

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, September 27, 2022, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Luke Cavener, Treg Bernt, Jessica Perreault and Brad Hoaglund.

Members Absent: Liz Strader.

Also present: Chris Johnson, Bill Nary, Bill Parsons, Sonya Allen, Brad Purser, Scott Colaianne, Kenny Bowers and Dean Willis.

ROLL-CALL ATTENDANCE

☐ Liz Strader	☒ Joe Borton
☒ Brad Hoaglund	☒ Treg Bernt
☒ Jessica Perreault	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is September 27th, 2022, at 6:01 p.m. We will begin tonight's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next 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: Next item is the community invocation, which will be delivered by Randy Rodes with reSURGE Church. If you would all, please, join us in the community invocation or take this as a moment of silence and reflection.

Rodes: Thank you, Mayor, for this privilege of being here. Lord, we thank you tonight for this meeting. We praise you for your great love for this whole community and, Lord, we pray for wisdom for every decision that is made, that all of those decisions would be made with righteousness, with purity and with the good of this entire community in mind and we know that's the intent of every one of these Council Members. So, we thank you for them, Lord, and we pray your blessing on this time in Jesus' name, amen.

ADOPTION OF AGENDA

Simison: Thank you. Next up is the adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move adoption of the agenda as published.

Borton: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, do we have anyone signed up under public forum?

Johnson: Mr. Mayor, we did not.

ACTION ITEMS

1. Public Hearing for Resolution 22-2343: A Resolution Adopting New and Increasing Fees; Authorizing City Departments to Collect Such Fees; and Providing an Effective Date

Simison: Okay. Then we will move into tonight's Action Items. First up is Item 1, public hearing for Resolution 22-2343 and I will open this public hearing with comments from Mr. Purser.

Purser: Mayor, Council, appreciate letting me be here today. I start off with just want to tell our city clerk and our -- our city attorney thank you for their help in getting this noticed and work on the resolution and everything that's before you that we are -- so we are able to be here today. The changes we are making today are -- are -- are pretty simple when you break them down. They seem like a lot in number. We have 135 total changes. One hundred and twenty-nine of those are really -- are from our Public Works Department. They are water meter fees, water meter replacement type -- type of things. Those fees reflect the cost changes that we are seeing and is simply adjusting our fees to meet the -- the pass through cost going on to whomever may order, you know, the meter, the -- the pipe or -- or whatever it is that -- that they are -- they are seeking to -- to -- to get. Beyond those 129 fees that leaves, you know, six. Two of those are removals. There is a dog removal and we are getting rid of a CD or a DVD -- don't give people CDs or DVDs anymore typically with public works -- public, you know, information requests. So, getting rid of that. And, then, we have four relatively new fees related to animal control,

addressing dogs -- vicious dogs, livestock, and -- and the cat and we have gone through, you know, what's behind charging those fees, but in summation that is really what is in front of you. The vast majority are pass through and, you know, for our addressing animal control items. With that I will answer any questions you may have. Happy to do that.

Simison: Thank you. Council, questions for Brad? All right. Thank you very much. Okay. This is a public hearing. Mr. Clerk, did we have anyone signed up to provide testimony in this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody present that would like to come forward at this time and provide public testimony on this item? And if you are online you can use the raise your hand feature. We just have one staff member, so hopefully -- Mr. Radek is listening, because a lot of these impact their department, but, if not, do I have a motion to close the public hearing?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we close the public hearing for Resolution 22-2343.

Hoaglund: Second the motion.

Simison: I 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.

2. Resolution 22-2343: A Resolution Adopting New and Increasing Fees; Authorizing City Departments to Collect Such Fees; and Providing an Effective Date

Simison: Next up is Item 2, which is Resolution 22-2343.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: You are looking for a motion; correct?

Simison: Yes.

Perreault: I move that we approve Resolution 22-2343, a resolution adopting new and increasing fees, authorizing city departments to collect such fees and providing an effective date.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Resolution 22-2343. Is there any discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, absent.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

3. Public Hearing for Prescott Ridge Residential (H-2022-0058) by Engineering Solutions, LLP, located at 3770 & 4184 S. Linder Rd.

- A. Request: A Development Agreement Modification to the existing Development Agreement (Inst. #2021-132713) for the residential portion of Prescott Ridge Subdivision to update the phasing plan.

Simison: Next item up is Item 3, a public hearing for Prescott Ridge Residential, H-2022-0058. We will open this public hearing with staff comments.

Parsons: Mr. Mayor, Members of the Council, before we get into the land use applications I just want to introduce all of you to our -- our newest associate planner Stacy Hersh. She is not new to our department. She's been with the city for over seven years, but she's been working as an assistant city planner for the last three and a half years. So, we are happy to have her aboard and we are looking forward to her bringing forward high quality projects to you. So, if you don't know Stacy, she's here and -- and we thank you for all that you do and we are happy to have her aboard.

Simison: Thank you, Bill. And welcome, Stacy. Look forward to seeing you on Tuesday nights. With that I will turn this over to Sonya.

Allen: Thank you, Mr. Mayor, Members of the Council. Give me just a moment here. Alrighty. The first land use application before you tonight is a request for a development agreement modification. This site is zoned R-8 and R-15 and is generally located on the east side of North McDermott Road, south of West Chinden Boulevard. This property was annexed in 2021 with the requirement of a development agreement as part of the Prescott Ridge Subdivision. The Comprehensive Plan future land use map designation is medium density residential. The applicant is proposing to modify the existing agreement for the residential portion of the Prescott Ridge Subdivision to update the phasing plan for the development. Since the time of annexation the phasing plan for the

overall development has changed. The northern 15 acre medical campus portion of the site was shown on the phasing plan as phase one in order to create a legal lot to convey to the purchaser of that property. Acquiring the outparcel at the northeast corner of the medical campus enabled the applicant to do a property boundary adjustment to create a legal lot for development purposes to convey to the new owner, so that they can develop their site separately and at their own timing. The proposed modification will remove the medical campus from the phasing plan of the residential development. Other changes to the phasing plan include the following: Phase one was expanded to include the location of the pressurized irrigation pump house. The large green space in the center of the development is now part of Phase 3 instead of Phase 6, which will allow the large park and associated amenities to develop sooner and the updated phasing plan shows larger phases overall to expedite the development process. Phase one still includes construction of the collector -- excuse me -- collector street, Rustic Oak, from Chinden Boulevard to the southern boundary of the property, which is important for emergency access and connectivity. No changes to the text of the development agreement are proposed. Patrick Connor, the applicant's representative, submitted written testimony. He is in agreement with the staff report. Staff is recommending approval of the request. Staff will stand for any questions.

Simison: Thank you, Sonya. Council, any questions for staff? Seeing none, is the applicant here? State your name and address for the record and be recognized for up to 15 minutes if you would like.

Connor: Thank you. My name is Patrick Connor. Address is 701 South Allen Street, Meridian, Idaho. I think Sonya did a great job explaining it. This is a development modification. We are amending the phasing plan. We were able to make the 15 acre hospital portion of it a legal lot and that is now a separate ownership. They are submitting their own CUP and development -- development agreement modification for the phasing plan in their development agreement here in a few weeks, I believe. So, as she said, a lot of the -- the phasing has changed. The phase one got larger to include the pump station and, then, just generally you are making the phases a little bit larger to account for the increased time for review time and construction time. So, it's a pretty straightforward request. I stand for any questions you guys have.

Simison: Thank you. Council, any questions for the applicant? Okay. Appreciate it very much. I will ask if there is anybody that would like to provide public testimony on this item. Again we have nobody in the room and just staff online. So, Kyle, if you would like to provide testimony, please, raise your hand. Seeing no one coming forward or raising their hand, would the applicant to make any final comments? Applicant has waived any final comments. So, Council, do I have any motions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we close the public hearing for Prescott Ridge Residential, H-2022-0058.

Borton: 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.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I will be the motion maker tonight. I'm good with that. I move that we approve application H-2022-0058, a development agreement modification to the existing development agreement for the residential portion of Prescott Ridge Subdivision to update the phasing plan.

Borton: Second.

Simison: I have a motion and a second to approve Item 3, H-2022-0058. Is there discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, absent.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

4. Public Hearing for UDC Text Amendment ZOA-2022-0001 by City of Meridian Planning Division

- A. Request: UDC Text Amendment for a text amendment to amend certain sections and add new code sections to the City's Unified Development Code pertaining to the regulations through Chapters 1-5.

Simison: Next we will move on to Item 4, which is public hearing for UDC Text Amendment ZOA-2022-0001. We will open this public hearing with staff comments from Mr. Parsons.

Parsons: Thank you, Mayor. I will go ahead and get things pulled up here and get into the presentation here. Next item -- Mayor, Members of the Council, next item on your

agenda is the 2022 draft UDC changes. As you all know, we do meet with a UDC focus group throughout the year. We keep track of all our changes and meet with that group, vet all of these changes so that when we come forward to you we have pretty much vetted all the issues out and had consensus from a large body of people that make up that group. This application was heard by the Planning and Zoning Commission at the August 18th hearing in which the P&Z Commission did vote unanimously for the proposed changes and there aren't any changes for you this evening from staff's recommended changes that are before you tonight. On the graphic before you this evening I have highlighted some of the areas that I want to touch base on as far as the overall larger changes to the code. A lot of -- some of these are -- typically we have clean up. When we have code that we hear from our applicants that don't work well or even our citizens and, then, we add new changes to try to mimic what's occurring in the valley or nationwide as trends and add new code changes for you to act on and that's why you have 12 pages of code changes in front of you. Typically that's not our intent, we like -- but as you get a large group together you tend to have broader and broader discussions on a whole host of different code changes and that's what these -- that's what's come about as part of this process. So, I have to say this is probably one of the most rewarding ones that I have worked on so far, because I felt like we were very comprehensive, we thought everything out, made sure that we brought forth something that is enforceable and easily understandable. So, first item -- and, again, I have highlighted the ones that I want to touch base on. If there is anything that the Mayor or Council wants me to discuss tonight I'm happy to do so as well. But, again, these are some of the bigger ones that we talked about. So, in -- in our world -- in planning I think this body is familiar with having -- we get a lot of residential development. It's mostly single family or it's multi-family. There is nothing in between. And what we are starting to see more and more of and what we have realized is that in our code we have a -- a gap, if you will. We have what we call home occupations and we have vertically integrated. So, we have -- we allow for people to operate businesses out of their home and we allow people to build mixed-use buildings. We have commercial on the first floor and residential above, but we had nothing in between. So, we were having people that came -- come forward with some applications and they kind of skirted in between both of those uses and we are like we don't quite have that defined very well. So, how do we want to bridge that gap? And so we came up with the strategy of having a tiered approach to our mixed-use building. So, you are going to have your home occupations, which is your single family home with 200 square feet of your house and your living and you are -- you are -- you are classified as a single family home. Then you are going to have this live-work building, which is up to 3,000 square feet, with the bottom being commercial and residential above and, then, you are going to have vertically integrated, which is that third and highest tier, which is your larger mixed-use buildings, like you are seeing under construction in downtown today. We felt that was a good approach to go and -- and have that tiered approach, like we do with a lot of our other residential developments. So, again, we canvassed the country and looking at different cities' codes and coordinated with our building department on these standards and so we feel like we have it nailed down pretty well on what home occ is, what live-work will be and what vertically integrated will be moving forward.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Are we asking questions after each section or are we waiting until the end?

Parsons: It's up to you how fluid you want to keep the conversation. If you want to wait until the end and, then, go back we can do that and just get through the presentation or we can have an open dialogue as I present. Whatever your --

Simison: Ask as we go.

Perreault: I'm sorry?

Simison: Ask as we go.

Perreault: Okay. That would be my preference. May I ask a question?

Parsons: Sure.

Perreault: Thank you. Thank you, Bill. So, two -- two quick questions. Where did the 1,500 square foot max on the residential area come from? Is that commonly accepted in other areas of the country? Is -- if you could share where that size came from and, then, this doesn't specifically state the intention is that they would be two story and residential would be on one floor and commercial would be -- or nonresidential would be on another floor. It doesn't say it has to be two stories. But you had just mentioned one would be up and one would be down. So, can it be a single level and still meet this criteria?

Parsons: Mayor, Members of the Council, good -- very good question. So, part one of your question where did the standards come from. They came from the -- the International Building Code that we have adopted. So, I worked with our building official and this is how they define it and we felt that was an appropriate purpose of that. To your second question, there is no two-story requirement that I recall. Well, let's -- let's wait until we get to the specific use standards and see if we have that criteria, but I'm not sure if it's in there or not, so we will put a pin in that and, then, we will come back to it as we get down to those specific use standards. This right now is just focusing on the definition and how it interacts with the -- the various zoning districts. So, you can see here we have had to amend the schedule of use tables and all the different zones. So, here we are adding it to the commercial zone or residential zoning districts, allowing it in some of the commercial districts as a principally permitted use or conditional use. Obviously, we don't want them in industrial uses, because they are not a compatible use and, then, we are also allowing it in our traditional neighborhood districts. So, for -- in this example if they were to go in the Old Town zone, any of these zones here under the traditional neighborhood they would have to be two story minimum per the code. So, there may be cases. But, typically, yes, we do see them as two story. Here is one that Caleb presented at the Planning and Zoning Commission, so I don't know if the Mayor or City Council is aware, but ACHD is in the process of, essentially, getting rid of bike lanes on collector and arterial roadways in lieu of having ten foot sidewalks along those roadways. So, we are

getting people off the travel lanes and having wider sidewalks essentially. So, we are trying to get ahead of the curve, so to speak, and, then, add that to our code and make it codified, so we can support whatever changes they have forthcoming for their -- their commission.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mayor, Bill, on that -- to that point, when we have setbacks of say 25 feet or whatever is required, depending on the street and, then, there is a ten foot sidewalk, does that go into that or -- because I thought we went from sidewalk to frontage. How does that work?

Parsons: Mayor, Council, it -- it depends. So, if it's a -- sometimes when they widen the road they may not have enough right of way and they have to attach the pathway. So, in that particular case the buffer would be measured from the back of the pathway. If it's a detached pathway, then, it can be included as part of the buffer width and, then, it would be measured from the curb or ultimate right of way location as anticipated by ACHD.

Hoaglund: Okay. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Yes. Maybe just sticking with the -- with the pathway bike lanes. Bill, I know in Planning and Zoning there was a little bit of a discussion about, you know, electric scooters and, you know, that's a topic this Council has discussed at length before. I just want to make sure that I'm -- I'm correct in -- in how our code is set up, which is if you are -- if you are going to go under 20 miles an hour or if you are -- if it's -- yeah. If it's under 20 miles an hour we want them on the pathway. If it's over 20 miles an hour we want them on the road. Am I remembering that correctly? I know that this came up at P&Z and there was going to be some discussion I think between the P&Z meeting and tonight. I just want to make sure that I'm correctly understanding what is the appropriate use of these electric scooters.

Parsons: Yeah. Mayor, Members of the Council, I know -- I remember that discussion. I watched the YouTube video as well. I don't -- I think it's -- I don't know if it's something in our code or if it's ACHD's code, but I know Caleb was going to look into that and get back to everyone. So, I don't -- I don't have any definite answer for you this evening on that specific topic.

Simison: I don't know if Mr. Nary -- I thought that that was only related to when we were doing the -- when we had the program moving forward. I don't know if that was something

that we would put in actual other language someplace else. I don't know if you know or -- or the captain knows.

Nary: I -- I believe you are correct and maybe Captain Colaianni knows. But I think that was the conversation we were having when we were talking about scooters as a business opportunity in Meridian. I don't think we have codified that anywhere else that I'm aware of.

Cavener: Mr. Mayor, I have got just one additional question in this section if it's -- now is an appropriate time.

Simison: Yep, go ahead, Councilman Cavener.

Cavener: Thank you. So, Bill, help me with this. The -- the first one right out of the gate, revising the definitions of adult entertainment. So, I think I'm understanding what staff is wanting to achieve, which is to provide better clarity in the language. Here I guess is the crux for me is I don't want to support any of this type of industry in Meridian and I worry about us creating new definitions if we are creating a wider scope of which a business would be able to open in Meridian and so help me understand the purpose of this and if -- if -- if the Council Members' overall goal is to prevent these types of businesses from being in our community, what's the appropriate steps for us to take?

Nary: Mr. Mayor, I didn't know if it was Bill you were asking, but I can answer that one.

Cavener: Sure.

Nary: We cannot prohibit this type of business in the community. So, they are allowed, but you can decide where they go, and that's basically what the UDC does. It determines where a business of this type could go and so they are only in, essentially, industrial types of -- of areas. So, they aren't going to be in a residential neighborhood. But we -- we cannot -- we cannot prohibit them entirely. There is -- there is actual case law on that subject matter. So, that's -- this is just trying to align with what the state already defines as adult entertainment and -- and Council Member Perreault asked about alcohol service and the state also defines what alcohol service -- can it be done at an adult entertainment, which is why for a period of time you saw some of these places where they didn't serve alcohol, they served alcohol next door. So, people would go back and forth between the two businesses, because they couldn't serve alcohol in the place where the -- this -- this activity was occurring, so -- so, to answer your question, no, we can't prohibit them. This is just aligning with what the state code already defines as what an adult entertainment business is and we were just trying to eliminate conflict.

Cavener: Okay. Thanks, Bill. And Bill.

Parsons: So, water right -- water conserving design standards. I think this body's heard a lot at -- during the public testimony about water conservation. I know it's big -- it's a big topic. Mayor had actually brought that up in the state of the city address this year as well

and so we are trying to incentivize that a little bit more, encourage applicants to look at doing that and if you do that, then, you get a -- get a reduction in some of the requirements as far as the required planting materials and the width of the buffer is how we are going to incentivize that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Bill. Can you go into a little bit more detail about what the -- you know, how the applicant would be benefited by doing the water conservation versus not?

Parsons: Yeah. Mayor, Members of the Council, think about the -- the one thing that -- even with the recent updates to our open space standards we even require them to do less turf as part of those buffers along the street. We want people to do attractive enhanced buffers. We want people to have clear defined landscaping. It needs to be integrated in part of the overall design and so the intent here is if you don't have to water you don't have to -- I don't know how many of you drive by a subdivision and you see sprinklers over spraying the sidewalks and going all over the street and they are not really hitting a hundred percent on landscape and other jurisdictions code enforcement would cite you for that, because you are wasting water. We don't have that regulation here. So, by you doing something that's water wise and eliminating the turf, you can actually do a drip system, which uses a lot less water to -- for those plants and you put in more drought tolerant plants, so that you have to water less. That's the benefit. And you get more boulders and rocks and those types of things like you see in -- in the southwest. Here is -- here is one of all of our favorite topics, multi-family parking. I think all of you keep hearing about that, too. And I can tell you we have made a lot of strides and a lot of changes over the last couple of years to try to address some of those concerns and you still continue to hear those today. So, I have two options for you. So, when we were at Planning and Zoning I had -- and this was quite the topic of discussion with the focus group, too. What is that perfect balance of parking for multi-family? And so based on those discussions I went ahead and went back, we looked at -- staff went back and looked at the parking standards. You know, we don't -- if three bedroom -- and a lot of times we hear concerns with the three bedroom units, because we always have presumed there is going to be three roommates living together, so you are going to have three cars. So, on first blush was, you know what, all right, let's just make three and four bedroom units three parking and the group was fine with that, but we also discussed potentially just having a flat rate like two per regardless of the bedroom count and so usually I was anticipating Council Woman Strader to be here to ask me what does that ratio play out to be. So, I did crunch some numbers for you to give you -- so, if we went through the two per unit option you would -- and I'm -- I analyzed it against a 300 unit apartment complex. So, it's -- it's -- I made up a development application and I gave 300 units at two per unit. It came up with easy math, 600 parking stalls. Half of those had to be covered and, then, one per ten dwelling units for the guest spaces, so you have a total of 630 parking stalls on that two per unit ratio. Now, on this plan that I have here, I gave -- I assigned 50 studio apartments, 125 one bedroom, 150 two bedroom and 25 three bedroom and I calculated

that for you and I added the guest parking, it came in at 641. So, you netted 11 more parking stalls with this proposal versus having an easy math of two per unit. Covered parking was actually less, 281 covered versus 300 with the two per. So, it's -- it's pretty much the same ratio however you spin it. So, our recommendation tonight, either you want the two per or are you satisfied with what we have proposed in -- in this exhibit tonight. So -- and we can have that discussion now or afterwards as well. Just curious as to what you guys think about that. And this kind of coincides with the next one, too, which is vertically integrated. We kind of bumped up those standards a little bit. We were a little light on some of those -- those standards. It was one -- one per dwelling and, then, we assessed a different parking ratio for the commercial portion of the -- the project.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. So, Bill, if I'm understanding you correctly, the first figure you gave, 630, is two spaces per unit, plus guest parking --

Parsons: That's --

Perreault: The second figure you gave is using this chart here; is that correct?

Parsons: That's correct.

Perreault: So, we currently have a requirement of three parking spaces per dwelling unit in the three and four bedroom apartments in multi-family, is that what I'm reading?

Parsons: No. Mayor, Members of the Council, we currently have for four plus bedrooms it's three. For two and three bedrooms it's two per.

Perreault: So, moving the three bedrooms to the four -- okay.

Parsons: Three and four units. Correct.

Perreault: In your conversations with many of the builders that are on the UDC committee, did they have concerns about the two covered parking spaces or garages with a three bedroom -- with actually accomplishing that?

Parsons: Mayor, Members of the Council, there was no -- there was really no discussion around the amount of covered parking. It really came down to the parking ratios and what is that right mix and so, you know, we talked about the increase in rents -- I think you have all heard of it. Increased rents means you need more roommates, more people living in apartments, which it kind of makes the problem worse and so, obviously, we can't fix everything, but this is our attempt to try to at least require a little bit more. Now, with that caveat you will look at note number five there, what we are doing -- no longer doing is we are not requiring commercial parking standards for the clubhouse if it's built in conjunction

with the multi-family. A lot of the discussion came around we -- the group felt we solved the problem by adding the guest parking, because by doing that in this -- in this particular instance, the one I just read to you, you get 30 more parking stalls. So, therefore, you have created overflow parking essentially for -- for guests in that -- or even if someone has parties or events in the complex you have provided that additional parking. That's why they felt the ratio was right.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, say along those lines that the apartment complex decided to label all of the spaces as guest spaces and the residents couldn't use them, they had to be left as visitor spaces. If -- you know, let's say you have -- in -- in your scenario there was 125 one bedrooms and let's say half of those have a couple in them that each have vehicles, but they only have one or one and a half spaces. Why not just require the three and four bedroom units to only have one covered space and, then, there is a lot more open spaces for other units who have additional residents? Was there any conversation -- I guess my concern is just -- like it's really hard to get two carports or garages into a complex, so it may discourage developers from doing as many three bedroom units and we don't want to do that, because a lot more people are living in apartments as long-term solutions to their housing. So, I'm wondering -- that's why I was asking that question, because it creates less flexible parking in the complex as a whole and -- and that may -- may or may not solve the issue.

Parsons: Mayor, Council, I -- I think you bring up a valid point. We didn't really talk about that, but certainly it's within your purview to change that to one per if you want it to be consistent with other code or leave it two per the way it's written, so -- so, it sounds like my math is off a little bit, because I probably should have required two -- a little bit more covered parking. So, it -- I would -- I thought it was one across the board. So, my apologies. It is two for three bedroom units. So, it's probably -- it is slightly higher covered parking, too, with this ratio than the two per. With the standards that the -- the Option B that I have it's two per with one -- one being covered. So, it is the same across the board.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I -- I would be inclined to say let's just leave it at one covered carport space or garage even for the three and four bedrooms, just so the -- you know, a lot -- a lot more complexes are requiring people to use the garage for parking and not storage. You are more likely to have somebody that tries to use that garage for storage if they are in a larger unit, because they have more stuff usually. Yeah. I just -- I don't know. I guess I have concerns about the developers actually being able to provide two covered carports, which takes up a lot more physical space than an open parking space and, then, additional garages, which will take up more space and -- and maybe make some of the

properties smaller in-fill type of properties less flexible, because they are going to have to add that extra -- those extra structures. Just a thought.

Parsons: We will move on to the streets. Or any other comments?

Simison: Councilman Hoaglund.

Hoaglund: Yeah, I just -- I want to make sure, Bill, I understand the clarification that clubhouses are not subject to commercial parking standards. So, we are treating them that they are not a standalone, so they don't have to meet commercial deals. But is that where they can put the guest spaces, one per ten dwelling units, they can put them there? So, there might not be any on-street parking in front of those types of things? But that number, then, can translate over to that clubhouse or fitness center or whatever it is? So, I was just trying to mentally go through, because I know in some places -- and is this only for multi-family development or is it for any residential development?

Parsons: This is for multi-family. You can see there there is a five here -- underlined five here that points you to that note. So, it's for multi-family.

Hoaglund: Okay, Mr. Mayor. Yeah. I -- I think that will work. It's -- it's one of those things you try to think it through and go, okay, what -- are there unintended consequences here by doing that. But I think the -- the number is still the number, it just might be in a different location.

Parsons: And -- and keep in mind a lot of the -- a lot of the multi-family developments require a conditional use permit. So, we -- we have those conversations when we meet with applicants during the pre-application meeting process. We let them know you better have some -- some healthy parking numbers. We are proud of parking here and we want you to include that on your site plan. Don't come in with the bare minimum, because it usually doesn't go well. So, the next topic that I wanted to share with you was private streets. I know we have had a handful of those and we have had some public comment on private streets as well if you have had a chance to look at the public record from one of the applicants and so if you recall we had that Skybreak project in front of you a few years back and we realized we had an issue with the private streets, that it could only be in zones that did not require street frontage. R-5, R-40 zones to be specific. And so that's something that was on my list -- put on my list after that hearing and so this is that attempt to say that you can take advantage of that in the other districts. I know one of the comments, looking at the public record from Mike Wardle, specified as saying R-2, R-4, but if you look at the definition section of our code for residential districts it calls out R-2 all the way to R-40. So, we -- we have it covered here. So, this would open it up for others to apply for private streets in the other districts if they chose to. Now, keep in mind we are not changing the applicability -- or at least the purpose statement of the code. Really, the intent of the private streets is not to get you out of doing public streets, it's -- it's limited circumstances. We -- the city really would prefer to have public streets over private streets. But the option is there if they choose to.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: That's been something we have wrestled with, though, and -- and I mean it's something that if we want to discourage and -- why do we want to allow it in code? Developer is going to apply. You can't say no. It gets all the way to Council and that seems very late in the game for us to come in. The dimensions are different. Very late in the game for us to comment and say no private streets. Why wouldn't we, for clarity purposes, continue to prohibit it in certain districts?

Parsons: We can. That -- that's your prerogative. But what we have -- at least from the focus group they felt that that satisfied the requirement. They are more concerned with it and they were concerned with this next section here about the number of dwelling units that could be served. Again, they felt 50 was -- you wouldn't -- if you only did 50 homes you wouldn't have enough homeowners to have adequate cost to maintain the private roads. So, a hundred was that threshold number. So, that's why we went ahead and -- and changed some of that based on some of that feedback we had. Again, if Council doesn't feel it's appropriate, we certainly don't have to implement the change, but the rationale was based on what we have heard from -- feedback from the UDC focus group, and -- and their experience with doing gated communities, they felt that it should be allowed in other districts, because why wouldn't you want estate lots -- larger lots with gated communities. You see that pretty typically and this kind of forces -- in their opinion it forced somebody to up zone a property that -- in order to get what they wanted. So, we are trying to eliminate some of that confusion for -- for not only the applicants, but also for residents that come to the hearing. R-15, it's multi-family. No. It's R-15 because they want gated street -- private streets. That's kind of the purpose -- the -- the logic behind it.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Somewhat we got into that issue actually on that last one. They pick a zone for the streets. So, is there a reason -- is there -- over on the topic -- any value in having a minimum number of lots in order to utilize private streets or is that an issue -- the problem doesn't come up? Because that's the concern; right? If it is too small, actually, we know the costs that are coming down the road for those folks -- will be mad and come to the city in 17 years when the private streets fall apart, so -- anyway --

Parsons: No harm. No foul. But, yes, we don't typically -- again, I don't know if someone would do that if there was a minimum.

Borton: Yeah. Okay.

Perreault: Mr. Mayor?

Parsons: There are -- there are some smaller gated communities, but they are -- like you said, they are bigger homes on lots that were -- probably they can afford to keep up and maintain the -- the roads.

Borton: Okay.

Simison: Council Woman Perreault.

Perreault: Thank you. Along those same lines, it seems to me every time we have a conversation about allowing for public streets we have a conversation about parking on the streets and fire. So, I'm wondering if the fire department shared any thoughts with you on -- on that. I agree. I don't want to increase the -- or encourage the use of public streets and because we always seem to go back to these two issues. Fire trucks getting in there and parking. So, it -- has -- was there any consideration made -- of course, you know, the development and building community probably isn't going to want this limitation, but was there any consideration made of limiting the height of the units along the private streets in -- in a, you know, a PUD where only private streets exist? So, they can only be single story, because now we don't need to put a -- take a ladder truck in there to -- you know, if we have a fire issue or something along those lines.

Parsons: So, Mayor, Members of the Council, Chief Bongiorno was part of the focus group. He did chime in and gave me comments on this. He's looked at all these and signed off on it. So, if you look there it -- the code requires them to get fire department sign off. So, they are going to -- he is going to make sure that he can adequately get in there and access that and make sure that it meets code and that's -- he's always part of those reviews and he's always quick to respond to applicants and let them know what they need, so -- these are minimums. As you know, the minimum width of a private street is 24 feet, but, again, the fire marshal has discretion to require more and we can as well. The director can require more, too. Specifically if someone wants to design it for on-street parking, then, we are going to get a wider street with parking on one side and, then, we are going to have them sign the other side no parking, so we know we can get emergency personnel in there. And currently the way the code reads now you can only have up to 30 homes on a single access and we are saying you can have up to 50 on one gate. So, that's -- that right there is a -- is a violation of the fire code and that's why we are trying to clean up this section of code, let them go up to a hundred and provide two accesses and two gates. I can tell you part of the -- and, then, again, you can see here the cul-de-sac length isn't consistent with code, so we changed that. And, again, Chief Bongiorno was all part of that and gave comments. So, his comments have been taken into account and added to this section. If you had a chance to look at Mr. Wardle's comments, he said the same thing about allowing more homes there and -- and I have had very frank conversations with the development community that at some point we want to look at our PUD standards and, really, that's why we added that language change where it said a greater number of dwellings may be approved with a planned unit development. That was a direct conversation with the development community that that's the correct avenue to get more, like you did on the projects for direct -- Paramount Director and the one at Lost Rapids next to Costco over there and Bainbridge North development there, that was

all part of a PUD process and even Hill Century Farm where they got up to almost 200 units on a private gated street. So, that's the appropriate avenue that they could seek if they want more than a hundred, until we have a chance to redo the PUD standards and we have been in meetings with some of the development community to talk about moving that forward ahead of staff's timeline. I think the development community may want to bring that forward and talk about those changes with you.

Simison: Bill, was there any conversation about how the development committee wants these to function? You know, I think in -- in -- in Tuscany we -- we have got, you know, the -- the R -- the -- the middle area right there where we have got private streets that are, you know, horizontally connecting between -- you know, it meets the definition here, but they -- they function as regular roads in that -- through that area and we -- we also have the -- the area that's up there at Ustick and Eagle. Do we want them to be gated? Do we want them to be driven by the public as a general means of maneuvering through an area? I guess that's -- that's my basic question is how do we want private streets to function? Because it's -- on one hand they are being paid for by other people and they are not taxpayer dollars. Was there any conversation or thought?

Parsons: Mayor, Council, the only conversation that came around getting adequate dues to pay for it -- the long-term maintenance and that's where that number came from. What you don't see here is the entire code section. So, there is multiple ways that you can apply for a private street. So, you can -- in -- in your example with Tuscany, they got approval of a private street without a gate, because they front on open space, a MEW. The same thing with the -- the project on Eagle Road. They front on MEWs, so townhomes, so, therefore, they didn't need to gate it and they could still apply for a private street. So, we have to go back to the purpose statement of the code and say how do we want it to function? And we -- and as staff we don't want private streets. It's not good for the community. We want connectivity with surrounding developments. But in the example of Skybreak, where you have topography, you have a golf course, you don't have anything really developed around you for connectivity, in those limited circumstances that seems to make some sense to do that on a case-by-case basis and that's why this is set up the way it is. It's case by case. I don't want to think the Council is overruled just because the director approves of a private street. Ultimately you get to see the plat, you get to see the annexation request and that's all part of the process. But as far as functioning, we want it to function -- if you recall Skybreak, we want it to function like a public street. We at least want sidewalk on one side or at least have logical pedestrian connections. So, you can have some multi-modal transportation happening where kids just aren't playing in the streets or neighbors have to walk in the street to -- to enjoy the neighborhood. And I think you guys were very stern on that and you required them to -- on that particular project put in sidewalk on one street. Right now the code does not require sidewalk on a private street for a residential development. It only requires it in a commercial development on one side of the street. Again, it's a big topic. It is something that's important to some of the developers, not necessarily all of them as you know. Not everyone does private gated developments. Here is one I didn't highlight, but just wanted to let you all know, since there were some public testimony on the topic from Melissa Bernard, talking about that Ustick area and Eagle about nightclubs and restaurants and everything -- again, that's

not really the purview tonight, but just bring your attention to that public testimony. But based on some of that feedback that we heard -- that transpired on a previous project out there, we felt it was prudent to change the parking regulations for drinking establishments. So, we have mimicked that or changes to align with our restaurant parking standards. So, it's one per 250 square feet of gross floor area for the building. Again consistent with the restaurant standards. So, we are trying to --

Hoaglund: Mr. Mayor?

Parsons: -- align with code.

Simison: Councilman Hoaglund.

Hoaglund: And, Bill, on that, how do we -- how do we know that the changes happen? If it's a permitted use and they change and it's -- it's -- it's -- I have seen in a strip mall where they went from an insurance agency to now there is a -- a bar in there and restaurant type thing, pub, and, boy, it changed the dynamics greatly and added a tremendous amount of vehicles. So, how do we know when that change is made and how do we follow up and enforce that?

Parsons: Well, there is a couple things -- Mayor, Members of the Council, a couple things. One is if they are changing occupancy they have to go through a tenant improvement package through our -- our building department. Hopefully they will contact us first, but that's not always the case. A lot of times they will submit a TI, I will assign it to a planner and all of a sudden the planner would be like, no, this is a change of use. You need to process a planning application and as part of that they have to provide us a detailed parking ratio for the entire development and, then, they have to tell us all the tenants in that building, so that we can analyze that to make sure they are meeting the correct parking ratios and if they do we sign off. If not, we can't sign off on the permit. Next one is the secondary dwelling unit and this has to do with attainable housing, of course, in our community. I think a lot of you have heard a hot topic in -- in the valley about having affordable housing and different housing choices. So, this is one where I looked at many different codes. I wanted to make sure that I got it right for the City of Meridian and we have been seeing an increase in secondary dwelling units and we are going -- we are also going to be updating our software and our application process to allow people a separate permitting process through our Accela software and project docs, so that we can track these a little bit better in the system, so we know that someone is actually applying for an ADU is what -- we call it secondary dwelling, but others call it accessory dwelling units. It's all the same terminology. So, currently we have one bedroom, 700 square feet, meet the parking regulations. What I'm proposing here is that we increase that to 900, allow an increase in bedrooms from one to two. Or it can't be larger than 50 percent of the existing -- the primary structure on the property. So, we give them an order, you get up to 900 square feet period, or smaller if it -- whatever is more restrictive and, then, you still have to meet the parking standards of the code. So, there is -- there is no relief from the parking. So, in this particular scenario, if someone wants to come in, apply for this and they didn't meet the parking regulations, we couldn't approve the permit. We would

have to deny it and they would have to appeal to you and come ask you to -- or submit for variance or something to that effect to get out of the parking ratio requirements. So, we will see how that plays out. I think most of the UDC focus group liked the changes here. The biggest thing is -- is, again, this was done in conjunction with our building department and we did add constructed in accordance with the adopted residential building code. So, I don't want the Council to think this would allow someone to move -- put a manufactured home on the property or build a tiny home on a trailer and call it a secondary dwelling. That's not the intent here. The intent is it's -- it's a building on a foundation and connected to city services, meeting the definition of a dwelling and meeting all residential building codes and that was quite a bit of a topic of discussion at Planning and Zoning Commission, too.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mayor, Members of the Council, I could also add on to what Bill just said. We also have a different section of code that doesn't allow manufactured homes, even on a foundation. So, that there is a specific code section that calls out manufactured homes separate from recreational vehicles. So, you would have to amend that code as well, which currently isn't part of this mix, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, on Item D, currently having code that a secondary dwelling unit may be located within the primary dwelling unit, has there been any situation where somebody just adds a door to their basement and now their basement becomes an apartment and they don't have to come in for a permit for that, they don't -- you know, they are not adding a structure, they are not doing an addition to the property, so -- and they are not changing the plumbing or the electrical, but now all of a sudden they have got four vehicles instead of two or whatnot. Is -- is that -- that seems to me like it would -- could be a fairly common scenario where people are using an upstairs or a downstairs and they are just adding an additional exit to the home.

Parsons: Yeah. Mayor, Members of the Council, certainly that's happened. We are complaint driven. So, if we don't know about it or they don't know they need a permit, then, yes, that could technically happen and it has happened. We have had situations where people have tried to convert their basements, but they applied for a permit and, then, we had to stop them, because, one, we would classify that potentially a duplex or a secondary dwelling. So, if they were going to go -- exceed -- what we have tried to do is create our application process -- have the applicant explain what they are submitting. Is it a single family detached home? Is it a -- is it a duplex? Is it a triplex? Is -- being more up front on their application submittal, so we know what they are actually applying for. But, yes, we have had -- since instances where people add a door or you can even look

in our GIS map and see people have two addresses for their property and never came to the city and did anything with us. But we don't know about that. It could have been done -- permitted years ago, maybe didn't even have a zoning ordinance in effect at the time. It could have been done in the '70s. That -- you are always going to have outliers like that. Certainly that can happen.

Simison: Just out of curiosity, Bill, are we actually seeing basements being built in Meridian these days?

Parsons: Mayor, Members of the Council, we see that more and more actually. Stacy would know more. She looked at all the permits.

Simison: Is that happening in certain parts of our community because the water table as we grow into different parts, it becomes a little bit less of an issue? I'm just curious. We are up on the bench, for example, you know, I --

Parsons: Yeah.

Simison: -- look at the homes that are up there in The Keep, I assume that they have the ability, because they are -- don't have the same water table.

Parsons: Mayor, Members of the Council, that's what we are seeing, too. Yep. That's up in that higher area they are getting those daylight basements like you said. They take advantage of those views and maybe they don't have as high groundwater.

Simison: Okay. So, you are saying there is a chance? Okay. Thank you.

Parsons: There is a chance. Again, here is the specific use standards that go along with that, but you can see here the -- the earlier discussion you had with Council Woman Perreault regarding the live-work, there is nothing that says it -- it has to be two stories. But certainly could add that if you want. Here is -- here is an interesting change that we are changing some of our processes for Commission and Council, believe it or not. So, as you know we get a lot of alternative compliance requests. This body has seen a lot of development agreements to come before you before a conditional use permit is processed and you have asked why don't you do your CUP and, then, come back and see us or we want to see the CUP come back with the DA and so we -- we heard what you said and we have amended code -- at least what we have on the books now does that. So, one, the first change there is if someone submits alternative compliance concurrent with their conditional use permit, Planning and Zoning will be the decision making body on it, not the director. And, then, part two of that is that you guys will be part -- when a conditional use comes forward and is submitted concurrent with annexation, plat, alternative compliance, anything associated with that development group modification, it's going to go to P&Z as a recommending body and, then, you guys could act on the CUP and the DA at the same time as requested. And, then, the third part of this is that we are starting to see right of way vacations happening with ACHD a little bit more. You guys have typically been a recommending body, but all the state code requires

is that you provide -- the city provide a letter to them. So, we are basically just aligning our ordinance with state code and no -- no longer require that right of way vacations come to you to take action on. ACHD will submit the application to staff and we can provide them with those comments as part of their application process, rather than having to come before you to take that up with -- with the Council. But those are the -- the three process changes that I have for you tonight as well.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, just to be clear on the conditional use category, it's not really changing what Planning and Zoning is doing currently, because the alternative compliance would go to the director and, then, they would hear the CUP. So, that's their -- their role is not changing at all. It's just want to -- it's -- it's the timing of everything. So, the CUP has to come concurrently with these other types of applications, not an -- you know, an MDA and, then, a CUP goes to Planning and Zoning, but doesn't ever come to Council. That's the whole purpose of it?

Parsons: Correct. Mayor, Members of the Council, that was the intent here. If you recall, we had that project -- they were trying to do two or three drive-throughs on one property and you guys denied that and like, well, we don't know if this works or not. We need to know if the CUP make -- analyze that with the CUP to see if we can approve this. So, you didn't feel comfortable acting on that DA and you told them go back and bring it all forward together and so during the pre-application meeting process I heard you very loud and clear on that and I think you have said that on a couple of occasions on some of the DA mods that you have processed recently and so we have been encouraging applicants to follow that process before we have got it codified, just to make sure that we are -- we get that information to you, that you want CUPs to come to you when they are submitted concurrently with the DA mod. Right now what we have been trying -- what we have done is the DA mod will come to you and, then, two weeks later the P&Z is acting on the CUP, so that all the timing aligns with the developer and we found out that that might not always work for the city.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, process question. Refresh my memory. If -- let's say -- there was an application a while ago over by Fast Eddy's on Eagle where there was a section that was going to be multi-family and they just -- they just held it out as one individual lot and, then, they -- they were going to go ahead and develop all of the single family and the townhomes and, then, later down the road they were going to do a CUP for the multi-family and that's -- you are not saying that they have to bring the CUP with the annexation, you are saying that they can come -- they can do the CUP at a later time in that situation where they set aside a lot for the multi-family, they are going to do it later. Do they have

to do a DA modification to -- do they have to do a DA modification in the -- in that kind of situation?

Parsons: Mayor, Members of the Council, it depends. It depends on how we draft the contract. So, in that particular case of that project you acted on a concept plan with the -- with the annexation. So, if they come forward with a CUP that's consistent with the DA and that concept plan and the DA, no, it's not coming to you, it's going to go to P&Z and they are going to act on the conditional use permit. If something in the contract, the DA, said come back with a detailed CUP and amend the DA for multi-family, then, yes, then at that particular scenario they would have to do the CUP and a DA mod concurrently. So, then, P&Z would become the recommending body on the CU and you guys would become the decision making body on the DA and the conditional use permit. So, we are -- we have got you covered either way and unless Council doesn't want to look at CUPs and let the code kind of -- what the code did it enact -- it empowers the -- the P&Z to approve conditional use permits.

Simison: Anything else, Bill, or -- so, Council, is there --

Parsons: Yeah. I think that's about -- I didn't know if Council had anymore discussions on those particular procedural changes, but if not, you know, I -- I have kind of highlighted everything that I wanted to bring up to you this evening. Again, the public record had a couple pieces of testimony from Mike Wardle and Melissa Bernard. I highlighted on what they were concerned with. So, at this point I think we have had a pretty good robust discussion. I will just stand for any questions and just ask, you know, again, let's think about multi-family and how you -- parking, going back to that topic. Do you like what I have currently? Do you want to -- do you want me to pull up Option B so you can see it before you take any action on that? And, then, also the carport discussion, whether or not requiring two car -- carports per three and four bedrooms or one. With that I will stand for any additional questions.

Simison: Council, any additional questions for Bill at this time or --

Borton: Mr. Mayor?

Simison: -- if our one person in the audience wants to provide testimony. Is there anybody from the public that like to provide testimony on these items before us this evening? And let's see who we got online. And Kyle is still the only one online. So, Council, your questions for Bill. Or discussion amongst yourself.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Just a comment. Honestly, you know, it's amazing what -- what has to happen and occur and that -- for us to get to this point. You know, there is a lot of discussion -- you know, we run into different bugaboos during applications that make us think and --

and it's this type of process that really puts Council and -- and Planning and Zoning, other decision making bodies in a position to just make it easier and more consistent for the -- the -- the applicant. So, I -- I think you guys did a great job on this. It's -- obviously, there is a lot of thought that was put into it and big shout out to your committee that -- that really spent a lot of time thinking this over and -- and -- and going over it multiple times in order to come up with an end product that makes sense for all of us. So, at the end of the day it's consistency and that's what we do best in our -- in our city and I just want to thank staff and all those who are -- who participated in this to -- to get these changes to where they are today. So, thank you.

Parsons: Appreciate that.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: My thoughts were kind of similar to that. I mean I -- part of a big lift like this is the process utilized and we have really focused on having that group provide the input and discussion that led us here. So, knowing none of these decisions and recommendations are from any one particular focus area or group, that collaboration is really important. We will perpetually tweak this. We really will. That's the design. So, I didn't come in seeking any changes in what was presented and I didn't hear anything that seemed to necessitate it and understanding the work probably starts again tomorrow for the next round. So, I'm comfortable with it and super proud of the group effort and do what you presented.

Simison: Council, anyone else? Any questions or comments or things to revisit?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just as Bill stated, really, for me the only outstanding thing would be just discussing if there is a requirement for two -- should be a requirement for two carports and/or two garages or combination in this multi-family section. You know, it doesn't sound like the UDC committee discussed that specifically and I wonder if it just didn't quite click, you know, because those -- in the committees there is so much detail to discuss and -- and you don't always get to everything. So, that's something that I would like to see maybe reviewed a little more, unless -- unless the Council wants to just agree to the one -- one covered requirement. But, I -- I do have concern that they will -- might be -- we are already seeing a lot fewer three -- three bedrooms as a ratio to the studios and the one bedrooms than we were even, you know, two or three years ago. We are fitting more studios and one bedrooms in, because you can -- you can fit more units into one structure and it doesn't mean there is fewer cars, though, just because we put a studio or a one bedroom in there necessarily, you know.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To respond to that point, would it -- would a middle ground be perhaps having, you know, three units allow one in covered carport or garage, but four units still require two? Does that kind of meet in the middle a little bit and still encourage a three bedroom unit, but the four truly is a more intense? That seems to -- makes good sense to me, too. Is that doable?

Parsons: Mayor, Members of Council, that's doable.

Borton: That's a good point.

Simison: So, just because I'm intellectually curious, why do we -- is there a reason why there is one covered -- one required cover to begin with? Was that a standard that was put in 50 years ago in this city or recently or otherwise? I'm -- I'm just -- don't know why -- why there is even a requirement for any covered parking.

Parsons: Mayor, Members of the Council, it's a good question. I was not -- not part of the original UDC focus group on why we required cover parking. I think -- a lot of times I think it's just probably keep it down or give people some options, because we do have inclement weather and so it's nice to have that and not snow on people's vehicles and give people options.

Simison: I think it's a great amenity to have, I just don't know why there is a requirement for it to exist, because you would think the people would want it, as compared to a requirement. I was just curious. I didn't know where -- if anyone knew how or why it existed and I don't -- I try to think around the valley about places that don't have them and nothing comes to my mind. I just didn't know if it's just an expected standard amongst all development that you will have covered parking. So, just curious. The only other thing that kind of caught my attention, but it's not in here, I don't know if it belongs in here, but you mentioned it, Bill, so blame it on you -- was that we don't require sidewalks on one side of private roads. Is that something that maybe would be in the next iteration of conversation with the UDC? I'm just curious if there is a reason why it should or shouldn't. You know, if they are gated is it not required, but if they are accessible by the general cars, then, they should be required? I'm just curious if that's -- and, again, blame yourself. You mentioned it.

Parsons: Mayor, Members of the Council, certainly we can take the approach to require it now. I mean we are -- we are here talking about code changes, so -- and we are talking about private street standards. If you want to include that you can include that now and just say we can amend the code to say rather than sidewalk is on one side -- if it's commercial, then, we can just say it's required in a residential district, too. Or you can say you want it on both sides of the street. Or we can add it to the list and talk about it with the focus group. I don't want you to have a knee jerk reaction either, just because I

brought something up. It's -- it's good to -- to route that to the group and get some feedback, too. I don't want to undermine that process, because it is valuable. As -- you ask a planner -- I remember Alan very -- he was very stern on pushing for that sidewalk. He didn't care if it was a private street, he just wanted to make sure there is at least some walkability to it and had -- had sidewalk on one side of the road and that's where he landed when he presented the project to you on that particular issue. I know in other -- for example, in the Brighton developments where it has occurred there has been sidewalk along the street, too, to enhance that. To me it makes some sense, but, of course, there is always costs involved.

Simison: Whether Council wants to consider it now -- I would at least put it on a list in the future if they don't want to do it now, because they can always require if it's -- they deem it necessary or prudent during each development application if it comes up. But at least that way it can be discussed in the future with the group. That's at least what I would put on the list for the future. Because I can see -- I do understand the reasons why -- personally I don't know if I ever would, but I -- I would be open to the conversation at least personally. But if you can access it generally without any restrictions, like in Tuscany where you drive through it, but I think that that's a scenario where sidewalk would make sense, but I'm trying to think -- I don't know if they do have sidewalk there. I'm going to go investigate that on my way home, because I'm just curious. No.

Parsons: Mayor, Members of Council, I think they have the sidewalk in the MEW, so may not have it -- they may not have a sidewalk on that one side, but if it's public streets they should have had --

Simison: Just the private -- the private side. I'm trying to think if they do it's not much of a sidewalk. Maybe a three foot sidewalk.

Parsons: Well, not to belabor the discussion a little bit, because I think you bring up some valid points, but the other option is when there is a certain number of homes should sidewalks be required? If you have ten homes do sidewalks make sense? Maybe not. They are bigger lots. Maybe they want that 20 foot wide road or 24 foot wide road, you don't need it as much, but when we are getting to a hundred homes it makes some sense to have some sidewalks. So, it's kind of that economy of scale thing; right? You -- what that magical number is I don't know at this point, but I'm looking forward to the discussion. I will definitely take some notes and -- and determine how to move forward with that change.

Simison: Well, there is two other subdivisions that really come to mind where this has played out in the past and it's become an issue. Kentucky Ridge and Dunwoody Court. Both of those -- well, I know that wasn't the application, but that was the road where you are going to build onto the back of a private road or a county road that never had sidewalks required and you got to go back and figure out how to reapply it so that you create that standard moving forward and I don't know -- even if it's a secondary access to -- you know, through a private street to -- to be gained when you just don't require anything. But, again, future UDC conversation from stepping down into the list.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Is there any other questions from Council on this topic? If not I'm going to make a motion to close the public hearing on the UDC Text Amendment ZOA-2022-0001.

Hoaglund: Second the motion.

Simison: I 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.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Good discussion. Great work and with -- with the one adjustment that we talked about with three versus four units in the multi-family and the covered parking that Council Woman Perreault had addressed, with that one edit I will make a motion that we approve this text amendment 2022-0001 as amended in the September 27th hearing. Otherwise as presented by staff.

Hoaglund: Second the motion.

Simison: I have a motion and a second. Is there discussion on the motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: That's just -- real quick -- and I pondered it and since I'm -- I feel some responsibility as the oldest member of the Council up here to talk about the covered parking and this -- this harkens back to the old days. You know, when the covered wagons came out they were that, they were covered and they had canvas on top. Well, as they came to the community and they still used the cover wagon, but they started using more freight wagons and those freight wagons weren't covered. So, the canvas makers required that at least every -- for every freight wagon there had to be one covered wagon. So, that's just carried on since then. So, I -- I hope you enjoyed that history lesson.

Simison: Kenny, do you concur?

Bernt: There is only one other person here that would know. That's Kenny Bowers.

Simison: Is there further discussion on the motion?

Nary: Mr. Mayor?

Simison: Councilman -- Mr. Nary.

Nary: So, Mr. Mayor, Members of the Council, just so you understand, you will get -- you will see this one more time. We will work with Planning to put it into the final form of the code and, then, you will get it on a future agenda, so --

Simison: Okay. All right. Then with that ask the clerk call the roll.

Roll call: Borton, yea; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, absent.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

5. Public Hearing for Existing Conditions Report 2022 CPAT (H-2022-0049) by City of Meridian

- A. Request: Comprehensive Plan Amendment to amend the 2019 Comprehensive plan to adopt the Existing Conditions Report 2022, as an addendum to the Comprehensive Plan (Comp Plan). The Existing Conditions Report addresses some requirements for a Comp Plan under the Local Land Use Planning Act, Title 67, Chapter 65, Idaho Code. The Report includes descriptions, maps and analysis for a variety of demographic indicators, services and land coverage information. The purpose of the Report is to serve as a community resource and to document and set a baseline for existing conditions that ideally help to inform future decisions.

Simison: Thank you, Bill, and the entire team. I know it was a group effort to make this happen. Give them our thanks and I will look forward to the next round of conversations. But you are not done for the night. So, with that let's move on to Item 5, which is the public hearing for the Existing Conditions Report 2022, CPAT. H-2022-0049. We will open this public hearing with staff comments.

Parsons: Thank you, Mr. Mayor, Members of the Council. The last item on the agenda -- at least for planning applications is the Existing Conditions Report 2022. So, I am presenting this on behalf of Brian McClure and -- and Caleb Hood, the long range division. They did excellent work. I have to commend them for all the hard work that they did, too. But all of you know -- as -- as you may know, the Existing Condition Report is -- is an addendum to the Comprehensive Plan. So, it's part one of a part two -- or two documents. One is the policies and conditions and the other ones -- or policies and the guidelines are

a division of the community. The other one is the existing conditions report, which tells us where we have been over the last several years. In 2000 -- right now when we updated the Comprehensive Plan in '19, we adopted the 2017 version as part of that. We didn't -- and step two was to come back at some point and update this document to be that companion document. I can tell you back in '18 we did amend the ECR, so that was the last update to this particular document. I handed you all out a flyer that -- that Brian actually put together. It will kind of coincide with the slide show presentation that I have. I won't go into all the details that Brian put into it, but at least wanted to get that in front of you just to blow your mind on what you have done over the last 20 years in Meridian. I mean it is just amazing how much this community has grown since 2012 -- 2000. It's unreal. And the work that Brian did was phenomenal. So, really, the -- the purpose of this meeting tonight -- or our discussion is, one, to basically adopt a new Existing Conditions Report and this particular slide shows you what -- what needs to happen. So, Page C needs to just change -- ~~strikeout 2017~~, include 2022, and the same thing for pages one through three. It's -- it's really that simple. Just adopting this new ECR. Now, this is where Brian should be here stealing all the thunder, but I will go ahead and just try to share some quick numbers with you here and -- and coincide with you. So you can see here as of January 2022 this is what our population is estimated at. So, just think that's eight months ago, nine months ago we probably exceeded more than that by -- at this point. You can see the population changed between 2000, 2010 and 2020. So, we have consistently been having -- 2022 -- 2000 was a large increase. Twenty-five thousand people moved here between 1990 and 2000. Forty thousand between 2000 and 2010 and 2010 to 2020 42,000 people in Meridian. That's -- that's amazing. So, you can see Brian's put -- put together this graphic here. That's a 36 percent increase between just before 2010 and now. That's -- that's a tremendous amount of growth as you all know. You hear it all the time at the public hearing process. You can see that we -- we are continuing to age in our community and Brian shared that with all of you as well. Education. You can see 90 -- 96 percent of the population is -- is having high school diplomacy -- high school diplomas and, then, you can see -- I think one thing to note -- that Brian's noted out is the increase in the amount of females that have gotten higher education in our community. Forty-one percent. That's a huge increase there. Next item is unemployment. I know this is -- is important to all of us and you can see how many jobs we added over the last ten years. So, you can see our -- our unemployment trends here. They were high probably because of the pandemic and, then, you can see how we are averaged out over the last ten years 3.7 percent. I think what's interesting on this graph is the percentage of jobs between 30 and 54, how that's gone down. And, then, Brian's broke down the industry that are -- that are occurring and what's increased over the last few years here as well. So, you can see healthcare is a large employer in the community. Retail, of course. You can see the increase in that. Construction has increased. Not -- no surprise given the amount of development we have occurring in the -- in the city. And I don't know what all other represents, but that's a pretty large segment as well. Here is our average household size and family -- average family size. So, they have decreased, but the average family size has increased. Housing. This is a big topic. Again, you can see here that we are starting to get a more balanced approach between our multi-family and our -- our single family. It's changed quite a bit from eight percent to 18 percent. So, you guys know that, because you hear about all the growth and you can

see we have provided 20,000 new units in the last decade. Twenty thousand. And, then, this is where the attainable affordable housing component comes in. You can see that 43 percent of the renters are paying more than 30 percent of their income towards rent and 22 percent of homeowners are paying more than 30 percent towards their house payment. Poverty statistics. You can see that here as well. It's good to see it decreasing. Although slightly. And so concluding my presentation, I will just basically go back to that third slide, propose those changes before you on what we need to strike out underlying the 2017 date and add the new 2022 date. With that I will conclude my presentation and stand for any questions you may have.

Simison: Thank you, Bill. Council, any questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: A couple of questions. So, on the number of new jobs that were added, it says total new Meridian family wage jobs. What is the wage that, then, constitutes the difference between a new job and a new family wage job? Is there an amount that that's based off of?

Parsons: Council Woman Perreault, I don't have the answer for you on that. I don't know if anyone else up there knows what that threshold is or not, an economic -- for family wage jobs.

Perreault: Is that something the Department of Labor -- like who defines that?

Parsons: I wish I had an answer for you. I don't. I apologize. But I can get you one and, then, circle back with you.

Simison: Yeah. I -- I can't say what number they are using. At one point in time we were trying to define family wage as being able to, you know, use the price of a home and a -- a wage that allowed you to meet the median price of a home payment I think at the 40 percent of your income level. But, obviously, with the prices of homes changing and I can't say where that ended up or --

Cavener: Mr. Mayor?

Simison: -- what was -- yes, Councilman Cavener.

Cavener: Sorry. I didn't mean to interrupt. I think this is a really great question. It did come up in Planning and Zoning and -- and Brian shared the statistics he used is data from the American Community Survey data, which pins it at 3,333 dollars a month. I maybe take a little bit of exception with that number, but at least for our Council's benefit, that is the basis that Brian used.

Simison: Thank you, Councilman Cavener.

Perreault: I think those are the surveys that the Census Bureau sends out to collect all their data on the off years. Yeah. One more quick question, Mr. Mayor, if I might?

Simison: Council Woman Perreault.

Perreault: The housing expenditure section, the income -- the percentage of income, is that -- is that information that's from the Census Bureau -- from the -- the last census? And how do they exactly know what the incomes of the renters are?

Parsons: Yeah. Mayor, Members of the Council, I -- I don't have an answer for that question either. I apologize.

Perreault: That's okay.

Parsons: But we can get you an answer.

Perreault: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Maybe a comment and, then, a question for you, Bill. First, appreciate this report every time it's updated. I know Brian is not there, but this and our citizen survey that we talked about two weeks ago, for me are two of the most important documents that I use to refer when I make a decision kind of thinking about our community. So, I appreciate the work that -- that goes into this. My -- my question is about the mix between multi-family and single family and certainly anytime a new annexation comes to Meridian there is always some occasional conflict and it seems to be accelerated when it's multi-family and from your perspective as kind of a subject matter expert, what is the right mix? Are we -- we are bringing in too much multi-family right now? Are we bringing in too much compared to the single family? Is there a health mix that the department likes to kind of see in a -- in a hypothetical world?

Parsons: Mayor, Members of the Council, it varies for everyplace that you live. I have had discussions with Brian over the years about what that healthy mix is and I think we are closer to that. Typically we like to see one to four.

Cavener: Okay.

Parsons: But if you recall we -- our comp plan also includes -- includes a diversity of housing. So, it doesn't always have to be just multi-family and single family. We want to make sure that it's -- it's diverse period. Not just lopsided one way or the other. And that's -- typically that's what we have been seeing. It's either single family detached homes or

these larger multi-family developments, because that's what the market. Seems to be -- the developer seems to be chasing the market to some degree. They keep getting data that tells them that there is a need for these -- this housing and not potentially for the other ones. But that doesn't mean that when we have conversations with the developer or an applicant that we are not pushing for that higher diversity or a greater diversity in developments. But I can tell you what I have seen over the last -- although you guys are -- what our comp plan or what we usually stay silent on is whether or not it's owner occupied or rental units. We don't get in -- that's not the purview of us in our -- in our world. We -- we just make sure that it adheres to the comp plan and the code and what I have been seeing recently is we have got a lot of townhome developments out there, but because there is market for rent, they are building the townhomes and renting the townhomes versus selling them as ownership. So, that -- that gives me some concern, because we are hoping to get that diversity in homeownership and rentals in the community and, then, if we keep kind of catering to one or the other it kind of skews the numbers a little bit. But to get back to your point, I mean, again, my understanding having conversation with Brian -- again, one to four ratio seems to be healthy for a community.

Cavener: Mr. Mayor, quick follow up if I may?

Simison: Councilman Cavener.

Cavener: Thanks, Mayor. Bill, is that something that, you know, the Planning Department is kind of tracking on an ongoing basis -- on an annual basis? Is it more of a -- it's kind of a gut level assumption, kind of based on what you have seen, or how is the department kind of keeping tabs on that -- on that mix?

Parsons: Yeah. We -- we certainly are doing a better job of that now. So, we have -- over the last couple years we have leveraged our GIS system, which is our mapping --

Cavener: Yep.

Parsons: -- very heavily and you guys get all of the dashboard numbers. So, we have an internal tool that we can use based on all the permit activity where we can run that report and have a handle on what's -- what's being permitted and all that activity, so we can gauge a little bit more accurate -- or we can actually gauge it with certain accuracy. You never get a hundred percent accurate, but at least we can tell that story a little bit more and that's what Brian did all of this work here to share that with you, because he was able to pull some of that data and -- and share that and update these numbers for you.

Cavener: Thank you. Thank you, Mr. Mayor.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Bill, to that end it's interesting that you stated that -- that the developers are trying to meet market demands and in my experience that hasn't been as much the case as it is that -- that the residents are having to just be comfortable or -- or adjust to what builders are willing to build, not so much that they are -- it's -- I don't think that the -- the consumer demand is what's driving what's being built. I think it is -- it's costing more for land and they are needing to do greater density for -- to make up the difference in the land cost. So, they are building denser products, but they get less per unit in that -- in that regard from a profit standpoint, so -- and, then, the public, then, has fewer options, like you were stating, and so the public's just having to get -- to -- to just live in what they can find, because there has been such a shortage and so personally I think that it's really being driven more by factors outside of both groups. You know, that there is just not a lot of control in either group what is happening. It's more of just like what can we do, because there is such a desperate need for inventory. That's -- just wanted to throw that out there, because I wish it would be -- I wish it was a situation where, you know, developers could just say, hey, this -- you know, there is a -- the consumers would like this kind of product and we are going to build it. It's more like, well, the consumer has to buy what they can find, because there isn't availability, but --

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I think Council Woman Perreault is correct. You know, it's -- everyone is adjusting to the market and, you know, a family wants to buy a home and they want a single family home and want to have their, you know, land and a nice yard and those types of things for the dog to run around, but a developer is adjusting to the market, because they can't afford -- it's so costly they want to adjust to the market and make sure they can offer homes for people to buy, but to keep it within the range that people can afford they are having to adjust and make smaller lots and tall skinnies and all these different products that we see. So, you know, I -- I'm always of -- of -- careful to make sure that while we want to see a diversity of housing -- and I think that's good, because there is a lot of different demand out there and -- and different -- different needs and desires, but at the same time we have to make sure we don't try to do something that the market is not going to have happen. Then nothing's going to happen. Just because we -- we don't control the market and -- and to me -- I have said this before -- we don't have skin in the game. I mean from a standpoint of investing money into the system and seeing a return, we -- we do to some degree when it comes back to us in the form of taxes, but how the market moves forward is going to be what the consumers want, what they can afford, what the builders can do for that affordability ratio and so it -- it's kind of -- we all kind of have to do a dance here to make sure our goals are met, but at the same time knowing what the market's doing and how people are adjusting to that and -- and ultimately sometimes I -- I think we just -- we might get too locked into our goals, as opposed to, well, this is what the market is doing and this is the demand that's out there, because we won't be able to change that. It -- it is what the market is. So, just always something I want to be cognizant of and -- and are we trying to ask the market to do something that it's not going to do, because it's -- it's bigger than any -- any one entity out

there, whether the developers, government or -- or consumers. So, just my two cents on that.

Simison: And maybe just to add one thing. I don't know if we have gone through and done this, but much of what's yet to be annexed into the future and developed in the -- in the southwest part of our community does not have a lot of multi-family zoned for it. Yeah, we just happen that -- we happen to be in the parts of our community right now where development is occurring where multi-family is envisioned and part of the plan and I'm not going to say -- I -- I could not even guess how many acres of land is currently still out there available for multi-family and how many units that that could potentially or not produce, but I -- I think -- if I looked at the city as a whole, you know, overall our numbers are probably going to skew more towards single family long term and this will go a little bit further that direction, unless a future council decides to make a different determination about, you know, the zoning and comp plans in those areas and modify those ratios. But a large area of southwest Meridian does not have multi-family in it and that's probably 50 percent of our to be developed land in the future. So, it's always a snapshot in time to a certain extent. Just an observation. No other value there. Council, any additional questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just want to say thank you, Bill and Brian and Caleb, for putting together this fantastic graphic. It's a lot easier than reading all 126 pages of the report and, hopefully, this will get posted on our website, because it's fantastic. Thank you.

Simison: This is a public hearing. Do we have anybody in the audience that would like to provide testimony on this item or online? Seeing no one raising their hands, do I have a motion to close the public hearing?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing for H-2022-0049.

Perreault: Second.

Simison: I 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.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I promise I won't talk about covered wagons now. After considering all staff, applicant, and public testimony, I move to approve File No. H-2022-0049 as presented in the staff report for the hearing date of September 27th, 2022.

Perreault: Second. Second that motion.

Simison: I have a motion and a second to approve item H-2022-0049. Is there discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, absent.

Simison: All ayes. Motion carries. Thank you, Bill, and, please, give Brian and Caleb -- but maybe Brian the congratulations next time we see him in a couple months. Okay. Thank you.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ORDINANCES [Action Item]

6. Ordinance No. 22-1995: An Ordinance Amending Meridian City Code Section 6-3-2(A) and 6-3-2(A)(6), Regarding Qualifying Behavior for Disorderly Conduct and Adding Meridian City Code Section 6-3-2(C), Regarding Citation Signature for Disorderly Conduct; Repealing any Conflicting Ordinances, and Providing an Effective Date

Simison: Next up on the agenda is Item 6, which is Ordinance No. 22-1995. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance amending Meridian City Code Section 6-3-2(A) and 6-3-2(A)(6), regarding qualifying behavior for disorderly conduct and adding Meridian City Code Section 6-3-2(c), regarding citation signature for disorderly conduct; repealing any 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?

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, I just wanted to kind of go back for one second. This ordinance, if you recall, we had a conversation a few months ago with Lieutenant Caldwell regarding this desire for downtown and trying to deal with a lot of the problems

we were having with the various bars and restaurants downtown. That element of that ordinance had alcohol -- or intoxication as an element there. Our newest deputy attorney Tishra Murray has done some research for us, found some case law that doesn't allow us to use that as a condition in and of itself. But the behavior is -- is the conduct that is being prohibited here and so that's what it's focused on is the conduct of the individual, not the condition of the individual. But also the key factor which was the officer could cite the person based on their observation, rather than a third party. That was the biggest problem in enforcing disturbing the peace or disorderly conduct is you had to have a complainant and oftentimes people don't want to do that. So, if the officer observes the behavior, the officer can issue the citation or -- or the arrest on their own observation and not somebody else having to sign a citizen's arrest. So, just a few minor tweaks from the last discussion. I just wanted to make sure that was on the record.

Simison: Thank you, Mr. Nary. Are we trying to get this in place in time for this Saturday's events and does boxing apply?

Nary: So, Mr. Mayor, it has to still be published. So, it won't be published before this weekend, so it won't be in effect yet.

Simison: Okay.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have a question about that. So if -- what -- what -- is there a standard that the -- standard is not the word. Are there criteria that the officers need to meet in order to issue that citation? Like you might -- we have -- it's not common, but there are situations where somebody might have low blood sugar or have other physical issues that display -- the behavior displays like they might be intoxicated, but they are not. So, is there -- is there some proof that's required by the officer to make that arrest?

Nary: So -- yeah. So, Mr. Mayor, Members of the Council, Council Member Perreault, if you look at the ordinance itself, it basically says any person shall conduct himself or herself in a violent, noisy or riotous manner. So, it's looking at the conduct of the individual of what they are doing. Now, if they have a defense, after they have cited -- or they go to court, they get arrested or whatever, their defense is I was having a medical reaction to something, that's certainly an affirmative defense they can assert and the -- the prosecutor can decide, okay, I'm not going to hold them accountable for this behavior that was observed, because their condition was beyond their control. But that's a defense they would have to assert that they were doing that. Because the officer is not going to know. If they are acting violently towards another person they are not going to know that there is a reason for it beyond that. So, again, it's not trying to deal with alcohol intoxication, it's dealing with behavior.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 22-1995 with the suspension of rules.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve the Ordinance No. 22-1995 under suspension of the rules. Is there any discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, absent.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 7. Ordinance No. 22-1996: An Ordinance Annexing the West Half of the Northwest One Quarter Of Section 15, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, More Particularly Described in Exhibit "A," Rezoning 0.98 Acres of Such Real Property from RUT (Rural Urban Transition) to R-15 (Medium High-Density Residential) Zoning District; Directing City Staff 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; Providing that Copies of this Ordinance Shall be Filed With the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, As Required By Law; Repealing Conflicting Ordinances; And Providing an Effective Date**

Simison: Next item up is Item 7, which is Ordinance No. 22-1996. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's Ordinance 19 -- oh, sorry. An ordinance amending -- I'm going to start over. Ordinance 22-1996, an ordinance annexing the west half of the Northwest One Quarter of Section 15, Township 3 North, Range 1 West, Boise meridian, Ada county, Idaho, more particularly described in Exhibit "A," rezoning 0.98 acres of such real property from RUT (Rural Urban Transition) to R-15 (Medium High-Density Residential) Zoning District; directing city staff 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; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; 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: So, none of these show that there is a waiver of the reading rules necessary. So, do we need to make that suspension on these? It's typically within the description that requires it.

Simison: Mr. Nary?

Nary: So, Mr. Mayor, Members of the Council, so -- and you may not have been here that night, Council Member Perreault. Some of those are leftovers in old ordinances. They are not required by statute. So, we can pass an ordinance whether that language is in there or not.

Perreault: Oh, great. Okay. Thank you. Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 22-1996.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Ordinance No. 22-1996. Is there any discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, absent.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 8. Ordinance No. 22-1997: An Ordinance Annexing the East Half of Section 16, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, More Particularly Described in Exhibit "A," Rezoning 125.59 Acres of Such Real Property from RUT (Rural Urban Transition) To I-L (Light Industrial) Zoning District; Directing City Staff 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; Providing That Copies of this Ordinance Shall Be Filed With the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax**

**Commission, As Required By Law; Repealing Conflicting Ordinances;
and Providing an Effective Date**

Simison: Next item up is No. 8, which is Ordinance No. 22-1997. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance annexing the east half of Section 16, Township 3 North, Range 1 West, Boise meridian, Ada county, Idaho, more particularly described in Exhibit "A," rezoning 125.59 acres of such real property from RUT (Rural Urban Transition) to I-L (Light Industrial) Zoning District; directing city staff 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; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; 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? Seeing none, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 22-1997.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Ordinance No. 22-1987. Is there any discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, absent.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics or do I have a motion to adjourn.

Hoaglund: Move to adjourn.

Simison: Motion to adjourn. All in favor signify by saying aye. Opposed nay? The ayes have it. We are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 7:45 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT E. SIMISON	_____ DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK