



Nibley City
Planning Commission Meeting
Thursday, January 2, 2020
455 W. 3200 S.
Nibley, UT

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

1. A Public Hearing to hear comment on the recommendation of the Proposed Ordinance for Outdoor Lighting Standards
2. Discussion and Consideration of a recommendation of the Proposed Ordinance for Outdoor Lighting Standards
3. Discussion and Consideration of a recommendation on a Residential Planned Unit Overlay Zone Application for the proposed Firefly Estates Development, located approximately at 2200 S and 1200 W
4. Discussion and Consideration of a recommendation on a Preliminary Plat Subdivision Application for the proposed Firefly Estates Development, located approximately at 2200 S and 1200 W
5. Workshop: Water Master Plan
6. Workshop: Neighborhood Commercial Zoning
7. Staff Report and Action Items
 - a. Next meeting
 - i. Schedule for 2020
 - ii. 2020 goal workshop
 - iii. Wesley Nelson Farms, Inc Annexation Petition and Zoning

*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 Item Report
January 2, 2020**

Agenda Item # 1 and 2: Outdoor Lighting Standards

Description

A Public Hearing to hear comment on the recommendation of the Proposed Ordinance for Outdoor Lighting Standards

Discussion and Consideration of a recommendation of the Proposed Ordinance for Outdoor Lighting Standards

Department

City Planning and Building Inspection

Action Type

Legislative/Recommendation to the City Council for the proposed code update

Recommendation

Review and make a recommendation to the City Council

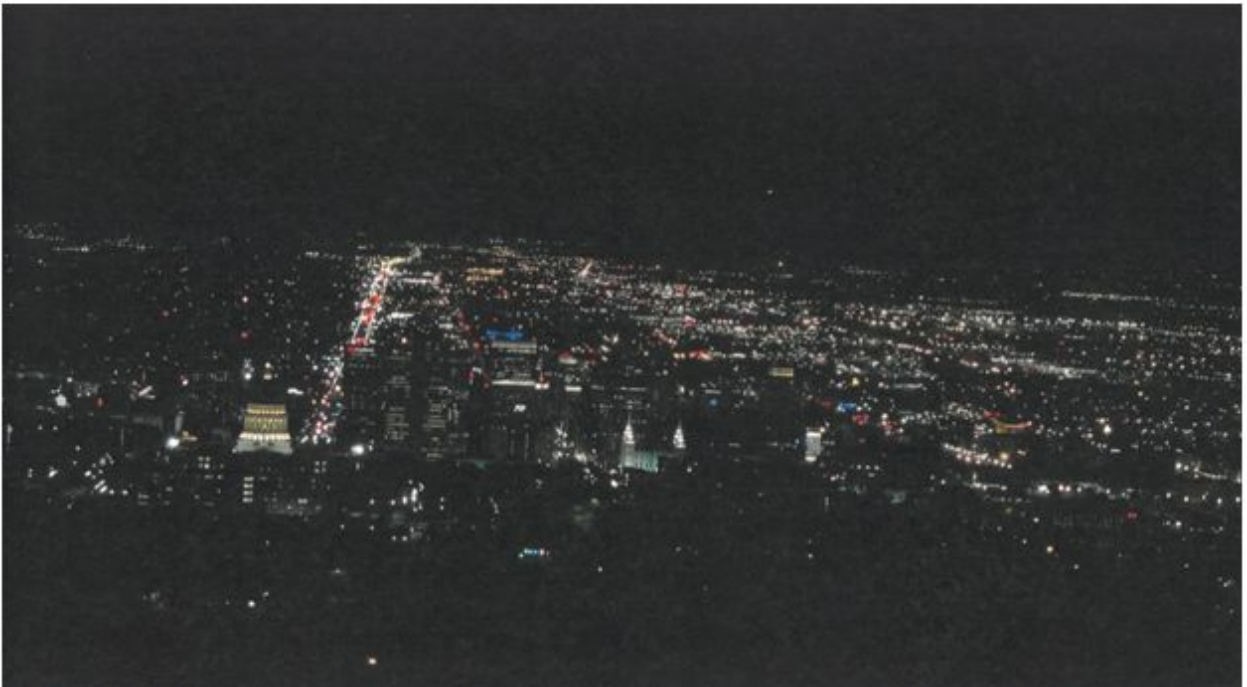
Reviewed By

City Planner, City Manager, City Attorney

Background



Salt Lake City Before and After Dark Sky Lighting



The Planning Commission is considering a recommendation to the City Council about adopting a new lighting ordinance that would address light pollution. Light pollution can be defined as the following:

The inappropriate or excessive use of artificial light...[and] can have serious environmental consequences for humans, wildlife, and our climate. Components of light pollution include:

Glare – excessive brightness that causes visual discomfort

Skyglow – brightening of the night sky over inhabited areas

Light trespass – light falling where it is not intended or needed

Clutter – bright, confusing and excessive groupings of light sources
(IDA, n.d.)

Light pollution is a significant problem across the United States and has a negative impact on humans and wildlife alike. Some of the main reasons Nibley City staff recommends consideration of the proposed ordinance is for the following:

1. Help protect the health of Nibley City Residents
2. Protect wildlife, particularly the fireflies located in firefly park and other parts of the community.
3. To help protect the rural feeling within Nibley City.
4. Set a precedent for other communities in Cache County.
5. Help light fixtures become more efficient



Firefly Park Buffer Area

Fireflies are incredibly vulnerable to light pollution. During the mating season, fireflies will use bioluminescence to attract mates. When light pollution is present, this can cause fireflies to fly towards the artificial light instead of another firefly. Because of these reasons, the proposed code would create a 500' buffer area around Firefly Park. The City is also considering offering some incentive to residents around Firefly Park to voluntarily switch out their lights for dark sky compliant lighting. The proposed ordinance would give residents within the buffer area until January 1, 2023.

More about Dark Sky Policy

Learn more about light pollution and the Dark Sky Movement at the following links:

[*Why We Are Losing the Night Sky: By It's Okay to Be Smart*](#)

[The International Dark Sky Alliance](#)



19.24.240: Outdoor Lighting Standards

A. The purpose of this Section is to provide for adequate and appropriate site lighting that increases night time visibility, adds aesthetic quality, and improves safety. These standards are designed to enhance night vision while mitigating glare and light pollution. All exterior lighting shall be designed and located to minimize glare, light trespass, skyglow and energy waste.

B. DEFINITIONS: For the purpose of this chapter, certain words, phrases and terms used herein shall have the meanings assigned to them by this section:

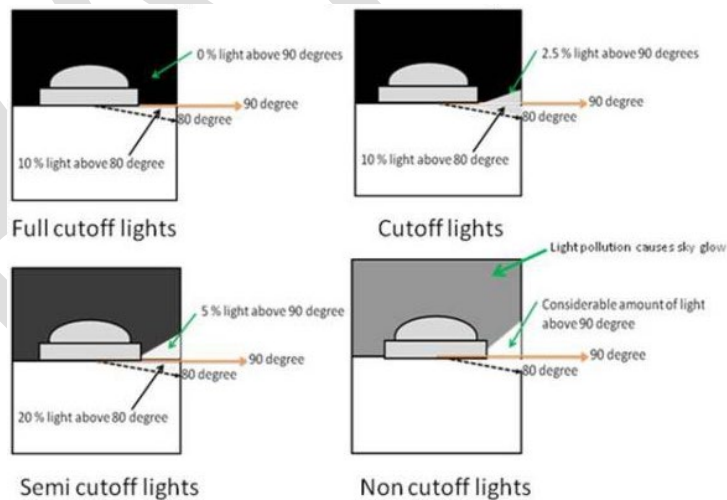
1. **ARCHITECTURAL LIGHTING:** Lighting of building surfaces, landscape features, statues and similar items for the purpose of decoration, accents, or ornamentation; or lighting that does not contribute to the safety or security of residents, guests, employees or customers on a property.
2. **DIRECT ILLUMINATION:** Illumination resulting from light emitted directly from a luminaire. This does not include light reflected from other surfaces, such as the ground or building faces.
3. **FLOODLIGHT:** A luminaire designed to "flood" an area with light; A specific form of luminaire designed to direct its output in a specific direction. Such luminaires are often designated by the manufacturer and are commonly used in residential outdoor lighting.

4. **FULL CUTOFF LUMINAIRE:** An outdoor luminaire designed so that the installed luminaire emits no light above the horizontal plane. Full cutoff luminaires must be shielded in and of themselves.

Surrounding structures, like

canopies, are not to be considered when determining if the luminaire is full cutoff. Full cutoff luminaires must be appropriately mounted so that the shielding prevents direct illumination from escaping above the horizontal and all direct illumination is directed downward.

5. **INTERNALLY ILLUMINATED:** As it relates to signs, any sign which has a light source entirely enclosed within the sign and not directly visible to the eye.
6. **LIGHT POLLUTION:** Any adverse effect of manmade light. Often used to denote "sky glow" from cities, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.
7. **LIGHT SOURCE:** The part of a luminaire that produces light, e.g., the bulb.



8. **LIGHT TRESPASS:** Light falling where it is not wanted or needed. Spill light falling over property lines that illuminates adjacent grounds or buildings in an objectionable manner.
9. **LUMINAIRE:** A complete lighting unit consisting of a light source such as a lamp or lamps, together with the parts designed to position the light source and connect it to the power supply. It may also include parts to protect the light source or the ballast or to distribute the light. A lampholder itself is not a luminaire. Includes light fixtures, lamps, reflectors, and other similar devices.
10. **OUTDOOR LUMINAIRE:** A luminaire used for lighting the exterior of structures, parking lots, pathways, service canopies, recreational areas, signs or other similar outdoor lighting uses.
11. **RECREATIONAL LIGHTING:** Lighting used to illuminate sports fields, ball courts, playgrounds or similar outdoor recreational facilities.
12. **SECURITY LIGHTS:** Lighting designed to illuminate a property or grounds for the purpose of visual security.
13. **TOWER:** Any monopole, antenna or the like that exceeds eighteen feet (18') in height.
14. **UNSHIELDED LUMINAIRE:** A luminaire that allows direct illumination to be emitted above the horizontal either directly or indirectly from the luminaire; Any luminaire that is not a full cutoff luminaire.

C. Use of Luminaires.

1. All outdoor luminaires must be full cutoff luminaires unless otherwise specified within this section. No unshielded luminaires are permitted. All outdoor luminaires shall have the light source downcast and fully shielded from view with the following exceptions:
 - a. If the luminaires are less than one thousand (1,000) lumens per luminaire (equal to one sixty (60) watt incandescent lamp) provided the luminaire has an opaque top or is under a solid overhang;
 - b. Floodlights with external shielding of the light source and is angled down toward the ground at thirty (30) degrees or less;
 - c. Temporary lighting needed by emergency services;
 - d. Lighting for the United States of America and State of Utah flags;
 - e. The lighting of telecommunication towers to meet Federal Aviation Administration regulations;
 - f. Lighting associated with an approved and permitted exterior sign;
 - g. Luminaires used only for recreational lighting when all reasonable measures have been taken to minimize the lighting of surrounding properties. Any adjacent luminaires surrounding the recreational facility, such as lighting for sidewalks, are not exempt.
 - h. Exterior emergency exit lighting.
 - i. Motion sensing luminaires that are on for less than five minutes at a time, and are not used for extended lighting beyond the five-minute increments.

- j. Lighting for private or public outdoor events. Lighting must be turned off by 12:00 p.m. and property may not have lighting on more than twice a week. Lighting for private or public outdoor events must comply with all other standards set forth in any other applicable section of this or any other chapter.

D. Standards.

1. Height and Location.

- a. Luminaire height and location shall be designed to illuminate the site only. Light cut-offs are required to prevent spillover of direct light.
- b. Luminaires and supporting structures shall be placed on the same property as intended to light.
- c. Parking areas and exterior freestanding luminaires shall be no taller than thirty-two (32) feet, including the pole and base. When a parking area is adjacent to a residential zone, freestanding luminaires on the perimeter closest to the residential zone shall be no taller than eighteen (18) feet.
- d. Freestanding luminaires on private property in residential zones shall be no taller than twelve (12) feet.
- e. Luminaires for public street lights and recreational lighting are exempt from height regulations.
- f. Soffit and canopy luminaires shall be recessed or flush mounted to the bottom surface of the structure.
- g. Luminaires for lighting streets shall be mounted between eight (8') to sixteen (16') feet above grade to provide continuous illumination of all street sidewalks and shall reflect the architectural design and characteristics of the surrounding area.
- h. Exterior building luminaires affixed to buildings on street-front elevations shall be mounted between 6' and 14' above adjacent grade.

2. Visual Characteristics.

- a. All public areas shall be lighted with average minimum and maximum levels as follows:
 - i. Minimum (for low or non-pedestrian and vehicular traffic areas) of 0.5 foot candles;
 - ii. Moderate (for moderate or high volume pedestrian areas) of 1-2 foot candles; and
 - iii. Maximum (for high volume pedestrian areas and building entries) of 4 foot candles.
- b. Lighting shall be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.

- c. Architectural lighting is not permitted, except as approved through design review for highlighting signature landscape features, signs or building elements. Architectural lighting shall be designed to only light the feature, shall not trespass onto any adjacent property, and shall be limited in use from 7:00 a.m.- to 12:00 a.m.
- d. HID or fluorescent tube lights (except compact fluorescent bulbs) are not permitted as exterior building lights.

E. New Structures

- 1. Commercial, Neighborhood Commercial, Institutional, and Industrial buildings must submit a lighting plan with their building permit application with sufficient detail to determine compliance with lighting standards.
 - a. Details needed include lighting information for parking lots, signs, walkways, luminaires over doorways, or architectural lighting.
- 2. All new residential structures must comply with standards within this chapter

F. Compliance of Existing Nonconforming Luminaires.

- 1. Compliance: All outdoor luminaires on or for properties within the Firefly Park 500ft buffer zone (See Annex 1) need to be in compliance before January 1, 2023. All outdoor luminaires installed after the effective date hereof in all zones in the city shall conform to the requirements established by this chapter. This chapter does not apply to indoor lighting. However, light trespass from interior lighting that negatively impacts adjacent properties is also prohibited.
- 2. Nonconforming Uses: All existing outdoor luminaires that do not meet the requirements of this chapter and are not exempted by this chapter shall be considered a nonconforming use. The city will encourage property owners to voluntarily bring nonconforming luminaires into compliance with this chapter. Where appropriate, the city may also provide assistance and expertise to homeowners in bringing their outdoor luminaires into compliance with this chapter.
- 3. Modifications; Compliance Through Building Permit Process: The city may require outdoor luminaires to be brought into compliance through the building permit process if substantial modifications are made to the exterior of the building or if the footprint of the structure is enlarged.
- 4. Conflicts: Should this chapter be found to conflict with other ordinances of the city, the more restrictive shall apply.

G. VIOLATIONS:

1. The following constitute violations of this chapter:
 - a. The installation, maintenance or operation of any luminaire not in compliance with the provisions of this chapter if such luminaire is installed after this chapter is formally adopted.
 - b. The alteration of outdoor luminaires after a certificate of occupancy has been issued without the review and approval of the planning commission when such alteration does not conform to the provisions of this chapter.
 - c. Failure to shield, correct or remove lighting that is installed, operated, maintained or altered in violation of this chapter.

H. PENALTIES:

1. Violations and Legal actions. If, after investigation, the City Planner finds that any provision of this chapter is being violated, the City Planner or designee shall give notice by hand delivery or by certified mail, return receipt requested, of such violation to the owner and/or occupant of such premises, demanding that the violation be abated within 30 days of the date of hand delivery or of the date of mailing of the notice. The planning department staff shall be available to assist in working with the violator to correct said violation. If the violation is not abated within the 30-day period, the City Planner or designee may institute actions and proceedings, either legal or equitable, to enjoin, restrain or abate any violations of this chapter and to collect penalties for such violations.
2. Penalties. A violation of this chapter, or any provision thereof, shall be punishable by a Infractions as defined in NCC 1.08, and each day of violation after the expiration of the 30-day period shall constitute a separate offense for the purpose of calculating the fine.

Agenda Item # 3 and 4: Firefly Estates R-PUD Application

Description

Discussion and Consideration of a recommendation on a Residential Planned Unit Overlay Zone Application for the proposed Firefly Estates Development, located approximately at 2200 S and 1200 W

Discussion and Consideration of a recommendation on a Preliminary Plat Subdivision Application for the proposed Firefly Estates Development, located approximately at 2200 S and 1200 W

Department

City Planning, Engineering, and Public Works

Action Type

Legislative/Recommendation to the City Council for R-PUD

Administrative for preliminary plat

Recommendations

Review and make a recommendation to the City Council

Reviewed By

City Planner, City Engineer, City Public Works Director, City Manager

Background

Nibley City Code 19.32 established the Residential Planned Unit Development, Overlay Zone. NCC 19.32.010 states the following:

19.32.010 Purpose And Intent

1. Intent: This section provides enabling authority and standards for the review and approval of applications for Residential Planned Unit Developments (R-PUD's). The intent of this ordinance is to provide an alternative to traditional subdivision design by

encouraging innovation and offering some flexibility in the design of residential developments, which may incorporate the permanent preservation of amenities, agricultural lands and other valuable natural and cultural resources, as well as providing a variety of amenities for the enjoyment and benefit of the citizens of Nibley.

2. Purpose: An R-PUD is an overlay rezone. That is, applicants apply for the overlay to be applied, allowing them to receive the density outlined herein in exchange for public amenities, all while retaining the original zoning of the property. The Planning Commission and City Council may approve, deny or approve the R-PUD with conditions, and no applicant has any entitlement to the approval of an R-PUD.

Unlike other developments and subdivisions, the applicant does not have a right to the density as listed in the overlay zone unless approved by the City. Therefore, the Planning Commission should evaluate the application on two grounds.

1. Legislative: Is this a good location and design for an R-PUD?
2. Administrative: Does the Application meet the R-PUD, zoning, and subdivision requirements?

The applicant has also decided to turn in both an R-PUD application and Preliminary Plat application at the same time. Because it involves the same development, both reports will be listed together, but there will need to be two different motions, one for the overlay application and another for the preliminary plat.

[Nibley City Code 19.32.70](#) has the following for consideration for an R-PUD:

D. R-PUD Considerations: In approving with conditions, denying or approving an R-PUD proposal, the Planning Commission and City Council shall consider the following in addition to all other considerations required by law:

- 1. Design of Buildings: The architectural design of buildings and their relationship on the site and their relationship to development beyond the boundaries of the development.*
- 2. Streets and Parking: Which streets shall be public, and which shall be private, the entrances and exits to the development, and the provisions for internal and external traffic circulation and off-street parking.*
- 3. Type, Size, and Location of amenities.*
- 4. Landscaping and Screening: The landscaping and screening as related to the several uses within the development and as a means of its integration into its surroundings.*
- 5. Signs: The size, location, design and nature of signs, if any, and the intensity and direction or area of floodlighting.*
- 6. Ability to Complete Project: The demonstrated ability of the proponents of the R-PUD to financially carry out the proposed project under total or phase development proposals within the time limit established.*
- 7. Criteria for Issuing Conditional Use Permit: Criteria used in NCC 19.28 of this title.*

The Planning Commission is a recommending body for an R-PUD and preliminary plat, while the City Council is the land-use authority.

Zoning

As you can see from the table below, the general lot sizes, open space, parking, density, and most other general zoning requirement are met for an R-PUD. There are a couple of items that still need to be addressed that are listed in the Recommended Finding Section below.

	R-PUD Requirements	Firefly Estates
Listed on R-PUD Application Map	Parcels need to be listed on the map	Yes
Total Gross Acres	N/A	20.11
Net Developable Acres	N/A	15.5
Total Open Space Land	35%	43.50%
Units Per Net Developable Acre	12 Max Units	8.2 Units
Total Number of Single Family Lots	20% min	24%
Min Lot Size for Single Family Lots	4,500 sq. ft.	6,000 sq. ft.
Total Lots		127
Total Park Space Required	2.5 Acres with one swing set and one playground	Unclear, need more information
Parking	2 spaces for each unit (254), and one guest parking for every 3 units (45)	Each unit had a two-car garage plus driveway for single-family homes. The development has 60 guest parking spots.

Surrounding Zoning and Land Use



Above is a picture from Cache County's GIS City Zoning and Logan City Zoning Layers turned on. Nibley City's and Logan's boundary is shown as the black line, Logan City is to the North and West of the proposed development, while Nibley City territory included the proposed development, the land to the South and East. To the North of the property, in Logan City, the red area is a Commercial Zone with commercial development taking place right now, the green-gray color is Mix Residential-20, which allows for up to 20 units an acre and there are currently apartments being built there. The RC is Logan's agricultural zoning with low density. To the south is a development built under the R-2A requirements. The lot sizes adjacent is .28 acres to .75 acres in size. To the East is Nibley City's Firefly Park.

The Applicant has placed single-family homes along the south boarded adjacent to existing single-family homes as required in NCC 19.32.040 (C).

The Planning Commission should consider the placement of this development in the context of surrounding development. The applicant turned in a map, shown below, that they proposed that this parcel could be a transition area that moved from higher density and commercial to single-family homes.

The applicant will need to provide some traffic calming features on the north end as required by NCC 21.12.060 (E) in Meadow Lane.

The Applicant will also need to align 1000 W as shown in the plan and do improvements to 2200 S.

The applicant's plat complies with the Transportation Master Plan.

The private roadway and alley access to the back of the townhomes is allowed under NCC 19.32.080 (B)(3).

Open Space and Maintenance Plan

The applicant has submitted a preliminary landscape plan for the open space and area around the townhomes. The applicant has also turned in a preliminary maintenance plan and has identified areas for the different amenities. The applicant will need to provide 2.5 acres of park space with a swing set and one playground as listed in NCC 19.32.050. Park space is provided, but the park space is not defined by acres so the City can not confirm the park meets the minimum standard.

The applicant has provided a Pedestrian Circulation Plan to show internal trails as required within the Subdivision. There will need to be a trail out of the end of the cul-de-sac, a 10' trail along Meadow Lane on the West side, and a trail that runs East and West. This trail provided as an 8' sidewalk on the north side of 2260 S to provide a connection from the development to Firefly and Heritage Park.

It is essential to note in final approval there are more landscaping details needed as listed in NCC 19.32.080 (B).

Recommended Findings

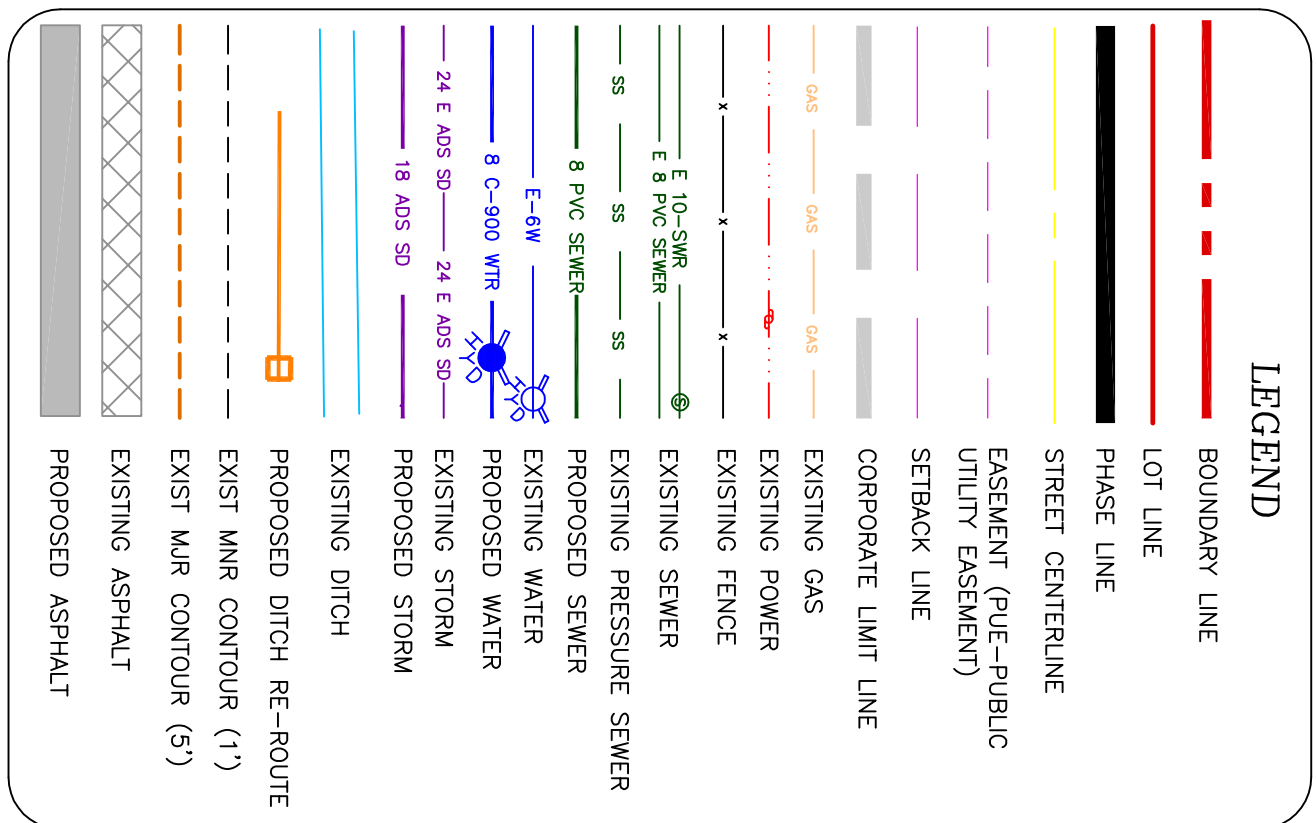
Staff recommends the Planning Commission finds the following for the Preliminary Plat

1. Needs a legal description of the property
2. Phasing needs to be altered to provide for two access once the total number of lots is greater than 30.
3. Need building setback lines drawn on the plat
4. General lot size, setbacks and other zoning requirements comply with R-PUD standards as listed in NCC 21.

The Findings for the R-PUD Application:

1. Architectural standards have been provided in the form of pictures. The general layout appears to comply with the code with a few small exceptions. Development agreement should require that buildings are built to the standards within the code.
2. At least 50% of the units require a two-car garage
3. A Pedestrian Circulation Map has been submitted. Shows sidewalks, sidewalk to each front door, crosswalks, trails, and a path to amenities. 1200 W needs a trail on the west side (see cross-section in Transportation Master Plan). Nibley City's Trail Master Plan shows an 8 foot that should go East and West on the parcel which has been provided. Trail out of the end of 1050 W only needs to be 8' wide, then need a 10' easement from the centerline of the canal pipe. See NCC 19.32.080 (B)(4) and NCC 21.12.060 (A)(B) and (F)
4. Each unit needs two parking spaces, needs at least 45 guest parking spaces. The proposed plat complies
5. Open Space Aminites: Need one playground and one swing set. Need details on where they will be located.
6. The applicant needs to confirm the size of the proposed park space and that it meets a minimum of 2.5 acres.
7. A Preliminary Maintenance Plan has been submitted. See 19.32.050 (B)

LOCATED IN THE SE QUARTER OF SECTION 17
TOWNSHIP 11 NORTH, RANGE 1 EAST, SLB&M
1050 WEST 2200 SOUTH
NIBLEY, UTAH
PRELIMINARY PLAT



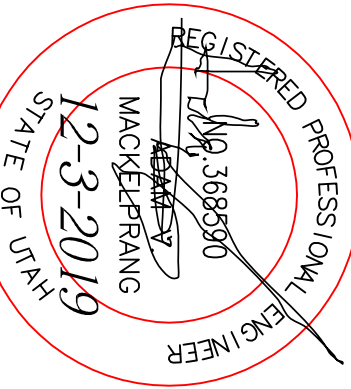
SUMMARY:
TOTAL AREA: 20.11 ACRES
TOTAL UNITS: 136
SINGLE FAMILY LOTS: 28
TOWNHOUSE UNITS: 108
AVERAGE SINGLE FAMILY LOT SIZE
SINGLE FAMILY HOME SETBACK =
OPEN SPACE: 6.95 ac. (34.56%)
PUBLIC ROADS: 4.61 ac.
PRIVATE DRIVEWAYS: 1.79 ac.

OWNER:
RETURN DEVELOPMENT
CHRISTOPHER HUFFMAN(801)557-3170
ETHAN POPPLETON (435)760-6934
4505 S. WASATCH BLVD, STE 150
HOLLADAY, UTAH 84124

AE

**ALLIANCE CONSULTING
ENGINEERS**

150 EAST 200 NORTH SUITE P
LOGAN, UTAH 84321
(435)755-5121
alliancecelogan@yahoo.com



945 WEST 2200 SOUTH
LOGAN, UTAH 84321

PRELIMINARY PLAT

DATE : NOV, 2019
DRAWING No. 1

PROJECT TITLE

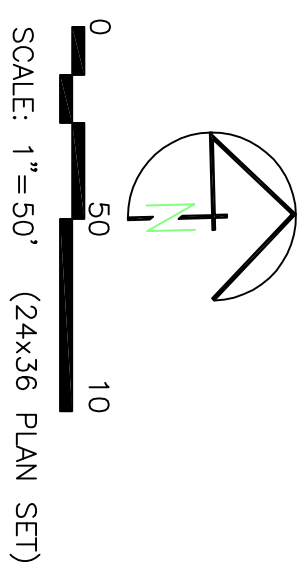
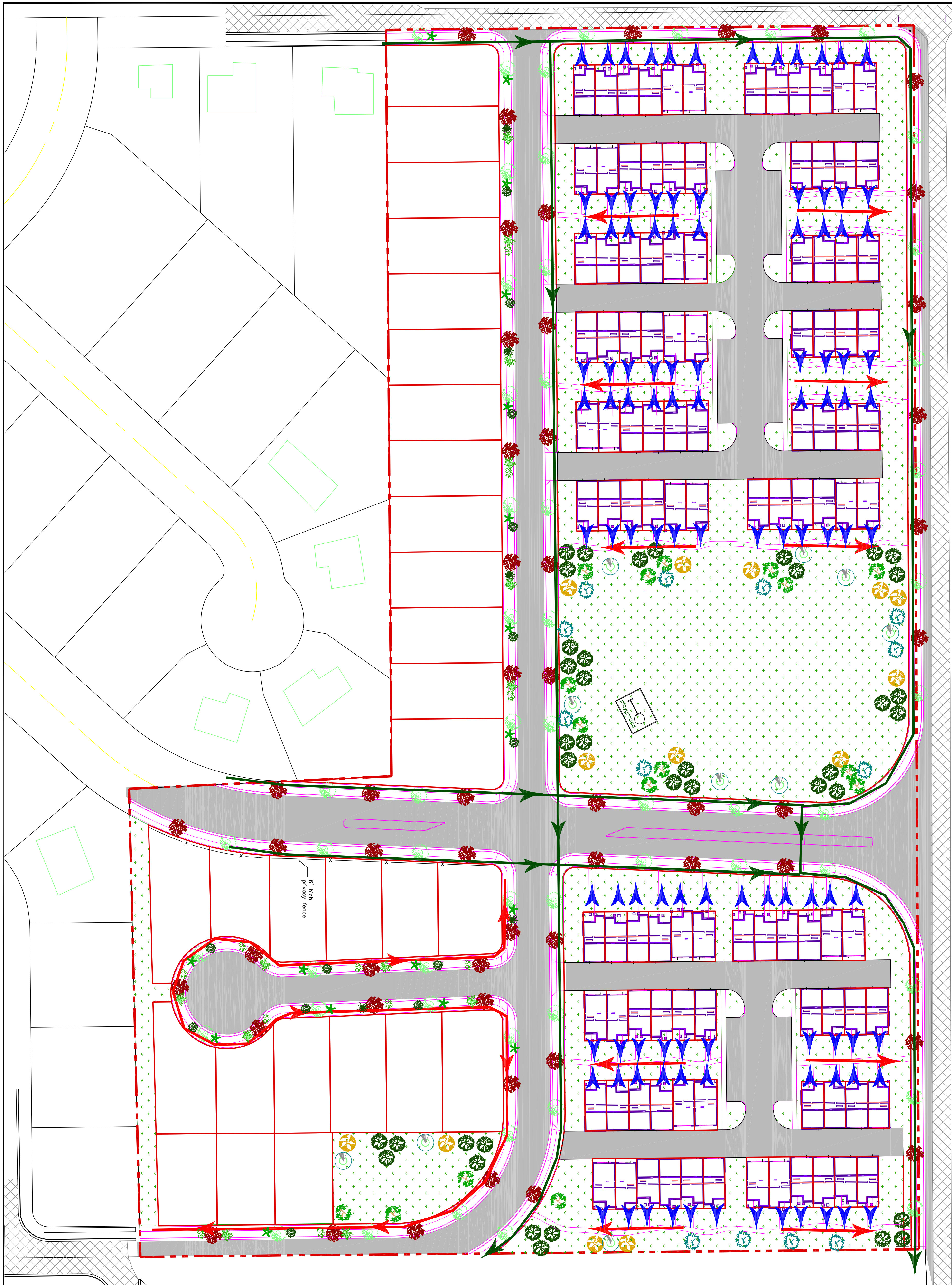
No.	REVISIONS/ SUBMISSIONS
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REVIEWED :	
CAD FILE :	

DRAWN :
PROJECT NO. :

LOCATED IN THE SE QUARTER OF SECTION 17
TOWNSHIP 11 NORTH, RANGE 1 EAST, SLB&M
1050 WEST 2200 SOUTH
NIBLEY, UTAH

PRELIMINARY LANDSCAPE PLAN



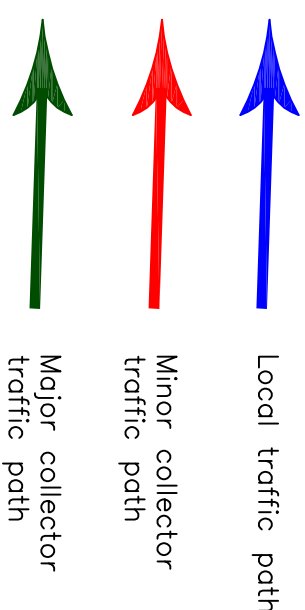
- LEGEND
- BOUNDARY LINE
- PROPOSED GRASS

- | | | |
|---|-------------------------|----------------------|
|  | Honey locust | 1-2 nd ca |
|  | Linden (green spire) | 1-2 nd ca |
|  | Spring snow crabapple | 1-2 nd ca |
|  | Burr oak | 1-3 rd ca |
|  | Male box elder | 1-2 nd ca |
|  | Cutleaf steeghorn sumac | 1-2 nd ca |
|  | Blackhaw viburnum | 1-2 nd ca |

Double flowering plum (shrub form)

- | | |
|---|-------------------------|
|  | Double flowering plum |
|  | Red-osier dogwood |
|  | Spiraea |
|  | Dwarf mock orange |
|  | Northern gold forsythia |

1. IRRIGATION SYSTEM WILL BE DESIGNED BY LANDSCAPE CONTRACTOR. LAWN AREAS WILL BE DESIGNED FOR HEAT TO HEAD COVERAGE AND ALL PLANTING AREAS WILL BE DRIP IRRIGATED.



No.	REVISIONS / SUBMISSIONS	DATE
REVIEWED :	DRAWN :	
CAD FILE :	PROJECT NO. :	

OWNER:
RETURN DEVELOPMENT
CHRISTOPHER HUFFMAN(801)557-3170
ETHAN POPPLETON (435)760-6934
4505 S. WASATCH BLVD, STE 150
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ENGINEERS**

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allianceclogan@yahoo.com

PRELIMINARY LANDSCAPE PLAN

DATE : NOV,2019
DRAWING No.

From: [Brian Popelton](#)
To: [Stephen Hays](#)
Subject: Architectural Standards
Date: Thursday, December 5, 2019 1:26:02 PM
Attachments: [GreenCanyon.docx](#)

—CAUTION— This email originated from outside of the organization.

Stephen,

Please see the information below as addition to our application.

Architectural Standards

Firefly Estates will use the attached images as an example of the standards anticipated to be used for this project (Green Canyon project in N Logan). We will alter accordingly to fit standards set forth in and all city codes and ordinances.



Maintenance Schedule

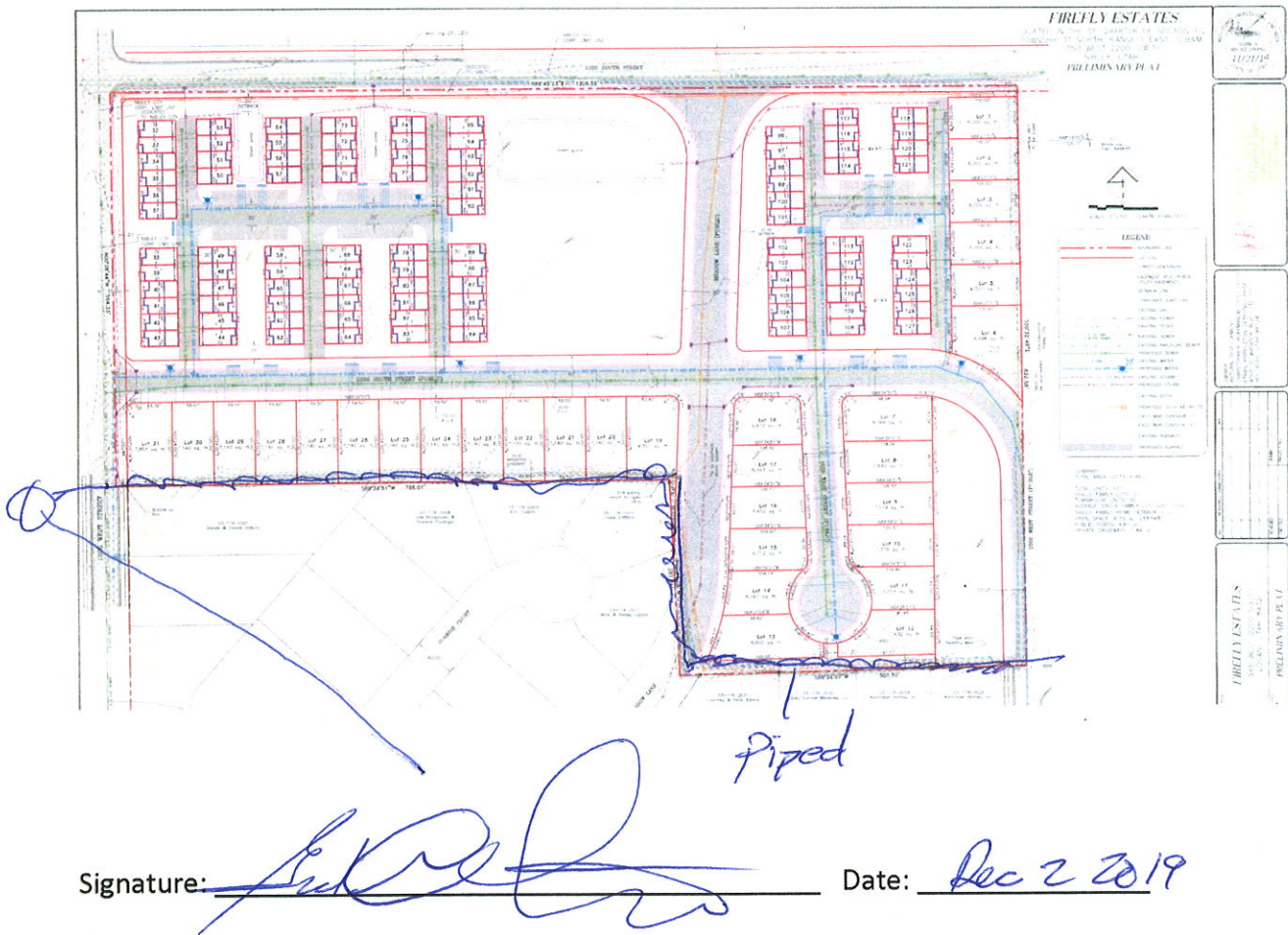
Similar to the project above, Firefly Estates will be managed by a 3rd party offsite HOA management company. Landscaping, lawn care and snow removal will be managed and scheduled through the HOA, along with exteriors of multi-unit structures. Further questions regarding the ongoing maintenance of Firefly Estates can be directed to Burke Nielsen at (435) 232-5355.

FIREFLY ESTATES

(2200 S 1200 W – NIBLEY, UT)

November 21, 2019

The develop of Firefly Estates subdivision has contacted us regarding the proposed development. We understand that we have thirty (30) days from the date of this letter to contact Nibley City regarding the canals on this property. Failure to do so constitutes the canal company's acceptance of improvements to said canal.



Agenda Item #5 Water Master Plan

Description

Workshop: Water Master Plan

Department

City Planning, Engineering, and Public Works

Action Type

Workshop

Recommendations

Review and make a recommendation to staff

Reviewed By

City Planner, City Engineer, City Public Works Director, City Manager

Background

Nibley City at the beginning of 2019 hired Jones and Demille Engineering to review and update the City Water Master Plan. The Master Plan's main goals are to help the City determine the need for water with future population growth, what new infrastructure will need to be built, and what steps Nibley can take to conserve water.

Justin Maughan, Nibley City's Public Works Director, will give a presentation on the proposed Master Plan.

The Planning Commission will need to hold a public hearing and make an official recommendation on the plan to the City Council. It is anticipated that the public hearing will take place on January 16, 2019.

Agenda Item #6 Neighborhood Commercial Zoning

Description

Workshop: Future of Commercial and Neighborhood Commercial Zoning within Nibley City

Department

City Planning, Engineering, and Public Works

Action Type

Workshop

Recommendations

Review concepts and make general recommendations

Reviewed By

City Planner

Background

Nibley City Mayor and a couple of members of the City Council have recommended to staff that the Planning Commission review several items about our commercial zoning as follows:

- Neighborhood commercial 2-5 acres zoning requirements
- Expansion of commercial zoning along Highway 165 and 3200 S
- Commercial standards
- Town Center Commercial standards

Staff will present a few options for commercial development within Nibley City. Nibley City had a study within the last two years that showed that Nibley could support further commercial development (see attached). It is also important to note that Nibley City is currently conducting a study to help evaluate what type of commercial growth Nibley City should support or even recruit into Nibley City.



19.14.010 Purpose

The purpose of the commercial zone is to provide suitable areas for the location of commercial activities needed to serve the people and commerce of the city. Retail commercial activities which serve the residents of the city will be encouraged.

19.14.020 Use Regulations

A. Use Permit

1. Each Commercial Development and Use shall obtain a business license from Nibley City. Commercial Uses as listed in NCC 19.20 as a conditional use shall also obtain a Conditional Use Permit before construction of new developments or operation of a business for existing commercial developments.

B. Traffic and Connectivity

1. Roadways and intersections shall maintain a Level of Service (LOS) C. Commercial applicants shall be required to make any road updates in order to ensure the roadway will maintain LOS C.
2. Site plans must comply with the Transportation and Trails Master Plan.
3. Applicants may be required to provide an additional vehicle access to the site for one or more of the following reasons
 - a. There is only one vehicle access road to the site
 - b. Allow for greater emergency access to the site
 - c. Provide for better connectivity and enhance the safety of surrounding roadways and intersections.
 - d. Construction access to minimize impact to existing homes and infrastructure

C. Utilities

1. Utility lines shall be updated to comply with water, sewer and stormwater master plans within the application property and adjacent rights-of-way.
2. A business license shall only be granted if the City can reasonably supply water and sewer services to the applicant for their proposed use. The City may require an applicant to turn over water shares or water rights in order to allow the City to provide long term water service to the site.
3. Applicants shall connect to service lines needed to supply the use of an application. If no utility lines are available or current utility lines and services are determined to be insufficient for the proposed use by the City Engineer, the applicant shall build or provide plans for the needed infrastructure before a conditional use permit may be granted.

D. Each Commercial building shall be built to the standards in Nibley City Design Standards for Commercial and Institutional Uses.

E. All buildings shall comply with fire code and are subject to inspection of the Fire Marshall before a business license and conditional use permit is given. New buildings shall be inspected by the Fire Marshal before Occupancy can be given and inspection must be passed annually thereafter.

F. Hours of Operation: The city may put limits of hours of operation from 7:00 a.m. to 10:00 p.m. on a conditional use application to mitigate noise and traffic to nearby residential zones.

- G. All site plans shall be approved by the City's Engineer and Public Works departments. All site plans shall comply with Nibley City Design Standards and all projects located in Commercial and Neighborhood Commercial Zone shall comply with Nibley City Design Standards for Commercial and Institutional Use.
- H. The City may require the placement of fences or walls to enhance security and mitigate aesthetic or other impacts at facilities adjacent to residential areas.
- I. In Commercial Zones, warehousing and storage may be allowed as part of business if it is attached to offices, retail, or other permitted or conditional use allowed within a Commercial Zone.
- J. All Commercial developments shall comply with landscaping code within NCC 19.24.170

19.14.030 Space Requirements

See NCC 19.22.

HISTORY

Adopted by Ord. No Source on 6/3/1993

19.14.040 Parking Requirements

See NCC 19.24.160.

HISTORY

Adopted by Ord. No Source on 6/3/1993

19.14.050 Neighborhood Commercial Zone C-N

A. Purpose

1. The neighborhood commercial zone C-N is established to provide areas in which the primary use of land is for commercial and service uses to:
 - a. Serve the daily convenience needs of the adjacent residential neighborhoods.
 - b. Provide economic stability.
 - c. Enhance property values.
 - d. Establish strategies for achieving good community design.
 - e. Stabilize areas/zones.
 - f. Reduce traffic congestion and promote walkable communities.
 - g. Promote the policies of the general plan.
2. This C-N zone shall be located in areas deemed appropriate and approved by the city council for services to the residents of the city. The zone will create a minimum of detriment, hazard, noise or inconvenience to surrounding residential development.
3. The C-N zone shall be characterized by harmonious grouping and architectural offset of building mass of commercial stores and shops which will be architecturally designed for, and will function as, an integrated unit. Clean parking lots and attractive well maintained shops with appropriate landscaping will also be characteristic of this zone.

4. Lighting will be of low intensity, low profile and fully shielded to protect the surrounding residential areas. The architectural design and character will be compatible with that of the surrounding residential environment.
 5. Heavy commercial uses within this zone have been excluded and are not permitted.
- B. Permitted Uses: See NCC 19.20.
- C. Conditional Uses:
1. Regular Conditional Uses: See NCC 19.20.
 2. Temporary Accessory Uses: Temporary accessory uses and structures are permitted in the C-N zone, provided they are incidental to, and do not substantially alter the character of, the permitted use or structure. Such permitted accessory uses and structures include, but are not limited to, the following: Storage of materials used for construction of a building, including the contractor's temporary office, provided that such use is on the building site or immediately adjacent thereto and provided further that such shall be permitted only during construction period and thirty (30) days thereafter.
 3. Use Limitations: All other uses not listed are not permitted.
- D. Area Density Requirements: Each single lot or parcel of land in the C-N zone shall contain a minimum of one-fourth (1/4) acre to allow for the building, site development, parking, required landscaping and stormwater detention. Stormwater detention can be planned as one shared basin.
- E. Lot Frontage: The combined, contiguous parcels or lot of land in the C-N zone shall abut a public street for a minimum distance of one hundred feet (100').
- F. Lot Coverage: No building, structure or group of buildings with their accessory buildings shall cover more than seventy percent (70%) of the lot or parcel.
- G. Minimum Lot Standards: The following minimum yard requirements shall apply to the C-N zone:
1. Front Yard: Each yard or parcel in the C-N zone shall have a store front yard of not less than thirty feet (20').
 2. Side Yard: Each yard or parcel of land in the C-N zone shall have a side yard of not less than fifteen feet (10'). The minimum side setback from an adjacent residential zone shall be thirty feet (10').
 3. Side Yard; Corner Lots: On corner lots the side yard contiguous to the street shall not be less than twenty feet (20') in width and shall not be used for vehicular parking. Said area shall be appropriately landscaped except those permitted accesses or driveways.
 4. Rear Yard: Each lot or parcel of land in the C-N zone shall have a rear yard of not less than fifteen feet (5') but at a minimum shall match the space requirements for the rear yard setback of the adjoining zone except the rear yard setback shall be thirty feet (20') adjacent to a residential zone.
- H. Building Height: No lot or parcel of land in the C-N zone shall have a building or structure which exceeds the height of two (2) stories with a maximum height of thirty five feet (35') and comply with NCC 19.24.080, "Public Buildings, Additional Height Allowed".
- I. Building Size: The maximum size building footprint allowed shall not exceed a total of ten thousand (10,000) square feet.
- J. Off Street Parking, Loading, And Access:

1. The requirements of design standards for commercial and institutional uses and NCC 19.24.160, "Parking Requirements", shall apply.
 2. The site shall be developed to provide for shared access.
 3. The developer/owner of a neighborhood commercial development located along a state owned highway will cause the required traffic impact study to be performed in conformance with the requirements of the Utah department of transportation. Provide to the city a valid copy of the UDOT letter of approval.
- K. Signs: The requirements of design standards for commercial and institutional uses shall apply to this zone. Only monument signage will be allowed, and only in the twenty foot (20') "front yard" setback.
- L. Site Plan Review And Approval Process: The requirements of design standards for commercial and institutional uses and the provisions of this title shall be enforced for any uses requiring site plan review.
1. Approval Process: All proposals for a commercial, neighborhood commercial or institutional development shall be required to conform to the provisions of this subsection. At each stage of site plan/design compliance process, applicants shall be required to submit relevant application forms and pay applicable fees. At all stages of the process, applicable fees must be paid in full prior to the site plan being presented to either planning commission or city council. All proposals governed by this subsection shall be required to conform to the Nibley City design standards for commercial and institutional development.
 - a. Preapplication Conference: Prior to presenting a concept plan to the planning commission, developers shall meet with the city planner in order to become acquainted with the development requirements, procedures and schedules, as well as to discuss potential issues with the project.
 1. At this time, developer shall present the city planner with a general site plan and inform the city planner of plans for the development.
 - b. Concept Presentation: Following determination of compliance at the preapplication conference, all proposals shall be required to present and receive approval on a concept plan from the planning commission.
 1. At this time, the planning commission may give preliminary input on the development concept. This input shall be based on the concept's compliance with the Nibley City general plan and all applicable state and local ordinances.
 - c. Preliminary Site Plan Approval: Upon receiving approval of a concept, developers shall be required to present and receive preliminary site plan approval from the planning commission and city council. Such plans shall be submitted a minimum of fourteen (14) days prior to the date of the meeting at which developer is requesting approval.
 1. At the time of presentation to the planning commission and city council, developer shall be required to submit the following plans, drawn to a scale not to exceed one inch equals three hundred feet (1" = 300'):
 1. Overall site plan, including location of buildings, open space, parking, landscaping and pedestrian and traffic circulation.

1. The overall site plan shall also show all existing residences, buildings, existing streets and proposed streets within three hundred feet (300') of the site in all directions.
 2. Architectural renderings and elevations, demonstrating building materials and colors.
 3. General drainage and utility layout with topography, showing all topographic features.
- d. Required Approvals: Developer is required to receive approval from both the planning commission and the city council. Either body may approve the preliminary site plan, deny the plan, or approve with conditions.
 1. If the preliminary site plan is denied, whichever body denies the plan shall give the developer specific reasons for the denial.
 2. If the site plan is approved with conditions, all conditions imposed must be completed prior to submittal of the final site plan.
 1. City staff shall review the final site plan to ensure such conditions are met prior to the final site plan being presented.
- e. Preliminary Approval Time Limitations: Approval of the preliminary plan by the planning commission and/or city council shall be valid for one year from the date of approval. Extensions of time may be granted by the planning commission and/or city council for a period of not longer than one year upon submittal of a request for extension of time, and showing of good cause prior to the expiration of the initial approval. Self-imposed or economic hardships shall not be a basis for granting an extension.
 1. If the final site plan has not been submitted within the one year, the preliminary plan must be submitted again with appropriate fees to the planning commission and city council for reapproval.
- f. Site Plan Modifications And Amendments: Except as may be provided for elsewhere in this chapter, no element of an approved site plan shall be changed or modified more than five percent (5%) without first obtaining approval of an amended site plan as follows:
 1. An amended site plan shall be submitted to the city planner for review and approval whenever changes more than five percent (5%) are proposed. A written report shall accompany the plans detailing all changes that were made.
 2. The procedure for approval of an amended site plan shall be the same as the procedure for approval of an original site plan as set forth in this chapter.
- g. Final Site Plan Approval: Once preliminary site plan approval has been received, developer shall be required to receive final site plan approval from the planning commission and city council. Such plans shall be submitted a minimum of fourteen (14) days prior to the date of the meeting at which developer is requesting approval.
- h. Final Site Plan Specifications: The final site plan shall be prepared, submitted and reviewed in accordance with the Nibley City design standards for commercial and institutional development.

1. As part of the final site plan submission, developer shall be required to submit those construction drawings outlined in the Nibley City engineering design standards and specifications.
 - i. Time Limitations: Developer shall have one year from the date of final site plan submittal to obtain final plan approval. Extensions of time may be granted by the planning commission and/or city council for a period of not longer than one year upon submittal of a request for extension of time, and showing of good cause prior to the expiration of the initial approval or an approved extension of time. A second time extension may be requested, and if granted, the extension can be no longer than six (6) months. No other time extensions shall be granted. Developer shall have to start the design review process over. Self-imposed and economic hardships shall not be a basis for granting an extension.
- M. Fencing And Screening: Fencing and screening shall meet the requirements of design standards for commercial and institutional uses; NCC 19.22.010(E), "Fences and walls maximum height"; NCC 19.24.090, "Fence Regulations"; and NCC 19.24.170(C), "Commercial And Industrial Zones" (landscape requirements), shall be required of all fences and landscape screening in this zone.
- N. Storage; Displays: All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user, not able to be stored within the commercial structure shall be stored in a completely enclosed building.
- O. Storage; Trash:
1. No trash, garbage, used materials or wrecked, inoperable or abandoned vehicles or equipment shall be stored in an open area. All such materials shall be kept in an enclosed building(s) or structure.
 2. All structures built to accommodate the storage shall be constructed using a design compatible with the primary structure and meeting all of the architectural design standards outlined in the design standards for commercial and institutional uses. Within a development of multiple structures a common structure shall be constructed suitable for use by all tenants or businesses.
- P. Preapplication And Concept Development Reviews: The requirements of design standards for commercial and institutional uses and provisions of this title shall apply to this zone.
- Q. Development Standards: The development standards of the C-N zone shall conform to design standards for commercial and institutional uses. No development shall proceed nor building permit issued in the C-N zone until the commercial and institutional design standards are enacted.



Retail Leakage and Surplus Analysis

The Retail Leakage and Surplus Analysis examines the quantitative aspect of the community's retail opportunities. It is a guide to understanding retail opportunities but it is not an analysis that indicates unconditional opportunities. The analysis is sometimes called "a gap analysis" or "a supply and demand analysis" and can aid in the following:

- Indicating how well the retail needs of local residents are being met
- Uncovering unmet demand and possible opportunities
- Understanding the strengths and weaknesses of the local retail sector
- Measuring the difference between estimated and potential retail sales

Understanding Retail Leakage

Retail leakage means that residents are spending more for products than local businesses capture. Retail sales leakage suggests that there is unmet demand in the trade area and that the community can support additional store space for that type of business.

However, retail leakage does not necessarily translate into opportunity. For example, there could be a strong competitor in a neighboring community that dominates the market for that type of product or store.

Understanding Retail Surplus

A retail surplus means that the community's trade area is capturing the local market plus attracting non-local shoppers. A retail surplus does not necessarily mean that the community cannot support additional business. Many communities have developed strong clusters of stores that have broad geographic appeal. Examples of these types of retailers include: sporting goods stores, home furnishing stores, restaurants, and other specialty operations that become destination retailers and draw customers from outside the trade area.

Examining the quantitative aspects (Leakage/Surplus) is only part of the evaluation of community's retail opportunities. Before any conclusions can be drawn about potential business expansion or recruitment opportunities, qualitative considerations such as trade area psychographics and buying habits must be analyzed in context of other market factors.

Interpreting Leakage Index

1.0 = equilibrium, meaning that demand and sales in the area being analyzed are in balance.
.80 = demand exceeds sales by 20%, meaning that consumers are leaving the area being analyzed.
1.2 = sales exceed demand by 20%, meaning that consumers are coming from outside the area being analyzed.

Leakage/Surplus Index by Major Store Type

The quantitative comparison of retail leakage and surplus in the twelve major store types shown in the chart and table below provides an initial measure of market opportunities. Combining this analysis with the knowledge of the local retail situation will take the process of identifying retail possibilities one step further.

Figure 1 provides the leakage/surplus indices and following is the sales potential and estimated sales for major store types.

Figure 1. Leakage/Surplus Index and Estimated and Potential Sales by Major Store Types



Store Type	Potential	Estimated Sales	Surplus/Leakage
Motor Vehicle Parts & Dealers	18,687,277	7,353,009	0.4
Furniture & Home Furnishing Stores	1,537,164	0	0.0
Electronics & Appliance Stores	2,207,935	480,396	0.2
Building Material & Garden Equipment & Supply Dealers	3,607,027	2,254,667	0.6
Food & Beverage Stores	9,448,932	0	0.0
Health & Personal Care Stores	4,712,458	0	0.0
Clothing & Clothing Accessories Stores	3,235,747	1,123,533	0.3
Sporting Goods, Hobby, Book, & Music Stores	3,448,476	4,335,385	1.3
General Merchandise Stores	10,358,687	0	0.0
Miscellaneous Store Retailers	1,595,531	2,492,045	1.6
Foodservice & Drinking Places	6,944,819	0	0.0
Total	65,784,053	18,039,035	0.3

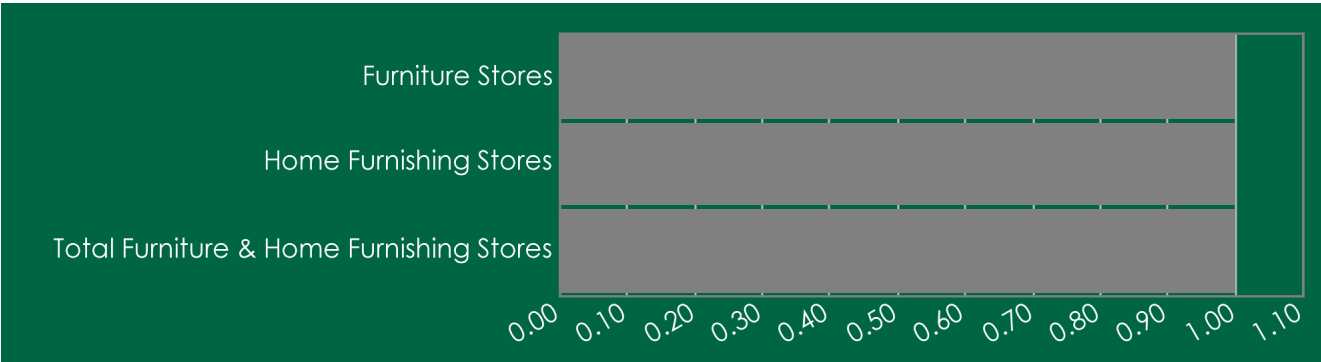
All estimates, projections or forecasts in this model are subject to errors, including statistical error, error due to the subjective nature of some data, error due to changes in demographics, error based on lagging competitor information or growth data, and error due to factors that are not included in the model. The user assumes all risk of reliance on this information.

Sub-Categories of Motor Vehicle Parts & Dealers



Store Type	Potential	Estimated Sales	Surplus/Leakage
Automotive Dealers	14,540,966	0	0.0
Other Motor Vehicle Dealers	2,755,546	7,353,009	2.7
Automotive Parts, Accessories, & Tire Stores	1,390,765	0	0.0
Total Motor Vehicle Parts & Dealers	18,687,277	7,353,009	0.4

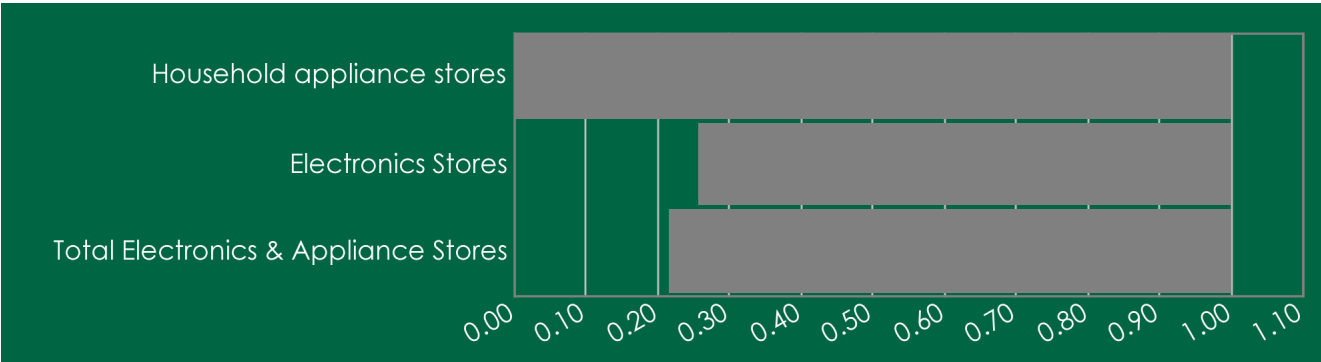
Sub-Categories of Furniture & Home Furnishing Stores



Store Type	Potential	Estimated Sales	Surplus/Leakage
Furniture Stores	902,917	0	0.0
Home Furnishing Stores	634,247	0	0.0
Total Furniture & Home Furnishing Stores	1,537,164	0	0.0

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Sub-Categories of Electronics & Appliance Stores



Store Type	Potential	Estimated Sales	Surplus/Leakage
Household appliance stores	353,347	0	0.0
Electronics Stores	1,854,588	480,396	0.3
Total Electronics & Appliance Stores	2,207,935	480,396	0.2

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Sub-Categories of Building Material & Garden Equipment & Supply Dealers



Store Type	Potential	Estimated Sales	Surplus/Leakage
Home Centers	1,833,539	0	0.0
Paint and Wallpaper Stores	79,106	0	0.0
Hardware Stores	320,627	51,231	0.2
Other Building Material Dealers	778,013	1,299,252	1.7
Outdoor Power Equipment Stores	95,905	192,843	2.0
Nursery, garden center, & farm supply stores	499,837	711,341	1.4
Total Building Material & Garden Equipment & Supply Dealers	3,607,027	2,254,667	0.6

Sub-Categories of Food & Beverage Stores



Store Type	Potential	Estimated Sales	Surplus/Leakage
Supermarkets and Other Grocery (except Convenience) Stores	8,132,013	0	0.0
Convenience Stores	315,724	0	0.0
Specialty Food Stores	332,283	0	0.0
Beer, Wine, & Liquor Stores	668,912	0	0.0
Total Food & Beverage Stores	9,448,932	0	0.0

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Sub-Categories of Health & Personal Care Stores

Store Type	Potential	Estimated Sales	Surplus/Leakage
Pharmacies and Drug Stores	3,907,413	0	0.0
Cosmetics, Beauty Supplies and Perfume Stores	290,140	0	0.0
Optical Goods Stores	195,183	0	0.0
Other Health and Personal Care Stores	319,722	0	0.0
Total Health & Personal Care Stores	4,712,458	0	0.0

Sub-Categories of Clothing & Clothing Accessories Stores



Store Type	Potential	Estimated Sales	Surplus/Leakage
Mens Clothing Stores	126,202	182,040	1.4
Womens Clothing Stores	486,783	0	0.0
Childrens and Infants Clothing Stores	181,512	941,493	5.2
Family Clothing Stores	1,309,863	0	0.0
Clothing Accessories Stores	103,271	0	0.0
Other Clothing Stores	150,651	0	0.0
Shoe Stores	541,959	0	0.0
Jewelry Stores	292,558	0	0.0
Luggage & Leather Goods Stores	42,948	0	0.0
Total Clothing & Clothing Accessories Stores	3,235,747	1,123,533	0.3

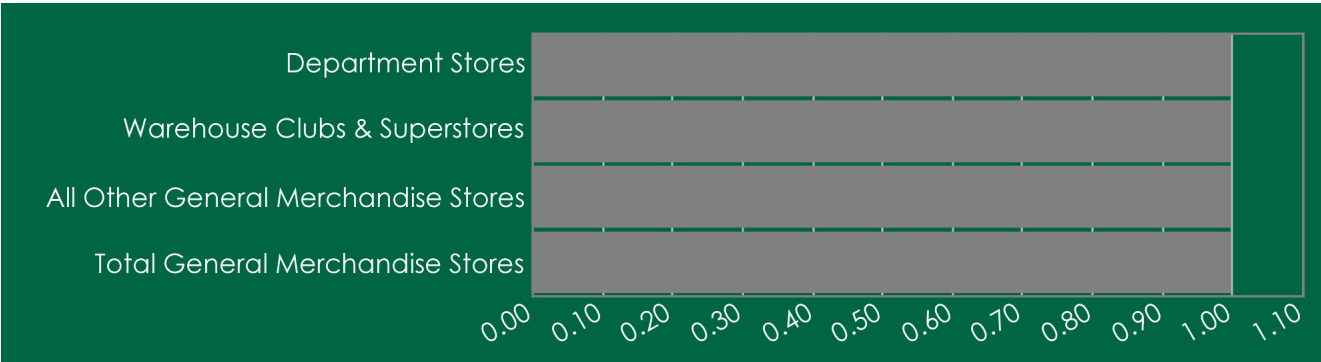
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Sub-Categories of Sporting Goods, Hobby, Book, & Music Stores



Store Type	Potential	Estimated Sales	Surplus/Leakage
Sporting Goods Stores	2,784,235	4,335,385	1.6
Hobby, Toy, and Game Stores	334,953	0	0.0
Sewing, Needlework, and Piece Goods Stores	40,227	0	0.0
Musical Instrument and Supplies Stores	64,349	0	0.0
Book Stores	171,576	0	0.0
News Dealers and Newsstands	53,136	0	0.0
Total Sporting Goods, Hobby, Book, & Music Stores	3,448,476	4,335,385	1.3

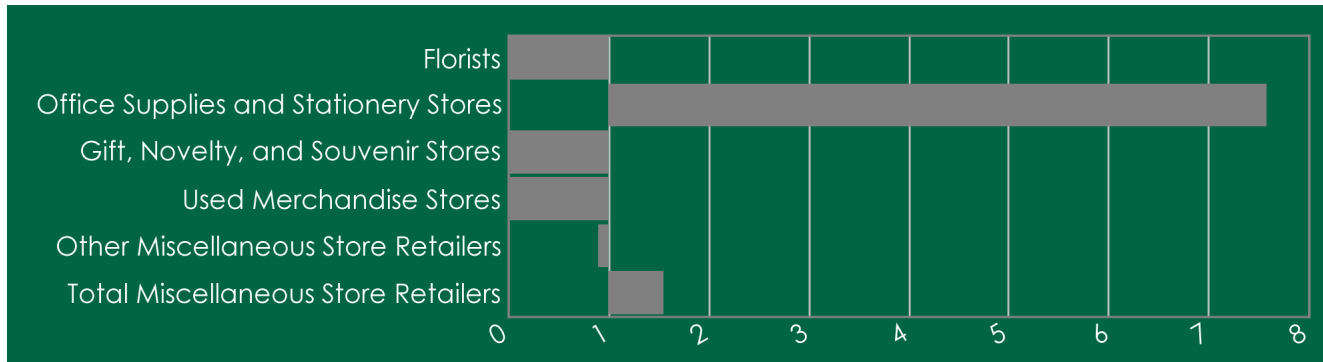
Sub-Categories of General Merchandise Stores



Store Type	Potential	Estimated Sales	Surplus/Leakage
Department Stores	2,590,438	0	0.0
Warehouse Clubs & Superstores	6,763,941	0	0.0
All Other General Merchandise Stores	1,004,308	0	0.0
Total General Merchandise Stores	10,358,687	0	0.0

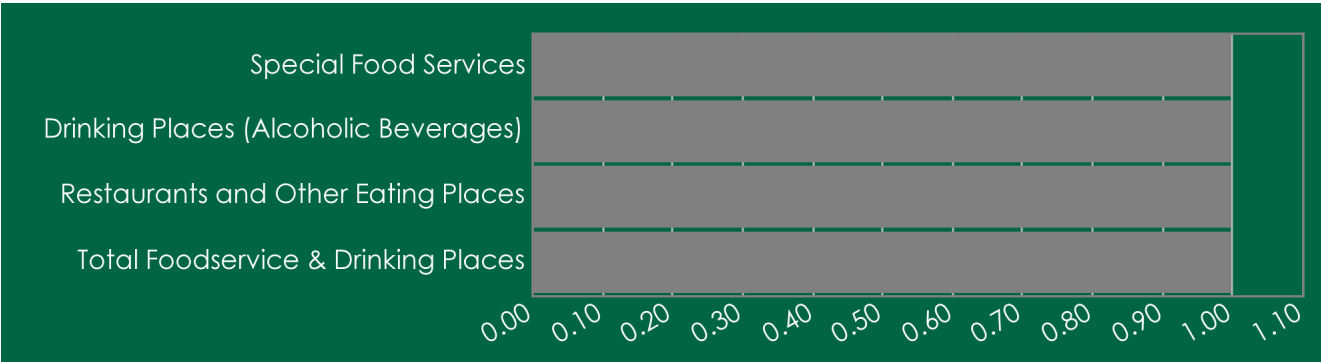
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Sub-Categories of Miscellaneous Store Retailers



Store Type	Potential	Estimated Sales	Surplus/Leakage
Florists	74,829	0	0.0
Office Supplies and Stationery Stores	243,804	1,849,463	7.6
Gift, Novelty, and Souvenir Stores	287,796	0	0.0
Used Merchandise Stores	276,723	0	0.0
Other Miscellaneous Store Retailers	712,379	642,582	0.9
Total Miscellaneous Store Retailers	1,595,531	2,492,045	1.6

Sub-Categories of Foodservice & Drinking Places



Store Type	Potential	Estimated Sales	Surplus/Leakage
Special Food Services	789,244	0	0.0
Drinking Places (Alcoholic Beverages)	321,774	0	0.0
Restaurants and Other Eating Places	5,833,801	0	0.0
Total Foodservice & Drinking Places	6,944,819	0	0.0

All estimates, projections or forecasts in this model are subject to errors, including statistical error, error due to the subjective nature of some data, error due to changes in demographics, error based on lagging competitor information or growth data, and error due to factors that are not included in the model. The user assumes all risk of reliance on this information.

Sources and Methodology

The primary data sources used in the construction of the database include:

- Current Year CAPE (Census Area Projections & Estimates) Consumer Expenditure Estimates
- Census of Retail Trade, Merchandise Line Sales
- Census Bureau Monthly Retail Trade

The Census of Retail Trade presents a table known as the Merchandise Line summary, which relates approximately 120 merchandise lines (e.g. hardware) to each of the store types. For each merchandise line, the distribution of sales by store type can be computed, yielding a conversion table which apportions merchandise line sales by store type.

The CAPE (Census Area Projections & Estimates) Consumer Expenditure database was re-computed to these merchandise lines by aggregating both whole and partial categories, yielding, at the block group level, a series of merchandise line estimates which are consistent with the CAPE Consumer Expenditure database.

These two components were then combined in order to derive estimated potential by store type. The results were then compared to current retail trade statistics to ensure consistency and completeness.



MEMORANDUM

To: Nibley City
From: Lewis Young Robertson & Burningham, Inc.
Date: April 13, 2018
Re: Supportable Commercial Zoning Analysis

SUMMARY

Nibley City (the "City") engaged Lewis Young Robertson and Burningham, Inc. ("LYRB") to determine the appropriate amount of commercial zoning within the City. Important demographics to help evaluate this objective include income, population growth, historic taxable sales, and estimated new growth. This analysis utilizes two methodologies to determine supportable commercial zoning. Based on estimated retail related per capita spending and State spending statistics, the total supportable commercial zoning is estimated at approximately 164 acres to 216 acres. The second methodology produces a larger range of commercial zoning with a low of 45 acres to a high of 2,000 acres based on a comparison of zoned commercial land per capita from other communities. Based on this analysis the supportable zoning is likely to be in the range of 150 to 300 acres at buildout. Commercial growth will develop around neighborhood scale retail, which provides personal services, food services, gas and lodging and general retail purchases.

CURRENT POPULATION

An analysis of absolute population growth shows that the State of Utah increased by approximately 280,000 persons from 2010 through 2016. Nibley increased by approximately 1,300 persons.

HISTORIC POPULATION

	April 1, 2010		Population Estimates as of July 1						
	Census	Base	2010	2011	2012	2013	2014	2015	2016
Nibley	5,438	5,469	5,568	5,759	5,869	5,995	6,195	6,444	6,747
State of Utah	2,763,885	2,763,889	2,775,260	2,815,430	2,854,222	2,899,961	2,938,671	2,984,917	3,044,321
Nibley as % of State	0.20%	0.20%	0.20%	0.20%	0.21%	0.21%	0.21%	0.22%	0.22%

Source: US Census

INCOME

In the last six years, the median household income in the City grew at an average annual growth rate (AAGR) of 2.1 percent, from \$50,302 in 2001 to \$64,029 in 2016. It is important to note that while Nibley's household income is higher than the State, the per capita income is slightly lower, with Nibley at \$20,777 compared to the State at \$25,600.

MEDIAN HOUSEHOLD INCOME

	2010	2011	2012	2013	2014	2015	2016	6.00
Nibley	\$56,421	\$55,739	\$58,193	\$60,667	\$61,483	\$63,374	\$64,029	2.1%
Cache County	\$39,004	\$39,276	\$40,434	\$41,130	\$42,259	\$43,011	\$44,518	2.2%
State of Utah	\$42,902	\$43,706	\$45,454	\$46,811	\$48,672	\$50,123	\$51,184	3.0%

Source: Utah Tax Commission

SALES GAP ANALYSIS

A sales gap (aka "leakage") analysis is conducted in order to identify economic development opportunities for a community by evaluating the total purchases made by residents inside and outside the community (hence, the term "leakage" for sales lost outside the community). This type of analysis first identifies sales within the State of Utah for each major North American Industry Classification System (NAICS) code category and then calculates the average sales per capita in each category. Per capita sales



in the community are compared to average per capita sales statewide in order to estimate what portion of resident purchases are being made within the community, and what amount is leaving the community. Communities with a lower per capita sales figure compared to the State average are experiencing “leakage”, whereas communities with a higher ratio are “capturing” higher taxable sales. A comparison of annual taxable sales data illustrates Nibley is one of the lowest within Cache Valley on a per capita basis. Based on current commercial development and population, it is likely the City experiences general leakage in all retail categories.

COMPARABLE TAXABLE SALES DATA

CITY	CY2014	CY2015	CY2016	% OF TOTAL	POPULATION	PER CAPITA
North Logan	\$214,359,484	\$225,835,392	\$233,837,983	13.6%	10,590	\$22,081
Logan	\$967,576,081	\$1,043,444,247	\$1,103,869,432	64.2%	50,676	\$21,783
Hyde Park	\$46,637,582	\$55,682,797	\$59,011,027	3.4%	4,513	\$13,076
Providence	\$53,547,471	\$54,642,881	\$57,655,995	3.4%	7,270	\$7,931
Smithfield	\$73,050,562	\$76,209,947	\$82,507,497	4.8%	11,146	\$7,402
Amalga	\$3,793,652	\$4,211,853	\$3,754,770	0.2%	516	\$7,277
Hyrum	\$43,806,348	\$55,376,761	\$52,908,395	3.1%	8,027	\$6,591
Lewiston	\$10,167,979	\$9,190,422	\$10,908,714	0.6%	1,806	\$6,040
Richmond	\$12,492,481	\$12,478,335	\$14,797,168	0.9%	2,600	\$5,691
Cache County (Unincorporated)	\$35,824,558	\$36,534,657	\$36,830,378	2.1%	6,565	\$5,610
River Heights	\$3,429,949	\$4,621,572	\$9,967,453	0.6%	1,962	\$5,080
Wellsville	\$10,257,101	\$11,016,650	\$14,672,643	0.9%	3,678	\$3,989
Paradise	\$2,799,899	\$2,593,204	\$2,945,599	0.2%	950	\$3,101
Millville	\$5,242,349	\$5,945,098	\$6,125,488	0.4%	1,986	\$3,084
Nibley	\$16,558,965	\$20,226,210	\$20,696,200	1.2%	6,747	\$3,067
Newton	\$1,737,663	\$1,706,688	\$2,038,292	0.1%	797	\$2,557
Mendon	\$3,353,878	\$3,758,661	\$3,355,905	0.2%	1,386	\$2,421
Cornish	\$749,941	\$560,898	\$722,189	0.0%	315	\$2,293
Trenton	\$777,120	\$988,299	\$892,678	0.1%	512	\$1,744
Clarkston	\$993,845	\$1,022,695	\$1,141,223	0.1%	711	\$1,605
Total	\$1,507,156,908	\$1,626,047,267	\$1,718,639,029	100.0%	\$122,753	\$14,001

Source: Utah State Tax Commission, LYRB

NIBLEY CITY RETAIL LEAKAGE/SURPLUS INDEX BY MAJOR STORE TYPE

While the table above provides an overview of Nibley City sales leakage as well as a comparison to surrounding communities, a more detailed analysis was recently completed by Buxton Company for Nibley and Hyrum Cities. The following table provides the leakage/surplus indices as well as sales potential and estimated sales for twelve major store types.

NIBLEY LEAKAGE/SURPLUS INDEX

STORE TYPE	POTENTIAL	ESTIMATED SALES	SURPLUS/LEAKAGE
Motor Vehicle Parts & Dealers	18,687,277	7,353,009	0.4
Furniture & home Furnishing Stores	1,537,164	0	0.0
Electronics & Appliance Stores	2,207,935	480,396	0.2
Building Material & Garden Equipment & Supply Dealers	3,607,027	2,254,667	0.6
Food & Beverage Stores	9,448,932	0	0.0
Health & Personal Care Stores	4,712,458	0	0.0
Clothing & Clothing Accessories Stores	3,235,747	1,123,533	0.3
Sporting Goods, Hobby, Book, & Music Stores	3,448,476	4,335,385	1.3
General Merchandise Stores	10,358,687	0	0.0
Miscellaneous Store Retailers	1,595,531	2,492,045	1.6
Food Service & Drinking Places	6,944,819	0	0.0
Total	65,784,053	18,039,035	0.3

The indices can be interpreted as follows:

1.0 = equilibrium, meaning that demand and sales in the area being analyzed are in balance.

.80 = demand exceeds sales by 20%, meaning that consumers are leaving the area being analyzed.

1.2 = sales exceed demand by 20%, meaning that consumers are coming from outside the area being analyzed.



HYRUM CITY RETAIL LEAKAGE/SURPLUS INDEX BY MAJOR STORE TYPE

The following table provides the leakage/surplus indices as well as sales potential and estimated sales for twelve major store types in Hyrum City.

HYRUM LEAKAGE/SURPLUS INDEX

STORE TYPE	POTENTIAL	ESTIMATED SALES	SURPLUS/LEAKAGE
Motor Vehicle Parts & Dealers	24,143,446	17,138	0.0
Furniture & home Furnishing Stores	2,016,146	857,919	0.4
Electronics & Appliance Stores	2,672,232	565,773	0.2
Building Material & Garden Equipment & Supply Dealers	5,383,063	26,198,025	4.9
Food & Beverage Stores	13,111,383	28,762,620	2.2
Health & Personal Care Stores	6,833,747	7,453,214	1.1
Clothing & Clothing Accessories Stores	4,197,570	501,783	0.1
Sporting Goods, Hobby, Book, & Music Stores	3,444,725	22,613	0.0
General Merchandise Stores	13,589,416	3,121,764	0.2
Miscellaneous Store Retailers	2,197,100	0	0.0
Food Service & Drinking Places	9,716,552	4,008,992	0.4
Total	87,305,380	71,509,841	0.8

The indices can be interpreted as follows:

1.0 = equilibrium, meaning that demand and sales in the area being analyzed are in balance.

.80 = demand exceeds sales by 20%, meaning that consumers are leaving the area being analyzed.

1.2 = sales exceed demand by 20%, meaning that consumers are coming from outside the area being analyzed.

As shown above, Nibley City's capture rate is well below the "equilibrium" with demand exceeding sales by 70 percent.

SUPPORTABLE COMMERCIAL ZONING

To determine the supportable commercial zoning within the City, this analysis evaluates future taxable sales growth, per capita spending by sector, and general commercial zoning ratios from other communities. Using two different methodologies, this analysis provides an estimate of supportable acreage by the following categories: general retail, industry, services, and total commercial acreage.

The first methodology employed in this analysis utilizes estimated retail related per capita spending and State spending statistics adjusted for the lower per capita incomes witnessed in the City. The State income adjusted per capita spending in 2016 for general retail, industry, and services was \$15,063. Assuming a total buildout population of 26,565 (based on 6,900 housing units estimated at buildout and an average household size of 3.85 according to the 2010 US Census) and a capture rate of 60 percent of local spending, the total supportable commercial zoning is estimated at approximately 164 acres. This assumes a median sales volume of \$168 per square foot of gross leasable area (GLA) and a floor area ratio (FAR) of 0.2. A capture rate of 60 percent is used based on the capture rate of two Utah communities of similar size (population of approximately 30,000).

SUPPORTABLE COMMERCIAL ZONING BASED ON AVERAGE PER CAPITA SPENDING

Analysis Based on State Per Capita Spending	General Retail	Industry	Services	Other	Total
Per Capita Spending (State Income Adjusted)	\$9,014	\$2,226	\$3,134	\$689	\$15,063
Capture Rate	60%	60%	60%	60%	60%
Captured Spending	\$5,408	\$1,336	\$1,880	\$414	\$9,038
Total Population at Buildout	26,565	26,565	26,565	26,565	26,565
Total Spending at Buildout	\$143,673,091	\$35,482,820	\$49,948,841	\$10,988,890	\$240,093,642
Median Sales Volume Per Sq.Ft. of GLA	\$168	\$168	\$168	\$168	\$168
Supportable SF	854,993	211,157	297,244	65,394	1,428,789
General Commercial Floor to Area Ratio	0.20	0.20	0.20	0.20	0.20
Acres Supportable (Based on State per Capita Spending)	98.14	24.24	34.12	7.51	164.00
Nibley Currently Developed Commercial/Industrial					109.97
Nibley Total Zoned Commercial/Industrial					179.93

Per Capita Spending (State Income Adjusted) is based on 2016 per Capita Taxable Sales for the State of Utah, assuming a Statewide population of 3,044,321, with per capita income of \$25,000. Nibley's per capita income is \$20,777, or 81.2 percent of the State total. General Retail includes building materials, clothing, food & beverage, furniture, health and personal, misc. retail, sporting goods, etc. Industry includes construction, information, manufacturing, transportation & warehousing and utilities. Services includes accommodation, admin, arts and entertainments, education, finance and insurance, public administration, etc.



A median sales volume of \$168 is used based on national data from the Dollars & Cents Shopping Center database. A comparison of retail establishments with in Utah illustrates an average of \$112 to \$368 per square foot.

COMPARABLE SALES PER SQUARE FEET

Comparable Retail Spending per SF	Retail 1	Retail 2	Retail 3	Retail 4	Average
Retail Median Sales Volume Per Sq.Ft.	\$98	\$126	\$182	\$41	\$112
Big Box Sales Volume per Sq. Ft.					\$368
Big Box sales volume is based on 15 retail tenants ranging in size from 6,500 square feet to 50,000 square feet.					

While the tables above illustrate an estimate of supportable acreage based on averages, it is important to note that the assumptions related to FAR and median sales volume will vary by development type. For example, general retail may support an FAR of 0.15, compared to industrial which typically is higher at 0.30. In addition, retail sales is typically lower for industrial uses. The table below illustrates the supportable square footage based on adjustments, which consider land use type.

SUPPORTABLE COMMERCIAL ZONING BASED ON ADJUSTED ASSUMPTIONS

Analysis Based on State Per Capita Spending	General Retail	Industry	Services	Other	Total
Per Capita Spending (State Income Adjusted)	\$9,014	\$2,226	\$3,134	\$689	\$15,063
Capture Rate	60%	60%	60%	60%	60%
Captured Spending	\$5,408	\$1,336	\$1,880	\$414	\$9,038
Total Population at Buildout	26,565	26,565	26,565	26,565	26,565
Total Spending at Buildout	\$143,673,091	\$35,482,820	\$49,948,841	\$10,988,890	\$240,093,642
Median Sales Volume Per Sq.Ft. of GLA	\$168	\$84	\$168	\$168	
Supportable SF	854,993	422,314	297,244	65,394	1,639,946
General Commercial Floor to Area Ratio	0.15	0.30	0.15	0.20	0.17
Acres Supportable (Based on State per Capita Spending)	130.85	32.32	45.49	7.51	216.17
Nibley Currently Developed Commercial/Industrial					109.97
Nibley Total Zoned Commercial/Industrial					179.93

SUPPORTABLE ZONING BY CAPTURE RATE

Capture Rate	Supportable SF	Supportable SF Based on FAR and Sale Adjustments
10%	27.33	36.03
20%	54.67	72.06
30%	82.00	108.08
40%	109.33	144.11
50%	136.67	180.14
60%	164.00	216.17
70%	191.34	252.20
80%	218.67	288.22
90%	246.00	324.25
100%	273.34	360.28

Using an alternative capture rate also will produce different results, with a 100 percent capture rate supporting a total of nearly 275 to 360 acres of commercial space. It is important to note that this methodology may not account for the full industrial space that could be supported within a community, as this type of land development is not necessarily tied to taxable sales statistics. Industrial development can be stimulated by economic incentives, access to key workforce demographics, availability of land and access to key infrastructure and/or natural resources. In addition, total office space may not be captured in the industry, services and other category.

Employing an alternative methodology yields similar results, but may also show the impacts of industrial and office space. A

comparison of zoned commercial land per capita for other communities produces a range of commercial zoning from a low of 45 acres to a high of 2,000 acres. The extreme highs in the table below are based on a comparison of two communities that have a large amount of industrial development. It is unlikely that Nibley will have the scale of this type of development. Therefore, the estimate based on data from Eagle Mountain, Bountiful and Saratoga Springs may be more appropriate, which is more in line with the data from the first methodology.

COMPARISON OF COMMERCIAL ACRES PER CAPITA

	NIBLEY	EAGLE MOUNTAIN	BRIGHAM CITY	NORTH SALT LAKE	BOUNTIFUL	SARATOGA SPRINGS
Population	6,747	29,202	18,975	20,301	44,078	26,887
Commercial Acres per Capita	0.027	0.002	0.044	0.075	0.011	0.005

	NIBLEY	EAGLE MOUNTAIN	BRIGHAM CITY	NORTH SALT LAKE	BOUNTIFUL	SARATOGA SPRINGS
Total Commercial Acres Supportable In Nibley Based on Comparable	179.93	45.48	1,165.92	2,001.65	304.55	132.00

The scenarios above show supportable acres ranging from 45 acres to 300 acres, compared to the current total commercial/industrial zoned land for Nibley of 179.93. It is likely that commercial growth will develop around neighborhood scale retail, which provides personal services, food services, gas and lodging and general retail purchases.

Nibley's proximity to regional retail in Logan, limited access and rural population will make it challenging to support a higher amount of commercial acreage. Lower population levels or continued sales leakage will result in less commercial acreage within the community. However, if the City allows for greater densities, resulting in an increase in buying power and capture rates, the area could see higher levels of commercial development. Methods to promote increased commercial development include:

- ☞ Allow for more residential development and population growth;
- ☞ Provide development incentives;
- ☞ Promote niche markets that will capture sales from surrounding communities; and
- ☞ Promote other types of commercial development (industrial, tech, office, etc.).