



Nibley City
Planning Commission
Wednesday, August 24, 2016
455 W. 3200 S.
Nibley, UT

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

Conditional Use Permit/Business License

1. Consideration of a conditional use permit and business license application for **Dance Studio**, a home occupation (dance company) located at 4115 Johnson Rd. (Applicant: Marianne Hulse)
2. Consideration of a conditional use permit and business license application for **Omar's Tires, LLC**, a home occupation (tire sales) located at 3835 S. Main (Applicant: Omar Cortezano)
3. Consideration of a conditional use permit and business license application for **Hirschi Kiss Bows**, a home occupation (personal accessory sales) located at 1145 W 2720 S (Applicant: Alisha Hirschi)
4. Consideration of a conditional use permit and business license application for **Jessica Nelson Makeup Artistry**, a home occupation (makeup services) located at 1644 W 3200 S (Applicant: Jessica Nelson)
5. Consideration of a conditional use permit and business license application for **Blythe & Barnett**, a home occupation (interior design) located at 874 W 2465 S (Applicant: Cara Barnett)

Concept Plan

6. Presentation and discussion of a concept plan for The Cottonwoods at Hollow Rd (Applicant: Jim Johnson)
7. 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

8/22/16

Hi all-

I apologize for not having the information posted on Friday. I had time set aside on Thursday to take care of it and that time was taken up by some unexpected business, and I was off on Friday.

You will notice that the conservation subdivision ordinance is not on this meeting's agenda. I have not had sufficient time to dedicate to putting together design standards and so didn't feel that the ordinance was ready for additional discussion. However, we do have several businesses licenses and a subdivision concept to discuss. My comments on those items are below:

1. Consideration of a conditional use permit and business license application for **Dance Studio**, a home occupation (dance company) located at 4115 Johnson Rd. (Applicant: Marianne Hulse)

- Mrs. Hulse's application is for a dance company which she will run out of her home. Her application states that she intends to have 2-3 classes, 3 days per week, for a total of 6-9 classes throughout the week. She anticipates 16-20 people visiting the home on each of the days that she holds classes. Her application further states that she will have one employee who doesn't live at her home as part of the 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.
- The property is zoned Residential R-2. The Nibley City Land Use Chart allows for home occupations, as a conditional use, in this zone.

- Mrs. Hulse has sufficient parking along Johnson Road for her students, however, I am concerned with the fact that her home is the first one as you turn off of Hwy 165. I am concerned that cars parked all the way along the east side of her lot will back cars up too close to the intersection of Johnson Road and Hwy 165, causing a safety issue. I believe that can be resolved by a condition on the license that all business-related parking has to be south of the speed limit sign out in front of her home, or in her driveway.
- The primary issue with Mrs. Hulse's application is the request to have another teacher. Our ordinance states that in order to be classified as a home occupation, that "...individuals who do not live at the home occupation residence must not report to the residence for occupation related activities."
 - When Mrs. Hulse originally submitted her application request, it was going to be licensed out of her mother's home, which is across the street at 4110 Johnson Road. When I explained to her that she could not be issued a license because a) she did not live at the residence and b) a license cannot be issued for businesses where outside employees come to the home, she requested that the license application be changed to her (Mrs. Hulse) home and she would hold dance lessons there until other arrangements could be made.
 - Even though the dance company will be run out of her own home, Mrs. Hulse cannot have another teacher come work at the company, if that other teacher does not live in Mrs. Hulse's home.
- I would recommend approving Mrs. Hulse's license application, with the following condition:
 - All business-related parking must happen South of the speed limit sign in front of the home, or in the driveway of the home.
 - There is no need to specifically state the condition of outside employees who do not live at the home being prohibited from reporting to the home for business activities, as it is already stated in our definition of a home occupation. However, I would suggest making sure Mrs. Hulse understands that restriction.

2. Consideration of a conditional use permit and business license application for **Omar's Tires, LLC**, a home occupation (tire sales) located at 3835 S. Main (Applicant: Omar Cortezano)

- Mr. Cortezano currently has a tire store in Logan and would like to be able to provide his tires for sale after his regular business hours. He previously was licensed through Nibley City but that license has expired, so he is required to reapply.
- 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.
- The property is zoned Residential R-1. The Nibley City Land Use Chart allows for home occupations, as a conditional use, in this zone. However, because this business involves the service of motor vehicles, as it is selling motor vehicle parts, it cannot be licensed as a home occupation.
- Despite his having previously been licensed for this business, because it does not meet the requirements of our ordinance, as it involves the servicing of motor vehicles, my recommendation is that it be denied.

3. Consideration of a conditional use permit and business license application for **Hirschi Kiss Bows**, a home occupation (personal accessory sales) located at 1145 W 2720 S (Applicant: Alisha Hirschi)

- Ms. Hirschi's application is for a home business where she will make and sell children's head bows and neckties. She will have no outside employees, has sufficient parking in her driveway for customer visits and will not be using an accessory building for any part of her 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.
- The property is zoned Residential R-2A. The Nibley City Land Use Chart allows for home occupations, as a conditional use, in this zone.

- Ms. Hirschi's business meets the requirements to be classified and approved as a home occupation. Because of that, I recommend that it be approved as such and have no suggested conditions.

4. Consideration of a conditional use permit and business license application for **Jessica Nelson Makeup Artistry**, a home occupation (makeup services) located at 1644 W 3200 S (Applicant: Jessica Nelson)

- Ms. Nelson's application is for a home business where she will provide professional makeup services for weddings and other special events. She will have no outside employees, has sufficient parking in her driveway for customer visits and will not be using an accessory building for any part of her 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.
- The property is zoned Residential R-2A. The Nibley City Land Use Chart allows for home occupations, as a conditional use, in this zone.
- Ms. Nelson's business meets the requirements to be classified and approved as a home occupation. Because of that, I recommend that it be approved as such and have no suggested conditions.

5. Consideration of a conditional use permit and business license application for **Blythe & Barnett**, a home occupation (interior design) located at 874 W 2465 S (Applicant: Cara Barnett)

- Mrs. Barnett's application is for a home business where she will provide interior design services. She will have no outside employees, will have no client visits (those will occur at the client's homes) will not be using an accessory building for any part of her 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.
- The property is zoned Residential R-2A. The Nibley City Land Use Chart allows for home occupations, as a conditional use, in this zone.
- Mrs. Barnett's business meets the requirements to be classified and approved as a home occupation. Because of that, I recommend that it be approved as such and have no suggested conditions.

6. Presentation and discussion of a concept plan for The Cottonwoods at Hollow Rd (Applicant: Jim Johnson)

- Mr. Johnson will be presenting a concept plan for a 17-lot conservation subdivision in the R-1A zone.
- Because this is just a concept discussion, I have not gone through a detailed analysis of the concept. My initial review of the numbers, as presented by Mr. Johnson in the discussions I have had with him, is that they fall in line with what is required by our conservation subdivision. However, this is a non-actionable item, so there is no staff recommendation.
- Mr. Johnson will be making a presentation of the subdivision concept, and this is a time for the Commission to give initial thoughts and feedback. As this is just a concept plan and discussion, there is no public hearing or public discussion. Those items will be property agendaized and noticed when the subdivision is submitted as a preliminary plat.

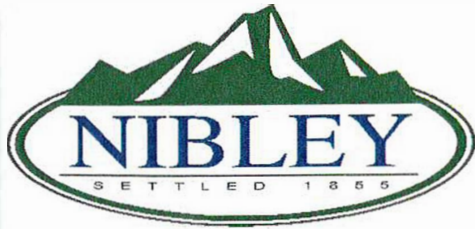
See you all on Wednesday.

Cheers-



Shari Phippen
City Planner

Aug. 24, 2016



APPLICATION FOR CONDITIONAL USE
PERMIT/BUSINESS LICENSE

Office Use Only

Date Received 8/10/2016

Fee Paid 25.00

Rec'd By Stephen Nelson

Name Marianne Hulse
Address 4115 S. Johnson Rd.
Phone [REDACTED] Cell [REDACTED] Fax [REDACTED]
Email [REDACTED]

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): Dance studio

Proposed business name: Move to it Dance & Tumbling

Description of business: Dance company

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: 2-3 classes 3 day a week

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

Will those employees be working in your home or at another location? Please describe: 1 Teacher

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? 16-20 ☒ Daily That we run.

Describe how you will provide parking for client visits (if applicable): Room for 8 cars in front of home - will enter on S side of street exit on North (one way)

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? 2-3

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

If applicable, describe any signs at this address which will advertise the business: Yard signs the first week to show location & parking



Aug 24, 2016

APPLICATION FOR CONDITIONAL USE
PERMIT/BUSINESS LICENSE

Office Use Only	
Date Received	8/1/16
Fee Paid	\$25.00
Rec'd By	[Signature]

Name Omar Cortezano
 Address 3835 South Main St Nibley.
 Phone [Redacted] Fax _____
 Email [Redacted]

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: Omar's Tires LLC

Description of business: to sale tires, "I omag, had a License with Nibley before and Nive was a problem, this license is only to be right/league with everyone."

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: I will have a shop in Logan (10 west 700N.) Part time. But after Hours I some times help the customer from home, by providing the tire they need after Hours.

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: NO - Just Me,

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? 1-3

Describe how you will provide parking for client visits (if applicable): it all and only by appointment's One client at a time, but yes we have parking for 1-3 cars

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? 1-2 times a week, it's shipped by truck 1/2 tone, small Van.

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: Don't Need one this location is only to help people on after hours.



APPLICATION FOR CONDITIONAL USE PERMIT/BUSINESS LICENSE

Office Use Only

Date Received 8/9/16Fee Paid \$25.00Rec'd By [Signature]

Name Alisha Hirsch
 Address 1145 W 2720 S Nibley, UT 84301
 Phone [Redacted] Fax [Redacted]
 Email [Redacted]

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: Hirsch Kids Bows

Description of business: production & sales of kids head bows & neck ties

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: This will not affect the neighborhood. Only about 1-2 people visit a day.

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: NA

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? 5-10 w

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

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

If so, please describe the vehicles and parking plans: NA

How many business shipments do you anticipate sending and receiving from this location each month and how will these deliveries be shipped? all sent at local post office. No receiving

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

If applicable, describe any signs at this address which will advertise the business: NA



APPLICATION FOR CONDITIONAL USE PERMIT/BUSINESS LICENSE

Aug. 24, 2016

Office Use Only

Date Received 8/1/2016

Fee Paid 25.00

Rec'd By [Signature]

Name Jessica Nelson
Address 1644 West 3200 South Nibley, UT 84321
Phone [Redacted] Fax [Redacted]
Email [Redacted]

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): makeup artist business

Proposed business name: Jessica Nelson Makeup Artistry

Description of business: Makeup services provided to clients for bridal work, or other beauty needs

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: It will not. I have minimal clientel that will occupy the driveway of my residence. No other neighbors will be effected.

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? 1-7

Describe how you will provide parking for client visits (if applicable): They may park in my driveway.

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? 0-1 recieving makeup shipments via UPS or fedex

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: _____



Aug 24, 2016
APPLICATION FOR CONDITIONAL USE
PERMIT/BUSINESS LICENSE

Office Use Only

Date Received Aug 1

Fee Paid 25.00

Rec'd By [Signature]

Name Cara Barnett
Address 874 W. 2405 S. Nibley, UT. 84321
Phone [Redacted] Fax —
Email [Redacted]

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: Blythe and Barnett

Description of business: Interior Design, designing rooms in clients homes.

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: It will not affect.

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: —

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 —

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

Nibley City Planning & Zoning

The average lot size is 16,200 sq and the smallest lot is 15,000 sq.

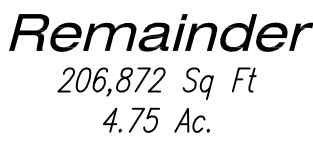
The area to be developed is the total parcel area minus the remainder parcel. This remainder parcel will be help by the owner of the present time.

The percentage of Conservancy area is:

Total parcel = 15.6 ha.
Area to be developed = 10.80 ha.
Project right of way area = 46,722 sq (1.08 ac.)
Total lot area = 275,410 sq (6.32 ac.)
Total Conservancy area = 148,300 sq (3.40 ac.)

Total Conservancy area

Total lot area + Total conservancy area
148,300
275,410 + 148,300
= 558



SUBDIVISION CRITERIA

1. Subdivision is designed based on the Nideley Municipal Code Section 10-18, titled "Conservation Residential Subdivision".

DEVELOPMENT OPTION

1. Within Section 10-18, option 4-c has been selected.

DIMENSIONAL STANDARD

1. In reference to Sections 10-18-10-A, Development Incentive Chart, Zoning R-14, a 35% open space percentage has been selected, requiring 35% open space. From this chart, the incentive multiplier is 41.67%. The minimum average lot size will be 14,157 square feet and the minimum lot size will be 3,000 square feet. The required frontage is 100 feet.

ATTACHED HOUSING INCENTIVE

1. See Section 10-18-10-D. In that section, under A, it states, "one 4-unit structure on one subdivision lot, must be a minimum 16,000 square foot lot."

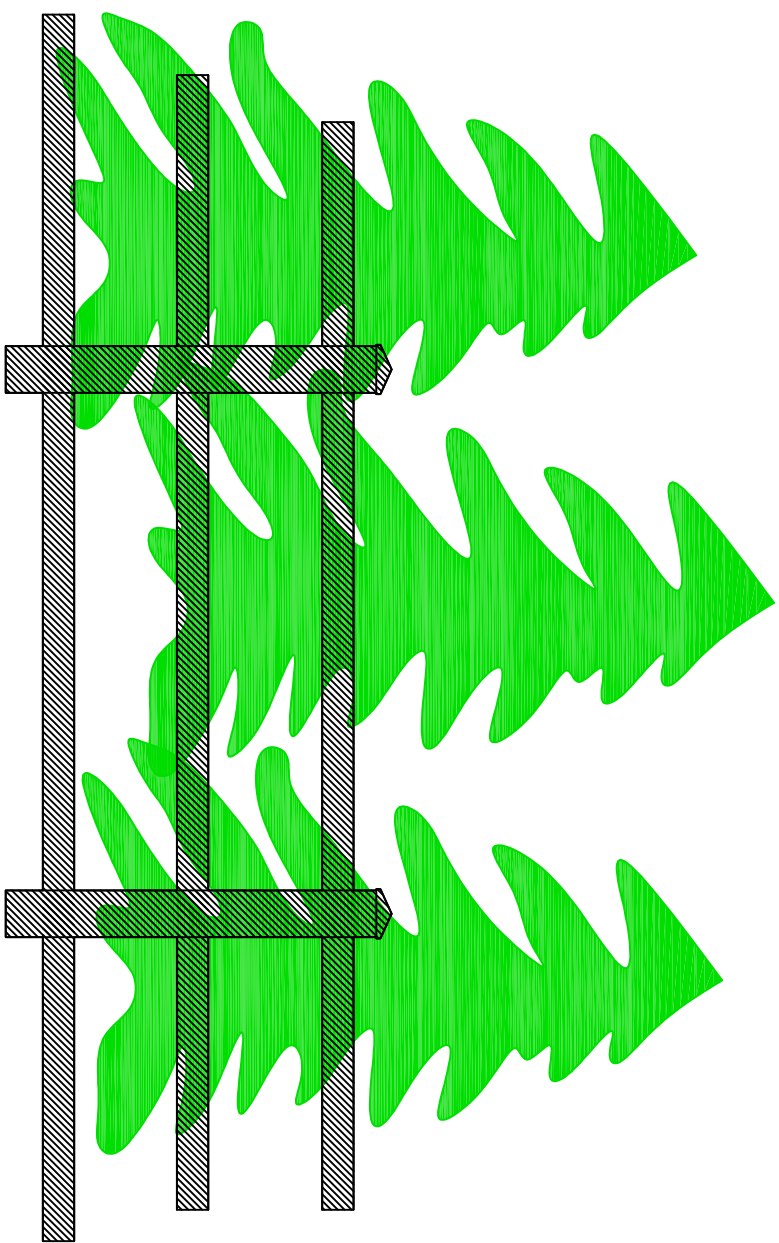
This plan designates Lot 3 to be this lot for a 4-unit structure. The lot lines are shown for this purpose, however, a more clear plan for this lot will be submitted as a site plan when the lot is sold.

Gross average x original lot yield x incentive multiplier = allowable lots
 $10.80 \times 1.2 \times 1.4167 = 18.4$, or 18 lots

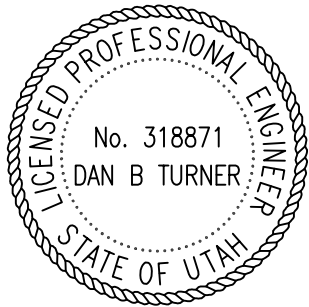


The Cottonwoods
at Hillside Road

SCREENING DETAIL



Turner Design Engineering, Inc.
CIVIL ENGINEERING ▲ LAND PLANNING
60 E. CENTER #201 LOGAN, UT. 84321
(435) 752-1669 (435) 770-2240



LANDSCAPE PLAN
THE COTTONWOODS
NIBLEY. UTAH

Revisions

August 2016
Date
1" = 50'
Scale
D.T.
Designed by
D.T.
Drawn By

Job Number
16-006
Sheet
1 of 1