

**Planning & Zoning Meeting
Rigby City Hall
8 August 2002
7:06 PM**

Members Present: Steve Abbott, Chairman, Kelly McKamey, Wayne Clark, Larry Finn and Craig Bates.

Steve Abbott, Chairman, opened the meeting at 7:06 PM.

1. Lane & Tammy Boyce – Commercial Business in an R-2 Impact Zone. Lane & Tammy Boyce were present along with Dennis Virgin, property owner. Lane explained that he is requesting to have commercial property in the impact zone. He would like to buy the property from Dennis Virgin and build a convenience store on State Highway 48, east of the high school. He would also like to have a gas station with the convenience store that will probably be in the second phase. The County will require a letter from P & Z because this property is in the impact zone. Dennis Virgin, property owner, said that he has a deed saying that he can hook up to the City water and sewer. Wayne Clark then talked about a sewer line, which belongs to the school. Larry Finn asked if they intended to use the city water and sewer and if the existing homes out there have their own wells and most do. Wayne Clark made a motion to recommend to the County to accept the proposed project and they will be required to hook onto city water and sewer if it becomes accessible. Larry Finn seconded the motion.

2. Steve Oram – Steve was present and is requesting to build a small hydraulics shop, 24 x 30, on his property at 250 N 2nd West which is in a residential area. There will be no driveway to the business and he commented that he would keep the yard and surrounding area clean. P & Z members asked questions and Steve Abbott read from the P & Z ordinance as follows: City Attorney, Steve Clark, talked with Steve about this ordinance which states: 10-2-1, Home Occupation - Any use customarily conducted entirely within the dwelling, occupying not more than (50%) thereof, and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and which is served by the usual entrances to the home, and which does not change the character thereof; and provided that no article is sold or offered for sale except such as may be produced on the premises by members of the immediate family. Clinics, doctors' offices, hospitals, dress shops, millinery shops, real estate offices, tea rooms, tourist homes, sales, servicing or repair of motor vehicles or internal combustion motors, animal hospitals and kennels, among others, shall not be deemed to be home occupations. 10-9-5-L, Home Occupation - No more than one person other than members of the family residing on the premises shall be engaged in such occupation. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty five percent (25%) of floor area of the dwelling unit shall be used in the conduct of the home occupation. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four (4) square feet in area, nonilluminated and mounted flat

against the wall of the principal building; No significant traffic shall be generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Title, and shall not be located in a required front yard; and no equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference of any radio or television receivers off the premises, or causes fluctuation in line voltage off the premises. Wayne Clark also read from the P & Z ordinance and suggested that there was no need for a conditional use permit and Steve Abbott then asked the P & Z members if anyone had any objections and no one did and it was decided that Mr. Oram had met all of the requirements. P & Z cannot make a rule on this and Mr. Oram will have to apply for a building permit. There is a conflict in the City ordinance between the 25% and 50% limit. This will have to be discussed and acted upon at the next P & Z meeting.

3. Gary Taylor, 335 Circle Drive, Rigby, ID – Mr. Taylor was present with questions for P & Z on lots he owns at 335 Circle Drive. He discussed the lots and home he had purchased. Because of recent heart problems, he now would like to sell the other lot that has a house and shop in the middle of the two lots. After much discussion, P & Z decided that this would fall under the subdivision ordinance and that he would have to subdivide the lots. They then advised him to talk with Steve Clark, Rigby City Attorney.
4. Swearing in of Craig Bates, new P & Z member by Mayor John Anderson.
5. P & Z discussed the annexation of the Fire District into the City of Rigby with Mayor John Anderson.
6. Steve Abbott told P & Z members about the City of Rigby employees and committee members summer party at the Riot Zone on September 6th at 6:00 PM. All immediate family members are invited. The City will provide the meat and drinks and would like families to bring a side dish and their own utensils.
7. Impact zone for the City of Rigby. Steve asked Mayor Anderson if he would like to comment on this. There was much discussion on this and Kelly McKamey made an amended motion to amend P & Z's earlier motion of the Dennis Virgin property. Lane Boyce needs to bring the property into compliance with the Idaho Code and city ordinances for the purpose of annexation and city services. A letter will be written to the Boyces with the above information. Larry Finn seconded the motion.
8. Craig made a motion to adjourn the meeting and Kelly seconded it. The meeting was adjourned at 8:20 PM.