

A Meeting of the Nibley Planning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Thursday, July 15, 2021.

The following actions were made during the meeting:

Planning Commission Vice Chair, Karina Brown called the Thursday, July 15, 2021 Planning Commission meeting to order at 6:32 p.m. Those in attendance included Commissioner Karina Brown, Commissioner Garrett Mansell and Commissioner Matt Logan. Commissioner Bret Swenson arrived at 6:41 p.m. Mr. Levi Roberts, Nibley City Planner was present. Jamie Ann Gonzales, Office Specialist was present to record the minutes.

Approval of the evening's agenda and 7-01-2021 meeting minutes

Commissioner Mansell moved to approve the evening's agenda. Commissioner Logan seconded the motion. The motion passed unanimously 3-0; with Commissioner Brown, Commissioner Mansell and Commissioner Logan all in favor.

Commissioner Logan moved to approve the previous meeting minutes. Commissioner Mansell seconded the motion. The motion passed unanimously 3-0; with Commissioner Brown, Commissioner Mansell and Commissioner Logan all in favor.

Workshop: Animal Land Use Regulations

Mr. Roberts utilized an electronic presentation entitled *Animal Land Use Regulations* (a printed copy of this electronic presentation is included in the printed meeting minutes). Mr. Roberts gave background on miniature pigs and recommended approach. The Commission discussed the recommended size limit and animal point values. In answer to Commission Brown's question, Mr. Roberts said that Logan and possibly North Logan allowed miniature pigs.

Commissioner Swenson arrived at 6:41 p.m.

Mr. Roberts brought Commissioner Swenson up to speed. He informed the Commission that there may not be a staff recommendation for approval because of raised issues and potential implications of smell. He stated that Hyrum did not allow pigs anywhere in the city due to the impact of smell. He discussed possible code standards but felt it would be difficult to enforce. Commissioner Logan agreed and was concerned that other pig owners would not be as responsible as the applicant.

Mr. Roberts recommended consideration in a public hearing. Commissioner Mansell thought it should be simple and the proposed ordinance revisions were pretty good. Commissioner Brown asked Commissioner Swenson's thoughts. Commissioner Swenson thought 18,000 square feet was fine but suggested adding that they were not allowed in multifamily units. The Commission discussed adding it to the ordinance.

Mr. Roberts further discussed other ordinance recommendations and utilized an electronic presentation (a printed copy of this electronic presentation is included in the printed meeting minutes). He referenced an amended draft of *19.34 Animal Land Use Ordinance*. He informed the Commission that the City could not ask if a service animal was licensed. He clarified that emotional support, therapy or comfort animals were not considered service animals. He added that you could ask what task the service animal was trained to perform.

Commissioner Swenson asked if service animals could be added in the restricted number of animals allowed. Mr. Roberts discussed his recommendation. Commissioner Swenson asked if proof was needed to waive the fee for service dogs. Mr. Roberts stated that it was against federal law. Commissioner Brown thought that in that case, it would make sense to add service animals to the animal limitations. Mr. Roberts thought it would be fine but would consult the attorney. The Commission discussed conditional use permits and revisions to the ordinance. Commissioner Swenson suggested adding *legal* to the household pet definition.

Mr. Roberts asked the opinion of the Commission on his recommendation to drop the conditional use requirement for a third dog on .75 acre lots. Commissioner Swenson thought three dogs presented a quality-of-life issue and it might deter someone from getting a third dog if they had to get approval. The Commission discussed it. Mr. Roberts thought there should be some standards imposed for a third dog. Mrs. Gonzales brought up discussion of kennel license approval for the owner vs. the lot. The Commission discussed the use of conditional use permit vs. kennel license language in the code. Commissioner Logan was more in favor of a kennel license with standards than a conditional use permit. Commissioner Swenson brought up discussion about a kennel license following an owner's address change. Mr. Roberts thought the kennel license should stay with the owner and the lot. Commissioner Logan asked Mrs. Gonzales about rental properties. Mrs. Gonzales gave an example of an owner and renter living in the same household.

Workshop: Parcel Boundary and Lot Line Adjustments

Mr. Roberts utilized an electronic presentation entitled *Lot Line & Parcel Boundary Adjustments* (a printed copy of this electronic presentation is included in the printed meeting minutes). His presentation included background, proposed staff-level review process and non-conforming lots. Commissioner Swenson brought up discussion of an ALTA (American Land Title Association) Survey. Commissioner Swenson added that proposed lot lines needed to be done by a licensed person and received clarification that the county recorder would be informed. Commissioner Brown asked if there would be a public hearing and then it would go to City Council. Mr. Roberts said that it would just be handled at the staff level. He explained the review process and said that the City could only require one if there was a dwelling on the property. Commissioner Swenson suggested adding oversight for protected open space. Mr. Roberts referenced revisions to ordinance *21.08.030 Lot Line Adjustments and Amendments To A Subdivision Plat* and the Commission discussed them.

Mr. Roberts said that both workshops would be held as a public hearing on the next agenda. Commissioner Swenson asked if it would be possible to post public hearings in the newsletter.

Mr. Roberts explained that it was difficult because of the timeframe. Commissioner Swenson reminded the Commission of previous discussion about text messaging. They discussed it. Mr. Roberts informed the Commission that he would take it to the City Manager, Justin as a recommendation. Commissioner Brown said, "*communication is key.*"

Staff Report and Action Items

Mr. Roberts reported the following:

- An updated Sewer Master Plan was completed and will be presented to City Council
- Staff and department heads are working on the Capital Project Master Plan (roads, parks, trails) and have hired a consultant
- A presentation on the Capital Project Master Plan to Planning Commission and a public open house
- Application received for Nibley Meadows preliminary plat
- Future application for Wesley Nelson Farms
- City Council approved the right of way agreement for 2600 S between 1200 W and Highway 89/91

Commissioner Brown adjourned the meeting at 7:45 p.m.

Attest: _____
Office Specialist