



Nibley City
Planning Commission
Wednesday, October 28, 2015
455 W. 3200 S.
Nibley, UT

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

CONDITIONAL USE PERMIT

Blue Collar Railcar Repair- consideration of a request for a conditional use permit and business license for a home occupation (home office/railcar repair) located at 3012 S. 500 W. (Applicant: Rick Maners)

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

10/26/15

Hi everyone! I apologize for not having this info to you all until this evening. I've been out of the office the past 3 days. We only have a couple of business license applications to discuss this week, so the meeting should be short and sweet.

Palisade Fencing, Inc- consideration of a request for a conditional use permit for equipment storage located at 3290 S Main (Applicant: Kody/Loralee Rich)

- **This is not on the agenda, but I left it on the FYI so I could explain to you all why it is no longer on the agenda. I'll go into more detail in my staff report and we can have a discussion on conditional uses, if you all would like**
- As you may be aware, conditional uses run with the land. At this point, they are not renewed each year. Once they are granted, they are there so long as the use continues.
- Bob & Lorelee Rich were given a c.u.p in July 2008 to house the equipment for Palisade Fencing on their property at 3290 S. Main. The equipment has remained there continuously since that time. Originally, Palisade also had their license through Nibley City- that is no longer the case.
- The business license and c.u.p were approved as two separate items. The business license has expired (it is run out of Logan now) but the c.u.p does not have an expiration date, so there is not actually anything to renew.

Blue Collar Railcar Repair- consideration of a request for a conditional use permit and business license for a home occupation (home office/railcar repair) located at 3012 S. 500 W. (Applicant: Rick Maners)

- This application is for a home occupation/home office. The office will serve a railcar repair 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. Maners' business will all be conducted off site, at rail yards, where railcars are pulled in for repairs. He will have no client visits, business equipment, or signage. If his business gets to the point where he will need outside employees, he will hire out of state. Any materials related to the business will be stored on the site of the project (railroad yards).
- This business meets the requirements to be classified and approved as a home occupation.
 - The property is zoned Residential R-2. The Nibley City Land Use Chart allows for home occupations, as a conditional use, in the R-2 zone.
- Because this business meets the definition of home occupation, I recommend approving the conditional use permit and have no suggested conditions beyond what is already in ordinance.

Thanks for your patience with me this week!

Shari

October 28, 2015 @ 5:50 pm



APPLICATION FOR CONDITIONAL USE PERMIT/BUSINESS LICENSE

Office Use Only

Date Received _____

Fee Paid _____

Rec'd By _____

Name Rick Maners
Address 3012 S. 500 W.
Phone (435) 760-6390 Cell _____ Fax _____
Email rmaners@hotmail.com

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: Blue collar RAILCAR REPAIR

Description of business: Perform repairs on certain railroad cars around the country for locations in RAILROAD YARDS.

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: It will have zero impact. All my materials will be on sight in different railroad yards.

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: If I get to a point they need more help I will hire out of state

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

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

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

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