

A Meeting of the Meridian City Council was called to order at 6:00 p.m. Tuesday, October 17, 2023, by Mayor Robert Simison.

Members Present: Robert Simison, Brad Hoaglund, Luke Cavener, Jessica Perreault, Liz Strader and John Overton.

Members Absent: Joe Borton.

Others Present: Chris Johnson, Bill Nary, Stacy Hersh, Chris McGilvery, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton
☒ Brad Hoaglund	☒ John Overton
☒ Jessica Perreault	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is October 17th, 2023, at 6:00 p.m. We will begin this afternoon's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next item up is the Pledge of Allegiance. If you would all, please, rise and join us in the pledge.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Mr. Clerk, do we have anybody signed up under community invocation?

Johnson: Mr. Mayor, we do not. It's a very busy season. Everybody I have reached out to was unavailable.

ADOPTION OF AGENDA

Simison: Okay. The next item up is adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: We -- we do have one item to remove this evening. Item No. 3, the -- the 2023 UDC text amendment. Planning has been in discussions with the Fire Department and they have determined at this time that this item can be delayed until Council has more information, you know, and we do have a process for taller buildings in our community that if someone wants to do something right now there is a process to go through that can be taken up, so that's not causing any -- any particular issue at this time. So, I'm going to move adoption of the agenda without Item 3, ZOA-2023-0001.

Overton: Second.

Simison: Have a motion and a second to adopt the agenda as amended. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the agenda is adopted as amended.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, did anyone sign up under Future Meeting Topics?

Johnson: Mr. Mayor, nobody signed up.

RESOLUTIONS [Action Item]

- 1. Resolution No. 23-2418: A resolution establishing the appointment of Andy Arriaga to Seat 3 of the Meridian Solid Waste Advisory Commission; and providing an effective date**

Simison: Okay. Then with that we will move on to Item 1, which is a Resolution No. 23-2418, establishing the appointment of Andy Arriaga to Seat 3 of the Meridian Solid Waste Advisory Commission and providing an effective date. So, Steve Cory and I met together with Andy and we talked about his interest in serving. He -- he originally had applied for some other of our commissions. He's a newer resident to the area and has really just a basic interest in serving our community. That was his primary driving factor. But what really kind of caught my attention in our conversation was his financial background and Chris and Chairman Cory also agreed -- with all the conversations that we are going to be having with Ada county on rates and issues moving forward, we felt like adding his financial abilities to SWAC to help be part of that ongoing conversation, whether it's about the rates that they are charging per ton or any other elements. That it could provide a great benefit to the Commission. So, he's excited to -- to give back and serve. He's not here in the audience. I don't know if he's on -- he's not online either as far as I can tell, but he -- he showed up, he's gotten engaged here in the Treasure Valley in various different ways and this is how he wants to continue to do it and Councilman Strader can understand getting out of that finance sector environment and giving back and that's where he is in his life. So, with that be happy to answer any questions. Or I will take a motion.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we approve Resolution No. 23-2418 appointing Andy Arriaga to Seat 3 of the Meridian Solid Waste Advisory Commission.

Strader: Second.

Simison: Have motion and a second to approve Resolution No. 23-2418. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the resolution is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ACTION ITEMS

2. Public Hearing for Petsche Rezone (H-2023-0039) by Tammy Petsche, located at 1508 N. Meridian Rd.

- A. Request: Rezone of 0.60 acres of land from the C-C zoning district to the O-T zoning district for the purpose of facilitating the remodeling of the existing garage associated with the existing family residence.

Simison: Okay. We will go into our public hearing items, which is Item 2, which is a public hearing for Petsche Rezone, H-2023-0039, and we will open this public hearing for staff -- with staff comments from Stacy.

Hersh: Good evening, Mayor and City Council. The applicant has submitted a rezone. The site consists of 0.60 acres of land, currently zoned C-C, located at 1508 North Meridian Road. History on the property is none. The Comprehensive FLUM designation is Old Town. The purpose of the request for the rezoning is to facilitate the renovation of an existing detached garage while retaining the property's current residential use. Furthermore, rezoning to Old Town would allow the applicant to submit building permit applications for constructing a new building and making structural modifications to the existing building without obtaining a conditional use permit for each proposed improvement on a site. A single family detached dwelling unit is considered a nonconforming use in the C-C zoning district per the UDC. The applicant intends to retain the existing home while renovating the old detached garage situated behind the home. Additionally, the applicant has future plans to potentially construct an accessory dwelling unit or a live-work structure at a later date. Access is provided via North Meridian Road, an arterial street via a fully improved U-shaped driveway. This driveway does not adhere to the ACH district -- ACHD district guidelines for successive driveways in terms of alignment or offset, as it falls short of a minimum of 330 feet separation from any existing or proposed driveway and is not located a minimum of 355 feet away from

the nearest intersection. Since the applicant is not intensifying or changing the use of the property, staff and ACHD are supportive of the driveway configuration remaining for the residential use. Per the UDC, when a property takes access from an arterial street and prior to any new expanded or extended use or development of the property to adjoining properties, the property owner is required to grant cross-access. Further, this requirement may extend to residential properties where the use is anticipated to change to a nonresidential use. As noted above, the property owner intends to expand the site in the future. Since the property abuts several undeveloped properties and there is the potential for further expansion on the property, staff believes cross-access is warranted, but identifying which properties and the exact location for the shared driveways will be determined when an actual development is proposed for the property. This may include closing one or both driveways. Staff recommends that in the event the property intensifies or redevelops in the future, the applicant should provide cross-access to the neighboring properties located to the south, north, east and to eliminate the need for multiple accesses off the arterial roadway within close proximity in accordance with the UDC. The existing home has a driveway off Meridian Road that contains a 20-by-20 parking pad and a two car garage. In reviewing the county assessor's records it appears the home currently has three bedrooms. Therefore, the parking provided on site meets the minimum requirements of the UDC. There is an existing seven foot wide sidewalk on Meridian Road along the existing property frontage that is consistent with ACHD's district policy for arterial roadways. With the exception of the dedicated right of way, therefore additional right of way dedicating totaling 90 -- totaling 96 feet on Meridian Road abutting the site should be required as part of a future application. Also as part of a future development application the applicant should be required to provide a permanent right of way easement to two feet behind the back of sidewalk for any sidewalk placed outside of the dedicated right of way. A landscape buffer is not required for a single family dwelling unit in the Old Town Zoning district. The UDC does not regulate the landscaping on residential lots. However, the existing house is currently set back approximately 30 feet from Meridian Road, leaving several areas in front of the residence that could be landscaped to enhance the streetscaping along Meridian Road. Staff believes the street frontage should be landscaped with a mix of trees, shrub, lawn, hardscapes or a water conserving design in accordance with the UDC. Building elevations consist of stucco, brick and asphalt and roof shingles, as on the existing home. A design review application is not required for single family dwellings. However, when the property redevelops to commercial uses in the future a design review will be required. Commission recommendation for this application was approved. Summary of the Commission public hearing. In favor was Dave Petsche, the owner. In opposition was none. Commenting was none. Written testimony was none. Key issues of discussion were none. Key issues of discussion by Commission were none. Commission changes to staff's recommendation is none. And outstanding issues for City Council are none. Written testimony since the Commission hearing is currently none. And this concludes staff's presentation and I stand for any questions. Thank you.

Simison: Thank you, Stacy. Council, questions for staff? Okay. Is the applicant here? Would you like to come forward and add any additional comments? Just ask you to wait until you get to the mic and state your name and address for the record.

Petsche: Dave Petsche. 1508 North Meridian Road. Yeah. It's a future -- I don't have a plan yet, but I -- I was thinking of doing something in the back portion of the property and doing like a -- a work-live building where I can make an ADU above it and work out of the shop area below. That was my plan down the road. But for now it's just to upgrade the little storage shed thing that's totally rotten roof and I just need to fix it all up, make it look good.

Simison: Well, thank you. And thank you for the correct pronunciation of your name. I appreciate that. Council, any questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't have a question, but I just want to say that this is creative thinking and I think it's cool when people want to bring additional housing units to our community, because they are getting harder and harder to come by. So, thank you for taking the effort to do this. And Old Town is a good -- is a good location for that.

Simison: All right. Thank you very much.

Petsche: Thank you.

Simison: Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we do not.

Simison: Okay. Is there anybody present who would like to provide testimony on this item or -- and if you are online you can use the raise your hand feature on Zoom. And it's only city staff on Zoom, so if there is anybody present in the room -- seeing no one wishing to come forward, does the applicant have any final comments? Okay. No final comments. The applicant waives. Council, what's your direction or desires?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Seeing no more public comments, I move we close the public hearing.

Perreault: Second.

Cavener: Second.

Simison: Have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: After considering all staff, applicant and public testimony, I move we approve File No. H-2023-0039.

Cavener: Second.

Simison: Have a motion and a second to approve Item H-2023-0039. Is there discussion? If not, Clerk will call the roll.

Roll Call: Hoaglund, yea; Borton, absent; Cavener, yea; Perreault, yea; Strader, yea; Overton, yea.

Simison: All ayes. Motion carries and the item is agreed to. Thank you very much and good luck.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

3. Public Hearing for 2023 UDC Text Amendment (ZOA-2023-0001) by City of Meridian Planning Division

- A. Request: Text Amendment to add new text and figure to UDC 11-2B-3A.3 to allow a maximum building height of one hundred (100) feet when a property is located within seven hundred and fifty feet (750') of the I-84 right of way in certain commercial districts.

Simison: Okay. Item 3 was taken off the agenda.

ORDINANCES [Action Item]

- 4. Ordinance 23-2038: An ordinance amending the title of Title 3, Meridian City Code, to be "Licenses and Permits"; amending the title of Title 3, Chapter 1, Meridian City Code, to be "General Licensing and Permitting Provisions"; amending Meridian City Code section 3-1-1, regarding licenses or permits required; adding Meridian City Code Section 3-1-4, regarding notice and effective date of issuance, denial, or revocation of licenses and permits; adding Meridian City Code Section 3-1-5, regarding appeal of denial, conditions, or revocation of licenses and permits; repealing and Replacing Title 3, Chapter 8, Meridian City Code, regarding fireworks; adding a new chapter, Chapter 4, to Title 4, Meridian City Code, regarding burning**

regulations; repealing Chapters 1, 3, and 4 of Title 5, Meridian City Code, formerly regarding fire department, clean air regulations, and fireworks; repealing conflicting ordinances; and providing an effective date.

Simison: So, we will move to Item 4, which is Ordinance No. 23-2038. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mayor. It's an ordinance amending the title of Title 3, Meridian City Code, to be "Licenses and Permits"; amending the title of Title 3, Chapter 1, Meridian City Code, to be "General Licensing and Permitting Provisions"; amending Meridian City Code Section 3-1-1, regarding licenses or permits required; adding Meridian City Code Section 3-1-4, regarding notice and effective date of issuance, denial, or revocation of licenses and permits; adding Meridian City Code Section 3-1-5, regarding appeal of denial, conditions, or revocation of licenses and permits; repealing and Replacing Title 3, Chapter 8, Meridian City Code, regarding fireworks; adding a new chapter, Chapter 4, to Title 4, Meridian City Code, regarding burning regulations; repealing Chapters 1, 3, and 4 of Title 5, Meridian City Code, formerly regarding fire department, clean air regulations, and fireworks; repealing conflicting ordinances; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety? If not, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 23-2038.

Strader: Second.

Simison: Have a motion and a second to approve Ordinance No. 23-2038. Is there any discussion? If not, Clerk will call the roll.

Roll Call: Hoaglund, yea; Borton, absent; Cavener, yea; Perreault, yea; Strader, yea; Overton, yea.

Simison: All ayes. Motion carries and the ordinance is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

EXECUTIVE SESSION

- 5. Per Idaho Code section 74-206(1)(d): To consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code.**

Simison: With that we will move on to Item 5.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we go into Executive Session per Idaho Code Section 74-206(1)(d).

Overton: Second.

Simison: Have a motion and a second to go into Executive Session. Is there any discussion? If not, Clerk will call the roll.

Roll Call: Hoaglund, yea; Borton, absent; Cavener, yea; Perreault, yea; Strader, yea; Overton, yea.

Simison: All ayes. Motion carries. The item is agreed to. We will move into Executive Session.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

EXECUTIVE SESSION: (6:14 p.m. to 6:53 p.m.)

(Hoaglund motion to come out of Executive Session. Affirmative vote.)

(Nothing under "Future Meeting Topics".)

(Hoaglund motioned to adjourn.)

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 6:54 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK