

The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Thursday, June 6, 2019.

The following actions were made during the meeting:

Commissioner Obray moved to continue discussion and consideration of a recommendation of the proposed ordinance establishing a Town Center Overlay Zone. Commissioner Swenson seconded the motion. The motion passed unanimously 4-0; with Commissioner Obray, Commissioner Swenson, Commissioner Mansell, and Councilmember Larsen all in favor.

Planning and Zoning Commission Chair Garrett Mansell called the Thursday, June 6, 2019 Planning and Zoning Commission meeting to order at 6:02 p.m. Those in attendance included Commissioner Garrett Mansell, Commissioner Bret Swenson, Commissioner Matt Logan, and Commissioner Tyler Obray. Mr. Stephen Nelson, Nibley City Planner, was also present.

Approval of 5-16-19 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.

Discussion and Consideration of a recommendation of the proposed ordinance establishing a Town Center Overlay Zone (formally called Town Center Planned Unit Development Subdivision)

Mr. Nelson led this discussion. He reported that a new version of the Town Center Overlay Zone had been uploaded to the meeting packet. Mr. Nelson said the overall consensus was that the Town Center Overlay Zone needed more detail so he had gone through the ordinance and included more details. Mr. Nelson described each section of the ordinance including the Space Regulations Chart and Residential and Housing Standards and density standards. Mr. Nelson and the Planning Commission discussed problems in management that might be an issue if there were multiple developers at the proposed town center overlay area. Mr. Nelson said they were trying to capture the willingness of a single developer to help capture the first-phase of the town center area.

Commissioner Obray said he didn't see the concept they wanted and a commercial hub being viable in that area. He thought they would end up with a lot of condos, townhomes and small lots and vacant tracks of potential commercial space. They determined that there was a small tract of commercial space that touched SR 165 on the Ropelatto land. Mr. Nelson described the concept plan he'd seen from Visionary Homes.

Mr. Nelson and the Planning Commission discussed connectivity to and within the potential Town Center Overlay Zone. Commissioner Obray discussed the difficulty of the Planning Commission making an informed decision when they hadn't been able to see a plan. Mr. Nelson presented the idea of zoning areas Commercial and then allowing PUDs built in the proposed Town Center Overlay Zone instead. Commissioner Obray agreed with Mr. Nelson's suggestion. Mr. Nelson and Commissioner Obray determined the difference between the R-PUD and Town Center Overlay was the option for condos. Commissioner Obray didn't feel Nibley City was getting good commercial space as a trade for 8.4 units per acre.

Commissioner Swenson felt they still needed to have the meeting that had been planned; with two Planning Commissioners, two City Council and city staff. Commissioner Obray said otherwise they should just make the whole thing commercial and then do a PLANNED UNIT DEVELOPMENT; he felt it accomplished the same thing and was a lot easier. Commissioner Mansell thought they needed a good master plan concept of what was wanted for a town center and a goal of what they wanted to accomplish. He was afraid they would end up with piece-meal and it would look like crap. Commissioner Obray said the commercial wasn't far enough away from the main commercial hubs in Providence or Hyrum. The Planning Commission discussed commercial that might be viable in the area. Commissioner Mansell had Google Map prints of viable town centers that included walking trails, commercial, and residential housing that he showed to the Planning Commission.

Mr. Nelson compared the town center overlay zoning to the currently adopted R-PUD Overlay zone. He discussed why he felt it would be difficult to establish viable commercial in Nibley City. Commissioner Obray believed there needed to be a disruption of the traffic pattern to make commercial viable. Commissioner Swenson felt it was a mistake if they didn't pursue commercial. Commissioner Obray and Commissioner Mansell stated that they agreed. Commissioner Swenson felt they should plan for a city center and phase in commercial as the developer felt they could. Commissioner Obray thought they should rezone the entire SR 165 strip, commercial. He and Commissioner Swenson concluded that they could rezone along SR 165 commercial and then utilize the PUD overlay. Commissioner Mansell revisited that a town center should be a gathering place and asked how they accomplished this?

The Planning Commission concluded that the addition of a couple of line items (if the overall development was 40 acres or bigger, there could be condos) to the R-PUD ordinance did exactly what they wanted to do without adopting a town-center overlay zone ordinance.

Commissioner Obray moved to continue discussion and consideration of a recommendation of the proposed ordinance establishing a Town Center Overlay Zone. Commissioner Swenson seconded the motion. The motion passed unanimously 4-0;

with Commissioner Obray, Commissioner Swenson, Commissioner Mansell, and Councilmember Larsen all in favor.

Workshop: Conditional Use Permit and Land Use Table

Mr. Nelson led this discussion. He presented the proposed changes to Nibley City's conditional use code. He believed the changes matched State code and gave the City the ability to tie in regulations. He read the proposed changes from each section.

Mr. Nelson reviewed updates to conditional use definition including changes to the Home Occupation definition. He read the proposed definition:

“HOME OCCUPATION: The use of a portion of a dwelling as an office, studio, or workroom for occupations which are conducted in the home and are incidental to the primary use as a home or residence; provided additionally that: 1) individuals who own and operate the business must also live at that residence who perform occupation related activities at the home occupation residence must also live at that residence; 2) each home occupation may not have more than one employee who does not live at the residence report to that residence at a time individuals who do not live at the home occupation residence must not report to that residence for occupation related activities; and 3) the occupation shall not use any accessory building, yard, or any space outside the main building not normally associated with residential use. Applications meeting these criteria may (as determined by the appropriate land use authority) be classified a home occupation rather than being classified by the actual activity associated with the business, with the following exceptions. Child daycare/preschool for more than eight (8) children at a time shall be classified as a commercial daycare rather than a home occupation. In addition, activities involving the sale, service, leasing and/or rental of motor vehicles shall not be classified as a home occupation. ”

Mr. Nelson said he anticipated doing additional changes to uses in the industrial zone, which might be half warehousing/half retail. He also anticipated adding a short-term rental definition. Commissioner Swenson suggested that a daycare that had multiple classes needed to be separated by a certain amount of time.

Review of upcoming projects and ordinance

Mr. Nelson reviewed the projects he wanted to address during the summer:

Moderate Income Housing Plan
Neighborhood Commercial Standards
Fencing Code
Conditional Use Permit, Land Use Table and Definitions
Town Center
Zoning Map: Fix Zoning Lines, Future Zoning on 165 and 3200 S

Commissioner Logan asked how tricky the moderate income housing update would be. Mr. Nelson said it would be a general plan update and didn't feel it would be too difficult. He had done the research and had numbers and needed to tie his numbers to a plan. He anticipated the Planning Commission would see it on the July 18 meeting. Commissioner Mansell said they needed to get the conditional use permitting done. Mr. Nelson clarified that the conditional use permit, town center (possible zoning map) and fencing would come first.

Commission and Staff Report and Action Items

Mr. Nelson reported that Heritage Days was coming up and suggested the Planning Commission could volunteer and to contact Chad if they would like to help.

Mr. Nelson said the Planning Commission had a few options for their second meeting in June. They could meet on the previous day, Wednesday or they could meet on their scheduled date at the Public Works building. The Planning Commission opted to meet at the Nibley City Public Works building on June 20, 2019. Mr. Nelson summarized some of the items he believed would be on the June 20th agenda.

Mr. Nelson reminded the Planning Commission that the next day was the last day to declare to run for City Council.

Mr. Nelson reported on the status of the proposed amendments to the subdivision ordinance.

Mr. Nelson reported that Firefly Park had officially become a part of the City; the annexation had been recorded.

Mr. Nelson said construction of 10th West on the other side Highway 89/91 had begun. He anticipated it would connect to 2200 South later in the summer.

There was general consent to adjourn at 7:38 p.m.

Attest: _____
Deputy City Recorder