

**CITY OF MERIDIAN ORDINANCE NO. 22-1962**

**BY THE CITY COUNCIL:**

**BERNT, BORTON, CAVENER,  
HOAGLUN, PERREAULT, STRADER**

**AN ORDINANCE (H-2021-0044 ELDERBERRY ESTATES REZONE) FOR REZONE OF A PARCEL OF LAND BEING A PORTION OF BLOCKS 3 AND 4 OF THE AMENDED PLAT OF F.A. NOURSE'S THIRD ADDITION AS FILED IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO, IN BOOK 7 OF PLATS AT PAGE 299 LYING IN THE NW ¼ OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO; ESTABLISHING AND DETERMINING THE LAND USE ZONING CLASSIFICATION OF 0.658 ACRES OF LAND FROM C-C (COMMUNITY BUSINESS) ZONING DISTRICT TO O-T (OLD TOWN) ZONING DISTRICT IN THE MERIDIAN CITY CODE; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING FOR A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MERIDIAN, COUNTY OF ADA, STATE OF IDAHO:**

**SECTION 1.** That the following described land as evidenced by attached Legal Description herein incorporated by reference as Exhibit "A" is within the corporate limits of the City of Meridian, Idaho, and that the City of Meridian has received a written request for re-zoning by the owner of said property, to-wit: *Chad Joy*.

**SECTION 2.** That the above-described real property is hereby re-zoned from C-C (Community Business) Zoning District to O-T (Old Town) Zoning District in the Meridian City Code.

**SECTION 3.** That the City has authority pursuant to the laws of the State of Idaho, and the Ordinances of the City of Meridian zone said property.

**SECTION 4.** That the City has complied with all the noticing requirements pursuant to the laws of the State of Idaho, and the Ordinances of the City of Meridian to re-zone said property.

**SECTION 5.** That the City Engineer is hereby directed to alter all use and area maps as well as the official zoning maps, and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance.

**SECTION 6.** All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

**SECTION 7.** This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

**SECTION 8.** The Clerk of the City of Meridian shall, within ten (10) days following the effective date of this ordinance, duly file a certified copy of this ordinance and a map prepared in a draftsman manner, including the lands herein rezoned, with the following officials of the County of Ada, State of Idaho, to-wit: the Recorder, Auditor, Treasurer and Assessor and shall also file simultaneously a certified copy of this ordinance and map with the State Tax Commission of the State of Idaho.

**SECTION 9.** That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

**PASSED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this \_\_\_\_ day of \_\_\_\_\_ 2022.**

**APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this \_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**MAYOR ROBERT E. SIMISON**

**ATTEST:**

\_\_\_\_\_  
**CHRIS JOHNSON, CITY CLERK**

STATE OF IDAHO,       )  
                                  ) ss:  
County of Ada         )

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **ROBERT E. SIMISON** and **CHRIS JOHNSON** known to me to be the Mayor and City Clerk, respectively, of the City of Meridian, Idaho, and who executed the within instrument, and acknowledged to me that the City of Meridian executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

\_\_\_\_\_  
Notary Public for Idaho  
Residing At: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

### **CERTIFICATION OF SUMMARY:**

William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that the summary below is true and complete and upon its publication will provide adequate notice to the public.

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William L. M. Nary, City Attorney

### **SUMMARY OF CITY OF MERIDIAN ORDINANCE NO. 22-1962**

An ordinance (H-2021-0044—Elderberry Estates Rezone) for the rezone of a parcel of land as defined in the map published herewith; establishing and determining the land use zoning classification from C-C (Community Business) Zoning District to O-T (Old Town) Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date. A full text of this ordinance is available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho. This ordinance shall be effective as of the date of publication of this summary. [Publication to include map as set forth in Exhibit A.]