

NIBLEY CITY CORPORATION
PLANNING & ZONING COMMISSION
Wednesday, January 23, 2008

The following actions were made during the meeting

Action Item 1: Commissioner Green made a motion to approve business license and conditional use permit for Jason Christensen at 3598 S 450 West with the condition that all equipment stays behind setback lines appropriate for the zone. Seconded by Commissioner Anderson. Motion passed unanimously.

Action Item 2: Commissioner Bliesner made a motion to adopt meeting schedule as discussed. Seconded by Commissioner Anderson. Motion passed unanimously.

MINUTES OF THE MEETING

Minutes were taken by Deputy City Recorder Jessica Lawes

The following members of the Nibley City Planning and Zoning Commission were in attendance: Commissioners Aaron Bliesner, Bill Green, Carrie Cook, Marina Heidt and Wayne Anderson. Also in attendance was Zoning Administrator Shari Phippen. The meeting took place in the Nibley City Hall, 625 West 3200 South. Chairperson Bliesner called the January 23, 2008 meeting to order at 7:03 p.m.

Item 1: Approval of evening's agenda and previous meetings minutes.

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

Commissioner Bliesner moved to suspend agenda. Seconded by Commissioner Cook. Motion passed unanimously.

Item 2: Christensen Trench & Landscape, LLC. Request a conditional use permit and business license for a trenching/landscaping business located at 3598 S. 450 West. Applicant Jason Christensen met before the council. He said the only thing that will change from his father's business license is that one more piece of equipment will be added and no customers will come to the location. Commissioner Bliesner said he is concerned about the storage of equipment and wants to make sure any equipment is stored behind the setback line. Mr. Christensen said the business is strictly a service business performed at other locations.

Commissioner Green made a motion to approve business license and conditional use permit for Jason Christensen at 3598 S 450 West with the condition that all equipment stays behind setback lines appropriate for the zone. Seconded by Commissioner Anderson. Motion passed unanimously.

Item 3: Establishment of 2008 Planning Commission meeting schedule.

Planning Commission discussed the schedule for the next year, keeping it as it was the previous year: the 2nd and 4th Wednesday of each month at 7:00 p.m.

Commissioner Bliesner made a motion to adopt meeting schedule as discussed. Seconded by Commissioner Anderson. Motion passed unanimously.

Item 4: Workshop/Discussion Items:

Review of Utah Open & Public Meetings Act

Shari Phippen said that once a year the city is required to inform the Planning Commission why they have open and public meetings. She said that Chapter 52 of the Utah code gives a very broad definition of what a meeting is but states that the public has to be noted unless it is an emergency. Commissioner Bliesner asked if that included any meeting that action is taken or a meeting in which they get together to plan or review things. Shari Phippen said that even if they are doing a workshop it is considered a meeting and has to be noted.

Shari Phippen said that far as noticing Nibley City has more noticing than is required that was newly passed in a City Council meeting. She said that the Planning Commission or the City Council cannot take action on items that are not on the agenda and if something comes up it has to be pushed to the next agenda.

Discussion of Multi-Family Design Standards

Shari Phippen the City Council passed the conservation subdivision ordinance the previous week and one of the issues was multi-family housing and setting up some design standards. She said a possible option could be not allowing more than one entrance per wall. Commissioner Cook said she is concerned about how multi-family housing will fit into already established areas. Shari Phippen said that with the conservation subdivision multi-family housing will be permitted uses and the ordinance says that there may be only one, four unit building per every 10 acres. Commissioner Cook said she is worried about having a straight line of front doors in a subdivision and doesn't want them to look like multi-family dwellings. Commissioner Heidt said she like the idea of the big house theory. Commissioner Anderson said another possibility could be a double entrance. Commissioner Cook said she would prefer having separate entrances, which would give them a feeling of a home versus an apartment.

Commissioner Bliesner said he feels that the purpose of the conservation subdivision is to focus on the land and the building development should reflect that and they need to make an effort in this document to encourage or require the common spaces to be ribboned through the front door and the shared space that focuses the building in on the landscape and not just putting them all together. He said the layouts of the building should be esthetically pleasing and benefit the open space as much as possible. Commissioner Anderson said that personal preference will determine what the homes will look like and things like flat roofs need to be focused on. He said they should have a minimum pitch but not have the guidelines restrict too much because they will need to correlate with existing buildings. Commissioner Bliesner said he just wants to prevent a cookie cutter look and they will have to be pretty specific and very restrictive. He said the challenge would be how much restriction is reasonable and how much freedom do they want to give developers. He said there would have to be much compromise but people have the right to build what they want. Commissioner Anderson suggested requiring they be single story only. Commissioner Bliesner said that one-thing developers would look at is sellable square footage. Commissioner Anderson said the difference with multi-family housing is that 9 out of 10 units are rentals.

Commissioner Cook brought up carports versus garages and thinks they should require garages and no parking for visitors. Commissioner Anderson said with a four unit building the tricky part will be where to place the garages. Commissioner Bliesner said the developers will have to make the dwellings nice enough that people will be willing to pay a premium to cover the expanse of the land and is worried about creating a situation where a developer will put something substandard and then not be able to sell and doom the conservation subdivision to fail and ultimately loose the work that has been done and could have been preserved. Commissioner Heidt said the developer has the option not to do multi-family housing. Commissioner Anderson said there is nothing a city can do to save a development.

Commissioner Anderson suggested requiring landscaping be put in within a certain time frame. Commissioner Cook said it should be required before anything can be sold. Commissioner Cook said she also does not want to see back or segregated patios on the complexes. Commissioner Cook then brought up the issue of how many levels should be allowed. Commissioner Bliesner said it could say the house have to have a main floor and then can have a second floor, townhouse style and write into the ordinance to say the main floor is the living space and the upper floor cannot exceed the square footage of the lower floor. Commissioner Anderson said the garage couldn't be counted as floor space it must be separate. Commissioner Heidt asked if there could be a basement, middle floor and then an upper floor. Commissioner Bliesner said it would have to meet the height requirements. Shari Phippen said she would take these ideas and write them up for further discussion.

Discussion of updated Land Use Chart

Shari Phippen said she went through the old land use chart and updated it and didn't know if there were things that needed to go on it that have not been discussed. She asked the Planning Commission about storage units, do they want to allow them? Commissioner Anderson said he thinks they need to be added

to the list and that they were not in the list because they didn't really want them and he thought that if it was not on the list then it was not permitted. Commissioner Bliesner said that it was if it was not on the list then it is permitted. Commissioner Anderson thinks that anywhere they are put needs to be conditional use. Shari Phippen said the only place conditional would be in the industrial zone.

Discussion of Planning Commission goals/projects for 2008.

Shari Phippen said this is to know what the Planning Commission would like work on the next over the next year. She said she knows the mayor has some projects he would like to be worked on. Commissioner Bliesner said he would like to work on the parking requirements on all commercial and industrial parking requirements to make sure they are reasonable or adequate. Shari Phippen asked if the Planning Commission wants to make them specific to use or general. Commissioner Bliesner said there was a general requirement and the problem with that is the gauging of parking. The parking ordinance needs to address the need for that use, warehouse versus retail.

Commissioner Bliesner said another issue he would like to work on is the issue with animal rights. He said that for a community that is supposed to be preserving the rural character it is irrelevant that a citizen can have two dogs but not a chicken. He said it does not seem like they are trying to preserve the agricultural side of the city. Commissioner Anderson said he had heard a suggestion to put a cap at three dogs or maybe two. Commissioner Heidt said she can agree with two dogs, as did Commissioner Cook. Commissioner Bliesner said the other issue with animal rights is horses. It is not equitable to him and the ordinance does not make any sense.

Commissioner Cook said she would like to see the weed ordinance looked into and that it seems that nothing is ever done about the problems that do arise and asked what exactly the ordinance states now. Shari Phippen said the nuisance proceedings take a long time and that 75% of the people take care of their problems when addressed and the other have to be turned over to the prosecutor. Commissioner Heidt said she would like to see Nibley City organize and execute some kind of clean up day. She said that some people have trouble getting ride of their junk and this would help them reduce it. Commissioner Bliesner said that would be a good project for the youth council to handle.

Commissioner Anderson said he would like to see the neighborhood commercial and commercial ordinances addressed. Commissioner Bliesner said the designs do need to be cleaned up a bit. Shari Phippen said that Larry Anhder is having her research that issue already and will have something ready at a later date. Commissioner Bliesner said that a lot of work needs to be put into it and that it peaked and went down the other side.

Commissioner Heidt said there are big issues in Utah with group homes and how or if can they regulate how many home come into Nibley. Shari Phippen said she is in the process of drafting a group home ordinance but they do have to allow them in the city. Commissioner Anderson said the Federal and State laws need to be looked at when the ordinance is drawn up.

Commissioner Bliesner said another issue to work on would be attached housing and define what attached means. Shari Phippen said that Bill Saunders also would like this to be look at and rewritten. She said that Larry Anhder would like her to go through and find any problems she can. Commissioner Bliesner said he would like to see that at least 50% of a wall being shared and there needs to be different requirements for an accessory building. He said the issue is the use of the building and they need to change the way the use ordinance is written as to what is allowed to happen in an accessory building.

Commissioner Heidt said she would like to go through and have the Commissioner to give goals for the up coming year. She said her goal would be to have shorter meeting and be out by 9:30 p.m.

Commissioner Anderson said in the bi-laws it states that no further action can be brought up after 10:00 p.m. unless voted on but they don't want to go too short then the public service is not being preformed.

Commissioner Bliesner brought up the formality of the meetings and wondered if it would help applicants to have a brief introduction and invite them to the front seat. He said he like to be able to talk whenever he wants but can see it as a determent at times. He thinks it should be up to the chair. Commissioner Cook said it should be public first and discussion last. Commissioner Heidt said she likes the ideas of the introduction. Commissioner Bliesner said one thing he would like to hear in the introduction is a staff recommendation so there is a premise to go from and lets the applicant know where staff stands. Commissioner Anderson said it also helps to have an aerial view of the property they are talking about. Commissioner Bliesner said to not be afraid to tell applicant the Planning Commission will not approve due to lack of information.

Item 5: Adjournment.

General consent was given to adjourn at 9:46 p.m.

Signed _____
Planning & Zoning Chairman

Attest _____
Assistant Deputy Recorder