

**MINUTES OF THE  
Planning & Zoning Hearing and Meeting for the City of Menan held February 1, 2018.**

**Present:** Ben Schiess, Jason Watson, Lane Mortimer, Kris Meek, Tad Haight, Wade and Sheree Peterson, Mike Miller, Mitch Bingham, Rand and Caroline Watson, and Allyson Pettingill.

**Planning and Zoning Meeting called to order at 7:10 pm.**

Ben Schiess conducts the meeting.

**Jason Watson made a motion to amend the agenda before the discussion on variances so the Petersons can leave after their item. Lane Mortimer seconded the motion. Motion carried.**

**Subdivision Application-Wade Peterson:** Wade and Sheree address the Commission. Wade presents the updated Development Draft. The Commission looks over the documents provided. There is discussion of this. There is discussion of the process to accept the Draft.

**Lane Mortimer made a motion to approve the Draft Development Application as submitted and send the recommendation to City Council to accept it. Jason Watson seconded the motion. Motion passed.**

**Discuss Variances in the City Ordinances:** Kris starts by pointing out that within each district there is no language that allows variances. There is discussion of this. Kris stated that within 7-3-5 the Light Industrial District there may be some language that could be used. There is discussion of the Comprehensive Plan encouraging business growth but no zoning for it and no variances to allow it either. There is discussion of this. Kris then points out that Idaho State law requires variances and conditional use permits in the Village and Traditional Residential districts. He also points out that there should be a variance allowance for community services/public utilities. There is discussion of this. Kris states the simplest way to update the ordinances would be to recommend the variance procedure be allowed and recommend that and an exemption under all districts within the planning and zoning code to allow a public service or public utility to have a variance available to them for whatever purpose they need. There is discussion of this. There is discussion of the Communication Tower the Central Fire District will be applying for a variance for. Caroline Watson asks if there is a way to have a tower but not put it in town right next to the new fire station. There is discussion of this. The discussion is brought back to the allowance of variances and procedures. There is then discussion of the districts in the code. There is discussion of the issues in the code.

**Lane Mortimer made a motion to move into a Public Hearing to discuss variances and the process and procedure for one within the City of Menan Code. Jason Watson seconded the motion. Roll Call vote: Jason Watson- aye; Lane Mortimer-aye. Motion passed.**

**Enter Public Hearing at 8:04 pm.**

Ben Schiess asks if anyone in attendance is For the proposal of variances and the process in the City of Menan Ordinances.

Mike Miller: Mike is for the variances for the purpose of putting in a Communications Tower by the Fire station. He states that the need has always been there because of poor radio communication during emergency calls in the city. He states that there needs to be a larger tower to broadcast the signal out.

Mitch Bingham: Mitch states he is in favor as Mike is for the purpose of a larger tower. As the Battalion Chief, he has seen the communication problems. He also states it will be a benefit for other agencies.

Tad Haight: Tad states he is in favor of changing the ordinances to add for the allowance for variances, he also states that rigid laws will stifle growth. He also states that the ordinances need to be updated and fixed. He would also like to see a process created to have variances approved.

Rand Watson: Rand states he is for following the Idaho State Code by adding the variances process to the City Code. He further states that the ordinances need to be followed and enforced. He also adds that not all variances can be allowed.

Caroline Watson: Caroline states she is for the variance process. She is in favor of growth and can see that some variances are needed.

Ben asks if there are any in attendance that are Neutral to the issue. No one speaks.

Ben then asks if there are any Against the issue. No one speaks.

**Public Hearing ends at 8:16 pm.**

**Lane Mortimer made a motion to recommend to the City Council that they modify the District Regulations in the zoning code to allow for a variance and variance procedures. Jason Watson seconded the motion. Motion carried.**

**Jason Watson made a motion to amend the agenda to allow discussion of public utilities in town. Lane Mortimer seconded the motion. Roll Call vote: Jason Watson-aye; Lane Mortimer-aye. Motion carried.**

**Public Utilities in Town:** Kris mentions that there is nothing in the zoning districts or codes that would allow for businesses in the city. There is discussion of this. There is discussion of what will be allowed for businesses to move into the city. There is then discussion of the fact that the codes are written in a way that is not business friendly. There is discussion of growth. There is discussion of the Comprehensive Plan and how it demands growth in the City but no codes allow businesses. Kris states that the public needs to be allowed to voice their opinion on how to decide where to allow the growth. It is decided to add this subject to the agenda next month for a more in depth discussion.

**Minutes:** There is discussion of the minutes.

**Lane Mortimer made a motion to accept the minutes from December 7, 2017 as written. Jason Watson seconded the motion. Motion passed.**

**Calendar:** The next meeting will be April 5, 2018. There is discussion of the next meeting.

**Lane Mortimer made a motion to adjourn the meeting. Jason Watson seconded the motion. Motion passed.**

Planning and Zoning meeting ends at 8:46 p.m.

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Allyson Pettingill  
Clerk/Treasurer