



NIBLEY CITY COUNCIL, NIBLEY CITY COMMUNITY REINVESTMENT AGENCY, AND NIBLEY CITY
MUNICIPAL BUILDING AUTHORITY MEETING AGENDA
Thursday, June 26, 2025 – 6:30 PM

In accordance with Utah Code Annotated 52-4-207 and Nibley City Resolution 12-04, this meeting may be conducted electronically. The anchor location for the meeting will be Nibley City Hall, 455 West 3200 South, Nibley, Utah. The public may also view the meeting via the YouTube link provided at www.nibleycity.gov.

Public comment should be submitted to cherylb@nibleycity.gov by 6:30 p.m. and will be read into the public record.

Meeting of the Nibley City Council

1. Opening Ceremonies (Councilmember Mansell)
2. Call to Order and Roll Call (Chair)
3. Approval of the June 10, June 12, and June 17, Meeting Minutes and the Current Agenda (Chair)
4. Public Comment Period¹ (Chair)
5. Planning Commission Report
6. **Discussion & Consideration:** Resolution 25-22—Amending the Cooperative Policy & List for Non-Municipal Entities; Project Valor
7. **Discussion and Consideration:** Resolution 25-20—A Resolution Regulating the use of Fireworks Within Nibley City
8. **Public Hearing:** Resolution 25-18—Amending the Budget for the Various Funds of Nibley City for the Fiscal Year 2024-25, and Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal year 2025-26
9. **Discussion and Consideration:** Resolution 25-18—Amending the Budget for the Various Funds of Nibley City for the Fiscal Year 2024-25, and Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal year 2025-26 (Second Reading)
10. **Public Hearing:** Ordinance 25-22—An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City
11. **Discussion and Consideration:** Ordinance 25-22—An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City (Second Reading)
12. **Discussion and Consideration:** Ordinance 25-21 -- Rezone Parcels 03-178-0004, 03-178-0003, and 03-178-0010, located at 2440, 2485, & 2490 S 1350 W from Commercial (C) to Industrial (I) (Second Reading)
13. **Discussion and Considerations:** Ordinance 25-15—Amending 19.12.040 Mixed Residential Zone R-M, 19.20.030 Mixed Use, 19.32 Residential Planning Unit Developments (R-PUD), 19.48 Transfer of Development Rights, and 21.10.020 Open Space Subdivision, Including Modifications to Minimum/Maximum Project Acreage, Setbacks, Amenity Requirements, Rear-Loaded Housing, Mixed-Use Development, Removing R-M Application Map, and Allowing Fee In-Lieu of Open Space Requirements (Second Reading)
14. **Discussion and Consideration:** Ordinance 25-20—Amending Nibley City Code (NCC) Regarding Snow Removal: 13.02.020 Removal of Snow (Second Reading)

¹ Public input is welcomed at all City Council Meetings. 15 minutes have been allotted to receive verbal public comment. Verbal comments shall be limited to 3 minutes per person. A sign-up sheet is available at the entrance to the Council Chambers starting 15 minutes prior to each council meeting and at the rostrum for the duration of the public comment period. Commenters shall identify themselves by name and address on the comment form and verbally for inclusion in the record. Comment will be taken in the order shown on the sign-up sheet. Written comment will also be accepted and entered into the record for the meeting if received prior to the conclusion of the meeting. Comments determined by the presiding officer to be in violation of Council meeting rules shall be ruled out of order.

15. Discussion and Consideration: Discussion and Consideration of a Letter of Support allowing a septic system within the City's Drinking Water Source Protection Zone located at 1575 East Hwy 101 in unincorporated Cache County near Hyrum

16. Council and Staff Reports

Adjourn to Community Reinvestment Agency

Nibley City's next scheduled Council meeting will be on Thursday, July 10, 2025, at 6:30 p.m.

Meeting of the Community Reinvestment Agency

1. Call to Order
2. Call to Order and Approval of the May 22, 2025, Meeting Minutes and approval of Agenda
3. **Discussion & Consideration** – Resolution CRA 25-01: A Resolution Adopting the Fiscal Year 2025-2026 Budget
4. Adjourn to Municipal Building Authority Meeting

Meeting of the Municipal Building Authority

1. Call to Order and Ratification of the June 19, 2024, Meeting Minutes and approval of Agenda
2. **Discussion & Consideration** – Resolution MBA 25-01: A Resolution Setting the Officers of the Nibley City Municipal Building Authority and Adopting the Fiscal Year 2025-2026 Budget
3. Adjourn



Nibley City Council, CRA, & MBA
Agenda Report for
June 26, 2025

Agenda Item #6

Description	Discussion and Consideration: Resolution 25-22—Amending the Cooperative Policy & List for Non-Municipal Entities; Project Valor (First Reading)
Presenter	Justin Maughan, City Manager
Staff Recommendation	Move to Approve Resolution 25-22—Amending the Cooperative Policy & List for Non-Municipal Entities; Project Valor and waive the second reading
Reviewed By	Larry Jacobsen, Mayor Justin Maughan, City Manager Chad Wright, Recreation Director

Background:

In March of 2023 the Council passed a Cooperative Community Partnership Policy that includes a list a number of entities that benefit our community. The policy was created to manage frequently requests to support organizations, that request staff time, promotional support, and or free use of city facilities. Nibley city staff believe that we can better serve our citizens, while also supporting the larger community by partnering with organizations for a mutual benefit. Our community has benefited from expanded facility use, volunteer support, and community opportunities beyond staff resources through community partners. We also believe that careful consideration should be given to all organizations interested in benefiting our community that may wish to be added to a pre-approved list of community partners.

However, partnerships require an outlay of resources that are supported by tax dollars, and our objective with this policy is to set the terms, conditions, and arrangements of City support available to community partners that contribute to the vision, values, goals,

and priorities of Nibley City. With this established policy we are able to expedite action, and mutual support from community partners that have been evaluated and pre-approved by the Nibley City Council based on recommendations and suggestions from city staff.

The following organizations have requested either a Community Partner status level adjustment or inclusion on the list:

Project Valor: Project Valor is a local non-profit organization that exists to assist veterans of the Armed Services. One of their first major projects as an organization, was a studio home that was constructed in Nibley City. This home is managed, to provide veterans with a housing option during transitions or other challenging life events. The organization has approached the Mayor and City staff about doing a fun run/fund-raising event this fall, which will include the use of park space and city roads. Staff is recommending the organization be listed as a Level 2 partner, per the attached policy.

RESOLUTION 25-22

**A RESOLUTION ADOPTING A COMMUNITY PARTNERSHIP POLICY FOR AUXILIARY
ORGANIZATIONS AND OTHERS WITH NIBLEY CITY, UTAH**

WHEREAS, Nibley City and its citizens have opportunities to experience mutually beneficial relationships with community partners and outside organizations, and

WHEREAS, the City desires to establish a policy on how city staff support and interact with these organizations.

NOW THEREFORE, be it resolved by the Nibley City Council, as follows:

1. The attached document, entitled “Nibley City Community Partnership Policy” is adopted and incorporated by reference.
2. The policy shall become effective upon passage of the resolution.

PASSED and ADOPTED BY THE NIBLEY CITY COUNCIL THIS 26 DAY OF June, 2025.

Larry Jacobsen, Mayor

ATTEST:

Cheryl Bodily, City Recorder

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Community Partnership Policy

Nibley City Corporation

Effective Date: 6/26/2025

Overview

Nibley City can better serve its citizens, while also supporting the larger community by partnering with organizations for a mutual benefit. Consideration should be given to all organizations interested in benefiting our community.

Policy

Whereas partnerships require an outlay of resources that are supported by tax dollars. Nibley City establishes this policy to outline the general terms, conditions, and arrangements of City support of community partners that contribute to the vision, values, goals, and priorities of Nibley City. The purpose of this policy is to outline the arrangements to expedite action and mutual support from community partners that have been evaluated and pre-approved by the Nibley City Council and staff. While some community organizations give more than they receive it is important that Nibley City offer them valued support to expand their reach and multiply the benefits to our community and the community at large.

Unique Relationships Eligible for Community Partner Status

1. Interlocal Agreements add semi Merit Level 1A Partnerships

All interlocal agreements entered into by Nibley City and other organizations merit the benefits outlined in the agreement and Level 1 partnership benefits as applicable including but not limited to:

- 1.1. The Cache County School District their schools and affiliated parent organizations, teams, and clubs
- 1.2. Thomas Edison Charter School South Campus
- 1.3. Mountain Peak Volleyball

2. Associated Government Organizations: Merit Level 1A Partnerships

- 2.1. Nibley City citizens benefit from the services of local cities, Cache County, Cache County Trails Association, Cache County Sheriff, Bear River Health Department, Bear River Association of Governments, BPAC: Bicycle and Pedestrian Advisory Committee, CVTD: Cache Valley Transit District, Utah State University including its extension services, and other State and Federal entities. cache association of mayors, Cache Waste Consortium
- 2.2. Special services that are financially supported by Nibley City by agreement including the Hyrum Senior Center, Hyrum Library, Hyrum Museum and Elite Hall, Hyrum City Fire, and the Nibley Millville Cemetery District

3. Nibley City Auxiliary Organizations: Merit Level 1A partnership benefits

Other Nibley organization that are supported by city funds include the following:

- 3.1. Nibley Parks and Recreation Advisory Committee and Friends Group, Nibley Children's Theatre, Nibley Youth Council, and Nibley Royalty, cache valley wildlife association

4. Staff Affiliated Organizations: Merit Level 1A partnership benefits

- 4.1. Associations and Organizations that staff are members of that relate to their specific job duties

5. Other Organizations: Merit **Level 1B** partnership benefits

These organizations offer a significant benefit to our community in offering service opportunities, and in expanding educational and recreational opportunities to members of our community:

5.1. The Stokes Nature Center, Nordic United, B.L.U.E Crew Service organization, National Wildlife Federation, Girl Scouts, and Rods Hero's

6. Special Interest organizations and Clubs: Merit **Level 2** partnership benefits

As long as these organizations allow membership to all (including Nibley residents), and they in exchange offer a community wide benefit like contributing in a Nibley City event as a presenter, or offering a community event in Nibley City, they may be considered a partner.

6.1. Cache Quilters, Cache Fiber Arts, Cache Valley Cruise-In Car Club, Cache Valley Astronomical Society, Rural Water Association of Utah, HAM Radio Operators of Nibley, Project Valor.

7. Promotional Support Partners: Merit **Level 3** partnership benefits

Many of these partners offer an educational or a recreational experience and often participate in or help to promote our events and programs. Many also provide significant prize donations for events and programs. Others offer special services to members of our community in need.

7.1. The Family Place, CAPSA: Community Abuse Prevention Services Agency, The United Way, The Boy Scouts and Cub Scouts of America, , The American West Heritage Center, Zootah Zoo, Malouf Foundation, The American Festival Chorus and Orchestra, Cache Valley Cowboy Rendezvous, Sons of the Utah Pioneers, Daughters of the Utah Pioneers. Youth recreation programs and camps affiliated with Ridgeline High School. Bridgerland Applied Technology

8. Community Partnership Levels

8.1. LEVEL 1A Full Support and 1B Partial Support

8.1.1. Financial support through the Nibley City Budget as applicable, and noted in the budget (1A Only)

8.1.2. Use of indoor and outdoor Nibley City Facilities at no charge on a first come first serve basis second only in priority to official Nibley City public meetings, staff meetings, and or city events and programs that are scheduled (1A and 1B)

8.1.3. Inclusion in the Nibley City Newsletter when appropriate (limited by available space) (1A and 1B)

8.1.4. Inclusion on the Nibley City Website if applicable if applicable and approved by the City Manager (1A and 1B)

8.1.5. Option to post to Nibley City flyer boards if space is available (when approved but shall not displace other Nibley City official notices or Nibley city flyers (1A and1B)

8.1.6. Inclusion on the Nibley City Social Media Platforms

When content is provided to Nibley City for the post including an image file and or an option to share their social media post. (1A and 1B)

8.1.7. Event support by City Staff when approved by the City Manager and the appropriate Department Head (1A only)

8.2. LEVEL 2 Organizational Support

8.2.1. Use of indoor and outdoor Nibley City Facilities at no charge (deposits may apply) on a first come first serve basis second only in priority to official Nibley City public meetings, staff meetings, and or city events and programs, or Level 1A Full Support Partners or Level 1B Partial Support Partners that are scheduled, so long as the facility use is during NON-peak hours as determined by the City Manager.

8.3. LEVEL 3 Promotional Support

8.3.1. Inclusion on Nibley City Social Media Platforms

When content is provided to Nibley City for the post including an image file and or an option to share the partners social media post(s)

9. Sponsorship Situations:

Business and or other organizations may arrange to offer financial support (typically for an event or program) for the promotion of their organization at a given event or program, or through other Nibley City information sources as negotiated. **These do NOT fall under the Community**

Partnership Policy and are negotiated separately by the Nibley City Recreation Director. Financial or In-Kind Donations in exchange for facility use must be equal to or exceeding the rental cost of the facility. The terms of significant sponsorship donations over \$5000 must be approved by the Nibley City Manager prior to offering promotional services or allowing the use of facilities in exchange for the sponsorship.

10. Policy Revision Process:

It is anticipated that this policy will require revision and that the list of community partners will change and expand as our community and Cache Valley Grow. An annual review by staff and City Council is anticipated, however, in a special circumstance staff and or Mayor/City Council may request a revision to this policy for an existing or proposed community partner. A majority vote by City Council is required to update this policy.

11. Disclaimer

Any arrangement or agreement either prohibited or outlined more clearly in a Federal, State, or City law and or ordinances supersedes this policy.

12. Prohibited Partnerships: the following do NOT qualify for COMMUNITY PARTNERSHIP benefits

- 12.1.1. Political candidates or political parties for the purpose of campaigning.
- 12.1.2. Any organization political or otherwise that discriminates based on race, gender or other protected class
- 12.1.3. Any organization that supports the exclusion of those in a protected class or is for the purpose of moving forward a political agenda or cause.
- 12.1.4. Partnerships that constitute a conflict of interest for Nibley City employees or public officials.
- 12.1.5. A fundraiser for a single individual or family.
- 12.1.6. For profit businesses, except when a sponsorship arrangement or contract is created.

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Agenda Item #7

Description	Discussion and Consideration: Resolution 25-20—A Resolution Regulating the use of Fireworks Within Nibley City
Presenter	Justin Maughan, City Manager
Staff Recommendation	Move to approve Resolution 25-20 – Resolution Regulating the use of Fireworks Within Nibley City and waive the second reading
Reviewed By	Larry Jacobsen, Mayor Justin Maughan, City Manager

Background:

Utah Code Sections 15A-5-202.5 and 53-7-225 provide that municipalities may regulate and prevent the discharge of fireworks in certain areas with hazardous environmental conditions. Statutory requirements require the County to issue a map by June 1 of each year showing the areas where fireworks are prohibited. The recommendation from staff and Mayor Jacobsen is to continue the City's practice of prohibiting fireworks east of SR 165/Main Street in Nibley from June – November 2025.

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RESOLUTION 25-20

A RESOLUTION REGULATING THE USE OF FIREWORKS WITHIN NIBLEY CITY

WHEREAS, dry summertime conditions increase fire hazards and necessitate special fire hazard mitigation measures; and

WHEREAS, Utah Code Annotated, Sections 15A-5-202.5 and 53-7-225 provide that municipalities may regulate and prevent the discharge of fireworks in certain areas with hazardous environmental conditions; and WHEREAS, the Nibley City Council finds that it is in the interest of the health, safety and welfare of the inhabitants of Nibley City to prohibit the use of fireworks in areas that are more prone to dangerous and deadly wildfires; and

WHEREAS, the State of Utah, Cache County, and Nibley City are experiencing drought conditions and dry brush and vegetation is prevalent and poses an extreme fire danger.

NOW, THEREFORE, BE IT RESOLVED, BY THE NIBLEY CIY COUNCIL THAT:

1. The use of all fireworks east of SR 165/Main Street in Nibley is prohibited from July 1 –November 30 2025.
2. No fireworks shall be allowed in a public park including parking lots.
3. Professionally licensed and insured shows west of SR 165/Main Street in Nibley are exempt from this Resolution.
4. This resolution shall take effect immediately upon passage.

Dated this 26 day of June, 2025.

Larry Jacobsen, Mayor

ATTEST:

Cheryl Bodily, City Recorder

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Agenda Item #8 & 9

Description	<p>Public Hearing: Resolution 25-18—Amending the Budget for the Various Funds of Nibley City for the Fiscal Year 2024-25, and Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal year 2025-26 and Adjusting Certain Fees and Payments for Services</p> <p>and</p> <p>Discussion and Consideration: Resolution 25-18—Amending the Budget for the Various Funds of Nibley City for the Fiscal Year 2024-25, and Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal year 2025-26 and Adjusting Certain Fees and Payments for Services (Second Reading)</p>
Presenter	Justin Maughan, City Manager
Staff Recommendation	Move to Approve Resolution 25-18—Amending the Budget for the Various Funds of Nibley City for the Fiscal Year 2024-25, and Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal year 2025-26 and Adjusting Certain Fees and Payments for Services
Reviewed By	Larry Jacobsen, Mayor Justin Maughan, City Manager Amy Johnson, City Treasurer

Background: The proposed changes voted on during the last meeting have been made to the budget. Staff will present the budget again, with additional information requested during the meeting.

Background from 6/12/26 Meeting:

Minor adjustments have been made to the budget since the last meeting. This presentation is planned to go into much more detail of the proposed budget. This will be the official “First Reading” of the budget. A Public Hearing, required by law, will be held at the Second Reading, and is planned to take place at the June 26th Council meeting.

Background from the 5-22-25 City Council Meeting:

Staff has continued to work on the draft budget. Major changes since the last meeting are a large effort to reduce the gap/cushion that is built into the budget. Staff felt that the amount of money left over at the end of the year was much higher than budgeted, and to be more correct has gone through and raised revenues and cut expenses where

they were too conservative. Staff were also notified about a number of grants that had been applied for. Those results came in and have been incorporated. Nibley did not receive any money from UORG (2 applications for about \$700k) and did receive \$180k of a \$400k ask to RAPZ for Bike Park P2B and Anhder Park ball field make over.

Background from the 5-1-25 City Council Meeting:

Staff has been working hard on the budget over the past three months. This presentation will be a brief overview of where things currently sit, and to ask Council for direction on certain items.

RESOLUTION 25-18

A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2024-20225, AND ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2025-26

BE IT RESOLOVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. The attached Fiscal Year 2024-2025 current-year budget is hereby adopted and approved as the amended budget for the current fiscal year ending June 30, 2025, with amendments, if any, as reflected in the attached budget document and the minutes of this meeting.
2. The attached budget, entitled Nibley City Budget Fiscal Year 2025-26, is hereby adopted and approved for the fiscal year ending June 30, 2026, with amendments, if, any, as reflected in the budget document and the minutes of this meeting.
3. The adopted property tax rate is 0.00129.

PASSED BY THE NIBLEY CITY COUNCIL THIS 26 DAY OF JUNE, 2025.

Larry Jacobsen, Mayor

ATTEST:

Cheryl Bodily, City Recorder

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Nibley City FY 25-26 Budget

Justin Maughan, PE

City Manager

6/26/2025

Standard Practice

- ❖ Revenue's Budget Lower than expected
- ❖ Expenses Budgeted Higher than expected

Grants

		Awarded		Received		Awarded		Received		% Rec'd	Awarded
		FY 23-24	FY 23-24	FY 24-25	FY 24-25	To Date	25-26				
Grant - Children's Theatre	10-33-322	\$ 5,250	\$ 4,850	\$ 5,000	\$ 2,500	72%	\$ 6,000				
Grant - Miscellaneous	10-33-323	\$ 5,000	\$ -	\$ 2,000	\$ -	0%	\$ 2,000				
Grant - UDOT Technical Planning Assistance	10-33-324	\$ 35,000	\$ 35,000	\$ 40,000	\$ 36,000	95%	\$ 60,000				
Grant - Walkability Virtual Academy	10-33-325	\$ 10,000	\$ 10,000	\$ -	\$ -	100%	\$ -				
Grant - RAPZ Firefly Development	45-38-720	\$ 78,000	\$ -	\$ 78,000	\$ 78,746	50%	\$ -				
Grant - RAPZ Population Allocation	45-38-721	\$ 22,000	\$ 22,083	\$ 23,000	\$ 22,984	100%	\$ 24,000				
Grant - COG Phases 3 & 4	45-38-725	\$ 3,400,000	\$ 495,010	\$ 3,000,000	\$ 2,420,080	46%	\$ -				
Grant - COG Phase 5	45-38-726	\$ -	\$ -	\$ 1,833,000	\$ -	0%	\$ 1,990,000				
Grant - Ridgeline Park LWCF	45-38-727	\$ 1,265,000	\$ -	\$ 1,265,000	\$ 34,216	1%	\$ 1,265,000				
Grant - Firefly Outdoor Classroom UORG	45-38-728	\$ 15,000	\$ 15,000	\$ 10,000	\$ -	60%	\$ -				
Grant - Morgan Farm	45-38-729	\$ -	\$ -	\$ 40,000	\$ 500	1%	\$ 40,000				
Grant - Ridgeline Park UORG	45-38-730	\$ -	\$ -	\$ 750,000	\$ 89,375	12%	\$ 750,000				
Grant - Clean Fleet	45-38-731	\$ -	\$ -	\$ 77,500	\$ -	0%	\$ 77,500				
Grant - USHRAB	45-38-732	\$ -	\$ -	\$ -	\$ -		\$ 7,500				
Grant - Waterwise Parkstrip Rep.	45-38-733	\$ -	\$ -	\$ -	\$ -		\$ 15,000				
Grant - RAPZ Bleachers	45-38-734	\$ -	\$ -	\$ -	\$ -		\$ 15,000				
Grant - Safe Streets for All	45-38-735	\$ -	\$ -	\$ -	\$ -		\$ -				
Grant - RAPZ Bike Park P2B	45-38-736	\$ -	\$ -	\$ -	\$ -		\$ 180,000				
Grant - UORG Bike Park P2B	45-38-737	\$ -	\$ -	\$ -	\$ -		\$ 400,000				
Grant - Anhder Park Rebuild	45-38-738	\$ -	\$ -	\$ -	\$ -		\$ 150,000				
Grant - CMPO 4400 South*	45-38-739	\$ -	\$ -	\$ -	\$ -		\$ 1,000,000				
Grant - Miscellaneous	45-38-800	\$ -	\$ 30,675	\$ -	\$ 508,500		\$ -				
Grant - BOR	51-36-695	\$ -	\$ -	\$ -	\$ -		\$ 400,000				
Grant - DWRE	51-36-696	\$ -	\$ -	\$ -	\$ -		\$ 760,000				
Grant - CIB Stormwater	53-37-615	\$ -	\$ -	\$ -	\$ 12,594		\$ -				
		\$ 4,835,250	\$ 612,618	\$ 7,123,500	\$ 3,192,900		31.82%	\$ 5,982,000			

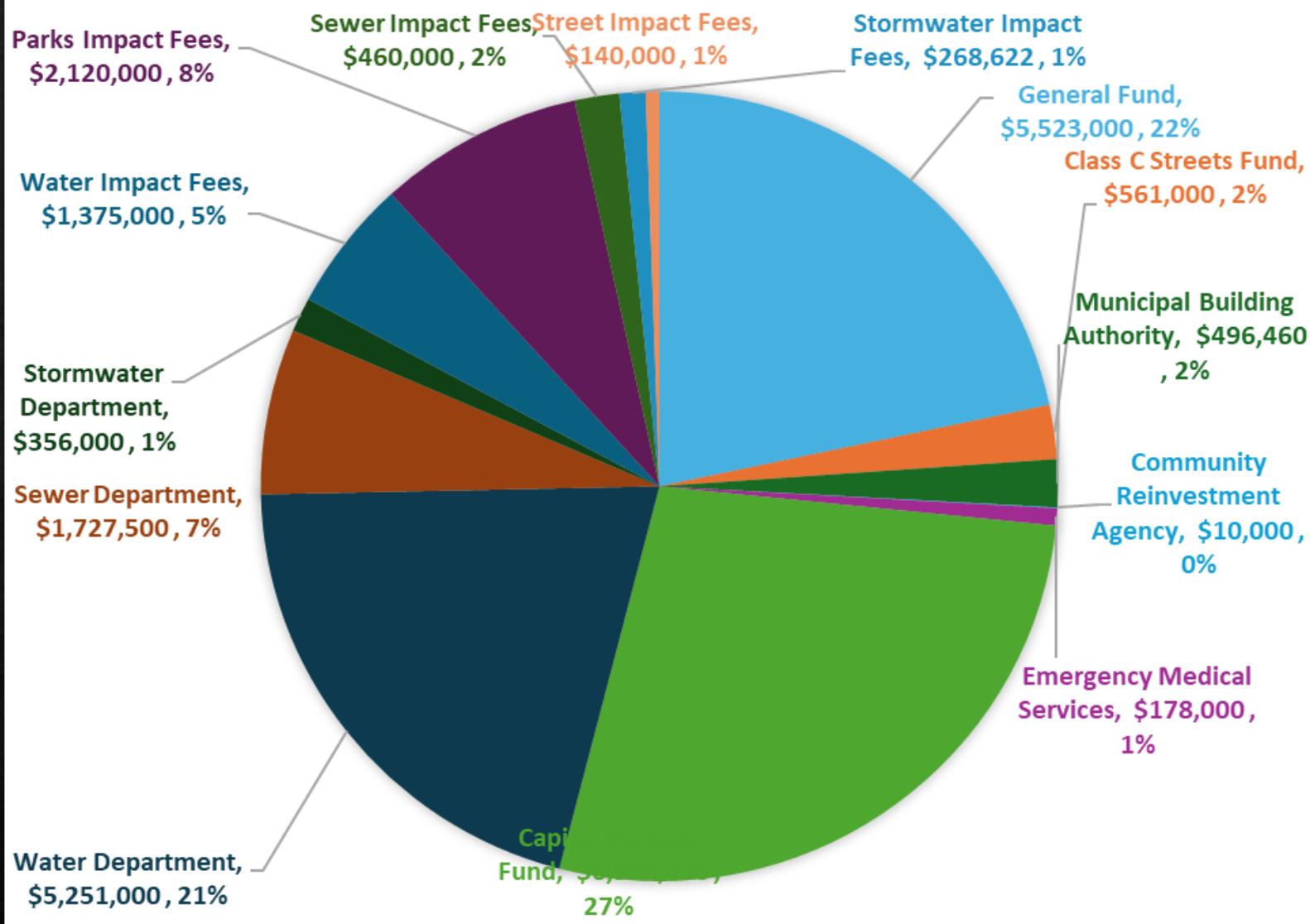
Awarded Since 2023:
\$8.2M

Currently Applied for:
\$1.8M

Revenue	Acct. #	Actual 2023-24	FY	Actual 2024-25	FY	Budget 2024-25	FY	Final Budget 2025-26	FY	Budget % Change	Reason for Change
General Fund	10	\$ 5,472,637	\$	4,526,689	\$	5,186,000	\$	5,603,000	8%		City growing/revenue growing
Class C Streets Fund	11	\$ 860,812	\$	636,764	\$	515,000	\$	561,000	9%		City growing/revenue growing
Municipal Building Authority	20	\$ 540,557	\$	39,517	\$	520,618	\$	496,460	-5%		Little or no change
Community Reinvestment Agency	22	\$ -	\$	-	\$	4,500	\$	10,000	122%		End of year reporting
Emergency Medical Services	24	\$ 149,394	\$	129,849	\$	164,000	\$	178,000	9%		City growing/revenue growing
Capital Projects Fund	45	\$ 2,084,950	\$	4,045,057	\$	8,247,000	\$	6,965,000	-16%		Capital Project fluctuations
Water Department	51	\$ 1,116,674	\$	995,107	\$	1,262,000	\$	5,251,000	316%		Loan for new well
Sewer Department	52	\$ 1,706,955	\$	1,500,131	\$	1,960,000	\$	1,727,500	-12%		Reduced Appropriation
Stormwater Department	53	\$ 335,723	\$	322,160	\$	499,000	\$	357,000	-28%		Reduced Appropriation
Water Impact Fees	55	\$ 394,377	\$	516,134	\$	475,000	\$	1,375,000	189%		City growing/revenue growing
Parks Impact Fees	56	\$ 949,056	\$	1,026,608	\$	2,650,000	\$	2,120,000	-20%		Reduced Appropriation
Sewer Impact Fees	57	\$ 451,410	\$	506,944	\$	440,000	\$	460,000	5%		Little or no change
Stormwater Impact Fees	58	\$ 335,723	\$	322,160	\$	268,622	\$	268,622	0%		Little or no change
Street Impact Fees	59	\$ 104,457	\$	99,918	\$	400,000	\$	140,000	-65%		Reduced Appropriation
Total Revenues		\$ 14,502,723		\$ 14,667,040		\$ 22,591,740		\$ 25,512,582	13%		

Expenditure	Acct. #	Actual 2023-24	FY	Actual 2024-25	FY	Budget 2024-25	FY	Final Budget 2025-26	FY Budget % Change	Reason for Change
General Fund	10	\$ 5,236,728		\$ 3,593,108		\$ 5,186,000		\$ 5,603,000	8%	Little or no change
Class C Streets Fund	11	\$ 333,345		\$ 294,142		\$ 515,000		\$ 561,000	9%	Little or no change
Municipal Building Authority	20	\$ 44,160		\$ 44,240		\$ 520,618		\$ 496,460	-5%	Little or no change
Community Reinvestment Agency	21	\$ -		\$ 4,000		\$ 4,500		\$ 10,000	122%	Funds for professional services
Emergency Medical Services	24	\$ 139,388		\$ 158,278		\$ 164,000		\$ 178,000	9%	Increased ambulance service cost
Capital Projects	45	\$ 3,044,300		\$ 2,645,823		\$ 8,247,000		\$ 6,968,000	-16%	Capital Project fluctuations
Water Department	51	\$ 1,010,572		\$ 915,809		\$ 1,262,000		\$ 5,251,000	316%	New well
Sewer Department	52	\$ 1,625,879		\$ 1,250,131		\$ 1,960,000		\$ 1,727,500	-12%	Capital outlay decrease
Stormwater Expenses	53	\$ 265,909		\$ 405,573		\$ 499,000		\$ 356,000	-29%	Capital outlay decrease
Water Impact Fee Expenses	55	\$ 49,488		\$ 38,600		\$ 475,000		\$ 1,375,000	189%	New well
Park Impact Fee Expenses	56	\$ 231,303		\$ 62,129		\$ 2,650,000		\$ 2,120,000	-20%	Construction Projects
Sewer Impact Fee Expenses	57	\$ 527,413		\$ 586,777		\$ 440,000		\$ 460,000	5%	Little or no change
Stormwater Impact Fee Expenses	58	\$ -		\$ -		\$ 268,622		\$ 268,622	0%	Little or no change
Street Impact Fee Expenses	59	\$ 86,206		\$ 400,000		\$ 400,000		\$ 140,000	-65%	1200 West project
Total Expenditures		\$ 12,594,691		\$ 10,398,609		\$ 22,591,740		\$ 25,514,582	13%	

City Revenue



General Fund Revenue

Revenue	Account Number	Actual FY 2023-24	Actual FY 2024-25	Budget FY 2024-25	Final Budget FY 2025-26	Budget % Change
Taxes	10-31	\$ 2,963,879	\$ 2,328,627	\$ 3,035,000	\$ 3,152,000	4%
Licenses & Permits	10-32	\$ 276,262	\$ 263,803	\$ 177,000	\$ 244,500	38%
Intergovernmental Revenue	10-33	\$ 49,850	\$ 38,500	\$ 47,000	\$ 67,000	43%
Charges for Services	10-34	\$ 936,061	\$ 857,868	\$ 908,000	\$ 1,033,000	14%
Fines	10-35	\$ 19,522	\$ 26,677	\$ 21,000	\$ 21,000	0%
Miscellaneous Revenue	10-36	\$ 208,992	\$ 227,284	\$ 87,000	\$ 88,000	1%
Recreation Revenue	10-37	\$ 140,066	\$ 117,264	\$ 111,000	\$ 121,500	9%
Transfers	10-38	\$ -	\$ -	\$ -	\$ -	-
Administrative Charges	10-39	\$ 878,005	\$ 666,667	\$ 800,000	\$ 876,000	10%
Total General Fund Revenue		\$ 5,472,637	\$ 4,526,689	\$ 5,186,000	\$ 5,603,000	8.0%

GENERAL FUND REVENUE 25- 26

Transfers
0%

Recreation Revenue
2%

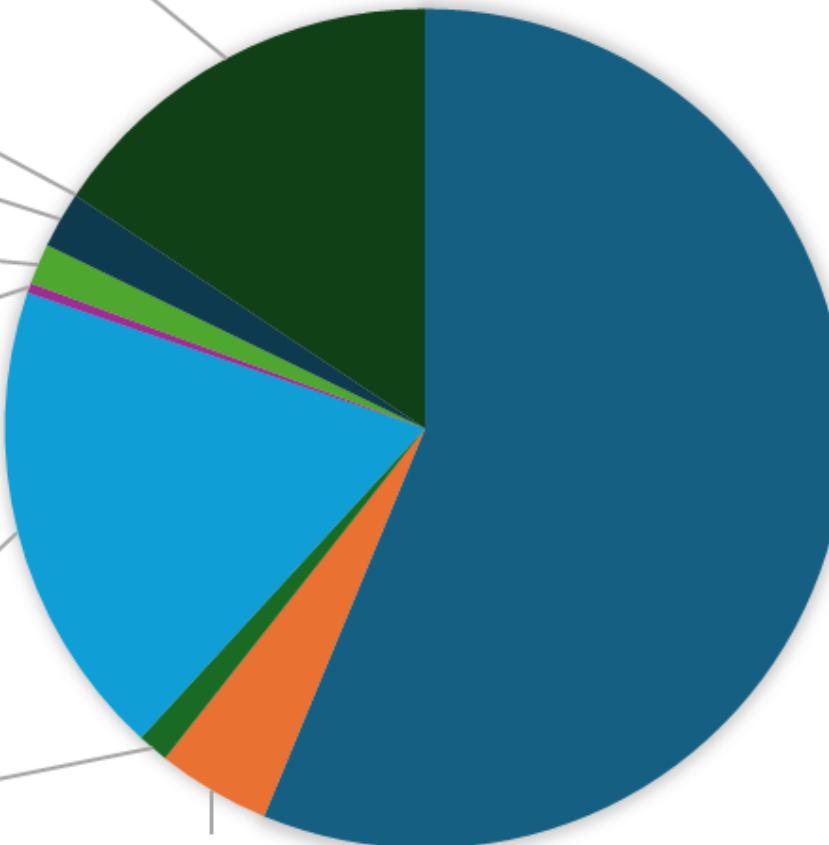
Miscellaneous Revenue
2%

Fines
0%

Charges for Services
19%

Intergovernmental Revenue
1%

Licenses & Permits
4%



Charges for Service

Charges For Service

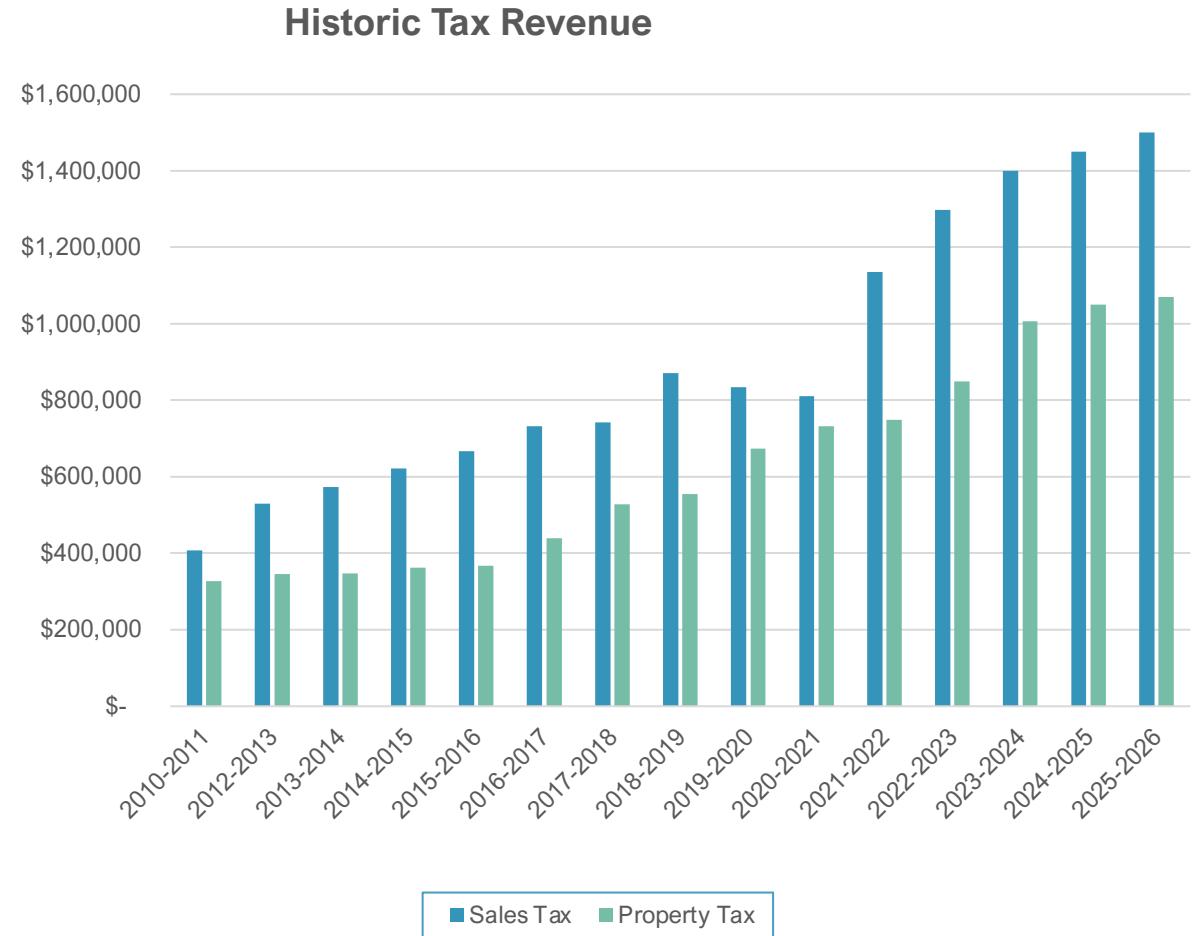
911 Comm. Center Dispatch	10-34-410	\$ 82,067	\$ 73,248	\$ 82,000	\$ 100,000	22%
Planning Review & Inspection	10-34-420	\$ 74,953	\$ 116,618	\$ 35,000	\$ 80,000	129%
Development Fees Reimbursed	10-34-422	\$ 115,743	\$ 42,690	\$ 60,000	\$ 60,000	0%
Refuse Collection Charges	10-34-430	\$ 649,011	\$ 613,027	\$ 720,000	\$ 780,000	8%
Community Center Rental	10-34-431	\$ 14,287	\$ 12,284	\$ 10,000	\$ 12,000	20%
Variance and Appeals	10-34-681	\$ -	\$ -	\$ 1,000	\$ 1,000	0%
Total Charges for Service		\$ 936,061	\$ 857,868	\$ 908,000	\$ 1,033,000	14%

Admin Fee Breakdown

	Water		Sewer		Stormwater		total
CITY MANAGER	0.14 \$	28,996.83	0.14 \$	28,996.83	0.03 \$	6,443.74	0.30
TREASURER	0.34 \$	28,411.49	0.34 \$	28,411.49	0.08 \$	6,313.66	0.75
Office Clerk (Saige)	0.11 \$	8,744.36	0.11 \$	8,744.36	0.03 \$	1,943.19	0.25
Utility Clerk (Wendy)	0.23 \$	17,812.43	0.23 \$	17,812.43	0.05 \$	3,958.32	0.50
Recorder/Payroll (Cheryl)	0.09 \$	13,419.01	0.09 \$	13,419.01	0.02 \$	2,982.00	0.20
PW DIRECTOR	0.34 \$	54,826.16	0.34 \$	54,826.16	0.08 \$	12,183.59	0.75
CITY ENGINEER	0.27 \$	47,053.30	0.27 \$	47,053.30	0.06 \$	10,456.29	0.60
Public Works Inspector	0.30 \$	31,301.98	0.30 \$	31,301.98	0.20 \$	20,867.99	0.80
PW Cap Equipment (trucks for steve, Tom and JM)	0.38 \$	7,312.50	0.38 \$	7,312.50	0.08 \$	1,625.00	0.83
BUILDING LEASE	0.00 \$	-	0.00 \$	-	0.00 \$	-	0.00
UTILITIES (CITY OFFICE)	0.14 \$	2,565.00	0.14 \$	2,565.00	0.03 \$	570.00	0.30
OFFICE SUPPLIES (CITY OFFICE)	0.14 \$	945.00	0.14 \$	945.00	0.03 \$	210.00	0.30
RECEPTIONIST	0.27 \$	12,700.24	0.27 \$	12,700.24	0.06 \$	2,822.28	0.60
PUBLIC WORKS BUDGET	0.29 \$	58,646.25	0.29 \$	58,646.25	0.07 \$	13,032.50	0.65
INSURANCE	0.27 \$	20,250.00	0.27 \$	20,250.00	0.06 \$	4,500.00	0.60
	0.00 \$	-	0.00 \$	-	0.00 \$	-	0.00
AUDIT/ACCTING	0.23 \$	10,125.00	0.23 \$	10,125.00	0.05 \$	2,250.00	0.50
BANK CHARGES	0.32 \$	13,230.00	0.32 \$	13,230.00	0.07 \$	2,940.00	0.70
POSTAL EXPRESS	0.36 \$	6,120.00	0.36 \$	6,120.00	0.08 \$	1,360.00	0.80
SOFTWARE	0.27 \$	22,209.50	0.27 \$	22,209.50	0.06 \$	4,935.44	0.60
INFORMATION TECHNOLOGY	0.18 \$	6,120.00	0.18 \$	6,120.00	0.04 \$	1,360.00	0.40
Utility Billing	0.32 \$	5,355.00	0.32 \$	5,355.00	0.07 \$	1,190.00	0.70
ALLOCATION	Water	\$ 397,000.00	Sewer	\$ 397,000.00	Stormwater	\$ 102,000.00	

Property & Sales Tax

Cert Rate:
.001380



2% – 3% Increase on both

Estimated Certified Tax Rate: 0.00129 with \$1,070,000 in Revenue
Sales Tax increase of 3% with \$1,500,000 in Revenue

No Truth in Taxation

		Rates						
		0.001378	0.00148	0.001667				
et	Non	Primary	Non	Primary	Non	Primary		
	Primary	Residence	Primary	Residence	Primary	Residence	Primary	Residence
250,000.00	\$ 20.77	\$ 11.42	\$ 46.51	\$ 25.58	\$ 93.02	\$ 51.16		
352,623.64	\$ 29.30	\$ 16.11	\$ 65.60	\$ 36.08	\$ 131.21	\$ 72.16		
400,000.00	\$ 33.23	\$ 18.28	\$ 74.42	\$ 40.93	\$ 148.83	\$ 81.86		
500,000.00	\$ 41.54	\$ 22.85	\$ 93.02	\$ 51.16	\$ 186.04	\$ 102.32		
600,000.00	\$ 49.85	\$ 27.42	\$ 111.63	\$ 61.39	\$ 223.25	\$ 122.79		
700,000.00	\$ 58.16	\$ 31.99	\$ 130.23	\$ 71.63	\$ 260.46	\$ 143.25		
800,000.00	\$ 66.47	\$ 36.56	\$ 148.83	\$ 81.86	\$ 297.67	\$ 163.72		
900,000.00	\$ 74.78	\$ 41.13	\$ 167.44	\$ 92.09	\$ 334.88	\$ 184.18		
1,000,000.00	\$ 83.08	\$ 45.70	\$ 186.04	\$ 102.32	\$ 372.08	\$ 204.65		

+\$68k

+\$154k

+\$308K

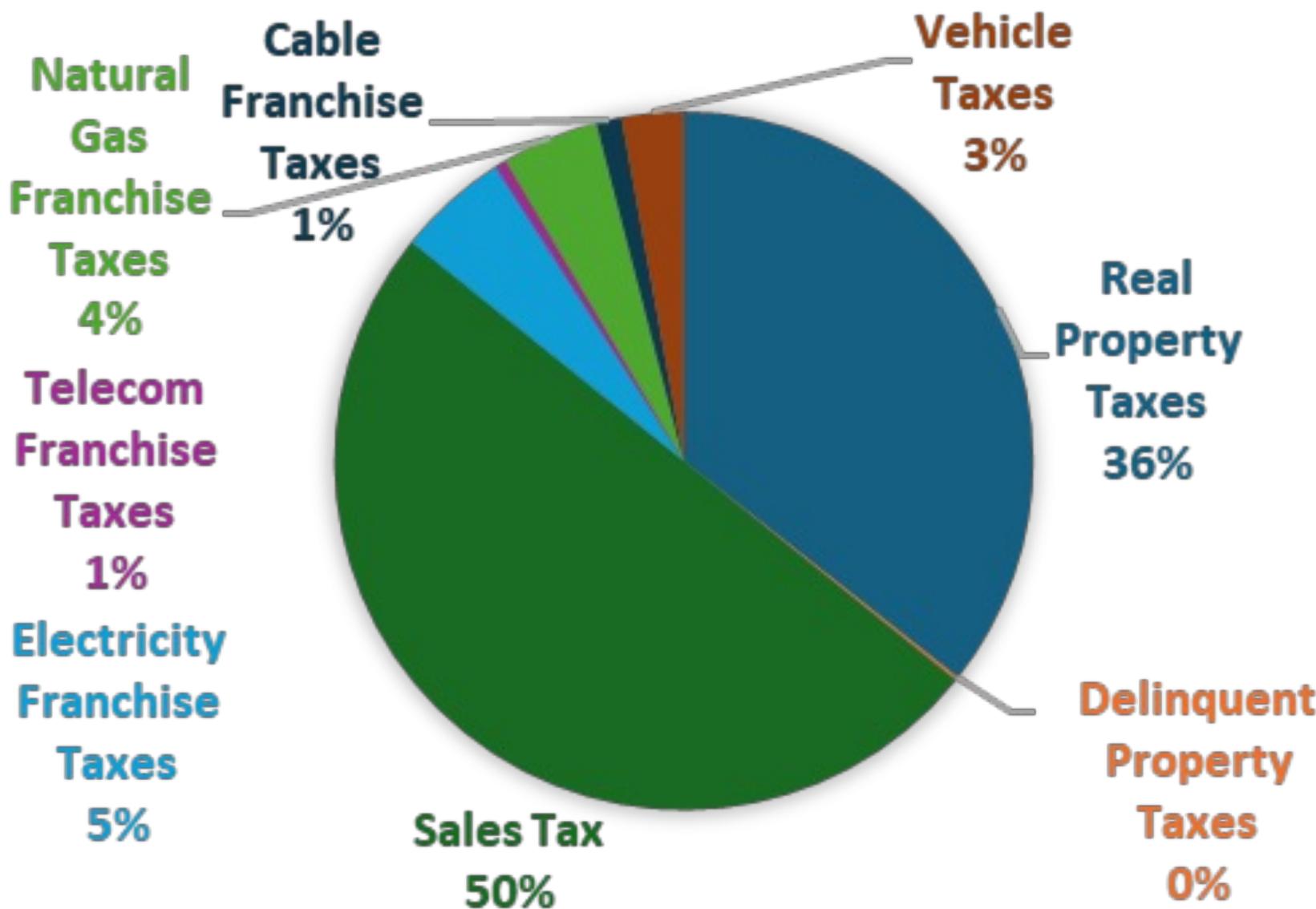
Estimated Cert Rate: 0.001295 = +\$30k

Cert Rate: 0.001380 = +\$50k

		2024	Ratio to Nibley		Ratio to Nibley		2024 Taxable	Ratio to Nibley		2020	Est 2025	
		Ptax Rate		Revenue			Value		Populatio	Population		
Logan		0.0005030	0.37	\$ 2,885,000.00	2.75	\$ 5,735,586,481.11	7.53	52780	61186	7.20		
Logan Library		0.0004620	0.34	\$ 2,651,936.00	2.53	\$ 5,740,121,212.12	7.54	52780	61186	7.20		
Hyrum		0.0008470	0.61	\$ 1,000,000.00	0.95	\$ 1,180,637,544.27	1.55	9360	10851	1.28		
NLogan		0.0007770	0.56	\$ 1,204,567.00	1.15	\$ 1,550,279,279.28	2.04	10990	12740	1.50		
NLogan Library		0.0002890	0.21	\$ 447,743.00	0.43	\$ 1,549,283,737.02	2.03	10990	12740	1.50		
Millville		0.0005200	0.38	\$ 163,316.00	0.16	\$ 314,069,230.77	0.41	2300	2666	0.31		
Hyde Park		0.0011010	0.80	\$ 900,000.00	0.86	\$ 817,438,692.10	1.07	5580	6469	0.76		
River Heights		0.0004890	0.35	\$ 115,469.00	0.11	\$ 236,132,924.34	0.31	2140	2481	0.29		
Wellsville		0.0008100	0.59	\$ 357,147.00	0.34	\$ 440,922,222.22	0.58	4060	4707	0.55		
Smithfield		0.0013520	0.98	\$ 1,857,425.00	1.77	\$ 1,373,835,059.17	1.80	13570	15731	1.85		
Providence		0.0010550	0.77	\$ 1,265,017.00	1.21	\$ 1,199,068,246.45	1.57		9000	1.06		
Nibley		0.0013780	1.00	\$ 1,049,401.00	1.00	\$ 761,539,187.23	1.00	7330	8497	1.00		

Revenue from Taxes

Revenue	Account Number	Actual FY 2023-24	Actual FY 2024-25	Budget FY 2024-25	Final Budget FY 2025-26	Budget % Change
Real Property Taxes	10-31-110	\$ 1,000,801	\$ 1,036,321	\$ 1,050,000	\$ 1,070,000	2%
Delinquent Property Taxes	10-31-120	\$ 17,678	\$ 7,751	\$ 5,000	\$ 5,000	0%
Sales Tax	10-31-130	\$ 1,327,394	\$ 984,790	\$ 1,450,000	\$ 1,500,000	3%
Electricity Franchise Taxes	10-31-140	\$ 159,802	\$ 149,181	\$ 145,000	\$ 155,000	7%
Telecom Franchise Taxes	10-31-141	\$ 15,976	\$ 10,291	\$ 15,000	\$ 16,000	7%
Natural Gas Franchise Taxes	10-31-142	\$ 160,370	\$ 75,770	\$ 120,000	\$ 135,000	13%
Cable Franchise Taxes	10-31-143	\$ 30,461	\$ 8,707	\$ 35,000	\$ 35,000	0%
Vehicle Taxes	10-31-150	\$ 99,125	\$ 55,817	\$ 65,000	\$ 86,000	32%
Mass Transit Taxes	10-31-160	\$ 152,271	\$ -	\$ 150,000	\$ 150,000	0%
Total Taxes		\$ 2,963,879	\$ 2,328,627	\$ 3,035,000	\$ 3,152,000	4%



A 3D line graph is overlaid on a photograph of a concrete staircase. The graph's line is white with a black outline, showing a steady upward trend as it follows the steps of the staircase. The background is a dark, textured surface.

Expenses

General Fund Expenses

Expenditures	Account Number	Actual 2023-24	FY	Actual 2024-25	FY	Budget 2024-25	FY	Final Budget 2025-26	FY	Budget % Change
City Council	10-41	\$ 49,787		\$ 38,401		\$ 59,000		\$ 61,000		3%
Administration	10-43	\$ 578,647		\$ 541,776		\$ 731,000		\$ 815,000		11%
Elections	10-47	\$ 8,541		\$ -		\$ 12,000		\$ 22,000		83%
Public Works	10-48	\$ 249,955		\$ 460,815		\$ 621,000		\$ 669,000		8%
Non-Departmental	10-50	\$ 1,721,923		\$ 221,903		\$ 611,100		\$ 697,000		14%
Public Safety	10-54	\$ 347,166		\$ 345,416		\$ 380,000		\$ 406,000		7%
Streets	10-60	\$ 378,050		\$ 199,006		\$ 384,000		\$ 381,000		-1%
Sanitation	10-62	\$ 549,952		\$ 613,607		\$ 742,000		\$ 778,000		5%
Planning & Building	10-68	\$ 337,911		\$ 279,431		\$ 480,500		\$ 585,500		22%
Parks	10-70	\$ 542,797		\$ 493,047		\$ 636,500		\$ 619,000		-3%
Community Development & Recreation	10-75	\$ 471,998		\$ 399,705		\$ 528,900		\$ 569,500		8%
Total General Fund Expenditures		\$ 5,236,728		\$ 3,593,108		\$ 5,186,000		\$ 5,603,000		8.0%

Salaries

Some adjustments to catch up for Worth of Work Study

Moving Forward from study:

3% COLA in July

3% Possible Merrit in January

About 8% of total budgeted revenue for the City

History of Salaries

	FY 22/23	FY23/24	FY24/25	FY25/26	Additional \$ over 24/25	% Increase over 23/24	Reason for Increase
Administration	\$ 380,000.00	\$ 399,000.00	\$ 426,000.00	\$ 495,000.00	\$ 69,000.00	14%	1,2,3
Public Works	\$ 230,000.00	\$ 248,000.00	\$ 305,000.00	\$ 321,000.00	\$ 16,000.00	5%	1,2
Parks	\$ 193,000.00	\$ 269,500.00	\$ 291,500.00	\$ 309,500.00	\$ 18,000.00	6%	1
Streets	\$ 125,000.00	\$ 128,000.00	\$ 127,000.00	\$ 120,000.00	\$ (7,000.00)	-6%	1
Planning and Building	\$ 210,000.00	\$ 207,000.00	\$ 183,000.00	\$ 218,000.00	\$ 35,000.00	16%	1,3
Recreation	\$ 159,000.00	\$ 243,000.00	\$ 247,000.00	\$ 245,500.00	\$ (1,500.00)	-1%	1
Emergency Services	\$ 13,000.00	\$ 14,000.00	\$ 15,000.00	\$ 16,000.00	\$ 1,000.00	6%	1
Stormwater	\$ 100,000.00	\$ 93,000.00	\$ 99,000.00	\$ 104,000.00	\$ 5,000.00	5%	1
Water	\$ 101,000.00	\$ 113,000.00	\$ 152,000.00	\$ 159,000.00	\$ 7,000.00	4%	1
Sewer	\$ 101,000.00	\$ 113,000.00	\$ 152,000.00	\$ 159,000.00	\$ 7,000.00	4%	1
City Council	\$ 36,000.00	\$ 36,000.00	\$ 37,000.00	\$ 38,000.00	\$ 1,000.00	3%	1
Totals:	\$1,648,000.00	\$1,863,500.00	\$ 2,034,500.00	\$ 2,185,000.00	\$ 150,500.00	7%	

*Estimated
Cushion: 1.5%

Reason For Increase

1COLA and Possible Pay for Performance

2Increase in some responsibilities to some employees

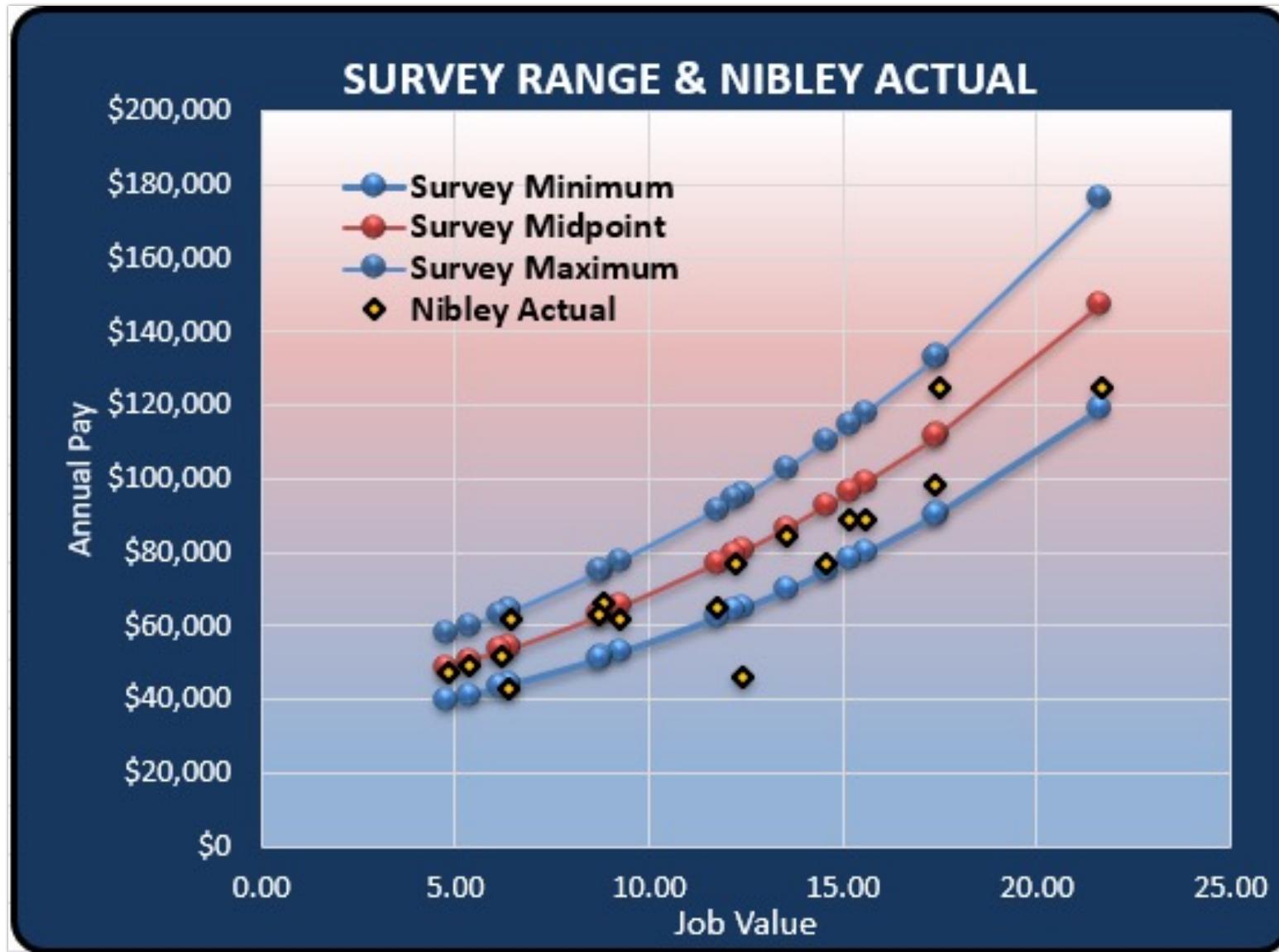
3Increase during last fiscal years Worth of Work compensation study results

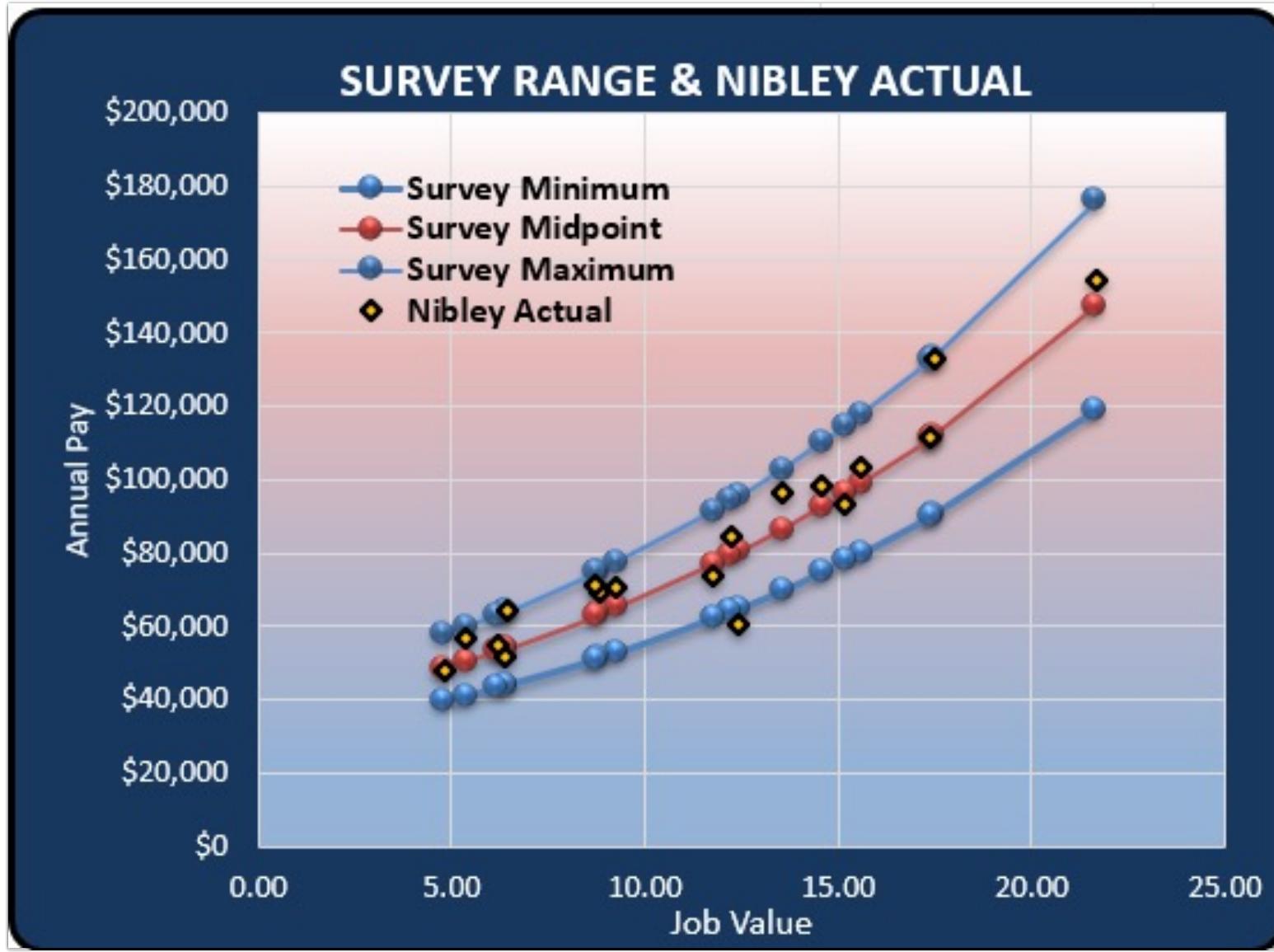
Salaries

Entity	COLA Increase (Across the board for all employees)	Merit Increase (Available to all employees depending on performance)
Highland City	3%	0%
Enoch City	3%	0%
Centerville City	2.50%	2%
Farmington	2%	3%
Nibley	3	3
North Ogden	3%	
Riverton City		4
Bluffdale	3%	0%
Hideout	3%	0
Springville	3%	3%
South Weber	2%	1%
North Salt Lake	2.40%	2%
Beaver City	4%	1-2%
Orem	0%	3% merit or 3% step (step for positions in hybrid step program)
Vineyard	2%	3%
Syracuse City	0%	1.80%
West Jordan	2%	Most positions in the city are on a step and grade structure with a 2.75% step
Washington Terrace	0	3-4%
Heber City	2.80%	0-3.5%

Salaries

Nephi City	3%	
Tooele County	2.50%	1.50%
Pleasant Grove	2.70%	2.35%
Cottonwood Heights	2%	3% (civilian - PD has a step program)
Wasatch County	2.50%	2.5% (step program that is implemented on the employees' anniversary date. Is not available to employees who do not meet minimum expectations for the prior year%)
Holladay	3%	NA
Utah County	2.50%	2.7ish% step program. Star employees eligible for 2 step increase (limited to 10% per department)
Santa Clara	0%	0-5%
Morgan City	2.50%	NA
Millcreek	3.00%	1.50%
Clearfield	2.90%	Up to 3%
West Point	2.40%	Up to 2%
Payson City	3.00%	Up to 3%
Spanish Fork		5.00%
American Fork	0%	Up to 3% based on performance evals
Woods Cross	2.40%	Non-PD 4.1% to 2.6% on step & grade table, PD 5% to 3% on step & grade table



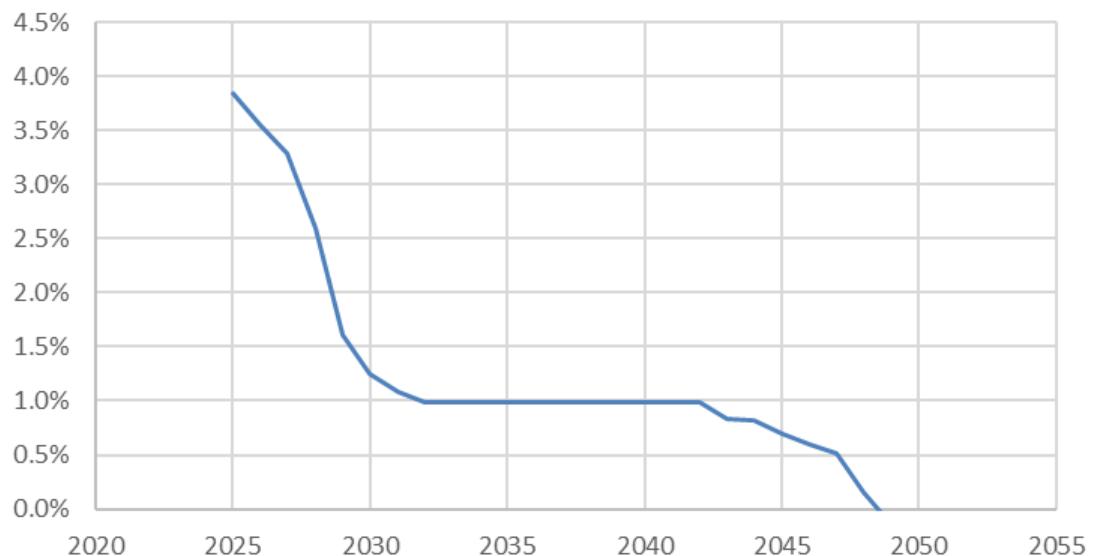


Model Assumptions:

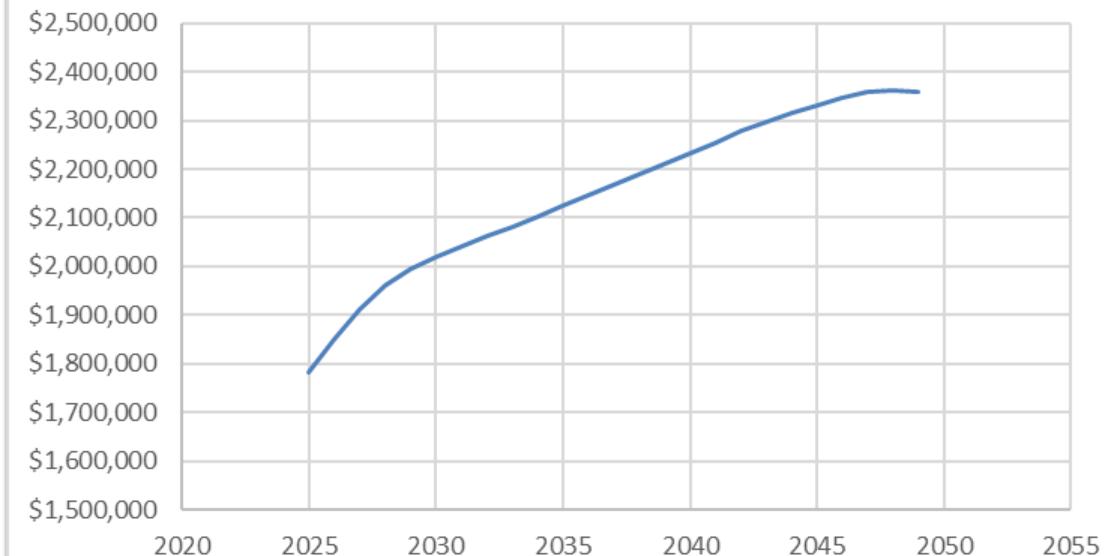
- ❖ No COLA
- ❖ Up to 4% Merit until reach 50% of range 1% thereafter until reach Max

2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	
\$143,213.92	\$148,942.47	\$154,900.17	\$161,096.18	\$162,707.14	\$164,334.21	\$165,977.55	\$167,637.33	\$169,313.70	\$171,006.84	\$172,716.91	\$174,444.08	\$176,188.52	\$177,920.40	\$181,527.20	\$183,342.48	\$185,175.90	\$187,027.66	\$188,974.92	\$190,786.92	\$192,694.79	\$194,621.73	\$196,567.95	\$195,148.63	\$195,148.63	\$195,148.63	
\$124,565.51	\$125,811.17	\$127,069.28	\$128,339.97	\$129,623.37	\$130,919.60	\$132,228.00	\$133,551.09	\$134,886.60	\$136,235.46	\$137,597.92	\$140,362.57	\$141,767.17	\$144,164.59	\$146,062.86	\$147,523.49	\$148,997.72	\$148,576.23	\$149,576.23	\$149,576.23	\$149,576.23	\$149,576.23	\$149,576.23	\$149,576.23	\$149,576.23	\$149,576.23	
\$104,413.39	\$105,889.92	\$107,352.53	\$108,846.04	\$110,327.40	\$112,489.10	\$113,706.03	\$115,930.12	\$117,108.63	\$118,379.78	\$120,636.51	\$123,090.56	\$125,269.75	\$128,359.45	\$130,428.37	\$132,490.64	\$135,640.84	\$139,016.54	\$140,407.01	\$141,810.01	\$142,229.19	\$144,646.84	\$146,108.05	\$147,569.17	\$147,463.10	\$147,463.10	\$147,463.10
\$94,885.61	\$98,681.04	\$102,628.28	\$106,723.41	\$111,002.75	\$112,112.77	\$113,223.90	\$114,364.24	\$115,509.90	\$116,665.00	\$117,813.52	\$119,009.97	\$120,200.07	\$121,402.07	\$122,616.09	\$123,842.25	\$125,080.67	\$126,331.48	\$127,594.79	\$128,870.74	\$130,159.45	\$131,461.04	\$131,314.91	\$131,314.91	\$131,314.91	\$131,314.91	
\$88,785.76	\$92,337.19	\$96,030.68	\$99,871.91	\$102,866.78	\$108,021.45	\$109,101.67	\$110,192.63	\$111,294.61	\$112,407.51	\$112,531.63	\$114,665.95	\$115,812.62	\$116,917.15	\$118,141.47	\$120,156.12	\$121,721.28	\$122,938.49	\$124,167.87	\$125,409.55	\$126,633.45	\$127,862.73	\$128,107.30	\$128,107.30	\$128,107.30	\$128,107.30	
\$89,433.19	\$93,910.52	\$96,730.94	\$100,600.88	\$104,824.18	\$105,195.42	\$106,172.73	\$107,794.40	\$108,872.34	\$109,961.07	\$110,106.68	\$112,171.28	\$113,295.00	\$114,425.93	\$115,570.19	\$117,893.54	\$119,072.08	\$120,262.80	\$121,465.42	\$122,690.88	\$123,906.85	\$124,945.85	\$126,084.53	\$127,220.85	\$128,364.85	\$129,504.85	
\$90,780.23	\$94,411.44	\$98,187.89	\$99,169.77	\$100,161.47	\$101,163.08	\$102,174.71	\$103,196.46	\$104,228.43	\$105,270.71	\$106,323.42	\$107,386.85	\$108,460.52	\$109,545.12	\$110,640.58	\$111,746.98	\$112,844.45	\$113,993.10	\$115,133.03	\$116,846.73	\$118,846.73	\$119,846.73	\$120,846.73	\$121,846.73	\$122,846.73	\$123,846.73	
\$75,106.39	\$78,105.65	\$81,235.08	\$84,484.48	\$87,863.86	\$88,742.50	\$89,629.92	\$90,526.22	\$91,431.48	\$92,345.80	\$93,269.26	\$94,201.95	\$95,142.97	\$96,095.41	\$97,056.36	\$98,026.93	\$99,007.19	\$100,997.24	\$102,007.28	\$103,027.28	\$104,057.56	\$105,098.13	\$106,149.11	\$107,210.60	\$108,802.67	\$109,802.67	
\$79,702.17	\$82,890.26	\$86,205.87	\$89,654.50	\$90,550.64	\$92,370.71	\$92,294.42	\$94,227.36	\$95,169.63	\$96,121.33	\$97,082.54	\$98,053.37	\$99,033.90	\$100,024.24	\$101,024.48	\$102,034.23	\$103,055.08	\$104,085.63	\$105,124.48	\$106,177.75	\$105,363.21	\$105,363.21	\$105,363.21	\$105,363.21	\$105,363.21		
\$69,893.76	\$72,689.51	\$75,597.09	\$78,762.08	\$81,765.82	\$85,036.45	\$85,886.81	\$86,745.82	\$87,613.14	\$88,489.27	\$89,374.16	\$90,267.90	\$91,170.58	\$92,082.29	\$93,003.11	\$94,872.48	\$95,952.01	\$96,779.41	\$97,747.21	\$98,724.68	\$99,711.92	\$100,709.04	\$101,716.51	\$102,730.30	\$102,203.14	\$101,013.01	
\$66,254.00	\$68,904.16	\$71,660.33	\$72,376.93	\$73,100.70	\$73,831.71	\$74,570.02	\$75,315.72	\$76,068.88	\$76,828.57	\$77,597.84	\$78,373.84	\$79,157.58	\$79,949.16	\$80,748.65	\$81,556.14	\$82,371.70	\$82,195.41	\$84,027.37	\$84,867.64	\$85,716.32	\$86,573.48	\$87,439.22	\$88,360.74	\$89,360.74	\$89,360.74	
\$66,253.00	\$68,902.12	\$71,659.24	\$72,375.84	\$73,099.60	\$73,830.59	\$74,568.90	\$75,314.59	\$76,067.73	\$76,828.41	\$77,596.49	\$78,372.66	\$79,156.39	\$79,947.95	\$80,747.43	\$81,554.90	\$82,370.45	\$82,194.16	\$84,026.10	\$84,866.36	\$85,715.02	\$86,572.18	\$87,439.07	\$88,360.74	\$89,360.74	\$89,360.74	
\$61,082.72	\$63,526.03	\$66,067.07	\$68,709.75	\$71,154.14	\$72,172.72	\$72,894.45	\$73,263.29	\$74,359.63	\$75,102.22	\$75,854.25	\$76,612.80	\$77,287.93	\$78,152.71	\$79,934.24	\$80,528.02	\$81,326.03	\$82,192.29	\$82,960.63	\$83,790.29	\$84,628.19	\$85,474.47	\$86,329.22	\$87,192.54	\$88,604.74	\$89,604.74	
\$66,254.00	\$68,904.16	\$71,660.33	\$72,376.93	\$73,100.70	\$73,831.71	\$74,570.02	\$75,315.72	\$76,068.88	\$76,829.57	\$77,597.84	\$78,373.84	\$79,157.54	\$79,949.16	\$80,748.65	\$81,556.14	\$82,371.70	\$83,195.41	\$84,027.37	\$84,867.64	\$85,356.68	\$84,356.68	\$84,356.68	\$84,356.68	\$84,356.68		
\$62,131.00	\$65,556.24	\$68,282.49	\$71,019.79	\$71,723.93	\$72,441.17	\$73,165.58	\$73,897.23	\$74,636.21	\$75,382.57	\$76,136.39	\$76,897.76	\$77,666.74	\$78,443.40	\$79,227.84	\$80,020.12	\$80,820.32	\$81,628.25	\$82,444.80	\$83,269.25	\$84,101.95	\$85,794.96	\$86,734.96	\$87,734.96	\$88,734.96	\$89,734.96	
\$60,094.00	\$64,094.94	\$64,130.19	\$64,194.91	\$62,534.06	\$63,159.40	\$63,790.49	\$64,428.92	\$65,073.19	\$65,723.92	\$66,381.16	\$67,449.47	\$67,715.42	\$68,392.58	\$69,056.50	\$69,726.27	\$70,464.44	\$71,169.54	\$71,881.29	\$72,601.00	\$72,135.69	\$72,135.69	\$72,135.69	\$72,135.69	\$72,135.69		
\$50,631.72	\$52,565.99	\$54,763.27	\$56,953.80	\$59,231.95	\$59,824.27	\$60,422.51	\$61,026.74	\$61,637.00	\$62,259.37	\$62,875.91	\$63,504.67	\$64,139.71	\$64,762.92	\$66,083.21	\$66,744.06	\$67,411.48	\$68,476.46	\$69,454.12	\$70,148.66	\$71,595.63	\$72,274.24	\$74,999.23	\$74,999.23	\$74,999.23		
\$49,238.19	\$51,207.71	\$53,256.02	\$55,386.26	\$57,401.71	\$59,905.78	\$60,504.84	\$61,109.39	\$61,720.99	\$62,338.20	\$62,941.58	\$63,591.11	\$64,227.11	\$64,869.38	\$65,518.07	\$66,173.25	\$66,834.98	\$67,503.33	\$68,178.37	\$68,860.15	\$69,548.75	\$70,244.24	\$71,995.23	\$72,372.71	\$74,999.23	\$74,999.23	
\$47,844.65	\$49,758.44	\$51,748.78	\$53,818.73	\$55,971.48	\$58,210.33	\$60,536.78	\$61,144.14	\$61,755.58	\$62,372.13	\$62,996.86	\$64,263.10	\$64,905.73	\$65,554.79	\$66,210.34	\$67,022.44	\$67,541.17	\$68,216.58	\$68,898.74	\$69,567.73	\$70,203.61	\$71,996.23	\$72,412.70	\$74,999.23	\$74,999.23		
\$51,915.54	\$53,889.02	\$56,147.45	\$58,393.42	\$61,029.16	\$61,498.82	\$62,563.19	\$63,195.01	\$63,826.96	\$64,465.23	\$65,109.88	\$65,760.98	\$67,092.72	\$67,752.60	\$68,431.24	\$69,115.45	\$69,806.60	\$71,209.72	\$71,045.29	\$71,045.29	\$71,045.29	\$71,045.29	\$71,045.29	\$71,045.29	\$71,045.29		
\$45,835.67	\$47,669.10	\$49,575.86	\$51,558.89	\$53,621.25	\$55,766.10	\$57,996.74	\$60,316.61	\$60,919.78	\$61,528.98	\$62,144.27	\$62,765.71	\$63,399.31	\$64,667.57	\$65,314.25	\$66,627.07	\$67,293.34	\$68,455.93	\$69,332.39	\$70,025.72	\$70,725.97	\$71,433.23	\$71,045.29	\$71,045.29	\$71,045.29		
\$49,502.08	\$51,482.16	\$53,541.45	\$55,683.11	\$56,239.94	\$56,802.34	\$57,370.36	\$57,944.07	\$58,523.51	\$59,109.74	\$59,699.83	\$60,296.83	\$61,508.79	\$62,123.88	\$62,745.12	\$63,372.57	\$64,006.30	\$64,646.36	\$65,292.82	\$66,605.21	\$67,271.26	\$67,942.97	\$68,382.42	\$69,382.42	\$69,382.42		
\$44,932.87	\$46,730.19	\$48,599.39	\$50,543.37	\$52,565.10	\$54,667.71	\$55,241.38	\$56,766.53	\$56,324.19	\$56,887.43	\$57,456.31	\$58,030.87	\$59,197.29	\$59,789.27	\$60,387.16	\$60,991.03	\$61,600.94	\$62,216.95	\$62,839.12	\$63,467.51	\$64,102.19	\$64,742.21	\$65,390.64	\$66,879.24	\$67,382.42		

Percent Growth in Salaries



Salaries



General Fund Expense Increases

- ❖ Insurance (tied to salaries)
- ❖ Information Technology Services
- ❖ Utilities (Internet Next Year)
- ❖ Election in 2025
- ❖ Bank Charges
- ❖ 911 Charges
- ❖ Sheriff & Animal Control Contracts
- ❖ Garbage
- ❖ Library
- ❖ Master Plans
- ❖ Education, Travel and Training

About a 6% increase in General Fund Expenditures

Capital Projects



<u>Parks</u>		<u>Year</u>	<u>General Fund</u>		<u>Construction</u>		<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Elkhorn Park	2023	\$ 150,000	\$ 150,000	\$ 162,240	\$ 162,240	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Firefly Park (net 1000 W)	2024	\$ 343,006	\$ 343,006	\$ 385,835	\$ _____	\$ 385,835	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Nibley Meadows Park	2024	\$ 614,250	\$ 614,250	\$ 690,948	\$ -	\$ 690,948	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Nibley Farms/Recycle Site P	2025	\$ 614,250	\$ 614,250	\$ 718,586	\$ -	\$ -	\$ 718,586	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Regional Park Phase 1	2025	\$ 3,850,084	\$ 3,850,084	\$ 4,504,054	\$ -	\$ -	\$ 4,504,054	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Nibley City Center Park	2025	\$ 1,680,750	\$ 1,680,750	\$ 1,966,240	\$ -	\$ -	\$ 1,966,240	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1000 W Half Read	2026	\$ 306,000	\$ 306,000	\$ 372,296	\$ _____	\$ _____	\$ _____	\$ 372,296	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Anhder Park Parking Lot	2027	\$ 256,000	\$ 256,000	\$ 323,922	\$ _____	\$ _____	\$ _____	\$ _____	\$ 323,922	\$ _____	\$ _____	\$ _____	\$ _____
Indoor Recreation Space	2028	\$ 2,000,000	\$ 2,000,000	\$ 2,631,864	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,631,864	\$ -	\$ -
Mt Vista Park Improvement	2029	\$ 150,000	\$ 150,000	\$ 205,285	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 205,285
Regional Park Remaining	2030	\$ 11,000,000	\$ 11,000,000	\$ 15,656,430	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<u>Public Works</u>		<u>Year</u>	<u>General Fund</u>		<u>Construction</u>		<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Public Works Land Acquisiti	2025	\$ 480,000	\$ 480,000	\$ 561,532	\$ -	\$ -	\$ 561,532	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
City Hall Expansion	2029	\$ 5,000,000	\$ 5,000,000	\$ 6,842,845	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,842,845
Public Works Yard	2030	\$ 6,000,000	\$ 3,000,000	\$ 4,269,935	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<u>Trails</u>		<u>Year</u>	<u>General Fund</u>		<u>Construction</u>		<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Regional Park Connector Trl	2026	\$ 460,000	\$ 460,000	\$ 559,660	\$ -	\$ -	\$ -	\$ -	\$ 591,660	\$ -	\$ -	\$ -	\$ -
City Center Trail-South Sect	2030	\$ 135,000	\$ 135,000	\$ 192,147	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Nature Way Trail (2600 S)	2031	\$ 962,000	\$ 962,000	\$ 1,423,995	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals		\$ 40,210,340	\$ 32,192,940	\$ 42,849,158	\$ 1,038,985	\$ 1,076,783	\$ 7,750,412	\$ 963,956	\$ 368,208	\$ 2,962,163	\$ 7,178,144		

*This information was prepared for us by Lewis Young Robertson and Burningham, Inc. and this can be found with our City's Master Plans at <https://nibleycity.gov/master-plans/>.

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Expenses	Account Number	Actual 24	FY 2023- Actual 25	FY 2024- Budget 2024-25	FY Final Budget 2025-26	FY Budget % Change
Major Street Projects	45-40-731	\$ 2,123,146	\$ 1,650,359	\$ 5,310,000	\$ 2,240,000	-58%
Public Works/City Hall Building Projects	45-40-735	\$ 19,715	\$ -	\$ 20,000	\$ -	-100%
Master Plans	45-40-737	\$ 40,902	\$ -	\$ -	\$ -	0%
Morgan Farm	45-40-738	\$ 294	\$ -	\$ 40,000	\$ -	-100%
Capital Equipment	45-40-742	\$ 32,426	\$ 416,729	\$ 561,000	\$ 108,000	-81%
River Repair	45-40-745	\$ -	\$ -	\$ 5,000	\$ 5,000	0%
Active Transportation	45-40-746	\$ 6,968	\$ 182,824	\$ 256,000	\$ -	-100%
ROW Acquisitions	45-40-747	\$ -	\$ -	\$ 10,000	\$ 10,000	0%
Capital Projects Miscellaneous	45-40-748	\$ -	\$ -	\$ -	\$ -	-
Cottonwoods Infrastructure	45-40-749	\$ -	\$ -	\$ 20,000	\$ 20,000	0%
Public Art	45-40-750	\$ -	\$ -	\$ 5,000	\$ 5,000	0%
Feasibility and Planning Studies	45-40-752	\$ -	\$ 34,425	\$ 90,000	\$ 40,000	-56%
Property Acquisitions	45-40-760	\$ -	\$ -	\$ -	\$ -	-
Engineering Design	45-40-761	\$ 32,610	\$ 9,241	\$ 50,000		-100%
Grant - Nibley City Center Park	45-40-762	\$ 47,255	\$ 223,847	\$ 1,561,000	\$ 2,800,000	79%
Street Light Conversion to LED	45-40-763	\$ 93,670	\$ -	\$ -	\$ -	#DIV/0!
Park Signage Project	45-40-764	\$ 7,231	\$ 10,080	\$ 12,000	\$ 12,000	0%
Mount Vista HOA Park	45-40-766	\$ 56,719	\$ -	\$ -	\$ -	-
City Hall Soccer Field	45-40-767	\$ 89,279	\$ -	\$ -	\$ -	-
Security Upgrades	45-40-768	\$ 20,087	\$ 14,647	\$ 10,000		-100%
Transfer to MBA - Pay off City Hall	45-40-769	\$ 474,000	\$ 20,000	\$ 24,000		-100%

Backfill Material Storage Bins	45-40-770	\$ -	\$ 10,411	\$ 15,000	\$ -	-100%
Compensation Study	45-40-771	\$ -	\$ 9,319	\$ 14,000	\$ -	-100%
Parks Division Shop Roof	45-40-772	\$ -	\$ 18,933	\$ 25,000	\$ -	-100%
Pedestrian Safety Improvements	45-40-773	\$ -	\$ -	\$ 100,000	\$ 100,000	0%
House Removal	45-40-774	\$ -	\$ 4,657	\$ 25,000	\$ 25,000	0%
Phone System Switch Over	45-40-775	\$ -	\$ 350	\$ 3,000	\$ -	-100%
Grant - USHRAB Historical Document	45-40-776	\$ -	\$ -	\$ 15,000	\$ -	-100%
CH and PW Generator Backup	45-40-777	\$ -	\$ 26,001	\$ 60,000	\$ -	-100%
Elkhorn Historical Sign	45-40-778	\$ -	\$ -	\$ 1,000	\$ 1,000	0%
City Hall Tree Removal	45-40-779	\$ -	\$ 14,000	\$ 15,000	\$ -	-100%
Grant - Waterwise Parkstrip Replacement	45-40-780	\$ -	\$ -	\$ -	\$ 15,000	
Grant - RAPZ Moveable Bleachers	45-40-781	\$ -	\$ -	\$ -	\$ 25,000	
Grant - RAPZ Bike Park Phase 2B	45-40-782	\$ -	\$ -	\$ -	\$ 800,000	
Grant - Safe Streets for All	45-40-783	\$ -	\$ -	\$ -	\$ 150,000	
Grant - UORG Anhder Park Reconstruct	45-40-784	\$ -	\$ -	\$ -	\$ -	
West Regional Stormdrain	45-40-785	\$ -	\$ -	\$ -	\$ 290,000	
2600 South Drainage & Sidewalk	45-40-786	\$ -	\$ -	\$ -	\$ 250,000	
Grant - 4400 South CMPO Match	45-40-787	\$ -	\$ -	\$ -	\$ 37,000	
Public Works Streets Floor Repair	45-40-788	\$ -	\$ -	\$ -	\$ 35,000	
Reserves	45-40-999	\$ -	\$ -	\$ -	\$ -	

New Capital Projects

Grant - Waterwise Parkstrip Replacement	\$ 15,000
Grant - RAPZ Moveable Bleachers	\$ 25,000
Grant - RAPZ Bike Park Phase 2B	\$ 800,000
Grant - Safe Streets for All	\$ 150,000
Grant - UORG Anhder Park Reconstruct	\$ 300,000
West Regional Stormdrain	\$ 290,000
2600 South Drainage & Sidewalk	\$ 250,000
Grant - 4400 South CMPO Match	\$ 30,000
Public Works Streets Floor Repair	\$ 35,000

Water Department

- ❖ New Well
- ❖ Water Meters
- ❖ Master Plan
- ❖ Water Share Assessments

Sewer Department

- ❖ Not Much Change
- ❖ Design for Southwest Regional Lift Study

Stormwater Department

- ❖ Not Much Change

MBA

CRA

Revenue	Account Number	Actual FY 2023-24		Actual 2024-25		FY	Budget FY 2024-25	Final Budget FY 2025-26	Budget % Change	
CRA Received Funds	21-31-400	\$	-	\$	-		\$	-	\$	-
Transfer from General Fund	21-31-500	\$	10,000	\$	-		\$	-	\$	10,000
Interest Earned Appropriation of Funds	21-31-610	\$	-	\$	-		\$	-	\$	-
	21-31-611	\$	-	\$	-		\$	4,500	\$	-
Total Revenues		\$	10,000	\$	-		\$	4,500	\$	10,000
Expenses	Account Number	Actual FY 2023-24		Actual 2024-25		FY	Budget FY 2024-25	Final Budget FY 2025-26	Budget % Change	
Professional Services	21-41-310	\$	5,500	\$	4,000		\$	4,500	\$	4,500
CRA Redisbursement	21-41-500	\$	-	\$	-		\$	-	\$	-
CRA Affordable Housing	21-41-501	\$	-	\$	-		\$	-	\$	-
CRA Reserves	21-41-699	\$	-	\$	-		\$	-	\$	5,500
CRA Transfer to General Fund	21-41-742	\$	-	\$	-		\$	-	\$	-
Total Expenditures		\$	5,500	\$	4,000		\$	4,500	\$	10,000
Surplus/(Deficit)	18	\$	4,500	\$	(4,000)		\$	-	\$	-
Beginning Cash Balance (est.)								\$	500	
Reserves/(Fund Balance App.)								\$	5,500	
Ending Cash Balance (est.)								\$	6,000	

Education Travel and Training

Row Labels	Transferred			
	Sum of Total	to budget	% Increase	FY 24/25
Administration	\$ 16,230.00	\$ 17,000.00	-32%	\$ 25,000.00
City Council	\$ 12,210.00	\$ 13,000.00	8%	\$ 12,000.00
Parks	\$ 8,825.00	\$ 9,000.00	50%	\$ 6,000.00
Planning & Building	\$ 14,845.00	\$ 15,000.00	-6%	\$ 16,000.00
Public Safety	\$ 1,300.00	\$ -	-100%	\$ 2,000.00
Public Works	\$ 25,061.00	\$ 26,000.00	73%	\$ 15,000.00
Recreation	\$ 13,872.00	\$ 14,000.00	27%	\$ 11,000.00
Sewer	\$ 4,920.00	\$ 5,000.00	-67%	\$ 15,000.00
Stormwater	\$ 2,300.00	\$ 3,000.00	0%	\$ 3,000.00
Streets	\$ 6,830.00	\$ 7,000.00	75%	\$ 4,000.00
Water	\$ 10,340.00	\$ 11,000.00	0%	\$ 11,000.00
Grand Total	\$ 116,733.00	\$ 120,000.00	0%	\$ 120,000.00

Software

Adobe	\$ 4,467.00
Bluebeam	\$ 880.00
Canva	\$ 150.00
Caselle	\$ 16,000.00
Civic Review	\$ 11,800.00
Compliance Go	\$2,650
Docusign	\$ 200.00
Dropbox	\$ 130.00
GIS-ESRI	\$ 1,000.00
Microsoft	\$ 7,500.00
Municode	\$ 2,646.00
Niche Academy	\$ 1,300.00
PidjCo	\$ 4,000.00
 Sportssites	\$ 1,000.00
TechNet Salary Compare	\$400
Website Update to Wordpress	\$0
Zoom Video	\$160
Genea	\$ 5,000.00
IWORQS Asset Man	\$ 23,000.00
 Total	\$ 82,283.00

Wish List

- ❖ Streets/Stormwater Additional Employee
- ❖ Recreation Additional Employee
- ❖ Recreation Additional Storage/Trailer?
- ❖ ~~Asset Management Software Package ****~~
- ❖ Security Phase 3 upgrades
- ❖ Public Works Light Towers
- ❖ Water Shop Roof Replacement
- ❖ ~~Water/Sewer Bull Pwick~~
- ❖ Wood Chipper
- ❖ Skid Steer Replacement
- ❖ Hydraulic Saw
- ❖ Building Official (state law compliance)
- ❖ Vac Truck Replacement (2027)
- ❖ Expand Public Works Facility
- ❖ Expand City Hall
- ❖ Indoor Recreation

Engineering Budget

	Account Number	Actual FY 2023-24	Actual 2024-25	FY Budget 2024-25	FY 2024-25	Final Budget FY 2025-26
Public Works	10-48-514	\$ 8,380.00	\$ 577.50	\$ 8,500.00	\$ 8,500.00	
Streets	10-60-514	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00	
Planning	10-68-514	\$ 2,780.00	\$ -	\$ 5,000.00	\$ 5,000.00	
Water	51-40-514	\$ 1,850.00	\$ 3,111.50	\$ 15,000.00	\$ 15,000.00	
Sewer	52-72-515	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	
Stormwater	53-40-514	\$ 25,244.75	\$ 61,556.50	\$ 50,000.00	\$ 60,000.00	

Economic Development

- ❖ Administration – Economic Development
\$4k
- ❖ Planning & Building – Professional
Services \$10k for Grant Writer

Staff Level Increases

- ❖ Streets
 - \$90k for full time Salary and Benefits
 - Currently \$224k (2 full time, one part time)
- ❖ Recreation
 - \$70k for full time Salary and Benefits
 - Currently \$240k (3 full time, 10+ part time)
- ❖ Left Over in General Fund Budget is \$170k

To Do

- ❖ ~~Decision on Code Enforcement Software~~
- ❖ ~~Decision on Asset Management Software~~
- ❖ ~~Lower Election expense due to no primary~~
- ❖ Cemetery Project request for assistance
- ❖ ~~Property Tax/Possible Special Meeting~~
- ❖ ~~Public Hearing~~
- ❖ Bleacher adjustment Expense +\$1500
- ❖ Safe Streets for All Revenue: +\$279,000
- ❖ Safe Streets for All Expense: +\$349,000
- ❖ Cap Project - Major Streets: +\$250,000 for 1200 West P3 and 4.
- ❖ Cap Project – Major Streets: +\$170,000 for 1300 West
- ❖ Water Benefits: +\$10,000
- ❖ Sewer Benefits: + \$10,000
- ❖ Adopt Final Budget



Questions?

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Agenda Item #10 & 11

Description	<p>Public Hearing: Ordinance 25-22—An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City</p> <p>and</p> <p>Discussion and Consideration: Ordinance 25-22—An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City (Second Reading)</p>
Presenter	Justin Maughan, City Manager
Staff Recommendation	Approve Ordinance 25-22—An Ordinance Providing for the Compensation of Elected, Statutory Officers and Department Heads of Nibley City
Reviewed By	Justin Maughan, City Manager Amy Johnson, City Treasurer

No new background

Previous Background:

As required by Utah Code Part 10-3-8, this Ordinance is required to amend the salaries of Statutory Officers. Please see code below. A public hearing for the Ordinance is planned to happen with the Budget Public Hearing at the next Council Meeting. This ordinance provides the opportunity in the next Fiscal Year's budget to award these Officers a "Cost of Living Adjustment" at 3% and a possible "Pay for Performance" raise at 3%, should it be determined by the City Manager that they meet the requirements for the raise. Below was a summary table of what other Cities across the State are proposing for their entities. You will see the numbers and reasons are varied.

Entity	COLA Increase (Across the board for all employees)	Source for COLA number (CPI year over year, social security increase, URS increase, etc.)	Merit Increase (Available to all employees depending on performance)	Targeted Market Adjustment for certain departments: public safety, engineering, building, etc.	Additional Notes	Date Updated
Highland City	3% /Cola	URS COLA - https://www.urs.org/Content/RetiredMembers		5% for public safety & 3% merit (separate step and grade system in public safety district).	To be finalized by Council in May. Some councilmembers are nervous about the	28-Apr

				market adjustment for other positions who are more than 3% down per our market study.	economy and reluctant on increases this year.	
Enoch City	3% Councilmember suggestion		0%	All employees are on same step & grade system	To be finalized by Council in May	24-Apr
Centerville City	2.50% CPI Western Region December to December		2%	Merit distributed to employees by Department Heads	To be finalized by Council in May	24-Apr
Farmington	2% URS (based) but tipped to provide more for merit (department head decision)		3%	All employees except PD they are on a step and grade.	To be finalized by Council in May	4/24/2025
Nibley	3		3			24-Apr
North Ogden	3% My council prefers to call the Cola a Merit, but it really is a cola. It can be withheld for disciplinary reasons			Up to 7% is proposed on top of the 3% cola based on market study	I have at least 1 council member who is pushing for no increases based on sales tax numbers dropping. Based on our Compensation Survey analysis we have employees who are significantly below "market"	4/24/2025
Riverton City			4	Up to 4% merit	Feedback I have received is most if not all of our CC members are on board with this	4/24/2025
Bluffdale	3% 0%	Targeted market increases				4/24/2025
Hideout	3% URS 0			To be finalized by		4/24/2025

					Council in May	
Springville	3% CPI		3% 0-6% merit			4/24/2025
South Weber	2% URS COLA & CPI		1% NA	To be finalized by Council in May		4/24/2025
North Salt Lake	2.40% CPI Western Region January to January		2% 5% police step and grade system - fewer steps/years than other employees	To be finalized by Council in May		5/12/2025
Beaver City	4%	1-2%	merit increases base upon performance evaluations			
Vineyard	2%		.25% aggregated to accomodate market adjustments as 3% needed			4/24/2025
Syracuse City	0%		Benchmark adjustments of 2.9% for administration, public works, and community and economic development departments.	We rotate deparments every other year. If the benchmark adjustment is more than 7% we will catch it up by funding 50% of the benchmark. So if a benchmark is 10% we will fund 5%. Subject to council approval in June.		4/24/2025
West Jordan	close to but not quite at December CPI year over year for Mountain States Region	2%	Most positions in the city are on a step and grade structure with a 2.75% step	We do annual market adjustments as needed based on salary comps		4/24/2025
Washington Terrace	0	03-4%	Annual Benchmark Analysis (ranges are averages of the ranges from citites in approved	to be finalized in June by Council		4/24/2025

				benchmark groups		
Heber City	2.80% CPI		0-3.5%	Adopting a 9 Step pay grade based on years of service & performance review	Pending approval from City Council. Data is somewhat market driven based on Wasatch Comp Group/Tech Net recommendations.	4/24/2025
Nephi City	3% CPI plus inflationary pressures from prior years			1% more for any market adjustments.	Recommended to Council for July.	4/25/2025
Tooele County	2.50%		1.50% URS	Moved Dispatch employees to Public Safety	Effective January 1, 2025	4/25/2025
Pleasant Grove	2.70% CPI		2.35%			4/25/2025
Cottonwood Heights	2% Close to CPI	3% (civilian - PD has a step program)		None this year - looking at a comprehensive study next year	Recommendation to Council, although I've heard that they may propose a decrease	4/25/2025
Wasatch County	2.50%	2.5% (step program that is implemented on the employees' anniversary date. Is not available to employees who do not meet minimum expectations for the prior year%			Our budget year coincides with the calendar year; so the COLA increase is implemented at the first of the year. the Merit Increase is set by our step pay program and will likely remain unchanged year after year;	4/25/2025

					however, the COLA increase is determined as part of the budget process.	
Holladay	3% CPI	NA	Evaluated on an individual position basis, and we are anticipating adjustments for some roles in each department.	To be finalized by Council in May.	4/25/2025	
Utah County	Cost of Labor Adjustment, all our increases are based on market data for positions, we don't do Cost of Living Adjustments. In early stages of market data, we determined all employees would be eligible for at least this 2.50% much.	2.7ish% step program. Star employees eligible for 2 step increase (limited to 10% per department)	Additional 2.5% varies by department. We roll out different staff sections every 4 months.	Sheriff's Dept in May, Health & Attorneys Dept in August, November for all other staff.	4/28/2025	
Santa Clara	0%	0-5%		Increases will be effective in January 2026	4/28/2025	
Morgan City	2.50% CPI	NA			4/30/2025	
Millcreek	3.00% CPI	1.50%		Increases will be effective July 2025	4/30/2025	
Clearfield	2.90% URS	Up to 3%		Pending approval in Tentative Budget.	5/2/2025	
West Point	CPI march year over 2.40% year	Up to 2%			5/9/2025	
Payson City	3.00% CPI	Up to 3% Net.	Some market adjustment based upon position. Data based upon Wasatch Comp Group/Tech	Approved in tentative budget, but council wants more discussion.	5/14/2025	
Spanish Fork		5.00%	The 5% encompasses	Pending approval in	5/14/2025	

				both market (TechNet - by position) & merit	tentative budget	
American Fork		We do not do Cost of Living Adjustments. All increases are merit & 0% market based	Up to 3% based on performance evals	Market Adjustment for positions evaluated based on TechNet.	Approved in Tentative Budget, pending final budget	5/16/2025
Woods Cross	2.40%	CPI - https://jobs.utah.gov/wi/data/library/wages/us_cpihistory.html	Non-PD 4.1% to 2.6% on step & grade table, PD 5% to 3% on step & grade table	Market adjustment for all positions using TechNet data	Pending tentative budget approval	5/17/2025

Utah State Code:

Effective 5/1/2024

10-3-818 Salaries in municipalities -- Notice.

(1) The elective and statutory officers of municipalities shall receive the compensation for their services that the governing body fixes by ordinance adopting compensation or compensation schedules enacted after public hearing.

(2)

(a) As used in this Subsection (2):

(i) "Compensation" means:

(A) salary, including salary paid under a contract;

(B) a budgeted bonus or budgeted incentive pay;

(C) a vehicle allowance; and

(D) deferred salary.

(ii) "Compensation increase" means an increase in any item of compensation listed in Subsection (2)(a)(i).

(iii) "Executive municipal officer" means:

(A) the city or town manager or chief administrative officer;

(B) the assistant city or town manager or assistant city or town chief administrative officer;

(C) the city or town attorney;

(D) an individual who is the head or chief of a city or town department or division; or

(E) an individual who is the chief assistant or deputy of an individual described in Subsection (2)(a)(iii)(D).

(b) Before a governing body may adopt a final budget or a final amended budget that includes a compensation increase for an executive municipal officer, the governing body shall:

(i) hold a public hearing on the compensation increase; and

(ii) publish notice of the time, place, and purpose of the public hearing:

(A) for at least seven days before the date of the public hearing; and

(B) as a class A notice under Section 63G-30-102.

(c) A public hearing under Subsection (2)(b)(i):

(i) shall be held separate from any other public hearing; and

(ii) may be held the same day as another public hearing, including immediately before or after the other public hearing.

Amended by Chapter 475, 2024 General Session

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ORDINANCE 25-22

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED, STATUTORY OFFICERS AND DEPARTMENT HEADS OF NIBLEY CITY

WHEREAS, elected and statutory officers are required to devote a significant amount of time and talent to the effective administration of Nibley City; and

WHEREAS, elected and statutory officers should be fairly compensated for their time and expenses; and

WHEREAS, the Nibley City Council finds that enacting the proposed compensation increases as set forth in this Ordinance will comply with Utah Code requirements and will promote the public health, safety, and welfare of the residents of the City of Nibley, Utah; and

WHEREAS, the Nibley City Council established a policy in 2015 of annually adjusting City Council Member compensation commensurate with the cost-of-living adjustment provided to other City employees; and

WHEREAS, a COLA of 3% is proposed this year for city employees.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. All previous salary or compensation ordinances regarding the elected and statutory officers below are hereby repealed.
2. The compensation of the elected and statutory officers and department managers of Nibley City shall be as follows:

Office/Title:	2024-25 Annual Salary:	Proposed FY 25-26 Annual Salary	Christmas Bonus:	Annual Increase:
Mayor	\$11,940	\$12,288	\$0	\$348
Councilmember	\$4,752	\$4,884	\$0	\$132
City Manager	\$147,596	\$156,584	\$300	\$8,988
City Engineer	\$127,057	\$132,831	\$300	\$5,774
City Planner	\$98,764	\$104,778	\$300	\$6,014
Recreation Director	\$80,879	\$85,804	\$300	\$4,925
City Treasurer	\$58,000	\$61,532	\$300	\$3,532
City Rec/HR Director	\$88,797	\$99,692	\$300	\$10,895
Public Works Director	\$106,854	\$113,316	\$300	\$6,462
Parks Manager	\$92,339/yr	\$97,962	\$300	\$5,623
Water/Wastewater Man	\$88,997/yr	\$94,416/yr	\$300	\$5,419
Streets/Stormwater Man	\$70,872	\$75,188/yr	\$300	\$4,316

3. Elected and statutory officers shall be paid on the same schedule as other municipal employees.

4. The compensation listed above is not inclusive of per diem, mileage, phone allowance or other expenses, which may be incurred in the course of conducting Nibley City business.
5. This ordinance shall become effective July 1, 2025.

PASSED BY THE NIBLEY CITY COUNCIL THIS 26 DAY OF JUNE, 2025.

Larry Jacobsen, Mayor

ATTEST: _____
Cheryl Bodily, City Recorder

Agenda Item #12

Description	Discussion and Consideration: Ordinance 25-21 -- Rezone Parcels 03-178-0004, 03-178-0003, and 03-178-0010, located at 2440, 2485, & 2490 S 1350 W from Commercial (C) to Industrial (I) (Second Reading)
Presenter	Levi Roberts, City Planner
Staff Recommendation	Denial of Ordinance 25-21—Rezone Parcels 03-178-0004, 03-178-0003, and 03-178-0010, located at 2440, 2485, & 2490 S 1350 W from Commercial (C) to Industrial (I) with the findings noted below
Planning Commission Recommendation	Denial of Ordinance 25-21—Rezone Parcels 03-178-0004, 03-178-0003, and 03-178-0010, located at 2440, 2485, & 2490 S 1350 W from Commercial (C) to Industrial (I) with the findings noted below
Reviewed By	Larry Jacobsen, Mayor Justin Maughan, City Manager Tom Dickinson, City Engineer Levi Roberts, City Planner Planning Commission

Background:

Jason Crook, authorized representative of Crook Investment Properties LLC, owner of parcel 03-178-0004, located at 2485 S 1350 W and Dirk Howard, authorized representative of North East Southaco Holdings LLC, owner of parcel 03-178-0003, and 03-178-0010, have requested to Rezone the approximately 7.11-acre area from C (Commercial) to I (Industrial).

Applicant Statement

What is the need for the proposed zone change?

To align the zoning with the current land usage.

What will the public benefit be if the zone change is granted?

To ensure the ongoing economic viability of the businesses located in the proposed area. The businesses affected employ approximately 30 people, and provide products, services, and support for customers, both locally, regionally, and nationally.

How does the proposal comply with the goals and policies of the Nibley City General Plan?

The proposed zoning change strengthens the economic value of the area.

Is there any annexation of property necessary?

No

Please explain how the anticipated use is appropriate for the surrounding area.

The proposed zoning change will not impact the surrounding area. The current use will not change because of the rezone. The current usage has had no known complaints from adjacent property owners.

What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the property owner or developer?

There would be no changes needed to the public infrastructure.

Site Context

Parcel 03-178-0004, includes 2 buildings which support the operation of Mountain View Machine and Welding, a machine shop. Parcel 03-178-0003 includes a building in which Majestic Mountain Sage, a seller of body care products, operates. Parcel 03-178-0010, currently does not house any structures. The property is bordered to the north and west by commercially zoned properties and light industrial uses and by residential uses and zoning (R-2a with PUD overlay and R-M zone) to the east and south.



General Plan Guidance

The Future Land Use Map designates this property as "Commercial". Other provisions of the General Plan related to this request include:

- *Land Use Goal 1: Encourage development that respects and preserves the character of the City and provides a mix of commercial, residential housing and some light industrial uses. Carefully plan for growth within the City, ensuring that development occurs in suitable locations and can be efficiently served over the long term.*
- *Land Use Goal 2: Guide land use and growth decisions through application of the General Plan, the Future Land Use Map, and relevant goals, principles, and projects.*
- *Commercial and Economic Development Goal 2: Create and maintain a sustainable economic base for Nibley City that will provide tax revenues and increase local employment and convenience of shopping.*

Staff Analysis

The existing zoning of Commercial (C) is consistent with the future land use map designation for this area. The General Plan encourages a mix of commercial, residential and light industrial uses. If approved, the proposed zoning would be in conflict with this designation.

In consideration of the site context, it is Staff's opinion that the existing commercial designation is more compatible with the surrounding uses and zoning than the proposed industrial zoning. IN particular, there are existing townhomes directly adjacent to an the undeveloped parcel (03-178-0010). Although there are increased setbacks and other potential mitigating measures for industrial uses, a commercial or light industrial use (allowed within the commercial zone) would be more compatible with the site.

As the applicant stated, the existing business, Mountain View Machine and Welding, a machine shop, is currently listed as a not permitted use within the commercial zone, although this business was allowed as a conditional use at the time that it was allowed in 2007 and has been operating under the approved conditional use permit and business license since that time. It is therefore considered a legally nonconforming use. NCC 19.26.010 Continuation of Use states that "the lawful use of any building, structure or land existing at the time of the passage of this title may be continued and maintained, though such use does not conform with the provisions of this title, subject to the controls and restrictions placed thereon elsewhere in this chapter." As such, this use may continue despite the change of use ordinance.

Considering the context of the site and the guidance provided in the Future Land-Use Map and goals of the general plan, Staff recommends denying the proposed rezone.

Findings

1. The proposed Industrial (I) zone designation is not compatible with the 'commercial' designation of the City's adopted future land use map.
2. The existing commercial zoning allows uses which are more compatible with the surrounding uses and zoning than the proposed Industrial (I) zone allows.

ORDINANCE 25-21

REZONE PARCELS 03-178-0004, 03-178-0003, AND 03-178-0010, LOCATED AT 2440, 2485, & 2490 S 1350 W FROM COMMERCIAL (C) TO INDUSTRIAL (I)

BE IT ORDAINED BY THE NIBLEY CITY COUNCIL LOCATED AT NIBLEY, UTAH, THAT:

Parcels 03-178-0004, 03-178-0003, and 03-178-0010, more particularly described below, are hereby rezoned from Commercial (C) to Industrial (I).

Parcel 03-178-0004:

LOT 4 SIERRA COMMERCIAL PARK CONT 2.00 AC WITH PRIVATE ROAD (1350 WEST) FOR INGRESS AND EGRESS SUBH TO ESMNT SEE

Parcel 03-178-0003:

LOT 3 SIERRA COMMERCIAL PARK CONT 2.02 AC ALSO: BEG AT SE COR LT 2 SD SUBD & TH S 89*55'01" W 337.46 FT ALG LT LN TH N 0* E 19.27 FT TH S 89*55'01" E 337.30 FT ALG S LN OF PARCEL 03-178-0010 (BK 1537 PG 485) TO E LN OF LT 2 TH S 0*29'09" E 18.29 FT TO BEG CONT 0.15 AC CONT 2.17 AC IN ALL WITH & SUBJ TO THE RIGHT TO USE 1350 WEST ST (PRIVATE ROAD)

Parcel 03-178-0010:

BEG AT NE COR LOT 2 SIERRA COMMERCIAL PARK & TH S 32*23'33" E 368.21 FT TH S 0*29'09" E 161.15 FT TH N 89*55'01" W 337.3 FT TH N 0* E 470.5 FT TO S LN OF 2350 S ST TH ALG ST N 89*36'14" E 129.31 FT TH 9.37 FT ALG CURVE OF ST TO BEG CONT 2.94 AC M/B WITH RIGHT TO USE AND ACCESS 1350 WEST ST (PRIVATE ROAD)

PASSED BY THE NIBLEY CITY COUNCIL THIS _____ day of _____, 2025.

Larry Jacobsen, Mayor

ATTEST: _____
Cheryl Bodily, City Recorder

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Nibley

2485 S 1350 W

05/15/2025 - 05/14/2125

6036851

Rezone, Code Change, or Master
Plan Change Application

69145700-2f82-11f0-b5d3-d9e0d1a7755c

Plan Check

Active

New

Application Review Status

Final-Review Not Reviewed

05/12/2025

Fees

Payments

Plan Check	\$500.00	05/15/2025	Online	\$650.00
Public Notice Fee	\$150.00	Total Paid		\$650.00
Subtotal	\$650.00			
Amount Paid	\$650.00			
Total Due	\$0.00			

Application Form Data

(Empty fields are not included)

First Name

Crook Investment Properties LLC

Address Street

2485 S 1350 W

City

Nibley

State

UT

Zip Code

84321

Phone

(435) 755-0500

Email

jason@mvmwinc.com

Is the property owner representative different from the listed property owner

yes

First Name

Jason

Last Name

Crook

Address Street

PO BOX 423

City

Logan

State

UT

Zip Code

84323

Phone

435-755-0500

Email

jason@mvmwinc.com

Request Type:

Rezone

Rezone Address Street

2485 S 1350 W

Tax I.D. Number(s)

03-178-0004, 03-178-0003, 03-178-0010

Area of Rezone Request (Acres)

7.11

Current Zoning (check all that apply)

C- Commercial

Proposed Zoning (check all that apply)

I- Industrial

Site Plan and Map (please attach)

REZONE.pdf

What is the need for the proposed zone change, code change or master plan change?

To align the zoning with the current land usage.

What will the public benefit be if the zone change, code change or master plan change is granted?

To ensure to ongoing economic viability of the businesses located in the proposed area. The businesses affected employ approximately 30 people, and provide products, services, and support for customers, both locally, regionally, and nationally.

How does the proposal comply with the goals and policies of the Nibley City General Plan?

The proposed zoning change strengthens the economic value of the area.

Is there any annexation of property necessary?

No

Please explain how the anticipated use is appropriate for the surrounding area.

The proposed zoning change will not impact the surrounding area. The current use will not change because of the rezone. The current usage has had no known complaints from adjacent property owners.

What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the property owner or developer?

There would be no changes needed to the public infrastructure.

Please attach a statement from the County treasurer showing the current tax status of the property.

CORE - Parcels in 2024.pdf

Signature

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete, and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me concerning this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Nibley may rescind any approval, or take any other legal or appropriate action. I understand that any cost of engineering, legal, fire, or other review incurred by the City shall be my responsibility to pay. I also acknowledge that I have reviewed the applicable sections of the Nibley City Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses.

Posting. Not less than ten (10) days before the public hearing, Applicant is responsible for posting a sign in a prominent place on the property containing, in lettering that may be reasonably read by passersby, the time, date, and location of the public hearing. The posting shall not be required before the application being accepted. However, the City shall require that, not less than ten (10) days before the public hearing, the Applicant provides the City with evidence of compliance with this requirement.

With my signature, I give consent to receive service of process at the email listed on this application.

Jason Cook - 05/12/2025 4:42 pm

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Re-Zone Request

May 9th, 2025

Background

Jason Crook, authorized representative of Crook Investment Properties LLC, owner of parcel 03-178-0004 along with Dirk Howard, authorized representative of North East Southaco Holdings LLC, owner of parcels 03-178-0003 and 03-178-0010, located along 1350 W at about 2500 S, are requesting to Rezone approximately 7.11 acres from C (Commercial) to I (Industrial).

Applicable Statement

What is the need for the proposed zone change?

To align the zoning with the current land usage.

What will be the public benefit be if the zone change is granted?

To ensure the ongoing economic viability of the businesses located in the proposed area. The businesses affected employ approximately 30 people, and provide products, services, and support for customers, both locally, regionally, and nationally.

How does the proposal comply with the goals and policies of the Nibley City General Plan?

The proposed zoning change strengthens the economic value of the area.

Is there any annexation of property necessary?

No.

Please explain how the anticipated use is appropriate for the surrounding area.

The proposed zoning change will not impact the surrounding area. The current use will not change because of the rezone. The current usage has had no known complaints from adjacent property owners.

What public infrastructure is in place to serve the type and intensity of the proposed use?

There would be no changes needed to the public infrastructure.

Site Context

Parcels 03-178-0003 and 03-178-0004 already house businesses that have been in operation for over a decade. The business located on parcel 03-178-0004, 2485 S 1350 W, has been a machine shop since it was built in 2006. The business located on parcel 03-178-0003, 2495 S 1350 W, functions as a warehouse with light manufacturing. The zoning for the operation of a Machine and Welding Shop should be I (Industrial). Because the property is zone C (Commercial), that use would not be permitted. This would stop the transfer of the business to a new owner because of the zoning restrictions.



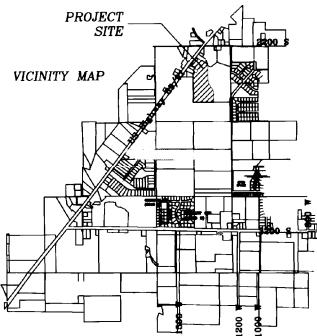
An Invitation

Members of the Nibley City Planning and Zoning Committee, along with the City Council and Mayor, are welcome to schedule a visit to either business to see normal operations. We trust that you will find that our business success is beneficial to Nibley City.

Jason Crook Crook Investment Properties LLC PO BOX 423 Logan, Utah 84323-0423	Dirk Howard North East Southaco Holdings LLC 2490 S 1350 W Nibley, Utah 84321
Mountain View Machine and Welding 2485 S 1350 W Nibley, Utah 84321	Majestic Mountain Sage 2490 S 1350 W Nibley, Utah 84321
Phone 435-755-0500	Phone 435-755-0863
Signature  Date 	Signature  Date 

SJERRA COMMERCIAL PARK

PART OF THE SW $\frac{1}{4}$ OF SECTION 1,
TOWNSHIP 11 NORTH, RANGE 1 EAST,
SALT LAKE BASELINE & MERIDIAN
FINAL PLAT



SURVEYOR'S CERTIFICATE

I, Brian G. Lyons, a Registered Land Surveyor, have Certificate No. 273617, as prescribed by the laws of the State of Utah, and do hereby certify that the following description of land is the true and accurate description of the tract of land shown on this plot, which is accurately described and bounded by the lines and corners of the tract of land and contains therewith, and have surveyed and located the same, and that the same is located in the City of Salt Lake, County of Salt Lake, State of Utah, and that the same is located in the area known as SIERRA COMMERCIAL PARK and that the same has been surveyed and staked on the ground as shown on this plot.



 STATE OF UTAH
 LAND SURVEYOR
 CITY OF SALT LAKE
 CITY OF
 16/16/57
 STATE OF UTAH

NOTES:

1. THE BASIS OF BEARING IS N 00°37'35" W BETWEEN THE SOUTHEAST CORNER AND EAST QUARTER CORNER OF SECTION 17, TWP. 11 N., MGR. 11 S., SALT LAKE BASELINE AND MGR. 11 S., SALT LAKE MONUMENTED.
2. BUILDING SETBACKS NOT SHOWN SHALL BE PER NIBLY CITY ZONING ORDINANCE.
3. THE PROPERTY IS LOCATED IN THE VICINITY OF PROPERTY THAT IS USED FOR AGRICULTURAL PURPOSES. IT MAY BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES CONTINUE IN THE FUTURE. THE OWNER IS ADVISED THAT THIS AREA AND THAT SUCH USES ARE PREVIOUSLY EXISTING USES. AGRICULTURAL USES AND SITUATIONS MUST BE SOUND AND PROPERLY CONDUCTED AND MUST NOT BEAR A DIRECT THREAT TO PUBLIC HEALTH AND SAFETY.
4. 5/8"Z REBAR w/ CAP PLS 277517 SET AT LOT CORNERS UNLESS NOTED OTHERWISE.
5. PERMITTING OF CONSTRUCTION TO US HIGHWAY 89/91 WILL BE PERMITTED FOR LOT 1.
6. NO ACCESSES WILL BE ALLOWED WITHIN 100' OF PC'S FOR INTERSECTIONS.
7. LOTS 1, 2, 3, 4, 5, 6 AND 7 ARE REQUIRED TO RETAIN THEIR RESPECTIVE STORM WATER.
8. 1300' WEST IS A PRIVATE ROAD TO BE USED FOR LOTS 2, 3, 4, 5, 6 AND 7. IT MUST BE MAINTAINED BY THE OWNERS ASSOCIATION AS DESCRIBED IN THE CC&Rs.
9. LAND UNDERDRAINAGE FOUND DURING CONSTRUCTION MUST BE PROPERLY DRAINED BY THE OWNER OR MAINTAINED AS EASEMENT.
10. COMMON AREA "A" SHALL BE MAINTAINED AND OWNED BY LOT 1. IT SHALL ALSO SERVE AS A PURCHASED EASEMENT. COMMON AREA "A" SHALL BE MAINTAINED BY THE LOT 1 OWNER CONTAINING THEM. PONDS MAY NOT BE CHANGED WITHOUT CITY APPROVAL.
11. CITY OF NIBLY CITY SEWER LINE EASEMENT RECORDED IN BK 1047/PL 1003, 12.5' EAST AND 7.5' WEST OF EXISTING SEWER LINE.
12. LOT 1 IS TO BE DEDICATED TO NIBLY CITY WITH COMMON AGREEMENT AT RECORDATION OF PLAT.
13. AREAS IN NIBLY CITY HAVE GROUNDWATER PROBLEMS DUE TO THE VARYING DEPTHS OF A FLUCTUATING WATER TABLE. THE CITY OF NIBLY CITY HAS NOT DETERMINED IF THIS CONDITION DOES NOT CONSTITUTE A REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIED ELEVATION OR LOCATION WILL NOT ENCOUNTER GROUNDWATER IN THE FUTURE. ADDITIONAL CONCERN FOR BUILDING ELEVATION AND/OR GRADING AND DRAINAGE ARE UNIQUE TO EACH BUILDING SITE. RESPONSIBILITY FOR THESE STATED CONCERN'S, AND ALL OTHER CONCERN'S, ARE THE SOLE RESPONSIBILITY OF THE BUILDING SITE, REMAINS SOLELY WITH THE BUILDING PERMIT APPLICANT, PROPERTY OWNER AND/OR CONTRACTOR. NIBLY CITY IS NOT RESPONSIBLE FOR ANY CONCERN'S, WHETHER PAST, PRESENT OR FUTURE, WHICH MAY OCCUR, OR FOR OTHER SUCH CONCERN'S, INCLUDING, BUT NOT LIMITED TO, BUILDING LOCATION AND/OR ELEVATION, SITE GRADING AND DRAINAGE.

OWNER'S DEDICATION
Know all by these presents that we the undersigned owners of the above-described tract of land, having caused the same to be subdivided and recorded in the office of the County Clerk of COMMERCIAL PARK, do hereby dedicate for perpetual use of the public lands or portions of land shown on this plat as intended for public use, and do warrant, defend and assert that the same are not subject to any prior or other claim or right of any kind, and that the dedicated streets which will interfere with the municipality's use, operation and maintenance of the same, will be dedicated to the municipality as shown with the same warranty as given for other dedicated property.
In witness whereof, we have hereunto set our hands this 12th day of
2005.
Frank & Linda H. Hause

STATE OF UTAH
COUNTY OF _____
ON THE _____ DAY OF _____ 2005,
THE DRAFTER DEDICATED WHO DULY ACKNOWLEDGED TO ME THAT THEY
EXECUTED THE SAME.
NOTARY PUBLIC
RESIDING AT _____
MY COMMISSION EXPIRES _____

LIMITED LIABILITY ACKNOWLEDGEMENT	
<p>On the <u>12th</u> day of <u>April</u>, A.D. 2002, personally appeared before me, <u>John H. Hargan</u>, who being by me duly sworn did say, that he is the sole member of <u>Utah Limited Liability Company</u>, a <u>LLC</u>, a Utah Limited Liability Company and that the within foregoing instrument was executed on behalf of such company. I further certify that the instrument was signed in the presence of <u>John H. Hargan</u>, the sole member of <u>Utah Limited Liability Company</u>, and each such authorized to execute the same.</p>	
<p>MY COMMISSION EXPIRES <u>4/30/04</u></p>	
 <p>THE STATE OF UTAH JOHN H. HARGAN NOTARY PUBLIC APR 12 2002 JOHN H. HARGAN UTAH LIMITED LIABILITY COMPANY AARON SHAFER NOTARY PUBLIC APR 12 2002 JOHN H. HARGAN UTAH LIMITED LIABILITY COMPANY</p>	

CORPORATE ACKNOWLEDGMENT	
STATE OF UTAH	SS
County of Cache	
On the <u> </u> day of <u> </u> A.D. 2005, personally appeared before me, that he/she is the <u> </u> of <u> </u> , a <u> </u> Corporation and that the within foregoing acknowledgment was made before me on <u> </u> by authority of <u> </u> of the <u> </u> Corporation, by me that each Corporation executed the same, each day acknowledged to me that each Corporation executed the same.	
MY COMMISSION EXPIRES	NOTARY PUBLIC RESIDING AT _____

STATE OF UTAH, COUNTY OF Cache, recorded and filed at the request
of LEWIS Date 15 AUG 2005 Time 10:13 Fee 68.00
Entry 898030

A circular stamp with the text "CACHE COUNTY RECORDER" around the top and "STATE OF UTAH" around the bottom. In the center, it says "MICHAEL L. GLEED".

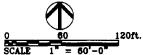
ALLIANCE CONSULTING
ENGINEERS
760 WEST 200 NORTH SUITE 8
LOGAN, UTAH 84341

PROJECT
SIERRA COMMERCIAL PARK
PART OF THE SNAKE RIVER SECTION 17,
TOWNSHIP 11 NORTH, RANGE 1 EAST,
SALT LAKE BASIN & MERIDIAN
FINAL PLAT

SIERRA COMMERCIAL PARK

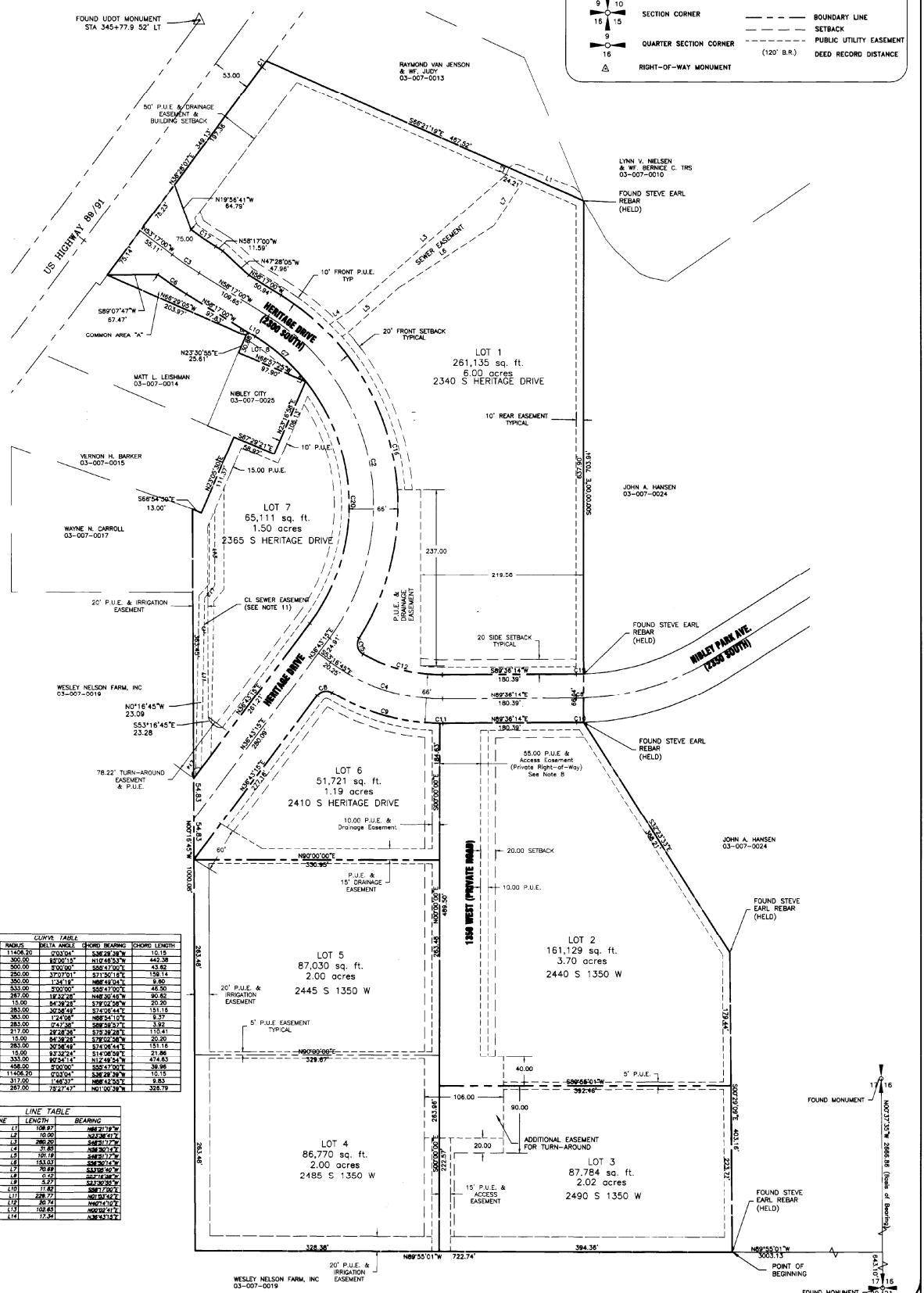
PART OF THE SW^{1/4} OF SECTION 17,
TOWNSHIP 11 NORTH, RANGE 1 EAST
SALT LAKE BASELINE & MERIDIAN
FINAL PLAT

NORTH



SCALE 1" = 60'-0"

— — — BOUNDARY LINE
— — — SETBACK
- - - - PUBLIC UTILITY EASEMENT
(120' B.R.) DEED RECORD DISTANCE



**ALLIANCE CONSULTING
ENGINEERS**

BBG-IE

SIERRA COMMERCIAL PARK
PART OF THE SW^{1/4} OF SECTION 17,
TOWNSHIP 11 NORTH, RANGE 1 EAST
SALT LAKE BASELINE & MERIDIAN
FINAL PLAT

SCALE 1"=60'	DATE 8-10-2005	ENTRY No. 898030 Filed 25 Aug 2005 (10:17 A.M.)
DRAWN BY <i>BDK</i>	DRAWING NIBLEY.DWG	 Michael L. <i>Flaherty</i> Cash Co. Recorder

ENTRY No. 898050
Filed 25 Aug 2005
10:13 A.M.

Agenda Item #13

Description	Discussion and Considerations: Ordinance 25-15—Amending 19.12.040 Mixed Residential Zone R-M, 19.20.030 Mixed Use, 19.32 Residential Planning Unit Developments (R-PUD), 19.48 Transfer of Development Rights, and 21.10.020 Open Space Subdivision, Including Modifications to Minimum/Maximum Project Acreage, Setbacks, Amenity Requirements, Rear-Loaded Housing, Mixed-Use Development, Removing R-M Application Map, and Allowing Fee In-Lieu of Open Space Requirements (Second Reading)
Presenter	Levi Roberts, City Planner
Staff Recommendation	Approve Ordinance 25-15—Amending 19.12.040 Mixed Residential Zone R-M, 19.20.030 Mixed Use, 19.32 Residential Planning Unit Developments (R-PUD), 19.48 Transfer of Development Rights, and 21.10.020 Open Space Subdivision, Including Modifications to Minimum/Maximum Project Acreage, Setbacks, Amenity Requirements, Rear-Loaded Housing, Mixed-Use Development, Removing R-M Application Map, and Allowing Fee In-Lieu of Open Space Requirements
Planning Commission Recommendation	Approve Ordinance 25-15—Amending 19.12.040 Mixed Residential Zone R-M, 19.20.030 Mixed Use, 19.32 Residential Planning Unit Developments (R-PUD), 19.48 Transfer of Development Rights, and 21.10.020 Open Space Subdivision, Including Modifications to Minimum/Maximum Project Acreage, Setbacks, Amenity Requirements, Rear-Loaded Housing, Mixed-Use Development, Removing R-M Application Map, and Allowing Fee In-Lieu of Open Space Requirements
Reviewed By	Justin Maughan, City Manager

Background:

Recently, there was an application to assign a zone of Mixed Residential (R-M) to a piece of property at approximately 3701 S 1200 W. The Planning Commission recommended to City Council to zone the property as R-2A and expressed the need to review the R-M zone to ensure its application would be appropriate on a more widespread scale. It was discussed that the Planning Commission should review the ordinance prior to this discussion.

Staff has reviewed the existing ordinance and the Planning Commission has held several workshops to discuss potential changes to the R-M ordinance. Based upon these discussion, there are a number of amendments recommended, which impact the

R-M, R-PUD and Mixed-Use development within the Town Center Area. Changes are intended to:

- Direct the R-M zone in appropriately planned areas that is consistent with the General Plan
- Disperse rather than concentrate higher density residential development
- Encourage the use of the R-PUD where appropriate
- Require some level of commercial mixed-use in appropriate areas
- Allow for a fee in-lieu of open space requirements in areas that are already well served by parks to focus open space and improvements in areas that lack open space.

Based upon these discussions and Staff's recommendation, the following changes, which are incorporated into the R-M zone, the R-PUD zone, and the Open Space Subdivision standards, where appropriate, have been incorporated into the draft ordinance:

1. Establish a minimum zone size of 10 acres and maximum zone size of 40 acres for R-M zone. This standard is intended to balance the need for a critical mass to maintain common areas and provide meaningful open space and amenities, while not concentrating higher density of one housing type in one location.
2. Lower the minimum size of R-PUD from 40 to 20 acres. This is intended to encourage the use of R-PUD in more areas, which requires a mix of housing types.
3. Raise maximum density of R-PUD from 5 to 7 units/net developable acre. This is intended to encourage use of R-PUD for larger mixed housing projects
4. Requires that 10% of land within a R-M development which is within 200 feet of State highway and within 400 feet of the intersection of two arterial streets must be for commercial use, which may include commercial/residential mixed use. Standards and specification for this regulation closely align with the mixed-use provision of commercial zones within the town center area (which requires at least 50% commercial). Additionally some clarifications and modifications are made to the former standard with regards to calculation of density, housing provision, and architectural design standards.
5. Allow an additional 2 units/acre (up to 12 units/acre) for projects that include mixed-use to incentivize mixed use development.
6. Only allow R-M zone in high-density residential and town center areas, as defined by future land use map, in support of the General Plan.
7. Amends design standard to require rear-loaded ingress/egress for multi-family housing. Although the existing ordinance encourages rear-loaded garages, they are not required. Designs with front-loading garages have a much less pedestrian-oriented street with continuous driveway access and are often difficult to effectively plow snow. A similar standard is incorporated into the R-PUD ordinance for consistency.

8. Removes the R-M Application Map from section. The R-M application map defines which parcels are eligible to be zoned as R-M. However, the future land use map provides guidance for zoning decisions. This simply adds another layer in the process of considering a rezone that may be unnecessary.
9. Modify setback standards. Allow reduced front yard setback for rear loaded units (15') while increasing rear yard setback (20') for such units.
10. Reduce building height to 40; when within 300' of existing residential zones.
11. Modify language that requires single-family within 300' of adjacent single-family. Instead limit construction to two stories and no more than 100' in building length as a transition area.
12. Remove Clubhouse, Pool or Splashpad from list of required amenities. This is to support more affordable housing options while focusing on supporting a community-wide recreation facility rather than several small private facilities.
13. Add a fee-in-lieu option for required open space and amenities for projects that are within ½ mile of City Park (>2 acres). This support the goals of the Parks, Recreation and Open Space Master Plan that focuses on improving existing parks, while requiring open space in areas that are not well served by parks

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ORDINANCE 25-15

**AMENDING 19.12.040 MIXED RESIDENTIAL ZONE R-M, 19.20.030 MIXED USE, 19.32
RESIDENTIAL PLANNING UNIT DEVELOPMENTS (R-PUD), 19.48 TRANSFER OF
DEVELOPMENT RIGHTS, AND 21.10.020 OPEN SPACE SUBDIVISION, INCLUDING
MODIFICATIONS TO MINIMUM/MAXIMUM PROJECT ACREAGE, SETBACKS, AMENITY
REQUIREMENTS, REAR-LOADED HOUSING, MIXED-USE DEVELOPMENT, REMOVING R-M
APPLICATION MAP, AND ALLOWING FEE IN-LIEU OF OPEN SPACE REQUIREMENTS**

WHEREAS, Nibley City regulates land use within Nibley City boundaries; and

WHEREAS, The Nibley City General Plan focuses on using the Future Land Use Map for growth and zoning decisions; and

WHEREAS, Nibley City Parks, Recreation and Open Space Master Plan emphasizes acquiring and maintaining new open space in strategic locations, while focusing on maintaining existing resources; and

WHEREAS, Nibley City promotes commercial and economic development in appropriate areas; and

WHEREAS, the Nibley City Moderate Income Housing Plan promotes zoning for densities necessary to facilitate the production of moderate-income housing.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The attached amendments to Nibley City Code 19.20.030, 19.32, 19.48, 21.10.020 be adopted.
2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
4. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS ____ DAY OF _____ 2025.

Larry Jacobsen, Mayor

ATTEST: _____
Cheryl Bodily, City Recorder

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19.12.040 Mixed Residential Zone R-M

- A. Purpose: The purpose of the Mixed Residential Zone is to provide a variety of housing types to accommodate the diverse housing preferences of the community's existing and future residents that are supported by an appropriate provision of jobs, retail, services, open space and amenities.
- B. Definitions: Refer to NCC 19.04 and 19.32.020
- C. Zone size: The minimum total area for an R-M zoned area shall be 10 acres. The maximum total area for an R-M zoned area is 40 acres.
- D. Location: An R-M zone may only be approved in areas designated as high-density residential or Town Center on the Future Land Use Map of the Nibley City General Plan.
- E. Use Regulations: See NCC 19.20. Allowed uses in this zone may be provided either separately from or within the same building or lot as other allowed uses, if approved pursuant to an authorized site plan.
 - 1. Commercial/ Mixed-Use Requirement: For an R-M zone development, which is partially located within 200 feet of a State Highway or within 400 feet of the intersection of two arterial streets, as defined in the Transportation Master Plan, at least 10% of land must be dedicated to commercial uses. The 10% use may include the entirety of the ground floor area of buildings with commercial uses on the ground floor or horizontally separated uses where commercial uses occupy an entire building. For buildings with partial commercial uses on a floor or vertically separated uses, only the ground floor area of the portion dedicated to commercial uses may be counted. The portion of land that is apportioned as a commercial use shall include the ground floor area of commercial uses, as described above, and supportive uses, including parking and landscaping. Parking, landscaping, and other supportive uses for a mixed-use building that are required for residential uses shall not be included as part of the land apportioned as commercial use.
 - a. For mixed commercial/residential developments that meet the requirements above, the maximum residential density shall be twelve (12) units per net developable acre with additional density allowable through transfer of development rights as described in NCC 19.48. The residential density shall be

calculated based upon the entire net developable area, including any commercial or mixed-use buildings within the development.

- b. Any commercial portion of the project that is dedicated solely to the benefit of the residential development (i.e. lease office, exclusive gym, vending, etc.) shall not count toward the required 10% required minimum area.
- c. All buildings with commercial uses shall be built to the standards in Nibley City Design Standards for Commercial and Institutional Uses except for Remodeled Residential Units as stated within this chapter.
- d. All multi-family residential buildings which do not have a commercial use shall adhere to Multifamily Housing Architectural Design Standards of NCC 19.12.040(l).

F. Space Requirements:

	Single-Family Home	Multi-Family Housing
Minimum Lot Size (sq. ft.)	4,500	-
Maximum Height	40'	50'(40') ²
Minimum Footage	50'	-
Front Yard	20'(15') ³	20'(15') ³
Front Porches	10'	10'
Side Yard	5'	10'

Side Yard Porches, Deck Overhangs	5'	5'
Side Yard Adjacent to Streets	20'(15') ³	20'(15') ³
Rear Yard	15'(20') ⁴	15'(20') ⁴
Maximum Height	40'	

Accessory-Use Setbacks	Single-Family Home	Multi-Family Housing
Front Yard	20'	20'
Side Yard	3'	3'
Side Yard Street	20'	20'
Rear Yard	1'	1'
Maximum Height	15'	15'

1. Setback and frontage requirements shall apply to each building, and not each dwelling unit.
2. If located within 300 feet of an existing R-E, R-1, R-1A, R-2, R-2A zone or an existing single-family home, maximum building height is 40 feet.

3. If housing unit is rear loaded, front yard and sideyard, street setback is reduced to 15'
4. If housing unit is rear loaded, rear yard setback is 20'.

G. Animal And Fowl Unit Regulations: See NCC 19.34.

H. Density Regulation

1. The maximum density of a residential development within the R-M zone shall be 10 units per net developable acre.
2. Proposed Multi-family housing within 300 feet of existing single-family homes is limited to two stories in height and no more than 100 feet in building length unless otherwise buffered by an arterial roadway or 300-foot width of open space including a landscaped Buffer as defined within this chapter.
3. The City may approve single family homes that do not meet the required setbacks and lot size, i.e. patio homes. These homes shall be considered 'multi-family housing' and shall assume the associated open space requirements of such.

I. Open Space Amenities

1. Each residential development within an R-M zone shall provide the following types and amounts of open space and amenities:

Minimum Open	
Dwelling Type	Percentage of Net Developable Acres Required to be Used for Amenities and Open Space

Single-Family	20%
Multi-Family or Mix of Single Family and Multi-Family	35%

2.

Minimum Amenity							
Number of Units	Park Area	Public Restroom	Pavilion	Swing Set	Playground		Sport Court/Fields
Less Than 100	1.5 Acres	-	-	-	1		-
100-150	2.5 Acres	-	-	1	1		-
151-200	3.5 Acres	-	-	1	2		1
201-250	4.5 Acres	1	1	1	2		1
251-300	5.5 Acres	1	1	1	2		1
301-400	6.5 Acres	1	2	2	3		
401-500	7.5 Acres	2	2	2	3		2
501+	*	*	*	*	*		*

- a. This chart does not include all potential amenities. The applicant may apply for other amenities that would benefit the development and are in support of Nibley City's Parks and Recreation goals. Any proposed amenities not listed, must be approved by the City Council. The City Council may also allow a substitution of amenities on the table above. These substitutions may only be approved if the cost, value and use of the amenity matches or is greater than the required amenity. The burden shall be on the developer to provide justification and is subject to review and acceptance by staff prior to Council consideration. An applicant may include additional amenities beyond the requirements of this section.
- b. Development over 500 units must supply adequate and proportional amenities based on the table above.
- c. Development may be phased according to NCC 21.02.080 and the Development Agreement. The City Council may extend phasing deadlines within the development agreement based on the size of the project and proposed amenities. Public, Common or Owners' Association-owned amenities shall be fully developed and operational in conjunction with each phase of the subdivision as a percentage of the total developed value of the subdivision (for example, if 25% of the dollar value of the development is being constructed, then a minimum of 25% of the dollar value of the built-out amenities must be developed). The determination of value, construction sequencing, and acceptance criteria shall be specified in the Development Agreement. An applicant may also provide an escrow or bond for improvements according to Nibley City Standards. Until improvements are accepted by the City for the attendant phase, no permits shall be issued for subsequent phases. Density Regulations
- d. All amenities designed and designated to be transferred to City ownership and maintenance must meet Nibley City Design Standards. The City must review and approve any improvements that will be owned and maintained by the City as part of the construction drawing review.
- e. Public and Private Park space may be combined or spread throughout the development. Each Park shall be a minimum of .25 acres. Each dwelling unit shall be within a quarter mile of a park within the development, unless otherwise approved by the City Council. Parks may be public or private. Each public park development and placement within an R-M development shall be agreed upon by the applicant and

the City Council. Park space may not include alleyways, back yards, gangways, front yards, forecourts, private patios, porches, driveways, etc.; unless proper amenities and access are provided.

- f. All amenities shall meet any federal, state, city, or other standards that apply.
- g. Sports Courts/Fields: include a facility/amenity that is built for one of the following: Tennis Court, Pickleball Court, Basketball Courts, Soccer field, Volleyball pit, Baseball field, Softball field, wallball, golf course, disc golf course, or others as approved by the City Council.
- h. Picnic Area: Two or more picnic tables for use by 10 or more persons.
- i. Pavilion: A covered picnic area. Each Pavilion must be designed for use of a minimum ten or more people.
- j. Playground: an area provided for children to play on. Each Playground must be designed for children twelve and younger. A playground must include features to appeal to children within the above age group including some of the following: slides, monkey bars, ladders, tunnels, climbers, bridges, ramps, platforms, etc. All playground equipment must be of commercial grade. Each playground must include a minimum of 8 features.
- k. Public Restroom: a room or small building with toilets and sinks that is available for use by the general public. One (1) public restroom shall contain at minimum 2 individual rooms with toilets and sinks (male/female or unisex). Larger restroom facilities may be required depending on the amount of activity projected at a particular open space/park area. All restroom facilities shall be built in compliance with the Americans with Disabilities Act (ADA).

3. Fee in-lieu of Open Space and Amenity Requirements

- a. For developments that are within ½ mile of a dedicated or master-planned City Park which is two (2) acres or greater, as identified in the Nibley City Parks, Recreation and Open Space Master Plan, a developer may pay a fee in-lieu of amenities and open space required. The fee in-lieu of amenities shall

be based upon the estimated cost to construct the required amenity. The fee in-lieu of open space required shall be based upon the acreage of the open space that is not provided and shall be set by the Consolidated Fee Schedule, adopted by the City Council.

- b. In no case shall open space within a development that includes multi-family housing be provided at a rate that is less than 10% of the net developable acreage.
- c. All fees in-lieu of open space and amenity required shall supplement the improvement and maintenance of parks and recreation facilities in Nibley City.
- d. If the developer pays a fee-in-lieu of open space requirements, the developer may develop the commensurate additional number of housing units that the fee-in-lieu offsets. For example, if the developer pays a fee-in-lieu for one (1) acre of required open space, the development is allowed up to ten (10) additional housing units or additional density if utilizing transfer of development rights (TDR), in accordance with NCC 19.48.

4. Maintenance of Amenities

- a. All R-M developments must establish and maintain in perpetuity by the property owner or an Owners Association if there are open space and amenity under common ownership, or as otherwise required by federal, state or Nibley City law. The Developer shall be a member of said Owners Association while the subdivision is being developed.
- b. Costs: Unless otherwise agreed to by the City, at the City's discretion and on such terms and conditions as the City may agree to, the cost and responsibility of maintaining amenities shall be borne by the fee owner of the property or Owners Association.
- c. Preliminary Maintenance Plan: A Preliminary Maintenance Plan shall be submitted with the preliminary plat or concept site plan for proposed maintenance of amenities within the development. This plan shall outline the following:

- 1) The proposed ownership and responsibility for maintenance of the amenities;
- 2) The proposed use of the amenities' and how each parcel of amenities meets the standards listed in this Chapter;
- 3) The size of each amenities parcel; and
- 4) The proposed concept plan for landscaping of the amenities.

d. Final Maintenance Plan: The developer shall submit a plan outlining maintenance and operations of the amenities and providing for and addressing the means for the permanent maintenance of the amenities within the proposed R-M application for the subdivision or development. The developer shall provide a final maintenance plan with the final plat or site plan and the plan shall contain the following:

- 1) Documents and plans as listed in for the Preliminary Maintenance Plan.
- 2) A description of the use of the amenities and how that use complies with this Chapter;
- 3) The establishment of necessary regular and periodic operation and maintenance responsibilities for the various kinds of amenities (e.g., lawns, playing fields, meadow, pasture, wetlands, stream corridors, hillsides, clubhouse, pool, woodlands, etc.) and any private streets and other accesses;
- 4) The estimated staffing needs, insurance requirements, and associated costs.
- 5) The landscaping plans for parcels that will be owned by an Owners Association or by the City.

e. Approval: The Final Maintenance Plan must be approved by the Administrative Land Use Authority for a Subdivision application or the specified approval authority for a site plan review application, prior to or concurrent with final plat approval for the subdivision. The Final Maintenance Plan shall be recorded against the property within the subdivision before any property or lots are sold or transferred and shall include provisions for the City's corrective action rights as set forth herein. Any changes or amendments to the Final Maintenance Plan must be approved by the Administrative Land Use Authority for a Subdivision application or the specified approval authority for a site plan review application. .

- f. The developer shall offer an approved letter of credit, bond or escrow for all proposed improvements as set forth in NCC 21.14.
- g. Failure to Maintain: The City may assume responsibility for the maintenance and operation of any portion of any amenity or common facility within an R-M development in the event the party responsible for maintaining or operating the amenity fails to do so in accordance with the terms of this Ordinance, the approved Maintenance Agreement, any Conditional Use Permits, Business Licenses or any other agreements between the City and the developer, owners, or other parties responsible for maintaining or operating amenities. If the City assumes responsibility under this paragraph, any remaining development escrow or bond funds may be forfeited, costs, fees, and liens for maintenance costs shall be assessed as described herein, and any permits, licenses or operating agreements may be revoked or suspended by the City in the City's sole discretion. Owners shall not impede the City in its efforts to maintain the amenities.
- h. Corrective Action: The City may enter onto any amenity provided as part of an R-M development and take such corrective action, including extended maintenance, repairs, modifications, or the execution of additional agreements, as the City determines is necessary for the amenity to satisfy the terms of this Ordinance, the approved Maintenance Agreement, any Conditional Use Permits, Business Licenses or any other agreements between the City and the developer, owners, or other parties responsible for maintaining or operating amenities. The costs of such corrective action shall be charged to the owners and may include administrative costs, legal costs, and penalties. Such costs shall become a lien on said properties. Notice of such lien shall be filed by the City in the county recorder's office. The maintenance plan and all other documents creating or establishing any Association or conservation organization for the property shall reference the City's corrective action authority set forth herein and shall be recorded against the property before any property or lots are sold or transferred.
- i. Implementation and Maintenance: The developer of the subdivision shall fund implementation and maintenance of the amenities until such time as the control of the amenity is transferred to the owner listed in the maintenance plan. The developer shall address the implementation, development,

maintenance and transfer procedures in the sensitive area designation plan map or master development plan, as applicable.

- j. Maintenance Access: The developer of the subdivision shall provide sufficient maintenance access from a dedicated right-of-way to all amenities and constrained and sensitive lands within the R-M DEVELOPMENT to allow the owner of the property to have sufficient access.

J. Multifamily Housing Architectural Design Standards

1. General Design Concepts. New development shall be designed for its specific context within Nibley City. Developments shall possess a similar design theme, and the site shall be designed such that the overall development is cohesive. Building architecture, exterior materials, and colors shall coordinate.
2. All facades shall include architectural treatments to provide visual interest and to differentiate individual units. These design standards shall be applicable to all sides of a building, with each façade (front, rear, and side) being required to meet the terms of this Section.
3. Building Materials. The majority of each façade (51% or more of the wall area excluding windows and doors) shall be constructed of the following hard surface building materials: brick, stone, stucco, treated or split face decorative block (CMU), fiber cement siding, concrete, composite siding, vinyl siding with a minimum of 40-year warranty, or other durable building material as approved by the City Council. EIFS or untreated concrete block (CMU) may be allowed as an accent or secondary material only. The Planning Commission may approve metal as an exterior building material and as a primary material on a case-by-case basis if an applicant can show that the type of metal is of a high grade and provides architectural quality to a building.
4. Vertical Separation. Buildings in excess of one (1) story in height shall exhibit architectural detailing that establishes a vertical separation between lower and upper stories. This may be accomplished by a mid-façade cornice or trim, a change in material, style or color, a façade step-back or roof pitch with dormer windows, or other methods

5. **Building Entrances.** Building entrances shall have porches and shall be oriented toward the street or an open space area and provide connecting pedestrian access between the street, parking or open space areas.
6. **Variation.** Multi-family housing shall be designed with architectural wall variations spaced at intervals of thirty (30) to fifty (50) feet in linear width, depending on the size of the building. The following architectural features shall be incorporated into the design of the building:
 - a. Change in building materials;
 - b. Building projections measuring at least twelve (12) inches in depth based on the scale of the proposed building;
 - c. Awnings and lighting, or another architectural variation as approved on a case-by- case basis that creates visual interest.
7. **Garages and Parking Orientation.**
 - a. Multi-family housing, including townhomes, condominiums and apartments, shall be designed oriented toward exterior public roads with rear loading garages or parking accessed by a paved parking area or alleyway, except along Highway 165 and 89/91, as approved. Rear loading garages are required for buildings located on interior public roads with units oriented toward a public street, trail or common courtyard area Front loading garages that face a public street are not allowed for multi-family buildings.
 - b. For single-family housing, front loading garages are allowed on interior public roads. Driveway access is limited to one driveway access each eighty (80) feet of frontage. For lots that are narrower than eighty (80) feet wide, shared driveway access or rear-loaded access is required. Residential driveway width is limited to twenty-four (24) feet wide, whether for shared or single access to single-family housing.

K. Site Design Standards.

1. **Natural features.** R-M developments shall respect and maintain natural features such as existing trees, hills, drainages, wetlands, bodies of water, or other natural features or constrained and sensitive land. The City may

require the developer to identify, delineate, and describe how the development will appropriately address and obtain any required authorizations related to such features.

2. A landscaping plan for the front yards shall be included. The landscaping plan shall include at least one (1) tree for every dwelling unit, and two (2) shrub of five (1) gallon size for each dwelling units. Coniferous trees shall be at least six (6) feet in height and the deciduous trees shall be at least one and a half (1.5) inches in caliper.

L. **Connectivity.** R-M developments shall provide connectivity with the surrounding area and throughout the development. All improvements shall consider vehicle, bicycle, and pedestrian access.

1. **Street Design:** All street designs shall comply with the General Plan and Transportation Master Plan including Nibley City's street standards and connectivity requirements. Each development shall provide at least two working access points that provide access to an existing street right-of-way. Additional access points may be required in order to facilitate an adequate and convenient circulation system within the City. Such additional access points will be located where they will implement the City's Transportation Master Plan, connect to existing street rights of way, or provide access for the logical development of adjacent, undeveloped properties.
2. All streets are encouraged to incorporate traffic calming and beautification methods as listed in Nibley City design standards and Transportation Master Plan. This included islands, bulb-outs, roundabouts, etc. Each traffic calming measure shall be approved by the City Engineer.
3. All Streets shall be dedicated public streets built to Nibley City Code and standards. Private drives shall only be built to access parking courts or garages that are located directly behind each unit.
4. Private Drives/Alleyways provide vehicular access to parking and dwelling units but do not provide primary pedestrian access to units. Private Drives are intended to be used primarily for vehicular circulation and dwelling access and should be visually distinct from streets.
 - a. Private drives shall be a minimum width of 20 ft.
 - b. All private drives shall be perpendicular, within 10 degrees, to the street they connect to.

- c. Driveways that access a single dwelling unit are not considered private drives or an alleyway
- d. The maintenance of all private drives, including snow clearing, shall be addressed as part of the maintenance plan

5. Developments shall provide a pedestrian access to the development border at intervals at a minimum of 660 feet unless expressly prohibited by conflicting with previously developed subdivisions or land use as determined by the land use authority. These access points shall be aligned with other trail systems, street right-of-way, or amenities and shall match the layout and size of the connection. A connection shall contain a minimum of eight ft (8') trail or sidewalks on public streets that meet Nibley City standards.
6. No dwelling units in an R-M development shall have driveway access to any arterial roadway as listed in Nibley's Transportation Master Plan. Multi-family housing units may face and have frontage along arterial roadways but must have rear loading garages. Public and private parks, open space or Buffering as defined within this chapter may also be along arterial roads.

M. Pedestrian circulation. R-M development shall provide a circulation map and show the following improvements to for pedestrian circulation and safety.

1. Pedestrian walkways that interconnect the adjacent street(s), amenities, parking areas, building entries, adjacent sites and adjacent master planned trails where applicable. Each building located along a public road must provide a sidewalk connection from the building entrance to the public sidewalk.
2. Walkways shall be hard surfaced with concrete.
3. Crosswalks shall be placed where pedestrian walkways cross streets and internal roads and shall be painted or made of concrete.
 - a. The development shall provide connections to the Nibley City trail system. These trails must be dedicated to the City and built to Nibley City standards as listed in the Trails Master Plan and Nibley City Design Standards.

N. Parking: Multi-family housing shall provide 2 primary parking spaces for each unit with 2 or more bedrooms and 1.5 spaces for 1 bedroom or studio units. Primary parking must be contained in a garage, carports, driveway, or parking court. An R-M development shall provide one guest parking spot for every three units. Guest parking may be provided in parking courts or lots maintained by the property owner or owner association.

1. Individual parking courts or lots shall include landscaping with grass, trees or xeriscape plants separating parking areas of no more than 20 parking spaces. Each parking area of 20 or less spaces shall be physically and visually separated by a landscape area a minimum of 10 feet in width.
2. Parking courts or lots shall be located in the interior of the development and located between or in the rear of buildings for multi-family developments.
3. Parking Courts or lots shall be paved and built to Nibley City parking lot standards.
4. Interior parking structures or garages are encouraged and shall meet Nibley City Design Standards

O. Landscaping: All portions of the lot not improved with structures or other impervious surfaces shall be maintained with suitable landscaping of plants, trees, shrubs, grasses, or similar landscaping materials.

1. Landscaping shall also be installed in all park strips to the same standards as other onsite landscaping. Asphalt, concrete, bricks, pavers, railroad ties, and other nonvegetative material are not allowed in the park strip area between the curb and sidewalk. Xeriscaping is permitted. The developer should plant street trees of an approved species and size along all streets. Trees should be planted at intervals of every 50 feet and must meet Nibley City Standards.
2. Buffering: R-M developments shall provide buffering along Highway 89/91 or Highway 165, or along the boundary of an R-M development that is adjacent to commercial, or industrial zones. Buffering landscaping is not required if commercial or industrial zones are separated by a public street from the R-M development. Buffering shall meet the standards within this ordinance.

3. Natural Landscape: All open space land dedicated to natural use must maintain its natural landscaping and plant life.

P. Fences:

1. Permitted Fences: Dwelling units are allowed to install and construct fences in compliance with NCC 19.24.090. Vinyl fences are only permitted in an R-M development for the purpose to mark property lines of individual dwelling units.
2. Fencing to mark the boundary of the development or amenities must meet the following standards:
 - a. Opaque fences or walls must only be 4 feet tall. Any fencing above 4 feet must be at a minimum 80% transparent.
 - b. Fencing and walls must be constructed out of concrete, bricks, rock, or metal bars. Chain link fences are prohibited and vinyl fences are prohibited unless used to mark the property boundary of the dwelling unit. Wood may only be used in a rail or agricultural-type fencing. Other materials may be approved by the Planning Commission based on the longevity of the material and if the material will aesthetically enhance the property. Walls and fencing shall also comply with NCC 19.24.090 and other fencing setback requirements as contained within Nibley City Code.

Q. Approval Process

1. Subdivisions within the R-M zone must complete the approval process of NCC 21.06 to ensure compliance with this section. All multifamily development that does not require a subdivision must complete the Site Plan Review Process of NCC 19.14.050.

19.32.050 Open Space Amenities

- A. Each R-PUD shall provide the following types and amounts of open space and amenities:

Minimum Open Space Requirement

Dwelling Type	Percentage of Net Developable Acres Required to be Used for Amenities and Open Space
Single Family	20%
A Mix of Single Family, Townhomes and Condominiums	35 %

Minimum Amenity

Number of Units	Park Area	Public Restroom	Pavilion	Swing Set	Playground	
Less Than 100	1.5 Acres	-	-	-	1	
100-150	2.5 Acres	-	-	1	1	
151-200	3.5 Acres	-	-	1	2	
201-250	4.5 Acres	1	1	1	2	

251-300	5.5 Acres	1	1	1	2	
301-400	6.5 Acres	1	2	2	3	
401-500	7.5 Acres	2	2	2	3	
501+	*	*	*	*	*	

1. This chart does not include all potential amenities. The applicant may apply for other amenities that would benefit the R-PUD and are in support of Nibley City's Parks and Recreation goals. Any proposed amenities not listed, must be approved by the City Council. The City Council may also allow a substitution of amenities on the table above. These substitutions may only be approved if the cost, value and use of the amenity matches or is greater than the required amenity. The burden shall be on the developer to provide justification and is subject to review and acceptance by staff prior to Council consideration. An applicant may include additional amenities beyond the requirements of this section.
2. Development over 500 units must supply adequate and proportional amenities based on the table above.
3. Development may be phased according to NCC 21.02.080 and the Development Agreement. The City Council may extend phasing deadlines within the development agreement based on the size of the project and proposed amenities. Public and Owners' Association-owned amenities shall be fully developed and operational in conjunction with each phase of the subdivision as a percentage of the total developed value of the subdivision (for example, if 25% of the dollar value of the development is being constructed, then a minimum of 25% of the dollar value of the built-out amenities must be developed). The determination of value, construction sequencing, and acceptance criteria shall be specified in the Development Agreement. An applicant may also provide an escrow or bond for improvements according to Nibley City Standards. Until improvements are accepted by the City for the attendant phase, no permits shall be issued for subsequent phases.

4. All amenities designed and designated to be transferred to City ownership and maintenance must meet Nibley City Design Standards. The City must review and approve any improvements that will be owned and maintained by the City as part of the construction drawing review.
5. Public and Private Park space may be combined or spread throughout the development. Each Park shall be a minimum of .25 acres. Each dwelling unit shall be within a quarter mile of a park within the development, unless otherwise approved by the City Council. Parks may be public or private. Each public park development and placement within an R-PUD shall be agreed upon by the applicant and the City Council. Park space may not include alleyways, back yards, gangways, front yards, forecourts, private patios, porches, driveways, etc.; unless proper amenities and access are provided.
6. All amenities shall meet any federal, state, city, or other standards that apply.
7. Sports Courts/Fields: include a facility/amenity that is built for one of the following: Tennis Court, Pickleball Court, Basketball Courts, Soccer field, Volleyball pit, Baseball field, Softball field, wallball, golf course, disc golf course, or others as approved by the City Council.
8. Picnic Area: Two or more picnic tables for use by 10 or more persons.
9. Pavilion: A covered picnic area. Each Pavilion must be designed for use of a minimum ten or more people.
10. Playground: an area provided for children to play on. Each Playground must be designed for children twelve and younger. A playground must include features to appeal to children within the above age group including some of the following: slides, monkey bars, ladders, tunnels, climbers, bridges, ramps, platforms, etc. All playground equipment must be of commercial grade. Each playground must include a minimum of 8 features.
11. Public Restroom: a room or small building with toilets and sinks that is available for use by the general public. One (1) public restroom shall contain at minimum 2 individual rooms with toilets and sinks (male/female or unisex). Larger restroom facilities may be required depending on the amount of activity projected at a particular open space/park area. All restroom facilities shall be built in compliance with the Americans with Disabilities Act (ADA).

12.

B. Maintenance of Amenities

1. All R-PUDs must establish and maintain in perpetuity an Owners Association if there are open space and amenity under common ownership, or as otherwise required by federal, state or Nibley City law. The Developer shall be a member of said Owners Association while the subdivision is being developed.
2. Costs: Unless otherwise agreed to by the City, the cost and responsibility of maintaining amenities shall be borne by the fee owner of the property that is part of the R-PUD or Owners Association.
3. Preliminary Maintenance Plan: A Preliminary Maintenance Plan shall be submitted with the preliminary plat for proposed maintenance of amenities within the development. This plan shall outline the following:
 - a. The proposed ownership and responsibility for maintenance of the amenities;
 - b. The proposed use of the amenities' and how each parcel of amenities meets the standards listed in this Chapter;
 - c. The size of each amenities parcel; and
 - d. The proposed concept plan for landscaping of the amenities.
4. Final Maintenance Plan: The developer shall submit a plan outlining maintenance and operations of the amenities and providing for and addressing the means for the permanent maintenance of the amenities within the proposed R-PUD application for the subdivision. The developer shall provide a final maintenance plan with the final plat and the plan shall contain the following:
 - a. Documents and plans as listed in for the Preliminary Maintenance Plan.
 - b. A description of the use of the amenities and how that use complies with this Chapter;

- c. The establishment of necessary regular and periodic operation and maintenance responsibilities for the various kinds of amenities (e.g., lawns, playing fields, meadow, pasture, wetlands, stream corridors, hillsides, clubhouse, pool, woodlands, etc.);
 - d. The estimated staffing needs, insurance requirements, and associated costs.
 - e. The landscaping plans for parcels that will be owned by an Owners Association or by the City.
- 5. Approval: The Final Maintenance Plan must be approved by the Administrative Land Use Authority prior to or concurrent with final plat approval for the subdivision. The Final Maintenance Plan shall be recorded against the property within the subdivision before any property or lots are sold or transferred and shall include provisions for the City's corrective action rights as set forth herein. Any changes or amendments to the Final Maintenance Plan must be approved by the Administrative Land Use Authority.
- 6. The developer shall offer an approved letter of credit, bond or escrow for all proposed improvements as set forth in NCC 21.14.
- 7. Failure to Maintain: The City may assume responsibility for the maintenance and operation of any portion of any amenity or common facility within an R-PUD in the event the party responsible for maintaining or operating the amenity fails to do so in accordance with the terms of this Ordinance, the approved Maintenance Agreement, any Conditional Use Permits, Business Licenses or any other agreements between the City and the developer, owners, or other parties responsible for maintaining or operating amenities. If the City assumes responsibility under this paragraph, any remaining development escrow or bond funds may be forfeited, costs, fees, and liens for maintenance costs shall be assessed as described herein, and any permits, licenses or operating agreements may be revoked or suspended by the City in the City's sole discretion. Owners shall not impede the City in its efforts to maintain the amenities.
- 8. Corrective Action: The City may enter onto any amenity provided as part of an R-PUD and take such corrective action, including extended maintenance, repairs, modifications, or the execution of additional agreements, as the City determines is necessary for the amenity to satisfy the terms of this Ordinance, the approved Maintenance

Agreement, any Conditional Use Permits, Business Licenses or any other agreements between the City and the developer, owners, or other parties responsible for maintaining or operating amenities. The costs of such corrective action shall be charged to the owners and may include administrative costs, legal costs, and penalties. Such costs shall become a lien on said properties. Notice of such lien shall be filed by the City in the county recorder's office. The maintenance plan and all other documents creating or establishing any Association or conservation organization for the property shall reference the City's corrective action authority set forth herein and shall be recorded against the property before any property or lots are sold or transferred.

9. Implementation and Maintenance: The developer of the subdivision shall fund implementation and maintenance of the amenities until such time as the control of the amenity is transferred to the owner listed in the maintenance plan. The developer shall address the implementation, development, maintenance and transfer procedures in the sensitive area designation plan map or master development plan, as applicable.
10. Maintenance Access: The developer of the subdivision shall provide sufficient maintenance access from a dedicated right-of-way to all amenities and constrained and sensitive lands within the R-PUD to allow the owner of the property to have sufficient access.

C. Fee in-lieu of Open Space and Amenity Requirements

1. For developments that are within ½ mile of a dedicated or master-planned City Park which is two (2) acres or greater, as identified in the Nibley City Parks, Recreation and Open Space Master Plan, a developer may pay a fee in-lieu of amenities and open space required. The fee in-lieu of amenities shall be based upon the estimated cost to construct the required amenity. The fee in-lieu of open space required shall be based upon the acreage of the open space that is not provided and shall be set by the Consolidated Fee Schedule, adopted by the City Council.
2. In no case shall open space within a development that includes multi-family housing be provided at a rate that is less than 10% of the net developable acreage.

3. All fees in-lieu of open space and amenity required shall supplement the improvement and maintenance of parks and recreation facilities in Nibley City.
4. If the developer pays a fee-in-lieu of open space requirements, the developer may develop the commensurate additional number of housing units that the fee-in-lieu offsets. For example, if the developer pays a fee-in-lieu for one (1) acre of required open space, the development is allowed up to seven (7) additional housing units or additional density if utilizing transfer of development rights (TDR), in accordance with NCC 19.48.

19.32.040 Area And Density Regulations

1. Minimum development size: The minimum total area for an R-PUD shall be 20 acres
2. Housing Types: Only single-family homes and town homes are allowed in the R-PUD in residential areas, except as allowed in the Town-Center Area. The density shall be based on Net Developable Acres of the development as follows:
 1. Equal to or less than 7 units per Net Developable Acre a. Single Family Home R-PUD must contain a minimum of 50 units.
 2. A Mix of Single Family and Townhomes: Equal to or less than 5 units per Net Developable Acre. Up to 60% of dwelling units can be townhomes. a. A Mix of Single Family and Townhomes R-PUD must contain a minimum of 120 units.
3. Town-Center: The area as marked on R-PUD Application Map in NCC 19.32.030 (B) as Town- Center Area shall have the following Housing Requirements.
 1. Single Family Home Development and Mix of Single Family and Townhome Development shall be governed by NCC 19.32.040 (A).

2. A Mix of Single Family, Townhomes and Condominiums: Equal to or less than 7 units per Net Developable Acre. Up to 40% of the units can be condominiums, and a minimum of 40% of homes must be single family homes.
4. Housing of a proposed R-PUD adjacent to existing single-family homes is limited to two stories in height and no more than 100 feet in building length unless otherwise buffered by an arterial roadway or 300-foot width of open space including a landscaped Buffer as defined within this chapter.
5. The City may approve single family homes that do not meet the required setbacks and lot size, i.e. patio homes. These homes shall not be counted toward the single-family home requirements contained in this section and shall be counted toward the number of townhomes.

19.32.060 General Requirements

- A. The R-PUD should be compatible with surrounding land uses, building types and physical features of the site. Specific requirements are included below:
- B. Determination of Net Developable Land:
 1. In calculating what portion of the project is considered developable, areas designated as constrained and sensitive land may not be included in the project size.
 2. If the constrained and sensitive land, property along waterways or other natural landscapes may reasonably be turned into a publicly-accessible amenity, it may be re-included in the project size.
 3. Net Developable Land must comply with the definition within this chapter.
- C. Site Development Standards: The following shall serve as the setback/site development standards for each proposed R-PUD.

	Single-Family Home	Townhome	Patio Home	Condo
Minimum Lot Size (sq. ft.)	4,500	—	—	—
Minimum Frontage	50'	—	—	—
Primary -Use Setbacks				
Front Yard	20'(15') ³	20'(15') ³	20'(15') ³	30'(15') ³
Front Porches	10'	10'	10'	10'
Side Yard	5'	10'	0'	10'
Side Yard Porches, Deck, Overhangs	5'	5'	0'	5'
Side Yard Adjacent to Streets	20'(15') ³	20'(15') ³	20'(15') ³	25'(15') ³
Rear Yard	15'(20') ⁴	15'(20') ⁴	15'(20') ⁴	15'(20') ⁴
Maximum Height	40'	40'	40'	40'

Accessory-Use Setbacks	Single-Family Home	Townhome	Patio Home	Condo
Front Yard	20'	20'	20'	20'

Side Yard	3'	3'	3'	3'
Side Yard Street	20'	20'	20'	20'
Rear Yard	1'	1'	1'	1'
Maximum Height	15'	15'	15'	15'

1. Setback and frontage requirements shall apply to each building, and not each dwelling unit
2. All other setbacks shall comply with Nibley City Code.
3. If housing unit is rear loaded, front yard and sideyard, street setback is reduced to 15'
4. If housing unit is rear loaded, rear yard setback is 20'.
5. All buildings and landscaping shall comply with NCC 19.24.110 Clear View of Intersecting Streets as amended.

D. Signs: Any signs proposed for the development, other than traditional street signs, must conform to Nibley City Code.

E. All property developed as Townhomes or Condominiums, must be subject to covenants, conditions and restrictions and must be subject to and governed by an owner's associations in compliance with Utah Code Annotated Title 57.

1. In addition, each owner's association must have a governing board made up of property owners within the R-PUD, but general administration and maintenance of the development may be handled with a property manager. Any R-PUD that contains townhome must have onsite management, outside professional management or onsite point of contact.

F. Amenities and Open Space: Maintenance and ownership of amenities and Open space may be provided for under one of the following options as approved by the City Council in the City Council's discretion. The City may require any

Amenities or Open Space within the R-PUD to be dedicated to Nibley City in order to fulfill goals listed in the Parks, Trails, and Recreation and Open Space Master Plan, or to further public good and advance goals within the General Plan or other Master Plans of the Nibley City:

1. Dedication of the land to Nibley City as a public park or parkway system; or
2. Granting to the city a permanent amenities easement on and over the said private amenities to guarantee that the amenities remain perpetually in recreation use, with ownership and maintenance being the responsibility of a homeowners' association established with articles of association and bylaws; or
3. Adoption of covenants, conditions, and restrictions and creation of an owners' association that provides for the payment of common expenses for the upkeep of common areas and facilities.

G. Bond: For each phase, the developer shall be required to provide guarantees as set forth in NCC 21.14.

H. Subsequent Subdivision: If the R-PUD is to be subsequently divided either as a subdivision into phase development parcels or separately owned and operated units, such division boundaries shall be indicated on the development plan and preliminary subdivision approval concurrently obtained in the case of a subdivision.

I. Subdivision Regulations: Any part of an R-PUD that is proposed as a subdivision is subject to the provisions of the subdivision title and the standards, conditions, and restrictions of the base zoning, unless superseded by the provisions of this ordinance.

19.32.080 Development Standards

These standards are intended to create R-PUD developments that will establish permanent neighborhoods and provide a sense of community. To meet the intent of this section, the following provisions shall be applied to all new multi-family residential and mixed-use developments. For exterior remodels, these standards shall be required. Commercial areas of an R-PUD must comply with Nibley City Commercial design standards for commercial developments.

A. Townhome, Patio Homes, and Condominium Architectural Standards

1. General Design Concepts. New development shall be designed for its specific context within Nibley City. Developments shall possess a similar design theme, and the site shall be designed such that the overall development is cohesive. Building architecture, exterior materials, and colors shall coordinate.
2. All facades shall include architectural treatments to provide visual interest and to differentiate individual units. These design standards shall be applicable to all sides of a building, with each façade (front, rear, and side) being required to meet the terms of this Section.
3. Building Materials. The majority of each façade (51% or more of the wall area excluding windows and doors) shall be constructed of the following hard surface building materials: brick, stone, stucco, treated or split face decorative block (CMU), fiber cement siding, concrete, composite siding, or other durable building material as approved by the City Council. EIFS or untreated concrete block (CMU) may be allowed as an accent or secondary material only. The Planning Commission may approve metal as an exterior building material and as a primary material on a case-by-case basis if an applicant can show that the type of metal is of a high grade and provides architectural quality to a building.
4. Vertical Separation. Buildings in excess of one (1) story in height shall exhibit architectural detailing that establishes a vertical separation between lower and upper stories. This may be accomplished by a mid-façade cornice or trim, a change in material, style or color, a façade step-back or roof pitch with dormer windows, or other methods.
5. Building Length: Building length shall not exceed 150 feet.
6. Building Entrances. Building entrances shall have porches and shall be oriented toward the street or an open space area and provide connecting pedestrian access between the street, parking or open space areas.
7. Variation. Townhome dwellings units shall be designed with architectural wall variations spaced at intervals of thirty (30) to fifty (50) feet in linear width, depending on the size of the building. The following architectural features shall be incorporated into the design of the building:
 1. Change in building materials;

2. Building projections measuring at least twelve (12) inches in depth based on the scale of the proposed building;
3. Awnings and lighting, or another architectural variation as approved on a case-by- case basis that creates visual interest.
8. Garages. Townhomes shall be designed oriented toward exterior public roads with rear loading garages accessed by a paved parking area or alleyway, except along Highway 165 and 89/91 as approved. Rear loading garages are highly encouraged for townhomes located on interior project roads with units oriented toward a road or common courtyard area. Front loading garages may be allowed for townhomes that do not have any portion of the building adjacent to a current or planned public road or street outside of the development. Multiple unit structures shall have garages incorporated into the primary structure. At least fifty percent (50%) of units shall contain a two-car garage. Detached garages are prohibited in R-PUDs

19.20.030 Mixed Use

- A. Any mix of permitted or conditional uses listed in this section is allowed within the same lot or parcel, whether within the same building or in a permitted accessory building, provided that all setbacks and other applicable standards of this Title are adhered to for each use. Buildings containing mixed uses shall comply with the most restrictive standard among the standards applicable to the uses within the building.
- B. Within the Town Center Area, as described in NCC 19.32.030(B), housing is allowed within Commercial and Neighborhood Commercial Zones as part of a mixed use development. Within such developments, at least 50% of land must be dedicated to commercial uses. The 50% use may include the entirety of the ground floor area of buildings with commercial uses on the ground floor or horizontally separated uses where commercial uses occupy an entire building. For buildings with partial commercial uses on a floor or vertically separated uses, only the ground floor area of the portion dedicated to commercial uses may be counted. The portion of land that is apportioned as a commercial use shall include the ground floor area of commercial uses, as described above, and supportive uses, including parking and landscaping. Parking, landscaping, and other supportive uses for a mixed-use building that are required for residential uses shall not be included as part of the land apportioned as commercial use. The maximum residential density shall

be ten (10) units per net developable acre with additional density allowable through transfer of development rights as described in NCC 19.48. The residential density shall be calculated based upon the entire net developable area, including any commercial or mixed-use buildings within the development.

1. All buildings with commercial uses shall be built to the standards in Nibley City Design Standards for Commercial and Institutional Uses except for Remodeled Residential Units as stated within this chapter.
2. All multi-family residential buildings which do not have a commercial use shall adhere to Multifamily Housing Architectural Design Standards of NCC 19.12.040(l).

19.48.030 Transfer Of Development Rights Receiving Overlay

C. Receiving Areas Identified.

1. Receiving areas shall be designated on the official Zoning Map of Nibley City and shall function as overlay zones, such that all the provisions of the underlying zone shall apply, unless altered by the provisions of the overlay.
2. Where a property is partially contained within a Receiving Area, only the portion of the property contained within the Receiving Area may be used for the purposes of applying transferable development rights (TDRs).
3. A property owner may apply to have their property be designated as a Receiving Area and rezoned to receive the Transfer of Development Rights Receiving Overlay Zone through the City's rezoning process set forth in 19.02.
4. The City Council may designate additional areas as a Receiving Area through the City's rezoning process. The Zoning Map should be updated upon designation. For future receiving area designations, the Planning Commission and City Council, in accordance with City Code, shall consider the ability of the property, utilities, nearby roadway networks, transportation system capacities and options, and other land use characteristics to accommodate additional density on the property.

5. A receiving property that brings TDR credits to their property may only use the development rights permitted in accordance with the existing zoning regulations applicable to the receiving property and as shown in the table below:

Base Zone	Base Density	Receiving Area Allowable Density Increase
R-1, R-1A, R-2, R-2A Zones	As per zone	Up to 50% increase over zone requirements
R-RUD eligible areas	7 units per net developable acre	Up to 15 units per net acre
R-M eligible areas	10 units per net developable acre	Up to 20 units per net acre
Residential/Commercial mixed use Projects within C or C-N zones	As per existing zone	Up to 15 units per net acre

Commercial mixed use developments within a TDR receiving overlay zone and a Commercial or Neighborhood Commercial zone must include a minimum of 50% of land for commercial uses. The 50% use may include the entirety of the ground floor area of buildings with commercial uses on the ground floor or horizontally separated uses where commercial uses occupy an entire. For buildings with partial commercial uses on a floor or vertically separated uses, only the ground floor area of the portion dedicated to commercial uses may be counted. The portion of land that is apportioned as a commercial use shall

include the ground floor area of commercial uses, as described above, and supportive uses, including parking and landscaping. Parking for a mixed-use building that is required for residential uses shall not be included as part of the land apportioned as commercial use. The residential density shall be calculated based upon the area that is dedicated to residential uses, including any mixed-use buildings. Any residential uses along 4400 South or Highway 89/91 shall be setback at least 500 feet from each right-of-way. Properties designated as receiving areas and with proof of transferred development credits, as shown in City and County records, shall be vested in the density of the underlying zone plus the additional development credits up to the limits shown in "e" above. Properties designated as receiving areas that are within R-PUD or R-M eligible areas shall be vested in the density of the R-PUD or R-M zoning designation plus additional development credits up to the limits shown in "e" above. Transfer of Development Rights to Receiving Properties shall comply with the following:

1. Any proposed transfer of development rights may be initiated only upon completing an Eligibility application by the owners of the sending properties, holders of a TDR Certificate, or owners of the receiving properties.
2. Nibley City may not require property owners to transfer or receive a transfer of development rights as a condition of the development of any property, however no increases in density beyond what the existing zone allows shall be given without proof of transferrable development credits from a sending property.
3. The record owner of receiving property within the Transfer of Development Rights Receiving Overlay Zone shall file an application for a determination of eligibility to determine the number of transferrable residential development rights available to be transferred and affixed to one or more receiving properties in compliance with this ordinance. Such application shall include:
 1. A completed determination of eligibility application and TDR Certificate from the sending property.
 2. A tax map, plat or site plan outlining the boundaries of the property for each lot, tract or parcel as described in the deed.
 3. The existing zoning of the property.
 4. A title policy or other title documentation for the receiving property including a legal description of the receiving property.

5. A copy of a survey plat of the proposed receiving parcel prepared by a surveyor licensed in the State of Utah.
6. Water shares or rights necessary to support the new project as provided in NCC 21.12.020.
7. A statement of the number of residential development rights proposed to be transferred and affixed as residential development rights to one or more receiving properties, and calculations upon which the number is based.
8. All applicable fees.
9. A signed conservation easement agreement covering the sending property with a certified Land Trust, non-profit organization or Nibley City
10. Any additional information required by Nibley City, shown in the application, as necessary to determine the number of residential development rights that qualify for transfer.

4. The City shall provide a written statement of the maximum number of TDRs available to be transferred and affixed to one or more receiving properties.
5. A transfer of development rights occurs when the owner of the development rights records a Deed of Transfer against the receiving property in the land records of Cache County.
6. The Deed of Transfer shall be executed by the sending area property owners of the development rights being transferred, and any lien holders of such property owners, and shall identify the development rights being severed, and the sending properties and/or the receiving properties, as applicable.
7. No Deed of Transfer may be recorded among the land records of Cache County unless the Deed of Transfer contains a copy of the signed TDR Certificate by the City Planner indicating the number of residential development rights being transferred and/or affixed to one or more receiving properties.
8. Upon recordation of the Deed of Transfer, the transferable development rights are conveyed to one or more parties and/or are affixed to one or more receiving properties stated in the Deed of Transfer.

9. The Deed of Transfer shall be in a form substantially similar to the Deed of Transfer attached as exhibit "C" to this ordinance and shall otherwise comply with the requirements of this ordinance and any changes to the deed attached as an exhibit in a particular case shall be in a form that is approved by the Nibley City Attorney.

10. Any transfer of development rights to a receiving property pursuant to this ordinance only authorizes an increase in maximum residential density over the base density as per the table in "d" above.

11. The existing zoning district regulations may be reduced/modified in terms of the following table:

	R-M Eligible Areas	R-PUD Eligible Areas	R-1	R-1A
Minimum lot area ¹ (Single-family) ²	4,500 sq. ft.	4,500 sq. ft.	14,000 sq. ft	12,000 sq. ft
Minimum lot width ³	50'	50'	100'	80'
Minimum front yard setback (principal use) ⁴	7'	7'	20'	
Minimum garage front setback ⁵	20'	20'	25'	
Minimum side yard, interior setback	5'		10'	

Minimum side yard, street setback	15'	20'	
Minimum rear yard setback ⁶	10'	20'	
Parking	10% parking minimum reduction	10% parking minimum reduction	
Unit Types & Unit Split	Not applicable	A minimum of 20% percent of the units must be single-family detached. Remaining units may be flexible attached and/or multi-family units	Not applicable

12.

¹ Lot bonus increase is only granted a maximum per table in 19.48.030 C 5 and it is expected that each development will have a variety of lot sizes and not all lots will be the minimum size.

² Two-family housing is permitted per Nibley City Code 19.20. Minimum lot size per two-family home is 9,000 sq. ft or minimum area per zone in TDR ordinance, whichever is greater.

³ Lot width is measured at the front yard setback line.

⁴ The building home setback includes the front of the home, living spaces, and porches, but not garages.

⁵ The garage is intended to be setback further than the home.

⁶ Minimum alley or rear loaded setbacks are 5' if garage is located on the rear and is accessed from the alley.

13. Developments in R-PUD eligible areas – housing types may include flexible attached units with building lengths no greater than 150'. Projects with bonified TDR credits, shall, when the application meets all City standards, be approved after appropriate administrative processing for a subdivision or conditional use.
14. Proposals for use of TDR credits within the R-PUD eligible areas as currently shown in NCC 19.32.030, shall become administrative and not require the rezone process in order to apply TDR credits to the project in order to allow for density which is greater than 50% greater than the underlying residential zoning designation. R-PUD projects shall follow the development standards and approval process of NCC 19.32, except as provided in this chapter.

21.10.020 Open Space Subdivision

M. Fee in-lieu of Open Space

1. For Open Space Subdivision developments that are within ½ mile of a dedicated or master-planned City Park which is two (2) acres or greater, as identified in the Nibley City Parks, Recreation and Open Space Master Plan, a developer may pay a fee in-lieu of amenities and open space required. The fee in-lieu of open space required shall be based upon the acreage of the open space that is not provided and shall be set by the Consolidated Fee Schedule, adopted by the City Council.
2. All fees in-lieu of open space shall supplement the improvement and maintenance of parks and recreation facilities in Nibley City.
3. If the developer pays a fee-in-lieu of open space requirements, the developer may develop the commensurate additional number of housing units that the fee-in-lieu offsets. For example, if the developer pays a fee-in-lieu of open space that is equal to 0.25 Open Space Ratio, an additional 0.25 Incentive Multiplier shall be allotted to the development, as noted in the Lot Standards Chart of this Section.

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Agenda Item #14

Description	Discussion and Consideration: Ordinance 25-20—Amending Nibley City Code (NCC) Regarding Snow Removal: 13.02.020 Removal of Snow (Second Reading)
Presenter	Justin Maughan, City Manager
Staff Recommendation	Move to approve Ordinance 25-20—Amending Nibley City Code (NCC) Regarding Snow Removal: 13.02.020 Removal of Snow
Reviewed By	Justin Maughan, City Manager Tom Dickinson, City Engineer

No additional Background since last meeting

Background:

Having gone through a winter season with code enforcement, staff feels that the existing snow removal code provides too little time for citizens to clear snow from their sidewalks. The proposed amendments would allow citizens more time before receiving communications from the City Code Enforcement Division. This will also allow more time for City staff to clear the sidewalks that are currently cleared by the City, at standard wages, instead of overtime wages.

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ORDINANCE 25-20

AMENDING NIBLEY CITY CODE (NCC) REGARDING SNOW REMOVAL: 13.02.020 REMOVAL OF SNOW

WHEREAS Nibley desires to be a safe walkable community, even during the winter months; and

WHEREAS, many Nibley City students are required to walk to school; and

WHEREAS, Nibley City staff desire to clear roadways and sidewalks under their care as efficiently and economically as possible.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The attached amendments to Nibley City Code 13.02.020 Removal of Snow be adopted.

PASSED BY THE NIBLEY CITY COUNCIL THIS _____ DAY OF _____ 2025.

Larry Jacobsen, Mayor

ATTEST: _____

Cheryl Bodily, City Recorder

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13.02.020 Removal Of Snow

1. Failure To Remove Unlawful: It shall be unlawful for the owner, occupant, lessor or agent of any property, abutting on a paved sidewalk, to fail to remove or have removed from such paved sidewalk, all hail, snow or sleet thereon within 48 hours of the end of a storm.
2. Depositing In Gutter Unlawful: It shall be unlawful for any person removing snow from the sidewalk, to deposit snow, dirt, leaves or any other material in the gutter so as to clog or prevent the free flow of water therein.

HISTORY

Adopted by Ord. 1977 Code Code § 11-361 on 1/1/1977

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Agenda Item #15

Description	Discussion and Consideration of a Letter of Support allowing a septic system within the City's Drinking Water Source Protection Zone located at 1575 East Hwy 101 in unincorporated Cache County near Hyrum
Presenter	Tom Dickinson, City Engineer
Recommendation	Provide a Letter of Support allowing a septic tank to be installed within the City's Drinking Water Source Protection Zone located at 1575 East Highway 101 in unincorporated Cache County near Hyrum
Reviewed By	City Manager, City Engineer

Background:

Mitch Torrie approached staff requesting a letter supporting his proposal to subdivide and build a new home on a property located at 1575 East Highway 101 in unincorporated County area near Hyrum (parcel # 01-003-0039). The property currently supports one home with an existing septic system that was constructed about 1991 according to County GIS records. There are countless other septic systems in the area.

Mr. Torrie applied to Bear River Health Department (BRHD) for a new septic tank that would serve the proposed new home. BRHD identified that the proposed new septic tank would be located within Nibley Drinking Water Source Protection Zones of both the 640 West Well and Yeates Spring. BRHD is willing to approve a septic system if Nibley City and Hyrum City provide a letter supporting the subdivision proposal. Initially, staff denied the request for support, but after researching City Code, realized that City Council is the governing authority on this matter.

Drinking Water Source Protection Zones (DWSP) are established for wells, surface waters, and other drinking water sources that are developed for culinary use. Soils, aquifers, and hydrogeologic properties in the area of drinking water sources are collected and analyzed to establish protection zones in areas that could adversely affect water quality. DWSP Zones are measured both by distance and by the time it would for a contaminant that enters the well's aquifer to travel to the well head.

1. Zone 1- 100-ft distance from the well
2. Zone 2- 250 days
3. Zone 3- 3 years
4. Zone 4- 15 years

In accordance with NCC 15.06.050D.3.d, septic tanks may be considered by City Council upon review and recommendations of competent and appropriate water quality

professionals retained by Nibley City. The goal of the recommendation would be to include appropriate measures to adequately safeguard the Nibley City drinking water.

Staff entered into an agreement with Mr. Torrie to cover the cost of a study that would assess the potential for seepage to contaminate Yeates Spring and the 640 Well. Nibley City hired Loughlin Water Associates, LLC. to assess potential seepage and evaluate the likelihood of adverse impact to the City's water sources due to the proposed septic system. Bill Loughlin is a hydrogeologist with more than 40 years of water resource consulting experience, including trouble shooting and rehabilitation of wells and springs, drinking water source protection, and water quality assessment and is competent and qualified to perform a study in accordance with NCC 15.06.050.D.3.d

Laughlin Water Associates, LLC assessed the potential for seepage from the proposed septic system and reviewed the City's Drinking Water Source Protection Plan (DWSP), DWSP areas, and hydrogeology of Yeates Spring and the 640 West Well and surrounding area.

Results of the study show seepage from the proposed septic system will likely flow toward and discharge to the adjacent Blacksmith Fork River and have very low risk of contaminate Yeates Spring. In addition to groundwater flow patterns from the septic system site, the 640 West well aquifer is confined by clay/impervious materials that minimize risk of contamination.

Continually paying attention to what is happening in the City's DWSP areas is responsible protection of City drinking water sources. The City's DWSP Plan recommends annual notification be sent to all property owners located within a protection zone. The notification informs property owners of the protection zones and makes them aware of the impacts that toxic spills, storage of chemicals, improper disposal of waste, deicing chemicals, and other contaminants might have on the City's water system should there be a spill. The hydrogeologist recommends working with Cache County and neighboring communities to notify the City of any proposed change in land use or any spill/release or potential contaminants. Cache County hosts DWSP information on the countywide GIS database. Bear River Health Department references the map in processing applications for septic systems.



Figure 1- GIS location of proposed septic system



Figure 2- GIS location of proposed property

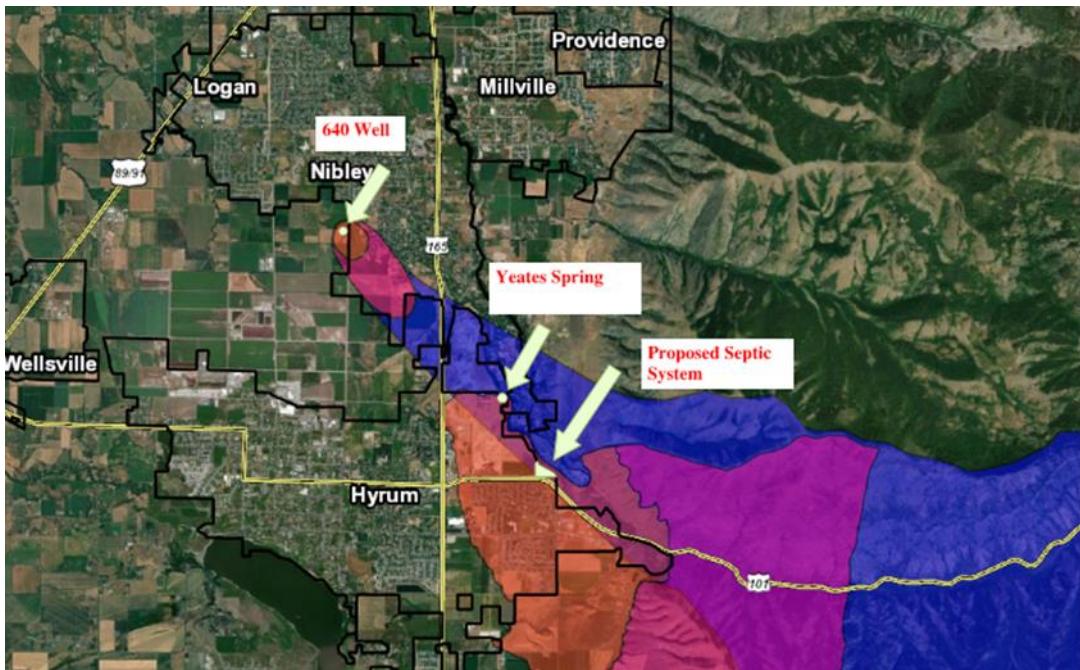


Figure 3- Aerial image of well, spring, and proposed septic system

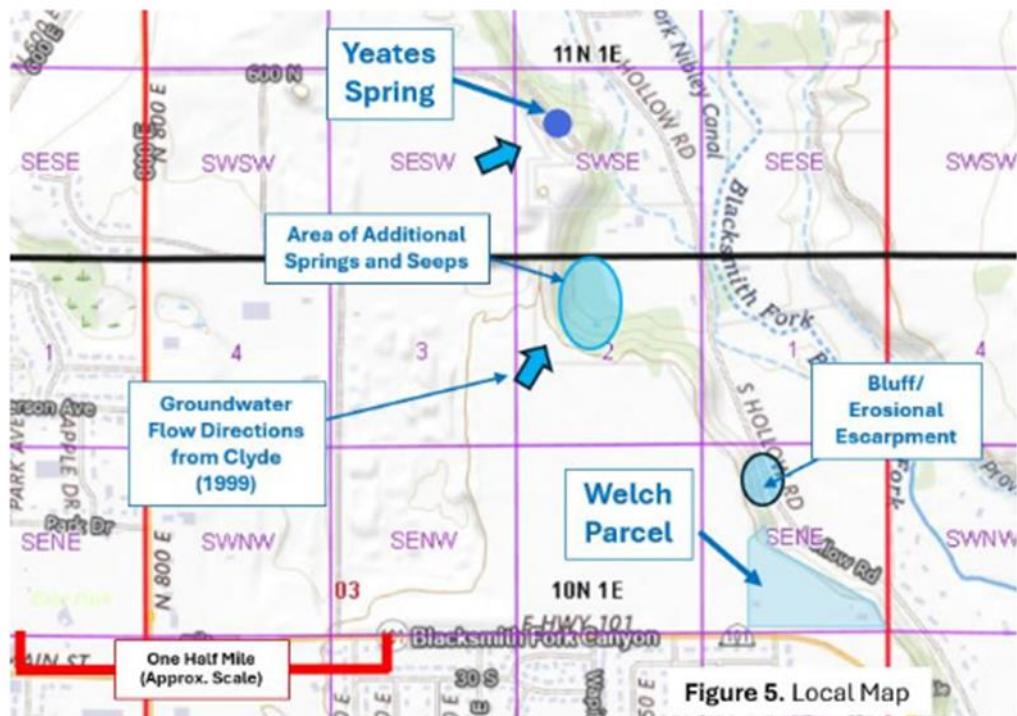


Figure 4- Hydrogeologic exhibit- Yeates Spring

Recommendation:

Provide Letter of Support allowing a septic system within the City's Drinking Water Source Protection Zone located at 1575 East Hwy 101 in unincorporated Cache County near Hyrum.

Mayor
Larry Jacobsen



Council Members
Erin Mann
Kay Sweeten
Nathan Laursen
Norman Larsen
Garrett Mansell

Richard Worley
c/o Bear River Health Department
85 East 1800 North
North Logan, Utah 84341

Subject: Letter of Support allowing a new septic system in Nibley DWSP Zone

RE: Septic System Application
Parcel ID # 01-003-0039

Mr. Worley;

In accordance with Nibley City Code 15.06.050.D.3.d, Nibley City, hereby submits this Letter of Support allowing installation of a new septic system located within Nibley City Drinking Water Source Protection Zone(s) to serve a single new detached residential structure proposed on parcel # 01-003-0039.

Through a hydrogeologic study, it was determined that seepage from the proposed septic system at the above-mentioned property will pose very low risk of contaminating Nibley City Drinking Water sources.

The purpose of section 15.06 of Nibley City Code is to protect, preserve, and maintain existing and potential public drinking water sources in order to safeguard the public health, safety and welfare of city residents and visitors. Continually paying attention to what is happening in the City's DWSP areas is responsible protection of City drinking water sources. The property owner should make efforts to avoid contaminants from entering the aquifer and be aware of the impacts that toxic spills, storage of chemicals, deicing chemicals, improper disposal of waste, and other contaminants might have on the City's water system should there be a spill.

Sincerely,

Attest:

Mayor

date

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June 11, 2025

Sent via Email: tomd@nibleycity.gov

Nibley City
Attn: Tom Dickinson
Nibley City Engineer
455 West 3200 South
Nibley City, Utah 84321-6337

Subject: **DWSP Assessment of Proposed Septic Systems at Welch Parcel**
Nibley City 640 West Well and Yeates Spring, Cache County, Utah
for Nibley City

Dear Tom:

Loughlin Water Associates, LLC (Loughlin Water) is grateful for the opportunity to assess the potential for seepage from proposed septic systems at Cache County Parcel #01-003-0039 (the Welch Parcel) to contaminate the Nibley City Yeates Spring and/or 640 West Well. We conducted our assessment in accordance with our proposal to Nibley City (Nibley) dated April 29, 2025.

In our opinion, seepage from the proposed septic systems at the Welch Parcel would (1) likely flow toward and discharge to the adjacent Blacksmith Fork River and (2) have a low risk of contaminating either the Yeates Spring or 640 West Well.

BACKGROUND

We understand that:

- Septic systems are proposed (proposed septic systems) at a planned development on Cache County Parcel #01-003-0039, also known as the Welch Parcel, with the street address of 1575 East Hwy 101, Hyrum, Utah.
- Nibley City is Utah Division of Drinking Water (DDW), Public Water System (PWS) #03001 and produces drinking water from several sources, including Yeates Spring (WS001), also known as Number One Spring, and the 640 West Well (WS007).
- The proposed development and associated septic systems lie within the DWSP areas of Yeates Spring and the 640 West Well.

3100 W. Pinebrook Road, Ste. 1100 ▲ Park City, Utah 84098

Phone: 435.649.4005 ▲ Fax: 435.649.4085 ▲ Mobile: 435.659.1752 ▲ www.LoughlinWater.com

- Nibley City is concerned that seepage from the proposed septic systems could contaminate Yeates Spring and/or the 640 West Well (the two drinking water sources).

OBJECTIVE AND SCOPE

To assess the potential for seepage from the proposed septic systems to contaminate Yeates Spring and the 640 West Well, we:

- Reviewed the DWSP Plans, DWSP areas, and hydrogeology of Yeates Spring and the 640 West Well and surrounding area;
- Assessed the potential for seepage from proposed septic systems at the planned development to contaminate Yeates Spring and/or the 640 West well; and
- Prepared this letter summarizing our findings and opinion of the potential for seepage from proposed septic systems at the planned development to contaminate Yeates Spring and/or the 640 West well.

FINDINGS

Figures 1 and 2 show that the Welch Parcel (planned development) lies within the Zone Two DWSP area of Yeates Spring and Zone Three DWSP area of the 640 West Well.

The DWSP area boundaries for Yeates Spring shown on Figures 1 and 2 are modified from the DWSP Plan by LarWEST Engineering & Surveying (LarWEST, 1999, 2000). The DWSP area boundaries for the 640 West Well are modified from the DWSP Plan by Cache-Landmark Engineering (Cache-Landmark, 2018, 2021). The geologic base map on Figure 2 is modified from the geologic map of the Logan 7.5-minute quadrangle by Evans and others (1996).

LarWEST (1999, 2000) used a combination of groundwater velocity/time-of-travel (TOT) calculations and hydrogeologic mapping to delineate the Zone Two (250-day TOT), Zone Three (3-year TOT), and Zone Four (15-year TOT) area boundaries. LarWEST (1999, 2000) used a conservative approach in delineating an approximately 3.1-square-mile (mi^2) area for the Zone Two (250-day TOT) area. The Zone One DWSP area boundary is a 100-foot distance from the spring collection area.

Cache-Landmark (2018, 2021) used a combination of the U.S. Environmental Protection Agency (EPA), Wellhead Protection Area (WHPA) analytical groundwater model, version 2.2 developed by Blandford and others (1993) to delineate the Zone Two (250-day TOT) and Zone Three (3-year TOT) DWSP area boundaries and hydrogeologic mapping to delineate the Zone Four (15-year TOT) DWSP area boundary. The Zone One DWSP area for the 640 West Well is a 100-foot radius from the wellhead.

POTENTIAL TO CONTAMINATE YEATES SPRING

Yeates Spring discharges from highly permeable gravel within a perched aquifer that overlies a low-permeable clay confining layer and is exposed at the base of an approximately 100-foot high bluff/erosional escarpment of an alluvial terrace above and to the southwest of the Blacksmith Fork River; see LarWEST (1999, 2000). The DWSP Plan for Yeates Spring by LarWEST (1999, 2000) includes a groundwater study that Clyde (2000) conducted of the area in the mid-1990s. Clyde (1999) installed and monitored water levels in 8 observation wells over a 5-year period from October 1994 to October 1999. The observation wells are in and around gravel pits located to the west and south of Yeates Spring; see Figure 2 for locations of gravel pits.

Figure 3, inserted below, is modified from a map by Clyde (1999) that shows the locations of Yeates Spring, additional springs and seeps, the 8 observation wells, groundwater elevation contours and flow directions, the location of cross section A-A', and other area features.

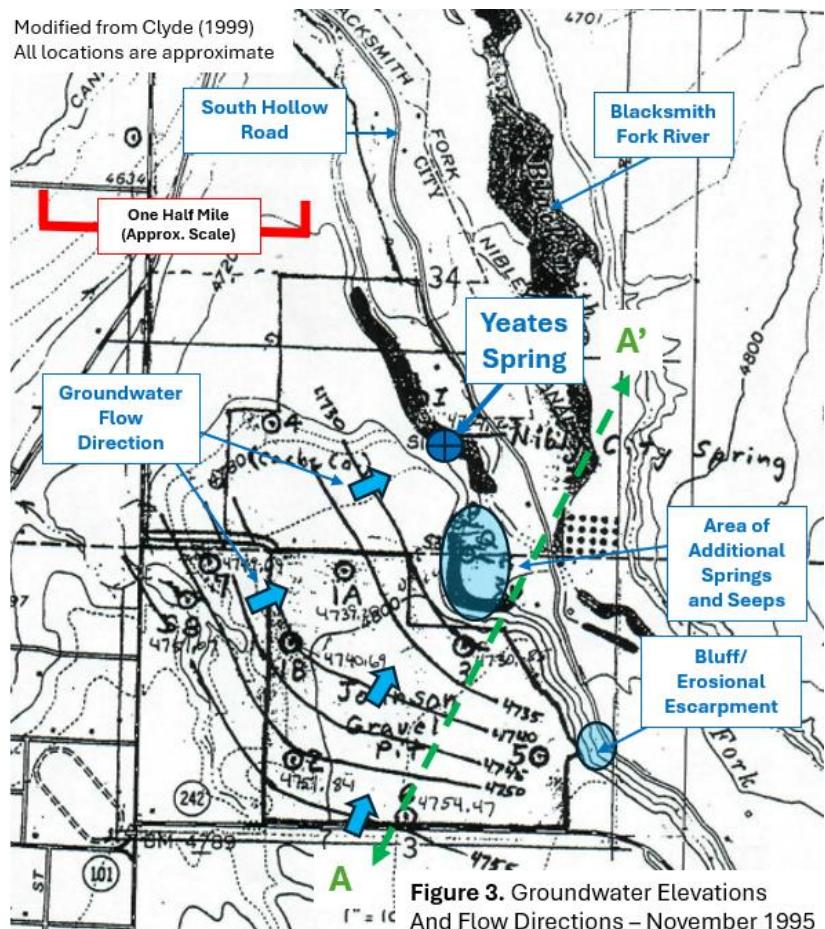


Figure 3 shows that groundwater flow is to the northeast, toward Yeates Spring, toward the additional unnamed springs and seeps, and toward the Blacksmith Fork River. The additional springs and seeps discharge from the same perched aquifer near the base of the same bluff/erosional escarpment as Yeates Spring.

Figure 4, inserted below, is modified from a geologic cross section by Clyde (1999) that LarWEST (1999, 2000) included in their DWSP Plan for Yeates Spring. Figure 3 shows the approximate location of the cross section (A-A') by Clyde (1999).

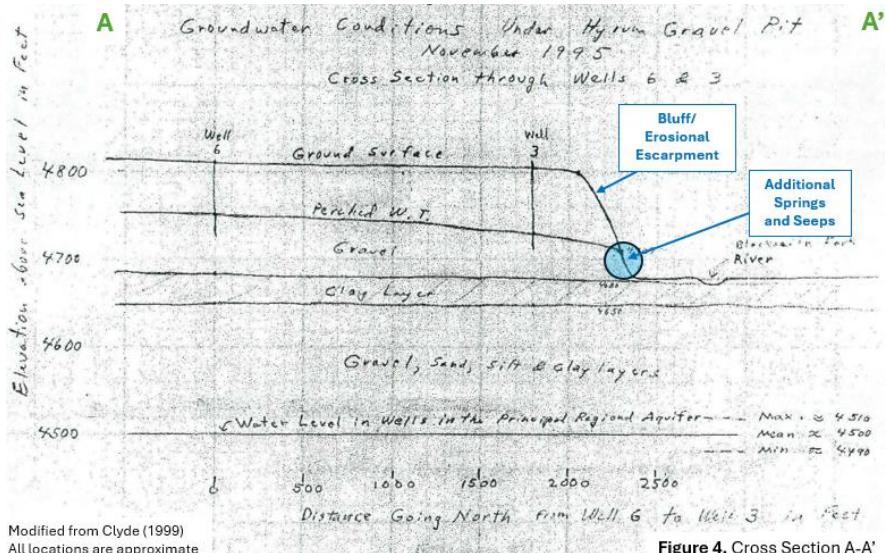


Figure 4. Cross Section A-A'

Figure 5, inserted below, is a local map that shows the locations of the Welch Parcel, Yeates Spring, the additional springs and seeps, the bluff/erosional escarpment, groundwater flow directions, and other area features.

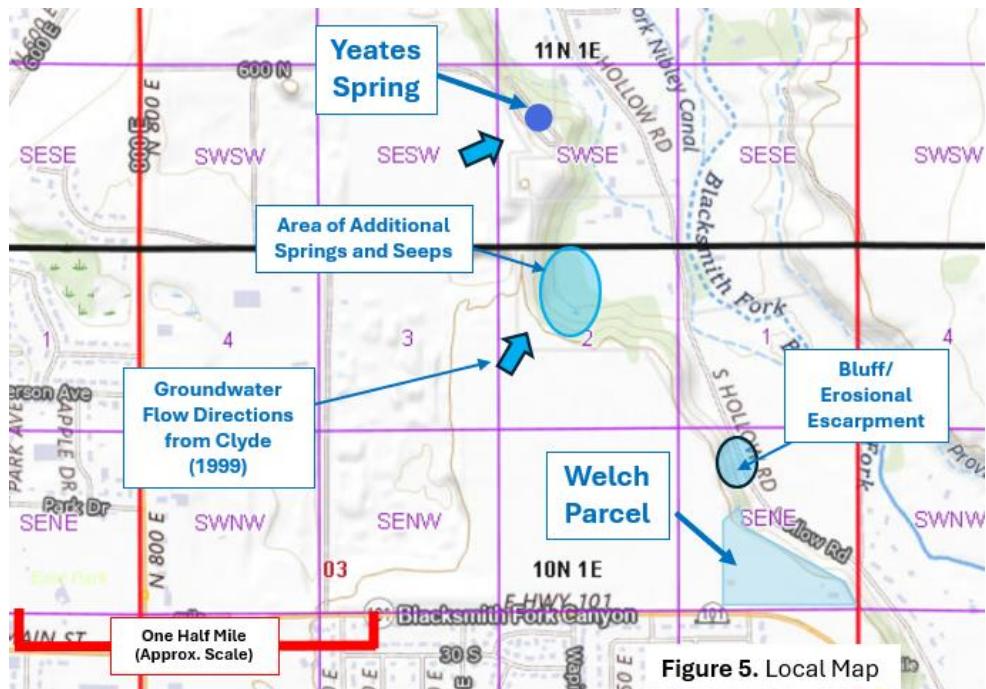


Figure 5. Local Map

Figure 5 shows that the Welch Parcel (1) lies above and on the edge of the bluff/erosional escarpment and (2) is about 3,200 to 4,200 feet to the southeast of Yeates Spring. The

Welch Parcel overlies the same perched aquifer that discharges to Yeates Spring and the additional springs and seeps.

Although the Welch Parcel is in the Zone Two (250-day TOT) DWSP area as delineated by LarWEST (1999, 2000), we believe that the potential for seepage from the proposed septic systems at the Welch Parcel to contaminate Yeates Spring is relatively low. Our review of available information indicates that seepage from the proposed septic systems would (1) percolate downward to the perched aquifer, (2) flow to the northeast toward the bluff/erosional escarpment and eventually discharge to Blacksmith Fork River, and (3) not flow to or contaminate Yeates Spring.

POTENTIAL TO CONTAMINATE THE 640 WEST WELL

Figures 1 and 2 show that the Welch Parcel is about 13,700 feet to 14,700 feet (about 2.6 to 2.8 miles) to the southeast of the 640 West Well. According to the DWSP Plan by Cache-Landmark (2018, 2021), the 640 West Well is completed in and produces groundwater from the confined valley-fill aquifer that underlies and is protected by a low-permeability clay layer.

Although the Welch Parcel is in the Zone Three (3-year TOT) area as delineated by Cache-Landmark (2018, 2021), we believe that the potential for seepage from the proposed septic systems at the Welch Parcel to contaminate the 640 West Well is relatively low. Our review of available information indicates that seepage from proposed septic systems would percolate downward to the perched aquifer and (1) flow to the northeast toward the bluff/erosional escarpment and eventually discharge to Blacksmith Fork River and (2) not flow to or contaminate the 640 West Well which is completed in the confined aquifer that underlies the perched aquifer.

OPINION

In our opinion, seepage from the proposed septic systems at the Welch Parcel would (1) likely flow toward and discharge to the adjacent Blacksmith Fork River and (2) have a very low risk of contaminating either the Yeates Spring or 640 West Well.

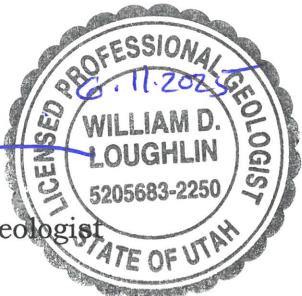


If you have any questions or need more information, please do not hesitate to call me at (435) 549-4005.

Loughlin Water Associates, LLC
a Geo-Logic Company

Connor J. Smith, G.I.T.
Staff Hydrogeologist

William D. Loughlin, P.G.
Manager, Principal Hydrogeologist



- Figure 1 – DWSP Area Boundaries on Air Photo Map
- Figure 2 – DWSP Area Boundaries on Geologic Map
- Figure 3 – Groundwater Elevations and Flow Directions
- Figure 4 – Cross Section A-A'
- Figure 5 – Local Map

REFERENCE CITED

Blandford, T.N., P.S. Huyakorn, and Yu-Shu Wu, 1993, *Well Head Protection Area Delineation Code, Version 22*: International Ground Water Modeling Center, Golden, Colorado.

Evans, J.P., McCalpin, J.P., Holmes, D.C., 1996, *Geologic map of the Logan 7.5' Quadrangle, Cache County, Utah*: Utah Geological Survey Miscellaneous Publication 96-1, scale 1:24,000, 1 plate.

Cache-Landmark Engineering (Cache-Landmark), 2018, *Drinking Water Source Protection (DWSP) Plan 640 West Well for the City of Nibley, Cache County, Utah Public Water Supply, System No. 03001*: unpublished consultant report prepared by Cache-Landmark Engineering for Nibley City dated June 1, 2018.

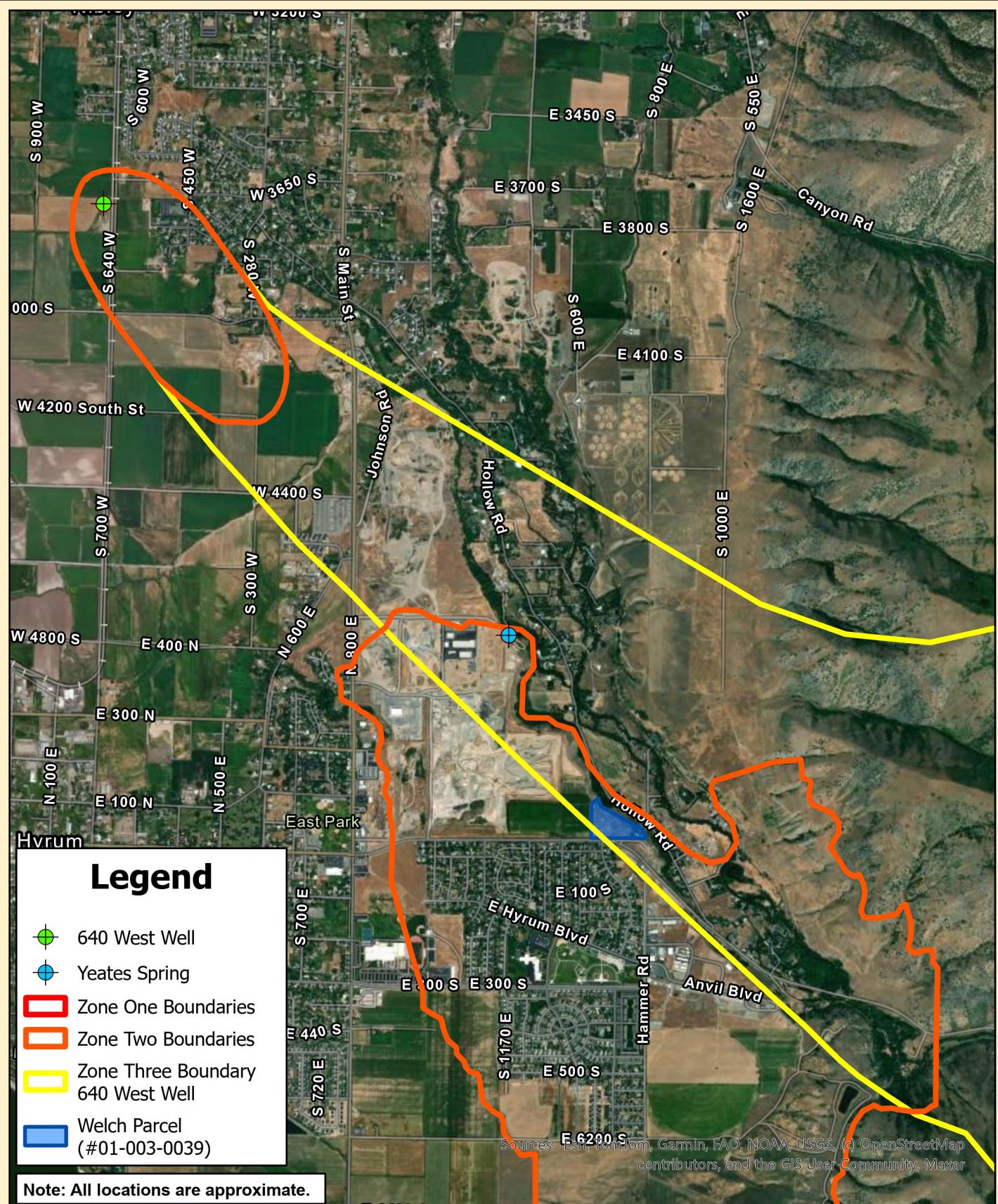
Cache-Landmark Engineering (Cache-Landmark), 2021, *Drinking Water Source Protection (DWSP) Plan 640 West Well for the City of Nibley, Cache County, Utah Public Water Supply, System No. 03001*: unpublished consultant report prepared by Cache-Landmark Engineering for Nibley City dated November 16, 2021.

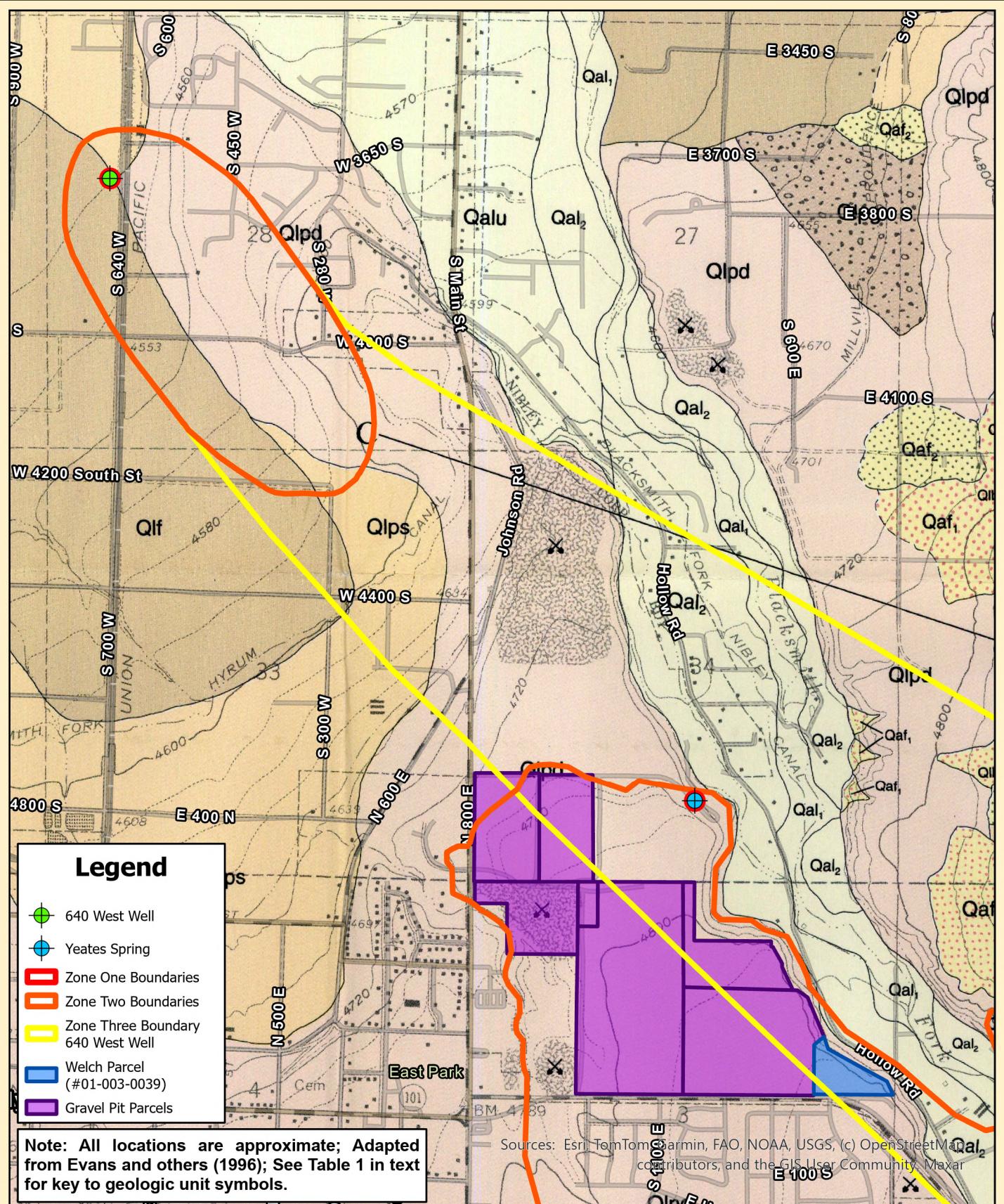
Clyde, C.G., 1999, *Protecting the Nibley City Water Supply*: unpublished consultant report prepared by C.G. Clyde for Legrand Johnson Construction Company, included in the DWSP Plan for Yeates Spring by LarWEST Engineering & Surveying (LarWEST, 1999, 2000).

LarWEST Engineering & Surveying (LarWEST), 1999, *Drinking Water Source Protection Plan for Yeates Spring and 4000 S. Main Well*: unpublished consultant report prepared by LarWEST Engineering & Surveying for Nibley City, dated May 1999.

LarWEST Engineering & Surveying (LarWEST), 2000, *Drinking Water Source Protection Plan for Yeates Spring and 4000 S. Main Well*: unpublished consultant report prepared by LarWEST Engineering & Surveying for Nibley City, dated September 2000.

FIGURES





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Contract for Payment of Cost and Fees Associated with Request for Establishment of a Septic System

This Contract is between **Mitch Torrie** ("Requestor"), who is seeking approval for the creation of a Septic System to be placed on property anticipated to be segregated from Parcel 01-003-0039 as such parcel is identified in the records of the Cache County Recorder, and **Nibley City** ("City"). Requestor's intent is to build a personal residential dwelling on a 7.2 acre parcel to be segregated from Parcel 01-003-0039.

WHEREAS, The Requestor desires to establish a septic system on property segregated from Parcel 01-003-0039; and,

WHEREAS, Nibley City has an interest in reviewing such proposed projects that fall within any drinking water source protection zone associated with a Nibley City water right(s); and,

WHEREAS, Nibley City code allows for approval of a septic system when conditions exist that protect Nibley City and their culinary water sources as determined by a hydrogeologist or other qualified water quality professional; and,

WHEREAS, A hydrogeologist or other qualified water quality professional will be retained by Nibley City to provide information to Nibley City in conjunction with the Requestor's desire to establish a septic system; and,

WHEREAS, The costs associated with the work of a Qualified Water Quality Professional is not expected to exceed an amount of Six Thousand Dollars (\$6000.00).

NOW, THEREFORE, In consideration of the mutual covenants, agreements, and promises contained within this Contract, the undersigned parties mutually agree as follows:

1. Nibley City will undertake the work necessary to procure a hydrogeologist or other qualified water quality professional who may review Requestor's proposed establishment of a septic system on the property identified above.
2. The information provided by Requestor and the information generated by the hydrogeologist will be submitted to the Nibley City Council for review and a determination regarding approval of the proposed septic system.
3. Requestor will pay the costs incurred as part of the evaluation and approval process associated with the proposed project including any city fees and professional fees, such as the actual cost of a hydrogeologist or other qualified water quality professional, not to exceed six thousand dollars (\$6000).
4. Nibley City will be responsible for selecting and retaining the hydrogeologist or other qualified water quality professional.
5. The City Council and Planning Commission shall not be bound by the recommendation of the hydrogeologist and shall be allowed to consider any other factor legally available to them in making their decision on approval of the septic system.
6. The Requestor shall hold harmless and indemnify Nibley City and its officers, employees and agents from and against any claims, demands, or causes of action whatsoever, including without limitation those arising on account of any injury or death of persons or damage to property caused by, or arising out of, or resulting from this Agreement.
7. This review of Requestor's septic system shall not act as a guarantee of safety or viability of the septic system and only serves to protect the interests of Nibley City and shall not provide any guarantees of protection or viability to Requestor or any third party.

By signing below the undersigned acknowledge authority to execute this document and consent to the terms and obligations contained herein.

Requestor:

Mitch Torrie

By: Mitch Torrie

Nibley City:


By: Justin Maughan Title: CITY MANAGER

Attest


Cheryl Bodily
City Recorder

Title	25.5.12 Torrie Contract with Nibley City.pdf
File name	25.5.12%20Torrie%...Nibley%20City.pdf
Document ID	b944cce5ac2c4897dedfd961ced7b9dc546e9ab
Audit trail date format	MM / DD / YYYY
Status	● Signed

This document was requested from app.clio.com

Document History



SENT

05 / 12 / 2025

22:08:18 UTC

Sent for signature to Mitch Torrie

(mitch.torrie@asirobots.com) from ken@cachelawfirm.com

IP: 173.10.26.49



VIEWED

05 / 13 / 2025

04:54:24 UTC

Viewed by Mitch Torrie (mitch.torrie@asirobots.com)

IP: 98.103.156.34



SIGNED

05 / 13 / 2025

04:54:55 UTC

Signed by Mitch Torrie (mitch.torrie@asirobots.com)

IP: 98.103.156.34



COMPLETED

05 / 13 / 2025

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CRA #1

Description	Discussion & Consideration: Resolution CRA 25-01--A Resolution Adopting the Fiscal Year 2025-2026 Budget
Presenter	Justin Maughan, City Manager
Staff Recommendation	Move to approve Resolution CRA 25-01--A Resolution Adopting the Fiscal Year 2025-2026 Budget
Reviewed By	Justin Maughan, City Manager

Background:

The Nibley City Council established the Community Reinvestment Area (CRA), to incentivize economic development within Nibley. The Agency is a separate legal entity, that is charged with collecting tax revenues generated within the project area, and redistributing those funds to infrastructure projects in the area. This lowers the cost of development, stimulates economic development, which in turn, brings in even more tax revenue.

The CRA is required to approve an annual budget.

The budget is included in the FY 2025/2026 Annual Budget document. At this point it is uncertain, when the agency will start receiving revenue, so it is mostly just a place holder. There was some money that was transferred from the General Fund as seed money to pay for professional consultant fees, to get the agency up and running.

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RESOLUTION CRA 25-01

A RESOLUTION ADOPTING THE FISCAL YEAR 2025-2026 BUDGET

WHEREAS, the Nibley Community Reinvestment Agency (the “Agency”) has been created by the Nibley City Council to transact the business and exercise all of the powers provided for by Title 17C of the Utah Code Ann. (Limited Purpose Local Government Entities — Community Reinvestment Agency Act); and

WHEREAS, it is necessary to adopt an annual budget for fiscal year 2025-2026.

NOW, THEREFORE, BE IT RESOLVED, by the Nibley Municipal Building Authority that:

1. The 202-2026 Fiscal Year Community Reinvestment Agency Budget is hereby approved, as included in the Nibley City Budget for Fiscal Year 2025-202, and

This resolution shall take effect immediately upon passage.

Dated this 26 day of June, 2025.

Larry Jacobsen, Chairperson

ATTEST: _____
Cheryl Bodily, Secretary

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MBA #1

Description	Discussion & Consideration: Resolution MBA 25-01—A Resolution Setting the Officers of the Nibley City Municipal Building Authority and Adopting the Fiscal year 2025-2026 Budget
Presenters	Justin Maughan, Nibley City Manager
Staff Recommendation	Move to approve Resolution MBA 25-01—A Resolution Setting the Officers of the Nibley City Municipal Building Authority and Adopting the Fiscal year 2025-2026 Budget
Reviewed By	Justin Maughan, City Manager

Background:

The Nibley City Council established a Municipal Building Authority as a separate legal entity as the financing body through which bonds were issued to pay for the construction of Nibley City Hall. The MBA is the legal entity that owns City Hall and Nibley City pays lease payments to the MBA. The MBA is required to have an annual meeting during which it updates its list of officers and adopts its annual budget.

The officers of the MBA are as follows:

Chair	Mayor
Board Members	City Council Members
Secretary	City Manager

The annual budget for the MBA is included in the Nibley City Budget document.

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RESOLUTION MBA 25-01

A RESOLUTION SETTING THE OFFICERS OF THE NIBLEY CITY MUNICIPAL BUILDING AUTHORITY AND ADOPTING THE FISCAL YEAR 2025-2026 BUDGET

WHEREAS, Nibley City has created a Municipal Building Authority of Nibley City, Utah pursuant to provisions of the Utah Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended; and

WHEREAS, the Municipal Building Authority is a component unit of Nibley City, that was established to finance the construction of Nibley City Hall in 2011; and

WHEREAS, the Municipal Building Authority of Nibley City is the legal body that financed the debt for construction of Nibley City Hall; and

WHEREAS, it is necessary to update the board and officers of the Nibley City Building Authority and adopt the budget for fiscal year 2025-2026.

NOW, THEREFORE, BE IT RESOLVED, by the Nibley Municipal Building Authority that:

1. The 2025-2026 Fiscal Year Municipal Building Authority Budget is hereby approved, as included in the Nibley City Budget for Fiscal Year 2024-2025, and
2. The board and officers of the Nibley City Building Authority are set forth as follows:

Chair	Nibley City Mayor
Board Members	Nibley City Council Members
Secretary	Nibley City Manager

This resolution shall take effect immediately upon passage.

Dated this 26 day of June, 2025.

Larry Jacobsen, Chair

ATTEST: _____
Justin Maughan, Secretary

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