

The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Thursday, November 21, 2019.

The following actions were made during the meeting:

Commissioner Swenson moved to recommend approval of Nibley Farms Phase 1 Final Plat, located at 1500 West and 3410 South; applicant 7 Point Royal, LLC, with the conditions that items 4, 5, 6, and 8 as listed in the meeting agenda, be completed before the applicant appeared before the Nibley City Council.

4. Landscape plan has been turned in for trees planting in stormwater pound area, but do not have any landscaping design other vegetation in PH 1 A or for PH 1 B trail space.

5. The trail in Open Space PH1 B should be 8' wide and paved with concrete or asphalt.

6. No updated street tree plan as required in NCC 21.12.170

8. Need to update construction documents and roadway cross-section to comply with Nibley City Subdivision and Design Standards

Commissioner Albrect seconded the motion. The motion passed unanimously 5-0; with Commissioner Swenson, Commissioner Albrect, Commissioner Mansell, Commissioner Logan, and Commissioner Obray all in favor.

Planning and Zoning Commission Chair Garrett Mansell called the Thursday, November 21, 2019 Planning and Zoning Commission meeting to order at 6:02 p.m. Those in attendance included Commissioner Garrett Mansell, Commissioner Carol Albrect, Commissioner Matt Logan, and Commissioner Bret Swenson. Mr. Stephen Nelson, Nibley City Planner, was also present.

Approval of 11-7-19 meeting minutes and the evening's agenda

General consent was given for the evening's agenda.

Commissioner Swenson asked that clarification be added to the previous meeting minutes on page 2 line 34.

"Commissioner Swenson said he felt 100% of their subdivisions should be rural, open space subdivisions;"

Commissioner Swenson that his point was that the goal should be that 100% of their subdivisions should be rural, open space subdivisions and asked that the minutes be amended to reflect this.

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

Discussion and Consideration of a recommendation of Nibley Farms Phase 1 Final Plat, located at 1500 W and 3410 S. (Applicant 7 Point Royal, LLC)

Travis Taylor representing the applicant, 7 Point Royal, LLC, was present at the meeting.

Mr. Nelson said the applicant would look differently than the preliminary plat the Planning Commission had seen. Previously, the open space was located on the south end of the property instead of the north end. This was done because stormwater worked better on the north end and had switched the open space. There was still a 10-foot dedicated right-of-way for a trail that ran adjacent to the canal on the property. The other reason the open space had been moved was for better access to power lines and the open space would provide buffering to an adjacent subdivision.

Mr. Nelson reviewed some finding listed on the subdivision and that the applicant had addressed the findings. Mr. Nelson said the construction drawings had been reviewed by staff and there was nothing on the construction document that would alter the plat.

Mr. Nelson said there were canals that were just outside the property boundary on the south end that was piped in the right-of-way easement. The applicant would pipe the canal. The canal company had reviewed the plan and was fine with the changes but he hadn't received an official letter. He anticipated receiving the letter in a couple days.

Mr. Nelson said there were a couple items regarding the maintenance plan and street tree plan that hadn't been completed:

1. The required number of trees had been planned in the retention areas but there was no detail of what would be planted underneath the trees and how the area would be maintained. (NCC 21.010.20 I.7)
2. There was no maintenance plan for the trail space. An 8-foot asphalt trail was planned and the walkway was 10-foot wide so there wasn't a lot of room for landscaping. The plan, as of now, was to leave the trail in its natural state.

Mr. Nelson said all open space was planned to be dedicated to Nibley City. The retention pond would be developed but further development of amenities to the park space would depend on the City.

Mr. Nelson reviewed the listed findings and if/how the findings had been resolved. Mr. Nelson said staff recommended the Planning Commission give a positive recommendation to the City Council based on the findings and comments that had been sent to the developer to be addressed.

Mr. Taylor said he was happy to address questions. He said they were happy with where the plat had ended up. He hoped when they brought in plans for land east of 1200 that they could tie open space together and have a decent swath running through the city.

Commissioner Obray arrived at 6:47 p.m.

Commissioner Swenson moved to recommend approval of Nibley Farms Phase 1 Final Plat, located at 1500 West and 3410 South; applicant 7 Point Royal, LLC, with the conditions that items 4, 5, 6, and 8 as listed in the meeting agenda, be completed before the applicant appeared before the Nibley City Council.

- 4. Landscape plan has been turned in for trees planting in stormwater pound area, but do not have any landscaping design other vegetation in PH 1 A or for PH 1 B trail space.*
- 5. The trail in Open Space PH1 B should be 8' wide and paved with concrete or asphalt.*
- 6. No updated street tree plan as required in NCC 21.12.170*
- 8. Need to update construction documents and roadway cross-section to comply with Nibley City Subdivision and Design Standards*

Commissioner Albrect seconded the motion. The motion passed unanimously 5-0; with Commissioner Swenson, Commissioner Albrect, Commissioner Mansell, Commissioner Logan, and Commissioner Obray all in favor.

Workshop: Rural Preservation Subdivision and Open Space in Nibley City

Mr. Nelson asked the Planning Commission for their direction on changing lot sizes to provide a higher variety of lot sizes. If they had a higher average lot size they would force a higher variety of lot sizes. Mr. Nelson also wanted discussion on the procedure for calculating the allowed number of lots; they could reevaluate how they calculated what density was by using gross developability.

Mr. Nelson reviewed his editing and proposed changes to Nibley City code 21.10.20 Rural Preservation Subdivision.

Commissioner Mansell was still having a hard time wrapping his head around open space, the types of open space and who was going to own the open space. Mr. Nelson addressed the City Attorney's concerns about open space. If the City required too much with open space, the dedication of open space and improvements to open space then it could be a violation of state law. They needed find a balance. Commissioner Mansell said he was still thinking a way of doing this was an overlay zone; the City had negotiating power and was a partner in the project. Commissioner Mansell suggested changes to standard subdivision ordinance by lowering the minimum lot size on R-2 and R-2A. Mr. Nelson and the Planning Commission discussed and debated the balance between development requirements and exactions. Commissioner Obray thought the

code was working but thought the branding was wrong in calling the ordinance rural preservation. Mr. Nelson and the Planning Commission discussed the results of changing specifications on the R-2 and R-2A zoning. Commissioner Swenson said he was leaning towards Commissioner Obray. He was against anything that would incentivize a developer from doing a standard subdivision. He said rural preservation subdivisions were generally, for the most part, better subdivisions and provided what the City couldn't provide. Commissioner Mansell said if nothing else changed in the ordinance he wanted to include a landscape buffer on arterial and collector roads and he wanted to change to a set number of lots per acre.

Mr. Nelson said he wouldn't plan to do anything changes but would research what they needed to do to incentivize more improved park space and criteria for where buffers should be added along arterial roads; like 1200, 2600 and the highways.

The Planning Commission discussed fencing requirements and types of fencing.

Workshop: Dark Sky Ordinance

Mr. Nelson said he'd sat down with Nibley's building inspector and had cut the Dark Sky ordinance down to a four-page ordinance, which made it simpler and easier to administer. Mr. Nelson said he'd uploaded the first draft of the ordinance into the meeting packet that day. He displayed the most recent copy of the proposed ordinance and summarized the ordinance including the proposed changes. Mr. Nelson said he was fine if the Planning Commission wanted to keep working in the old ordinance but thought something simple and more intuitive would be easier to work with. Commissioner Mansell said he was all for simplification.

Workshop: Future of Commercial, Neighborhood Commercial Zoning, and Commercial Standards within Nibley City

Mr. Nelson reminded the Planning Commission that he'd ask them to look at Nibley's Commercial Design Guidelines and Standards. He generally liked the standards but felt the standards were vague. He also felt they might want to look at different standards for different types of commercial building; like a doctor's office versus a boutique. Mr. Nelson suggested the Planning Commission take some time to go through the standards. Commissioner Mansell suggested the standards be simplified.

Mr. Nelson reminded the Planning Commission that at their last meeting they'd discussed potential future zoning areas on highway 165. Mr. Nelson showed a map with proposed commercial zoning areas. He provided a copy of the Nibley City Zoning map, a future land use map and a Sharpie to each Planning Commissioner and asked them to mark areas on their map they felt could/should be zoned as commercial. Mr. Nelson said he intended to consult with commercial realtors to see if they could give some direction. Commissioner Mansell discussed putting commercial on both side of highway 165. Commissioner Obray suggested properties they intended to be zoned commercial that they advertise the properties were available as commercial but not zone the

property commercial; then property taxes wouldn't go up. He said they would put a financial burden of the property if they said it was commercial. It should be dealt with as a commercial overlay zone. Commissioner Logan and Commissioner Mansell agreed with Commissioner Obray. Commissioner Obray discussed commercial development on 4400. He said what made commercial work was distance from other commercial. He said their focus should be south. Mr. Nelson discussed talks with Hyrum to agree on future municipal boundary line. Commissioner Obray asked that one of the Planning Commissioners be given the authority to speak with Hyrum as a land use authority. Something could be done if Hyrum and Nibley worked together. He said there was so much in play with the sewer and EMT services that it was the time to act. Commissioner Obray recommended they recognized a commercial overlay zone all along highway 165 talk seriously about 4400.

Staff Report and Action Items

Mr. Nelson reported on the Wesley-Nelson Farm. He said they'd filed for deannexation and Logan City had officially voted to deannex the property and Nibley City was starting the annexation process.

Mr. Nelson said there would be a public hearing and R-PUD application for Firefly Estates at their next Planning Commission meeting.

Mr. Nelson said the Planning Commission would receive turkeys on Monday the 25th from 4:00-5:30 p.m.

Mr. Nelson reported that the Nibley City end-of-year party was scheduled for the Thursday, December 19 at the Riverwoods.

There was general consent to adjourn at 8:24 p.m.

Attest: _____
Deputy City Recorder