



MINUTES

**RIGBY CITY COUNCIL
THURSDAY MAY 7, 2026
7:00 PM**

Mayor Nichole Weight called the meeting to order.
The Pledge of Allegiance was given by Councilwoman Allen.
The prayer by Councilman Stone.

ROLL CALL ATTENDANCE:

Councilwoman Melanie Allen	Present
Councilman Kevin Bradshaw	Absent
Councilman Alex Espinosa	Present
Councilman Timothy Howe	Present
Councilman Reed Stone	Present
Councilwoman Tonya Hillman	Absent

ALSO PRESENT-

City Attorney, Sam Angell
Public Works Director, Mitch Bradley
Police Chief, Allen Fullmer
Planning and Zoning, Lone Hansen

PUBLIC COMMENT –

Tanner Rohne, CEO of the Attleboro Fall River Family YMCA, spoke to the Council regarding the possibility of establishing YMCA programming in Rigby.

Milton Ollerton, Jefferson County Planning and Zoning Administrator, Mr. Ollerton provided an overview of county growth trends. He reported that approximately 300 residential building permits were issued last year, with 120 in the city and 180 in the county. He noted that Jefferson County grows by roughly 1,000 residents per year and could reach 85,000 people within 30 years.

He explained that large-lot county development consumes significant farmland and increases service costs, which is why the county encourages growth near cities where services already exist. He also referenced other Idaho counties where dispersed development has resulted in thousands of large parcels and privately maintained roads. He emphasized that growth pressures affect the entire region and should be considered in long-term planning.

ACTION ITEM - CONSENT AGENDA

The following business items may be approved by one motion and a vote. If any one member of the Council so desires, any matter listed can be moved to a separate agenda item.

A. Council Minutes – April 16, 2026

B. Accounts Payable- April 2026

**Councilwoman Allen made the motion to Approve the Council Minutes and Accounts Payable. Seconded by Councilman Espinosa.
Motion carried unanimously.**

ACTION ITEM: : PUBLIC HEARING: Zone Change/ Zone Map Amendment for J&L Holding located at approximately N 4000 E

Mayor Weight Opened the Public Hearing @ 7:09pm

Proposal:

- The applicant presented a mixed-use concept including commercial uses (gas, fitness, family-oriented businesses), residential areas, and a central ~6-acre park.
- Power lines cross the site; a pond is proposed for secondary irrigation/storage and as an amenity.
- The request included approximately **18.93 acres of R-2, 26 acres of R-3, and 7 acres of commercial.**
- The applicant stated that R-1 single-family homes would be placed along the exterior as a buffer, with R-2 buffering R-3, and higher-end multifamily located near the pond.
- The applicant noted they purchased the corner home to improve visibility and allow for a turn lane.
- The applicant stated they would fund improvements within and immediately adjacent to the project.

Planning & Zoning Report:

- P&Z reviewed the request and recommended **approval** based on **code compliance.**
- Staff noted:
 - R-2 would buffer adjacent R-1.
 - R-3 would require green space.
 - Commercial uses were consistent with nearby corridors.
 - The proposal aligned with Comprehensive Plan guidance for balanced housing and appropriate higher-density placement.

Public Comments:

For:

- None.

Against:

- Numerous residents spoke in opposition, raising concerns about:
 - Traffic and road capacity on Highway 48, 4100 E, and 4000 E
 - School overcrowding
 - Density transitions and compatibility with surrounding R-1
 - Water supply and aquifer stress
 - Commercial adjacency near a church
 - Community character, rural feel, and safety
 - Individual hardship related to a delayed property sale

Neutral:

- Four individuals signed in as

Administrative & Legal Context (Clarified During Hearing):

- Highway 48 is a **state** facility; 4000 E is a **county** road; signalization is controlled by the state.
- A traffic study is required at **platting**, once unit counts are known.
- School capacity concerns cannot be the sole basis for denial.

Applicant Rebuttal:

- The applicant stated that growth is inevitable and should be managed responsibly.
- They emphasized that improvements required by the City would be completed and funded by the developer.
- They defended their development history and clarified the circumstances surrounding a referenced \$5,000 contract dispute.
- They reiterated that the project includes amenities such as parks, walkways, and landscaped areas.

City Infrastructure Update (Mitch Bradley):

- Mr. Bradley informed the Council that the City's systems can accommodate projected growth.

- **Wastewater:** The City received a \$23M grant; the plant was built to the maximum size allowed by DEQ with an estimated 25-year outlook. Headworks/surge issues are being addressed through automation and anticipated grants.
- **Water:** Capacity is sufficient; a 1.5-million-gallon tank and booster station are funded and underway.
- **Irrigation:** State law requires pressurized surface irrigation; developments must maintain and use surface water rights for landscaping. The City continues to pursue metering to reduce potable irrigation use.

Mayor Weight Closed Public Hearing @ 8:08pm

Council Discussion:

- Council discussed:
 - Density transitions and compatibility with surrounding R-1
 - Whether R-3 placement aligned with the Comprehensive Plan
 - Traffic impacts and the City’s limited authority over state/county roads
 - School capacity concerns and legal constraints on using them as a basis for denial
 - Property rights, takings standards, and proportionality requirements
 - The distinction between zoning and platting, and the need for a plat map to evaluate impacts
- Council noted that P&Z’s approval was based on **code compliance**, not Comprehensive Plan analysis.

Council Action

Councilman Howe made a motion **to deny** the zone change request, citing:

- Density concerns
- Abrupt transitions
- Inconsistency with the Comprehensive Plan’s emphasis on orderly and compatible development patterns
- He further noted that the Planning & Zoning Commission’s recommendation was based on **code compliance alone**, and **not** on consistency with the Comprehensive Plan.

Motion was **seconded** by Councilman Espinosa.

Roll Call Vote

- Councilmember Espinosa — **Aye**
- Councilmember Howe — **Aye**
- Councilmember Allen — **Nay**
- Councilmember Stone — **Nay**
- Mayor Weight— **Aye**

Motion passed. The zone change request for J&L Holdings was **denied**.

ACTION ITEM: PUBLIC HEARING: Zone Change / Zone Map Amendment for BG Development Group LLC located at approximately South 5th West

Mayor Weight Opened Public Hearing @ 8:46pm

Proposal:

- Craig Kramer, certified planning consultant, presented a request on behalf of BG Development Group LLC to rezone **4.55 acres** from **R-2 to R-3** within a larger **8.47-acre** R-2 area composed of three combined parcels.
- The applicant maintained an **R-2 buffer** around all adjacent **R-1** properties, including the south side of the canal, which is expected to develop as R-1 in the future.
- The west and north sides of the property border commercial zoning and existing R-2.
- Kramer described the request as **infill development**, utilizing existing roads and utilities, with only minor extensions needed along 5th West.
- He stated the proposal supports Comprehensive Plan goals by:
 - Utilizing existing infrastructure
 - Avoiding new lane miles
 - Supporting a variety of housing types
 - Concentrating growth where services already exist
- R-3 zoning would allow moderate density and additional housing types while maintaining transitions through the preserved R-2 buffer.
- Both **City staff** and the **Planning & Zoning Commission** recommended approval.

Public Comments:

For:

- None (the individual who spoke was part of the applicant's presentation team).

Against:

- None (individuals who signed in were for the previous hearing).

Neutral:

- None.

Staff Clarification:

- Staff confirmed the three parcels total **8.47 acres of R-2**, with **4.55 acres** proposed for R-3.
- R-2 buffering was preserved around all R-1 boundaries.
- Adjacent zoning includes commercial (county), R-2 (city), and R-1 (county).
- A prior individual rezoning attempt failed due to canal setbacks; the parcels were combined to meet requirements.
- A plat map was available for Council review.

Mayor Weight Closed Public Hearing @ 8:53pm

Council Discussion:

- Council reviewed adjacent zoning, parcel history, canal setbacks, and the R-2 buffer.
- Council noted that this area had been reviewed recently during prior zoning actions.
- Council expressed that the request appeared consistent with surrounding zoning and prior decisions.

Motion Made:

Councilwoman Allen made the motion to Approve the Zone Change for BG Development. seconded by Councilman Espinosa.

roll call vote:

Councilman Howe -	Yes
Councilman Stone -	Yes
Councilwoman Hillman -	Yes
Councilman Espinosa -	Yes
Councilwoman Allen-	Yes

Motion carried unanimously.

ACTION ITEM: PUBLIC HEARING: Zone Change/ Zone Map Amendment for S&H Properties located at approximately N 3800 E

Mayor Weight Opened Public Hearing @ 8:54pm

Proposal:

- The applicant presented a request to rezone approximately **32 acres** from **R-1 to R-2 and R-3**.
- The concept places **R-2 around the perimeter** of the property and **R-3 in the interior**, creating opportunities for diverse housing types.

- The applicant stated the layout is intended to mirror similar developments in the area, including The Grove, which also uses an R-2 buffer around an R-3 core.
- The applicant indicated that traffic, collector road placement, and utility details would be addressed at the **platting stage**, including a required traffic impact study.

Staff Report:

- Staff reported the proposal includes **17.89 acres of R-2, 14.37 acres of R-3, and 24 acres remaining R-1.**
- Surrounding zoning on all sides (north, south, east, west) is **R-1.**
- Staff noted that The Grove development to the south uses the same pattern: **R-3 in the middle with R-2 as a buffer.**
- Staff confirmed the applicant's layout meets current zoning code requirements.
- Staff clarified that **R-3 must be located on a collector road**, which is typically 48 feet wide.

Public Comments:

For:

- None.

Against: Residents raised concerns regarding:

- **Density transitions**, requesting R-1 remain adjacent to existing R-1 homes.
- **Traffic impacts** on 400 North and 3800 East, and the need for a traffic/infrastructure review before approval.
- **Public safety**, including limited police staffing, EMS capacity, and increased calls for service associated with higher density.
- **Infrastructure strain**, including sewer limitations and road capacity.
- **Consistency with the Comprehensive Plan**, particularly regarding orderly development and compatibility with surrounding neighborhoods.

Neutral:

- None.

Applicant Rebuttal:

- Stated the proposal complies with current zoning code and that no rule prohibits R-2 next to R-1.
- Noted that collector roads, traffic studies, and sewer routing will be fully evaluated at the **final plat** stage.
- Cited Comprehensive Plan goals encouraging a variety of housing types and densities.
- Acknowledged that zoning code updates may be needed in the future but emphasized that the current proposal meets existing requirements.

Mayor Weight Closed Public Hearing @ 9:12pm

Council Discussion:

- Council discussed the existing R-3 and R-2 to the south (The Grove) and clarified that it was approved under older zoning rules.
- The City Attorney advised the Council that while the Comprehensive Plan should be taken into consideration, any decision, especially a denial, must include **clear, legally defensible findings** explaining how the request does or does not align with the plan.
- He cautioned that the Council must be able to articulate the basis for their decision if the applicant were to challenge it, and that referencing the Comprehensive Plan requires explaining **why** the proposed zoning is or is not appropriate for the area.
- Council expressed concern about cumulative density in an already dense area, sewer capacity, and timing of zoning vs. platting.
- Public Works reported significant **sewer capacity issues**, noting Boulder cannot accept additional flow and that the applicant may need to connect to the centralized lift station or install a pressure line to the treatment plant.

Motion Made:

Councilman Espinosa moved **to approve** the S&H Properties zone change application, stating that the proposal represents a **continuation of existing zoning patterns in the area** and is **consistent with the Comprehensive Plan**. Seconded by Councilwoman Allen.

roll call vote:

Councilman Stone - Yes
Councilman Howe - No
Councilwoman Allen- Yes
Councilman Espinosa - Yes

Motion carried unanimously.

ACTION ITEM: Second Reading of Ordinance No. 2026-663 – Amendment to City Code Regarding Alcohol Service Hours

Councilman Howe moved to **dispense with the full reading** and read Ordinance No. 2026-663 **by title and summary only**.

Councilman Stone seconded.

Motion carried.

Councilman Espinosa then moved to **waive the third reading** of Ordinance No. 2026-663. Councilman Howe seconded.

Councilman Stone opposed.
Motion carried.

**ACTION ITEM: Approve Publishing for Hearing on Resolution No. 233-2026 –
Revising the Water and Sewer Connection Fees**

Mr. Bradley explained that the updated engineering study supports a **maximum in-city water connection fee of \$7,078.63**. He recommended the Council set the **in-city water connection fee at \$6,000 per connection**, and adopt the full study-supported amount of **\$7,078.63 for out-of-city connections**.

For sewer, the study supports a **maximum in-city connection fee of \$10,804.16**. Mitch recommended the Council set the **in-city sewer connection fee at \$6,000 per connection**, and adopt the full study-supported amount of **\$10,804.16 for out-of-city connections**.

Councilwoman Allen made the motion to Approve Resolution No. 232-2026 for publishing. Seconded by Councilman Stone.

roll call vote:

Councilman Stone - Yes
Councilwoman Hillman - Yes
Councilman Bradshaw - Yes
Councilman Howe - Yes
Councilwoman Allen - Yes
Councilman Espinosa - Yes

Motion carried unanimously.

Action Item- Adjournment

Councilman Howe made the motion to Adjourn. Seconded by Councilwoman Allen.

Motion carried unanimously.

APPROVED _____
Nichole Weight, Mayor

Attest _____
Kiesha Keller, City Clerk

