



Nibley City
Planning Commission Meeting
Thursday, January 21, 2020
455 W. 3200 S.
Nibley, UT

6:30 p.m. Call to Order and Roll Call
 Approval of Agenda
 Approval of Minutes

In accordance with Utah Code Annotated 52-4-207 and Nibley City Resolution 12-04, this meeting may be conducted electronically. The anchor location for the meeting will be Nibley City Hall, 455 West 3200 South, Nibley, Utah. The public may participate in the meeting via the Zoom meeting link provided at www.nibleycity.com.

1. **Public Hearing:** receive comment on Ordinance 21-03: Commercial Zoning Standards
2. **Discussion and Consideration:** recommend approval of Ordinance 21-03: Commercial Zoning Standards
3. **Public Hearing:** receive comment on Ordinance 21-04: Transportation Master Plan Map Amendments
4. **Discussion and Consideration:** recommend approval of Ordinance 21-04: Transportation Master Plan Map Amendments
5. Staff Report and Action Items

*Planning Commission agenda items may be tabled or continued if 1) Additional information is needed in order to take action on the item, OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commission.** The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.*

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 752-0431 A MINIMUM OF 24 HOURS BEFORE THE MEETING.



**Nibley City Planning
Commission
Agenda Item Report
January 21, 2021**

Agenda Item #1 & #2: Commercial Zoning Standards

Description

Public Hearing: receive comment on Ordinance 21-03: Commercial Zoning Standards

Discussion and Consideration: recommend approval of Ordinance 21-03: Commercial Zoning Standards

Department

City Planning

Action Type

Legislative

Recommendation

Recommend approval of Ordinance 21-03: Commercial Zoning Standards with the findings noted below.

Reviewed By

City Planner

Background

Staff is recommending specific changes related to commercial zoning standards. These changes have been discussed in two workshop sessions with the Planning Commission.

The first recommended change addresses requirements for site plan review for new commercial and industrial development. Currently, NCC 19.14.050 (M) provides a process for site plan review, which includes a concept presentation, preliminary approval (of Planning Commission and City Council) and a final approval (of Planning Commission and City Council). Staff believes that, for most developments, this process is overly arduous for applicants and should be simplified. It should also articulate in which instances a new development should go through the site plan review process and should be inclusive of industrial development, as well. During the December 3 meeting, the Planning Commission recommended developing thresholds for approval authority for site plans. For buildings less than 500 sq ft, the City Planner would be the approval authority. For buildings greater than 500 sq ft and less than 10,000 sq ft, the Planning Commission would be the approval authority. For buildings greater than 10,000 sq ft, the City Council would be the approval authority with a recommendation from the Planning Commission.

The second change addresses mitigating impact when commercial uses are adjacent to residential uses. When approving the recent annexation of Malouf, the City Council expressed the concern of new commercial development creating shadows and having other impacts if buildings are in close proximity to homes. This can be addressed through setback requirements of 19.22, which already has additional setback requirements in industrial zones. In the December 3 and 17 meeting, it was discussed to have a minimum setback requirement when a commercial zone abuts a residential zone or dwelling, with additional setback needed when the height exceeds the minimum setback. There was some concern about the potential negative impact this may have on economic development in the City and Staff was directed to submit some examples of commercial building setbacks which are adjacent to residential zones. Within Cache Valley, it appears that there are limited examples of commercial buildings directly adjacent to residential, which have minimal setbacks. In some cases, it does appear that they are out of scale with the context of the neighborhood and additional setback requirements may mitigate potential negative impacts. Based upon the discussion, Staff recommends that in Commercial zones, there should be a minimum setback of 30 feet for additional buildings with one additional foot of required setback for buildings higher than 30 feet. In neighborhood commercial zones, staff recommends a lower minimum setback of 20 feet. This is more appropriate, as neighborhood commercial development already has other restrictions related to square footage and height restrictions and are meant to integrate into residential neighborhoods. That said, some uses may have detrimental impacts upon adjacent housing, which can be mitigated with additional setback requirements.

Recommended Findings

- The recommended changes improve the clarity and appropriateness of the site plan review process for commercial, industrial and institutional development

- Commercial development may have detrimental impacts when adjacent to residential development that may be mitigated by additional setback standards

Agenda Item #3 & #4: Transportation Master Plan Map

Description

Public Hearing: receive comment on Ordinance 21-04: Transportation Master Plan Map Amendments

Discussion and Consideration: recommend approval of Ordinance 21-04: Transportation Master Plan Map Amendments

Department

City Planning

Action Type

Legislative

Recommendation

Recommend approval of Ordinance 21-04: Transportation Master Plan Map Amendments with the finding noted below.

Reviewed By

Mayor, City Planner, City Manager, Public Works Director, City Engineer

Background

The Transportation Master Plan was last adopted in January 2019. The overall purpose of this plan is to coordinate future transportation facilities with land use. The Plan includes a Master Streets Plan, which recommends alignments, right of way widths and facility types for future streets. Future streets are improved as development occurs. The Mayor and the City Staff has expressed the need to consider updating some alignments of streets in the plan to improve connectivity and reflect recent development changes. Specific recommendations include:

- **450 West**- extend 450 W from its existing terminus at 3800 S to connect to 4000 S to improve street connectivity and traffic circulation as this area develops. This connection was previously taken out, as the area south of the existing 450 W may have a permanent conservation easement. However, this has not occurred and it is advised to include this connection for the time that this area may develop.
- **Meadowview Lane**- extend Meadowview Ln to connect to the planned 450 W to improve connectivity in this area and provide appropriate emergency access.
- **3200 South**- realign 3200 S to intersect with 2000 W at a signalized intersection with Hwy 89/91 in accordance with the ongoing study for the intersection. This allows for more efficient traffic flow and improves safety.
- **Heritage Drive** – realign Heritage Dr to stay parallel with Hwy 89/91. This provides a more direct connection and more efficient traffic flow. The existing plan includes an alignment that follows the edge of Tri H Farms. This alignment was made at the request of the landowner of Tri H Farms. In exchange, the landowner agreed to annex into Nibley City. However, this has not occurred.
- **2965 South extension** – The existing plan includes a connection from 2965 S in Elkhorn Estates to 2900 South at Main St. Rather than connecting this street to 2900 S, the approved plan for Ridgeline Park is to curve the roadway to the south and connect to Main St at the Maverik Driveway. This alignment avoids impacts to existing wetlands while retaining the connectivity. 2900 S would retain a connection between Main St and 250 W.
- **2750 South**- A connection is recommended at 2750 S between Main St and 250 West to improve accessibility and connectivity as the town center develops.
- **2700 South**- A local connection is recommended between 1200 W and Heritage Dr to improve local connectivity when this area develops.
- **4400 South** – To improve connectivity and safety, an extension of 4400 South to Hollow Rd is recommended. This connection could divert traffic at the existing offset intersection of Hollow Rd and Main St.
- **Stonebridge local streets** – The existing Transportation Master Plan includes the local roads approved as part of the Stonebridge subdivision. As phase 3 and 4 of this subdivision has not yet developed, there may be an opportunity to improve the circulation in this area. The through street at Stonebridge Dr is retained to connect to future development to the north, but the remaining cul-de-sacs are recommended to be excluded from the plan. This would not prevent Stonebridge from developing as originally approved but allows for more flexibility in the street design.
- **Ridgeline Park and Nibley Farms local streets.** The streets approved as part of the approved final plat for these subdivisions are included to reflect the planned streets for each neighborhood.

Recommended Finding

- The recommended changes to the Transportation Master Plan will help ensure a more efficient, connected transportation system as development occurs.

19.14 Commercial And Neighborhood Commercial Zoning Standards

19.14.010		Purpose
19.14.020	Use	Regulations
19.14.030	Space	Requirements
19.15.040	Parking	Requirements

19.14.050 Neighborhood Commercial Zone C-N

HISTORY

Adopted by Ord. 20-09 on 5/14/2020

19.14.010 Purpose

The purpose of the commercial zone is to provide suitable areas for the location of commercial activities needed to serve the people and commerce of the city. Retail commercial activities which serve the residents of the city will be encouraged.

19.14.020 Use Regulations

See NCC 19.20

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A. Use Permit

- ~~1. Each Commercial Development and Use shall obtain a business license from Nibley City. Commercial Uses as listed in NCC 19.20 as a conditional use shall also obtain a Conditional Use Permit before construction of new developments or operation of a business for existing commercial developments and buildings.~~

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B. Traffic and Connectivity

- ~~1. Roadways and intersections shall maintain a Level of Service (LOS) C. Commercial applicants may be required to make any road updates in order to ensure the roadway will maintain LOS C.~~
- ~~2. Site plans must comply with the Transportation and Trails Master Plan.~~
- ~~3. Applicants may be required to provide an additional vehicle access to the site for one or more of the following reasons~~
 - ~~a. There is only one vehicle access road to the site~~
 - ~~b. Allow for greater emergency access to the site~~
 - ~~c. Provide for better connectivity and enhance the safety of surrounding roadways and intersections.~~
 - ~~d. Construction access to minimize impact to existing homes and infrastructure~~

C. Utilities

- ~~1. Prior to the issuance of a business license or conditional use permit, utility lines shall be updated to comply with water, sewer and stormwater master plans within the application property and adjacent rights of way.~~
- ~~2. A business license or conditional use permit shall only be granted if the City can reasonably supply water and sewer services to the applicant for their proposed use. The City may require an applicant to surrender water shares or water rights.~~
- ~~3. Applicants shall connect to service lines needed to supply the use of an application and shall be responsible for all associated costs.~~
 - ~~a. If no utility lines are available or current utility lines and services are determined to be insufficient for the proposed use by the City Engineer, the applicant shall build or install for the needed infrastructure before a business license or conditional use permit may be granted.~~

- D. ~~Each Commercial building shall be built to the standards in Nibley City Design Standards for Commercial and Institutional Uses except for Remodeled Residential Units as stated within this chapter.~~
- E. ~~All commercial buildings shall comply with fire code and are subject to inspection of the Fire Marshall before a business license or conditional use permit is granted. New commercial buildings shall also be inspected by the Fire Marshal before a certificate of occupancy can be given. All commercial buildings shall be subject to an annual inspection by the Fire Marshal, and any license, permit, or certificate issued for a building or use may be revoked for failure to comply with fire code.~~
- F. ~~All site plans shall be approved by the City's Engineer and Public Works departments. All site plans shall comply with Nibley City Design Standards and all projects located in Commercial and Neighborhood Commercial Zone shall comply with Nibley City Design Standards for Commercial and Institutional Use.~~
- G. ~~Residential Units Remodeled for Commercial Use:~~
- ~~1. Nibley City Design Standards for Commercial and Institutional Use facade treatments shall not apply to single family homes that have been remodeled for commercial use. Such homes may be referred to as "Remodeled Residential Units."~~
 - ~~2. Remodeled Residential Units must comply with landscaping, parking, fire code, the Americans with Disability Act (ADA) requirements, building permit requirements, inspections, and all other standards and requirements described within this title.~~
 - ~~3. Any business taking place in a remodeled residential unit is considered a conditional use and shall obtain a conditional use permit prior to beginning operations, regardless of the use within the building. Any change in the business or use of the Remodeled Residential Unit shall require a new conditional use permit.~~
 - ~~4. The Commercial Use shall be the primary use of the building.~~
 - ~~5. The exceptions for Remodeled Residential Units shall only apply to buildings on lots which front collector or arterial streets, as defined by the Nibley City Master Streets Plan.~~
- H. ~~The City may require the placement of fences or walls to enhance security and mitigate aesthetic or other impacts at facilities adjacent to residential areas.~~
- I. ~~In Commercial Zones, warehousing and storage may be allowed as part of business if it is attached to offices, retail, or other permitted or conditional use allowed within a Commercial Zone.~~
- J. ~~All Commercial developments shall comply with landscaping code within NCC 19.24.170.~~

19.14.030 Space Requirements

See

NCC

19.22.

19.14.040 Parking Requirements

See NCC 19.24.160.

19.14.050 Site Plan Review

- A. Site Plan Review and Approval Process: Any proposed development of commercial, institutional or industrial uses, which includes both new buildings, or expansion of or additions to existing buildings, or change in type use of existing buildings, must meet the requirements of design standards for commercial and institutional uses, as applicable, and the provisions of this title and other applicable standards.
1. Approval Process: All proposed development described in this section are subject to the following site plan approval process. At each stage of the process, applicants shall be required to submit relevant application forms and pay applicable fees.

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a. Preapplication Conference: Prior to submitting a site plan application, developers shall meet with the City Planner to become acquainted with the development requirements, procedures and schedules, and to discuss potential issues with the project. At this time, developer shall present the city planner with a general site plan and inform the City Planner of plans for the development.

b. Site Plan Review: For all commercial, institutional and industrial development, including new buildings, ~~or expansion of or additions to existing buildings, or change in the type of use of existing buildings,~~ developer is required to receive approval from the following bodies, as set forth:

1. -For development, redevelopment, or additions to buildings which are below 500 sq ft, the City Planner shall be the site plan approval authority.

2. -For development, redevelopment, or additions to buildings which are greater than 500 sq ft and less than 10,000 sq ft, the Planning Commission shall be the site plan approval authority.

3. For development, redevelopment, or additions to buildings which are greater than 10,000 sq ft, the City Council shall be the site plan approval authority. Such site plans shall only be presented to the City Council after a recommendation of the Planning Commission.

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2. Site Plan Specifications: The site plan shall be prepared, submitted and reviewed in accordance with the Nibley City Code and Standards, as applicable, including Design Standards for Commercial and Institutional Development.

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a. At the time of site plan application, developer shall be required to submit the following plans, drawn to a scale not to exceed one inch equals three hundred feet (1" = 300'):

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1. Overall site plan, including location of buildings, open space, parking, landscaping and pedestrian and traffic circulation, all existing residences, buildings, existing streets and proposed streets within three hundred feet (300') of the site in all directions.

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1. Architectural renderings and elevations, demonstrating building materials and colors.

2. General drainage and utility layout with topography, showing all topographic features.

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2. As part of the site plan application, the developer shall be required to submit construction drawings, ~~which that~~ are compliant with the Nibley City Design Standards and Specifications.

3. As part of the site plan application, the developer shall describe the source, layout, and availability of utilities and utility connections. In particular, the developer shall describe the anticipated water requirements of the proposed development and the developer's plan for supplying water to the site.

b. Site Plan Modifications and Amendments: Except as may be provided for elsewhere in this chapter, no element of an approved site plan shall be changed or modified substantially without first obtaining approval of the proposed amendment with the same procedure of the original site plan approval. Substantial modification shall include the change in use of a structure, as defined in 19.20.020, or any modification that changes at least five percent (5%) of the total area in the approved site plan.

c. Time Limitations: Developer shall have one year from the date of final site plan submittal to obtain final plan approval. Extensions of time may be granted by the planning commission and/or city council for a period of not longer than one year upon submittal of a request for extension of time, and showing of good cause prior

to the expiration of the initial approval or an approved extension of time. A second time extension may be requested, and if granted, the extension can be no longer than six (6) months. No other time extensions shall be granted. Developer shall have to start the design review process over. Self-imposed and economic hardships shall not be a basis for granting an extension.

3. Applicants which require a Conditional Use Permit may submit a site plan at the time they submit a conditional use permit and need not submit a separate application.

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19.14.060 Commercial Zone Requirements

A. Use Permit

1. Each Commercial Development and Use shall obtain a business license from Nibley City. Commercial Uses as listed in NCC 19.20 as a conditional use shall also obtain a Conditional Use Permit before construction of new developments or operation of a business for existing commercial developments and buildings.

B. Traffic and Connectivity

1. Roadways and intersections shall maintain a Level of Service (LOS) C. Commercial applicants may be required to make any road updates in order to ensure the roadway will maintain LOS C.
2. Site plans must comply with the Transportation and Trails Master Plan.
3. Applicants may be required to provide an additional vehicle access to the site for one or more of the following reasons
 - a. There is only one vehicle access road to the site
 - b. Allow for greater emergency access to the site
 - c. Provide for better connectivity and enhance the safety of surrounding roadways and intersections.
 - d. Construction access to minimize impact to existing homes and infrastructure

C. Utilities

1. Prior to the issuance of a business license or conditional use permit, utility lines shall be updated to comply with water, sewer and stormwater master plans within the application property and adjacent rights-of-way.
2. A business license or conditional use permit shall only be granted if the City can reasonably supply water and sewer services to the applicant for their proposed use. The applicant shall be required to supply necessary water rights or shares in accordance with NCC 21.12.020.
3. Applicants shall connect to service lines needed to supply the use of an application and shall be responsible for all associated costs.
 - a. If no utility lines are available or current utility lines and services are determined to be insufficient for the proposed use by the City Engineer, the applicant shall build or install the needed infrastructure before a business license or conditional use permit may be granted.

D. Each Commercial building shall be built to the standards in Nibley City Design Standards for Commercial and Institutional Uses except for Remodeled Residential Units as stated within this chapter.

E. All commercial buildings shall comply with fire code and are subject to inspection of the Fire Marshal before a business license or conditional use permit is granted. New commercial buildings shall also be inspected by the Fire Marshal before a certificate of occupancy can be given. All commercial buildings shall be subject to an annual inspection by the Fire Marshal, and any license, permit, or certificate issued for a building or use may be revoked for failure to comply with fire code.

F. All site plans shall be approved by the City's Engineer and Public Works departments. All site plans shall comply with Nibley City Design Standards and all projects located in Commercial and Neighborhood Commercial Zone shall comply with Nibley City Design Standards for Commercial and Institutional Use.

G. Residential Units Remodeled for Commercial Use:

1. Nibley City Design Standards for Commercial and Institutional Use facade treatments shall not apply to single family homes that have been remodeled for commercial use. Such homes may be referred to as "Remodeled Residential Units."
2. Remodeled Residential Units must comply with landscaping, parking, fire code, the Americans with Disability Act (ADA) requirements, building permit requirements, inspections, and all other standards and requirements described within this title.
3. Any business taking place in a remodeled residential unit is considered a conditional use and shall obtain a conditional use permit prior to beginning operations, regardless of the use within the building. Any change in the business or use of the Remodeled Residential Unit shall require a new conditional use permit.
4. The Commercial Use shall be the primary use of the building.
5. The exceptions for Remodeled Residential Units shall only apply to buildings on lots which front collector or arterial streets, as defined by the Nibley City Master Streets Plan.

H. The City may require the placement of fences or walls to enhance security and mitigate aesthetic or other impacts at facilities adjacent to residential areas.

I. In Commercial Zones, warehousing and storage may be allowed as part of business if it is attached to offices, retail, or other permitted or conditional use allowed within a Commercial Zone.

J. All Commercial developments shall comply with landscaping code within NCC 19.24.170.

19.14.050 Neighborhood Commercial Zone C-N Requirements

A-B. Purpose

1. The neighborhood commercial zone C-N is established to provide areas in which the primary use of land is for commercial and service uses to:
 - a. Serve the daily convenience needs of the adjacent residential neighborhoods.
 - b. Provide economic stability.
 - c. Enhance property values.
 - d. Establish strategies for achieving good community design.
 - e. Stabilize areas/zones.
 - f. Reduce traffic congestion and promote walkable communities.
 - g. Promote the policies of the general plan.
2. This C-N zone shall be located in areas deemed appropriate and approved by the city council for services to the residents of the city. The zone will create a minimum of detriment, hazard, noise or inconvenience to surrounding residential development.
3. The C-N zone shall be characterized by harmonious grouping and architectural offset of building mass of commercial stores and shops which will be architecturally designed for, and will function as, an integrated unit. Clean parking lots and attractive well maintained shops with appropriate landscaping will also be characteristic of this zone.
4. Lighting will be of low intensity, low profile and fully shielded to protect the surrounding residential areas. The architectural design and character will be compatible with that of the surrounding residential environment.
5. Heavy commercial uses within this zone have been excluded and are not permitted.

B-C. Permitted Uses: See NCC 19.20.

C-D. Conditional Uses:

1. Regular Conditional Uses: See NCC 19.20.

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2. Temporary Accessory Uses: Temporary accessory uses and structures are permitted in the C-N zone, provided they are incidental to, and do not substantially alter the character of, the permitted use or structure. Such permitted accessory uses and structures include, but are not limited to, the following: Storage of materials used for construction of a building, including the contractor's temporary office, provided that such use is on the building site or immediately adjacent thereto and provided further that such shall be permitted only during construction period and thirty (30) days thereafter.
3. Use Limitations: All other uses not listed are not permitted.
4. Residential Units Remodeled for Commercial Use:
 - a. Nibley City Design Standards for Commercial and Institutional Use facade treatments shall not apply to single family homes that have been remodeled for commercial use. Such homes may be referred to as "Remodeled Residential Units."
 - b. Remodeled Residential Units must comply with landscaping, parking, fire code, the Americans with Disability Act (ADA) requirements, building permit requirements, inspections, and all other standards and requirements described within this title.
 - c. Any business taking place in a remodeled residential unit is considered a conditional use and shall obtain a conditional use permit prior to beginning operations, regardless of the use within the building. Any change in the business or use of the Remodeled Residential Unit shall require a new conditional use permit.

~~D. Area Density Requirements: Each single lot or parcel of land in the C-N zone shall contain a minimum of one fourth (1/4) acre to allow for the building, site development, parking, required landscaping and stormwater detention. Stormwater detention can be planned as one shared basin.~~

~~E. Lot Frontage: The combined, contiguous parcels or lot of land in the C-N zone shall abut a public street for a minimum distance of one hundred feet (100').~~

~~F. Lot Coverage: No building, structure, or group of buildings with their accessory buildings shall cover more than seventy percent (70%) of the lot or parcel.~~

~~G. Minimum Lot Standards: The following minimum yard requirements shall apply to the C-N zone:~~

~~1. Front Yard: Each yard or parcel in the C-N zone shall have a store front yard of not less than twenty feet (20').~~

~~2. Side Yard: Each yard or parcel of land in the C-N zone shall have a side yard of not less than ten feet (10'). The minimum side setback from an adjacent residential zone shall be ten feet (10').~~

~~3. Side Yard; Corner Lots: On corner lots the side yard contiguous to the street shall not be less than twenty feet (20') in width and shall not be used for vehicular parking. Said area shall be appropriately landscaped except those permitted accesses or driveways.~~

~~4. Rear Yard: Each lot or parcel of land in the C-N zone shall have a rear yard of not less than five feet (5'), but at a minimum shall match the space requirements for the rear yard setback of the adjoining zone except the rear yard setback shall be thirty feet (30') adjacent to a residential zone.~~

~~H. Building Height: No lot or parcel of land in the C-N zone shall have a building or structure which exceeds the height of two (2) stories with a maximum height of thirty five feet (35') and comply with NCC 19.24.080, "Public Buildings, Additional Height Allowed".~~

~~F. Parking: Where possible, parking areas shall be located to the side or rear of building. On corner lots, parking shall be avoided on side yards contiguous to the street.~~

~~I. Building Size: The maximum size building footprint allowed shall not exceed a total of fifteen thousand (15,000) square feet.~~

~~J. Commercial Condominiums~~

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Commented [LR3]: Moved to 19.22

Commented [LR4]: Moved and added to in 'parking' section below

1. Commercial Condominiums, shall be a permitted use in the Neighborhood Commercial zone, as set forth herein.
2. All shared or common properties, landscaping, parking lots, roadways, and other non-public amenities or improvements that serve the commercial condominium shall be maintained by an owners association, pursuant to duly adopted and recorded agreements.
3. If a development chooses to build condominiums, they must provide sufficient parking and landscaping for each unit, consistent with current City Commercial standards at the time of the rezone application.
4. Front, rear, and side setbacks shall be measured from the foundation walls of the building.
5. There shall be a maximum of five commercial condominium units per acre.

K.I. Off Street Parking, Loading, And Access:

1. The requirements of design standards for commercial and institutional uses and NCC 19.24.160, "Parking Requirements", shall apply.
2. The site shall be developed to provide for shared access.
3. The developer/owner of a neighborhood commercial development located along a state-owned highway will cause the required traffic impact study to be performed in conformance with the requirements of the Utah Department of Transportation and provide to the city a valid copy of the UDOT letter of approval.

L.I. Signs: The requirements of design standards for commercial and institutional uses shall apply to this zone. Only monument signage will be allowed, and only in the twenty foot (20') "front yard" setback.

M. ~~Site Plan Review And Approval Process:~~ The requirements of design standards for commercial and institutional uses and the provisions of this title shall be enforced for any uses requiring site plan review.

- ~~1. Approval Process: All proposals for a commercial, neighborhood commercial or institutional development shall be required to conform to the provisions of this subsection. At each stage of site plan/design compliance process, applicants shall be required to submit relevant application forms and pay applicable fees. At all stages of the process, applicable fees must be paid in full prior to the site plan being presented to either planning commission or city council. All proposals governed by this subsection shall be required to conform to the Nibley City design standards for commercial and institutional development.~~

~~— Preapplication Conference: Prior to presenting a concept plan to the planning commission, developers shall meet with the city planner in order to become acquainted with the development requirements, procedures and schedules, as well as to discuss potential issues with the project. At this time, developer shall present the city planner with a general site plan and inform the city planner of plans for the development.~~

~~a. —~~

- ~~1. At this time, developer shall present the city planner with a general site plan and inform the city planner of plans for the development.~~

- ~~b. Concept Presentation: Following determination of compliance at the preapplication conference, all proposals shall be required to present and receive approval on a concept plan from the planning commission.~~

- ~~1. At this time, the planning commission may give preliminary input on the development concept. This input shall be based on the concept's compliance with the Nibley City general plan and all applicable state and local ordinances.~~

- ~~c. Preliminary Site Plan Approval: Upon receiving approval of a concept, developers shall be required to present and receive preliminary site plan approval from the planning commission and city council. Such plans shall be submitted a minimum~~

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of fourteen (14) days prior to the date of the meeting at which developer is requesting approval.

~~1. At the time of presentation to the planning commission and city council, developer shall be required to submit the following plans, drawn to a scale not to exceed one inch equals three hundred feet (1"=300').~~

~~1. Overall site plan, including location of buildings, open space, parking, landscaping and pedestrian and traffic circulation.~~

~~2. The overall site plan shall also show all existing residences, buildings, existing streets and proposed streets within three hundred feet (300') of the site in all directions.~~

~~3. Architectural renderings and elevations, demonstrating building materials and colors.~~

~~4. General drainage and utility layout with topography, showing all topographic features.~~

~~d. Required Approvals: Developer is required to receive approval from both the planning commission and the city council. Either body may approve the preliminary site plan, deny the plan, or approve with conditions.~~

~~1. If the preliminary site plan is denied, whichever body denies the plan shall give the developer specific reasons for the denial.~~

~~2. If the site plan is approved with conditions, all conditions imposed must be completed prior to submittal of the final site plan.~~

~~1. City staff shall review the final site plan to ensure such conditions are met prior to the final site plan being presented.~~

~~e. Preliminary Approval Time Limitations: Approval of the preliminary plan by the planning commission and/or city council shall be valid for one year from the date of approval. Extensions of time may be granted by the planning commission and/or city council for a period of not longer than one year upon submittal of a request for extension of time, and showing of good cause prior to the expiration of the initial approval. Self imposed or economic hardships shall not be a basis for granting an extension.~~

~~1. If the final site plan has not been submitted within the one year, the preliminary plan must be submitted again with appropriate fees to the planning commission and city council for reapproval.~~

~~f. Site Plan Modifications And Amendments: Except as may be provided for elsewhere in this chapter, no element of an approved site plan shall be changed or modified more than five percent (5%) without first obtaining approval of an amended site plan as follows:~~

~~1. An amended site plan shall be submitted to the city planner for review and approval whenever changes more than five percent (5%) are proposed. A written report shall accompany the plans detailing all changes that were made.~~

~~2. The procedure for approval of an amended site plan shall be the same as the procedure for approval of an original site plan as set forth in this chapter.~~

~~g. Final Site Plan Approval: Once preliminary site plan approval has been received, developer shall be required to receive final site plan approval from the planning commission and city council. Such plans shall be submitted a minimum of fourteen (14) days prior to the date of the meeting at which developer is requesting approval.~~

~~Final Site Plan Specifications: The final site plan shall be prepared, submitted and reviewed in accordance with the Nibley City design standards for commercial and institutional development. At the time of~~

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Commented [LR6]: I'm not sure what 5% would mean in this case

~~presentation to the planning commission and city council, developer shall be required to submit the following plans, drawn to a scale not to exceed one inch equals three hundred feet (1" = 300'):~~

~~Overall site plan, including location of buildings, open space, parking, landscaping and pedestrian and traffic circulation.~~

~~The overall site plan shall also show all existing residences, buildings, existing streets and proposed streets within three hundred feet (300') of the site in all directions.~~

~~Architectural renderings and elevations, demonstrating building materials and colors.~~

~~General drainage and utility layout with topography, showing all topographic features.~~

~~h.—~~

~~1. As part of the final site plan submission, developer shall be required to submit those construction drawings outlined in the Nibley City engineering design standards and specifications.~~

~~i. Time Limitations: Developer shall have one year from the date of final site plan submittal to obtain final plan approval. Extensions of time may be granted by the planning commission and/or city council for a period of not longer than one year upon submittal of a request for extension of time, and showing of good cause prior to the expiration of the initial approval or an approved extension of time. A second time extension may be requested, and if granted, the extension can be no longer than six (6) months. No other time extensions shall be granted. Developer shall have to start the design review process over. Self imposed and economic hardships shall not be a basis for granting an extension.~~

~~N.K. Fencing and Screening: Fencing and screening shall meet the requirements of design standards for commercial and institutional uses; NCC 19.22.010(E), "Fences and walls maximum height"; NCC 19.24.090, "Fence Regulations"; and NCC 19.24.170(C), "Commercial And Industrial Zones" (landscape requirements), shall be required of all fences and landscape screening in this zone.~~

~~O.L. Storage; Displays: All materials, supplies, merchandise, or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user, not able to be stored within the commercial structure shall be stored in a completely enclosed building.~~

~~P.M. Storage; Trash:~~

~~1. No trash, garbage, used materials or wrecked, inoperable or abandoned vehicles or equipment shall be stored in an open area. All such materials shall be kept in an enclosed building(s) or structure.~~

~~2. All structures built to accommodate the storage shall be constructed using a design compatible with the primary structure and meeting all of all the architectural design standards outlined in the design standards for commercial and institutional uses. Within a development of multiple structures, a common structure shall be constructed suitable for use by all tenants or businesses.~~

~~Q. Preapplication And Concept Development Reviews: The requirements of design standards for commercial and institutional uses and provisions of this title shall apply to this zone.~~

~~N. Development Standards: The development standards of the C-N zone shall conform to design standards for commercial and institutional uses. No development shall proceed nor building permit issued in the C-N zone until the commercial and institutional design standards are enacted.~~

~~O. Utilities~~

~~1. Prior to the issuance of a business license or conditional use permit, utility lines shall be updated to comply with water, sewer and stormwater master plans within the application property and adjacent rights-of-way.~~

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Commented [LR7]: This review is covered in site plan review

Commented [LR8]: These standards have been enacted

2. A business license or conditional use permit shall only be granted if the City can reasonably supply water and sewer services to the applicant for their proposed use. The applicant shall be required to supply necessary water rights or shares in accordance with NCC 21.12.020.
3. Applicants shall connect to service lines needed to supply the use of an application and shall be responsible for all associated costs.
 - a. If no utility lines are available or current utility lines and services are determined to be insufficient for the proposed use by the City Engineer, the applicant shall build or install the needed infrastructure before a business license or conditional use permit may be granted.

R-P.

19.16 Industrial Zone I

19.16.010	Purpose
19.16.020	Use Regulations
19.16.030	Space Requirements
19.16.040	Parking Requirements

19.16.010 Purpose

The purpose of the industrial zone is to provide suitable areas that will accommodate the need for industry and industrial-related uses.

19.16.020 Use Regulations

See NCC 19.20.

19.16.030 Space Requirements

See NCC 19.22.

19.16.040 Parking Requirements

See NCC 19.24.160.

19.16.050 Site Plan Review

All proposed commercial, institutional, or industrial development, including new buildings and expansion of or addition to existing buildings, or change in the type of use of existing buildings, additions of commercial, institutional or industrial development are subject to the site plan review requirements of NCC 19.14.050

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19.22 Space Requirements Chart

19.22.010 Space Requirements Chart

19.22.010 Space Requirements Chart

		A	R-E	R-1	R-1A	R-2	R-2A	C	<u>C-N</u>	I
A.	Minimum lot area	5 acres	2 acres	1 acre	3/4 acre	1/2 acre	12,000 sq. ft. (10) See note 9	--	<u>1/4 acre</u>	--

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	Minimum lot width, measured at setback line	200	200	200	150	100	100	--	<u>100</u>	--
B.		Setback principal uses								
	Front yard	30(35) ³	30(35) ³	30(35) ³	30(35) ³	30(35) ³	30(35) ³	20	<u>20</u>	50
	Side yard, interior	15 ³	15	10	10	10	10	0(10) ³ <u>30*¹¹</u>	<u>10</u> <u>(20*)¹¹</u>	0(50) ⁴
	Side yard, street	25(35) ³	25(35) ³	25(35) ³	25(35) ³	25(35) ³	25(35) ³	20	<u>20</u>	25(35) ³
	Rear yard	30	30	30	30	25	25	0(10) ³ <u>30*¹¹</u>	<u>5</u> <u>(20*)¹¹</u>	0(50) ⁴
C.		Setback accessory uses								
	Front yard	30(35) ³	30(35) ³	30(35) ³	30(35) ³	30(35) ³	30(35) ³	20	<u>20</u>	50
	Side yard, interior	10(3) ⁵	10(3) ⁵	10(3) ⁵	10(3) ⁵	10(3) ⁵	10(3) ⁵	0(10) ⁴	<u>0(10)</u> ⁴	0(10) ⁴
	Side yard, street		25(35) ³	25(35) ³	25(35) ³	25(35) ³	25(35) ³	20	<u>20</u>	25(35) ³
	Rear yard	1(10) ⁶	1(10) ⁶	1(10) ⁶	1(10) ⁶	1(10) ⁶	1(10) ⁶	1(10) ⁴	<u>1(10)</u> ⁴	1(10) ⁴
D.		Height maximum								
	Principal uses	40	40	40	40	40	40	40	<u>35</u> ¹²	50(70) ¹
	Accessory uses	30	30	30	30	20	20	30	<u>20</u>	30

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E.		Fences and walls maximum height								
	Front yard, property line to setback line	4	4	4	4	4	4	4	<u>4</u>	4
	Rear yard	7(8)8	7(8)8	7(8)8	7(8)8	7(8)8	7(8)8	7(8)8	<u>7(8)8</u>	7(8)8
	Side yard	7(8)8	7(8)8	7(8)8	7(8)8	7(8)8	7(8)8	7(8)8	<u>7(8)8</u>	7(8)8
	Corner lots	See NCC 19.24.090(B)								

Notes:

1. In all zones in a platted subdivision, lot width is 100 feet minimum, at setback line, but lot area must be 1/2 acre.
2. All measurements are in feet unless otherwise specified.
3. Greater distance required where yard faces arterial road.
4. Greater distance required where property line is adjacent to residential zone or residential dwelling unit.
5. Lesser distance allowed where accessory building is at least 10 feet behind the rear of main building and not less than 10 feet from any dwelling unit on adjacent property.
6. Greater distance required where rear yard faces side yard of adjacent property.
7. Principal use is defined as a dwelling unit in R-E, R-1 and R-2.
8. 8 foot height allowed for a transparent fence, e.g., chainlink, as defined in NCC 19.24.090.
9. The average lot size for the entire subdivision phase and portion thereof shall average at least fourteen thousand (14,000) sq. ft.

10. Greater maximum height allowed if building is at a minimum of 300' from a residential zone.

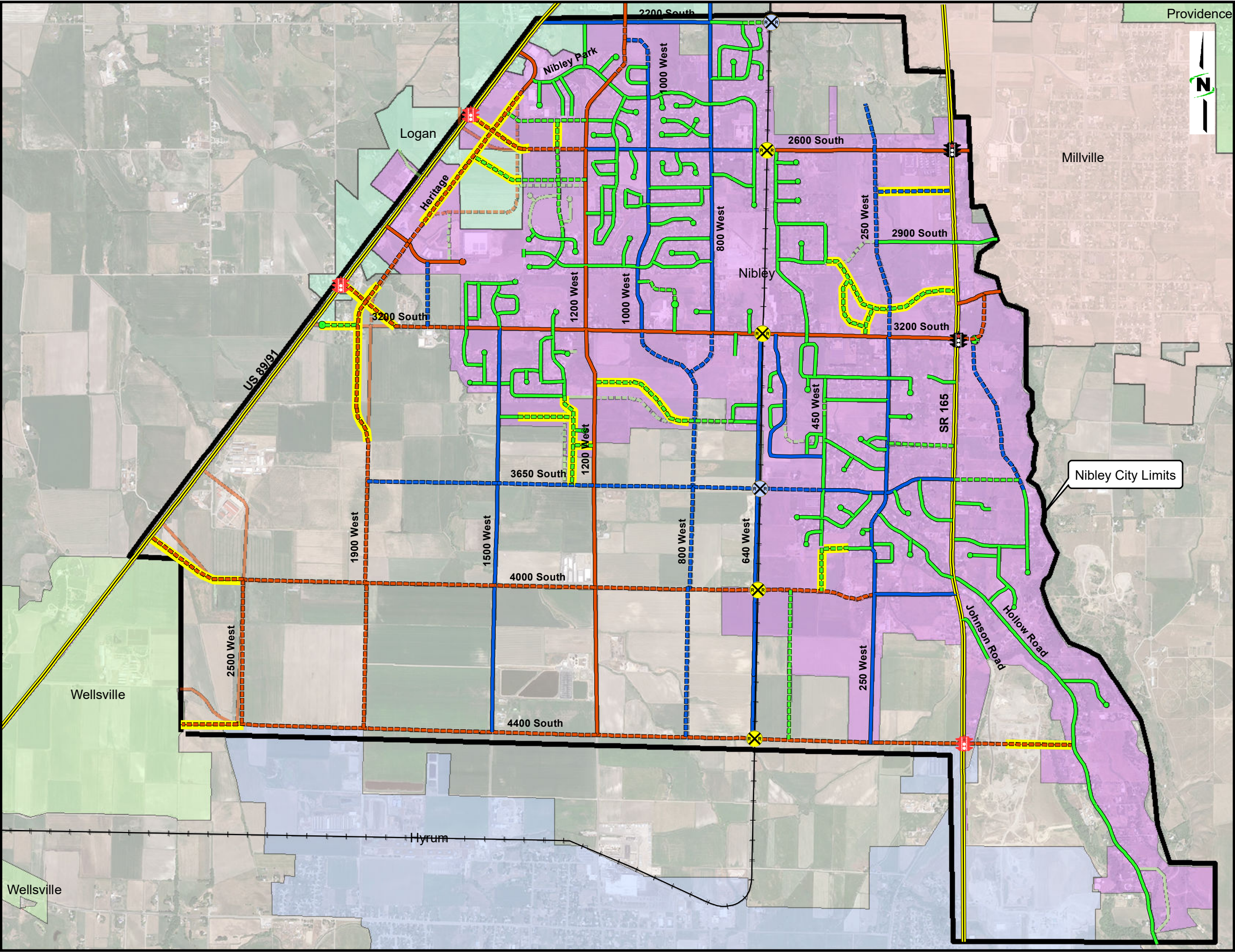
11. When abutting a residential zone or existing residential dwelling unit, minimum setback is 30 feet for commercial zones and 20 feet for neighborhood commercial zones. The minimum setback shall be increased one additional foot for every additional one foot in height of the building in a commercial zone.

12. Limited to two stories

HISTORY

Adopted	by	Ord.	No	Source	on	6/3/1993
Amended	by	Ord.		03-08	on	4/17/2003
Amended	by	Ord.		<u>06-04</u>	on	6/15/2006
Amended	by	Ord.		<u>17-06</u>	on	3/16/2017

Amended by Res. 19-10 on 6/27/2019



Nibley City Master Street Plan



Update 1-01-2021

Legend

- Nibley Municipal Boundary 2020
- Transportation Planning
- Road Classification**
 - Principal
 - Minor
 - Collector
 - Local
 - *Future Minor
 - *Future Collector
 - *Future Local
 - Rail Road

Rail Road Crossings

- Existing
- Proposed

Stop Lights

- Existing
- Proposed

* Future streets are conceptual and show general connections. Side treatments and landscaping determined at final design.

