

A Meeting of the Nibley City Planning and Zoning Commission held at Nibley City Hall, 455 W 3200 S NIBLEY UT 84321, on Thursday, August 7, 2025.

OFFICIAL MINUTES OF THE MEETING

Assistant City Recorder Talon Bigelow took minutes.

Call to Order and Roll Call

Commission Chair Nick Kenczka called the Nibley City Planning and Zoning Commission meeting to order at 6:30 PM on Thursday, August 7, 2025. Those in attendance included Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Tyler Obray, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao. A quorum was present. No Commissioners joined virtually during the duration of the meeting. Commissioner Karina Brown was absent.

City Planner Levi Roberts, City Engineer Tom Dickinson, and Assistant City Recorder Talon Bigelow were also present.

Approval of July 16, 2025, Meeting Minutes and the Current Agenda

Commission Vice-Chair Clair Schenk moved to approve the July 16, 2025, meeting minutes and the current agenda as presented. Commissioner Tyler Obray seconded the motion. Seeing no further discussion, Commission Chair Nick Kenczka called for a vote.

Voting on the motion was as follows:

Commission Chair Nick Kenczka voted in favor.

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Tyler Obray voted in favor.

Commissioner Bret Swenson voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed unanimously 5-0; with Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Tyler Obray, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Public Hearing: Ordinance 25-29—Development Agreement for the Apple Creek Subdivision Phase 1 First Amendment, Amending Lot 35, Creating an Additional Building Lot and Amending the Conservation Area, Including Modifications to Development and Zoning Standards

City Planner Levi Roberts used an electronic presentation titled *Apple Creek Amendment 1 Development Agreement & Preliminary Plat* (a printed copy of the presentation is included in the printed record copy of the meeting minutes). The topics Mr. Roberts addressed in his presentation included the following: background information, a screenshot of the recorded plat for the subdivision, a copy of the proposed amendment, zoning and space requirements, sensitive area designation plan maps, open space,

utilities and canals, trail easement, summary of terms for the proposed development agreement, and staff recommendation, findings, and conditions. Commissioner Tyler Obray asked clarifying questions concerning the modifications to the conservation easement.

Commission Chair Nick Kenczka opened the public hearing at 6:50 PM.

Assistant City Recorder Talon Bigelow read aloud an emailed public comment sent by Mr. Brody Parker and Ms. Nicole Parker of 3320 S 490 W NIBLEY UT 84321. A printed copy of their public written comment is included in the printed record copy of the meeting minutes.

Seeing no further public comment, Commission Chair Nick Kenczka closed the public hearing at 6:57 PM.

Discussion and Consideration: Recommendation for Ordinance 25-29—Development Agreement for the Apple Creek Subdivision Phase 1 First Amendment, Amending Lot 35, Creating an Additional Building Lot and Amending the Conservation Area, Including Modifications to Development and Zoning Standards

Alternate Commissioner Troy Ribao asked questions concerning the conservation area and the trail right-of-way with public access.

Mr. Shaun Dustin, the applicant, of 169 W 3300 S NIBLEY UT 84321 provided background and comments to the Commission concerning the development agreement. Mr. Dustin also provided further detail concerning public access and the existing canal on the property.

Commission Chair Nick Kenczka and Vice-Commission Chair Clair Schenk asked questions to the applicant concerning the existing canal and approval for modification from the Nibley Blacksmith Fork Irrigation Company. Mr. Shaun Dustin shared his desire to modify the location of the canal while keeping the canal open and not piping it underground. City Engineer Tom Dickinson expounded on the city's agreement with the Nibley Blacksmith Fork Irrigation Company concerning the need for their approval before canals are modified.

Commissioner Tyler Obray, Commissioner Bret Swenson, and Vice-Chair Clair Schenk asked questions concerning wetlands, tree stands on the property, the conservation area, and flag lots. City Engineer Tom Dickinson, City Planner Levi Roberts, and Mr. Shaun Dustin, the applicant, provided answers to Commission's questions.

Commissioner Tyler Obray motioned to recommend approval of Ordinance 25-29—Development Agreement for the Apple Creek Subdivision Phase 1 First Amendment, Amending Lot 35, Creating an Additional Building Lot and Amending the Conservation Area, Including Modifications to Development and Zoning Standards and amending the

requirement for a twelve foot wide asphalt access to Lot 37 and increasing the requirement to a twenty foot wide asphalt access to Lot 37. Alternate Commissioner Troy Ribao seconded the motion.

Seeing no further discussion, Commission Chair Nick Kenczka called for a vote.

Voting on the motion was as follows:

Commission Chair Nick Kenczka voted in favor.

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Tyler Obray voted in favor.

Commissioner Bret Swenson voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed unanimously 5-0; with Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Tyler Obray, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Discussion and Consideration: Approval of the Preliminary Plat for the Apple Creek Subdivision Phase 1 First Amendment

Commissioner Tyler Obray motioned to approve the Preliminary Plat for the Apple Creek Subdivision Phase 1 First Amendment with staff findings, conditions, and recommendations. Commission Vice-Chair Clair Schenk seconded the motion.

Seeing no further discussion, Commission Chair Nick Kenczka called for a vote.

Voting on the motion was as follows:

Commission Chair Nick Kenczka voted in favor.

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Tyler Obray voted in favor.

Commissioner Bret Swenson voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed unanimously 5-0; with Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Tyler Obray, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Discussion and Consideration: Approval of the Preliminary Plats for the Nibley Meadows Subdivision Phases 4, 5, and 7

City Planner Levi Roberts used an electronic presentation titled *Preliminary Plat: Nibley Meadows Phase 4, 5, & 7* (a printed copy of the presentation is included in the printed record copy of the meeting minutes). The topics Mr. Roberts addressed in his presentation included the following: background information, the preliminary plats for

Nibley Meadows Subdivision Phases 4, 5, and 7, utilities and canals, transportation, parking, open space, landscaping and street trees, townhome architectural design, and staff recommendation.

Commissioner Bret Swenson and Commission Vice-Chair Clair Schenk talked about the potential for future design requirements to install a traffic circle on specific intersections. Alternate Commissioner Troy Ribao asked about the installation of curb and gutter within the development.

Alternate Commissioner Troy Ribao motioned to approve the Preliminary Plats for the Nibley Meadows Subdivision Phases 4, 5, and 7. Commissioner Bret Swenson seconded the motion.

Seeing no further discussion, Commission Chair Nick Kenczka called for a vote.

Voting on the motion was as follows:

Commission Chair Nick Kenczka voted in favor.

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Tyler Obray voted in favor.

Commissioner Bret Swenson voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed unanimously 5-0; with Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Tyler Obray, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Discussion and Consideration: Recommendation for Ordinance 25-23—Amending NCC 19.24.160 Parking Requirements and NCC 19.24.250 Accessory Dwelling Unit Standards, Including Parking Requirements for Single-Family and Two-Family Dwellings

City Planner Levi Roberts used an electronic presentation titled *Parking Requirements* (a printed copy of the presentation is included in the printed record copy of the meeting minutes). Mr. Roberts addressed prior background information in his presentation.

The Commission and staff engaged in discussion concerning the proposed amendments to Nibley City Code parking requirements. Verbal analysis took place on the proposed amendments and other amendments brought forward by Commissioner Tyler Obray. Affordable housing, on-street parking, public safety, and traffic concerns were discussed.

Commissioner Tyler Obray motioned to recommend approval for Ordinance 25-23—Amending NCC 19.24.160 Parking Requirements and NCC 19.24.250 Accessory Dwelling Unit Standards, Including Parking Requirements for Single-Family and Two-Family

Dwellings and amending the minimum vehicular parking spaces for single-family residential uses to two off-street spaces and two-family residential uses to four off-street spaces. Alternate Commissioner Troy Ribao seconded the motion.

Commissioner Bret Swenson asked if a developer would be able to fit a two-car garage within the residential design for a single-family lot of five thousand square feet. City Planner Levi Roberts and City Engineer Tom Dickinson provided answers and background.

Seeing no further discussion, Commission Chair Nick Kenczka called for a vote.

Voting on the motion was as follows:

Commission Chair Nick Kenczka voted in favor.

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Tyler Obray voted in favor.

Commissioner Bret Swenson voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed unanimously 5-0; with Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Tyler Obray, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in the affirmative. No Commissioners voted in the negative.

Staff Report and Action Items

City Planner Levi Roberts talked about his recent discussion with Commission Chair Nick Kenczka and Commissioner Bret Swenson concerning potential amendments to the code concerning open space subdivisions. Mr. Roberts provided additional legislative updates from the Nibley City Council.

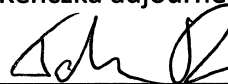
City Engineer Tom Dickinson provided updates concerning developments within the Nibley City and road closures. Mr. Dickinson also talked about an update to the Nibley City Transportation Master Plan.

Assistant City Recorder Talon Bigelow briefly reminded the Commission about the summer party for Nibley City elected and appointed officials, staff, and volunteers.

Commission Chair Nick Kenczka talked about adding a workshop discussion concerning the open space subdivision code to the next scheduled Planning and Zoning Commission meeting.

Seeing no objection, Commission Chair Nick Kenczka adjourned the meeting at 8:59 PM.

ATTEST:



Talon Bigelow, Assistant City Recorder