

The Meeting of the Nibley City Planning Commission held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Wednesday, December 11, 2013.

The following actions were made during the meeting:

Commissioner Bliesner motioned to approve the conditional use permit and business license for Latter-Day Home located at 845 W. 2550 S.; applicants Owen & Ashlie Mortensen. Commissioner Anderson seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

Commissioner Bliesner motioned to approve the conditional use permit and business license for Absolute Restoration located at 2780 S. Main; with applicant Bonnie Bremmer. Commissioner Green seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Green, Commissioner Anderson, and Commissioner Lawver all in favor.

Commissioner Anderson motioned to table the application for a conditional use permit and business license for Sew Red Glasses; with applicant Joleene Kooyman until they could get clarification on what the applicant intended to sell. Commissioner Bliesner seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

Commissioner Bliesner motioned to approve the 2014 Nibley Planning & Zoning Commission schedule. Commissioner Anderson seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

Commissioner Bliesner motioned to continue discussion and consideration of proposed changes to the Nibley City Subdivision Ordinance. Commissioner Anderson seconded the motion. The motion passed 3-1; with Commissioner Bliesner, Commissioner Anderson, and Commissioner Lawver in favor. Commissioner Green was opposed.

Planning and Zoning Commission Chair Mark Lawver called the Wednesday, December 11, 2013 Nibley City Planning Commission meeting to order at 7:06 p.m. Those in attendance included Commissioner Aaron Bliesner, Commissioner Bill Green, Commissioner Wayne Anderson, and Commissioner Mark Lawver. The City Planner was also present. Commissioner Kathryn Beus was excused from the meeting.

Approval of 11-13-13 meeting minutes and the evening's agenda

General consent was given for the evening's agenda and general consent was given for the previous meeting's minutes.

Commissioner Lawver informed the public of items that had been postponed and removed from the evening's agenda.

Conditional Use Permit/Business License

Latter-Day Home—consideration of a request for a conditional use permit and business license for a home occupation (home décor) located at 845 W. 2550 S. (Applicants: Owen & Ashlie Mortensen)

Applicants Owen and Ashlie Mortensen were not present at the meeting.

Commissioner Bliesner made a motion to approve the conditional use permit and business license for Latter-Day Home located at 845 W. 2550 S.; applicants Owen & Ashlie Mortensen. Commissioner Anderson seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

Absolute Restoration—consideration of a request for a conditional use permit and business license for a home occupation (cleaning/handyman/interior design) located at 2780 S. Main (Applicant: Bonnie Bremmer)

Mrs. Bonnie Bremmer was present at the meeting. The City Planner said that all work would be done off site and that the application was essentially a home office. Commissioner Bliesner asked about any work being done in the home. Mrs. Bremmer said all work from the home would be done in a home office. Commissioner Bliesner asked about vehicle associated with the business. Mrs. Bremmer said she had her personal vehicle which she would use to drive to the work site. Commissioner Anderson asked about large equipment for handy man work. Mrs. Bremmer said there was none.

Commissioner Bliesner made a motion to approve the conditional use permit and business license for Absolute Restoration located at 2780 S. Main; with applicant Bonnie Bremmer. Commissioner Green seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Green, Commissioner Anderson, and Commissioner Lawver all in favor.

Sew Red Glasses—consideration of a request for a conditional use permit and business license for a home occupation (online sales) located at 862 W. Garden Circle (Applicant: Joleene Kooyman)

Ms. Joleene Kooyman was not present at the meeting. The City Planner said she didn't know what the applicant wanted to sell. Commissioner Bliesner believed the IRS and State Business Bureau might need to know what was being sold and Commissioner Anderson said they needed to make sure it didn't fall under the SOB (Sexually Oriented Businesses) Ordinance.

Commissioner Anderson made a motion to table the application for a conditional use permit and business license for Sew Red Glasses; with applicant Joleene Kooyman until they could get clarification on what the applicant intended to sell. Commissioner Bliesner

seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

Commissioner Bliesner made a motion to suspend the agenda at 7:12. Commissioner Anderson seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

Adoption of the 2014 Planning Commission meeting schedule.

The City Planner thought it would help them function more efficiently if they set a firm deadline for when application materials needed to be submitted and said she wanted to adopt a firm two week time line for everything; all persons wanting to submit items for consideration must have all materials submitted and applicable to the application two weeks before the Planning & Zoning Commission meeting took place. She posted a proposed meeting schedule and proposed application deadline schedule for 2014. Meetings of the 2013 Planning & Zoning Commission were proposed for; Jan. 8, Jan. 22, Feb. 12, Feb. 26, Mar. 12, Mar. 26, Apr. 9, Apr. 23, May 14, May 28, Jun. 11, Jun. 25, Jul. 9, Jul. 23, Aug. 13, Aug. 27, Sept. 10, Sept. 24, Oct. 15, Oct. 29, Nov. 12, and Dec. 10. All meeting dates fell on a Wednesday night.

Commissioner Bliesner made a motion to approve the 2014 Nibley Planning & Zoning Commission schedule. Commissioner Anderson seconded the motion. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Anderson, Commissioner Green, and Commissioner Lawver all in favor.

Commissioner Lawver suggested a new meeting procedure on Ordinances. He with the upcoming ordinance rewrites that they should approach them in three standard parts; workshop, public hearing, and final draft/adoption. Commissioner Bliesner said he thought it would be great to keep things moving. Commissioner Anderson thought it was a good guideline. Commissioner Green said he concurred.

Staff Reports

The City Planner informed the Planning & Zoning Commissioners that Peterson's Farm Store was closing. She said she that the new business coming to the building was a permitted use but she had asked the new business owner to come and introduce herself to the Planning & Zoning Commission and describe her business.

Ms. Deborah Campbell-Cano was present at the meeting and gave the public and Planning & Zoning Commission an overview of the first indoor flea market-health village in Logan.

7:30—Public Hearing—A public hearing to receive comment on proposed changes to the Nibley City Subdivision Ordinance.

Commissioner Lawver asked the City Planner to give an introduction to the public present. The City Planner said she undertook cleaning the subdivision ordinance; to codify items that needed to be codified; to take out redundancies and outdated practices

in the development industry. She said she also included new state law regarding lot-line adjustments; removed extraneous references to septic tanks; and took out the definitions because they were overlapping with other ordinance and put in referring language that referred to state code. The City Planner discussed single access gravel driveways. The City Planner said she was still concerned with a timeline referring the Planning & Zoning Commission in which approval was given if no action was taken within 45 days. Commissioner Bliesner believed State law was 90 days. The City Planner said she had also included what standards were required on a final plat.

Commissioner Lawver opened the public hearing at 7:40. He gave directions to the public present.

Seeing no public comment, Commissioner Lawver closed the public hearing at 7:41.

Discussion and consideration of proposed changes to the Nibley City Subdivision Ordinance.

Commissioner Lawver addressed his concerns with the proposed ordinance; a section reference on page 6 line 25. The City Planner said it should be 11-4-2 and edited the document. Commissioner Lawver noted page 12 line 15 which referenced secondary water systems. He asked if there was any word that the State's water initiative would require subdivisions to use secondary water. The City Planner said she was not aware of any directives. The City Planner relayed her discussion with the city Public Works Director about secondary water systems to the Planning & Zoning Commissioners. Commissioner Lawver asked if there were municipalities that were requiring new subdivisions to use secondary water. The City Planner said she was not aware of any. She described how secondary water systems typically worked; with active HOAs and individuals people willing to pay fees for maintaining a secondary water system.

The City Planner said she felt she needed to add specific language about developers and infrastructure improvements. She discussed a bill passed in state legislature about providing finance security for bonding for infrastructure improvements or letters of credit. She said in the past they had required every developer to provide security or evidence of financial security in order to complete the infrastructure improvements. State legislation had somewhat taken this away and instructed the city to hold the developers mylar until the infrastructure improvements were done and inspected and the developer would still have to provide 10%. The City Planner said this limited them to a year for the warranty period. The City Planner said holding the mylar put the burden on the developer to complete the infrastructure improvements.

The Planning & Zoning Commission discussed which option they wanted to consider and potential problems with project phasing. Commissioner Anderson said the 1 year warranty practice was standard but it was 10 years for faulty workmanship. The City Planner said Section 11-5-17 was what was proposed and that this would replace that section. She said it would also affect 11-1-5. Commissioner Lawver discussed that this came down to enforcement. The Planning & Zoning Commissioners decided to change the ordinance to reflect the State legislation.

Commissioner Bliesner made a motion to continue discussion and consideration of proposed changes to the Nibley City Subdivision Ordinance. Commissioner Anderson seconded the motion. The motion passed 3-1; with Commissioner Bliesner, Commissioner Anderson, and Commissioner Lawver in favor. Commissioner Green was opposed.

Workshop

First review of updates to the Nibley City land use definitions and land use chart.

The City Planner said this was an outgrowth of redoing the Nibley City subdivision ordinance and from discussions with County Planner, Josh Ruhnhar. She relayed discussion with Mr. Ruhnhar about outright permitting usage in industrial and commercial zones. She said he had also pointed out that there was no point in regulating uses in a flood plain zone or protective zones. The City Planner said Nibley's land use chart could have a lot of use consolidation; she said making items conditional allowed them to take out a lot of land uses and put them under a larger umbrella because the city would have regulatory authority. She said she had done a fair amount of consolidation to the land-use chart.

Commissioner Bliesner asked for references so that they could consider if the consolidation was appropriate. Commissioner Bliesner asked if there were headings at the top of every page. He requested the heading bar be at the top of every sheet for ease of use. He also recommended that home occupation and home office with businesses limited to no client visits, no inventory, and no employees, just be permitted. The Planning & Zoning Commissioners discussed definitions and permitted land uses for a school. Commissioner Anderson suggested how they could consolidate school land uses by editing the definition and suggested a definition. Commissioner Anderson said he would be interested in what Logan had referring to schools. Commissioner Lawver also asked for comparisons with another municipality. The City Planner said she may do some further consolidation and that the Planning & Zoning Commission should see the land-uses again in January. The Planning & Zoning Commissioners, for the most part, agreed that they should change items to conditional instead of strait permitted. The City Planner and Planning & Zoning Commission agreed to workshop the land-use chart revisions again; before holding a public hearing.

Staff Report

The City Planner discussed meeting with a developer regarding a 28 acre commercial/industrial subdivision. She said it was the 28 acres west of Stonebridge. Commissioner Lawver discussed conditions on idle restrictions on trucks

Benjamin Johnson, a scout with Troop 210, asked for clarification regarding secondary versus culinary water. Commissioner Bliesner described the differences in culinary versus secondary water.

There was general consent to adjourn at 8:43.