

The Meeting of the Nibley Planning and Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Thursday, March 5, 2020.

The following actions were made during the meeting:

Planning Commission Chair Garrett Mansell called the Thursday, March 5, 2020 Planning Commission meeting to order at 6:32 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 2-20-2020 meeting minutes and the evening's agenda

General consent was given to postpone the first three items on the agenda. General consent was given for the evening's agenda.

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

Workshop: Accessory Dwelling Units

Mr. Nelson reminded the Planning Commission of the four-goals adopted in the Nibley City Moderate Income housing plan one of which allowed the reduction of Accessory Dwelling Units in residential zones. Mr. Nelson said the biggest thing preventing an attached Accessory Dwelling Unit (ADU) was the prohibition of living space in an accessory building under NCC 19.24.060 D. Mr. Nelson said they would want to consider if they would allow an accessory building to be bigger than a primary dwelling on a lot. Commissioner Obray suggested a ratio. Mr. Nelson and Commissioner Obray discussed the difference between an ADU and a flag lot. Mr. Nelson suggested they create an accessory dwelling unit section within the Nibley City zoning code. Mr. Nelson and Commissioner Logan discussed what other entities did to address ADUs. Mr. Nelson said from staff's perspective, this was a good way to address the affordable housing demographic. Mr. Nelson and Commissioner Logan discussed problem that had presented because of ADU with Mr. Nelson noting that parking was the biggest problem with ADU. Mr. Nelson recommended the Planning Commission decided on a minimum lot size that would be appropriate for ADU and not restrict them by zoning. Commissioner Mansell liked the idea of restricting the number that could be utilized in an area. Mr. Nelson and the Planning Commission discussed ways to track ADU through the update of the business license code to include landlord licensure. Commissioner Obray requested Mr. Nelson show a sample of lot sizes with ADU before they passed an ordinance. He also felt they should keep an off-street parking requirement.

Workshop: Residential Planned Unit Development Code Update

Mr. Nelson said the City Council had discussion and consideration of adopting an ordinance for a moratorium regarding Residential Planned Unit Development (R-PUD).

Mr. Nelson anticipated this ordinance would pass. Mr. Nelson discussed the applications for R-PUD that were currently being discussed at City Council.

Mr. Nelson reviewed the sections of code he would propose needed to be changed: how open space was defined particularly “landscaping within rights-of-way including public sidewalks and trails and private and public parks shall be counted as open space” which Mr. Nelson agreed should be taken out and a few clarifying additions to the ordinance.

Mr. Nelson and Commissioner Mansell discussed the open space requirements for a Rural Preservation Subdivision (Rural Preservation subdivision) versus a Residential Planned Unit Development (R-PUD) subdivision. Commissioner Mansell said he would revamp the R-PUD so there were 50-60% single-family lots with a percentage or a scale of some sort for the size of the lot. He felt they were doing nothing but allowing high-density and getting nothing back. He said they needed to readjust the ratios. The Planning Commission discussed the use of commercial spaces in R-PUD.

Mr. Nelson showed the Planning Commission the overlay layout that was approved for Firefly Estates.

Commissioner Obray discussed the economics of high-density. He said the City had significant budgetary items coming their way and high-density took care of this. Commissioner Obray didn't believe they could workshop the ordinance. Mr. Nelson said he believed Commissioner Obray was saying that he would rather make a few changes that we discussed potentially open space requirements and maybe a few other recommendations to the city council. Commissioner Mansell reiterated that they should change the percentage of single-family; he would rather see 60% allowed townhomes. The Planning Commission discussed varying lot sizes within the ordinance. Commissioner Obray said he was fine if they didn't workshop the R-PUD but rescinded the final three areas designated on the R-PUD map. Commissioner Mansell asked Mr. Nelson to recalculate the Ridgeline R-PUD taking out the open space calculations for right-of-way and calculating at 60% townhomes.

Commissioner Obray agreed with cutting back the townhomes to 60%, change the way we are calculating open space and the 4500 sq ft minimum lot will require a variation of lot sizes automatically.

The Planning Commission discussed requiring a minimum commercial requirement. Commissioner Obray said it was a “chicken vs. the egg” discussion. They needed people to have commercial. When commercial was ready to happen, houses would be torn down for commercial. Mr. Nelson agreed that requiring commercial would be difficult to have developed. Commissioner Mansell said he trusted Commissioner Obray's opinion on commercial. The Planning Commission discussed changing the minimum amenity requirements.

Mr. Nelson said he would bring back draft changes to the next meeting which would include a spreadsheet with numbers.

Commissioner Obray moved for a five minutes break. Commissioner Logan seconded the pee break. The motion passed unanimously 3-0; with Commissioner Obray, Commissioner Logan, and Commissioner Mansell all in favor.

The meeting took a recess at 7:50 p.m. The meeting resumed at 7:54 p.m.

Workshop: Rural Preservation Subdivision

Mr. Nelson spoke with Commissioner Mansell who recommended two items to the agenda: That lots adjacent to existing subdivisions are 80% of the zoning minimums of the adjacent zone and eliminating islands of open space.

Commissioner Obray, Commissioner Mansell, and Commissioner Logan agreed that the name of the ordinance should be changed. Commissioner Mansell said he didn't like stark contrast. He compared most of his statements to the Mt. Vista subdivision. Commissioner Mansell said the park at Mt. Vista was an island with no future opportunity to expand. He also felt there should be more of a transition. If they were next to an R2 zone, then the developments adjacent should be at least 80% of the R2 zoning. Commissioner Obray questioned what they would require abutting to R2 or R2A subdivisions. Planning Commission debated requiring quarter acre lots. Commissioner Obray felt quarter acre would work for any zone in which the Rural Preservation subdivision was allowed.

The Planning Commission and Mr. Nelson debated eliminating islands of open space. They discussed private versus public ownership. Commissioner Mansell wanted the requirement that open space could be connected by a trail taken out of the ordinance. He wanted all open space to be continuous or connectible to other open space.

The Planning Commission suggested changing the ordinance name to the Open Space Subdivision ordinance or (OSS).

Commissioner Obray would like to change the barbed wire fencing code to have a different fence that hides or covers it for an appealing looking subdivision.

Mr. Nelson said he would make changes and bring them back to the Planning Commission before a public hearing was held.

Workshop: Commercial and Neighborhood Commercial Code Update

Mr. Nelson reminded the Planning Commission of the commercial entities for use regulations they'd discussed in the past. He also wanted to update the neighborhood commercial zone. He felt there were a few items that were outdated. He summarized

items he felt were outdated and discussed proposed changes. These discussion items included: lot sizes (eliminating the 2-5-acre size), area density requirements (.5 to .25 acre), lot coverage, cutting back on commercial setback requirements, and accessory dwelling units in neighborhood commercial. There was general consent to remove the short-term rental clause from accessory dwelling units (J).

The Planning Commission directed Mr. Nelson to move the discussion forward to a public hearing.

Staff Report and Action Items

Mr. Nelson reported on Firefly Estates.

Mr. Nelson reminded the Planning Commission that there would only be one Planning Commission meeting in April.

Mr. Nelson announced that it was Cheryl's last meeting taking notes.

There was general consent to adjourn at 8:36 p.m.

Attest: _____
Deputy City Recorder

