
**City of Nibley
Planning Commission
Held at Nibley City Hall
455 West 3200 South
Nibley, UT 84321
Thursday April 13, 2023**

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

Meeting called to order at 6:30 p.m.

Present: Commission Chair Garrett Mansell, Commission Vice Chair Bret Swenson, Commissioner Karina Brown and Alternate Commissioner Clair Schenk

Absent: Commissioner Tyler Obray and Commissioner Matt Logan

Staff Present: City Planner Levi Roberts, Assistant Recorder Jamie Ann Gonzales, and City Engineer Tom Dickinson

Guests Present: Mayor Larry Jacobsen

Applicants:

There was general consent for the evening's agenda.

There was general consent for March 16, 2023, meeting minutes.

Public Hearing: Ordinance 23-18: FEMA Flood Insurance Rate Map (FIRM) update; Amending NCC 23.06.020 & 23.060.080- Nibley City Flood Control and adopting sections 23.12.010- SEVERABILITY and 23.12.020- CERTIFICATION

Mr. Dickinson utilized an electronic presentation entitled *FEMA Flood Insurance Rate Map (FIRM) update; Amending NCC 23.06.020 & 23.060.080- Nibley City Flood Control and adopting sections 23.12.010- SEVERABILITY and 23.12.020- CERTIFICATION* (a printed copy of the presentation is included in the printed, record copy of the meeting minutes).

His presentation included:

- **Background**

He explained the National Floodplain Insurance Program (NFIP) and discussed the following benefits:

- Insurance Eligibility
- Community Resilience and Development Requirements
- Protection Against Financial Uncertainty
- Federal Flood Insurance Disaster Assistance

- Removal of Nibley Blacksmith Fork Canal
- **Maps**
- **Code Amendments**
- **Adopted Code Sections**

Commissioner Schenk asked if the reason for the removal of the canal was because it was piped. Mr. Dickinson explained that there were still open channels. He thought the determining factor for removal was that it was not a water of the state, and the flows could be controlled.

Commissioner Mansell opened the public hearing at 6:40 p.m.

Seeing no public comment, Commissioner Mansell closed the public hearing at 6:40 p.m.

Discussion and Consideration: Ordinance 23-18: FEMA Flood Insurance Rate Map (FIRM) update; Amending NCC 23.06.020 & 23.060.080- Nibley City Flood Control and adopting sections 23.12.010- SEVERABILITY and 23.12.020- CERTIFICATION

Commissioner Brown was informed that residents could go online after the update and utilize tools from FEMA and Cache County Parcel Viewer to check the status of their property. Mr. Dickinson clarified that it was not necessary to wait until after the May 9th update to get flood insurance. He stated that the update would remove the insurance requirement for residents located in the purple area. Commissioner Brown received confirmation that it was likely that a flood insurance policy needed to be obtained at least thirty (30) days before a claim could be filed.

Mr. Dickinson responded to Commissioner Schenk's question about NFIP.

Commissioner Swenson received confirmation that the only change to the map was the removal of the purple area. He said he was "shocked" that the federal government did that. As a courtesy, he suggested that all the properties affected by the change should be notified. Mr. Roberts thought the city would be able to do that.

Action: Recommend approval of Ordinance 23-18: FEMA Flood Insurance Rate Map (FIRM) update; Amending NCC 23.06.020 & 23.060.080- Nibley City Flood Control and adopting sections 23.12.010- SEVERABILITY and 23.12.020- CERTIFICATION

Motion: Commissioner Schenk

Second: Commissioner Brown

Vote: Unanimous; 4-0

Public Hearing: Ordinance 23-17: Amending NCC 21.02.090 regarding Subdivision Fees administration

Mr. Roberts gave background on *NCC 21.02.090 Fees* (a printed copy of the ordinance amendment is included in the printed, record copy of the meeting minutes). He stated that it was staff's recommendation to recommend approval of the ordinance.

Commissioner Mansell opened the public hearing at 6:47 p.m.

Mayor Larry Jacobsen arrived at 6:48 p.m.

Seeing no public comment, Commissioner Mansell closed the public hearing at 6:48 p.m.

Discussion and Consideration: Ordinance 23-17: Amending NCC 21.02.090 regarding Subdivision Fees administration

Commissioner Brown asked if the amendment was prompted by state legislation. Mr. Roberts responded that it was mainly due to the updated fee by staff and aligning it with the ordinance.

Action: Recommend approval of Ordinance 23-17: Amending NCC 21.02.090 regarding Subdivision Fees administration

Motion: Commissioner Swenson

Second: Commissioner Schenk

Vote: Unanimous; 4-0

Workshop: Land Use Chart Review

Mr. Roberts utilized *NCC 19.20.020 Land Use Chart* to highlight the recommended changes submitted by Commissioner Mansell, Commissioner Swenson, and Commissioner Schenk (a printed copy of the chart is included in the printed, record copy of the meeting minutes). Upon review, he noted that there were uses that needed a definition.

The Planning Commission discussed each residential use and recommended changes to the zones. Mr. Roberts made track changes to the ones generally agreed upon.

There was general consent to continue to the next meeting.

Staff Report and Action Items

Mr. Roberts reported on the following:

- Parks and Recreation Master Plan
- Planning and Zoning Recommended Ordinances Update
- Landscaping Standards

Commissioner Mansell adjourned the meeting at 7:56 p.m.

ATTEST:

Jamie Ann Gonzales, Assistant Recorder