

The Meeting of the Nibley Planning Commission held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Wednesday, February 8, 2012.

The following actions were made during the meeting:

**Commissioner Green motioned to approve the conditional use permit and business license for Pignataro Construction, LLC, applicant John Pignataro, located at 894 Garden Circle with the proviso that the trailer be parked to the side of the house and behind the front plane of the house. Commissioner Anderson seconded the motion. The motion passed unanimously 5-0; with Commissioner Green, Commissioner Anderson, Commissioner Lawver, Commissioner Beus, and Commissioner Bliesner all in favor.**

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Commissioner Aaron Bliesner called the Wednesday, February 8, 2012 Nibley City Planning Commission meeting to order at 7:00 p.m. Those in attendance included Commissioner Aaron Bliesner, Commissioner Mark Lawver, Commissioner Bill Green, Commissioner Wayne Anderson, and Commissioner Kathryn Beus. Shari Phippen, the City Planner was also present.

**Approval of 1-11-12 meeting minutes and agenda**

There was general consent on the evening's agenda. There was also general consent on the previous meeting (1-11-12) minutes.

**Conditional Use Permit/Business License**

**Pignataro Construction, LLC—request a conditional use permit and business license for a home occupation (home repair/maintenance) located at 894 Garden Circle. (Applicant: John Pignataro)**

Mr. John Pignataro was present at the meeting. Ms. Phippen said this was more or less a home office for Mr. Pignataro's home repair and maintenance business. Ms. Phippen said any employees he had would not be working at his home; only at the job site. There would be no extra traffic or business vehicles in the neighborhood. Ms. Phippen questioned if the applicant had business vehicles. Mr. Pignataro said he had a trailer he had converted over to keep his tools in. He said he had a drive along the west side of the house and he pulled it there; most of the time it was on a job site or at his dad's property. Ms. Phippen said as long as he kept the trailer parked behind the front plane of the house she had no problems with his application.

Commissioner Bliesner said they had been, by condition, prohibiting the parking of vehicles for home based businesses in the public right-of-way. He asked that this be included in the motion.

Commissioner Green made a motion to approve the conditional use permit and business license for Pignataro Construction, LLC, applicant John Pignataro, located at 894 Garden Circle with the proviso that the trailer be parked to the side of the house and behind the front plane of the house. Commissioner Anderson seconded the motion. The motion

passed unanimously 5-0; with Commissioner Green, Commissioner Anderson, Commissioner Lawver, Commissioner Beus, and Commissioner Bliesner all in favor.

## **Workshop**

### **Discussion and review of high density zone proposal**

Ms. Phippen said the general plan, adopted in 2007, called for a High Density Residential zone. She read what the general plan categorized high density as: “The High Density Residential areas are characterized by attractively landscaped single-family, two-family and multiple family resident lots and structures and associated uses. This land use is intended to have a residential density higher than the medium density residential area(s), but to maintain residential character comparable to that of a single-family residential area(s) with large landscaped yards.”

Ms. Phippen discussed the location of the high density zone. She said it was intended to be located in a variety of areas throughout Nibley but any property rezoned to HD must be located within 660 feet of a commercial or industrial zone, or within 660 feet of another municipality’s boundary. Commissioner Bliesner said this did not specify that it had to be another municipality’s commercial zone. Ms. Phippen and the Commissioners discussed and agreed on different wording: “whether in Nibley or a surrounding municipality.”

The Commission discussed permitted uses: 1-Single-family detached residential housing, 2- Single-family duplex housing, 3-Single-family attached townhomes, 4-Residential care facilities for 8 persons or less. Under conditional uses Commissioner Bliesner believed that under the high density that they should not permit conditional uses other than home office uses with zero client visits; he said they shouldn’t include more traffic in a high use area. He said this should also apply to animals; they should also only allow house pets. Ms. Phippen said animal uses were based on the land size.

The Commission discussed development standards. Commissioner Bliesner said the parking seemed tight. Ms. Phippen said she based the parking regulations on Spring Creek and Commissioner Anderson said it worked. Commissioner Bliesner was concerned with on street parking in the high density. Ms. Phippen said she wouldn’t encourage a blanket restriction because some of the developments they could have would not require on street parking. Commissioner Lawver noted that because it was a rezone they would have to bring the plan in to them. Commissioner Bliesner requested that the city engineer look at the development standards table.

Ms. Phippen reviewed the approval process with the Commission.

The Commission discussed open space in high density zones; a minimum of 15% open space was required on all projects and a landscaped buffer of 50 ft. was required on all portions of the zone touching a less dense residential zone. The Commission discussed what would be required in the landscaped area. Commissioner Green was not happy with just grass and Commissioner Bliesner agreed that he wanted to quantify the landscaping. Commissioner Bliesner asked Ms. Phippen to look into more details about tree spacing,

etc. Commissioner Bliesner suggested they define what 15% was when referring to the 15% of open space. Ms. Phippen suggested wording that said open space would be calculated on the .15 of the gross project size minus the land needed for the right of way and said she would keep work on the wording.

Commissioner Bliesner asked if they were suggesting that in order to get a rezone they had to be able to demonstrate an ability to financial carry out the proposed or phased development; he said they way they had done it they did not have to have a project to rezone; it could be sold as property in that zone. Ms. Phippen suggested additional wording that said if the rezone was granted by the Planning & Zoning Commission and City Council that projects wishing to develop under that zone would follow the following approval process . . . ; she said that separated the requirements from the request to rezone. Commissioner Anderson said he was reading that they were conditioning the rezone based on what the proposed project was. Commissioner Bliesner said he would like to see the rezone separate from the project. Ms. Phippen said it was intended to be limited and they needed some information in order to do that. Commissioner Anderson suggested it would be fairly simple to split the Ordinance in two; pages 1 and 2 would just concern the rezone and 3 and 4 would be the requirements within that zone. The Commissioners generally agreed with that suggestion.

The Commission discussed the time limits on projects and agreed that only one extension of time would be granted.

Ms. Phippen said there would be a public hearing on the high density proposal at the next meeting.

Ms. Phippen said they received 59 applications for the position of City Manager. They sent 32 to the selection committee. She said there were some really strong candidates and that the selection committee was meeting tomorrow night.

Ms. Phippen updated the Commission on the sign at the Peterson Country store.

Ms. Phippen informed the Commissioners that she had been approached by residents about allowing a third dog and asked for discussion on the issue. After discussion, the general opinion of the Commission was that they did not feel they needed to readdress the issue.

There was general consent to adjourn at 8:38.

Attest \_\_\_\_\_  
Deputy City Recorder