City of Nibley
Planning Commission
Held at Nibley City Hall
455 West 3200 South
Nibley, UT 84321
Thursday August 17, 2023

Call to Order – Roll Call – Approval of Agenda – Approval of Minutes

Commission Chair Garrett Mansell called the meeting to order at 6:39 p.m.

Present:	Commission Chair Garrett Mansell, Commission Vice Chair Bret Swenson, Commissioner Matt Logan and Alternate Commissioner Clair Schenk Commissioner Karina Brown via Zoom at 7:00 p.m.
Absent:	Commissioner Tyler Obray
Staff Present:	City Engineer Tom Dickinson, Assistant Recorder Jamie Ann Gonzales and City Planner Levi Roberts via Zoom
Guests Present:	Mayor Larry Jacobsen and Councilmember Nathan Laursen
Applicants:	

There was general consent for the evening's agenda.

There was general consent for August 03, 2023, meeting minutes.

Public Hearing: Ordinance 23-32: Rezone Parcel 03-017-0019 & 03-017-0020, located at 1405 W 3200 S from Agricultural (A) to Residential (R-2A)

Mr. Dickinson utilized the Nibley City GIS Viewer and the Agenda Item Report August 17, 2023, to present *Agenda Item #1 & #2: Rezone Parcel 03-017-0019 & 03-017-0020, located at 1405 W 3200 S* (a printed copy of the GIS and Agenda Item Report is included in the printed, record copy of the meeting minutes).

His presentation included:

- **Background**
- **General Plan Guidance**
- **Applicant Statement**
- **Staff Recommendation**
  Recommend approval of Ordinance 23-32: Rezone Parcel 03-017-0019 & 03-017-0020, located at 1405 W 3200 S from Agricultural (A) to Residential (R-2A)

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Mr. Roberts clarified that the applicant requested rezone to Residential (R-2A) different from the original application submitted.

Commissioner Mansell read the *Rules for Public Comment* (a printed copy of the rules is included in the printed, record copy of the meeting minutes).

Commissioner Mansell opened the public hearing at 6:39 p.m.

Nathan Laursen – 1425 Sunset Circle

[00:07:08] *All right, Nathan Laursen 1425 Sunset Circle. Tom, I might have you bring up the GIS map and put the layer for zoning on as a demonstration. Umm, I'm not sure what the developer plans to do, right? This is just the zoning. Uh, but a couple of questions or things to consider. One is. Yeah, That's great. That's perfect. Uh, and if you zoom out you'll notice that one of the core values of Nibley City is to well I could just read them to you actually from the master plan.*

- *Pride in the City's history and heritage*
- *The rural character, scenic beauty, and natural resources of the area*
- *Nearby recreation opportunities*
- *Agricultural fields and open spaces*
- *A transportation system that promotes safe and efficient travel*
- *Recognizing and respecting private property rights*
- *Aesthetically pleasing design of development and public facilities*

I'm not necessarily against the rezone. I think it's more I have some thoughts on when the design comes in what we think would go well there. So this is space that's been agriculture for a long time and if you were to zoom all the way out on Nibley, our green zoning is getting less and less and less. I would say that we're probably at 5% less, less than 5% agricultural land at this point that it is actually in the city limits. And I think that that goes against our character and value of agricultural fields and open spaces. So it's something to think about is how are we going to continue to protect, or encourage the annexation or protection on agricultural fields. Right. Uh, this is one of them. And there's one across the street that I think as well that is part of that. The other thing to think about is the north, uh, easement next to the ditch, which I love the idea of a trail that connects through there. The problem is, I don't think we had an easement or rights on the far northwest corner of those two lots that connect. And so when the Malouf kind of road was abandoned up there, that connects kind of Stonebridge to these other places. There's really no, as our plan states, there's not really a transportation plan for walkers or active transportation from Maple Valley and those places close to the 32, kinda up to their friends with a park space that's supposed to come in on Phase two of Stonebridge. And as you'll notice, there's not a whole lot of park space that's usable around here, you may be familiar with the fact that the retention ponds are considered ponds there. Uh, Maple Valley there, they're pretty unusable most of the year at this point. And there's a lot of water issues and storm water that I think this would probably help with to be honest with ya, that the fields have caused over the years and for the residents that live there. So this is just something to think about is, you know, some more park space that's usable. So it would be cool to see maybe conservation lots considered on that, especially on that north side of where the trail would be. Currently one of those lots is unfortunate a house that burnt down. It might be in Nibley's interest because we abandoned some of these other trails, and we're not really sure how …. is going to consider putting a trail connection through that corner lot that

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connects these neighborhoods. Because at this point all the kids for school, all the kids that want to play with the neighbors, etc. They got to go down to 32 and up and around and there's not a whole lot of park space or things for them to actively participate in. So I'm not necessarily against the rezone. I would like to see some creativity from the Planning and Zoning and developer of what they're going to put there. I don't know if they're planning a transfer of development rights to do something different. But I wouldn't be against, you know, houses closer together and more open space and opportunities for trails and transportation through there. The justification of affordable lots, as we know, is just not a thing right now, but a diversity of housing, … I'd be ok with that as long as we got some kind of open space, trail system through there. So again, I'm not necessarily against the rezone, but would like to see some creative thinking rather than a 100-foot frontage and just similar plots around there. I think it's okay to maybe be creative and see if the developer is open to it. So, yeah, just a few questions is the verification of if there's an easement that would actually allow that trail to connect to anything that is in the Malouf development later? Because I don't think there is. And that would be unfortunate to have a trail that basically leads to nowhere. But to see these neighborhoods a little bit more inner-connected. So that's kind of my own question is if a trail is going in or if we had an idea what they're thinking if there's a TDR or something like that. That's probably more than 3 minutes, but.

Yeah, *[00:12:22][2.1]*

Commissioner Mansell closed the public hearing at 6:45 p.m.

Discussion and Consideration: Ordinance 23-32: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Agricultural (A) to Residential (R-2A)

Commissioner Schenk received clarification on the major difference between R-2 and R-2A from Mr. Roberts who also discussed other options to do something different. He responded to the trail easement that ran on the north side of Heritage Crossing and eventually on the north side of the two parcels. He reported that in the Trail Master Plan, there is a trail that goes through there and connects to the Malouf property but would take acquisition of some property or purchase of an easement.

Commissioner Schenk asked about trail connectivity to the elementary school without going down 1200 W and along 3200 S.

Mr. Dickinson spoke about the 1200 W roadway project that will eventually include a separated two-way bike path. He also added that Heritage Elementary was working on a plan to bond for a middle school.

At Commissioner Mansell's request, Mr. Dickinson displayed the Future Land Use Map (a printed copy of the map is included in the printed, record copy of the meeting minutes). Commissioner Mansell brought up that there was a greater incentive for open space subdivisions in an R-2 than R-2A.

Mr. Roberts responded to Commissioner Swenson's question regarding the current zoning surrounding the parcels and clarified the minimum lot size for a conservation style subdivision in answer to Commissioner Schenk.

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Commissioner Mansell asked Mr. Robert's opinion on preserving open space in an R-2A vs. R-2. Mr. Roberts thought the ordinance was set up to give them options one way or the other, but the TDR was a little more enticing with the R-2A.

Commissioner Swenson agreed with Mr. Laursen's viewpoint on open space. He said that an R-2A did not incentivize the Open Space Subdivision and did not work in his view. He affirmed that he would be in favor of the rezone at an R-2. He expressed his opinion that a TDR would rarely be used and as a receiving zone would increase the density on the property.

The Commission discussed recommendation options. Commissioner Swenson viewed the R-2A as the worst-case scenario in preserving open space.

Action: Recommend approval of Ordinance 23-32: Rezone Parcel 03-0017-0019 & 03-0017-0020, located at 1405 W 3200 S from Agricultural (A) to Residential (R-2)
Motion: Commissioner Schenk
Second: Commissioner Logan

Commissioner Brown joined the meeting via Zoom at 7:00 p.m.

Vote: 4-1; Commissioner Brown obstained

Staff Report and Action Items

Mr. Roberts reported on approval of the following:

- Ridgeline Park Phases 5 & 6
- Nibley Meadows Phases 1-3 and 10
- Landscape Ordinance
- Land Use Chart

He also reported on the following:

- Animal Land Use Committee
- Johnson Meadows Subdivision
- Teuscher Flag Lot
- Logan Coach Property
- Wesley Nelson Farms
- Legislative Training

Commissioner Mansell recommended having the Ombudsman in a joint session with City Council.

- ULCT September 6-8
- APA September 28 and 29

Commissioner Mansell adjourned the meeting at 7:21 p.m.

ATTEST:

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Jamie Ann Gonzales, Assistant Recorder

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