



MEMO



12/5/14

Hi all-

Are you ready for our last meeting of 2014??? I figured I'd cover all of the holidays in one shot. ☺

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

Conditional Use Permit/Business License

Cache Valley Services- consideration of a request for a conditional use permit and business license for a home occupation (tax & document preparation) located at 187 W. 3650 S. (Applicant: Hermelinda Saldivar)

- My first concern is that she has on her application that during tax season, she will have a couple people come to her home to help her out. Provided it is clear and a condition is in place that states she can't have outside employees, then I have no problem approving this request.
- My second concern is that during tax season, she has on there that she will have up to 15 clients per day. Tax season runs for several weeks, not the 2 she indicates on her application. I worry that having that many extra cars coming and going from the residence daily will have a negative impact on the neighborhood. I suggest either capping the client visits at 5-8 per day or setting a limit on the hours she can have clients visit- 9:00 am-6:00 pm or something like that.
- If those concerns can be mitigated and conditions put in place reflecting that mitigation, then I recommend approving her request.

Bartholomew Fitness- consideration of a request for a conditional use permit and business license for a home occupation (personal training) located at 2580 S. 1100 W. (Applicant: Kylie Bartholomew)

- I have no concerns with this application. There is room for off-street parking for her clients. She won't have any outside employees. I recommend approval.

Discussion and consideration of the 2015 Nibley City Planning Commission Meeting Schedule

- As we look at and adopt the meeting schedule for next year, I think it would be good if we set the meeting time as well. We had previously discussed starting earlier. I would suggest 5:30 as a start time.
- The bylaws and election of a chair/vice-chair will happen at the first meeting in January.

Discussion and consideration of an ordinance regarding property and public peace in Nibley City

- I made the changes discussed at the previous meeting. There was a request to have Bruce review the provisions related to truancy. Since state education law (outlined in the Utah State Code) sets rules and regulations on truancy, I felt that the simplest option would be for the City to adopt that portion of the State code, by reference, rather than outlining our own procedures.

- There had been a discussion last time on changing times for construction/noise limits. I called around to several different cities (both in and out of Cache Valley) and this is what I found:
 - Park City: 10pm-7am
 - Salt Lake City: 9pm-7am
 - Eagle Mountain: 10pm-7am (residential zones) 10pm-6am (commercial zones)
 - Holladay: 10pm-8am
 - Provo: 10pm-7am
 - Ivins: 10pm-6am
 - Hyrum: 10pm-7am
 - Smithfield: 10pm-7am
 - Logan: 9:30pm-7am

I asked a few of the cities if they had thought about going with earlier than 10:00 p.m. and in each case, they said that earlier than 10:00 wasn't reasonable, especially during the summer when it gets dark so much later. They felt it was just easier to establish one set of hours rather than try and decide different hours for different times of the year.

I would encourage the Commission to not change the hour limits off of the 10:00 pm-7:00 am that is currently in the ordinance.

- I believe that the ordinance is ready for recommendation to the City Council.

Discussion and consideration of an ordinance regarding nuisance abatement procedures in Nibley City

- Since no changes were made to this ordinance from the one previously discussed, the same version is here for your consideration and recommendation to the City Council.

Workshop

Discussion of an ordinance regulating cell phone towers in Nibley City

- David requested that the City look into passing an ordinance regulating cell towers in the City. We do not presently have an application for a tower, but he would like to see something put in place so that if the time comes that we do have an application, we have the appropriate framework in place to regulate/put conditions on the tower.
- Hyde Park City recently passed an ordinance and that is the version that has been uploaded for this workshop item. I just received it this morning, so I have not had a chance to review it and make comments and suggestions about how it could be implemented in Nibley. I am hopeful that I will be able to do that early next week and if I'm able to, I will put together some comments and upload them for you all.

If you haven't already done so, don't forget to RSVP for the Christmas party. It is on the 18th at 6:00 p.m. Call the front office and ask for Stephen or Alejandra.

Thanks for all you do. Have a great weekend-

Shari