

The Meeting of the Nibley Planning and Zoning Commission held at Nibley City Hall, 455 West 3200 South, Nibley, Utah on Wednesday, August 10, 2016.

The following actions were made during the meeting:

Commissioner Albrect motioned to recommend the City Council amend the Transportation Master Plan to reflect a 66-foot right-of-way along 2600 South from the railroad tracks to 1200 West with no direct driveway access on to 2600 south east of the railroad tracks and west of 1200 west. Commissioner Johnson seconded motion. The motion passed 4-1; with Commissioner Albrect, Councilmember Jacobsen, Commissioner Swenson, and Commissioner Davenport all in favor. Commissioner Green abstained from voting.

Planning and Zoning Commission Co-Chair Dave Davenport called the August 10, 2016 Planning and Zoning Commission meeting to order at 5:31 p.m. Those in attendance included Commissioner Dave Davenport, Commissioner Bret Swenson, Commissioner Carol Albrect, Commissioner Jim Johnson, and Alternate Commissioner Aaron Bliesner. Ms. Shari Phippen, Nibley City Planner, was also present.

Commissioner Davenport stated that since Commissioner Bill Green was not present at the meeting, alternate Commissioner Bliesner would be counted as a voting member unless or until Commissioner Green arrived at the meeting.

Approval of June 22, 2016 & July 27, 2016 meeting minutes and the evening's agenda

General consent was given for the evening's agenda.

General consent was given for the June 27, 2016 meeting's minutes.

Commissioner Davenport postponed approval of the June 22, 2016 meeting minutes pending the arrival of Commissioner Green.

Public Hearing

A public hearing to receive comment concerning a proposed amendment to the Nibley City Transportation Master Plan

Commissioner Davenport gave direction and opened the public hearing at 5:34 p.m.

Ms. Phippen said the Planning and Zoning Commission was aware that the City Council had requested the Planning and Zoning Commission look at the transportation Master Plan and consider amending the Transportation Map; specifically related to 2600 South in order that the Transportation Master Plan reflect was being constructed and currently on the ground in the area running west of the railroad tracks and was being constructed as a 66 foot right-of-way. Ms.

Phippen said the Transportation Master Plan called out an 80-99 foot right-of-way. The City Council had asked that the Transportation Master Plan be amended to maintain consistency for the small portions of land in the area that were undeveloped in the area. Ms. Phippen said Commissioner Davenport had pointed out that there was an oversight on the original map posted concerning a road that connected 1500 West running north to 2600 South. Ms. Phippen said she had made that correction to the map. Ms. Phippen said she had discussed the road map amendment with the Public Works Director and City Engineer and they had discussed whether the road west of 1200 West needed to be 80-99 feet of roadway. She said they felt a 66-foot right-of-way was adequate as long as they didn't allow direct driveway access onto 2600 South, west of 1200 West. Ms. Phippen thought it would be wise to adopt a policy that they wouldn't allow driveway access along 2600 South. She recommended the Planning and Zoning Commission make a favorable recommendation and suggested they ask the City Council to formally adopt a policy that there would be no residential driveway access west of 1200 West and along 2600 South.

Seeing no public comment, Commissioner Davenport closed the public hearing at 5:39 p.m.

Discussion & Consideration

Discussion and consideration of a proposed amendment to the Nibley City Transportation Master Plan

Marcus Simons, with JUB Engineering and Nibley City Engineer described the road from the railroad tracks out to SR 165 at 2600 South. He said they had done a speed study on the road. The speed study indicated that the 85th percentile speed was 33 miles per hour along the road which gave them justification to post a new speed limit for the road. He said the road wasn't built to an 88-foot right-of-way but they could still look into changing the speed limit out to the highway based on speed studies. Mr. Simons said he agreed with the proposed change of road width between 8th and 12th west with the stipulation of limiting access on to this road. Mr. Simons said he wished that Nibley had made 800 West an arterial road instead of 1200 West. Commissioner Davenport asked about the farm that accessed 2600 South from highway 89/91. He asked if this was private property. The Planning and Zoning Commission discussed what they foresaw happening at to the property at that intersection.

Commissioner Green arrived at 5:46 p.m. This indicated that Commissioner Bliesner was no longer a voting member of the Planning and Zoning Commission.

Ms. Phippen described that the property was publically platted. Commissioner Davenport asked for the possibility of a traffic light where that road intersects highway 89/91. Ms. Phippen described sites between 1700 and 3200 South where UDOT had indicated they might put a road. Commissioner Davenport wondered if 2600 South would develop into a minor arterial road versus a collector road due to traffic coming through to the high school by default. Commissioner Swenson

suggested they could widen 2600 South at 1200 West and also prohibit driveway access. Commissioner Bliesner and Commissioner Davenport agreed with Commissioner Swenson's suggestions and it wasn't necessary to correlate cross sections with width of right-of-way. Commissioner Bliesner said this could be a great gateway to the city didn't know if they should give up the width at this point. He said they could always lessen the width of the road. The Planning and Zoning Commission disagreed with making the road west of 1200 to highway 89/91 a 80-99 ft. section of right-of-way.

Commissioner Green stated that he would abstain from voting because he hadn't been present for the entire discussion.

Commissioner Bliesner said he didn't agree with the premise of changing a Master plan to correlate with what had been built. They knew when the Master Plan didn't represent what they needed in the future then they didn't have the option to use the Master Plan as justification to arrange what they needed. He said it seemed awkward to preclude to create a historical record that said they would need something. He said there was potential in the future to need to expand the road and he felt this felt more likely than some. He asked Mr. Simons why they would alter the Master Plan to what was on the ground when there was a potential that they might actually need the larger right-of-way. Mr. Simmons said everything was platted to a 66 ft. right-of-way and the only way to change that right-of-way would be to buy it. Mr. Simons though the Master Plan was done after this development had been put in and consideration hadn't been made for what was on the ground. Mr. Simons described requiring a future developer come in and build an 80-foot right-of-way in the remaining developable land. Mr. Simons said he saw this as a residential right-of-way to move traffic in and out and not necessarily through; though this may change with the new high school. Commissioner Bliesner said he felt it would be increasingly difficult to solve the problem if their map didn't show there was a potential for need and that there was a logic to there being an expanded right-of-way in that area. Commissioner Bliesner said the Transportation Master Plan was a plan that reflected the ideal corridors and said they needed to decide this from a purely planning analysis perspective. Ms. Phippen clarified the land area along 2600 South that was being considered. Commissioner Bliesner felt it was reasonable for a developer to acquire the appropriate right-of-way but build a smaller road. Mr. Simons said if they required the developer to build the smaller road they could require the developer to put money in escrow to build out the road at a later date or they city would be required to widen the road. Commissioner Bliesner said that dropping the plan for a right-of-way that could be needed was a mistake.

Commissioner Albrect made a motion to recommend the City Council amend the Transportation Master Plan to reflect a 66-foot right-of-way along 2600 South from the railroad tracks to 1200 West with no direct driveway access on to 2600 south east of the railroad tracks and west of 1200 west. Commissioner Johnson seconded motion.

Mr. Simons said they needed to realize the homes from the tracks to SR 165 would be restricted from what they had now; there would be no direct access to 2600 South. Mr. Simons said it was his opinion that on these types of roads there shouldn't be this type of direct access.

The motion passed 4-1; with Commissioner Albrect, Councilmember Jacobsen, Commissioner Swenson, and Commissioner Davenport all in favor. Commissioner Green abstained from voting.

Commissioner Davenport called a brief recess at 6:37 p.m.

Commissioner Bliesner left the meeting at 6:37 p.m.

Commissioner Davenport called the meeting back to order at 6:42 p.m.

General consent was given for the June 22, 2016 meeting minutes.

Discussion and consideration of a proposed update to the Nibley City conservation subdivision ordinance

Ms. Phippen said she had removed the Residential Estate zone from the Conservation Subdivision ordinance per the directions given by the Planning and Zoning Commission at their previous meeting. Ms. Phippen displayed a spreadsheet of conservation calculations under the numbers in the existing ordinance versus the numbers that were being proposed. She described a 5 acre conservation subdivision proposal using both calculations and said the numbers were negligible. Commissioner Johnson said there was a big difference in the lot size minimums.

Commissioner Johnson said he had gone to the last City Council meeting and that they had run all over a subdivision that had been recommended to them by the Planning and Zoning Commission. He said he had discussed this with the developer who had indicated that he would just come back with the traditional subdivision as was zoned in that area. Commissioner Johnson said that everything they had proposed was taking the incentive to use the conservation subdivision away from the developer. Commissioner Johnson described that the City Council had taken the subdivision the Planning and Zoning Commission had passed on and said there were things they didn't like and had changed them. He said it was too much hassle for the developer and gave too much power to the City Council. Commissioner Johnson said they needed to give incentives to make it worth the fight for the developer to go through the City Council process. Commissioner Johnson recommended going back to the incentive charts that were in the existing conservation subdivision ordinance. Councilmember Jacobsen said the City Council were designing subdivisions from the bench.

Commissioner Johnson said they needed to go back to the numbers that were in the original ordinance because the incentives that were being proposed were too restrictive and gave no incentive to the developer. Commissioner Johnson said the

lot size minimum and lot size frontages should stay the same. Ms. Phippen changed the numbers in the proposed ordinance match the numbers in the current ordinance.

Commissioner Johnson said there was a townhouse option for parcels over 10 acres in the current conservation subdivision which he felt was a great mixed use. He said this wasn't in the proposed ordinance. Ms. Phippen said they intended to shift this over into a planned unit development ordinance.

Ms. Phippen and the Planning and Zoning Commission discussed calculations for the R-2A zone and R-1 zone and agreed on slightly editing calculation numbers. Ms. Phippen changed the calculations they had discussed in the proposed ordinance. Ms. Phippen and the Planning and Zoning Commission discussed requiring presentation of design guidelines. Commissioner Swenson asked if this could be attached to the conservation subdivision ordinance. Ms. Phippen said it could. The Planning and Zoning Commission agreed that they needed to require design guidelines if they were to allow very small lot sizes. Ms. Phippen said it wouldn't be an overwhelming task to provide some design guidelines. She said the guidelines could be based on zone and not on the size of the lot. Commissioner Davenport said he would love to see residential design standards in the ordinance. Commissioner Green said he didn't agree with making it easier for the developer; he said if it was hard on the developer, "tough." Commissioner Green said he has issues with developers using unbuildable land as the open space. He also wanted to know how the open space was going to be used and maintained. Commissioner Davenport updated Commissioner Green on the discussion that had taken place at the last Planning and Zoning Commission meeting regarding plan and maintenance approval of open space.

Commissioner Swenson left the meeting at 7:45 p.m.

Commissioner Swenson returned at 7:47 p.m.

Commissioner Davenport questioned each commissioner's thoughts of making the conservation subdivision ordinance mandatory. Ms. Phippen said she was absolutely, 100% against the conservation subdivision ordinance being mandatory; unless they gave some awesome incentives that made it really encouraging. She said the less government and regulation the better. Commissioner Swenson said the ordinance needed to incentivized, encouraged, promoted but if developers didn't choose the option then the incentive should be increased. Commissioner Swenson said the City Council had too broad interpretations of what should and shouldn't be open space. Commissioner Swenson said there were too many unknowns associated with costs to the developer. If the ordinance wasn't mandatory then both side were freed to come to the table. If it was mandatory the City Council had all to power. Otherwise both parties came to the table for back and forth discussion and was essential to make the conservation subdivision work. Commissioner Swenson said there needed to be give and take and the ordinance shouldn't be mandatory.

Commissioner Green said he didn't want to make anything mandatory. Commissioner Albrect said they needed decided what their bare minimum standard should be and make sure this was included in the ordinance. She said the ordinance shouldn't be mandatory and that there should be room for creativity. Commissioner Johnson said the ordinance should be optional.

Ms. Phippen said she would take the next couple of weeks to include some residential design standards in the ordinance. She said she would also run the ordinance by a couple of developers that were not a part of Cache Valley. Based on Commissioner Johnson discussion, the Planning and Zoning Commission encouraged Ms. Phippen to visit Heber. The Planning and Zoning Commission decided to organize a field trip to Heber and invite the City Council. This trip was tentatively scheduled for Friday, August 26.

Commissioner Johnson proposed the Planning and Zoning Commission set aside the last item on the meeting agenda to the next meeting.

Workshop

A workshop to begin discussion of an updated Nibley City land use map and also the creation of an ordinance regulating planned unit developments.

This item was moved to the August 24 Planning and Zoning Commission meeting agenda.

Staff Report

Ms. Phippen gave the Planning and Zoning Commission directions regarding of the League of Cities and Towns conference.

Ms. Phippen said the summer employee party was tentatively set for Friday, August 26 at 6:00 p.m.

There was general consent to adjourn the meeting at 8:06 p.m.

Attest: _____
Deputy City Recorder