



Nibley City
Planning Commission Meeting
Thursday, May 5, 2022
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 either in person or via the Zoom meeting link provided at www.nibleycity.com.

1. **Discussion and Consideration:** Rigby Subdivision Amendment 3- Minor Subdivision (Applicant: Bruce Rigby)
2. **Discussion and Consideration:** Conditional Use Permit for Pawsitively Divine Dog Grooming Service (Applicant: Emily Woods)
3. 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
May 5, 2022**

Agenda Item #1: Rigby Minor Subdivision

Description

Discussion and Consideration: Rigby Subdivision Amendment 3- Minor Subdivision
(Applicant: Bruce Rigby)

Department

City Planning

Action Type

Administrative

Recommendation

Approval of Rigby Subdivision Amendment 3- Minor Subdivision with the conditions noted below

Reviewed By

City Planner, City Engineer

Background

Bruce Rigby has applied for a Minor Subdivision for Rigby Subdivision Amendment 3. The project is located at 3450 S 250 W within the existing amended Rigby Subdivision. Although the original Rigby subdivision included 9 lots, the existing amended Rigby Subdivision currently

contains 5 lots. The proposed plat constitutes a minor subdivision as it would create 2 additional lots, resulting in 7 lots within the subdivision. The project does not require dedication of additional public facilities. Below is a summary of the development and associated requirements:

	NCC Requirements	Rigby Amendment 3
Total Gross Acres	N/A	11.2
Total Lots	N/A	7
Minimum Lot Size	0.75 acre	1 acre
Minimum street frontage	150 ft.	150 ft.

Zoning and space requirements

The proposed plat is located within an R-1A zone. NCC 19.22.010 requires a minimum lot size of $\frac{3}{4}$ acre. Each lot has a frontage requirement of 150 ft. As noted above, the application meets each of these standards. The plat also includes a setback detail that meets setback requirements.

Utilities & Transportation

The applicant does not propose any modifications to utilities, stormwater or transportation. The two additional lots will front onto 250 W. Water and Sewer has already been stubbed into the lots and 250 W frontage has previously been improved with curb, sidewalk, park strip according to Nibley City Standards. However, there are currently no street trees provided on 250 W, as required by NCC 21.12.170. It is Staff's recommendation that street trees listed on the Tree Policy Plan, planted every 50' be provided and maintained by the applicant.

The applicant still needs to provide all applicable easements to the subdivision plat which are currently recorded on Amendment 2.

Plat elements

The Plat includes all the proper elements as required by NCC 21.08.020. However, a signature line needs to be added for the Planning Commission chair within the signature block. In addition, there is one dimension that needs to be corrected for Lot 1, which appears to be 300 feet (not 150).

A groundwater report was provided as part of the 2nd amendment to this subdivision. A finished floor elevation has been noted on the Plat based upon the findings of this report.

Recommended Conditions of Approval

1. That the applicant provide a street tree planting plan with approved street trees planted every 50 feet along the frontage of 250 West.
2. Add a signature line for the Planning Commission Chair.
3. Correct dimension for frontage of Lot 1.
4. Add all applicable easements to plat, which are currently recorded.

Agenda Item #2: CUP for Dog Grooming Service

Description

Discussion and Consideration: Conditional Use Permit for Pawsitively Divine Dog Grooming Service (Applicant: Emily Woods)

Department

City Planning

Action Type

Administrative

Recommendation

Approval of Conditional Use Permit for ‘Pawsitively Divine’ Dog Grooming Service (Applicant: Emily Woods) with the conditions noted below

Reviewed By

City Planner

Background

Emily Woods has submitted a business license application to operate a dog grooming business on 2365 S Heritage Dr, in the same building as Heritage Animal Hospital. The applicant has indicated hours of operation of 8 am – 6 pm (Monday-Friday) and 8 am – 2 pm (Saturday). The proposed site for this business is in a commercial zone and is bordered by other commercial and light industrial uses, as well as low-density residential uses to the west along Hwy 89/91.

The City Council, with a recommendation from the Planning Commission, recently approved an ordinance that allows pet services as a conditional use in commercial zones.

‘Pet services’ is defined as follows:

an establishment in the business of sales, grooming, training, play, or pet day care services of household pets. Does not include overnight boarding or animal breeding.

NCC 19.28.050(A) provides the basis for granting a conditional use permit, as follows:

A conditional use permit shall be approved if reasonable conditions are imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, then the conditional use may be denied. Substantial mitigation shall not mean complete elimination of all detrimental effects.

Traffic impacts

The use is anticipated to have negligible impacts upon overall traffic or level of service on adjacent streets. No mitigating measures are recommended.

Parking

There are currently 31 parking stalls servicing the 9,597 sq. ft. Heritage Animal Hospital which adequately serves the site. This business is anticipated to demand up to 3 stalls to service the employee and clients. As there is additional capacity within the existing parking lot to meet Nibley City parking standards, no additional parking is needed.

Hours of Operation and Noise

The business is anticipated to have some noise-related impacts that can be mitigated by operating within the existing building and outside of the hours of 10 pm – 7 am as provided in NCC 19.28.050(C)(1)(e).

Recommended Conditions

1. The Business shall operate within the existing building.
2. Operation hours shall not occur outside of 7:00 am – 10:00 pm



COMMERCIAL BUSINESS LICENSE

OFFICE USE ONLY

Application fee: \$30 Paid on: 3-7-22

Business license fee: \$250 before 7/1. \$125 after 7/1.

Date received: 3-7-22Rec'd by: WOS

License Issued Date: _____

Business Name	Pawsitively Divine
Business Address	2365 South Heritage Dr., Nibley, UT 84321
Business Phone Number	(435) 512-2772
E-mail	e.woods812@yahoo.com
State Tax ID	88-1041719
DBA Corp ☐ LLC ☒ Sole Prop. Partnership (circle)	

Please note: Your business must be registered with the State of Utah prior to submitting this application. You can do this at secure.utah.gov/osbr-demo/welcome.html

Describe the Nature of the Business (attach additional sheets if necessary)

This business will provide professional grooming services for dogs.

Do you use, store, or manufacture any chemical, combustible, or hazardous materials? Yes ☐ No ☒

If yes, attach additional sheets explaining the type of chemicals and how they will be used, stored, or manufactured.

Are you moving into a new or already existing building? New ☐ Existing ☒

Sexually Oriented Business? * Yes ☐ No ☒ Alcohol Sales/Consumption? * Yes ☐ No ☒

*Answering yes to either of the above subjects a business owner to additional licensing requirements. See staff for additional information prior to submitting this application.

Projected Opening Date: April 4th, 2022 Days/Hours of Operation Monday - Friday 8am - 6 and Saturday 8am - 2p

OFFICERS/OWNERS (Attach additional sheets if necessary)

	Owner/Officer #1	Owner/Officer #2	Owner/Officer #3
Name	Emily Woods		
Home Address	1581 N. 1600 E. Logan, UT 84341		
Phone number	(435) 512-2772		
DOB (MM/DD/YYYY)	12/27/1980		
Misc. Info/Pro. Licenses			
Driver License#/ State	UT 161084767		

Nibley City
455 W 3200 S
Nibley, UT 84321
(435) 752-0431



COMMERCIAL BUSINESS LICENSE

APPLICANT CERTIFICATION:

I certify that the information contained in this application is true and correct. I agree to conduct my business following Nibley City ordinances and any other State or Federal statutes or laws governing the operation of such business. Further, I understand that false disclosure of information on this application or failure to comply with said ordinances, laws, and statutes may result in the revocation of my business license.

Signature Emily R. Woods
Print Name Emily R. Woods

Date 3/7/2022
Title _____

If use is classified as conditional use, this application is subject to approval by the Planning & Zoning Commission. You are required to appear before the Planning & Zoning Commission for approval of the conditional use permit.

Businesses must register with the Utah Division of Corporations, located at 160 East 300 South, SLC, UT, or online at www.business.utah.gov/registration. Verification of registration must be submitted with this application.

Business involved with the sale of tangible goods must provide evidence of a state sales tax number. You may obtain the sales tax number at the same time as you register the business entity or obtain the sales tax number from the State Tax Commission.

If you are moving into an already existing building, you are required to have the County Fire Marshall conduct an inspection before relocating. Evidence that the Fire Marshall has conducted the inspection and finds the building suitable for the proposed use must be submitted with this application. Failure to submit an inspection report will result in the application being refused.

If you are moving into a building that was constructed for your business, no business license will be issued until a certificate of occupancy has been issued by the Building Inspector.

FOR OFFICE USE

Approved _____ Denied _____ Finding _____
Use Classification _____
Permitted Use _____ Conditional Use _____
P&Z Meeting Date (if applicable) _____
Comments/Conditions: _____

Signature _____ Date _____
City Planner _____ Date _____
Planning Commission Chair (if applicable for conditional use permit) _____ Date _____
City Treasurer _____ Date _____

There are additional application requirements for alcohol sales and sexually oriented businesses. See staff for further information.

Also, if your profession is regulated by the Utah Department of Occupational and Professional Licensing, a copy of that professional license must be supplied.

Temporary or soliciting type businesses are licensed on a separate application with specific requirements.

License renewals are due January 1st each year. The license will indicate an expiration date. Renewal notices are sent as a reminder, but you are ultimately responsible for ensuring timely renewal payments. After March 1st, the license is no longer valid and business owners are required to submit a new application and pay associated fees.

Nibley City
455 W 3200 S
Nibley, UT 84321
(435) 752-0431

Receipt No: 3.015557

Mar 7, 2022

Pawsitively Divine

Previous Balance:	.00
LICENSES	
BUSINESS LICENSE	30.00
APPLICATION	

Total:	30.00
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CASH	30.00
Total Applied:	30.00

Change Tendered:	.00
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Receipt No: 3.015557

Mar 7, 2022

Pawsitively Divine

Previous Balance:	.00
LICENSES	
BUSINESS LICENSE	30.00
APPLICATION	

Total:	30.00
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CASH	30.00
Total Applied:	30.00

Change Tendered:	.00
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03/07/2022 3:59 PM

