



Nibley City
Planning Commission
Thursday, January 17, 2019
455 W. 3200 S.
Nibley, UT

6:00 p.m. Call to Order
 Approval of Agenda
 Approval of Minutes

1. Swearing in ceremony for Bret Swenson, recently appointed by the City Council for the Planning Commission Term February 2019- January 2024
2. Discussion and Consideration of the Blake Smith Minor Subdivision Flag Lot Application located at 3580 S 250 W (Applicants Blake and Katrina Smith)
3. Discussion and Consideration of the Blake Smith Minor Subdivision, located at 3580 S 250 W (Applicants Blake and Katrina Smith)
4. Planning Commission 2019 Goals and Projects Workshop
5. Commission and Staff Report and Action Items

*Planning Commission agenda items may be tabled if 1) Additional information is needed in order to take action on the item, OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commission.** The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.*

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 752-0431 A MINIMUM OF 24 HOURS BEFORE THE MEETING.



**Nibley City Planning Commission
Agenda Report for
January 17, 2019**

Agenda Item #1

Description	Swearing in ceremony for Bret Swenson, recently appointed by the City Council for the Planning Commission Term February 2019-January 2024
Department	Planning
Presenter	Cheryl Bodily
Findings	N/A
Recommendation	N/A
Reviewed By	Appointed by the City Council

Background

The Mayor appointed Bret Swenson for another term of service on the Nibley City Planning Commission. The Council gave consent on January 3, 2019 according to Nibley City Code 3.02. Commissioner Swenson new term of service will be from February 2019-January 2024.

RESOLUTION 19-02

APPOINTMENT TO THE NIBLEY CITY PLANNING COMMISSION AND APPOINTMENT OF 2019 PLANNING COMMISSION CHAIR AND VICE-CHAIR

WHEREAS, Nibley City code 3.02.010 establishes and creates a planning commission of five (5) members. The Mayor, with advice and consent of the City Council, shall appoint all members and alternates to the Planning Commission; and

WHEREAS, it has become necessary for Mayor Dustin to appoint a new representative to the Nibley City Planning Commission; and

WHEREAS, Nibley City wishes to reappoint Bret Swenson as a representative to the Nibley City Planning Commission; and

WHEREAS, Nibley City code 3.02.020 establishes that the Mayor shall annually appoint a chairperson and such other officers of the Nibley City Planning Commission as deemed necessary with the advice and consent of the City Council; and

WHEREAS, it has become necessary for Mayor Dustin to appoint a new chairperson and vice-chairperson to the Nibley City Planning Commission; and

WHEREAS, Nibley City wishes to appoint Garrett Mansell as Chairperson of the Nibley City Planning Commission and Tyler Obray as Vice-Chairperson of the Nibley City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

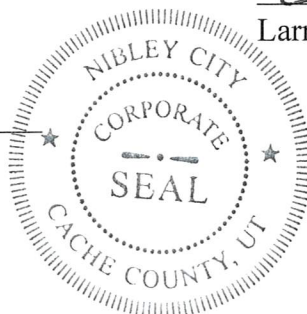
1. Bret Swenson is hereby appointed to serve as a Nibley City Planning Commissioner to serve for a term of five (5) years, on the first Monday in February, 2024.
2. Garrett Mansell is hereby appointed to serve as a Nibley City Planning Commission Chairperson beginning January 1, 2019 and ending December 31, 2020.
3. Tyler Obray is hereby appointed to serve as a Nibley City Planning Commission Vice-Chairperson beginning January 1, 2019 and ending December 31, 2020.

PASSED BY THE NIBLEY CITY COUNCIL THIS 3 DAY OF January, 2018/9

LARRY JACOBSEN
Larry Jacobsen, Mayor Pro-Tem

ATTEST:

David Zook
David Zook, City Recorder



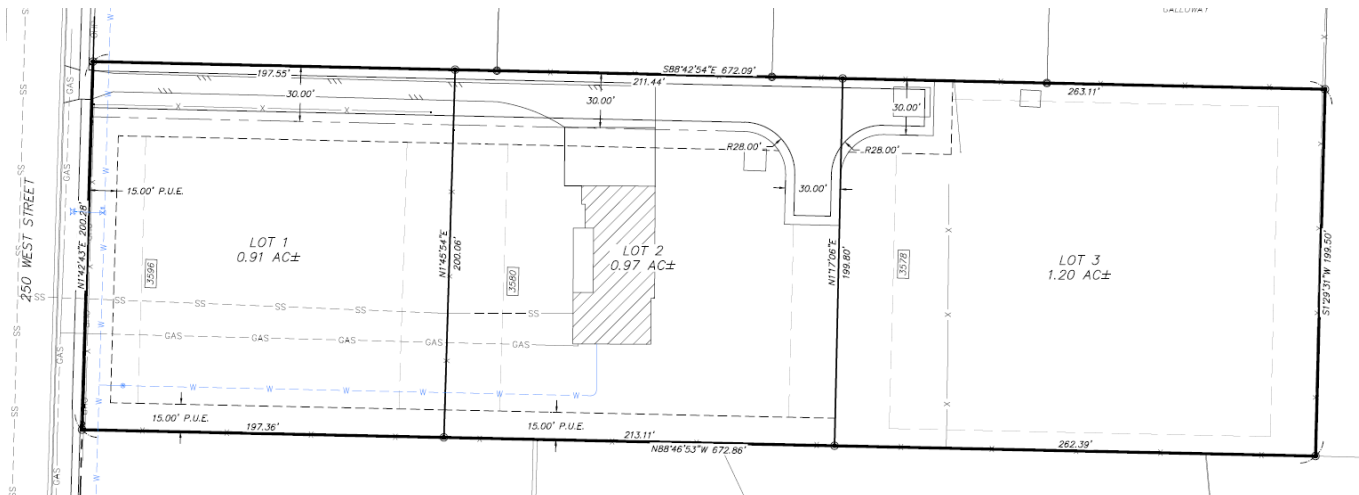
Agenda Item # 2

Description	Discussion and Consideration of the Blake Smith Minor Subdivision Flag Lot Application located at 3580 S 250 W (Applicants Blake and Katrina Smith)
Department	Planning
Presenter	Stephen Nelson, City Planner
Action Type	Administrative
Findings	The Flag Lots, as proposed meet the criteria as listed in Nibley City Code 19.46
Recommendation	Approve the Flag Lot Application with the condition that a formal agreement must be created for long term maintenance of roadway and swales before any building permits can be issued
Reviewed By	City Planner, City Public Works Director, City Engineer, Cache County Fire Marshal, and City Attorney

Background

In September of 2018, the City Council approved with a positive recommendation [Nibley City Code 19.46 Flag Lots \(Ordinance 18-08\)](#). This new code allows for a higher degree of control over the approval of flag lots for building permits. The code also allows for the limited creation of flag lots as part of the subdivision process.

The Smith family is seeking to subdivide their lot into three separate lots as part of the proposed Blake Smith Minor Subdivision. There is one home already on the parcel that currently occupies where lot 2 is proposed. The Smith's are proposing to create two flag lots with lot 2 and 3 as shown below.



The Planning Commission must approve any proposed flag lot creation as part of the subdivision process. The criteria are as listed below:

19.46.010 (B)

4. The creation of flag lots shall only take place in limited circumstances and shall be approved by the planning commission if the flag lot meets the conditions of this ordinance. The creation of a flag lot must receive separate approval by the Planning Commission before final approval of a subdivision. An applicant may propose a flag lot during the preliminary plat approval process or before a preliminary plat is applied for. The Planning Commission must give approval of the flag lot design and application before approval of a final plat. Creation of a flag lot must meet the following standards:

- a. Shall only be allowed for single-family detached units located in residential zones.
- b. Shall be created as part of a legal submission arising from an application under NCC 21.
- c. Flag lots shall only be allowed as part of a legal subdivision of three lots or less.
- d. Flag lot creation shall only be allowed in a subdivision where the parcel that is being subdivided is limited for future development by its overall size, frontage, severe topography, and land use in the adjacent parcels.
- e. The creation of a flag lot shall be limited within each new development. A subdivision that can reasonably supply frontage for each lot shall not be granted the creation of a new flag lot.
- f. New flag lots shall not have access off arterial streets or roadways as listed in Nibley City's General and Master Plans.
- g. The creation of a flag lot shall not be approved in places where they would prohibit future public infrastructure connections as contained in the City's General and Master Plans, including public roads, trails waterlines, sewer lines, stormwater facilities, etc.
- h. The flag lot owner owns and is responsible to maintain the stem portion of the flag lot as defined above.
- i. The flag lot must comply with all other conditions and requirements as listed in this chapter and within Nibley City ordinances.

Section a

The proposal is for the creation of three lot subdivision with two flag lots, both are planned for single-family homes that would comply with the underlying zone of R-1A.

Section b

The applicant has filed a legal subdivision application and wishes to create these flags lots as part of a legal minor subdivision process.

Section c

The total lots within the Blake Smith Minor Subdivision are three, which complies with this section.

Section d and e

The parcel in question is currently zoned R-1A, which requires a 150 ft. frontage and a minimum of .75-acre size lot. The current frontage for the lot is 200.28 ft. and contains 3.09 acres. This means that the lot has the size to be able to subdivide into three lots, but only the frontage to allow for one lot along the public drive. The land to the north and south are already developed with homes. Staff finds that the Smith's proposal meets these criteria.



Section f and g

250 W is currently listed as a collector road on Nibley City's Transportation Master Plan. There are also no trails or other public utility planned to traverse the property.

Section h

The flag lot stem will be owned and maintained by the developer and is proposed to be owned under private ownership. The proposed development agreement states that each property owner

that access of the stem must enter into a formal agreement regarding maintenance of the said stem.

Section i

The proposed flag lots comply with the size, setbacks, and other requirements of the underlying zone.

Fire Marshal Approval

The Cache County Fire Marshal, Jason Winn has reviewed the flag lot application and has found that the access, turnaround, access to the fire hydrant, and other aspects of the development comply with Fire Code. Fire Marshal Winn sent a letter stating his findings that are attached to this document.

Two Flag Lots, One Access

Nibley City Code allows for two flag lots to access off of one flag lot stem. Nibley City Code states the following:

Nibley City Code 19.46.010 (B)

9. All accesses to flag lots, regardless of the underlying zone, shall be maintained as private accesses and the responsibility for maintenance of the same shall lie with those property owners who utilize said access to access their respective properties.
10. All utilities running the length of the flag stem which service the home on the flag lot, shall be owned and maintained by the owners of the flag lot.
11. Approved flag lot accesses shall be for single lot access. The Planning Commission may consider at most a second access off the stem, if both flag lot owners have entered into a formal maintenance agreement over the access road. Two-lot access roads are not required to meet the private road access standards in NCC 21.14.050. Both flag lots must be connected to Nibley City's required utilities including sewer. Each lot must have their own utility lines that meet Nibley City Design Standards.

The only condition that the flag lots do not meet is there is no proposed formal agreement since there is only one property owner at this time. Staff proposes that the Planning Commission make it a condition before a building permit for lot three can be issued, the Planning Commission must be shown or see evidence of the formal agreement of maintenance of the access.

From: [Jason Winn](#)
To: [Stephen Nelson](#)
Subject: Blake Smith Minor Subdivision
Date: Tuesday, January 8, 2019 12:36:20 PM

Stephen, I reviewed the Blake Smith Minor subdivision flag lots the fire department access with the appropriate turn around meets the fire code. The fire hydrant placement and water supply for fire protection meets the fire code. If you have any other questions please let me know.

Thanks,

Jason Winn
Deputy Chief/Fire Marshal
Cache County Fire District
(435) 755-1670

Agenda Item #3

Description	Discussion and Consideration of the Blake Smith Minor Subdivision, located at 3580 S 250 W (Applicants Blake and Katrina Smith)
Department	Planning
Presenter	Stephen Nelson, City Planner
Action Type	Administrative
Findings	The Plat meets the conditions as found in Nibley City Code 21.08.040 for a minor subdivision There are a few concerns about plat and construction that need to be addressed by the developer before staff can recommend approval.
Recommendation	Approve Minor Subdivision if all engineering and flag lot concerns are resolved
Reviewed By	City Planner, City Public Works Director, City Engineer, Cache County Fire Marshal, and City Attorney

Background

Nibley City Council adopted [Nibley City Code 21.08.040 \(Ordinance 18-07\)](#) in August of 2018. This ordinance allowed for a much more simplified approval process for smaller subdivision made up of 5 lots or less. Blake and Katrina Smith have submitted a minor subdivision plat in compliance with this new code.

Zoning

Zoning Requirements	R-1A	Blake Smith Minor Subdivision
Min. Lot Size	.75 Acres	All Comply
Frontage	150	200 for Lot 1. Flag Lot Application for Lots 2 and 3
Other Setbacks	As Listed in 19.22.010	All lots comply



Minor Subdivision Requirements

Nibley City Code 21.08.040 (B) list requirements that each minor subdivision must qualify in order to go through the minor subdivision process. The requirements are as follows:

B. Minor Subdivision Requirements: To be considered for approval as a Minor Subdivision, the proposed subdivision must meet all the following requirements:

1. Notice is provided as required by ordinance;
2. The proposed parcel is not traversed by the mapped lines of a proposed street or trail as shown in the General Plan, Master Transportation Plan, and/or Trail Master Plan and does not require the dedication of any land for street or other public purposes;
3. The subdivision has been approved by the culinary water authority and the sanitary sewer authority;
4. The proposed subdivision is located in a residential zoned area; and
5. The proposed subdivision conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.
6. The proposed subdivision contains five (5) lots or less total.
7. The parcel being divided has not had other lots separated from it within the past five years. If another lot or lots have been separated from the parcel that is the subject of the request for Minor Subdivision within the past five years, then the previously separated lots and the subject parcel will all be counted towards the five (5) lot limit for the purposes of the application for a Minor Subdivision under this section.

8. Subdivisions that require the creation or dedication of open space land for the purpose of receiving higher density and/or smaller lot size may not use the minor subdivision process.
9. All other requirements for a subdivision, including zoning, infrastructure improvements and bonding thereof, providing for drainage needs, providing required utility easements, and protecting sensitive land issues, etc. must be provided for as applicable as outlined Nibley City subdivision requirements.

Staff has met with the applicant and reviewed the plat and have found that the development meets the requirements as listed in the code.

Minor Subdivision Approval Process

A minor subdivision has a simplified approval process as listed in Nibley City Code 21.08.040 (C)

C. Minor Residential Subdivision Application Procedure: The application procedure for a minor subdivision shall be as follows:

1. Pre-Application Meeting- The applicant must meet with Nibley City Staff to determine if the proposed subdivision meets the requirements of a Minor Subdivision. The staff shall provide a copy or access of this section of Nibley City code and inform the applicant of their options. The staff shall review with the applicant any requirements for construction drawings that may be needed and required for approval.
2. Minor Subdivision Plat- Minor Subdivisions shall be exempt from preliminary plat application and shall file a final plat in compliance with all NCC 21 and standards on the plat as unless noted in this section and the applicant may only submit a final Minor Subdivision plat after a Pre-Application Meeting with Nibley City staff and a determination from City staff that the proposed subdivision meets the requirements for a Minor Subdivision. Nibley City staff shall write and proposed a development agreement to be considered with the minor subdivision application.
3. The Planning Commission shall act as the land use authority for a Minor Subdivision and shall grant or deny an application for a Minor Subdivision within 60 days of its receipt of a complete application. The Planning Commission shall approve an application for a Minor Subdivision if the plat and development agreement meet all of Nibley City's ordinances as listed in NCC 19 and NCC 21, Public Work's design standards, general plan, master plans and all requirements for a final plat.

A minor subdivision shall be exempt from the preliminary plat and public hearing that are required as part of that process. After staff has approved that the minor subdivision complies with Nibley City code, the plat goes to the Nibley City Planning Commission for final approval with the attached development agreement.

Other Requirements

Staff has reviewed the plat and have found that it generally complies with all the requirements as needed by Nibley City Code. Staff has, however, sent a Planning and Engineering Review Report to the Applicant for their review and to address a few concerns and items that staff has about different aspects of the plat. If each item is addressed before the meeting, staff would recommend approval of the subdivision plat.

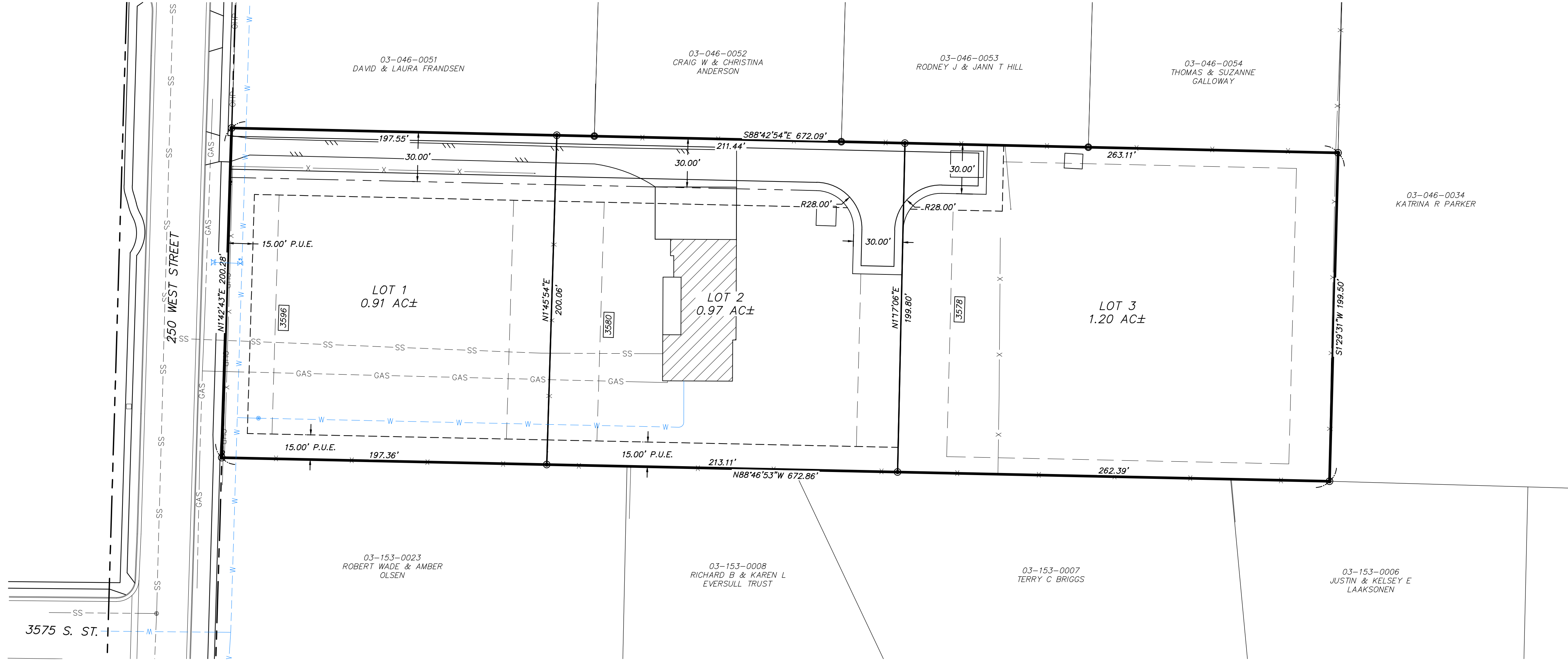
Development Agreement

Staff has written a development agreement that is under review by the Applicant and the City Attorney at this time. The development agreement outlines the amount of water shares or rights that would be required to turn into the City, street trees, stormwater swales maintenance, etc.



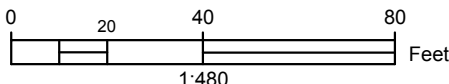
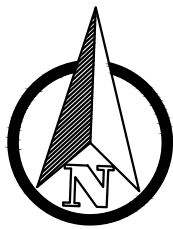
BLAKE SMITH MINOR SUBDIVISION

PART OF NE 1/4 SEC 28, T11N, R1E, SLM
NIBLEY CITY, CACHE COUNTY, UTAH



LEGEND

- SECTION LINE
- PROPERTY LINE
- RIGHT-OF-WAY (PUBLIC)
- RIGHT-OF-WAY (PRIVATE)
- PUBLIC UTILITY EASEMENT
10-FOOT WIDE WHERE SHOWN,
EXCEPTIONS NOTED
- MINIMUM SETBACK, MAIN BUILDING
FRONT = 30 FEET
SIDE = 10 FEET
REAR = 25 FEET
- [Hatched Box] EXISTING BUILDING
- [Box 1234] STREET ADDRESS



OWNER
BLAKE AND KATRINA SMITH
FAMILY TRUST
c/o Blake C Smith, Trustee
3580 S 250 W
NIBLEY, UT 84321

COUNTY RECORDER'S NO. _____
STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE
REQUEST OF _____, TIME _____, FEE _____
DATE _____, ABSTRACTED _____
INDEX _____
FILED IN: FILE OF PLATS _____
MICHAEL GLEED, COUNTY RECORDER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, 201____.
CITY ATTORNEY _____

ENGINEER'S CERTIFICATE
I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT
AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE, AND
THE CITY ORDINANCE, THIS _____ DAY OF _____, 201____.
CITY ENGINEER _____

PLANNING COMMISSION APPROVAL
AND ACCEPTANCE
PRESENTED TO THE NIBLEY CITY PLANNING COMMISSION THIS _____
DAY OF _____, 201____, AT WHICH TIME THIS SUBDIVISION
WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.
PLANNING COMMISSION CHAIRMAN _____

CITY COUNCIL APPROVAL AND
ACCEPTANCE
PRESENTED TO THE NIBLEY CITY COUNCIL THIS _____ DAY OF
_____, 201____, AT WHICH TIME THIS SUBDIVISION WAS
APPROVED AND ACCEPTED.
MAYOR _____ RECORDER _____

SURVEY CERTIFICATE

I, STEVEN C. EARL, A REGISTERED LAND SURVEYOR, HOLD CERTIFICATE NO. 318575-2201, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, WHICH IS ACCURATELY DESCRIBED THEREWITH, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS BLAKE SMITH MINOR SUBDIVISION, AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

LEGAL DESCRIPTION

A PART THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, DESCRIBED AS FOLLOWS:

LOT 3 OF MEADOW ACRES SUBDIVISION, AS SHOWN BY THE OFFICIAL PLAT THEREOF FILED JANUARY 3, 1990, AS FILING NUMBER 529240, IN THE OFFICE OF THE RECORDER OF CACHE COUNTY, UTAH.

CONTAINING 3.09 ACRES, MORE OR LESS.

OWNER'S DEDICATION AND CONSENT
TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS:

RIGGS MINOR SUBDIVISION
AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL STREETS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITY LINES AND FACILITIES. FURTHERMORE, WE INCORPORATE ALL NOTES AND RESTRICTIONS AS LISTED HEREON.

THE BLAKE AND KATRINA SMITH FAMILY TRUST DATED THE 7TH DAY OF JULY, 2011

By: BLAKE C SMITH, TRUSTEE KATRINA SMITH, TRUSTEE

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF CACHE }

ON THIS _____ DAY OF _____, IN THE YEAR 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED BLAKE C SMITH AND KATRINA SMITH, TRUSTEES OF THE BLAKE AND KATRINA SMITH FAMILY TRUST DATED THE 7TH DAY OF JULY, 2011, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME IN SAID TRUST NAME, AND THAT SAID TRUST EXECUTED THE SAME.

NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY BLAKE SMITH FOR THE PURPOSE OF SUBDIVIDING THE PROPERTY. PREVIOUS SURVEYS DONE IN THIS AREA WERE RETRACED AND USED TO RE-ESTABLISH THE BOUNDARY OF THE SUBDIVISION AS SHOWN. NO MAJOR DISCREPANCIES WERE FOUND. NUMBER 5 REBARS WITH CAPS STAMPED "STEVEN C EARL PLS 318575" WERE SET AT THE LOT CORNERS.

UTILITY COMPANY APPROVALS

THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE APPROVED
DOMINION ENERGY _____ DATE _____
ROCKY MOUNTAIN POWER _____ DATE _____
CENTURY LINK COMMUNICATIONS _____ DATE _____
COMCAST CORPORATION _____ DATE _____



FINAL PLAT

SHEET DESCRIPTION:

BLAKE SMITH MINOR SUBDIVISION

PROJECT TITLE:



Cache • Landmark
Engineers
Surveyors
Planners

95 Golf Course Rd.
Suite 101
Logan, UT 84321
435.713.0099

DATE: 14 DECEMBER 2018

SCALE: 1" = 40'

CALCULATIONS BY: S. EARL

CHECKED BY: L. ANDERSON

APPROVED BY: S. EARL

PROJECT NUMBER: 18103SMT

SHEET: 1 of 1

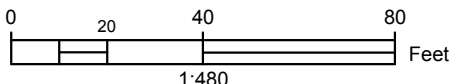
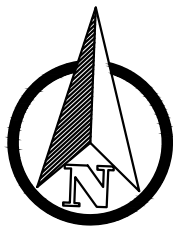
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PART OF NE 1/4 SEC 28, T11N, R1E, SLM
NIBLEY CITY, CACHE COUNTY, UTAH



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- PROPERTY LINE
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- PUBLIC UTILITY EASEMENT
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- [Hatched Box] EXISTING BUILDING
- [Box with 1234] STREET ADDRESS



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BLAKE AND KATRINA SMITH
FAMILY TRUST
c/o Blake C Smith, Trustee
3580 S 250 W
NIBLEY, UT 84321

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ABSTRACTED _____

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201__.

CITY ATTORNEY _____

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AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE, AND
THE CITY ORDINANCE, THIS _____ DAY OF _____, 201__.

CITY ENGINEER _____

PLANNING COMMISSION APPROVAL
AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY PLANNING COMMISSION THIS _____
DAY OF _____, 201__, AT WHICH TIME THIS SUBDIVISION
WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.

PLANNING COMMISSION CHAIRMAN _____

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MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, WHICH IS
ACCURATELY DESCRIBED THEREWITH, AND HAVE SUBDIVIDED SAID TRACT OF
LAND INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS BLAKE SMITH
MINOR SUBDIVISION, AND THAT THE SAME HAS BEEN SURVEYED AND STAKED
ON THE GROUND AS SHOWN ON THIS PLAT.



LEGAL DESCRIPTION

A PART THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 11 NORTH,
RANGE 1 EAST, SALT LAKE MERIDIAN, DESCRIBED AS FOLLOWS:

LOT 3 OF MEADOW ACRES SUBDIVISION, AS SHOWN BY THE OFFICIAL PLAT
THEREOF FILED JANUARY 3, 1990, AS FILING NUMBER 529240, IN THE
OFFICE OF THE RECORDER OF CACHE COUNTY, UTAH.

CONTAINING 3.09 ACRES, MORE OR LESS.

OWNER'S DEDICATION AND CONSENT
TO RECORD

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OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE
THE SAME TO BE DIVIDED INTO LOTS WITH EASEMENTS AS SET FORTH TO
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AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE
EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE
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NOTES AND RESTRICTIONS AS LISTED HEREON.

THE BLAKE AND KATRINA SMITH FAMILY TRUST DATED THE 7TH DAY OF
JULY, 2011

By: _____
BLAKE C SMITH, TRUSTEE KATRINA SMITH, TRUSTEE

ACKNOWLEDGMENT

STATE OF UTAH

COUNTY OF CACHE

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KATRINA SMITH FAMILY TRUST DATED THE 7TH DAY OF JULY, 2011, PROVED
ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHOSE
NAMES ARE SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY
EXECUTED THE SAME IN SAID TRUST NAME, AND THAT SAID TRUST
EXECUTED THE SAME.

NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

SURVEY NARRATIVE

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SUBDIVIDING THE PROPERTY. PREVIOUS SURVEYS DONE IN THIS AREA
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NUMBER 5 REBARS WITH CAPS STAMPED "STEVEN C EARL PLS 318575"
WERE SET AT THE LOT CORNERS.

UTILITY COMPANY APPROVALS

THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE APPROVED

DOMINION ENERGY _____ DATE _____
ROCKY MOUNTAIN POWER _____ DATE _____
CENTURY LINK COMMUNICATIONS _____ DATE _____
COMCAST CORPORATION _____ DATE _____

CITY COUNCIL APPROVAL AND
ACCEPTANCE

PRESENTED TO THE NIBLEY CITY COUNCIL THIS _____ DAY OF
_____, 201__, AT WHICH TIME THIS SUBDIVISION WAS
APPROVED AND ACCEPTED.

MAYOR _____ RECORDER _____

FINAL PLAT

BLAKE SMITH MINOR SUBDIVISION

PROJECT TITLE:



Cache • Landmark
Engineers
Surveyors
Planners

95 Golf Course Rd.
Suite 101
Logan, UT 84321
435.713.0099

DATE:
14 DECEMBER 2018

SCALE:
1" = 40'

CALCULATIONS BY:
S. EARL

CHECKED BY:
L. ANDERSON

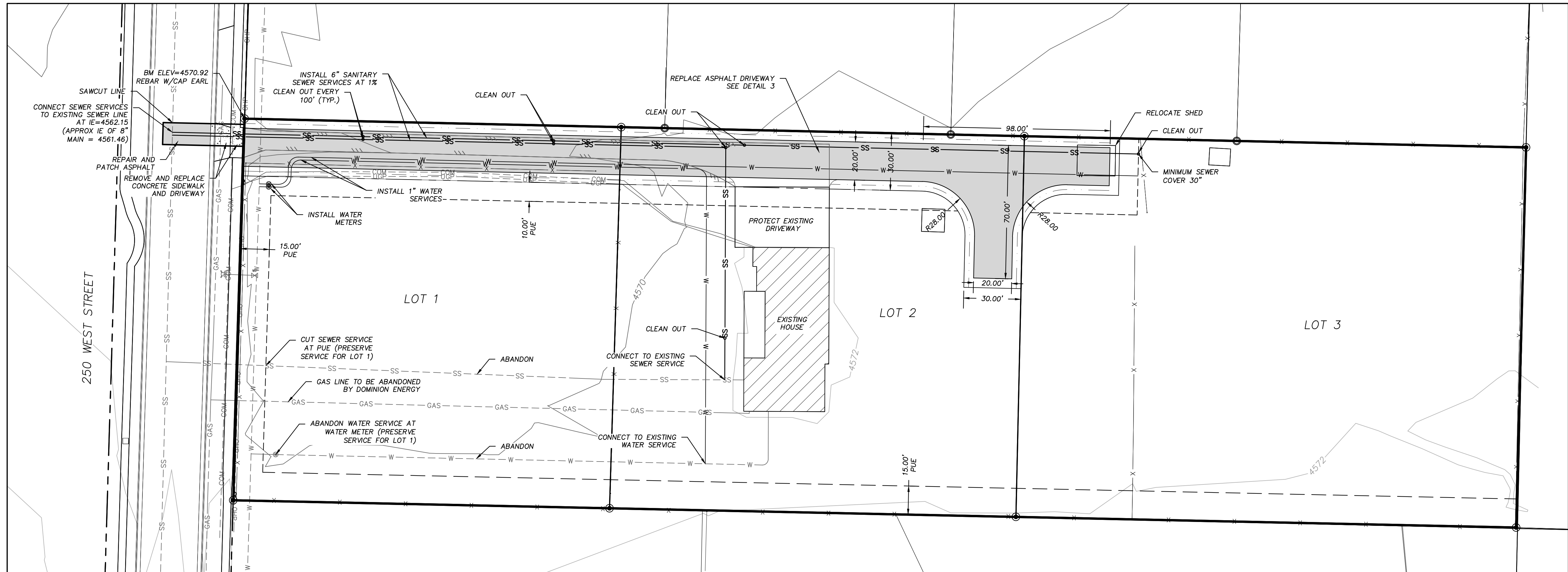
APPROVED BY:
S. EARL

PROJECT NUMBER:
18103SMT

SHEET:

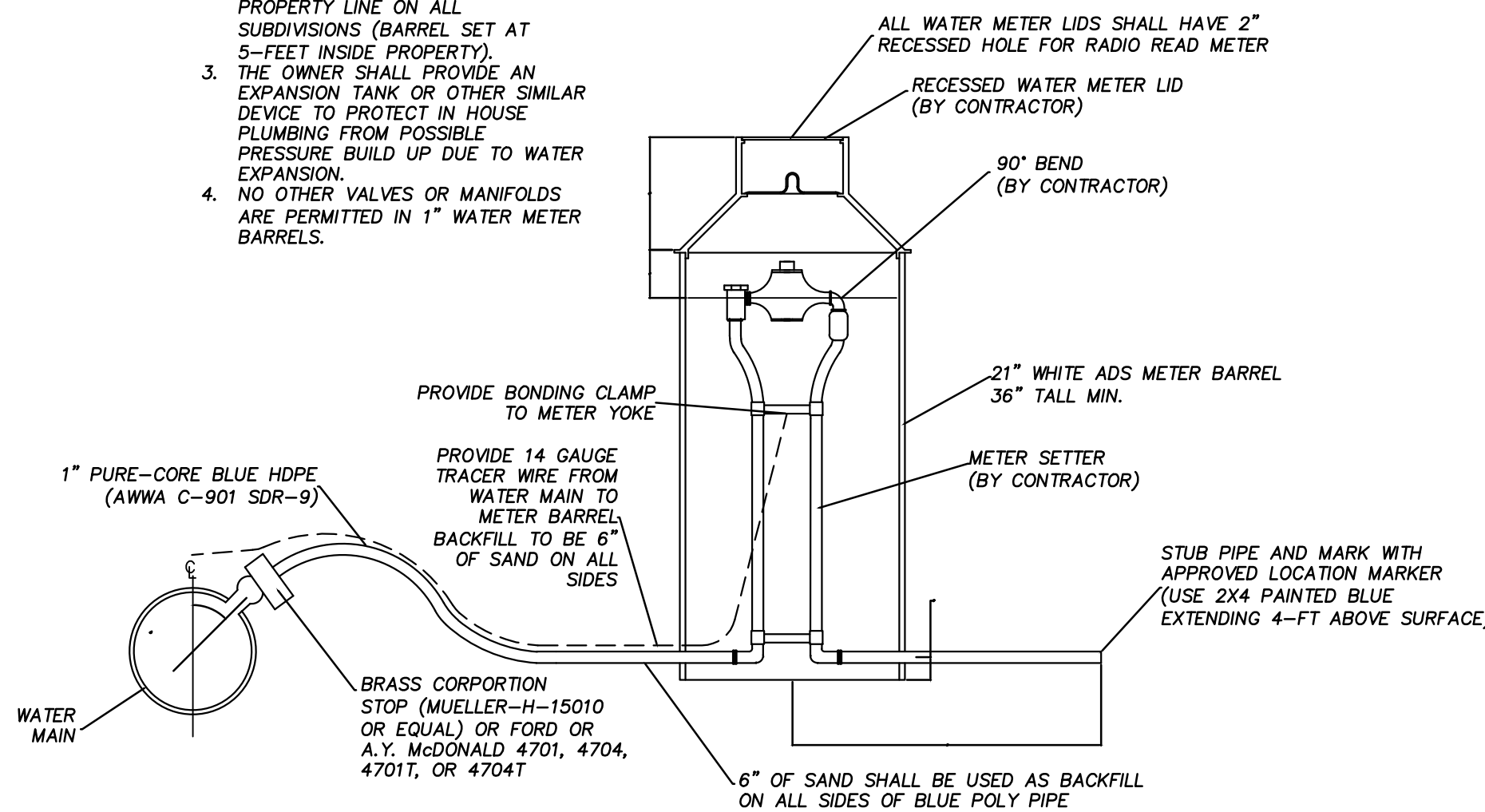
1 of 1

PLOTTED December 13, 2018 BY: Megan Montgomery FILE 23,2018 PROJECT: 18103SMT BLAKE SMITH - SUBDIVISION 03-046-0033 - NIBLEY, UT/ROAD/CONSTRUCTION DOCUMENTS/18103SMT UTILITIES.DWG

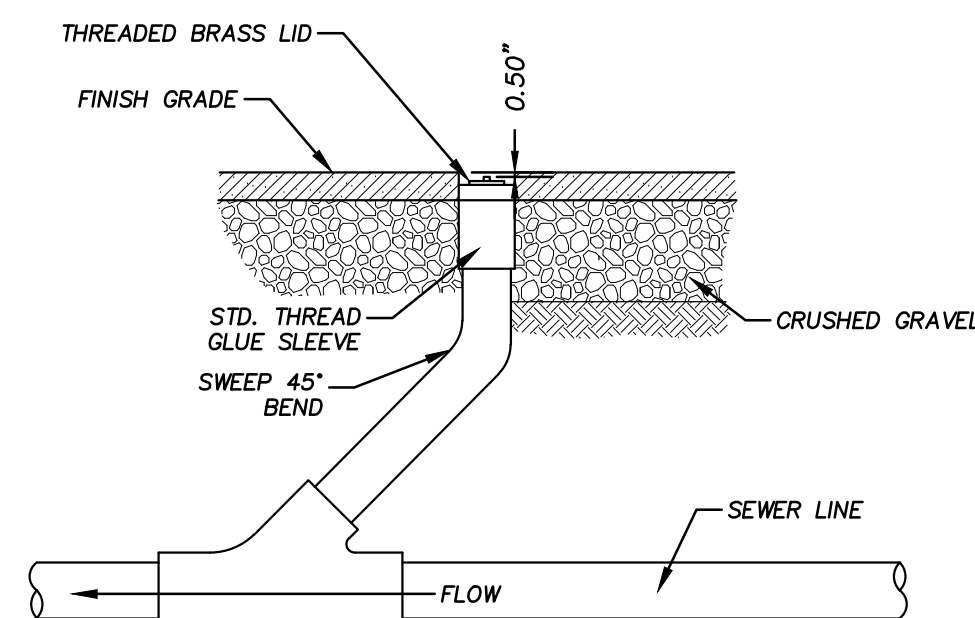


NOTES:

1. CONTRACTOR SHALL FURNISH AND INSTALL ALL MATERIALS FOR WATER SERVICE FROM THE MAIN LINE TO THE METER BOX. CITY SHALL FURNISH AND INSTALL METER.
2. SERVICES SHALL BE STUBBED TO A DISTANCE OF 10 FEET INSIDE PROPERTY LINE ON ALL SUBDIVISIONS (BARREL SET AT 5- FEET INSIDE PROPERTY).
3. THE OWNER SHALL PROVIDE AN EXPANSION TANK OR OTHER SIMILAR DEVICE TO PROTECT IN HOUSE PLUMBING FROM POSSIBLE PRESSURE BUILD UP DUE TO WATER EXPANSION.
4. NO OTHER VALVES OR MANIFOLDS ARE PERMITTED IN 1" WATER METER BARRELS.



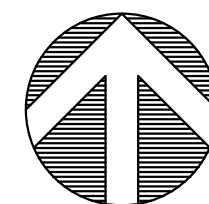
1 WATER METER
SCALE: N.T.S.



2 SEWER CLEAN OUT
SCALE: N.T.S.

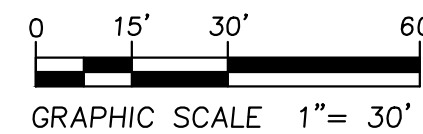
LEGEND

---	EDGE OF EXISTING ROAD
---	EDGE OF PROPOSED ROAD
---	EXISTING COMMUNICATION LINE
---	EXISTING OVERHEAD POWER
---	EXISTING UNDERGROUND POWER
---	EXISTING GAS LINE
---	EXISTING WATER LINE
---	EXISTING SANITARY SEWER LINE
---	EXISTING FENCE
---	PROPOSED WATER LINE
---	PROPOSED SANITARY SEWER LINE
---	PROPOSED FLOW LINE DRAINAGE DITCH
---	RIGHT OF WAY
---	PUE
---	PROPERTY LINE



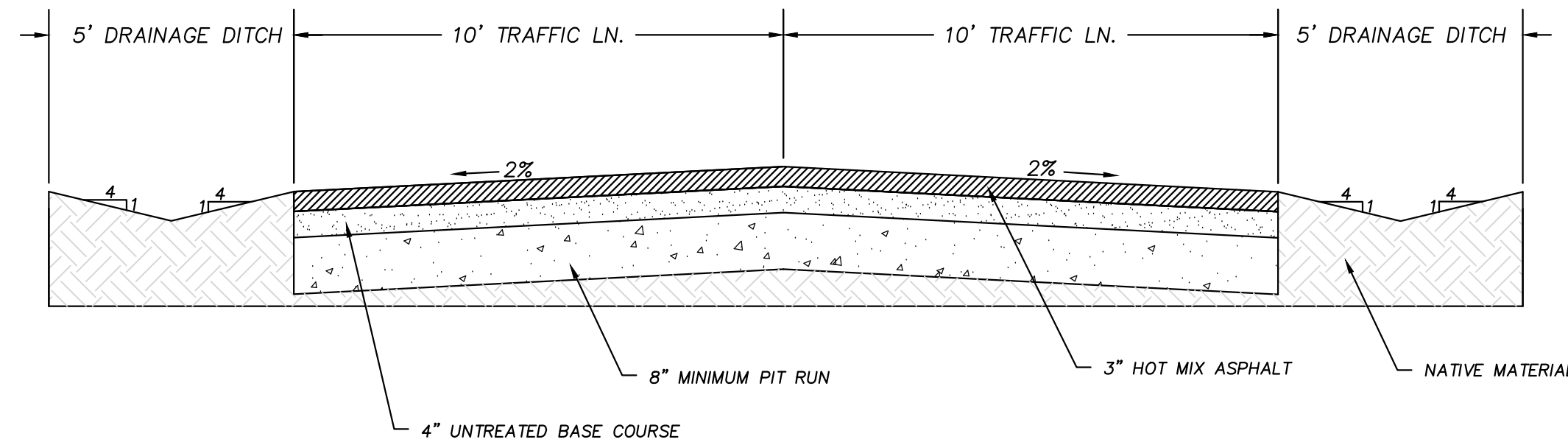
NOTES:

1. EVERY LOT TO RETAIN STORM WATER WITH LANDSCAPE SWELL.
2. EXISTING GAS, WATER, AND SEWER SERVICES TO BECOME SERVICES FOR LOT 1.



GENERAL SITE NOTES:

1. ALL CONSTRUCTION TO MEET NIBLEY CITY STANDARDS.
2. ALL ROAD SECTIONS TO BE COMPACTED TO 95% MODIFIED PROCTOR.
3. NO WORK IS TO BEGIN UNTIL NECESSARY PERMITS HAVE BEEN OBTAINED.
4. REQUIREMENTS SHOWN ON SITE PLAN SHALL GOVERN. GENERAL CONTRACTOR TO POINT OUT ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
5. ENTIRE INSTALLATION SHALL MEET ALL APPLICABLE CODES.
6. VERIFY ALL CONDITIONS AND DIMENSIONS ON SITE.
7. GENERAL CONTRACTOR RESPONSIBLE TO OBTAIN AND PAY FOR ALL NECESSARY PERMITS.
8. GENERAL CONTRACTOR TO COORDINATE ALL UTILITY WORK WITH THE APPROPRIATE UTILITY PROVIDER. GENERAL CONTRACTOR TO VERIFY AND FOLLOW ALL UTILITY PROVIDER REQUIREMENTS, PROCEDURES, STANDARDS, AND SPECIFICATIONS.
9. GENERAL CONTRACTOR TO PROVIDE ALL EQUIPMENT AND PERSONNEL FOR FINAL CHECKOUT OF ALL FACILITIES BY OWNER'S REPRESENTATIVE.
10. GENERAL CONTRACTOR TO PERFORM GENERAL YARD AND BUILDING CLEAN-UP AT COMPLETION OF WORK.
11. GENERAL CONTRACTOR SHALL PROVIDE COMPREHENSIVE TRAFFIC CONTROL PLAN WHICH SHALL BE SUBMITTED TO AND APPROVED BY THE CITY PRIOR TO ANY WORK IN THE PUBLIC R/W. CONTRACTOR IS RESPONSIBLE FOR SAFETY TO THE PUBLIC BY MINIMIZING THE INTERRUPTION OF THE USE OF ROADS AND PROVIDING SIGNS, FLARES, BARRICADES, ETC. AS NECESSARY. TRAFFIC CONTROL TO BE COMPLIANT WITH CURRENT MUTCD. WORK SHALL COMPLY WITH "WORK IN R/W" PERMIT.
12. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE ACTUAL LOCATION AND ELEVATION OF EXISTING UTILITIES WHICH MAY BE IN CONFLICT WITH THE PROPOSED CONSTRUCTION. IF A CONFLICT DOES EXIST, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION SO THAT ADJUSTMENTS CAN BE MADE.
13. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY ALL UTILITIES WHEN CONSTRUCTION WORK BEGINS IN THE VICINITY OF ANY UTILITY LINES AND TO ARRANGE FOR A REPRESENTATIVE OF THE UTILITY TO BE PRESENT IF THE CONTRACTOR'S OPERATIONS ARE IN CLOSE PROXIMITY TO ANY LINES IN THEIR EXISTING OR RELOCATED POSITION WHICH COULD CREATE A HAZARDOUS CONDITION.
14. WHERE THERE IS A CONFLICT BETWEEN THESE PLANS AND THE SPECIFICATIONS, OR ANY APPLICABLE STANDARDS, THE HIGHER QUALITY STANDARD SHALL APPLY, AS APPROVED BY THE NIBLEY CITY ENGINEER.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING ROADWAYS FREE AND CLEAR OF ALL CONSTRUCTION DEBRIS AND DIRT TRACKED FROM THE SITE.
16. DIMENSIONS FOR LAYOUT AND CONSTRUCTION ARE NOT TO BE SCALED FROM ANY DRAWING. IF PERTINENT DIMENSIONS ARE NOT SHOWN, CONTACT THE CONSULTING ENGINEER FOR CLARIFICATION, AND ANNOTATE THE DIMENSION ON THE AS-BUILT RECORD DRAWINGS.
17. OWNER/CONTRACTOR IS RESPONSIBLE TO OBTAIN A UPDES STORMWATER DISCHARGE PERMIT AND IS RESPONSIBLE FOR DEVELOPING AND IMPLEMENTING A STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AS PER THE REQUIREMENTS OF THE UPDES STORMWATER CONSTRUCTION PERMIT (NOI PERMIT # _____).



3 ROAD CROSS SECTION
SCALE: N.T.S.

DESCRIPTION

NO. DATE



SHEET DESCRIPTION

IMPROVEMENTS PLAN

BLAKE SMITH MINOR SUBDIVISION



Cache • Landmark
Engineers
Surveyors
Planners

95 Golf Course Rd.
Suite 101
Logan, UT 84321
435.713.0099

DATE:
13 DECEMBER 2018

SCALE:
1" = 30'

DESIGN BY:
M. MONTGOMERY

CHECKED BY:
S. EARL

APPROVED BY:
S. EARL

PROJECT NUMBER:
18103SMT

SHEET:

C-1.0

NIBLEY CITY
DEVELOPMENT AGREEMENT

THIS AGREEMENT, entered into this _____ day of _____, 20____, between Blake Smith _____, hereinafter referred to as "Developer" and Nibley City, here in after referred to as "City", and

WHEREAS, Blake Smith Minor Subdivision _____, hereinafter referred to as "the Development" has been approved for construction; and

WHEREAS, plans for the Development are on file with Nibley City and are incorporated by reference herein; and

WHEREAS, it is necessary for the interest of the public welfare that improvements made be constructed in accordance with the specifications set forth in said plan and as provided by Nibley City ordinances and Design Standards; and

WHEREAS, the Developer desires to record a final plat of the Development in order to obtain building permits and construct structures after the necessary infrastructure is installed, approved an accepted.

NOW THEREFORE, to induce Nibley City to approve said plans and allow use of city-owned utilities and access and/or other improvements, the Developer does hereby unconditionally promise and agree to and with Nibley City as follows:

1. The developer agrees that all connections to Nibley City's water and sewer system will be put in by each lot owner as part of the building permit process, and that each connection shall be to Nibley City standards. The Developer also agrees that each connection shall take place as stated on the subdivision plat.
2. All other utilities shall connect to each home by underground contention as defined in Nibley City Design Standards, and the design standards of each applicable utility company.
3. The developer agrees that each road cut that the owners of each lot makes in order to connect to the Nibley utilities will be patched according to Nibley City standards and that each lot owner will be responsible to pay the appropriate fees as listed in their building permit for the road cut.
4. The Developer is to supply the City with water rights or shares as set forth in City code 11-5-2 for the Development, as follows: 9.45 acre-feet of water from an irrigation company located in Nibley City. Said shares shall be provided to the City before commencement of construction.
 - a. The City and Developer may enter into an agreement for the City to sell water from the local irrigation company in order to maintain proper landscaping before and after development.

5. The Developer shall insure trees are planted every 50 ft. in the park strip according to Nibley City code 13.12.020 as each lot is developed.
 - a. These trees must be planted before occupancy of lot one can be given
 - b. Trees must comply with Nibley City Resolution 11-11 Tree Care Plan. Trees planted in park strip must come from "Nibley City, Utah Recommended Trees for Under Power Lines" table.
6. Stormwater swales shall be built and maintain to Nibley City standards. The Developer shall enter into long term agreement with Nibley City that the City shall be able to inspect swales over the continued use of swales.
7. The private access drive must be maintained to the standards as listed in the attached plat. Each property owner that has access off the flag lot stem shall enter into a formal agreement about maintenance of said access.
8. Address of flag lots shall be placed at the access point for each flag lot. The City shall install each sign and shall charge the property owner through the building permit.
9. The developer agrees no construction will take place prior to issuance of Notice to Proceed by the Public Works Director.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

NIBLEY CITY

DEVELOPER

By_____

By_____

State of Utah)

:ss

County of Cache)

On this ____ day of _____, 2017, personally appeared before me David N. Zook, City Manager, the signer of the within instrument, who duly acknowledged to me that he executed the same as City Manager for Nibley City Corporation.

Notary Public

STATE OF UTAH)

County of Cache : ss
)

On the ____ day of _____, 2017, personally appeared before me, Developer, the signer of the foregoing instrument, who duly acknowledged to me that they executed the same.

Notary Public

DRAFT

A RESOLUTION ESTABLISHING A TREE CARE PLAN FOR PUBLIC RIGHTS OF WAY IN NIBLEY CITY

WHEREAS, Nibley City has the desire that all of its residents be able to enjoy a variety of trees throughout the City, and

WHEREAS, certain trees are more conducive to the soils and climates of Nibley City, and

WHEREAS, part of Nibley's ongoing efforts to become a Tree City USA involve establishing a tree care plan.

THEREFORE, BE IT RESOLVED BY THE NIBLEY CITY COUNCIL, NIBLEY, UTAH THAT:

1. The following is adopted as the Nibley City Tree Care Plan:

It is the goal of Nibley City that all residents be able to enjoy a variety of trees, in their own yards, neighborhoods and throughout the City. There are several things that residents should take in to consideration when deciding which trees to plant in their yards.

1. **Use of the Tree**

The tree that you choose will depend on what you need this tree to do. If you want a tree for shade, you can plant most of the listed trees, as all will provide shade eventually. However, some trees are slower growing, and you will not have shade for quite a while, perhaps 5 to 10 years. If you need shade a little sooner, consider a faster growing tree. If selecting for a windbreak, choose trees that get taller, rather than wider and will provide more shelter from the wind.

2. **Size of the Planting Area**

As the heading indicates, one should choose a tree that will fit the area it is to be planted in. If you have a small front yard, you would not plant a Bur Oak--not even a small cute Bur Oak. It will grow into a very large tree, over time, and will dwarf the house & yard, and if planted too close to the house, may cause other problems as well. If you have a small yard but want a taller tree to provide contrast, consider a narrower, columnar tree, such as a Japanese Tree Lilac, Black Locust, or Gambel Oak. If you have a wide mow-strip, tree bank, etc., and you have no overhead power lines, by all means consider a larger tree. Consider planting a tree that is a little more unique or different for your area of town.

3. **Size of the Tree At Maturity**

This document includes two lists--one for trees that can be planted under power lines and one list of those that cannot. Careful consideration should be given to the height and width of the tree. Some trees have been left off this list because of problems with the roots spreading and lifting sidewalks.

4. **Characteristics of the Tree**

Before you buy & plant a tree, make sure you are aware of any litter that it may produce. Profuse flowers can be messy and may attract bees (this can be a problem if anyone in the family has dangerous allergies to bee stings). Flowers usually mean fruit in some form. This can mean pods of various sizes, berries, apples of various sizes, nuts, etc. Leaves will usually fall, and most will need to be raked, especially if on lawns. Understand the tree before you plant it.

5. **Specific Cultural Requirements of the Tree**

Most cultural requirements of trees fall into water needs, and soil adaptability. We live in a high desert area with highly alkaline soil. The trees on the list have been selected for at least moderate tolerance to alkaline soil, and moderate drought resistance. All of them will need to be watered regularly until established. A few may need more regular water even as they are established. Some may be prone to specific diseases or fungal problems.

6. **Maintenance Tips**

It is not enough to plant a tree, water it occasionally and hope it flourishes. All tree species will require regular maintenance, including fertilization, watering and pruning. The frequency and

type of maintenance required will vary depending on the tree species. There are many different sources of information available at www.treecaretips.org, <http://www.arorday.org/trees/tips>, and http://www.na.fs.fed.us/spfo/pubs/hottos/ht_prune/prun001.htm (tips on pruning).

"Rip Your Strip" (from the USU Extension website)

"Rip Your Strip" is Utah Rivers Council's way to help people learn landscape water conservation techniques. Utahns are #2 in the nation for water consumption, and 2/3 of our water is used outdoors. Since the average homeowner applies about twice as much water as necessary on their landscape, total water use will increase dramatically as our population grows. To prevent future taxpayers' expenses of dams and reservoirs, everyone should learn to use less water in their landscapes. The parking strip is a good first step, since it's a relatively small part of your landscape and typically wastes a lot of water. More information can be found at: <http://www.utahrivers.org/get-involved/rip-your-strip/>.

The List--Why These Trees?

The trees on this list were selected by the City Planner and City Parks Superintendent using a variety of factors, including tolerance to alkaline soil and drought. Another significant factor was a goal of diversifying the trees in Nibley City. This is why you may not see some of the more familiar trees on this list, like Norway Maples, Thornless Honeylocust, Ornamental Pears and Boxelders. Remembering the urban forests of the 1960's, filled with beautiful, stately American Elms--these urban forests became urban logging camps as the saws whined for weeks on end, felling the elm that had all succumbed to Dutch Elm disease.

Diversifying the urban forest is the best defense against a repeat of that scenario. Other trees, like Green Ash, Quaking Aspen and other members of the Poplar family, and birches in general, are notoriously disease and insect prone--much more so than the average tree, and so they, too, have been left off this list.

These trees have been left off of the list approved street trees. However, residents are welcome to plant those trees in your individual yards. The list of trees is for those that are planted within the City right of way.

Nibley City, Utah Recommended Trees for Under Power Lines

Common Name	Botanical Name	Size Class	Size	Zone	Alkaline Tolerant	Drought Tolerant	Growth Rate	Park Strip
Alder, Thinleaf or Mountain	<i>Alnus tenuifolia</i>	M	29hx20w	1-7	H	M	M	Y
Almur Chokecherry	<i>Prunus maackii</i>	M	35hx35w	3-6	H	M	M	Y
Cherry, Cornelian (Dogwood)	<i>Cornus mas</i>	L	20hx15w	4-8	H	M	SL	Y
Cherry, European or Bird	<i>Prunus padus</i>	M	30hx30w	4-7	M	M	M	Y
Cherry, Higan	<i>Prunus subhirtella</i>	M	30hx30w	4-9	M	M	M	Y
Crabapple	<i>Malus sp.</i>	L	10/25hx 10/20w	3-9	H	M	M	Y
Filbert, European	<i>Corylus avellana</i>	L	15hx15w	4-8	H	M	SL	Y

Filbert, Purple Giant	Corylus maxima	L	15hx15w	4-8	H	M	M	Y
Fringetree, White	chionanthus virginicus	L	15hx15w	3-9	M	M	SL	Y
Hornbeam, American	Carpinus caroliniana	M	20hx20w	3-9	M	M	M	Y
Lilac, Japanese	Syringa reticulate	L	20hx15w	3-8	H	M	M	Y
Maackia, Amur	Maackia Amurensis	M	20hx20w	4-8	H	M	SL	Y
Maple, Bigtooth	Acer grandidentatum	M	20hx20w	3-8	H	H	M	Y
Maple, PurplebL	Acer truncatum	M	20hx20w	4-8	M	M	M	Y
Maple, Rocky Mountain	Acer glabrum	L	15hx15w	4-7	M	M	M	Y
Maple, Tatarian	Acer tataricum	L	15hx15w	3-8	H	H	M	Y
Oak, Gambel L	Quercus gambelli	L	20hx15w	4-8	H	H	SL	Y
Osage Orange	Maclura pomifera	M	25hx25w	4-9	H	H	M	Y
Pistachio	Pistacia vera	L	20hx20w	4-9	H	H	SL	Y
Serviceberry, Downy	Amelanchier arborea	L	20hx25w	4-9	M	M	SL	Y
Serviceberry, Autumn Brilliance	Amelanchier xgrandiflora	M	20hx25W	4-9	M	M	M	Y

Size Class Alkalkine Tolerant Drought Tolerant Growth Rate

L-Low	M-Moderate	M-Moderate	SL-Slow
M-Medium	H-High	H-High	M-Moderate
H-High			

Nibley City, Utah: Recommended Trees for **NOT** Under Power Lines
None of the trees on this list are suitable for park strip planting

Common Name	Botanical Name	Size	Zone	Alkaline Tolerant	Drought Tolerant	Growth Rate
American Basswood or Linden	Tilia Americana	60hx20w	2-9	H	M	M
Beech, European	Fagus sylvatica	50hx35w	4-7	M	M	SL
Catalpa, Western	Catalpa speciosa	40hx20w	4-9	H	H	F
Elm, Lacebark	Ulmus parvifolia	40hx40w	4-9	H	H	M
Filbert, Turkish	Corylus columa	40hx20w	4-8	H	M	M
Ginkgo	Ginkgo biloba	50hx35w	3-9	H	H	M
Hackberry, Common	Celtis occidentalis	40hx40w	2-9	H	H	F
Horse Chestnut	Aesculus hippocastanum	50hx35w	3-7	M	M	M
Kentucky Coffeetree	Gymnocladus dioicus	50hx35w	3-8	H	H	M
Linden, Littleleaf	Tilia cordata	60hx35w	3-7	H	M	M
Linden, Silver	Tilia tomentosa	50hx30w	4-7	H	M	M

Oak, Bur	Quercus macrocarpa	70hx70w	2-8	H	H	M
Oak, English	Quercus robur	40hx40w	4-8	H	M	M
Pear, Common	Pyrus communis	40hx20w	4-7	H	H	M
Rubber Tree, Hardy	Eucommia ulmoides	40hx40w	4-7	H	H	M
Tuliptree	Liriodendron tulipifera	70hx35w	4-9	M	M	F

Size Class		Alkaline Tolerant	Drought Tolerant	Growth Rate
L-Low	M-Moderate			SL-Slow
M-Medium	H-High		M-Moderate	M-Moderate
H-High			H-High	F-Fast

**For more information on specific tree characteristics, including leaf shape and fall colors, see the USU Extension Tree Browser: www.treebrowser.org

PASSED BY THE NIBLEY CITY COUNCIL THIS 1 day of December, 2011

Gerald K. Knight, Mayor

ATTEST: Larry Anhder, City Recorder

HISTORY

Adopted by Res. [11-11](#) on 12/1/2011

Adopted by Res. [11-11](#) on 12/1/2011

Agenda Item #4

Description	Planning Commission 2019 Goals and Projects Workshop
Department	Planning
Presenter	Stephen Nelson, City Planner
Action Type	Workshop
Findings	N/A
Recommendation	Review the proposed goals and projects and make recommendations
Reviewed By	City Planner and City Manager

Background

The following are projects that staff recommends for the Planning Commission over the 2019 calendar year.

Master Plans

- Update Zoning Map
- Update Affordable Housing Plan
- Town Center Master Plan and Code
- Water Master Plan

Ordinances and New Codes

- Propose new residential housing code or zones based on Town Center Plan and Affordable Housing Plan
 - Multifamily Housing Zone
 - Accessory Dwelling Units Code Update
 - Allow Apartments in Neighborhood Commercial
- Update Subdivision Ordinance
- Code Enforcement Issues

- Fencing Code for Corner Lots
- Draft Dark Sky Ordinance
- Animal Code
- Commercial Code and Standards review
- Update Neighborhood Commercial Zone
- Review and Update Land Use Table and Conditional Use Permit Code
- Trails Ordinance
- Create better landscaping standards
- Review the entire code and make needed changes
 - Including non-business-friendly laws

Other

- Recreate Subdivision Checklist for new code