

The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Wednesday, May 25, 2016.

The following actions were made during the meeting:

Commissioner Green motioned to approve the conditional use permit and business license for Holmgren Auto Glass, located at 427 West 3575 South; applicant, Braeden Holmgren, with the condition that the applicant keep his business vehicle and trailer out of the roadway. Commissioner Johnson seconded the motion. The motion passed unanimously 4-0; with Commissioner Green, Commissioner Johnson, Commissioner Albrect, and Commissioner Swenson all in favor.

Commissioner Bliesner motioned to approve the conditional use permit and business license for Crazy4Embroidery, located at 3715 South 200 West; applicant: JennyLyn Little. Commissioner Green seconded the motion. The motion passed unanimously 5-0; with Commissioner Bliesner, Commissioner Green, Commissioner Swenson, Commissioner Albrect, and Commissioner Johnson all in favor.

Planning and Zoning Commission Co-Chair Bret Swenson called the Wednesday, May 25, 2016 Planning and Zoning Commission meeting to order at 5:31. Those in attendance included Commissioner Bret Swenson, Commissioner Bill Green, Commissioner Carol Albrect, and Commissioner Jim Johnson. Ms. Shari Phippen, Nibley City Planner, was also present.

Approval of 4-27-16 and 5-11-16 meeting minutes and the evening's agenda
General consent was given for the evening's agenda.

General consent was given for the 4-27-16 meeting's minutes.

Conditional Use Permit/ Business License

Holmgren Auto Glass—discussion and consideration of an application for a conditional use permit/business license for a home occupation (mobile auto glass replacement) located at 427 West 3575 South (Applicant: Braeden Holmgren)

The applicant, Braeden Holmgren was present at the meeting.

Ms. Phippen said Mr. Holmgren's home occupation application stated that he would have no outside employees. The nature of his business was such that all business would be conducted off site. Mr. Holmgren had a small truck and business trailer that could easily be parked in his driveway and none of the business would be conducted in an accessory building. Mr. Holmgren lived in the R-2 zone and the Nibley City Land-Use chart allows for home occupations as a conditional use in the R-2 zone.

Commissioner Green asked Mr. Holmgren if he had sufficient room to park his business vehicles off the road. Mr. Holmgren agreed that he did.

Commissioner Green made a motion to approve the conditional use permit and business license for Holmgren Auto Glass, located at 427 West 3575 South; applicant, Braeden Holmgren, with the condition that the applicant keep his business vehicle and trailer out of the roadway. Commissioner Johnson seconded the motion. The motion passed unanimously 4-0; with Commissioner Green, Commissioner Johnson, Commissioner Albrect, and Commissioner Swenson all in favor.

Alternate Commissioner Aaron Bliesner arrived at 5:35 p.m.

Crazy4Embroidery—discussion and consideration of an application for a conditional use permit/business license for a home occupation (custom sewing) located at 3715 South 200 West (Applicant: JennyLyn Little)

The applicant JennyLyn Little was present at the meeting.

Ms. Phippen said this application could be licensed as a home occupation or as an artisan shop. Ms. Phippen said Ms. Little lived in a zone where an artisan shop was allowed as a conditional use. Ms. Phippen said she had approached this application as an artisan shop in her meeting FYI. Ms. Phippen read the definition of an artisan shop from Nibley City ordinance. Ms. Phippen said Ms. Little application stated that she would have no outside employees, the nature of her work was small enough in scale that it would be shipped off-site, there would be no business related vehicles, and none of the business would be operated out of an accessory building. Ms. Phippen said the applicant's business met the definition of an artisan shop, that are allowed as a condition use in the R-1A zone. Ms. Phippen said the business met the requirements to be licensed as an artisan shop and met the definition of an artisan shop.

Commissioner Albrect asked Ms. Little how she would advertise. Ms. Little said she had a website.

Commissioner Bliesner made a motion to approve the conditional use permit and business license for Crazy4Embroidery, located at 3715 South 200 West; applicant: JennyLyn Little. Commissioner Green seconded the motion. The motion passed unanimously 5-0; with Commissioner Bliesner, Commissioner Green, Commissioner Swenson, Commissioner Albrect, and Commissioner Johnson all in favor.

Workshop

Discussion regarding an updated Annexation Policy Plan for Nibley City

Ms. Phippen described the design changes that had been made to the updated annexation policy map. She said nothing had changed from the previous discussion but said there was a defined process that updated annexation policy plan had to

follow. Ms. Phippen said per the policy she couldn't make any written changes until the next week. Ms. Phippen said a couple of residents had requested a close up view of what was being requested as additions to the annexation policy plan which she said she had done and showed close up aerial of the area. Ms. Phippen said this was not a proposal to annex any areas into Nibley City. She said the city was required to have an annexation policy plan which was required to outline the geographic areas and other things that will factor into the city considering annexation if the city were approached by a landowner for annexation.

Ms. Phippen said she had sent this proposal out to the entities that would be affected by this plan. She said she had received a response back from Cache County. Ms. Phippen said Cache County suggested Nibley discuss and include language on the City's position regarding annexing roads. She said that when properties annex into a city it is often just the property that is annexed and not the adjacent roads. Cache County had policy that would prohibit developments in a municipality from direct access onto County roads without written approval from the County Council. Ms. Phippen said the opposite could be held true; County developments couldn't access municipal roads without written approval from the municipality's Council. Ms. Phippen said she recommended Nibley incorporate language into the annexation policy related to road annexation. She said at a minimum they should have to the centerline of any adjacent road annexed. She apologized for not having the wording available. The Planning and Zoning Commission and Ms. Phippen discussed the logistics and several scenarios regarding road annexation.

Commissioner Johnson asked for Ms. Phippen to detail what would happen if someone were to request annexation into Nibley City if the property they were requesting was not in the proposed annexation area map.

Ms. Phippen said there would be a public hearing on this proposal on June 8. She also said there would be some annex policy plan revisions at the next Planning and Zoning Commission meeting.

Discussion regarding an update to Nibley City Code 10-18: Conservation Residential Subdivisions

Ms. Phippen said the City Council had work shopped the General Plan draft recommended to them by the Commission at their last City Council meeting. The discussion was very productive and the Council, for the most part, is very pleased with the General Plan. Ms. Phippen said one of the major things that came out of the discussion was that while Nibley will move towards a greater diversity of housing, that housing will continue to be limited to traditional single-family houses and attached townhomes. The Council's position is that the City will not allow for apartment complexes and that housing diversity will come in the form of a greater variety of lot sizes, which will be accomplished through the conservation subdivision ordinance and that moving forward all subdivisions of 2 or more new lots would be required to develop as a conservation residential subdivision.

Ms. Phippen said that to accomplish this Nibley City would need to revise the Conservation Subdivision Ordinance and open it up to all zones within the City. Ms. Phippen said the City Council would need to decide if they wanted to open the conservation subdivision up to all zones in the city or rezone a lot of land. She said it was currently only an option in R-1, R-1A and R-2. Ms. Phippen said the Mayor is asking that this be the Commission's highest priority, so she had made some suggested modifications to the ordinance.

Ms. Phippen had a Power Point presentation entitled Nibley City Conservation Residential Subdivision. She presented this to the Planning and Zoning Commission and public present. This presentation had vision examples of a conservation subdivision, goals, why it was a good thing, traditional subdivision versus conservation subdivision, the incentives attached to a conservation subdivision,

The Planning and Zoning Commission debated whether the conservation subdivision mandate was sellable and discussed the desire to continue to have estate lots. They also discussed that the conservation subdivision would require an HOA. Ms. Phippen said it was her understanding that the open space would be publicly dedicated and would need to be maintained by the city. She said she felt they would need to instigate a special service district because she didn't feel maintenance of these areas was maintainable under Nibley's current fee structure. Commissioner Bliesner said he felt the graphics were disproportionate to what was actually put on the ground. He said he felt the graphics showed 50% open space and he didn't feel the incentives were enough to place value on these developments. Councilmember Bliesner didn't feel they needed half-acre lots and described why he was against them. Commissioner Bliesner said he didn't feel they had been tested on the conservation subdivision. He described the problems he saw with Nibley's current ordinance and said the idea of the open space going into city ownership or an HOA was a good feasible option. He was still concerned about the size of the lots. Commissioner Swenson said it came down to the word "mandatory". If it was mandatory then their discussion was moot and they needed to discuss the specifics of the conservation subdivision ordinance. If it wasn't mandatory he felt they could change the incentives to make those people happy who wanted these type of subdivision to happen. Commissioner Swenson said if the word mandatory was taken out then all the teeth of the conservation ordinance were taken out. Commissioner Swenson said they citizens wanted open space and they needed to figure out who was going to pay for the open space. Commissioner Bliesner felt they needed to figure out the for citizens to get open space and have the people who impact the space in the city (developers), pay for it. Commissioner Johnson said to mandate was not the way to get the open space they wanted. The city needed to incentivize the program so much so that there was no other way to go. He agreed with Commissioner Albrect that the same thought could be done in townhouse developments for seniors who didn't want to maintain so much property. He also discussed transition areas between zones. Commissioner Johnson said the conservation subdivision was important to do but shouldn't be mandated; one size didn't fit everything. Commissioner Green said he had a problem with the amount of

bonus that was given and he was concerned with the roads that were in place and putting a lot more cars on those roads. Commissioner Bliesner suggested that conservation subdivision shouldn't be mandatory in R-1 and maybe R-1A zones. Commissioner Albrect said she was far more concerned having integrated neighborhoods and crime coming into the area. She described the structure and ideology of integrated subdivisions, She said crime was in Nibley and they couldn't overlook it. Commissioner Swenson said he felt a public hearing on June 8 was premature. Ms. Phippen said they could make revisions to the incentives and to strike the word "mandatory." Ms. Phippen said they could also make it mandatory in certain zones; such as R-2 and R-2A and make it optional in the other zones with a structured incentive. Commissioner Bliesner said this went a long way to preventing the wall-to-wall subdivisions in the higher density areas. He didn't see how it would benefit the people on Hollow Road.

Commissioner Swenson asked Ms. Phippen to convey the Planning and Zoning Commission's feelings on the word "mandatory" and come back to the Planning and Zoning Commission with the City Council's response. Ms. Phippen said she would visit with Mr. Zook and see what approach he wanted to take. She suggested the Planning and Zoning Commission might need to sit with the City Council and discuss it. Ms. Phippen said she didn't like the idea of it being mandatory either. She said it defeated the purpose of having creativity and a mix of housing forms.

Ms. Phippen and the Planning and Zoning Commission discussed front yard landscaping. All were in favor of implementing policy that would require installation of landscape in a mandated amount of time and discussed implementing an escrow policy.

There was general consent to adjourn at 7:34 p.m.

Attest: _____
Deputy City Recorder