

The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Thursday, March 7, 2019.

The following actions were made during the meeting:

Commissioner Obray moved to approve the conditional use permit for a third dog, located at 2664 South 1100 West; applicant, Pam and Jeff Hansen. Commissioner Logan seconded the motion. The motion passed unanimously 3-0; with Commissioner Obray, Commissioner Logan and Commissioner Mansell all in favor.

Planning and Zoning Commission Chair Garrett Mansell called the Thursday, March 7, 2019 Planning and Zoning Commission meeting to order at 6:01 p.m. Those in attendance included Commissioner Garrett Mansell, Commissioner Matt Logan, and Commissioner Tyler Obray. Mr. Stephen Nelson, Nibley City Planner, was also present.

Approval of 2-21-19 meeting minutes and the evening's agenda

General consent was given for the evening's agenda.

General consent was given for the previous meeting's minutes.

Conditional Use Permit

Discussion and Consideration of an Animal Conditional Use Permit for a third dog, located at 2664 S 1100 W (Applicant Pam and Jeff Hansen)

Mr. Nelson gave described this application. Mr. Nelson said Mrs. Hansen had applied to have a third dog based on Nibley City code 19.34.040, which allows for a conditional use permit and for the Planning Commission to waive the max number of dogs if a dog is a service animal. The applicant had provided a note from her doctor describing that the dog was a prescription to her. Mr. Nelson said the applicant has one dog that is a service dog and one dog that is in training to be a service dog and a total of three dogs. The applicant's property is a total of .30 acres, which did not allow for a kennel license. The applicant's dogs were up to date with rabies vaccinations, were registered with Nibley City and complied with Nibley City code.

Mr. Nelson said based on how Nibley City code read, staff recommended the Planning Commission approve the conditional use permit for a third dog.

Mrs. Hansen described that the dogs were very small and were always in the house.

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Workshop

Workshop: US 89/91 Corridor Setbacks

Mr. Nelson described that Nibley City had been in discussion with Logan City about a boundary line adjustment along US 89/91. One of Logan's concerns about the boundary realignment is the loss of control along what they see as one of their primary gateways. Logan City has asked Nibley City to consider adopting code similar to Logan City's Gateway Overlay standards.

Mr. Nelson read the proposed changes to Nibley City's setback code:

"19.22.020 Setbacks along Highway 89/91

- A. *The setback for any structure from Highway 89/91 shall be 100 ft. Parking lots, roads and private drives that run parallel to Highway 89/91 shall be setback a minimum of 50' from Highway 89/91.*
- B. *The Setback areas shall be landscaped. Setback areas may contain landscaping, trails, stormwater facilities, signed allowed by NCC 19.24.150 and transparent fencing as allowed in NCC 19.24.090*
- C. *Commercial Nodes structures shall have a 30' setback from Highway 89/91. Parking lots, roads, and private drives that run parallel to Highway 89/91 shall be setback a minimum of 20' from Highway 89/91.*

19.04.010 Definitions

Commercial Node: The concentration of commercial development at the intersections of arterials roads. A Commercial node may extend 660 feet in every direction from the intersections."

Mr. Nelson said staff's recommendation was to move forward; providing commercial node intersections and allowing 50 feet for parking lots were a good compromise. Commissioner Logan asked with the Commercial Nodes if there was any area between the nodes that would be a problem. Mr. Nelson said there wouldn't be much area between the intersection nodes but there would be more area between the Tri-H farms. Mr. Nelson said Nibley City probably wouldn't have bumper-to-bumper commercial development along the highway and felt commercial nodes were the best way to address commercial up and down the highway. Mr. Nelson felt the Planning Commission might be concerned about how commercial nodes affected property owners along the highway. Mr. Nelson and the Planning Commission discussed the realignment of 3200 South and Ted's Service property.

Commissioner Obray asked if the setback was a permanent easement that was put on the land or if Nibley City could change their ordinance. Mr. Nelson said the ordinance could be changed. Commissioner Obray said they should go ahead and do the setbacks. Commissioner Logan was worried about property owner rights. Commissioner Obray said that for Logan City to have that much of what looked and felt like Nibley City land he would rather give the frontage that have Logan City do whatever zoning they wanted

to do. He felt Logan City was actually being fairly generous. Mr. Nelson discussed the cost analysis of doing the trade.

Mr. Nelson said he would advertise for a public hearing at the next meeting and have a draft ordinance ready for recommendation to City Council.

Commissioner Logan asked if there were a way to appease to Logan about the land north of 2200 South; he wanted the land back because anything that was built there would be a detriment to and only impact Nibley and Nibley would be responsible for.

Workshop: Nibley City Town Center PUD

Mr. Nelson had an electronic presentation for the Planning Commission entitled “*Nibley Town Center Planning Commission 3/7/2019*” (the printed version of the presentation is included in the written meeting minutes). He said he had written a draft ordinance for a Nibley Town Center, which was available on Nibley City’s website and in the meeting box. Mr. Nelson presentation addressed the following topics: What We Will Cover, Nibley City General Plan, Town Center Purpose, survey data taken from 2018 Heritage Days, concepts that were produced during a Town Center design study that wasn’t adopted by the City Council, Nibley City’s Future Land Use Map, Future Town Center Existing Key Features, Typical Downtown Zoning, Current Proposal, Nibley City’s Options, Staff’s Proposed Ordinance, and What is your Vision?

Mr. Nelson and the Planning Commission discussed the status of the land included in Nibley City’s town center zone. They also discussed the realignment of 3200 South and SR 165; including Millville’s proposed plan going forward. Commissioner Obray expressed concern with the amount of commercial being proposed. He was concerned with giving such a significant amount of density for a small piece of tax base. Commissioner Mansell suggested a rec center in the area would provide a good base for commercial. Commissioner Obray and Commissioner Mansell discussed a social gathering place.

Commissioner Obray said his was concern they were giving a lot of density on the front end without a lot of knowledge or vision of what would happen on the second end of the proposal; he didn’t understand what they were getting for what they were getting. He liked the idea of anchoring the development to something. Commissioner Obray thought if they could get a community benefit and perhaps carve out something like a rec center, community center or park space, something that would be a benefit to the city, then it may be worth the density. Mr. Nelson discussed zoning that is fiscally viable or fiscally responsible. Mr. Nelson said there was a financial incentive to do higher density housing because of property taxes. Commissioner Obray said at the end of the day it all came down to numbers. Whatever Nibley did would decide the value of the property. He didn’t see large scale commercial as viable in Nibley City and again suggested a recreation center or community pool that would better the community. He

wanted to see a community anchor concept or community event space and didn't want to see commercial land as an anchor for a community. Commissioner Mansell and Councilmember Larsen were agreeing with Commissioner Obray sentiments.

Mr. Nelson gave the Planning Commission reading assignments to complete over the next two weeks: Nibley City 2016 Town Center Design Study, Design Standards for Commercial and Institutional Uses, Roger Brooks 20 Ingredients for a Successful Town Center, and Staff's draft proposed Town Center Overlay code.

Commission and Staff Report and Action Items

Mr. Nelson said the Subdivision ordinance would be on the next Planning Commission agenda.

Mr. Nelson reported he had been working on a draft Conditional Use and Land Use table.

Commissioner Mansell asked if there were any open space requirement for the standard subdivision? Mr. Nelson said there weren't any open space requirements. Commissioner Mansell questioned if it were possible to include open space requirements in that standard subdivision ordinance and suggested they include the requirement if they could. Commissioner Obray said he would like to look in to density swap options; the developer buy a piece of property in order to be granted the density on the property they wanted to develop. Mr. Nelson said this was considered a transfer of development rights (TDR). Mayor Dustin had directed staff to look into the possibility of doing TDR.

Mr. Nelson reminded the Planning Commission that there was no Planning Commission meeting on April 4 for Spring Break. He also reported that he wouldn't be available at the April 18th Planning Commission meeting.

Commissioner Logan questioned if the Planning Commission was responsible for regulations structures on properties other than a house. Mr. Nelson said they were.

There was general consent to adjourn at 7:28 p.m.

Attest: _____
Deputy City Recorder