



Nibley City  
Planning Commission  
Wednesday, March 9, 2016  
455 W. 3200 S.  
Nibley, UT

5:30 p.m. Call to Order  
Approval of Agenda  
Approval of Minutes

#### **BUSINESS LICENSE/CONDITIONAL USE PERMIT**

**JW Lawn Care & Snow Removal**- discussion and consideration of an application for a home a home occupation (lawn care/snow removal) business located at 1389 W 3310 S (Applicant: Jason & Stacey Ward)

**Storper Enterprises**- discussion and consideration of an application for a home a home occupation (online retail) business located at 1236 W 2415 S (Applicant: Michael Storper)

**Kropf Construction**- discussion and consideration of an application for a home a home occupation (construction) business located at 1356 W 3390 S (Applicant: Tim Kropf)

#### **KENNEL LICENSE**

Discussion and consideration of an application for a kennel license for three (3) dogs located at 3448 S Main. (Applicant: Todd Hansen)

#### **WORKSHOP**

Workshop on residential development standards in Nibley City.

#### **Staff Report**

*Planning Commission agenda items may be tabled 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.**



## MEMO

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3/4/16

Hi all-

The public draft of the general plan will be available first thing Monday morning. And we will be having a public open house on Saturday, March 12<sup>th</sup> from 11:00-1:00. We are finalizing the details of the location and will have that available for you on Monday as well.

The rest of the general plan process will be as follows (assuming all goes according to schedule):

March 7<sup>th</sup>- Draft made publicly available

March 12<sup>th</sup>- Public Hearing

March 16<sup>th</sup>- Final Steering Committee meeting to review public comment

March 23<sup>rd</sup>- Joint Planning Commission/CC Meeting for review/presentation of draft

- Our regular P&Z meeting will start at 5:30 this evening. The joint meeting will start at 6:30, in order to give the Commission time to conduct typical business.

April 13<sup>th</sup>- PC holds public hearing; 2<sup>nd</sup> review of draft

April 27<sup>th</sup>- PC finishes review; makes recommendation to City Council

May 5<sup>th</sup>- CC holds public hearing/1<sup>st</sup> review of recommended draft

May 19<sup>th</sup>- CC adopts General Plan

Here's what we have on the agenda for this week's meeting:

### **BUSINESS LICENSE/CONDITIONAL USE PERMIT**

**JW Lawn Care & Snow Removal**- discussion and consideration of an application for a home a home occupation (lawn care/snow removal) business located at 1389 W 3310 S (Applicant: Jason & Stacey Ward)

- This application is for a home occupation flooring lawn care and snow removal business.
- Our home occupation definition is:
  - The use of a portion of a dwelling as an office, studio, or workroom for occupations which are conducted in the home and are incidental to the primary use as a home or residence; provided additionally that: 1) individuals who perform occupation related activities at the home occupation residence must also live at that residence; 2) individuals who do not live at the home occupation residence must not report to that residence for occupation related activities; and 3) the occupation shall not use any accessory building, yard, or any space outside the main building not normally associated with residential use. Applications meeting these criteria may (as determined by the appropriate land use authority) be classified a home occupation rather than being classified by the actual activity associated with the business, with the following exceptions. Child daycare/preschool for more than eight (8) children shall be classified as a commercial daycare rather than a home occupation. In addition, activities involving the sale, service, leasing and/or rental of motor vehicles shall not be classified as a home occupation.

- If a business meets the definition above, then it may be licensed as a home occupation, without regard for the type of business actually being conducted, provided that the business is legal and not otherwise specifically prohibited by ordinance.
- Mr. Ward's application states that he will not have any outside employees, all work will be done off-site and there will be no client visits. Additionally, his application states that any business vehicles will fit in their garage or in their driveway.
- This business meets the requirements to be classified and approved as a home occupation.
  - The property is zoned Residential R-2A. The Nibley City Land Use Chart allows for home occupations, as a conditional use, in the R-2A zone.
- Because this business meets the definition of home occupation, I recommend approving the conditional use permit. As the City Council has not passed the home occupation ordinance recommended to them by the Commission, I do suggest the following as conditions:
  - Any business vehicles or equipment are to be parked behind the front plane of the home, and out of the public right of way.

**Storper Enterprises-** discussion and consideration of an application for a home a home occupation (online retail) business located at 1236 W 2415 S (Applicant: Michael Storper)

- This application is for a home occupation online retail business.
- Our home occupation definition is:
  - The use of a portion of a dwelling as an office, studio, or workroom for occupations which are conducted in the home and are incidental to the primary use as a home or residence; provided additionally that: 1) individuals who perform occupation related activities at the home occupation residence must also live at that residence; 2) individuals who do not live at the home occupation residence must not report to that residence for occupation related activities; and 3) the occupation shall not use any accessory building, yard, or any space outside the main building not normally associated with residential use. Applications meeting these criteria may (as determined by the appropriate land use authority) be classified a home occupation rather than being classified by the actual activity associated with the business, with the following exceptions. Child daycare/preschool for more than eight (8) children shall be classified as a commercial daycare rather than a home occupation. In addition, activities involving the sale, service, leasing and/or rental of motor vehicles shall not be classified as a home occupation.
- If a business meets the definition above, then it may be licensed as a home occupation, without regard for the type of business actually being conducted, provided that the business is legal and not otherwise specifically prohibited by ordinance.
- Mr. Storper's application states that he will not have any outside employees, all work will be done off-site and he will have no business related vehicles or signage.
- This business meets the requirements to be classified and approved as a home occupation.

- The property is zoned Residential R-2A- it is in the Spring Creek Crossing townhome development. The Nibley City Land Use Chart allows for home occupations, as a conditional use, in the R-2A zone.
- Because this business meets the definition of home occupation, I recommend approving the conditional use permit and have no suggested conditions.

**Kropf Construction-** discussion and consideration of an application for a home a home occupation (construction) business located at 1356 W 3390 S (Applicant: Tim Kropf)

- This application is for a home occupation construction business.
- Our home occupation definition is:
  - The use of a portion of a dwelling as an office, studio, or workroom for occupations which are conducted in the home and are incidental to the primary use as a home or residence; provided additionally that: 1) individuals who perform occupation related activities at the home occupation residence must also live at that residence; 2) individuals who do not live at the home occupation residence must not report to that residence for occupation related activities; and 3) the occupation shall not use any accessory building, yard, or any space outside the main building not normally associated with residential use. Applications meeting these criteria may (as determined by the appropriate land use authority) be classified a home occupation rather than being classified by the actual activity associated with the business, with the following exceptions. Child daycare/preschool for more than eight (8) children shall be classified as a commercial daycare rather than a home occupation. In addition, activities involving the sale, service, leasing and/or rental of motor vehicles shall not be classified as a home occupation.
- If a business meets the definition above, then it may be licensed as a home occupation, without regard for the type of business actually being conducted, provided that the business is legal and not otherwise specifically prohibited by ordinance.
- Mr. Kropf's application states that he will not have any outside employees, all work will be done off-site and he will have no client visits. He does have a business-related trailer, and he is pouring a concrete pad along his driveway, on his property, where he will park the trailer. That is an acceptable place for storing his business related equipment.
- This business meets the requirements to be classified and approved as a home occupation.
  - The property is zoned Residential R-2A. The Nibley City Land Use Chart allows for home occupations, as a conditional use, in the R-2A zone.
- Because this business meets the definition of home occupation, I recommend approving the conditional use permit. As the City Council has not passed the home occupation ordinance recommended to them by the Commission, I do suggest the following as conditions:
  - Any business vehicles or equipment are to be parked behind the front plane of the home, and out of the public right of way.

## **KENNEL LICENSE**

Discussion and consideration of an application for a kennel license for three (3) dogs located at 3448 S Main.  
(Applicant: Todd Hansen)

- In the majority of residentially zoned areas, residents are permitted to have two dogs. Our Animal Land Use regulations (10-17 of the Nibley City Code) outline that, on residentially zoned properties of .75 acres or more, the Planning Commission may issue a kennel license for 3 dogs, which is a conditional use.
- Mr. Hansen has a total of ten (10) acres, which is split between two lots. He has sufficient acreage to be granted the kennel license, and I recommend that the Commission approve his application, with no conditions.

## **WORKSHOP**

Workshop on residential development standards in Nibley City.

- One thing that has come up in the course of the General Plan process is the idea that the City should consider implementing some general standards for residential development. Our subdivision ordinance goes through the process that has to be followed, but we lack any guidelines on what we want the product to look like. The purpose of this workshop will be to look at general ideas on what other cities have done to implement development standards. Things that may be looked at include:
  - Open space requirements for all subdivisions
    - Location of open space, landscaping standards, etc. may also be looked at
  - Subdivision entrance signs
  - Timelines for landscaping yards
  - Requiring garages, front porches, or other physical features on housing
- It should be noted that this is just a discussion. There is not a draft ordinance being presented. But one of the recommendations in the General Plan is that the City look at this, and we would like to get the ball rolling before the GP is adopted.
- I encourage Commissioners to take a bit of time and look at other cities who have implemented development standards and come with ideas for discussion. A few cities I could suggest are:
  - Hidden Springs, Idaho
  - Marin County, California
  - Mount Pleasant, South Carolina
  - San Diego County, California

Have a great weekend! I will see you all on Wednesday.



Shari



APPLICATION FOR CONDITIONAL USE PERMIT/BUSINESS LICENSE

Office Use Only
Date Received 2/24/10
Fee Paid
Rec'd By DKW

owner names: Jason & Stacey Ward
Name JW Lawn Care & Snow Removal, LLC
Address 1389 S 3310 W, Nibley, UT 84321
Phone N/A Cell (435) 760-0357 Fax None
Email jwlawncaresnow@yahoo.com

Please Note: The owner/operator of the business on this application must live at the address stated above. Nibley City cannot issue conditional use permit/business licenses to persons who do not live at the address where the business will be located.

Please describe the reason you are requesting a conditional use permit/business license:

Home Office Sales Manufacturing Day Care
X Other (please describe): Moved from Providence to Nibley. Would like to transfer my business license.

Proposed business name: JW Lawn Care & Snow Removal, LLC

Description of business: Lawn Care & Snow Removal

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: Business activity will not affect neighborhood. Billing is done in home office, but work is performed on job sites away from the neighborhood.

Do you plan to employ persons not living at this address as part of the business? Y (N)

Will those employees be working in your home or at another location? Please describe: N/A

Do you plan to conduct any of the business in an accessory building at this address? Y (N)

How many clients will visit this location weekly? None Ever

Describe how you will provide parking for client visits (if applicable): Not applicable. We go to our clients. They don't come to us.

Will you have business vehicles which will require parking accommodations? Y (N) All fit in garage and driveway

If so, please describe the vehicles and parking plans:

How many business shipments do you anticipate sending and receiving from this location each month and how will these deliveries be shipped? None

Will you be able to provide adequate indoor storage for these deliveries? Y N N/A

If applicable, describe any signs at this address which will advertise the business: N/A

March 9

APPLICATION FOR CONDITIONAL USE PERMIT/BUSINESS LICENSE



Office Use Only
Date Received 2/23/2016
Fee Paid 825.00
Rec'd By [Signature]

Name Michael Storper
Address 1236 W 2815 S
Phone (435) 938-8039 Cell Fax
Email storper-enterprise@yahoo.com

Please Note: The owner/operator of the business on this application must live at the address stated above. Nibley City cannot issue conditional use permit/business licenses to persons who do not live at the address where the business will be located.

Please describe the reason you are requesting a conditional use permit/business license:

Home Office X Sales Manufacturing Day Care
Other (please describe):

Proposed business name: Storper Enterprises

Description of business: Online Retail

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: this business is strictly online, selling on the amazon platform this will not affect the residential neighborhood.

Do you plan to employ persons not living at this address as part of the business? Y N

Will those employees be working in your home or at another location? Please describe:

Do you plan to conduct any of the business in an accessory building at this address? Y N

How many clients will visit this location weekly? 0

Describe how you will provide parking for client visits (if applicable): Online Retail only

Will you have business vehicles which will require parking accommodations? Y N

If so, please describe the vehicles and parking plans:

How many business shipments do you anticipate sending and receiving from this location each month and how will these deliveries be shipped? 5

Will you be able to provide adequate indoor storage for these deliveries? Y N

If applicable, describe any signs at this address which will advertise the business: none all online

Nibley City Planning & Zoning

March 9.

\$ 25<sup>00</sup> due

APPLICATION FOR CONDITIONAL USE PERMIT/BUSINESS LICENSE



Office Use Only
Date Received 2/24/2016
Fee Paid 25.00
Rec'd By [Signature]

Name Tim Kropf
Address 1356 West 3390 South Nibley UT 84321
Phone 435-517-0500 Cell 435-760-1837 Fax
Email

Please Note: The owner/operator of the business on this application must live at the address stated above. Nibley City cannot issue conditional use permit/business licenses to persons who do not live at the address where the business will be located.

Please describe the reason you are requesting a conditional use permit/business license:

[ ] Home Office [ ] Sales [ ] Manufacturing [ ] Day Care
[ ] Other (please describe):

Proposed business name: Kropf Construction

Description of business: Construction Company

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: I already live there, no clients will be coming to my home

Do you plan to employ persons not living at this address as part of the business? Y (N)

Will those employees be working in your home or at another location? Please describe:

Do you plan to conduct any of the business in an accessory building at this address? Y (N)

How many clients will visit this location weekly? 0

Describe how you will provide parking for client visits (if applicable):

Will you have business vehicles which will require parking accommodations? Y (N)

If so, please describe the vehicles and parking plans: A trailer I will be adding a cement pad next my driveway for trailer

How many business shipments do you anticipate sending and receiving from this location each month and how will these deliveries be shipped? NO

Will you be able to provide adequate indoor storage for these deliveries? Y N

If applicable, describe any signs at this address which will advertise the business: they will be located on truck and trailer

Nibley City Planning & Zoning

March 9, 2016



NIBLEY CITY  
APPLICATION FOR KENNEL LICENSE

Application Fee: \$30 (one-time)  
Annual License Fee: \$25

Date: 2/24/16

This form must be completed and returned to city staff prior to being scheduled to appear on the Planning Commission agenda. In addition, please bring a copy of this application with you when you meet with the Planning Commission to discuss the application.

Applicant Todd R. Hansen

Address 3948 S. Main

Phone 435-752-193L (Home) 265-6365 (Cell)

Lot Size: 1/2 acre

Fill in the following information for each dog:

Name: Coco Breed: Lab Shorthair  
Gender: M  F Age: 10 Color: Dark brown  
Spayed/Neutered:  Y  N Rabies Shot:  Y  N Date: 2/25/17

Name: Indee Breed: St. Bernard  
Gender: M  F Age: 1 1/2 Color: brown, black, white  
Spayed/Neutered: Y  N Rabies Shot: Y  N Date: 11/23/18

Name: Toby Breed: German shorthair pointer  
Gender:  M  F Age: 8 mo Color: Brown & white  
Spayed/Neutered:  Y  N Rabies Shot:  Y  N Date: 9/22/16

By signing below, you agree to the following:

To the best of my knowledge, the information I have provided in this application is true and complete. I understand that the Planning Commission may use the information provided in this application to establish limitations and conditions on the business-related activity at this location. Failure to comply with these limitations and conditions will invoke a review of any conditional-use permit that may be issued. I further agree to operate my home business in accordance with any applicable Utah State Code and Nibley City ordinance.

Todd R. Hansen  
\_\_\_\_\_  
(Print Name)

2/24/16  
Date

Nibley City Planning & Zoning