
**City of Nibley
Planning Commission
Held at Nibley City Hall
455 West 3200 South
Nibley, UT 84321
Thursday March 03, 2022**

Call to Order – Roll Call – Approval of Agenda – Approval of Minutes

Meeting called to order at 630 p.m.

Present: Commission Chair Ryan Werner, Commissioner Garrett Mansell,
Commissioner Matt Logan and Commissioner Bret Swenson

Absent: Commission Vice Chair Tyler Obray and Commissioner Karina Brown

Staff Present: City Planner Levi Roberts and Assistant Recorder Jamie Ann Gonzales

Guests Present: Mayor Larry Jacobsen

Action: Approve the evening's agenda and previous meeting minutes

Motion: Commissioner Swenson

Second: Commissioner Logan

Vote: Unanimous

Discussion and Consideration: Recommendation for Planning Commission Chair

Alternate Commissioner Werner announced that he was stepping down as chair and alternate.

Mr. Roberts stated that Mayor Jacobsen would appoint a new alternate at City Council.

Commissioner Swenson suggested waiting until all Commissioners were present.

Mayor Jacobsen thanked Alternate Commissioner Werner for his service. He offered the Commission that was present, the opportunity to go through the process again to choose their chair. He informed the Commission that he would recommend Erin Mann as the next alternate, who had a background in planning and a degree in public administration. He said he spoke with her, and she agreed to do it. He liked the idea of taking an appointment for chair to the City Council at the next meeting.

There was general consent for the Mayor to recommend a chair.

Workshop: Landscaping Ordinance and Standards

Mr. Roberts utilized an electronic presentation entitled *Landscape Ordinance/Standards* (a printed copy of this electronic presentation is included in the printed meeting minutes). He discussed goal, purpose, and staff recommendations for update.

Commissioner Swenson clarified the existing residential landscape requirement of sixty percent for the front yard. The Commission discussed it. He wondered if there should be two different ordinances, one for commercial and one for residential.

Mr. Roberts mentioned issues with standards in common areas. He answered Commissioner Swenson's question on determining them in the development agreement. Mr. Roberts thought it was better and more defensible to have standards. He confirmed that there were standards in the commercial, multi-family and mixed-use ordinance. He mentioned that design standards were recommended to the City Council by Public Works.

Alternate, Commissioner Werner initiated discussion on enforcement. Commissioner Logan said there needed to be a balance between property rights and their neighbor's rights. Alternate, Commissioner Werner did not think it was government's responsibility to control. Commissioner Swenson agreed with a refundable deposit on completion of landscaping as done in other cities and cited Millville as an example.

Commissioner Mansell thought the code should be consistent, clear, and simple. Mr. Roberts thought common areas should be defined and inconsistencies cleaned up. He indicated requirements for ground cover in park strips. Commissioner Swenson agreed.

Commissioner Swenson brought up discussion regarding dead trees and enforcement. Alternate, Commissioner Werner asked about developer responsibility. Mr. Roberts thought it needed to be more defined. The Commission discussed it. Mr. Roberts affirmed that the City Manager was not in favor of having the city install trees. Alternate, Commissioner Werner informed the Commission that the City of Murray had a program for trees in the park strip. Commissioner Swenson thought it should be researched and mentioned City of Logan as an example. Alternate, Commissioner Werner thought the city should "step up to the plate" and not throw it all on homeowners.

Commissioner Swenson suggested creating a city program to be proactive regarding missing trees in the park strips. Mr. Roberts did not know if it was feasible but said it was a budget question for City Council. He explained another idea that the City Manager had regarding vouchers. The Commission discussed it. Alternate, Commissioner Werner said it would take care of the financial constraint and felt it would be enforceable. To ensure that the trees were put in properly, Commissioner Logan thought they should be installed by the city.

Instead of requiring trees in the park strip, Commissioner Swenson suggested a requirement for trees in the front yard. Mr. Roberts thought there were some public benefits for trees in the park strip. Commissioner Logan suggested an incentive program. Commissioner Mansell

proposed focusing on specific corridors. Alternate, Commissioner Werner brought up Murray City's free mulch and bark program. He questioned owner responsibility and city right of way. And asked about financial responsibility for existing park strips without trees. Commissioner Swenson thought the city should pay. Commissioner Mansell agreed and added requiring them for new developments.

Commissioner Swenson reiterated the landscape deposit and Commissioner Mansell thought it could be addressed again with City Council. The Commission discussed it.

Mrs. Gonzales clarified Commissioner Swenson's idea for existing park strips with no trees. Commissioner Logan thought there could be a credit given for water on the city utility bill.

Mr. Roberts said he would come back to the Commission with some specific recommendations.

Workshop: Future Land Use Map Designations for Future Annexation Areas

Mr. Roberts utilized Nibley's Future Land Use map (a printed copy of this map is included in the printed meeting minutes). He stated that the idea of the workshop was to be more proactive and discuss what should go on the map. He identified four (4) areas and described them using the Nibley City GIS for context.

Alternate, Commissioner Werner asked about the meaning of *Annexation Declaration Boundary* in the Legend on the Future Land Use map. Mr. Roberts responded that it was the area that could legally be annexed and had to be on the map first. Commissioner Swenson added that it streamlined the process.

Mr. Roberts asked the Commission if *Low Density*, *Medium Density* and *High Density* needed to be defined more.

The Commission discussed the plans for each area. Commissioner Logan and Commissioner Mansell thought *Commercial and Medium to High Density Residential* in area #1. Mr. Roberts reminded the Commission that the Future Land Use map was a guiding document and not legally binding but was looked at for rezones. Commissioner Mansell thought the market would dictate to some extent and it was best to keep it as wide open as possible. Mr. Roberts suggested putting *Commercial* in the corner of area #1 and *Commercial and Medium to High Density Residential* for the rest of the area.

In response to Commissioner Logan, Mayor Jacobsen stated that the mayor in Logan wanted a boundary alignment agreement with Nibley. He said his biggest problem was that Logan wanted Nibley to take *Ted's*. He elaborated that Logan wanted everything on the east side of Hwy 89/91, south of 2200, to be in Nibley and the west side of Hwy 89/91, including areas already in Nibley, to be in Logan. He informed the Commission that there was a meeting with Mayor Daines and former Mayor Shaun Dustin on property #1. And at that time, Logan had not received any applications for annexation. Mayor Jacobsen pointed out that area #1 was the first

ranch (Elkhorn Ranch) in the county and had historical value. He said he would love to see the site preserved.

Alternate, Commissioner Werner asked about area #3 and the road alignment. The Commission discussed it. Mr. Roberts questioned them on keeping it *Commercial*. Commissioner Swenson thought that anything within 400 yards from the highway should be *Commercial*. There was general consent. Mayor Jacobsen added that he was informed by UDOT that construction on the light would start in June or July.

Mr. Roberts brought up discussion on the road by area #4. He said there was a corridor agreement under review, but it limited access to those intersections along the highway. The Commission discussed the frontage road and use of the area. Commissioner Mansell said the designated areas on the Future Land Use map worked for him. Alternate, Commissioner Werner thought it was awkward without access to the highway. Commissioner Swenson pointed out access via the frontage road and thought default along the highway should be *Commercial*.

Commissioner Logan exited the meeting at 8:07 p.m.

Mr. Robert's issue was limiting that area to *Commercial* where only so much would be viable. Commissioner Swenson thought if it was designated and available as *High Density*, then it would be.

Commissioner Logan returned at 8:11 p.m.

Mr. Roberts and Commissioner Swenson debated. Mr. Roberts thought *Commercial* made sense clustered around the intersections. Commissioner Mansell agreed. Mayor Jacobsen thought that the Future Land Use map was an invitation for somebody to come in and voice their intentions. The Commission discussed what they wanted for that area. Commissioner Mansell said the hardest part was to balance what they wanted with the realization of what would happen.

Mr. Roberts explained the corridor agreement. Commissioner Swenson predicted that once UDOT installed the new light, anything within a half a mile would explode. Commissioner Logan said he would put *Commercial* near the highway and *Commercial and Medium to High Density Residential* further in. There was general consent to put *Commercial* 300 yards off the highway.

Staff Report and Action Items

Mr. Roberts reported on the following:

- Next meeting joint workshop with City Council for Transfer Development Rights study
- Nibley Meadows preliminary plat approval with no changes from Planning Commission recommendations
- Ridgeline Park modifications and park
- Application for subdivision adjacent to Nibley Meadows

- Other subdivisions

Meeting adjourned at 8:37 p.m.

ATTEST:

Jamie Ann Gonzales, Assistant Recorder