

The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 625 West 3200 South, Nibley, Utah on Thursday, June 20, 2019.

The following actions were made during the meeting:

Commissioner Swenson moved to continue discussion and consideration of a recommendation of the proposed ordinance establishing a Town Center Overlay Zone until the designated committee meets and makes a recommendation or plan.

Commissioner Logan seconded the motion. The motion passed unanimously 3-0; with Commissioner Swenson, Commissioner Logan, and Commissioner Mansell all in favor.

Planning and Zoning Commission Chair Garrett Mansell called the Thursday, June 20, 2019 Planning and Zoning Commission meeting to order at 6:00 p.m. Those in attendance included Commissioner Garrett Mansell, Commissioner Bret Swenson, and Commissioner Matt Logan. Mr. Stephen Nelson, Nibley City Planner, was also present. Commissioner Mansell noted that Commissioner Tyler Obray had indicated that he would arrive at the meeting late.

Approval of 6-6-19 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 reported on Commissioner Mansell's report to the City Council in the past week. He said it appeared that based on Commissioner Mansell's report the a couple of City Council were ready to meet with the Planning Commission in a committee meeting and felt this was the way the Town Center Overlay Zone discussion would move forward. Mr. Nelson showed a map he'd prepared showing the current Ropelatto land to SR 165 with potential commercial zoning along SR 165 and linear park around the canal and everywhere else as residential.

Commissioner Mansell said he had told the City Council that they were debating creating another ordinance but wanted some sort of master plan so they could lay out what they wanted and could accomplish what they wanted in the end to not have piece meal and ruin the whole town center. Commissioner Mansell said the big thing was they needed something that drew people and said he would prefer to see rec center. Mr. Nelson said they could potentially put a moratorium on this piece while they created a master plan. They ran the risk of losing the current developer's interest. Mr. Nelson said if the did a moratorium that would give six months to have a plan adopted. Commissioner Mansell asked if this master plan could be added to the updated general

plan that was recently adopted so that it was recorded. Mr. Nelson said a master plan was not a code; it provided guidelines.

Mr. Nelson suggested a couple Planning Commissioners meet as a committee with a few members of the City Council and staff; as had been planned previously. The committee could discuss creating a master plan, doing a Town Center Overlay Zone ordinance, or bonding so the City could partner with a developer and develop the land.

The Planning Commission discussed the City bonding to buy the land.

The Planning Commission discussed access points to SR 165 and commercial access.

Mr. Nelson discussed how the City could develop a Town Center plan. He said they could contract a town center master plan out or they could do the master plan in house and rely on in-house engineering for consulting. Mr. Nelson anticipated this would take a few months and they would probably lose the interested developer. Commissioner Logan agreed it

Mr. Nelson said staff's recommendation was to table the ordinance so that a committee two City Council members, two Planning Commissioners, and staff could meet and give a recommendation to the Planning Commission.

Commissioner Swenson moved to continue discussion and consideration of a recommendation of the proposed ordinance establishing a Town Center Overlay Zone until the designated committee meets and makes a recommendation or plan. Commissioner Logan seconded the motion. The motion passed unanimously 3-0; with Commissioner Swenson, Commissioner Logan, and Commissioner Mansell all in favor.

Workshop: Conditional Use Permit and Land Use Table

Mr. Nelson led this discussion. Mr. Nelson reviewed the changes he had made/suggested to proposed land use table. This included changes to Artisan Shop, Housing—Short-Term Rental, Government Services, Schools, low impact uses in commercial zones, Personal Instruction Services, Parking—Commercial, Temporary Vendor/Food Trucks, Recycling collection facility, Sign shop, and Sport facilities.

Commissioner Obray arrived at 6:34 p.m.

Commissioner Obray questioned doing a bed and breakfast in the rural estate. Mr. Nelson said it was conditional and there had been no change recommended to this use from the current land use table. Mr. Nelson recommended the Planning Commission advertise and hold a public hearing at the next Planning Commission meeting. He said he would provide a clean version of the land use chart, the conditional use provisions and definitions. Commissioner Swenson asked if there were provisions for tree house rental. Mr. Nelson said there wasn't. He said currently a tree house would be considered

an accessory building and those couldn't have living spaces in them and couldn't be rented out.

Commissioner Mansell said the conditional use permit and land use table would be put on the agenda for a public hearing in the next month.

Workshop: Fences Ordinance

Mr. Nelson led this discussion. Mr. Nelson said there had been a lot of push back with the current fence ordinance, especially with corner fences, fences along trails, and fences next to canals. Mr. Nelson thought they should reevaluate a couple of these issues. Mr. Nelson reported he had denied approximately 15 fences permits in the 2019 spring season. Commissioner Obray asked what the basis of denials had been. Mr. Nelson said corner fences because the applicants wanted to have a six-foot fence to their property line. Commissioner Obray felt this should remain the same. It was a safety issue.

Mr. Nelson showed examples of fence permits that had been denied on corner lots. He also displayed pictures of fences built along trails.

Mr. Nelson suggested they create sight triangle standards for corner lots and driveways. Mr. Nelson reported that Eagle Mountain already did this and discussed their standards. Mr. Nelson discussed Logan City, Midvale City, and Saratoga Springs standards. Commissioner Swenson, Commissioner Obray, Commissioner Mansell, and Commissioner Logan all agreed that they were in favor of sight triangle standards. Mr. Nelson said Nibley's engineers had recommended a 40 ft. sight triangle. Commissioner Swenson felt 40ft seemed excessive and Commissioner Obray gave exception to fences on arterial roads, 3200 south and 1200 west. Commissioner Logan clarified that Commissioner Obray was suggested there be different requirements for different streets. Commissioner Obray suggested said cars were traveling at a higher velocity on some roads. It was based on the Master Transportation Plan for what the road was going to turn into; a combination of street size and speed. Commissioner Swenson suggested it should be 30' everywhere and Commissioner Obray agreed it would match current setbacks.

Commissioner Obray asked in any of the Commissioners had an objection to six-foot fence to the side of the road (or a foot off the sidewalk) with a triangle set back. None of the Commissioners indicated they had an objection. Commissioner Obray suggested side yard fences needed to be 5 feet off sidewalk or 15 feet off curb if a sidewalk doesn't exist. Commissioner Logan said he "didn't hate that at all."

Mr. Nelson said his recommendation for fences along trails was that they were not made any less strict.

Commissioner Obray recommended they have a standardized trail fence and that the developer be required to install the fence. Mr. Nelson felt they needed to rework any vagueness in code and make it very clear.

Commissioner Swenson agreed with Mr. Nelson that they leave the fence code along trails alone, except tighten up the language. Mr. Nelson said he planned to bring a proposal and hold a public hearing at the next Planning Commission meeting.

Commissioner Swenson suggested a fence permit ought to expire after one year.

Commissioner Logan said the current fence code was the dumbest thing he heard, maybe the dumbest thing since measuring square foot of a roof line.

Workshop: Moderate Income Housing Plan

Mr. Nelson said he had started writing Nibley City's plan but needed the Planning Commission help in choosing three strategies (out of 23) to incorporate into their moderate housing plan. He had highlighted the items he felt were accomplishable. Commissioner Obray suggested they had already done A and that E was very possible because of basement apartments. Mr. Nelson said they could look into detached accessory dwelling units. Mr. Nelson said accessory dwelling units was a great way to accomplish moderate-income housing because it was low impact and most residents of accessory dwellings were family members to the individuals in the main home. Mr. Nelson reviewed items F, G, H, L, P. Mr. Nelson thought A, E, and F could easily be incorporated. Commissioner Logan said he liked those. Commissioner Swenson said he had a hard time with E. The Planning Commission debated accessory dwelling units.

Mr. Nelson said he planned to bring a draft proposed plan to the Planning Commission meeting on July 18.

Commission and Staff Report and Action Items

Mr. Nelson reminded the Planning Commission there was no meeting on July 4.

Mr. Nelson reminded the Planning Commission of Heritage Days activities occurring during the week.

Commissioner Swenson questioned if anyone else had a difficult time with accessing Nibley City.com on their phones. Mr. Nelson reported this was already being addressed.

There was general consent to adjourn at 7:42 p.m.

Attest: _____
Deputy City Recorder