

A Meeting of the Nibley City Planning and Zoning Commission held at Nibley City Hall, 455 W 3200 S NIBLEY UT 84321-6337, on Thursday, November 13, 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 6:45 PM on Thursday, November 13, 2025. Those in attendance included Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao. A quorum was present. No Commissioners joined virtually during the duration of the meeting. Commissioner Tyler Obray was absent.

City Planner Levi Roberts and Assistant City Recorder Talon Bigelow were also present.

Approval of October 23, 2025, Meeting Minutes and the Current Agenda

Commission Vice-Chair Clair Schenk moved to approve the October 23, 2025, meeting minutes and to adopt the agenda as presented, with an amendment to insert agenda items eight (8) and nine (9) above item four (4), and to proceed with the remaining items as listed. Alternate Commissioner Troy Ribao seconded the motion. There being 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 Karina Brown 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 Karina Brown, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in favor. No Commissioners voted against the motion. No Commissioners abstained from voting on the motion.

Workshop: General Plan Update

City Planner Levi Roberts introduced Mr. Connor Stone, a consultant with the Wall Consultant Group. Mr. Roberts provided some brief background concerning the General Plan Process.

Mr. Stone used an electronic presentation titled *Nibley General Plan Update* (a printed copy of the presentation is included in the printed record copy of the meeting minutes). The topics he addressed in his presentation included the following: a schedule of the general plan update process, growth scenarios, survey results, the existing 2016 Future

Land Use Map, a proposed Future Land Use Map, a proposed annexation map, and topics of interest for the General Plan.

Commission Chair Nick Kenczka asked a few clarifying questions for city staff to answer. City Planner Levi Roberts provided more detailed information about the schedule for the General Plan process and dates for upcoming meetings for the Planning and Zoning Commission. Mr. Roberts invited residents and interested parties to submit public comment concerning the General Plan.

Public Hearing: Recommendation for Zone Assignment to the Nibley City Council: Rural Estates (R-E) Zone for Parcels 01-003-0010, 01-003-0011, 01-003-0028, and 01-003-0029 at Approximately 5325 Hollow Road, in Conjunction with an Annexation Petition

City Planner Levi Roberts used an electronic presentation titled *Zone Assignment for Hansen Annexation* (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, guidance from the adopted General Plan, a proposed annexation plat, and staff recommendations.

Commission Chair Nick Kenczka opened the public hearing at 7:21 PM.

Mr. Rich Sharp, of 4820 HOLLOW RD NIBLEY UT 84321, provided public comment regarding the recommendation for zone assignment for the proposed annexation. He spoke about his concern with potential strains on the infrastructure if residential development was permitted on the land within the proposed annexation.

Mr. Shaun Oborn, of 5200 HOLLOW RD NIBLEY UT 84321, provided public comment regarding the recommendation for zone assignment for the proposed annexation. He expressed his concern that if residential development were later permitted on the property within the proposed annexation, it could have potential negative effects to the wildlife currently present.

Mr. Kaleb Kimber, of 5330 HOLLOW RD NIBLEY UT 84321, provided public comment regarding the recommendation for zone assignment for the proposed annexation. He spoke about his concern with potential negative impacts to the infrastructure and pedestrian traffic if residential development was permitted at a later date on the land within the proposed annexation.

Ms. Bennita Gage, of 5336 HOLLOW RD NIBLEY UT 84321, provided public comment regarding the recommendation for zone assignment for the proposed annexation. She expressed her concerns about the potential traffic issues and loss of agricultural land and open space if the land was to be permitted for residential development at a later date.

Assistant City Recorder Talon Bigelow read aloud an emailed public comment sent by Ms. Joan Liquin and Mr. Troy Liquin of 5350 HOLLOW RD NIBLEY UT 84321. A copy of their public written comment is included in the printed record copy of the meeting minutes.

There being no further public comment, Commission Chair Nick Kenczka closed the public hearing at 7:31 PM.

Discussion and Consideration: Recommendation for Zone Assignment to the Nibley City Council: Rural Estates (R-E) Zone for Parcels 01-003-0010, 01-003-0011, 01-003-0028, and 01-003-0029 at Approximately 5325 Hollow Road, in Conjunction with an Annexation Petition

City Planner Levi Roberts answered the question posed to the Commission during the public comment period for this zone recommendation. He noted that changes to the design of the existing road was not a relevant issue for the Planning and Zoning Commission at that time as no applications for residential development have been received for the land within the proposed annexation.

Commissioner Bret Swenson expressed gratitude for the comments provided during the public comment period. He encouraged interested parties to attend the Nibley City Council meeting where the proposed annexation will be discussed. Commissioner Swenson voiced his support for the proposed zone assignment for the land within the proposed annexation.

Vice-Chair Clair Schenk expressed further gratitude for comments provided by the public. He discussed ideas behind property rights for landowners. Vice-Chair Schenk expressed his support for the proposed zone assignment for the land within the proposed annexation.

Commission Chair Nick Kenczka reminded interested parties that the Planning and Zoning Commission is a recommending body, and the Nibley City Council will make the final zone assignment for the land at time of the potential annexation.

Commissioner Karina Brown expressed gratitude for the residents and interested parties for their attendance during the meeting. She talked about her interest in having a dedicated trail along Hollow Road within Nibley City for pedestrians and bicyclists.

City Planner Levi Roberts mentioned the adopted Nibley City Active Transportation Plan which addresses a potential trail along the east side of the Blacksmith Fork River.

Commission Vice-Chair Clair Schenk moved to recommend the Zone Assignment of Rural Estates (R-E) Zone for Parcels 01-003-0010, 01-003-0011, 01-003-0028, and 01-003-0029 at Approximately 5325 Hollow Road, in Conjunction with an Annexation Petition to the Nibley City Council. Alternate Commissioner Troy Ribao seconded the motion.

There being 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 Karina Brown 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 Karina Brown, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in favor. No Commissioners voted against the motion. No Commissioners abstained from voting on the motion.

Public Hearing: Ordinance 25-34—Amending NCC 19.24.150 Permitted Signs, Allowing Electronic Message Display (EMD) Signs in the Neighborhood Commercial (C-N) Zone
City Planner Levi Roberts used an electronic presentation titled *Sign Code Amendment – EMD Signs* (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 applicant justification, staff analysis, and staff recommendation.

Commission Chair Nick Kenczka opened the public hearing at 7:47 PM.

There being no public comment, Commission Chair Nick Kenczka closed the public hearing at 7:47 PM.

Discussion and Consideration: Recommendation for Ordinance 25-34—Amending NCC 19.24.150 Permitted Signs, Allowing Electronic Message Display (EMD) Signs in the Neighborhood Commercial (C-N) Zone

Commissioner Bret Swenson shared a potential conflict of interest with the Commission and planned on abstaining from voting.

City Planner Levi Roberts answered questions posed by Commission Chair Nick Kenczka about Nibley City Code as it currently stands and restrictions and standards on electronic signs.

Commission Vice-Chair Clair Schenk moved to recommend approval of Ordinance 25-34—Amending NCC 19.24.150 Permitted Signs, Allowing Electronic Message Display (EMD) Signs in the Neighborhood Commercial (C-N) Zone to the Nibley City Council. Alternate Commissioner Troy Ribao seconded the motion.

There being 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 Karina Brown voted in favor.
Commissioner Bret Swenson abstained from voting.
Alternate Commissioner Troy Ribao voted in favor.*

The motion passed 4-0-1; with Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, and Alternate Commissioner Troy Ribao voting in favor. No Commissioners voted against the motion. Commissioner Bret Swenson abstained from voting on the motion.

There being no objection, Commission Chair Nick Kenczka called for a recess of the meeting at 7:57 PM. The meeting resumed at 8:09 PM.

Public Hearing: Ordinance 25-36—Amending NCC 21.10.020 Open Space Subdivision, Including Requirements for Setbacks, Lot Size Standards, and Variation

City Planner Levi Roberts used an electronic presentation titled *Open Space Subdivision Code* (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, developer feedback concerning the proposed amendments, and staff recommendation.

Commission Chair Nick Kenczka opened the public hearing at 8:21 PM.

Ms. Tiffany Nield, of 3170 S 1350 W NIBLEY UT 84321, provided public comment regarding the proposed amendments to the open space subdivision code. She asked a clarifying question about the amendments to the code concerning setbacks.

There being no further public comment, Commission Chair Nick Kenczka closed the public hearing at 8:22 PM.

Discussion and Consideration: Recommendation for Ordinance 25-36—Amending NCC 21.10.020 Open Space Subdivision, Including Requirements for Setbacks, Lot Size Standards, and Variation

City Planner Levi Roberts explained that properties within open space subdivisions would be required to match the more restrictive setbacks of abutting properties within other developments. He further explained that this requirement would only apply to the properties adjacent to other subdivisions and zones and not the entire open space subdivision.

The Commission discussed the value of open space and the purpose behind the open space subdivision code.

Alternate Commissioner Troy Ribao moved to recommend approval of Ordinance 25-36—Amending NCC 21.10.020 Open Space Subdivision, Including Requirements for Setbacks, Lot Size Standards, and Variation to the Nibley City Council. Commission Vice-Chair Clair Schenk seconded the motion.

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

Voting on the motion was as follows:

Commission Chair Nick Kenczka voted against the motion.

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Karina Brown voted in favor.

Commissioner Bret Swenson abstained from voting.

Alternate Commissioner Troy Ribao voted in favor.

The motion passed 4-1; with Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in favor. Commission Chair Nick Kenczka voted against the motion. No Commissioners abstained from voting on the motion.

Public Hearing: Ordinance 25-35—Amending NCC 19.24.090 Fence Regulations, Related to Fencing Restrictions Along Trail Corridors, on Corner Lots, and Inspection Requirements

City Planner Levi Roberts used an electronic presentation titled *Fence Regulations* (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: a summary of the proposed amendments and staff recommendation.

Commission Chair Nick Kenczka opened the public hearing at 8:56 PM

There being no public comment, Commission Chair Nick Kenczka closed the public hearing at 8:56 PM.

Discussion and Consideration: Recommendation for Ordinance 25-35—Amending NCC 19.24.090 Fence Regulations, Related to Fencing Restrictions Along Trail Corridors, on Corner Lots, and Inspection Requirements

City Planner Levi Roberts discussed the fence permitting process and issues identified by code enforcement.

Alternate Commissioner Troy Ribao and Commissioner Bret Swenson asked for clarification about repairing existing fences. Mr. Roberts invited the Commission to include an amendment to provide clarification for residents and city staff.

Commission Chair Nick Kenczka moved to recommend approval of Ordinance 25-35— Amending NCC 19.24.090 Fence Regulations, Related to Fencing Restrictions Along Trail Corridors, on Corner Lots, and Inspection Requirements to the Nibley City Council. Commissioner Karina Brown seconded the motion.

Alternate Commissioner Troy Ribao moved to amend the main motion to add a provision under subsection I that reads “A permit is not required for a repair to a fence to its prior location, height, and opacity”. Commission Vice-Chair Clair Schenk seconded the amendment. There being no further discussion, Commission Chair Nick Kenczka called for a vote.

Voting on the amendment was as follows:

Commission Chair Nick Kenczka voted in favor.

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Karina Brown voted in favor.

Commissioner Bret Swenson voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The amendment passed unanimously 5-0; with Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in favor. No Commissioners voted against the amendment. No Commissioners abstained from voting on the amendment.

There being no further discussion on the main motion as amended, Commission Chair Nick Kenczka called for a vote.

Voting on the amended motion was as follows:

Commission Chair Nick Kenczka voted in favor.

Commission Vice-Chair Clair Schenk voted in favor.

Commissioner Karina Brown voted in favor.

Commissioner Bret Swenson voted in favor.

Alternate Commissioner Troy Ribao voted in favor.

The amended motion passed unanimously 5-0; with Commission Chair Nick Kenczka, Commission Vice-Chair Clair Schenk, Commissioner Karina Brown, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in favor. No Commissioners voted against the amended motion. No Commissioners abstained from voting on the amended motion.

Discussion and Consideration: Adoption of the 2026 Nibley City Planning and Zoning Meeting Schedule

City Planner Levi Roberts used an electronic presentation titled *2026 Meeting Schedule* (a printed copy of the presentation is included in the printed record copy of the meeting minutes). Mr. Roberts listed the proposed dates for Commission meetings in 2026.

Commission Vice-Chair Clair Schenk moved to adopt the 2026 Nibley City Planning and Zoning Commission Meeting Schedule as presented with an amendment to move the July 2, 2026, meeting to July 9, 2026. Alternate Commissioner Troy Ribao seconded the motion.

Commission Chair Nick Kenczka asked a clarifying question concerning another date on the 2026 Nibley City Planning and Zoning Commission Meeting Schedule.

There being 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 Karina Brown 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 Karina Brown, Commissioner Bret Swenson, and Alternate Commissioner Troy Ribao voting in favor. No Commissioners voted against the motion. No Commissioners abstained from voting on the motion.

Workshop: Fee In-Lieu of Open Space Requirements

City Planner Levi Roberts used an electronic presentation titled *Fee In-lieu of Open Space* (a printed copy of the presentation is included in the printed record copy of the meeting minutes). Mr. Roberts addressed background information in his presentation to start a discussion with the Planning and Zoning Commission.

Alternate Commissioner Troy Ribao moved to continue the discussion of agenda item thirteen (13) to the next regularly scheduled Nibley City Planning and Zoning Commission meeting. The motion failed for lack of a second and was not brought to a vote.

Staff Report and Action Items

City Planner Levi Roberts briefly discussed some responses received during the General Plan Open House that took place before the evening's meeting.

Assistant City Recorder Talon Bigelow reminded the Commissioners to pick up their Nibley City-provided turkeys on November 24, 2025, at City Hall.

There being no objection, Commission Chair Nick Kenczka adjourned the meeting at 9:30 PM.

ATTEST: Talon Bigelow
Talon Bigelow, Assistant City Recorder