

The Meeting of the Nibley Planning Commission held at Nibley City Hall, 625 W. 3200 S. Nibley, Utah, on Wednesday, October 08, 2008.

The following actions were made during the meeting:

Action Item 1: Commissioner Bliesner makes a motion to approve the conditional use permit and building license for an accessory building at 966 W. 2730 S. Commissioner Green seconds the motion. The motion passes 5-0 with Commissioner Bliesner, Commissioner Green, Commissioner Heidt, Commissioner Cook, and Commissioner Anderson all in favor.

Action Item 2: Commissioner Cook makes a motion to approve a conditional use permit and business license for a preschool located at 985 W. 24650 S. with the following conditions: that loading and unloading happen on the applicants side of the street and that the applicants fence be built within a year. Commissioner Anderson seconded the motion. The motion passes 4-1 with Commissioner Cook, Commissioner Anderson, Commissioner Heidt, and Commissioner Bliesner in favor. Commissioner Green was opposed.

Commissioner Heidt called the Wednesday, October 08, 2008 Nibley City Planning Commission meeting to order at 7:00 p.m. Those in attendance included Commissioner Marina Heidt, Commissioner Bill Green, Commissioner Aarron Bliesner, Commissioner Carrie Cook, and Commissioner Wayne Anderson. Shari Phippen, the zoning administrator, was also present.

Item 1: Approval of September 24, 2008 meeting minutes and evening agenda.

Commissioner Heidt approved the minutes from the September 9th, 2008 meeting and the tonight's meeting agenda. There was general consent on the minutes and agenda.

Commissioner Bliesner moves to suspend the agenda because the first two applicants on the agenda were not present yet. Commissioner Cook seconds the motion. The motion passes unanimously with Commissioner Heidt, Commissioner Bliesner, Commissioner Cook, and Commissioner Green all in favor.

Commissioner Anderson arrives at 7:06

Item 2: Accessory Building—Jason Leishman requests permission to construct an 875 sq. foot accessory building located at 966 West 2730 South.

Ms. Phippen states the building meets all the set backs, size restrictions, height and regulations. Commissioner Bliesner makes a motion to approve the conditional use permit and building license for the accessory building for this applicant. The motion is seconded by Commissioner Green. The motion passes unanimously.

Item 3: conditional use permit—Business License

The Children’s Corner—requests a conditional use permit and business license for a preschool located at 985 West 2450 South. (Applicant: Tammy Jensen)

Ms. Phippen states that Mrs. Jensen wants to have a preschool in her home. She will have a couple of short recess periods in each session with 8 children per session. Ms. Phippen states a concern that her yard is not fenced. Mrs. Jensen states until the yard is fenced there will be structured recesses. Commissioner Green asks when she is planning on putting in the fence. Mrs. Jensen states spring at the earliest. Mrs. Jensen states she will have two 2-hour session twice a week. Commissioner Heidt asks about traffic flow. Mrs. Jensen states she has no vehicles and plans on using her driveway. Commissioner Cook asks about the age of preschoolers. Mrs. Jensen states they will be 3-5 years of age. Commissioner Cook makes a motion to approve. Commissioner Bliesner suggests that there be a condition that loading and unloading happen on her side of the street and that the fence be built within a year. Commissioner Cook was applicable to those conditions and includes those in her motion. The motion was seconded by Commissioner Anderson. Commissioner Cook, Commissioner Heidt, Commissioner Anderson, and Commissioner Bliesner approve. Commissioner Green is opposed because of the fence.

Item 3: Conditional Use Permit-Business License

Immaculate Cakes—requests a conditional use permit and business license for a cake decorating business located at 834 West Forest Lane. (Applicant: Becky Mendoza)

The applicant was not present.

Workshop Items

Review and discuss updated land use chart and associated use definitions

Ms. Phippen asks if anyone has problems or concerns with any of the land use definitions. Commissioner Green states his concerns with the term agricultural implement sales and service. The term does not include wholesale sales. He states he is also concerned with the beauty salon and states sometimes they have approved someone to have one in their house and wonders how they get inspected. Commissioner Anderson states that would be taken up when they apply for their license. Commissioner Bliesner does not think that beauty salons should be blanketly permitted in residential. Commissioner Anderson suggests making it conditional on residential. Ms. Phippen states unless a beauty salon meets the definition of home occupation it is not permitted in residential. Commissioner Cook states a home-based business only has one licensure. Ms. Phippen states for the purpose of the land use chart we are talking about a commercial based business. The Commission agrees she needs to say if there is more than one licensed worker or licensure it is a commercial beauty salon. Commissioner Green asks about group home housing. Ms. Phippen states we have to have an ordinance on group home housing and that “children” will be removed from the definition. Commissioner Cook states massage should be included with the beauty salon. Massages and facial will go with the salons. Personal and fitness instruction will go with the gym. Commissioner Bliesner asks Ms. Phippen to review some of the semantics in the definitions. Ms. Phippen states next time she will have the version that will go to City Council for the Commission to review.

Discussion regarding County review of proposed PUD ordinance.

Ms. Phippen states Josh strongly suggested changing the densities to a point system. Commissioner Anderson asks if there are references on a point system. Ms. Phippen states that if the Commission is amenable she will work on a point system. The Commission agrees. Ms. Phippen states they discussed neighborhood commercial and Josh suggested calculating allowable lots and densities at 85%. Commissioner Bliesner states neighborhood commercial is limited to 5 acres. Commissioner Cook, Commissioner Green, and Commissioner Anderson believe they should get points for neighborhood commercial. Ms. Phippen notes there are no side development standards and suggests having another category for side set backs. Commissioner Anderson suggests the amount of space it requires to put a car on the side. Commissioner Heidt suggests putting that as a minimum. Commissioner Anderson suggests that any residential uses have a minimum of a 20-ft. set-back.

Review and discuss updated Design Standards for Commercial & Institutional Use.

Commissioner Heidt and Commissioner Green have read through it. Ms. Phippen suggests they holding off discussion until the majority have read through it. Commissioner Green reads 2.1 of the standards which states the architectural guidelines are designed to promote development that is compatible and complimentary to the historic built environment of Cache Valley. However, direct imitation of historical architecture styles of specific details is not recommended, and states he would recommend putting in “is not required”. The Commission decides they would like the consultants here in two weeks when the Commission reviews the standards.

The Commission decides about issuing he conditional use permit for Immaculate Cakes without them present. Ms. Phippen states that she believes they can but she will not issue the business license until she provides proof of inspection by the Utah department of agriculture. The Commission decided to have her come back for the conditional use permit when she has proof if inspection.

Planning and Zoning reports.

Ms. Phippen states the issue of the pavement up to the railroad on 3200 is hung up in Kansas with the railroad and notes the city has a new office clerk.

There was general consent to adjourn at 9:03 p.m.