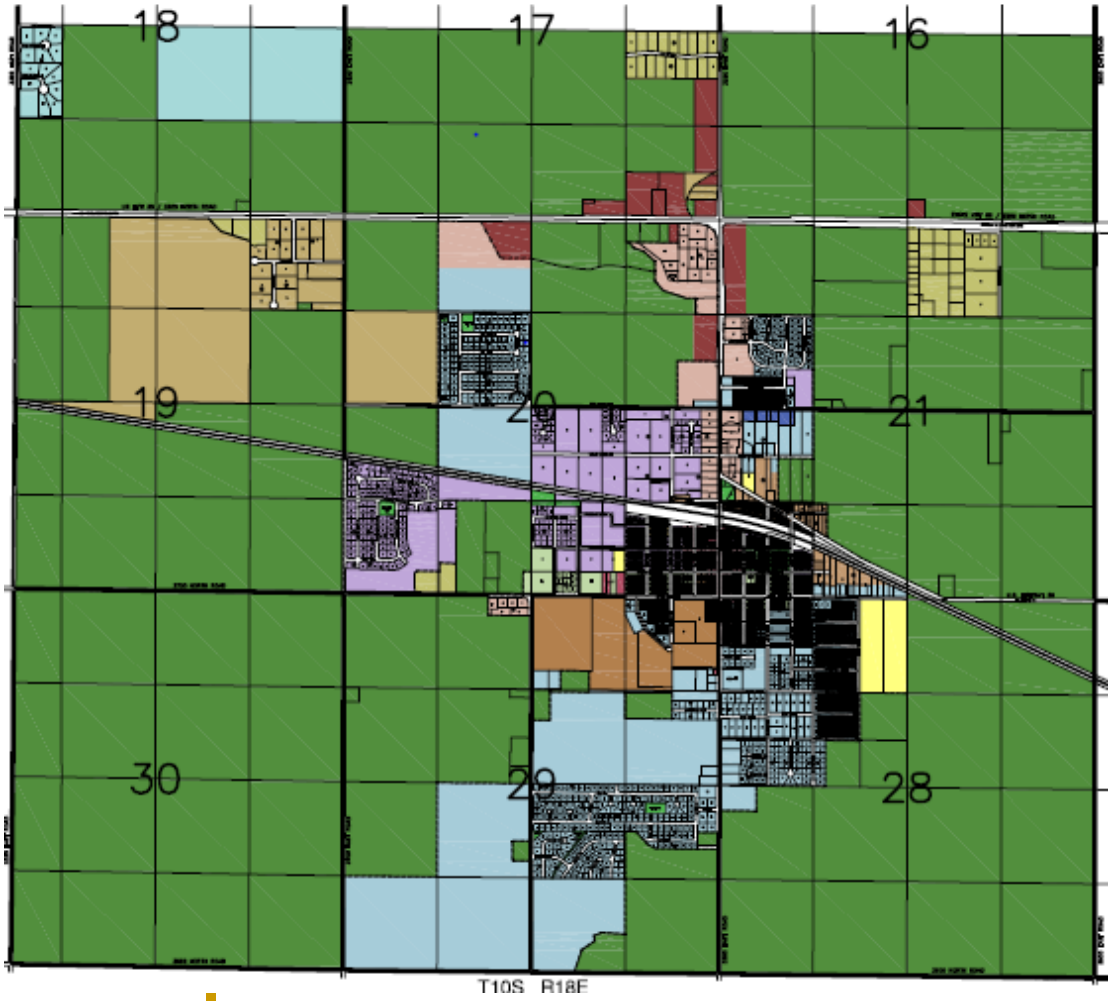
CURRENT ZONING MAP



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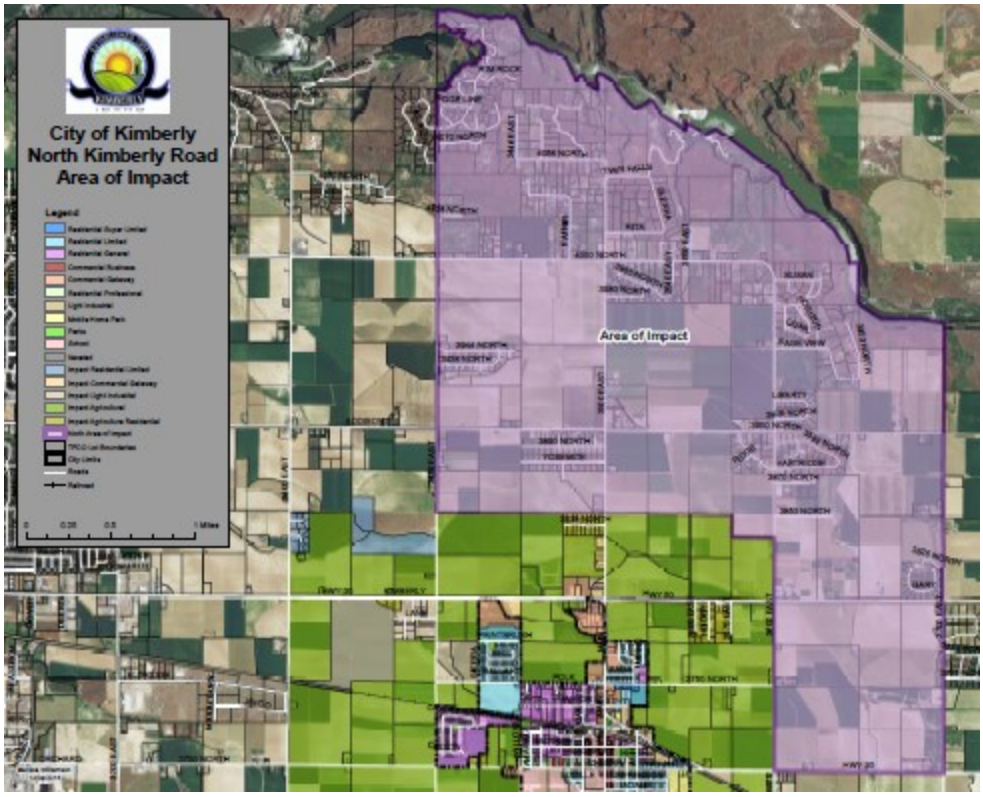
The Zoning Map that accompanies the 2013 Comprehensive Plan reflects present zoning only, and is included to show existing zoning.

PROPOSED AREA OF IMPACT



The Proposed Area of Impact Map shows areas north to the Snake River Canyon and slightly east to the City of Hansen's Area of Impact at 3700 East Road and west toward 3400 East Road. This area was part of the City of Kimberly's Area of Impact for 30 or more years but, it was given back to Twin Falls County approximately 16 years ago because of the perceived inability to provide tax and fee based services.

Strategically, it is necessary to regain this area for better provision of services and protection of our lands through potential annexation.

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ANNEXATION OVERVIEW

ANNEXATION

- ☐ Annexation is a priority for development within the area of Impact—both present and proposed.

- ☐ To be able to offer the tax based services of Highways & Streets, Sidewalks, Park Management, Planning & Zoning, Building Department, Police Protection and the Library, a broader tax base is required.

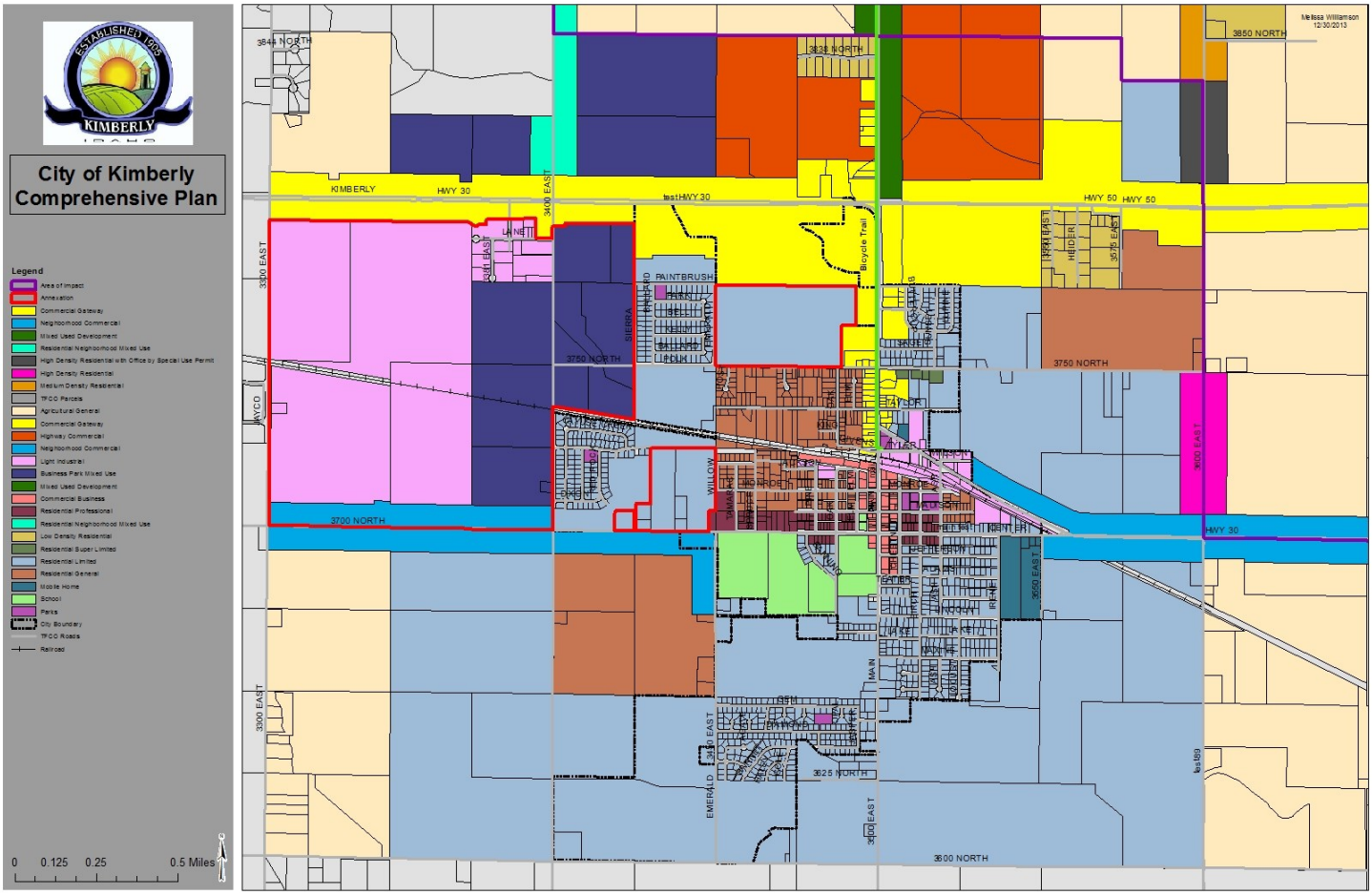
- ☐ In order to add and / or update needed infrastructure in the fee based services of Water, Sewer, and Sanitation, a larger population of residences, commercial operations and industrial sites are crucial.

- ☐ Much of the land that will be annexed is Agricultural. It is intended that the present use and zoning will continue until a time in the future that the land is purchased or used as part of a commercial or industrial development.

- ☐ Other areas presently used as residential will also remain as they presently are without change in the zoning until the land is sold or used for development.

- ☐ The annexation plan for 2014 will add a significant amount of acres to the City limits from the available land within the impact area. This annexation is strategic given interest in the property by developers. Also, to help it remain part of the Kimberly community and not be annexed by neighboring cities.

SOUTH ANNEXATION



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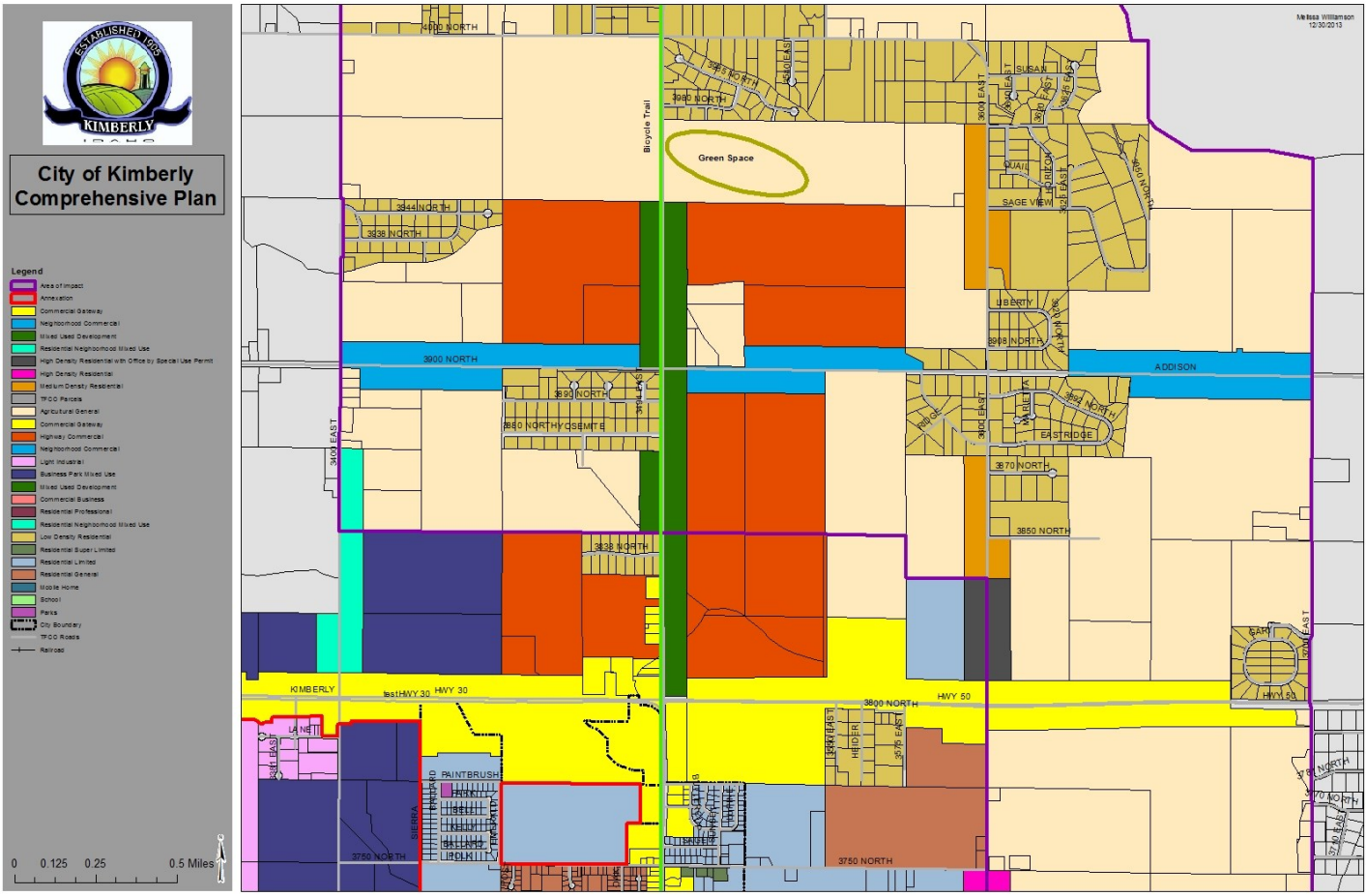
The proposed South Annexation is represented on the above map within the red underlined areas to the south of Kimberly Rd. and to the east of 3300 E. Rd. This area would be focused on mostly Light but, some Heavy Industry along with Commercial and Mix Use areas. It is the intent of the City that all properties being annexed, remain under their present use until such time as development requires a change in use and therefore, a change in zoning. This is particularly true for Agricultural properties. Farm and ranch owners do not wish to lose their ability to enjoy country living. It is the City's intent to provide City services to these more outlying areas.

COMMERCIAL GATEWAY ANNEXATION



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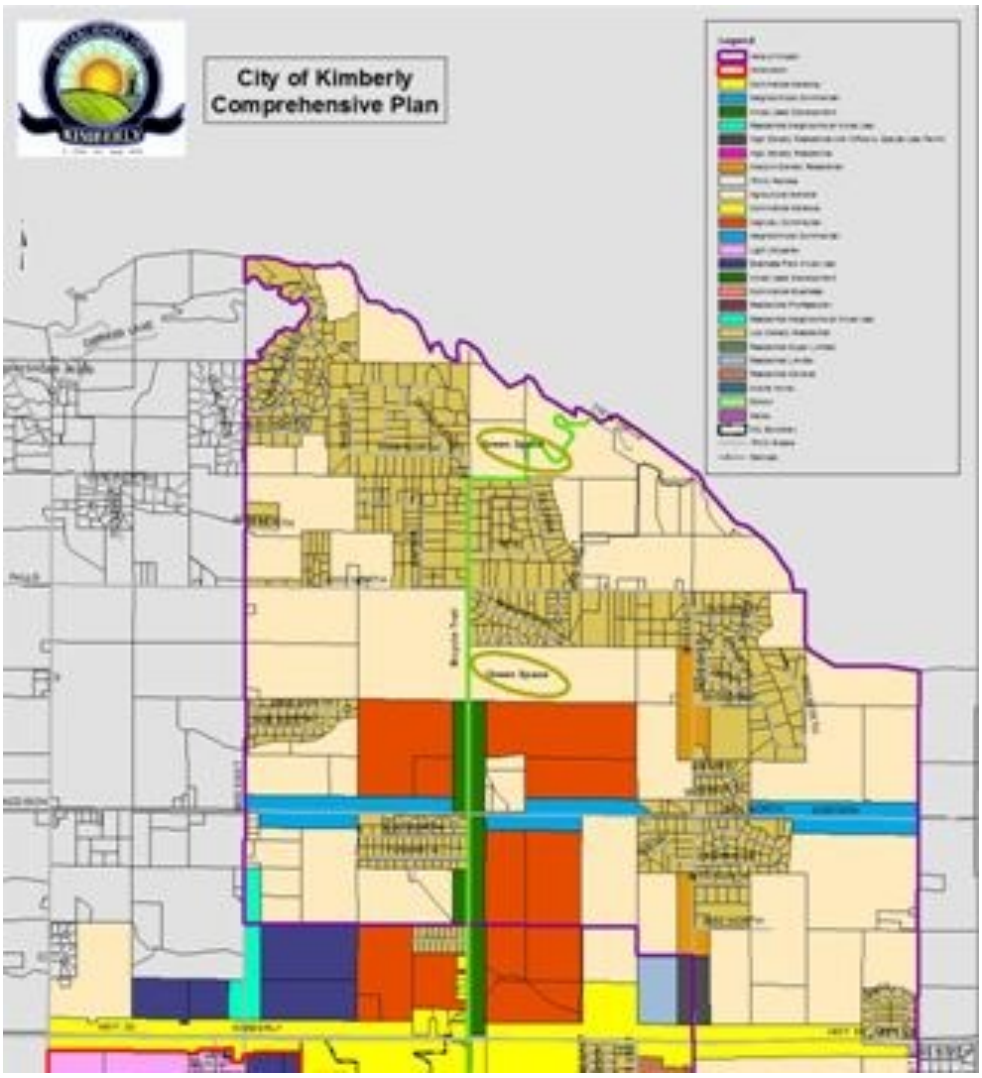
The Commercial Gateway zoning provides for a variety of commercial businesses uses within a high traffic area nearby to the Kimberly Road corridor. Landscaping, design review, and color palette ordinances will make this an attractive business area for years to come. Annexing this property allows the City to assist in management of available land uses of the Gateway properties for planning & zoning, code compliance and building code enforcement, as well as law enforcement and more.

NORTH ANNEXATION



CITY OF KIMBERLY

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Annexation of properties north of Kimberly Road to the Snake River is a significant endeavor, especially as growth from neighboring cities expands outward. The above Comprehensive Plan Land Use Map sheds light on this area.

Annexation to the north protects land use for the City while immediately providing tax based service such as Police protection, Public Works (Street Repair, Park Maintenance, Snow Removal), and Library availability.

PUBLIC SERVICES

LAW ENFORCEMENT

- Provide police services for the City and maintain sufficient law enforcement to meet the needs of the Citizens of Kimberly. The present personnel include one Chief of Police, Patrol Officers, and a School Resource Officer.
    - Protection and public service is provided on a continuous period of twenty-four hours per day.
    - Assist the Quick Response Unit to meet the emergency medical needs of the Citizens of Kimberly.

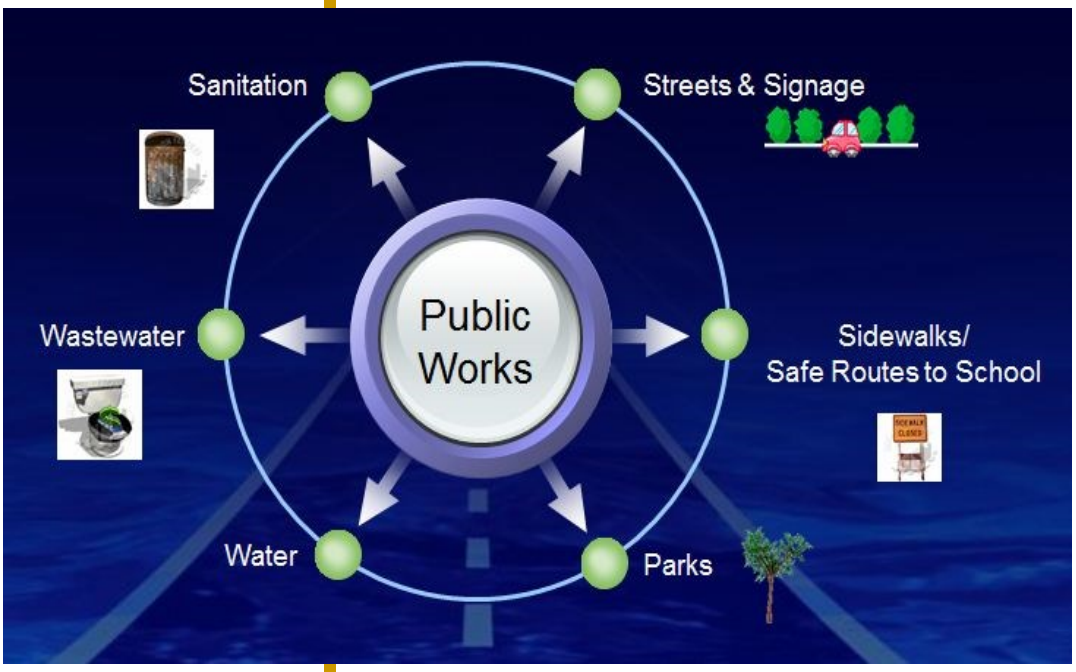
FIRE PROTECTION

- Provide the Citizens of Kimberly with a fire department consistent with the growth of the City and its neighboring communities. The present fire department consists of:
    - The Rock Creek Fire District was formed in 1993 and provides fire protection in the Area of Impact.
    - The District consists of four stations, one in Kimberly, one in Murtaugh, one in Hansen and one south of Hansen at the foothills.
    - The Rock Creek Fire Department provides fire protection within the City limits

LIBRARY

- Provide the Citizens of Kimberly with library and a librarian with a ever-increasing supply of books for all ages. The Library will be open Monday—Saturday for our Citizens convenience.

PUBLIC WORKS



The public facilities and utilities provided by the City and various private enterprises allow economic development to take place. These facilities and utilities also tend to control where development happens. Without access to utilities it may be impractical to develop a given parcel of ground. Therefore, it is important in planning for the future of the city to give proper consideration to where these services are located, how adequate the services are, and how the services may be realistically and economically expanded. Responsibilities for the Public Works Department include:

- ☐ Water
- ☐ Waste Water / Sanitation
- ☐ Transportation
  - ☐ Streets & Signage (Transportation)
  - ☐ Side walks, Walking Paths, Safe Routes to Schools
- ☐ Parks & Recreation

PARKS & RECREATION

CITY OF KIMBERLY

Comprehensive Plan 2013

The City of Kimberly has five existing parks: City Park, Centennial Park, South Meadows Park, Kimberly Meadows Park, and Ballards Park. City Park has picnic tables, tennis courts, a basketball facility, two baseball diamonds, children's outdoor gyms, horseshoe pits, a volleyball pit, a covered patio and a covered band shell. Centennial Park has picnic facilities. South Meadows Park has an outdoor gym, and picnic tables. Kimberly Meadows Park has children's outdoor gym.

The Kimberly Youth Association, with help from the Kimberly School District and the City of Kimberly, has developed a baseball facility located south of the middle school.

GOALS

- ☐ The City would like to implement a recreation district. This would be for children and adults to stay physically active. The City would like to have donated property to build an athletic complex to support activities to include but not limited to football, softball, soccer, a skate park, and baseball fields

- ☐ To put in bike/walk paths throughout the city limits. Have developers add bike/walk paths throughout their new development

POLICY

Require developers to widen roads for bike path in their development. Require developers to put 10' minimum wide walk path meandering through their development, whether residential, commercial or industrial

- ☐ Solicit donations and pursue grants and other assistance to improve facilities

- ☐ Develop a plan for the growth of existing parks and recreation areas, adding new equipment

- ☐ Provide protection for existing parks and future sites

TRANSPORTATION

TRANSPORTATION

Motor vehicle transportation is the primary mode of transportation in and to Kimberly. State Highway 30 is the main highway through town. By way of Highway 50, Interstate 84 is just six miles from the City to the east. Highway 30 is heavily used by beet hauling trucks, transport trucks and recreational vehicles, as well as regular through traffic. Center Street extends east and west as the cross county road, as designated by the Twin Falls County Highway Department.

A Master Transportation Plan was adopted on June 9, 2009 and has since been amended. It is and will be used for guidance for the development of an efficient transportation system to meet existing and future travel needs of the community and the adjacent regions. It will outline a recommended policy and financial plan for how transportation funds need to be spent, and what projects or programs the City and Highway District should focus on to provide transportation services for their citizens. This plan is good through the year 2030. Improvements include roadways, sidewalks, pedestrian trails, bicycle lanes, and other needed improvements. This plan can be viewed at City Hall or on the City's Website: httpww.cityofkimberly.org/. These improvements are outlined in the Capital Improvement Plan which is part of the Transportation Plan.

- ☐ Rail Service in the area is for freight only and is maintained by Eastern Idaho Railroad EIRR. The EIRR runs from Buhl to Minidoka. The primary product being shipped is grain, various food commodities and other goods, both perishable and non-perishable.

- ☐ The nearest air service is Joslin Field (TWF) in Twin Falls This Airport serves as the main airport for both commercial and general aviation for the region. Bus service to TWF is provided by TRANS IV on a demand response basis. Taxi companies based out Twin Falls can also be used to access the airport.

- ☐ Short and Long-haul Truck service is available for freight, overnight express parcel and mail service.

CITY OF KIMBERLY

Comprehensive Plan 2013

TRANSPORTATION

CITY OF KIMBERLY

Comprehensive Plan 2013

GOALS

- ☐ All components of the transportation system should be coordinated with neighboring jurisdictions and comply with state and federal programs.
- ☐ Provide safe, efficient and affordable transportation options to, from and within the city, together with a plan to insure the care and maintenance of existing streets.
- ☐ Provide standards and plans to insure adequate drainage of excess water run off.
- ☐ Provide a plan to eliminate existing and future dead end streets to allow first responders better access in cases of emergency.
- ☐ Develop an arterial system of sidewalks and non-motorized-vehicle paths to promote the safe movement of those using alternate travel methods.
- ☐ Adopt a Traffic Impact Ordinance.
- ☐ Utilize the Railroad and its sidings to promote economic development.
- ☐ Enhance opportunities for pedestrian and bicycle movement.

POLICY

- ☐ For any new development, all developers, where and/or when appropriate, are to provide and bear the cost of construction of new streets, curbs, sidewalks, streetlights, bicycle/walking paths and other improvements to insure orderly development and the safety of the citizens in their travels to, from, and within the City.
- ☐ Improvements for certain of the items indicated above will be in compliance with the Manual for Uniform Traffic Control Devices (MUTCD).

WATER, WASTE WATER & SEWER

GOALS

- ☐ Promote and encourage essential public facilities and utilities of the highest quality at the most economical cost.
    - ☐ Sewer system for Kimberly is contracted through the City of Twin Falls. Kimberly does not have a waste water treatment plant.
    - ☐ Provide maintenance for existing sewer lines.
    - ☐ All new residential, commercial and industrial developments must purchase sewer capacity for their development from the City of Kimberly.
    - ☐ Develop plans for future waste water availability and capacity related to the potential growth in residential, commercial and industrial development.
    - ☐ Explore regional wastewater treatment and disposal options with neighboring communities.
- ☐ Provide sufficient water system for the community that complies with the health and safety standards of the community and the state. The Public Works Department is responsible for street, water and sewer maintenance.
    - ☐ Maintain and service the wells that provide water to the community.
    - ☐ Insure that the water rights of the City are protected.
- ☐ Provide continual efficient solid waste removal with independent contract services.
    - ☐ A contract is maintained for solid waste disposal service.
- ☐ Provide appropriate parcels of land to support the recreation needs of the community in Kimberly's city parks.

COMMUNITY DESIGN

Community design involves the City's physical layout, landscaping, building design and parks. This section will concentrate on the visual aspects of Kimberly, its role in creating visual identity and a pleasant environment within the City.

GOALS

- ☐ Provide an aesthetically pleasing business center on Main and Center Streets as well as Kimberly Road to attract and promote business growth.
- ☐ Beautify and enhance the entrances to Kimberly on Highway 30, Main Street South, and Center Street East and West.
- ☐ Continue to protect the parks and park systems within the City.
- ☐ Operation Facelift significantly improved the "aesthetics" of downtown Kimberly. Additional work by the KBOA or Chamber of Commerce can include signage, awnings, and minor landscaping.
- ☐ To construct and install signage welcoming drivers and pedestrians to Kimberly at the City entrances.

POLICY

- ☐ Develop ordinances that will establish building requirements that will enhance the appearance of the City.
- ☐ Develop landscaping and sign ordinances to better enhance the aesthetic quality of the City.
- ☐ Develop plans and establish, with citizen and business owner input, locations for a City-wide walk/bike path that provides connectivity with neighboring communities' paths.

COMMUNITY DESIGN

POLICY

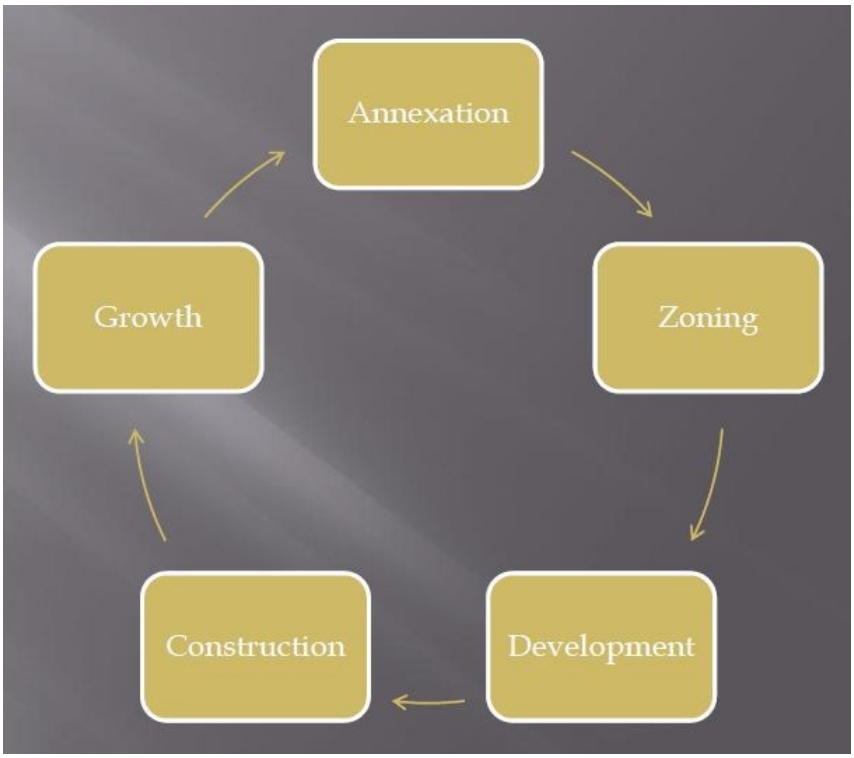
- ☐ Develop the gateway and beautify all entrances to Kimberly.
- ☐ Eliminate spot zones and reduce the number of zones and land use conflicts.
- ☐ Develop additional open space areas within the City and Area of Impact.
- ☐ Develop plans for additional park lands to accommodate the projected increase in use and demand of the park system.
- ☐ Develop plans and ordinances to protect the parks and recreation facilities within the City.
- ☐ Develop a plan and associated map for the walk/bike path throughout the city and all new developments.
- ☐ Develop a plan to require developers to put bike/walk paths in new developments. Such plans shall be approved by the Planning & Zoning Commission and by the City Council.
- ☐ Develop plans and ordinances to protect transportation corridors.

PROPERTY RIGHTS

"No person shall…be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use, without just compensation." – Fifth Amendment of the U.S. Constitution.

The U.S. Constitution and the Idaho State Constitution mandate protection of property rights. Property rights will be considered and protected at every level in evaluating land use decisions within the City of Kimberly.

The Planning and Zoning Commission and the City Council will respect the rights of property owners who desire to put their property to its highest and best use, but will always consider the rights of other property owners and residents to the continued peaceful enjoyment and use of their property, and the long term public interest, in making land use decisions. In making decisions, Kimberly will consider the real costs of development and may control uses that are a detriment or expense to other property owners in the City.



PROPERTY RIGHTS

The Comprehensive Plan and subsequent amendments thereto is updated the date of execution hereof, together with the zoning, subdivision ordinances, overlay map and subsequent amendments thereto, as officially adopted by the City and all national and state uniform codes so adopted, shall apply to the agreed upon area of City impact. Projects within the area of impact may be subject to accessing City services.

Within the area of impact, City ordinances, rules and regulations shall not apply to any parcel of land twenty (20) acres or larger used solely for agricultural purposes.

IMPLEMENTATON

ADOPT AND IMPLEMENT COMPREHENSIVE PLAN

The comprehensive plan will help the City cope with change. Comprehensive planning is necessary in a fast-growing community as it is in areas facing continuing employment and population losses. To better serve the Citizens and Business needs, the City shall adopt and implement the Comprehensive Plan. Citizen and Business Owner input is especially important to the development and implementation of the plan.

The Comprehensive Plan and associated ordinances are not effective unless they are used in conjunction with each other. Therefore, it is necessary that ordinances be developed, adopted and enforced to implement this plan in a responsible, effective and efficient manner.

UPDATE COMPREHENSIVE PLAN

It is occasionally necessary to update the goals and policies of the citizens of Kimberly. As growth continues and additional data emerges, it is important that the comprehensive plan is subject to review and amendment to assure that it will reflect the current values of the City's leaders, Business Owners and Citizens.

ADOPT NEW UPDATED ZONING ORDINANCE

The Idaho Code #67-6511 requires the adoption and amendment of zoning ordinances by local governments. This section further requires that such ordinances must be commensurate with an adopted Comprehensive Plan. The Idaho Code provides for the adoption of the regulations such as building codes and subdivision ordinances to assist in plan implementation.

As changes in the Comprehensive Plan are made, the implementation procedures and ordinances must also be reviewed and updated to insure efficient administration.

IMPLEMENTATON

REFLECT THE GOALS AND POLICIES OF THE CITY OF KIMBERLY

The Comprehensive Plan of the City of Kimberly reflects the goals and the methodology to accomplish those goals of the Citizens Business Owners and Property Owners as a whole. The Comprehensive Plan has been developed with those goals as the primary objective. The Comprehensive Plan, along with the implementing ordinances, is the process by which the City will meet the anticipated needs of the Citizens Business Owners and Property Owners.

PASSED BY THE CITY COUNCIL of the City of Kimberly, Idaho this _____ day of _____, 2013.

APPROVED BY THE MAYOR of the City of Kimberly, Idaho this _____ day of _____, 2013

Attest:

_____

Mayor Tracy Armstrong

CITY OF KIMBERLY

Comprehensive Plan 2013

CITY OF KIMBERLY

RESOLUTION NO. 302

Comprehensive Plan Amendment Update to the 2013 Comprehensive Plan

A RESOLUTION REPEALING THE 2013 CITY OF KIMBERLY, IDAHO COMPREHENSIVE PLANAS AMMENDED AND ADOPTING THE NEW AMENDMENTS AS SHOW IN THE UPDATED COMPREHENSIVE PLAN AND ON THE UPDATED COMPREHENSIVE PLAN LAND USE MAP.

WHEREAS, the Local Land Use Planning Act as enacted by the Idaho Legislature, and codified within the Idaho Code, requires counties and municipalities to update their comprehensive plans; and

WHEREAS, the Kimberly Planning and Zoning Commission undertook a public review of the current City of Kimberly, Idaho Comprehensive Plan; and determined amendment to the plan were warranted; and

Whereas, the Kimberly Planning and Zoning Commission held a duly noticed public hearing on the amendments on January 7, 2014 and recommended approval of the amendments to the Kimberly City Council, and

WHEREAS, a resolution is required for amendment to the comprehensive plan;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF KIMBERLY, IDAHO:

SECTION 1: INCORPORATION INTO THE KIMBERLY, IDAHO COMPREHENSIVE PLAN

That the Kimberly Comprehensive Plan shall show and reflect the changes shown on the City of Kimberly December 2013 City of Kimberly Comprehensive Land Use Map

SECTION 2: ADOPTION OF THE AMENDED 2013 CITY OF KIMBERLY, IDAHO COMPREHENSIVE PLAN

That the Updated City of Kimberly, Idaho Comprehensive Plan be adopted as follows:

See Exhibit "A" and Exhibit "B" and Exhibit "C) as attached hereto and incorporated herein by this reference.

SECTION 3: SEVERABILITY

Should any work, clause, phrase, sentence, paragraph, subsection, or other part of this resolution or any particular application thereof be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution.

SECTION 4: EFFECTIVE DATE

This resolution shall be in full force and effect from and after its passage, approval, and publication according to law.

This Resolution is PASSED AND ADOPTED BY THE KIMBERLY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2014.

_____

TRACY ARMSTRONG, MAYOR, CITY OF KIMBERLY

Attest:

_____

SHOSHONIE HEITMANN, CITY CLERK