

1 The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455
2 West 3200 South, Nibley, Utah on Thursday, October 3, 2019.

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4 The following actions were made during the meeting:

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6 **Commissioner Obray moved to recommend approval of the Final Plat, Phase 1, for**
7 **Mount Vista Subdivision, located at 600 West and 3400 South, with the condition that**
8 **all construction and engineering comments be addressed before going to City Council.**
9 **Commissioner Albrect seconded the motion. The motion passed unanimously 5-0;**
10 **with Commissioner Obray, Commissioner Albrect, Commissioner Swenson,**
11 **Commissioner Mansell, and Councilmember Larsen all in favor.**
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13
14 Planning and Zoning Commission Chair Garrett Mansell called the Thursday, October 3,
15 2019 Planning and Zoning Commission meeting to order at 6:03 p.m. Those in
16 attendance included Commissioner Garrett Mansell, Commissioner Bret Swenson,
17 Commissioner Carol Albrect, Commissioner Matt Logan, and Commissioner Tyler Obray.

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19 **Approval of 9-19-19 meeting minutes and the evening's agenda**

20 General consent was given for the evening's agenda.

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

23
24 **Discussions and Consideration of a Final Plat, Phase 1, for Mount Vista Subdivision,**
25 **located at 600 West and 3400 South**

26 The applicant, Dallas Nichol, with Visionary Homes was present at the meeting.
27 Commissioner Mansell read from an email sent by Nibley City's Planner, Mr. Stephen
28 Nelson that he recommended approval of the subdivision with the condition that all
29 construction and engineering comments are taken care of (a printed copy of Mr.
30 Nelson's email is included in the written meeting minutes).

31
32 Commissioner Mansell said the proposed maintenance plan had been updated and
33 asked about development and phasing of the open space in the subdivision. Mr. Nichol
34 said a portion of the open space, 2 of the 5.5 acres, was in phase 1. Commissioner
35 Mansell asked about trading irrigation in some of the open space for playground
36 equipment in the park space of phase 2. Mr. Nichol said that had been requested at City
37 Council and they were accommodating the request. Mr. Nichol said the large open
38 space wouldn't be irrigated; it would be native grasses, so it would be a little drier in the
39 summer. He said it would be maintained and mowed at least four times per year. Mr.
40 Nichol said the City Council had decided that instead of irrigating the large open space
41 they should put the \$60,000 in money into playground equipment and a pavilion in the
42 proposed park. Mr. Nichol said he hadn't seen the engineering comments and hadn't
43 had a chance to address the comments. Commissioner Obray asked about an easement
44 set aside to access 3650. Mr. Nichol said there would be an easement next to a

1 retention pond that would be reflecting in the phase 2 plat. Commissioner Obray said
2 the City Council had discussed setting up funds to develop a future road. Mr. Nichol said
3 it hadn't been addressed and assumed it would be addressed at City Council.

4 Commissioner Swenson asked if the canals would be closed off or left open. Mr. Nichol
5 said the canals would be closed; that the canal company had requested they all be
6 closed. Commissioner Swenson said he'd talked with Paul Leishman, President of the
7 canal company, and had discussed that there was no reason to leave the canal open
8 because there were no walking trails along the canal. Mr. Nichol discussed the proposed
9 sidewalks along the canal ways in the development. The Planning Commission and Mr.
10 Nichol discussed leaving a part of the canal open. Mr. Nichol said the walking trails
11 would be asphalt.

12
13 Commissioner Obray moved to recommend approval of the Final Plat, Phase 1, for
14 Mount Vista Subdivision, located at 600 West and 3400 South, with the condition that
15 all construction and engineering comments be addressed before going to City Council.
16 Commissioner Albrect seconded the motion. The motion passed unanimously 5-0; with
17 Commissioner Obray, Commissioner Albrect, Commissioner Swenson, Commissioner
18 Mansell, and Councilmember Larsen all in favor.

19
20 **Workshop: Rural Preservation Subdivision**

21 Commissioner Mansell asked for thoughts regarding the last Planning Commission's
22 mobile workshop about the different kinds of open space, changes that needed to be
23 addressed in the Rural Preservation Subdivision or if they needed to keep the ordinance
24 an administrative decision or make it a legislative overlay zone decision. Commissioner
25 Mansell read Mr. Nelson's pro versus con list of making the Rural Preservation
26 subdivision an administrative or legislative procedure. Commissioner Obray said the size
27 of lot didn't determine the value of the neighborhood. It was quality of construction.
28 The Planning Commission discussed that they didn't like leaving open space to become a
29 big weed patch and referred to the open space in the Meadow View subdivision.

30
31 Commissioner Albrect reported on the Utah League of Cities and Towns and suggested
32 they could offer greater density bonuses with higher quality open spaces or a larger
33 variety in lot sizes. She shared the discussion she'd had with a developer for Lifestyle
34 homes, at the conference. Commissioner Mansell reported that he and Councilmember
35 Bernhardt had discussed that they need to have a defined buffer zone. He said they
36 should also require that HOAs be run by a professional HOA company and not by a
37 neighborhood HOA. He said they'd also talked about requiring a variety of lot sizes.
38 Commissioner Mansell said he'd like to see lots adjoining another subdivision be at least
39 80% the size of the adjacent lots and then those would provide a buffer or transition to
40 the smaller lots. Commissioner Obray said that ultimately, they wanted control. He
41 suggested rural open space was granted to the City and the impact fee was increased
42 for those subdivisions so then the City can decide what park fit best. Commissioner
43 Mansell questioned if they could raise the impact fees specific to a neighborhood.
44 Commissioner Obray said there was no difference between raising the impact fee and

1 requiring a developer to do these things but it gave the City Council control to do what
2 they wanted. Commissioner Swenson and Commissioner Mansell debated the gradual
3 step down of lot sizes and if this option were economically feasible. Commissioner
4 Swenson said lot variation was not a requirement in the Rural Preservation subdivision.
5 Commissioner Obray said lot variation would also come down the land that was being
6 developed.

7
8 Commissioner Obray presented his takeaways from the Planning Commission mobile
9 tour. He said quarter-acre lots were not a bad idea and even .2 acres lots were not a bad
10 idea because of the costs associated with landscaping a half-acres was not possible for a
11 lot of citizens. Commissioner Swenson thought the market was working; the economic
12 functionality was working. Commissioner Obray said the base root of the problem was
13 that with every subdivision approval they created a president. He didn't know legally
14 they could say, "You can have an alfalfa field but you need to have an open ditch, fences
15 and running trails." Commissioner Obray said if they wanted control open space then it
16 needed to be deeded over to the City and the impact fees need to be raised.
17 Commissioner Swenson suggested they set a minimum standard for open space.
18 Commissioner Mansell discussed he wasn't a fan of pocket parks and though they
19 should have 5-6 Elkhorn type parks throughout the city. Commissioner Swenson the
20 Rural Preservation subdivision could require that the developer must buffer the roads.
21 Commissioner Mansell said agreed that they should along any corridor or collector
22 roads. Commissioner Swenson conceded it was in improvement to his subdivision when
23 the City Council had required a buffer and suggested instead of throwing the code out
24 that they improve the code. Commissioner Logan asked if they could ensure that no
25 open space was privately owned? He felt it wasn't really owned. Commissioner Obray
26 said he didn't have a problem with private ownership. Privately owned land was far less
27 likely to have misuse of land; except when the privately owned land created double
28 fences and weird configurations. Commissioner Albrect felt they had gotten better
29 subdivisions since they had started Rural Preservation subdivision and didn't want to go
30 backward. Commissioner Albrect discussed the City's trail by Ridgeline High School.

31
32 The Planning Commissioners discussed a priority of changes:
33 The name Rural Preservation subdivision is not accurate.
34 How they controlled and utilized the open space.

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36 Commissioner Obray asked each Commissioner to independently think about what each
37 of them thought control meant.

38
39 The Planning Commission discussed the items they wanted to improve immediately:
40 buffer zones and open space control.

41
42 Commissioner Swenson said he would like to have the opinion of some professional
43 developers. Commissioner Mansell suggested Jim Johnson. Commissioner Swenson

1 suggested the Planning Commission talk to their developer friends before their next
2 discussion.

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4 **Workshop: Dark Sky Ordinance**

5 Commissioner Mansell said they would move this item to the next Planning Commission
6 agenda.

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8 **Staff Report and Action Items**

9 None

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11 There was general consent to adjourn at 7:29 p.m.
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Attest: _____
Deputy City Recorder