



Nephi City Planning Commission

Approved Meeting Minutes

August 12, 2026

Attendance:

Staff: Shauna Talbot, City Planner

Commissioners: Chairman Cory Thomson; Commissioners: Fran Petersen, Heather Robertson, Jim Nelson; Alternate Commissioners: Dana Hoyt, Brandon Stevenson.

Excused: Commissioner Meadow Perides

City Council Representative: Jeramie Callaway

Scribe: Alexandria Painter

Public: Steven Jones, Kurt Leinhart, Rick Carlton, Kolton Brost, L. Mace, Russ Jones, Diane Jones, Donald W. Ball, Patricia Ingram, Tracey Hathaway.

- 1. Welcome to the Planning Commission Meeting - Introduction of Commissioners**
 - a. Prayer: Commissioner Fran Petersen
 - b. Pledge: Chairman Cory Thomson
- 2. Public Hearing - to accept public comment on a zone change request by all property owners on Block 14, Plat D of the Nephi Township Survey to rezone all properties within the boundaries spanning from 500 to 600 E and Center Street to 100 S. from the R1-¼ Zone to the R1-1-8 Zone.**

- a. Staff Presentation**

Mrs. Shauna Talbot presented to the commission that this is the second rezone request. The owner has come in and requested to have a split of the properties to create a third lot and create a more attractive shape and lot area. In February, the commission did not want to rezone the first requested zone due to it being spot zoning. The City Council sympathized with the request but to change the zone they requested that every neighbor also request to be rezoned in the proposed area. The owner did that, but the neighbors wanted to keep the animal rights. Across the street they have R1-1/8 with animal rights overlay. Staff feel that no one would feel the difference, and this would not change the use of the area and that it would be wise to approve.

- b. Public Hearing**

TIME: 7:18 PM

Chairman went over the notice requirements and rules and order of the meeting.

Steven Jones, 12 South 700 East, I live one block east of this property. My concern is that R-1/8 doesn't leave enough space behind that to give a backyard and could potentially be a fire hazard.

Chairman called for any additional comment. None was given.

CLOSED 7:22 PM

c. Commission Discussion

Commissioner Jim Nelson requested to the staff that Mr. Jones questions be answered. Mrs. Shauna Talbot responded that they would meet the 30-foot setback for rear yard, meeting the fire code standard. Most cities require 8 – 10’ per property line. We will make sure that it meets fire codes.

Alternate Brandon Stevenson asked if the side yard is considered the back yard. Mrs. Shauna Talbot answered yes, front yard and rear yard do not need to be across from each other, as long as you meet 30 feet on one of your road right ways and 20 feet on the other road right away, and 30 on one of your interior yards and eight on one of your interior yards, it will work.

Chairman called for the motion.

d. Motion

- a. Motion: Commissioner Jim Nelson motions that the rezoning request is granted.**
- b. Second: Alternate Dana Hoyt motions with the second.**
- c. Outcome: Motion Passes Unanimously**
- d. TIME: 7:25 PM**

3. Public Hearing - to accept public comments on a zone change request by the City of Nephi for the following four properties to be rezoned on Block 43, Plat A within approximately 100 and 200 N & 100 and 200 W:

From the: CC (Central Commercial) zone To the: CU2 (Combined Use 2) zone

141 W 200 N (Parcel number: XA00-0394-121) .29 acres Larry & Debra Mace

153 N 100 W (Parcel number: XA00-0395-) .19 acres Shane Day

From the: CU1 (Combined Use 1) zone To the: CU2 (Combined Use 2) zone

154 W 100 N (Parcel number: XA00-0393-3) .34 acres Spencer & Andrea Peterson

196 W 100 N (Parcel number: XA00-0393-1) .43 acres Ronald & Louann Thalman

a. Staff Presentation

Mrs. Shauna Talbot presented to the commission the history and reasoning behind a city-initiated rezone of Block 43, Plat A, located between Highway 1st and 100 North, First West, Second West, and Second North.

The block has historically had three different zoning designations—CU1, Central Commercial, and R1-8—which created an inconsistent and fragmented zoning pattern. The speaker explained that the area has developed primarily as residential despite some properties being zoned for more intensive commercial uses.

Nephi City has been developing a “candy striping” approach to zoning, alternating CU-1 and CU-2 areas along major roads. The goal is to separate more intensive commercial activity from residential areas while still allowing limited neighborhood businesses to serve nearby residents. Mrs. Talbot said this approach is

intended to help reduce traffic conflicts and avoid some of the problems experienced in other Utah communities.

Mrs. Shauna Talbot also explained the uses of CU areas:

CU-1 is designed to accommodate more commercial activity, with uses such as bakeries, banking, retail, daycare, and other more intensive businesses, while still allowing some residential uses.

CU-2, on the other hand, provides substantially more residential opportunities while allowing smaller neighborhood-oriented businesses, such as repair services, offices, laundromats, instructional businesses, medical offices, and certain storage uses.

A significant reason for the proposed rezone is that some properties currently zoned Central Commercial contain existing single-family homes. Because single-family homes are not permitted use in Central Commercial, those homes are technically grandfathered rather than being permitted by right. Rezoning them to CU2 would make the homes legal and conforming, which could also eliminate potential complications with future sales, mortgages, or title issues.

Mrs. Shauna Talbot stated that the city would like to avoid spot zoning. Rather than rezoning individual properties one at a time, the City wants the entire block to have a cohesive zoning designation with natural boundaries created by the surrounding streets. This would give property owners on the block similar rights and opportunities. The city initiated the rezone because staff believes CU-2 is the most appropriate zoning designation for the entire block. It would:

- Create a more cohesive zoning pattern.
- Make existing residential properties legal and conforming.
- Increase residential opportunities.
- Allow limited neighborhood-serving businesses.
- Reduce the availability of more intensive commercial uses in a primarily residential area.
- Support the City's broader “candy striping” strategy for managing traffic and land uses.
- Avoid continued spot zoning by establishing one consistent zone across the block.

Mrs. Shauna Talbot emphasized that the property owners did not request this rezone—the City initiated it because staff believe CU-2 is the best fit for the block as it currently exists and for its future development.

b. Public Hearing

TIME: 7:38 PM

Chairman read over the rules and regulations for public hearings.

Bart Mace: 141 West properties, the home has been there 45-50 years. It has always been zoned commercial; the worry of my parents is that it will decrease the value of the property. The building could be removed, and they could get more value out of the property, who is going to compensate them for the value that is lost? They did not request the change; they are at a point in their life they could sale this and move. I don't think that it is up to a committee to change the zone and decrease the value.

Mr. Larry Mace: I did not know that I was not legal and conforming on my own property. We purchased this property because it was zoned commercially and would eventually sale the property based on it being zoned as commercial. I would like to know why it is not legal or conforming. Chairman Cory Thomson elaborated that a single-family home is not conforming or allowed in this area. It would most likely have been grandfathered in, sometime in the past.

Mr. Rick Carlton: I lived here for 26 years; I lived in Mona. I have been developing for 30 years and have met with many councils and bodies. You need to take in the owner's concerns, and it was zoned in this area. It is a commercial zone. It is unfortunate that owners who buy, only to have detriment of the owners. That is what happens in zoning, I am in favor in candy stripping, we must admit that it is done and we do lose property value—but it is in the best interest of the community.

Chairman called for any additional comment, Chairman closed the hearing.

CLOSED TIME 7:46 PM

c. Commission Discussion

Commissioner Fran Petersen: We have allowed the use for the others; I am not for the sake for making something tidy. The Paces need the same opportunity. Mrs. Shauna Talbot responded that mortgage companies don't like non-conforming, they get squeamish because it's not conforming it is grandfathered. There will still be commercial in this area that are more conforming. The setbacks are much greater for this area, setbacks are 30' in front and 26' in the rear. Versus CU-2 which is 30' in the front and rear, which is the same as the home. The move will allow a lower commercial setback, because they are less stringent. Multi-Family and Single-Family would be allowed in this zone. CU-2 would allow them for a smaller pad, multi-family housing, and setbacks. Highest and Best Value.

Commissioner Fran Petersen: so you could still sale this as a commercial property. Mrs. Shauna Talbot responded yes.

Commissioner Heather Robertson: You're on a little over a quarter acre, and if you are doing 30' flus the 26 and 26', that building that could be built there would be a paper stamp.

Commissioner Fran Petersen: Would it be they would have more room to build closer to the setback, and closer to the property line. You could build a bigger footprint with the new zone than the current CC zoning? Mrs. Shauna Talbot responded minimum would be 26' rear, 20' on the corner and front yard.

Commissioner Fran Petersen: Okay so all main street is CU-1 or CU-2 except for the city block which is zoned CC. There isn't a business that currently would fit the new rezone. Does that help?

Bart Mace: Yes, I guess the neighbors could come back and request a rezone if they wanted to?

Alternate Commissioner Dana Hoyt: Is there a business that would be disallowed in the CC zone? Mrs. Shauna Talbot went over the uses that are allowed. The problem you will have is the setbacks, the site plans will have to be approved. If this was a bigger lot, then you could get the setbacks. The new CU-2 zone would allow single-home, Bed and Breakfast, Townhome, dentist, and so forth.

Commissioner Fran Petersen: I feel my initial concern has been addressed.

Alternate Commissioner Dana Hoyt: I feel that this has answered mine as well.

Chairman Cory Thomson: I put myself in the Mace's position, if it was me, I would probably want it that way. If it comes to a vote, I will probably vote against it because of the Maces' concerns.

Commissioner Heather Robertson: I think we should ask. Addressing the Maces' she asked it that addressed the concerns?

Mr. Larry Mace: Stated that yes, he believed so.

Commissioner Fran Petersen: If you didn't want it then I would stand with you, I know you have put up with a lot of zoning issues on that block over the years.

Commissioner Heather Robertson: It is staying commercial, it is just kind of taking heavy lifters like a hotel, but you could put a bed and breakfast.

Alternate Brandon Stevenson: Even if you have bought it, it is commercially zoned, but it has a home on it and they weren't allowed? Mrs. Shauna Talbot stated they knew it was commercially zoned.

Commissioner Jim Nelson: There were not as many zones. Mrs. Shauna Talbot responded that there were some such as CC and Commercial Highway, but they have changed.

Commissioner Fran Petersen: Asked if there was still an issue? And asked the homeowner how they felt about it? Mr. Larry Mace responded, "I don't know what that will involve, we are concerned about the value that we will get it home. A lot has changed through the years."

Commissioner Heather Robertson: You are just going from commercial to commercial.

d. Motion

a. Motion: Commissioner Fran Petersen

b. Second: Commissioner Heather Robertson

c. Outcome: Motion passes 4-1

i. Roll Call

1. Alternate Commissioner Dana Hoyt: Yea

2. Commissioner Jim Nelson: Yes

3. Chairman Corry Thomson: Nay

4. Commissioner Heather Robertson: Yes

5. Commissioner Fran Petersen: Yes

d. TIME: 8:05 PM

4. Public Hearing - to accept public comment on a change to Section 10.12.4 (B)(2) PUD Overlay Zone and Development Code to allow PUDs to be allowed in the CU2 zone.

a. Staff Presentation

Mrs. Shauna Talbot presented that what was launching catalyst for this item is the Planned Unit Development or “PUD” Code. There are structures there is a lot, so the townhomes like Cedar Ridge, Bryce’s Landing, Loveless Estates, the sevenplexes on Main Street or the ones on 7th or 8th South. They are PUDs. There are certain requirements held in a PUD. One is that they have shared walls it is condominium style, another is that each of the owners own only where their condominium is, but the ground is owned by all the owners. The state law permits this however we need a PUD, and an HOA.

The HOA is to ensure that the grounds and open area around the structures are maintained. We want to make sure there is an HOA, historically in the PUD has not allowed it in the CU-2. This will just add the one use in the CU-2 zone, it wasn’t there before because it wasn’t used before. We want to add the condominium. To expect certain things. To have a PUD you must follow the following criteria:

- It must be 4 acres
- You must provide 20% open space of the net acreage.
- You must meet the setbacks which are 20’ between buildings, external setbacks are 30’ between neighbors.
- It must be fenced that is opaque.
- Parking requirements

Amenities are not required but offered with negotiation for density. The staff would like to add it into this zone for an option.

b. Public Hearing

TIME: 8:12 PM

Chairman went over the notice requirements and rules and order of the meeting.

Mr. Steve Jones: My concern here is I have spoken with Deborah Zirbes at the county, one of the concerns is access. Access issues, for example, like the area over at Mt. Nebo Market. The PUD has tendency to go that way, and I am concerned about the HOA. There has been a lot that have failed lately. What assurances do we have that HOA’s will be maintained even though they have paid their fees. Nephi has typically been a rural housing, I know that there are people that love this housing, we have found that leaders and ecclesiastical and others – these kinds of people tend to be problem residents, they are more mobile and have no skin in the game. Owner is better than the renter, they will be sold as residences and then rented. I personally censused Turkey Hill and found that 40% are renting. Most of the ones across from the hospital are also renters. If we encourage these kinds of residences in our town, we will bear the burdens in the Police Department, services and more and the city. HOA’s failure, and the people expect the city to take care of it.

Mr. Rick Carlton: I am in favor of the change. It makes sense as a vehicle of ownership, instead of renting. This makes a lot of sense, and I am in favor of it.

Chairman calls for any additional comments, none given the Chairman closes the Public Hearing.

TIME 8:17 PM

c. Commission Discussion

Commissioner Heather Robertson: I have never had an HOA, but my experience is that they are not a great circumstance. I didn't even know that they could fail. I have cousins that live in areas, I don't understand the value in them. Is there a way to keep them functional and reasonably priced. Who manages it? Chairman Thomson responded that the landowners. Mrs. Shauna Talbot also responded that the HOA created and recorded bylaws, they get to decide their rules, and it functions much like a city council. You are not the only one with concerns the State of Utah has created a new organization just to deal with HOAs.

Commissioner Heather Robertson: They sound more like a headache than anything. Mrs. Shauna Talbot responded that when you buy in these areas you are buying into the idea. It does allow likeminded community members to live in areas that they have had a say.

Commissioner Heather Robertson: How do they fail then? Mrs. Shauna Talbot responded that there are multiple ways but mismanagement. Alternate Commissioner Brandon Sanderson also commented that he had lived in an HOA and been on board.

Mrs. Shauna Talbot: It is like a special district area; they have an equal right to vote in and out members. This is also new to me; it is a concern with the legislature they have been so concerned that they have formed a new department.

Commissioner Heather Robertson: I just didn't understand their value, and it makes sense if they want individual owner rights it makes sense.

Commissioner Fran Petersen: So, in our CU-2 Zone, I own a fiveplex on Main Street and I must maintain that. But that could be turned over if an HOA was formed? Mrs. Shauna Talbot responded the PUD allows condominiums and has every unit for sale and encourages ownership.

Mr. Steven Jones: If they are privately owned and not mass-owned by one or two developers. Mrs. Shauna Talbot responded we cannot legislate that.

Commissioner Fran Petersen: I have some questions about this, could the city add that there is a rule on only a percentage of the units can be rented out. Mrs. Shauna Talbot, we have not been explored in our city.

Commissioner Fran Petersen: I don't think it has to be someone far away, just to pick them up as investment property. Mrs. Shauna Talbot responded that is a flip side of the coin, and it is a revenue source.

Commissioner Heather Robertson: I agree I would not like to see a conglomerate just come and buy the block. Mrs. Shauna Talbot responded that as cities are running into this, they are larger cities, investors renting to whoever they will. We must balance the property owner's rights, and people should have the right to rent and buy properties for revenue.

Mr. Donald Ball: What happens if you have an HOA that has totally dropped the ball? What clout does the city have in a situation like that. Mrs. Shauna Talbot responded that the city has none. Because the city doesn't have private ownership.

Commissioner Fran Petersen: We live in CCR's there were rules, and no one follows them. No one wanted to run it or organize it. Commissioner Heather Robertson responded "I think CCR's without and HOA fail, because no one remembers what they are. Mrs. Shauna Talbot agreed that it was correct. However, one of the benefits is that it makes the land more affordable, allows ownership, and can have some positive effect.

Chairman called for any additional comments, none were given.

d. Motion

- a. Motion: Chairman Corry Thomson motions that the code be adjusted.**
- b. Second: Commissioner Jim Nelson**
- c. Outcome: Unanimously passed**
- d. TIME: 8:34 PM**

5. Public Hearing - to accept public comments on a request by Rick Carlton for a change to 10.7B Combined Use 2 Zone (CU2) to increase the minimum density in the zone from 6 to 8 units per net acres.

a. Staff Presentation

Mrs. Shauna Talbot presented that there are some areas in CU-2 where we can increase the density of the area. It used to be 8 units per acre, and then we backed it off. Over the course of the years, the predecessor was taking that out of the acreage before amenities. We are calculating with net acres now. It has stalled for redevelopment in our area, and we haven't gone to the density we needed. Any CU-2 that has been allowed is because we have put it there. I am not saying we add more density in the CU-1, in this zone we are putting it to encourage density. So that people are in higher density have access, and more robust streets because of density.

City Council has felt that is multi-family housing is good for this area, in the future at interchanges it may be higher density. It will feel denser because this is different. Bryce's Landing has the same density. Shauna presented a density calculator, so that the commission could see the difference in the examples she presented based off Rick Carlton's request and others. Commissioner Fran Petersen asked how many units you could get for one acre area, just about 16 units was the answer. Commissioner Heather Robertson asked about parking. Mrs. Shauna Talbot went over it, and that the parking may limit you to what this includes. There are constraints, based off the parking, bedrooms, landscaping, etc. Commissioner Heather Robertson asked about underground parking, and if it was allowed. Mrs. Shauna Talbot responded that yes, it is allowed.

Commissioner Heather Robertson it doesn't seem to fit the rural plan. Mrs. Shauna Talbot responded we have tried to stay consistent but that it was five years ago, there were changes, and the pressures of the outside world where kids are trying to buy homes—and I don't think they could afford a single-family home. But they could afford a town home maybe to start. The adage is "A place for everything, and everything in its place." The staff is recommending the planning commission to allow the change and adjust the units to do eight units per acre.

b. Public Hearing

TIME: 8:57 PM

Chairman read over the rules and regulations for public hearings.

Mr. Rick Carlton: I have made the proposition clear in my request from 6 to 8 units. I think for your CU-2 zones, you are not going to get anywhere close to the units because of parking, landscape, and other requirements. I think with the change in the PUD in this zone, it will permit ownership. We will probably be one of the first to build it and sell it to individual owners. Drawings are already drawn; we are going to do it ourselves. The affordability will be at a different market than your town homes, there will be two beds and two baths, and they will have their own garage. It will assist with the candy-stripping in this area, and it will conform what is already developed there. We have done it for a long time. We are here to propose that it fits this community, affordability, maybe you will go backward or forward at another time. I'm here to tell you that we have designed these properties, and two units per lot is the max we could do, really, because of the parking, height restrictions, open space and everything. It is very difficult to get that density.

Chairman requested any further comment. None was given. Public Hearing was closed.

TIME: 9:03 PM

c. Commission Discussion

Alternate Commissioner Brandon Stevensen: What does it change specifically for Rick? He is saying you can't get that many, so what does it change? Mrs. Shauna Talbot from the six units per acre to eight. Right now he could get three on the north, and two lots on the south.

Commissioner Fran Petersen: I would like to learn the difference regarding this subdivision, but it does change everything going forward. So, it is a bigger decision than what is just happening to this property.

Commissioner Heather Robertson: Didn't we just turn down 12 per acre? Wasn't that the presentation. Chairman Cory Thomson responded that it was just someone coming in to present, it was never an actual presentation for change.

Mrs. Shauna Talbot: These are the lots next to Dominos one is 0.24. just shy of a quarter acre. There is one that would remain a CU-1, but these are the four lots Rick is asking about.

Alternate Commissioner Brandon Stevenson: I understand you already have plans? Mr. Carlton responded that yes they already have plans, you get four on each side of the road for a total of eight, that is what we're striving for. Mrs. Shauna Talbot presented the proposed area, design.

Commissioner Jim Nelson: Are these the designs you presented a while back at council? Mr. Carlton responded yes.

Commissioner Fran Petersen: So, you get eight units just shy of an acre, and a main road that goes through them? Mr. Carlton responded yes, but this is net acres because we have already deeded the street. We didn't originally want to do all the commercials, knowing that many would not be sellable in this community. But what we ended up with was what was currently in place. I do not think you will see much density in your CU-2 because you just can't get there with all the restrictions.

Mr. Ryan Lynn: It would be hard to get above eight, unless someone did underground parking. Mr. Carlton also stated it would be very costly, and you can't get your money out of that, so you won't see it done very often.

Rick Carlton: We are proposing a good product with lengthy driveways and backyards. It is the best townhouse situation out there.

Commissioner Jim Nelson: So you have the main level and potentially two above, right? What about subsurface? Mrs. Shauna Talbot responded you could go down but that is still counted as a story, and you are limited to three. The State of Utah code changed last year to clearly define stories.

Commissioner Fran Petersen: Does this affect CU-1. Mrs. Shauna Talbot stated no.

Chairman Thomson asked City Councilmember Jeremy Callaway to specify what the City Council preference is.

Councilmember Jeremy Callaway: We don't want to see a huge building in this area. We are willing to look at it with CU-2. We don't want to see big housing developments on Main Street. We as the council looked at it and decided that CU-2 we would look at.

Commissioner Heather Robertson: We haven't technically put CU-2 in the candy striping area. Mrs. Shauna Talbot responded that is correct. There are only a few areas that are in the candy-stripping area right now. One was Riley Park, but he built three single homes.

Mr. Rick Carlton: The twin homes behind us would make this area very conforming, it fits perfectly. Commissioner Heather Robertson stated that it does fit and is tucked up in and would not be on the frontage.

Mrs. Shauna Talbot: The egress and digress, the traffic have changed my mind. There is one in and one out. All the people trying to get in and out, the people coming in and out CU-1 it would be intensive. It would be a better fit because of the lack of traffic circulation. If I lived there and there were four businesses and they were busy, and trying to get out. It would be hard. He already has a plan in place, four on one side and four and the other. You are looking at 16 stational vehicles, but it would change.

Commissioner Fran Petersen: I don't know what are the thoughts 6 or 8?

Commissioner Heather Robertson: Fran is right with our parking rules and setbacks we have contained what can happen.

Commissioner Petersen: We have been given a vertical discount, but on paper when you look at parking and setbacks you aren't going to get 16. Mrs. Shauna Talbot, no matter what you do if you go 7 or 8, it won't harm Mr. Carlton's project.

Mr. Rick Carlton: I would not go and odd number, but you would get things are unpleasing to the eye. Uniform and more suited and pleasing for the eye.

Commissioner Fran Petersen: It was eight. Mr. Rick Carlton responded that is what we bought the ground as and what we did in 2019, but then that was changed.

Commissioner Fran Peterson: We put the vertical discount in there; I just want to make sure we are doing the right thing. Mrs. Shauna Talbot an odd number is not relevant, it doesn't matter so if you want to go seven you can. Mr. Carlton stated it may not matter now but it will. It will make a difference.

Chairman Cory Thomson: Yeah, because if you have two acres that is 14. Mrs. Shauna Talbot responded yes. Chairman responded that personally he is against the increased density. The Master Plan has indicated that big thing is density is not rural. I also see the benefits.

Mr. Rick Carlton: I have been through master plan changed, and how many people participated in your comments? Is it less than 50? Less than 100?

Chairman Cory Thomson: Yes

Mr. Rick Carlton: To me that is not what I would use as a primary basis for my personal option on what drives the directive. Chairman Thomson yes but there was a lot of time of spent on that and it was the direction we went and was approved by the city council.

Alternate Commissioner Dana Hoyt: I am new to town and have lived here for two years. I come from a small town in New Hampshire, and we love small towns, which is why I moved here. Most of my business brings me up north. I drive a distance for that small town feel. Personally, I feel this could be more of a per case basis. Is that something we can do? Chairman Thomson stated it was not possible it has to be looked at.

Commissioner Fran Petersen: That is why we are so twisted on what to do, what we think would look nice and what works for one neighborhood may not work across the board. Any developer could come in and buy a chunk of property and build at this density and that is my worry. Alternate Commissioner Dana Hoyt responded that is his concern as well.

Mr. Rick Carlton: You must look at your CU-2 zones, you don't because it is newer. You can choose where you put these. Mrs. Shauna Talbot responded that is correct except for the Main Street that has already been candy striped.

Commissioner Fran Petersen: But every time we change the code, we have a public hearing and people come in and say this wasn't my properties zoning when I bought it. So it's not as simple as it sounds. I am conflicted about this. Chairman Thomson stated that we are just a recommending body.

Commissioner Heather Robertson: I always lean back on that. Chairman Thomson also commented that it's why he will personally probably vote against it.

Alternate Commissioner Dana Hoyt: How many people do this effect? Mrs. Shauna Talbot responded that it would affect maybe 15 properties, but most of them are single-family homes. Open property for development may be as high as 7.

Commissioner Jim Nelson: How big are those properties? Mrs. Shauna Talbot, the only one big one that affects is the old Honda shop. The owner has expressed an interest in doing some multifamily on the property. Chairman commented that the homeowner was here when the CU-2 was done and didn't think the density would help that situation.

Chairman Cory Thomson: I think we have discussed this enough.

Commissioner Fran Petersen: I think the main thing it provides is provides as our city grows it does allow affordable housing. If we don't have housing that is more affordable, we can't serve the community.

Chairman Cory Thomson: I don't think we could zone affordability. Mrs. Shauna Talbot, well you can zone a greater chance of more affordability but there is free market will.

Commissioner Fran Petersen: I hear what you are saying, and I have thought about it, and does it lower the cost of housing? So the only way to overcome that is to have tons of housing, none of which we are excited about. Mrs. Talbot responded that is right, and there is no easy button.

Commissioner Jim Nelson: This is kind of where you choose to put this zone. City Council can weigh in, and way this is a tool in our toolkit, and we will use it wisely and appropriate places rather than spread it all over the place.

Chairman called for a motion.

d. Motion

- a. Motion: Alternate Commissioner Dana Hoyt motioned to accept the change 10.7 B combined use from six to eight units.**
- b. Second: Commissioner Fran Petersen seconded the motion.**
- c. Outcome: Unanimously Passed**
- d. TIME: 9:30 PM**

6. Public Hearing - to accept public comment on a zone change request by Rick Carlton regarding Lots 2,3,4, & 5 of the Plat A subdivision, and Matt Evans acting on behalf of the Bryce Landing Plat B HOA for all lots in the subdivision to rezone all properties, including all common open space areas from the CU1 zone to the CU2 zone with a PUD overlay.

a. Staff presentation

Mrs. Shauna Talbot presented that it is not a permitted use. We are trying to make this legal conforming. It was recorded as a PUD subdivision; it wasn't even allowed at the time. Making this CU-2, we are just making this conforming. We would make an amendment and combine them together, and then CCR's for each area internally with the

HOA, they will work out the drainage. For this to be a PUD we need this to be at 4 acres, including candy-stripping, and it will become cohesive.

b. Public Hearing

TIME: 9:35 PM

Rick Carlton: Withdrew his commenting time.

Chairman called for comment. No comment was given

CLOSED TIME: 9:36 PM

c. Commission Discussion

Commissioner Heather Robertson: Inquired about the PUD overlay, and when a PUD is done that, it be spot zoned and doesn't need to be done on every CU-2. Mrs. Shauna Talbot responded that is correct.

Chairman Cory Thomson: A PUD Overlay isn't that done administratively with the DRC. Mrs. Shauna Talbot responded that the PUD Overlay is its own zone. They would have to get rezoned and then go through site plan then through the DRC.

Commissioner Fran Petersen: I like it to be tucked in and coordinated.

Chairman called for additional comment and called for motion.

d. Motion

- a. Motion: Commissioner Jim Nelson contingent upon the other zoning change items being adopted.**
- b. Second: Commissioner Heather Robertson seconded.**
- c. Outcome: Unanimously Passed**
- d. TIME: 9:37 PM**

7. Approval of Minutes

a. Motion: Approve 07-08-26 minutes

- a. Motion: Commissioner Heather Robertson motioned they be approved.**
- b. Second: Chairman Cory Thomson seconded the motion with the name change spelling error corrected.**
- c. Outcome: Unanimously Passed**
- d. TIME: 9:39 PM**

8. Adjourn

a. Motion

- a. Motion: Commissioner Jim Nelson motions to adjourn.**
- b. Second: Chairman Cory Thomson seconded.**
- c. Outcome: Unanimously Passed**
- d. TIME: 9:39 PM**