

The Meeting of the Nibley City Planning Commission held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Wednesday, March 25, 2015.

The following actions were made during the meeting:

**Commissioner Davenport motioned to approve the request for an accessory building located at 4350 South Main, applicant, Juan Carlos Estrada, with the following condition; that no business could be conducted out of the accessory building especially as it related to the service and repair of motor vehicles. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Bernhardt, Commissioner Davenport, and Commissioner Green all in favor.**

**Commissioner Davenport motioned to approve the conditional use permit and business license for a home occupation (photography) business located at 892 West 2730 South (Applicant: Trisha Taylor). Commissioner Bernhardt seconded the motion. The motion passed unanimously 4-0; with Commissioner Davenport, Commissioner Bernhardt, Commissioner Bliesner, and Commissioner Green all in favor.**

**Commissioner Bernhardt motioned to approve the conditional use permit and business license for Heidi Matthew and Lockhart Distribution, located at 940 West 2980 South. Commissioner Davenport seconded the motion. The motion passed unanimously 4-0; with Commissioner Bernhardt, Commissioner Davenport, Commissioner Bliesner, and Commissioner Green all in favor.**

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Acting Planning and Zoning Commission Chair Aaron Bliesner called the Wednesday, March 25, 2015 Nibley City Planning Commission meeting to order at 5:32 p.m. Those in attendance included Commissioner Aaron Bliesner, Commissioner Thomas Bernhardt, Commissioner Dave Davenport, and Commissioner Bill Green. Shari Phippen, the City Planner, was also present. Commissioner Mark Lawver was excused from the meeting.

#### **Approval of 3-11-15 meeting minutes and the evening's agenda**

General consent was given for the evening's agenda.

General consent was given for the previous meeting's minutes.

Shari Phippen said that the neither conditional use permit applicants were present at the meeting as of yet and that the applicant for the building permit was present so she suggested suspending the agenda.

Commissioner Green made a motion to suspend the evening's agenda. Commissioner Bernhardt seconded the motion. Commissioner Bliesner said they were not operating under a suspended agenda.

### **Accessory Building Permit**

#### **Consideration of a request to construct a 30' x 40' accessory building located at 4350 South Main (Applicant: Juan Carlos Estrada)**

The applicant, Juan Carlos Estrada, was present at the meeting.

Miss Phippen described where the applicants lived and said they had a big lot and plenty of room for a building of this size. Shari Phippen said there were no recorded utility easements on the lot so she saw no need for an increased setback. Shari Phippen said the applicant had said he intended to use the building as a workshop and garage for his home. Shari Phippen said she recommended approval of the building permit with the following condition; that no business can be conducted out of the accessory building. That the applicant can't operate a business relating to the service and repair of motor vehicles. She said this was specifically prohibited by Nibley City Ordinance; to do this out of a garage at a home.

Commissioner Davenport made a motion to approve the request for an accessory building located at 4350 South Main, applicant, Juan Carlos Estrada, with the following condition; that no business could be conducted out of the accessory building especially as it related to the service and repair of motor vehicles. The motion passed unanimously 4-0; with Commissioner Bliesner, Commissioner Bernhardt, Commissioner Davenport, and Commissioner Green all in favor.

Miss Phippen gave direction to the applicant on how he should proceed. Mr. Estrada asked about the possibility of opening a shop in the future. Commissioner Bliesner stated that this wasn't currently possible under Nibley City ordinance and described a home occupation.

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

#### **Trisha Taylor Photography—Discussion and consideration of a conditional use permit and business license for a home occupation (photography) business located at 892 West 2730 South (Applicant: Trisha Taylor)**

The applicant, Trisha Taylor, was present at the meeting.

Commissioner Davenport made a motion to approve the conditional use permit and business license for a home occupation (photography) business located at 892 West 2730 South (Applicant: Trisha Taylor). Commissioner Bernhardt seconded the motion. The motion passed unanimously 4-0; with Commissioner Davenport, Commissioner Bernhardt, Commissioner Bliesner, and Commissioner Green all in favor.

#### **Lockhart Distribution—Discussion and consideration of a conditional use permit and business license for a home occupation (online retail) business located at 940 West 2980 South (Applicant: Heidi Matthews)**

The applicant was not present at the meeting.

Commissioner Bernhardt made a motion to approve the conditional use permit and business license for Heidi Matthew and Lockhart Distribution, located at 940 West 2980 South. Commissioner Davenport seconded the motion. The motion passed unanimously 4-0; with Commissioner Bernhardt, Commissioner Davenport, Commissioner Bliesner, and Commissioner Green all in favor.

### **Workshop Discussion**

#### **Discussion of an ordinance regarding animal control in Nibley City**

Miss Phippen said she hadn't been able to talk to Nibley's animal control agent. She said she had contacted them but was unable to set up a discussion. She asked the Planning & Zoning Commission if they wanted to continue discussion or wait until she had met with animal control and had feedback from the city attorney. The Planning & Zoning Commissioners agreed that they were waiting for the feedback from animal control and the city attorney.

#### **Presentation regarding telecom towers and discussion of a proposed ordinance regulating towers**

Miss Phippen gave a PowerPoint presentation entitled "Cell Towers and Antennas" dated March 25, 2015. The presentation summarized types of antennas, (wall mounted, roof, and top hat) and types of cell towers (monopole, lattice, guyed, stealth, and broadcast). Miss Phippen gave data on the ability of cities to regulate cell towers with specific reference to the Telecommunication Act of 1996 and listed what the city could regulate. Miss Phippen discussed the appropriate zones for cell towers, design elements, height restrictions, and planning & site justification.

Commissioner Bliesner excused Commissioner Green at 6:19.

Commissioner Bliesner initiated discussion on private towers and tower access for emergency agencies. Commissioner Davenport initiated discussion of governmental placement of towers and communication towers in land zoned for recreational use.

Miss Phippen said she would have the tower document come back formatted as an ordinance with discussion and comments included.

There was general consent to adjourn at 6:32.

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