



## MEMO

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1/9/14

Hi all-

Welcome to 2015! I had originally planned on doing our annual Open & Public Meetings Act training, but then decided it would be best to wait until a new member has been appointed so that they would benefit from the training.

This is our agenda for the meeting:

### **Election of a Chair and Vice-Chair for 2015**

- The election of who will chair/vice-chair is up to you all. However, I do recommend electing someone who has served on the Commission for a while as chair, as they will be more familiar with how the process of a meeting should go.

### **Adoption of Nibley City Planning Commission Bylaws for 2015**

- In the past, the bylaws have been adopted annually or semi-annually. I don't think it is necessary to re-adopt them each year. However, they are more detailed this year than in the past and include a code of conduct for Commissioners and rules of order for meetings and public hearings, so I think they should be readopted and then only reviewed periodically, if needed.

### **Conditional Use Permit/Business License**

**Tacos El Rey-** consideration of a request for a conditional use permit and business license for a mobile food operation located at 25 West 3200 South (Applicant: Evaristo Rios)

- During this past year, Evaristo had moved his taco truck out of its location in Nibley and, for a few months, operated it at the Y in Logan. However, City staff missed his tacos too much and so he is coming back to have his truck behind Grant's. I tease about staff missing his tacos (only slightly though- we may have been there twice in the past few days).
- Because he moved out of Nibley and was licensed in another city, he has to come back and reapply for his license.
- He is properly certified with the Health Department. He has the support of the business owner (Grant Swensen). His truck is parked so as to not cause a problem with the exit to Grant's Automotive.
- Because it is not being run out of his home, he has to apply for a commercial license. His license will be \$50/year. That is the license fee for a commercial business operating out of a place where another commercial business is licensed.
- I recommend approving his business license.

**Fenton Distribution-** consideration of a request for a conditional use permit and business license for a home occupation (food distribution) located at 65 West 3335 South (Applicant: Joshua Fenton)

- The home will be used as purely an office, but since he has employees, the license cannot be approved by staff.
- His employees will all work off site. All business related deliveries and products will be handled at a warehouse separate from the home. Because of the nature of the business, no clients will report there and there will be no signage related to the business.
- For these reasons, I believe it meets the requirements to be licensed as a home occupation, and I recommend approving this request.

### **Public Hearing**

A public hearing to receive comment concerning a proposed lot split by Jim Anderson, located at approximately 3500 South 450 West. (Applicant: Jim Anderson)

Discussion and consideration of a proposed lot split located at approximately 3500 South 450 West (Applicant: Jim Anderson)

- Several months ago, Jim began building his home on just under 7.5 acres located just off of the North end of 450 West (behind the Fredrickson's home). Now that the home is complete, he wants to split off the portion of the lot which the home sits on and have that acreage separate from the pasture/field acreage.
- The engineer has reviewed the plat and his recommendations have been sent to Jim and to his engineer. Those changes will be in place prior to our engineer signing off on the mylar for the lot split.
- The setbacks proposed are appropriate, the lot size is appropriate and other infrastructure in place is appropriate. We are fortunate that the road extension Jim built in front of his home was built to City specifications (we have been given the testing to verify this) so there is not major infrastructure work which will need re-doing as part of the lot split.
- I recommend forwarding this on to the City Council with a recommendation for approval.

### **Final Plat**

Discussion and consideration of a revised final plat for River Meadows Subdivision- Phase 1, a 3 lot subdivision located at approximately 3700 South 250 East. (Applicant: Tyler O Bray)

- The developer has decided to only have 3 lots instead of 4 in this first phase. Nothing else has changed from the previously approved final plat. But because it is significantly different than what was previously approved, it is required to have your recommendation of the change prior to going to City Council for their review of the change.
- I recommend sending this on to City Council with a favorable recommendation.

### **Workshop**

Discussion of an ordinance regulating cell phone towers in Nibley City

- Because I had originally anticipated doing the OPMA training tonight, I have not taken the time to fully prepare comments on this. What I plan on doing between now and Wednesday is

putting together a presentation on cell towers, what we can and cannot do and what this ordinance proposes. It's not something I'll likely give to you all beforehand- it will just be a presentation so that we can have a discussion on whether or not this ordinance is where we'd like to go.

Let me know if you have any further questions or concerns. Thanks for all you do. Have a great weekend-

Shari