

**CITY OF MERIDIAN  
FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND DECISION & ORDER**



**In the Matter of the Request for Annexation of 0.75-Acre of Land with an R-2 (Low-Density Residential) Zoning District, by Richard Schnebly.**

**Case No(s). H-2020-0115**

**For the City Council Hearing Date of: February 23, 2021 (Findings on March 9, 2021)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of February 23, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of February 23, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of February 23, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of February 23, 2021, incorporated by reference)

**B. Conclusions of Law**

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of February 23, 2021, incorporated by reference. The conditions are concluded to be

reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the City Council's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for annexation and zoning is hereby approved *without* the requirement of a Development Agreement per the Staff Report for the hearing date of February 23, 2021, attached as Exhibit A.

D. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

E. Attached: Staff Report for the hearing date of February 23, 2021

By action of the City Council at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

COUNCIL PRESIDENT TREG BERNT VOTED\_\_\_\_\_

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED\_\_\_\_\_

COUNCIL MEMBER JESSICA PERREAULT VOTED\_\_\_\_\_

COUNCIL MEMBER LUKE CAVENER VOTED\_\_\_\_\_

COUNCIL MEMBER JOE BORTON VOTED\_\_\_\_\_

COUNCIL MEMBER LIZ STRADER VOTED\_\_\_\_\_

MAYOR ROBERT SIMISON VOTED\_\_\_\_\_
(TIE BREAKER)

\_\_\_\_\_  
Mayor Robert Simison

Attest:

\_\_\_\_\_  
Chris Johnson  
City Clerk

Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
City Clerk's Office