



Nibley City
Planning Commission Meeting
Thursday, March 19, 2020
455 W. 3200 S.
Nibley, UT

6:30 p.m. Call to Order and Roll Call
 Approval of Agenda
 Approval of Minutes

1. **A Public Hearing** to consider recommendations to the proposed update to Nibley City Commercial and Neighborhood Commercial Zoning Standards.
2. **Discussion and Consideration** of recommendations to the proposed update to Nibley City Commercial and Neighborhood Commercial Zoning Standards.
3. **Discussion and Consideration** of a proposed building permit to build a home on parcel 03-041-0001. Applicant Dustin Hansen
4. **Discussion and Consideration** of a recommendation on Mount Vista Phase 2 Final Plat, located at approximately at 600 W and 3600 S. (Applicant: Visionary Homes)
5. **Discussion and Consideration** of a recommendation on Mount Vista Phase 3 Final Plat, located at approximately at 450 W and 3500 S. (Applicant: Visionary Homes)
6. **Workshop:** Accessory Dwelling Units
7. **Workshop:** Residential Planned Unit Development Code Update
8. **Workshop:** Rural Preservation Subdivision
9. Staff Report and Action Items

*Planning Commission agenda items may be tabled or continued 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
March 19, 2020**

Agenda Item #1 and 2: Commercial and Neighborhood Commercial Code Update

Description

1. **A Public Hearing** to consider recommendations to the proposed update to Nibley City Commercial and Neighborhood Commercial Zoning Standards.
2. **Discussion and Consideration** of recommendations to the proposed update to Nibley City Commercial and Neighborhood Commercial Zoning Standards.

Department

City Planning, Engineering, and Public Works

Action Type

Workshop

Recommendations

Review and make a recommendation

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. Some are as follows:



- Neighborhood commercial 2-5 acres zoning requirements
- Expansion of commercial zoning along Highway 165 and 3200 S
- Commercial standards
- Allow for more of a mix-use within neighborhood commercial zone
- Allow more flexibility for the remodeling of residential homes for commercial uses.

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 and an update 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 may 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. Prior to the issuance of a business license or conditional use permit, 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 or conditional use permit 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 and shall be responsible for all associated costs. 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 business license or 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 commercial buildings shall comply with fire code and are subject to inspection of the Fire Marshall before a business license and/or conditional use permit is given. New commercial buildings shall also be inspected by the Fire Marshal before a certificate of occupancy can be given. All commercial buildings shall be subject to an annual inspection by the Fire Marshal, and any license, permit, or certificate issued for a building

or use may be revoked for failure to comply with fire code inspection must be passed annually thereafter.

~~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.~~

F. 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.

G. Residential Units Remodeled for Commercial Use:

1. Nibley City Design Standards for Commercial and Institutional Use facade treatments shall not apply to single family homes that have been remodeled for commercial use.

2. Remodeled Residential Units must comply with landscaping, parking, fire code, the Americans with Disability Act (ADA) requirements, building permit requirements and other zoning standards listed within this title.

3. Any business taking place in a remodeled residential unit is considered a conditional use, regardless of the use within the building.

4. The Commercial Use shall be the primary use of the building

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

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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.

Commented [RP1]: I wonder if this is not better handled as an overlay for residential, given that you're now allowing accessory dwelling units.

- 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. ~~Each neighborhood commercial zone shall be small in area, containing from two (2) to five (5) acres and will have sidewalks and provide streetscape improvements for present and provide streetscape improvements for present and future pedestrian access.~~
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.

4. Residential Units Remodeled for Commercial Use:

- a. Nibley City Design Standards for Commercial and Institutional Use facade treatments shall not apply to single family homes that have been remodeled for commercial use.
- b. Remodeled Residential Units must comply with landscaping, parking, fire code, the Americans with Disability Act (ADA) requirements, and other zoning standards listed within this title.
- c. Any business taking place in a remodeled residential unit is considered a conditional use, regardless of the use within the building.
- d. The Commercial Use shall be the primary use of the building

3.

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- D. Area Density Requirements: Each single lot or parcel of land in the C-N zone shall contain a minimum of one-~~fourth~~^{half} (1/~~42~~) 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-six~~ percent (~~70.60~~%) 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 ~~twenty-three~~ feet (~~20.30~~).
 2. Side Yard: Each yard or parcel of land in the C-N zone shall have a side yard of not less than ~~ten-fifteen~~ feet (~~10.5~~). The minimum side setback from an adjacent residential zone shall be ~~ten-thirty~~ feet (~~10.30~~).
 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 ~~five-fifteen~~ feet (~~5.15~~), 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 (~~20.30~~) 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 (~~150~~,000) square feet.

J. Accessory Dwelling Units (ADUs)

1. Commercial buildings within Neighborhood Commercial Zones shall be allowed to have up to two attached accessory dwelling units. ADUs shall be ~~be~~-attached to the building. Dwelling Units shall be located either on the rear of the building or on the second story.
2. Any Neighborhood Commercial Building shall supply two additional off-street parking for each ADU.
3. Each ADU shall have a separate access apart from the commercial access to the building
4. Each ADU must meet all applicable building, zoning, and fire code requirements.

J.K. ~~Minimum size requirements, separate access requirement, other building code requirements~~ 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

Commented [RP3]: Do we need more details like, requirements that each unit be accessible without going through commercial?

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.L. 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 ~~twentythree~~ foot (20'30") "front yard" setback.

L.M. 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.N.~~ 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.O.~~ 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.P.~~ 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.Q.~~ 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.R.~~ 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.

Agenda Item #3 Building Permit Review

Description

Discussion and Consideration of a proposed building permit to build a home on parcel 03-041-0001. Applicant Dustin Hansen

Department

City Planning

Action Type

Administrative

Recommendation

Continue the item until they are able to provide all the required information and get approval from Nibley City Flood Plain Manager (the City Manager)

Reviewed By

City Planner, City Building Inspector, City Engineer, and City Public Works Director

Background

Dustin Hansen has applied for a building permit for Parcel 03-041-0001. Because the parcel has not been a subdivided lot, the applicant must receive approval from the Planning Commission before the applicant can receive a building permit. The applicant has turned in a rough plot plan for the placement of the home. However, because of the flood plain and future roadway on the property, the applicant will need to turn in a more detailed site plan and additional engineering documentation. Staff is working with the applicant to get the needed information.

Future Roadway and Connection to Highway 165

The City's Transportation Master Plan has a future roadway (250 E) planned to traverse the property as shown to the left. Any home placement will need to allow the construction of that roadway.



The applicant will also need to get a CAP letter from UDOT to secure their access to the highway.

Flood Plain

The parcel proposed for the building lot has quite a bit of FEMA floodplain from the Blacksmith Fork River.

Nibley City Code 19.18.050 states the following:

No permit shall be issued for any construction or use in any floodplain overlay district until a conditional use permit has been obtained in compliance with the provisions of NCC 19.28, which shall not be given until the applicant provides adequate plans and engineering certification to indicate that the proposed building, structure or use is adequately protected from the velocity and depth of flood

water expected to occur on a frequency of once in one hundred (100) years and does not adversely affect other property. All buildings in the 100-year flood plain, except those legally existing on the date of the adoption of this title, shall contain no basement or cellar and have the first floor elevated above the level of flood water expected in a once in one hundred (100) year flood by placing the building on pilings, piers or similar columns. The provisions of this section shall not be construed to affect lots which are in existence on the date of the adoption of this title and are properly filed with the county, if a conditional use permit is obtained in accordance with the provisions of NCC 19.28, and the property owner signs a declaration acknowledging the likelihood of a flood occurring, and assumes all responsibility for such damage as may occur.



Picture of the FEMA Floodplain on the proposed building lot.

The applicant is not planning on building a basement but will need to supply additional information as required above. All building permits must also comply with Nibley City Code Title 23 Flood Control. In this section, NCC 23.08.020 Permit Procedure, the applicant must provide the following:

1. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
2. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
3. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of NCC 23.10.020(B);
4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
5. Maintain a record of all such information in accordance with NCC 23.08.010(B,1)

The City Floodplain Administrator (the City Manager) will need to sign off on the permit based on conditions listed in [23.08.020 \(B\) Permit Procedures](#). The Applicant has not received this approval.

Utilities

The applicant has provided information and has reviewed connections to Nibley City utilities. Staff is reviewing their plan.

Recommended Findings

Staff finds that the application has not provided sufficient information for approval at this time. Staff recommends that the Planning Commission continue the item until the applicant is able to provide the following:

1. An updated site plan
2. Required information as listed in Nibley City Code 19.18.050
3. Required information as listed in Nibley City Code 23
4. Preliminary approval from the Floodplain Manager

Agenda Item #4: Mount Vista Final Plat: Phase 2

Description

Discussion and Consideration of a recommendation on Mount Vista Phase 2 Final Plat, located at approximately 600 W and 3600 S. (Applicant: Visionary Homes)

Department

City Planning, Engineering, and Public Works

Action Type

Recommendation, Administrative

Recommendations

Review and make a recommendation to the City Council

Reviewed By

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

Background

Visionary Homes has applied for final approval for Mount Vista Phase 2 Subdivision. Mount Vista Subdivision is a Rural Preservation Subdivision. Phase 2 contains a total of 32 lots and 6.24 acres of open space that will be dedicated to Nibley City. The plat has the same lot layout and roadways with the approved preliminary plat that was approved by the City Council on August 8, 2019. At the end of this report, you can find a list of “Recommended Findings” from staff. The applicant has been sent the list of findings and is in the process of making the needed corrections.

Zoning

Staff finds that the plat meets the zoning requirements for the total number of lots, lot sizes, and the proportion of proposed open space as shown on the approved preliminary plat. The minimum

frontage requirement for the Open Space Ratio for the full subdivision is 80', with which the plat complies. The plat also meets the standards for a final plat as required in NCC 21.

Mount Vista Phase 1	
Total Gross Acres	17.74
Total Open Space Land	6.24 Acres
Total Lots	32

Utility Lines and Easements

Mount Vista has provided the property public utility easements and utility connections on the plat.

Construction Drawings

Staff has reviewed the construction drawings and the City Engineer has signed off on the drawings. The applicant has taken responsibility for securing the easement for the sewer line under the railroad tracks and will turn the line over to the City after completion of the project.

The applicant will also need to make some upgrades to the Scott Farms Lift Station for the sewer. Staff is currently in negotiations with the applicant about those improvements.

Finished Floor Elevations

The application has provided finish floor elevation on the plat as required by Nibley City Code. There are a few lots with XXXXX.XX notes as the finished floor elevation. A note has been added that says "No finished floor shall be built at an elevation lower than six inches (6") above finished curb or centerline of the street, whichever is higher unless an individual lot owner is able to provide a stamped report meeting the qualifications as listed within this section for their lot, and unless that report is reviewed and approved by the City Engineer."

Canals

The Developer has reached out to the canal company and is getting their final approval for canal improvements. There are canals on the property and have been placed in proper easements.

Roads

The Developer shows the proper dedication for the roadways. The City Council required that Parcel D a road right-of-way (ROW) be dedicated on the property for potential future roadway improvement. That ROW has not been added on the final plat.

Street Tree Plan

The developer has submitted a Street Tree Plan for Phase 2. The applicant plans on paying the City for the street trees, and then the City will plant the trees. This is allowed in NCC 21.12.170 Street Trees:

21.12.170 Street Trees

A. The developer shall provide a street tree planting plan that will be attached to the development agreement. Proposed street trees must conform with Nibley City's Tree Care Plan. The City and the Developer shall enter into an agreement that the City shall install and plant new trees within the development according to the submitted and approved street tree planting plan. The Development agreement shall outline this agreement and shall include the number of trees that will be planted and the cost of each tree that the developer will pay to the City to plant said trees.

1. The City and Developer may agree to allow the Developer the responsibility to plant and maintain trees until such a time that the adjacent property owner or Owners Association can manage and properly maintain the trees.

B. A variety of tree species, of similar shape and mature height, is required of all tree planting plans submitted to the City, with a minimum of one tree per fifty feet (50').

Open Space

The open space meets the general layout and placement of the approved preliminary plat.

Parcel C

This open space is planned to be planted with natural vegetation and will contain an 8-foot wide asphalt trail with a public easement that will connect to open space in phase one, and Parcel E. Parcel C will be a common space owned and maintained by the HOA.

Parcel D

This open space will contain a stormwater pond and will be built and landscaped according to NCC 21.10.020 (I) (7):

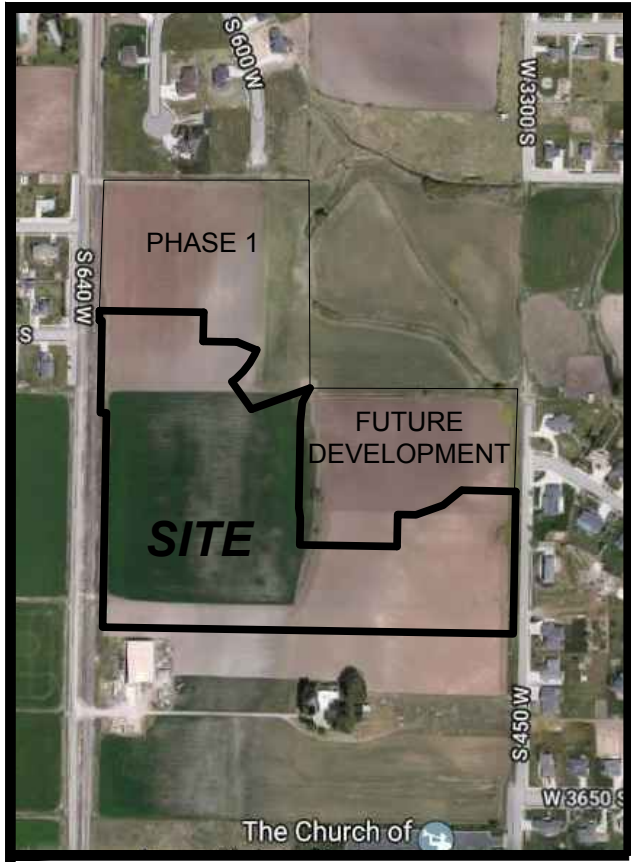
Stormwater Basin: These facilities must be built to Nibley City Design Standards and Specifications, must contain a tree for every 300 square feet and planted and clustered around the perimeter basin area; an irrigation system must be installed, and be planted with grass, natural vegetation and shrubs. The stormwater basin can be a local or regional basin and must be owned and maintained by Nibley City.

Parcel E

This open space will be developed and dedicated as a City Park. It will contain trails, landscaping, a future playground site, and a covered picnic area.

Recommended Findings

1. The plat meets the design of the approved preliminary plat
2. The plat complies with Nibley City zoning and subdivision standards
3. Note from Cache County Recorder: Open Space that is going to be part of an HOA should be labeled as Common Space
4. Open Space dedicated to the City should be noted as becoming City Property



VICINITY MAP

NTS

OWNER(S)/SUBDIVIDER
VISIONARY HOMES 2018 LLC
50 East 2500 North
North Logan, Utah 84341

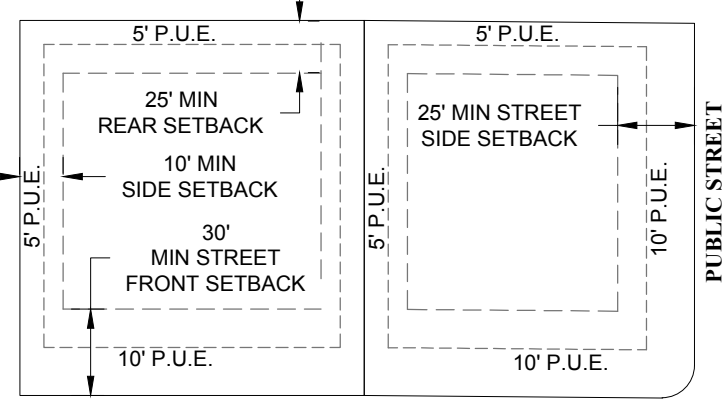
ENGINEER & SURVEYOR
CIVIL SOLUTIONS GROUP, INC.
MICHAEL TAYLOR, PE
DENNIS P. CARLISLE, PLS
540 W GOLF COURSE RD SUITE B1
PROVIDENCE, UTAH 84322
435-213-3762

DATE OF PREPARATION
JANUARY 22, 2020

LEGEND

(1234.5) LOWEST ALLOWABLE
FINISHED FLOOR
ELEVATION

1234 N LOT ADDRESS



PUE DETAIL
(TYPICAL SEE DRAWING FOR EXCEPTIONS)
NTS

ATTORNEY APPROVAL

APPROVED AS TO FORM THIS DAY OF _____, 20____.

CITY ATTORNEY _____ DATE _____

ENGINEER'S APPROVAL

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.

CITY ENGINEER _____ DATE _____

civilsolutionsgroup inc.
CACHE VALLEY | P: 435.213.3762
SALT LAKE | P: 801.216.3192
UTAH VALLEY | P: 801.874.1432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net



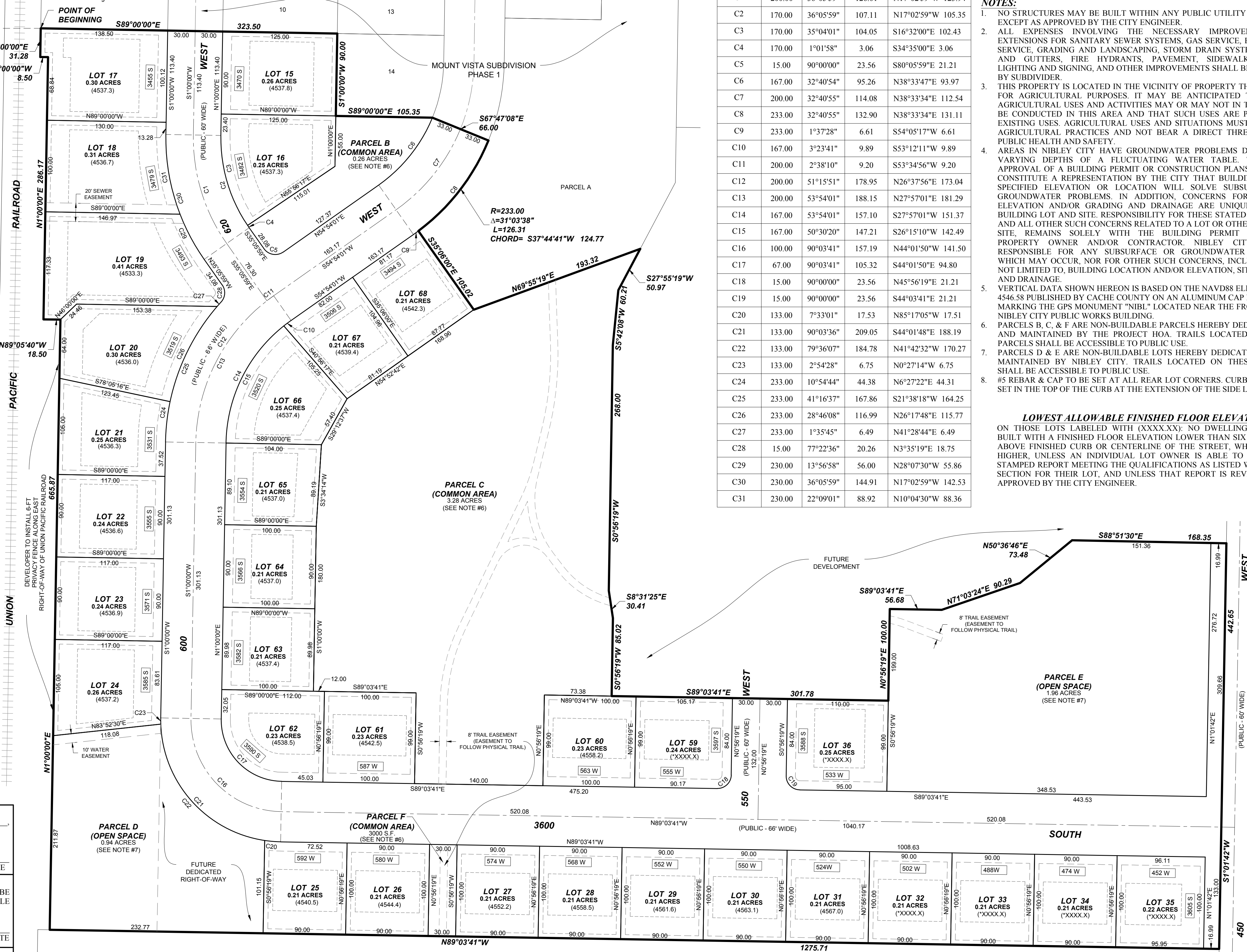
**17 NORTHWEST CORNER
OF SECTION 21,
T11N, R1E, SLB&M
BRASS CAP (RING & LID)**

**16 WEST 1/4 CORNER
OF SECTION 21,
T11N, R1E, SLB&M
BRASS CAP (RING & LID)**

**20 BASIS OF BEARING:
N0°27'11"W 2654.35
SOUTH**

**21 2959.39
EAST**

**1075.96
EAST**



UTILITY COMPANIES

THE UTILITY EASEMENTS SHOWN ON THIS PLAT HAVE BEEN REVIEWED AND ARE APPROVED.

DOMINION ENERGY* _____ DATE _____ ROCKY MOUNTAIN POWER _____ DATE _____
COMCAST CABLE _____ DATE _____ CENTURYLINK COMMUNICATIONS _____ DATE _____

*DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THIS PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

ROCKY MOUNTAIN POWER

1. PURSUANT TO UTAH CODE ANN. § 53-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFORD ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

- (1) A RECORDED EASEMENT OR RIGHT OF WAY
- (2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
- (3) TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND FACILITIES OR
- (4) ANY OTHER PROVISION OF LAW.

CURVE TABLE

CURVE #	RADIUS	DELTA	LENGTH	CHORD
C1	200.00	36°05'59"	126.01	N17°02'59"W 123.94
C2	170.00	36°05'59"	107.11	N17°02'59"W 105.35
C3	170.00	35°04'01"	104.05	S16°32'00"E 102.43
C4	170.00	1°01'58"	3.06	S34°35'00"E 3.06
C5	15.00	90°00'00"	23.56	S80°05'59"E 21.21
C6	167.00	32°40'54"	95.26	N38°33'47"E 93.97
C7	200.00	32°40'55"	114.08	N38°33'34"E 112.54
C8	233.00	32°40'55"	132.90	N38°33'34"E 131.11
C9	233.00	1°37'28"	6.61	S54°05'17"W 6.61
C10	167.00	3°23'41"	9.89	S53°12'11"W 9.89
C11	200.00	2°38'10"	9.20	S53°34'56"W 9.20
C12	200.00	51°15'51"	178.95	N26°37'56"E 173.04
C13	200.00	53°54'01"	188.15	N27°57'01"E 181.29
C14	167.00	53°54'01"	157.10	S27°57'01"W 151.37
C15	167.00	50°30'20"	147.21	S26°15'10"W 142.49
C16	100.00	90°03'41"	157.19	N44°01'50"W 141.50
C17	67.00	90°03'41"	105.32	S44°01'50"E 94.80
C18	15.00	90°00'00"	23.56	N45°56'19"E 21.21
C19	15.00	90°00'00"	23.56	S44°03'41"E 21.21
C20	133.00	7°33'01"	17.53	N85°17'05"W 17.51
C21	133.00	90°03'36"	209.05	S44°01'48"E 188.19
C22	133.00	79°36'07"	184.78	N41°42'32"W 170.27
C23	133.00	2°54'28"	6.75	N0°27'14"W 6.75
C24	233.00	10°54'44"	44.38	N6°27'22"E 44.31
C25	233.00	41°16'37"	167.86	S21°38'18"W 164.25
C26	233.00	28°46'08"	116.99	N26°17'48"E 115.77
C27	233.00	1°35'45"	6.49	N41°28'44"E 6.49
C28	15.00	77°22'36"	20.26	N3°35'19"E 18.75
C29	230.00	13°56'58"	56.00	N28°07'30"W 55.86
C30	230.00	36°05'59"	144.91	N17°02'59"W 142.53
C31	230.00	22°09'01"	88.92	N10°04'30"W 88.36

LOWEST ALLOWABLE FINISHED FLOOR ELEVATION

ON THOSE LOTS LABELED WITH (XXXXXX); NO DWELLING SHALL BE BUILT WITH A FINISHED FLOOR ELEVATION LOWER THAN SIX INCHES (6") ABOVE FINISHED CURB OR CENTERLINE OF THE STREET, WHICHEVER IS HIGHER, UNLESS AN INDIVIDUAL LOT OWNER IS ABLE TO PROVIDE A STAMPED REPORT MEETING THE QUALIFICATIONS AS LISTED WITHIN THIS SECTION FOR THEIR LOT, AND UNLESS THAT REPORT IS REVIEWED AND APPROVED BY THE CITY ENGINEER.

SURVEYOR'S CERTIFICATE
I, DENNIS P. CARLISLE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 172675 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS(S) THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF SAID CODE, AND HAVE ALSO SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND THE SAME HAS OR WILL BE CORRECTLY SURVEYED, STAKED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

DENNIS P. CARLISLE _____ DATE _____
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 172675

BOUNDARY DESCRIPTION

A portion of Lots 6 & 7, Block 17, MILLVILLE WEST FIELD FARM SURVEY, located in the NW1/4 of Section 28, Township 11 North, Range 1 East, Salt Lake Base & Meridian, Nibley, Utah, more particularly described as follows:

Beginning at a point on the easterly line of the Union Pacific Railroad (formerly Oregon Short Line Railroad) at the southwest corner of Phase 1, MOUNT VISTA Subdivision located South 2,959.38 feet and East 1,075.96 feet from the West 1/4 Corner of Section 21, T11N, R1E, S.L.B. & M. (Basis of Bearing: N0°27'11"W along the Section line between the West 1/4 Corner and the Northwest Corner of said Section 21); thence along the southerly lines of said proposed Subdivision the following 7 (seven) courses and distances: S89°00'00"E 323.50 feet; thence S1°00'00"W 90.00 feet; thence S89°00'00"E 105.35 feet; thence S67°47'08"E 66.00 feet; thence Southwesterly along the arc of a 233.00 foot radius non-tangent curve (radius bears: N67°47'08"W) to the right 126.31 feet through a central angle of 31°03'38" (chord: S37°44'41"W 124.77 feet); thence S35°06'00"E 105.02 feet; thence N69°55'19"E 193.32 feet; thence S27°55'19"W 50.97 feet; thence S5°42'08"W 60.21 feet; thence S0°56'19"W 268.00 feet; thence S8°31'25"E 30.41 feet; thence S0°56'19"W 85.02 feet; thence S89°03'41"E 301.78 feet; thence N50°36'46"E 73.48 feet; thence S88°51'30"E 168.35 feet to the westerly line of Phase 2, HERITAGE HILLS Subdivision, according to the Official Plat thereof on file in the Office of the Cache County Recorder; thence S1°01'42"W (along: S0°15'00"W) along said Plat 442.65 feet; thence N89°03'41"W along the extension of, and along the southerly line of Lot 6, Block 17, MILLVILLE WEST FIELD SURVEY 1,275.71 feet to the easterly right-of-way of said railroad; thence along said right-of-way the following 5 (five) courses and distances: N1°00'00"E 665.87 feet; thence N89°05'40"W 18.50 feet; thence N1°00'00"E 286.17 feet to a rebar & cap (found); thence N89°00'00"W 8.50 feet to a rebar & cap (found); thence N1°00'00"E 31.28 feet to the point of beginning.

Contains: 17.74+/- acres

OWNER'S DEDICATION

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

MOUNT VISTA SUBDIVISION PHASE 2

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. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

_____(SIGNATURE)

BY: _____ (PRINTED NAME)

ITS:

CORPORATE ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME _____, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) AND WHO BY ME DULY SWORE/AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF _____ AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR RESOLUTION OF ITS BOARD OF DIRECTORS, AND SAID ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC (SIGNATURE)

RESIDING IN _____ COUNTY

MY COMMISSION No. _____ PRINTED FULL NAME OF NOTARY

CITY COUNCIL APPROVAL AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY COUNCIL THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

NIBLEY CITY MAYOR _____ DATE _____

NIBLEY CITY RECORDER _____ DATE _____

PLANNING COMMISSION APPROVAL AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY PLANNING COMMISSION THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.

PLANNING COMMISSION CHAIR _____ DATE _____

FINAL PLAT OF

MOUNT VISTA SUBDIVISION PHASE 2

LOCATED IN A PORTION OF LOTS 6 & 7, BLOCK 17, MILLVILLE WEST FIELD FARM SURVEY
NW1/4 OF SECTION 28, T11N, R1E, S.L.B. & M.
NIBLEY CITY, UTAH

RECORDED

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF:

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

\$ _____
FEE: _____ CACHE COUNTY RECORDER



FINAL MAINTENANCE PLAN
FOR THE
MOUNTAIN VISTA SUBDIVISION

LOCATED AT APPROXIMATELY

3530 SOUTH 450 W

NIBLEY, UT

September 30, 2019



Introduction

The following maintenance plan was prepared in accordance with section 21.10.020(L)(3) of the Nibley city municipal code. The intent of this document is to outline the ownership and maintenance plans for the open space that is proposed as a part of the Mountain Vista Rural Preservation Subdivision. A copy of the landscape plan is attached as exhibit 'A' to the end of this document.

Open Space Ownership

Each parcel of open space contained within this subdivision will be owned by the Mountain Vista Home-Owners Association, except for the parcel 3 and potentially parcel 5. The proposed open space parcels will be subject to a perpetual access easement granting the public access to the open space parcels and accompanying amenities. The city has expressed interest in the park parcel in phase 2 becoming a public park. If that is the case, the parcel for the park will be deeded to the city after the phase 2 plat is recorded.

Maintenance Responsibility

For all open space parcels privately owned by the Association, all maintenance will be the responsibility of said entity, or its assigns. The management company that will be contracted with is Advantage Management (AM). They will be responsible for establishing the necessary HOA dues and collecting said dues in order to pay the maintenance company of their choosing. All maintenance of the HOA owned parcels will be done by a private maintenance company that is contracted through AM. The HOA for this subdivision will not have any employees.

All long-term maintenance and improvement projects will be funded by HOA fees as well as a reinvestment fee that will be collected from each homeowner at the time of closing. The monthly HOA fee is planned to be **\$25.00** per home, and the reinvestment fee will be **0.25%** of each home purchase price. With this fee schedule in place, the HOA for this subdivision will have a robust financial ability to manage the proposed facilities without concern.

Insurance Requirements

All insurance requirements for the maintenance company will be provided by the maintenance company to AM prior to signing any contracts. The HOA will maintain liability insurance on the common areas that are privately owned at an initial cost of **\$119.00** per month. The liability insurance will be paid for out of the HOA's monthly budget from membership dues.

Maintenance Plan

Open Space Area 1: This parcel will be maintained once per week by the maintenance company. Maintenance will include lawn mowing and trimming and general cleanup. Trees will be pruned and trimmed as needed.

Open Space Area 2: This parcel will need to be maintained on a less regular basis as the native grasses are slower growing. We anticipate that mowing by the maintenance company will need

to happen 2-3 times through the growing season. General cleanup will take place as needed. Trail repairs will also take place on an as needed basis.

Open Space Area 3: This parcel as per city code (21.10.020(I)(7)) will be owned and maintained by the city.

Open Space Area 4: This parcel will be maintained once per week by the maintenance company. Maintenance will include lawn mowing and trimming and general cleanup.

Open Space Area 5: it is anticipated that this parcel will become a public park and will be owned and maintained by the city.

Open Space Area 6: This parcel will need to be maintained on a less regular basis as the native grasses are slower growing. We anticipate that mowing by the maintenance company will need to happen 2-3 times through the growing season. General cleanup will take place as needed. Trail repairs will also take place on an as needed basis.

Open Space Description and Standards

Each parcel of proposed open space must meet three of the seven criteria listed in section 21.10.020(I) of the Nibley City code. The following paragraphs detail how each parcel meets the required criteria to be considered as open space.

Open Space Area 1: Area 1 will be landscaped in such a way that it will provide a small, but still useable park area. The area will be manicured grass with deciduous and evergreen trees densely planted to create an area that is not only a great visual buffer for those on the go, but also an inviting area to stop at during a leisurely walk with the kids. This area meets criteria 2, 5, and 6.

Open Space Area 2: Area 2 encompasses 5.4 acres and preserves a significant feature on the property which is the hillside that traverses the north-south along the entire project. There will be a public trail that will traverse the parcel for approximately 1200 feet. While enjoying the trail and accompanying corridor, which is up to 320 feet wide, trail users will enjoy native grass landscapes. The parcel will also provide a large swath of open space that runs nearly the length of the project from north to south. With the elevation differences on this parcel it lends itself well to be the sledding hill for kids from this neighborhood and surrounding neighborhoods. This area meets criteria 1, 2, 5, and 6.

Open Space Area 3: This parcel contains the storm water storage area. The parcel will be landscaped per all code requirements to be eligible to be counted towards the required open space area. The landscape requirement for this area is significant requiring 1 tree per 300 square feet. While creating our planting plan it became obvious that with the constraints on this pond parcel it was going to be difficult to plant the required number of trees on this parcel without planting inside of the required future road easement, or in the pond itself. In trying to keep with the intent of the code, the 104 required trees that are not able to be planted in this parcel will be planted in open space areas 1, 5, and 6.

This parcel is just under 1 acre (0.94 ac) and will function as a recreation space for residents. The sidewalks and nearby trail system provide pedestrian access to make this accessible. This parcel meets criteria 5, 6, and 7.

Open Space Area 4: This parcel is a trail corridor connection to the property to the south of the proposed subdivision. This parcel meets criteria 2, 5, and 6.

Open Space Area 5: The park parcel. This 2-acre parcel provides great public access to a large park area. The city's park master plan shows this park as being in an area that is not currently being served by a city park. Residents of the Mountain Vista Subdivision, as well as neighboring property owners will enjoy the recreation space that this park provides. This parcel would be an excellent candidate for a local city park if the city chose to pursue that option. This parcel will be fully landscaped with trees and manicured grass. This parcel meets criteria 2, 5, and 6.

Open Space Area 6: This parcel will provide a contiguous open space connection to the neighboring parcels to the north. This area will also provide buffering between this subdivision and the larger lots to the east, it will also provide buffering between this subdivision and traffic on 450 West street. The sidewalk along the entire south side of the parcel will provide access for the public to enjoy this hillside parcel. This parcel meets criteria 2, 4, and 5.

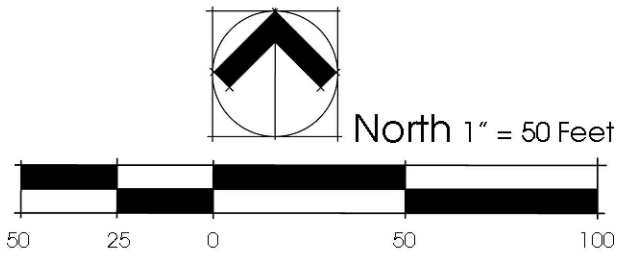
Exhibit 'A'
Landscape Plan



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
B		Fraxinus p.l. 'Patmore'	Patmore Ash	2" cal.
C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Cetis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

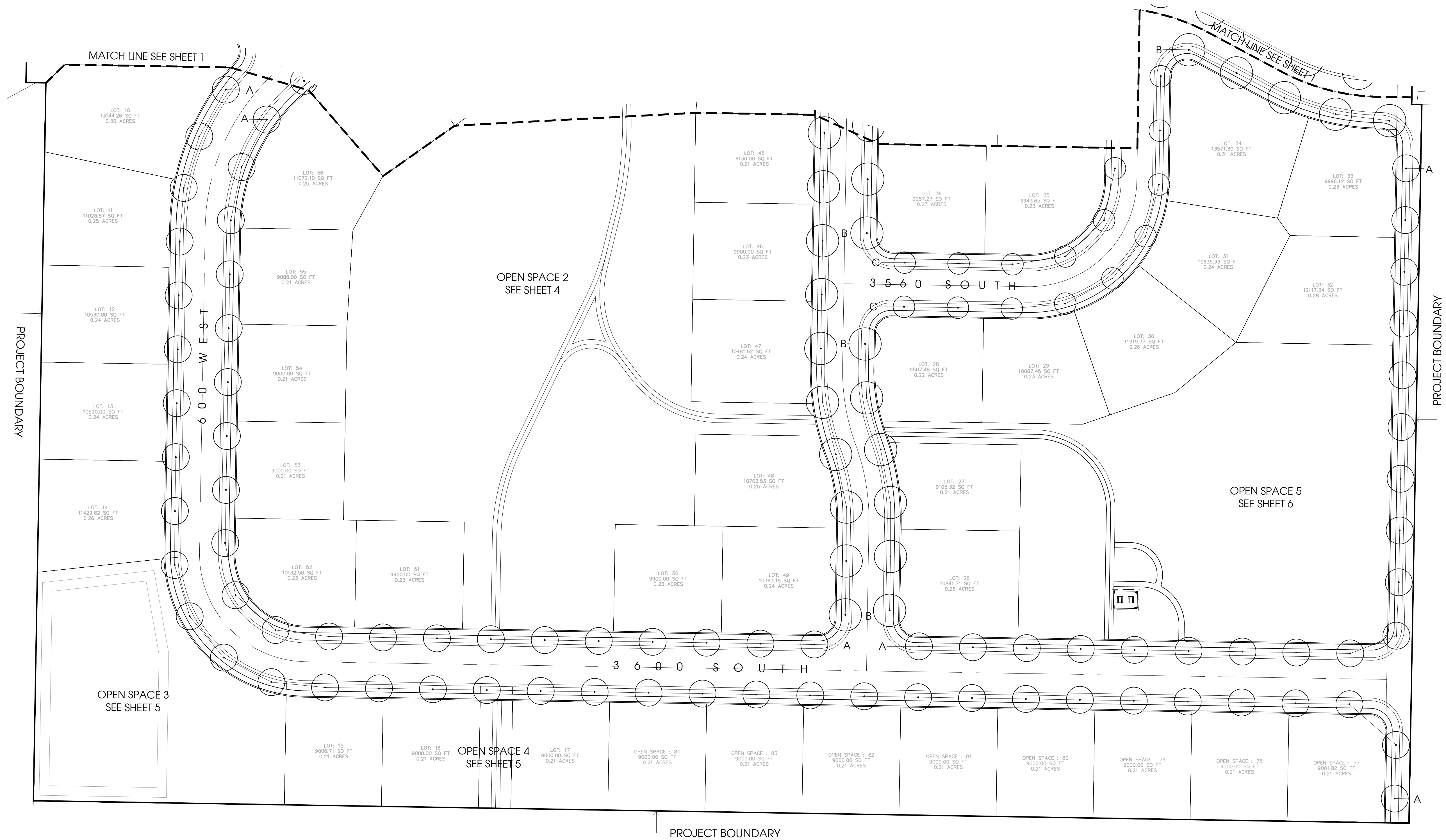
- Planting Notes . Street Trees
- Street trees are to be located at approximately 50 feet on center and as shown on the plan.
 - Street trees are to be installed by the Developer when home is built and occupied.
 - If driveway or utilities locations conflict with the street tree's placement, it may be eliminated or may require adjustment to the tree's location.
 - Street trees shall be centered in the park strip between the sidewalk and curb.
 - All park strips are to be planted with lawn—either seed or sod is acceptable. Planting is the responsibility of the homeowner and is to be maintained by the homeowner.
 - Refer to the Planting Specification.



17 SEPTEMBER 2019
SHEET 1
Street Tree Plan

MOUNTAIN VISTA

Ironwood Construction . 50 East 2500 North . North Logan, Utah

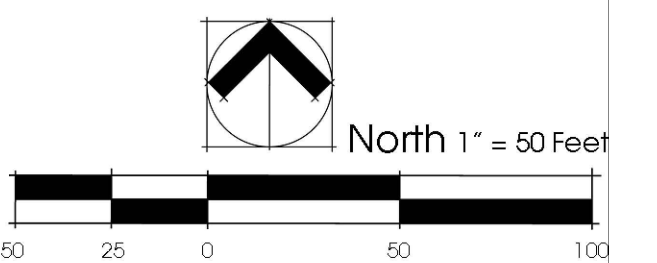


Plant List

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
B		Fraxinus p.l. 'Patmore'	Patmore Ash	2" cal.
C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Celtis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 1/2" cal.

Planting Notes . Street Trees

- Street trees are to be located at approximately 50 feet on center and as shown on the plan.
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- Refer to the Planting Specification.

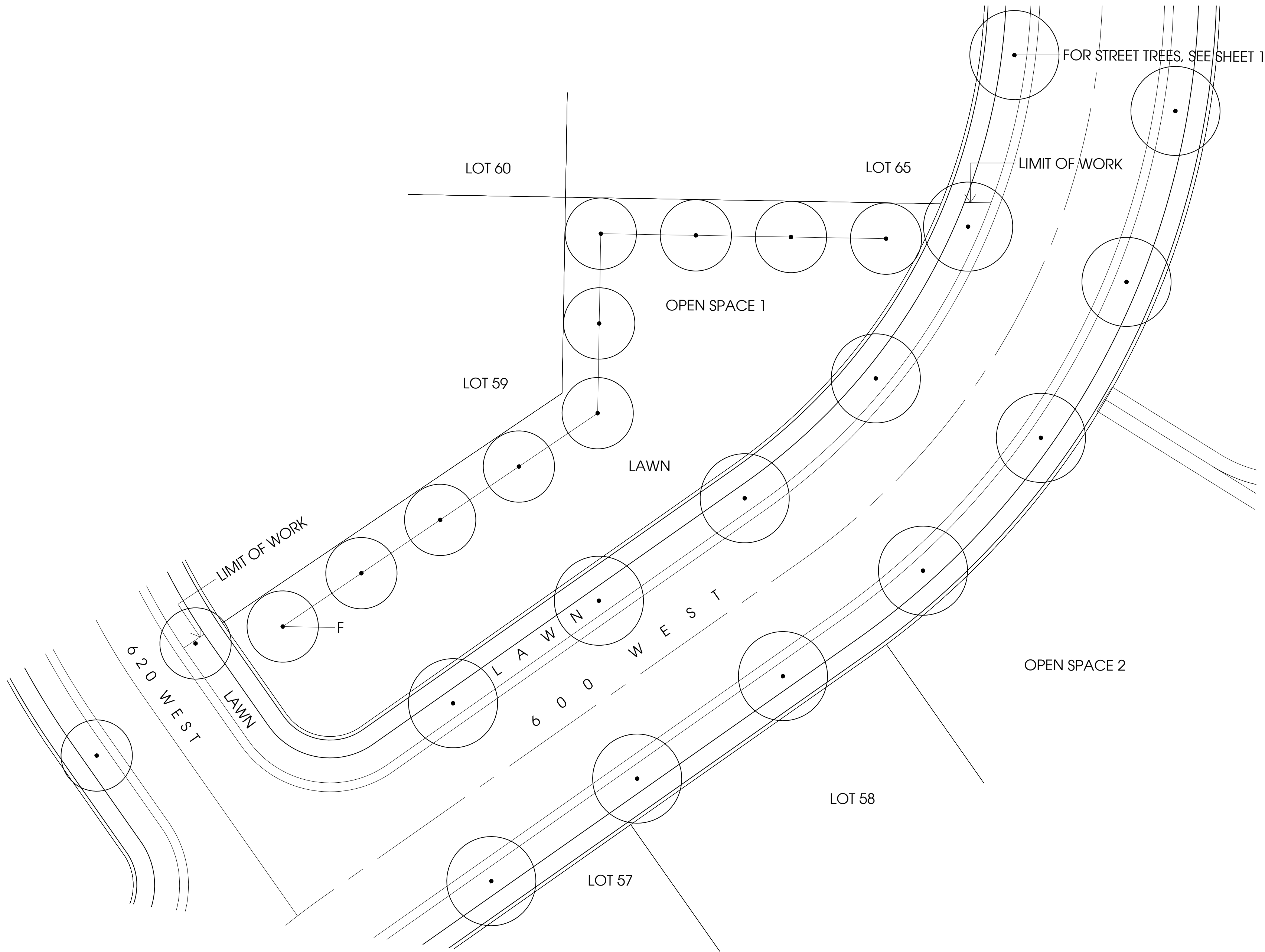


17 SEPTEMBER 2019
SHEET 2
Street Tree Plan

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
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E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

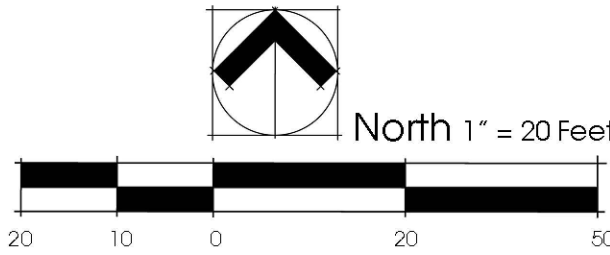
- Planting Notes . Open Spaces: OS-1, OS-3, OS-4, OS-5
1.

Provide and place four (4) inches of topsoil over all planting areas prior to commencement of planting operations.
2.

Backfill for all planting pits shall be native material excavated from the pit.
3.

All lawn areas shall be installed with sod consisting of primarily *Poa praetensis*; *Kentucky Bluegrass* species.
4.

Refer to Planting Specification.



17 SEPTEMBER 2019

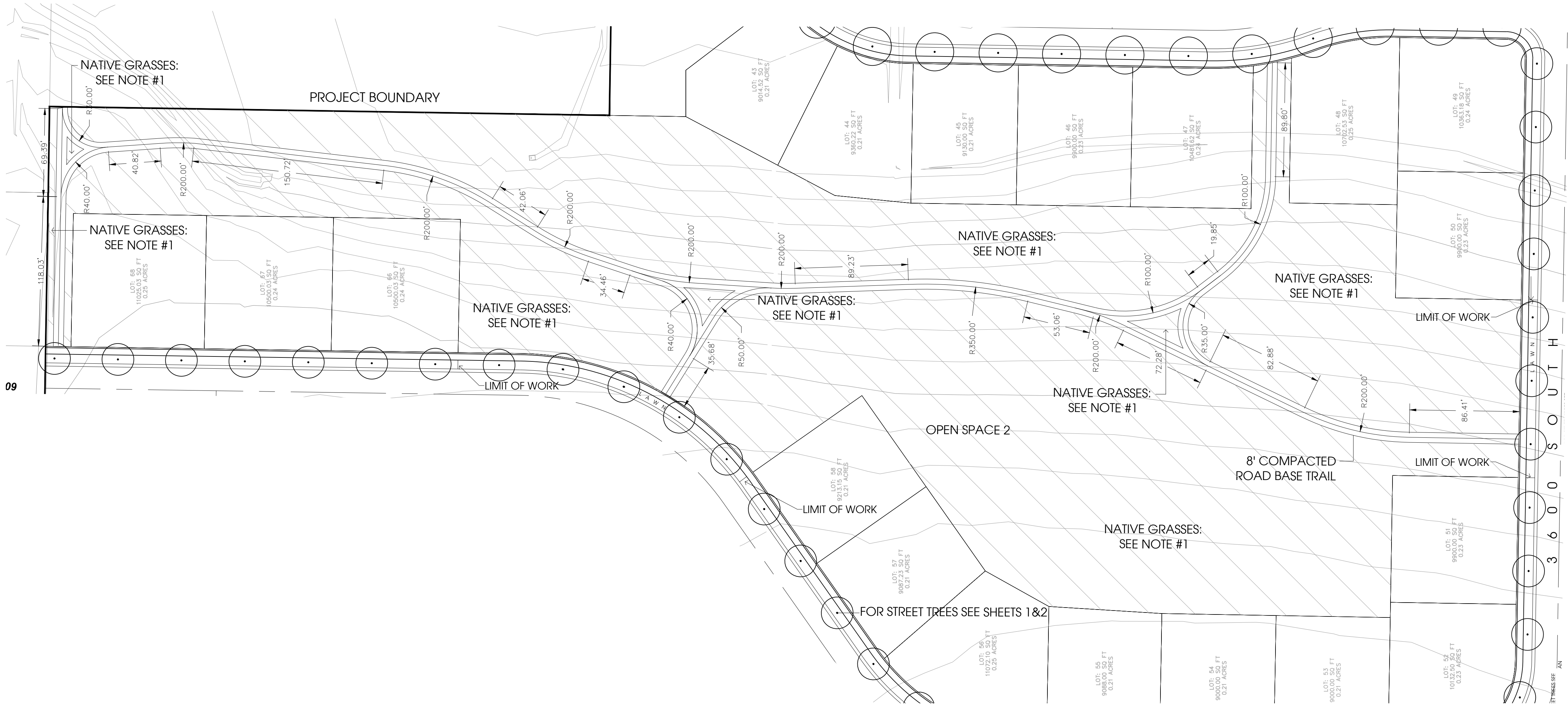
SHEET 3

Planting Plan: OPEN SPACE 1

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

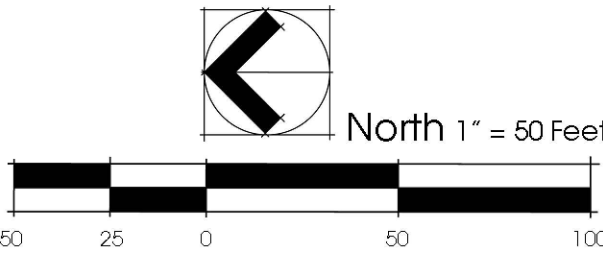
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E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

Native Grasses Seed Mix

KEY	BOTANICAL NAME	COMMON NAME	P.L.S lbs./acre
	Distichlis spicata	Inland Saltgrass	7.0
	Bouteloua rothrockii	Rothrock's Grama	2.0
	Festuca pratensis	Meadow Fescue	8.0

Planting Notes . OS- 2 and OS-6

- Preserve native vegetation to maximum extent possible. Where the existing vegetation is disturbed during construction, re-seed these areas with the seed mix specified on this drawing.
- Provide and place four (4) inches of topsoil over all areas designated to receive sod prior to commencement of planting operations.
- Backfill for all tree planting pits shall be native material excavated from the pit.
- All lawn in park strips shall be installed with sod consisting of primarily *Poa praeatensis*, *Kentucky Bluegrass* species.
- Refer to Planting Specification.



17 SEPTEMBER 2019
SHEET 4
Planting Plan: OPEN SPACE 2

MOUNTAIN VISTA

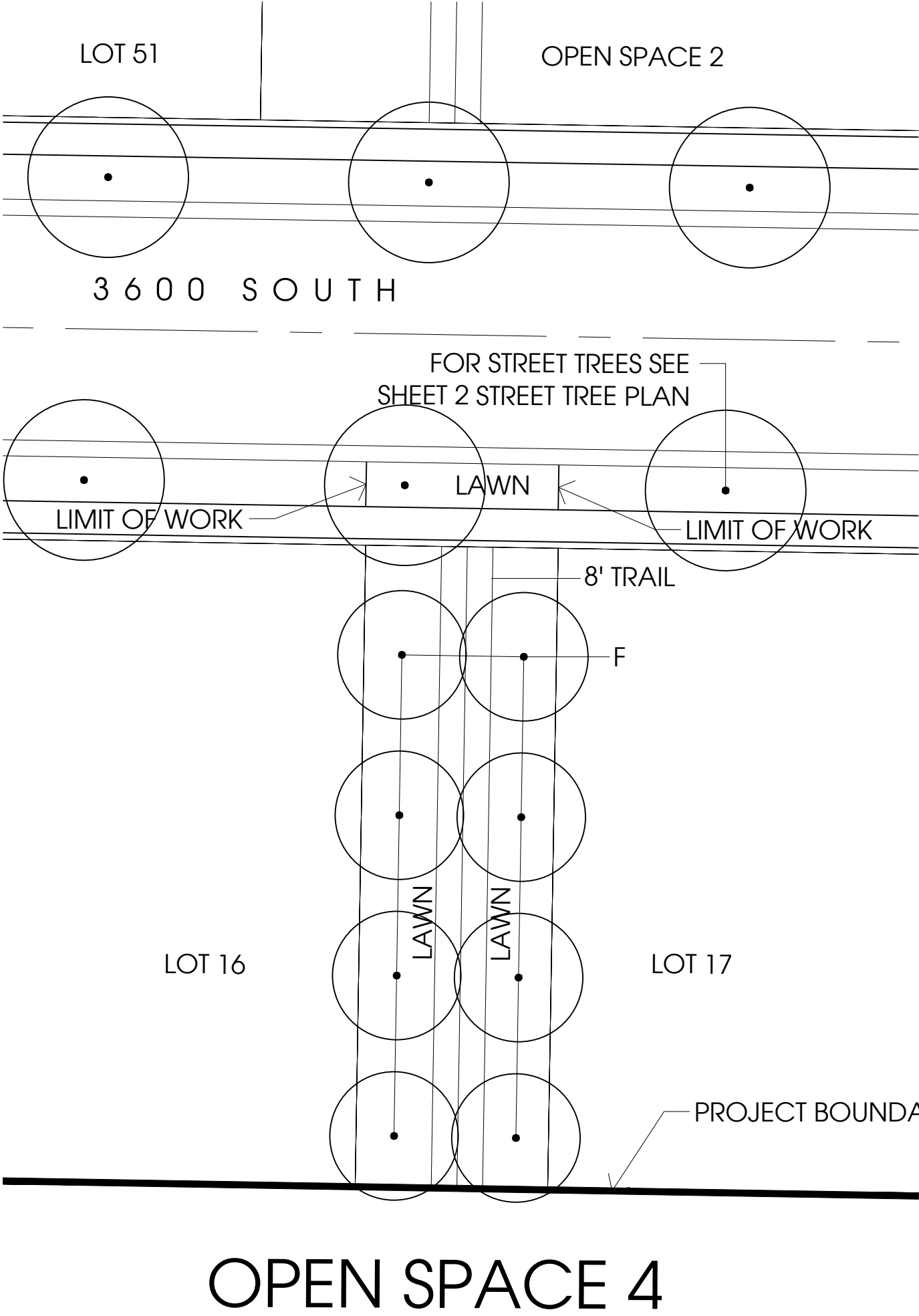
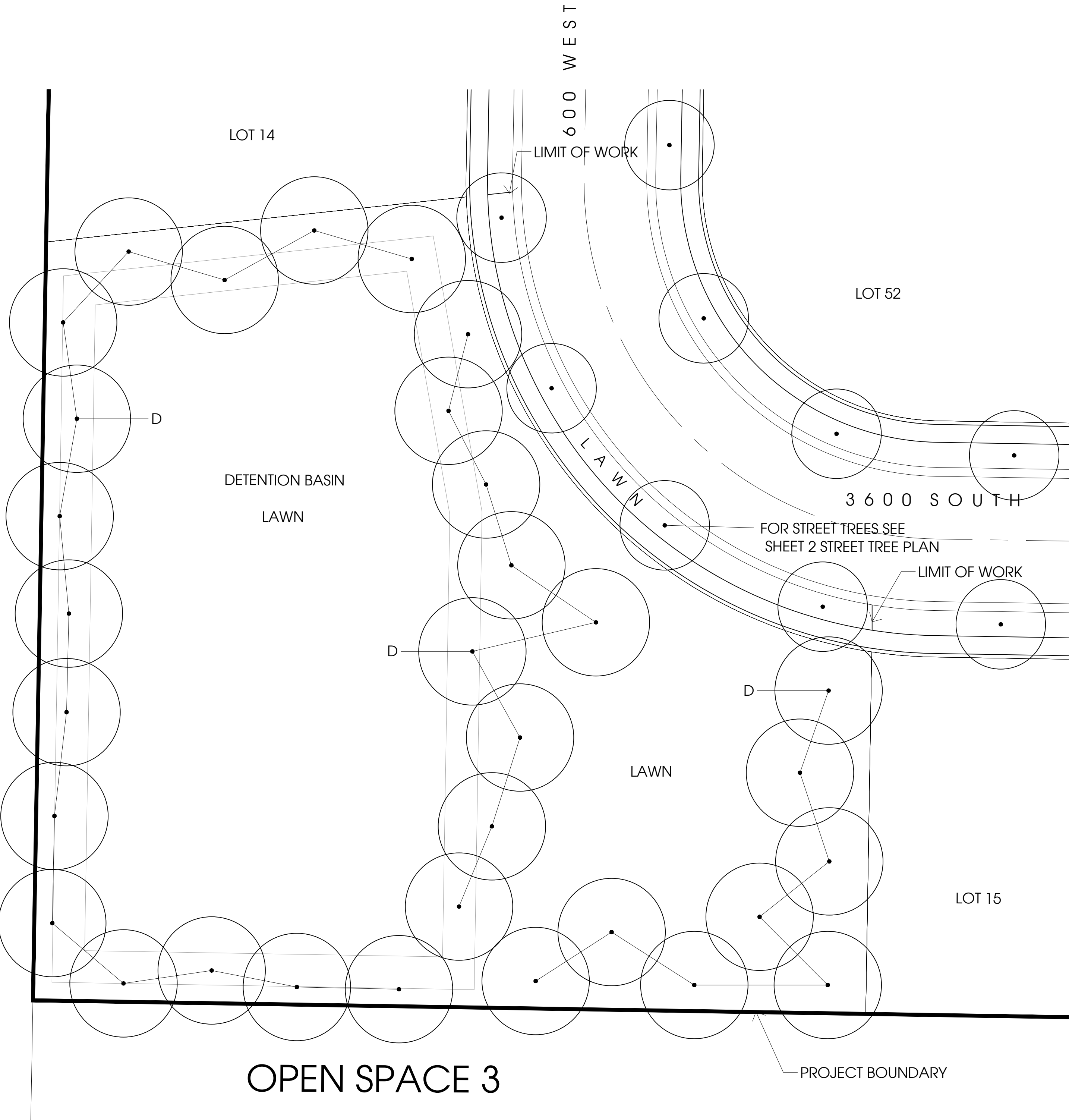
Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



R. MICHAEL KELLY
CONSULTANTS

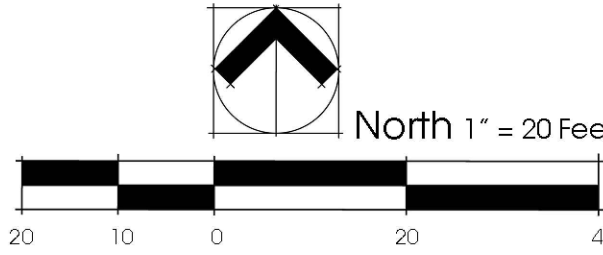
LAND PLANNING • LANDSCAPE ARCHITECTURE
P.O. Box 469, Millville, UT 84326 435.753.2955



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
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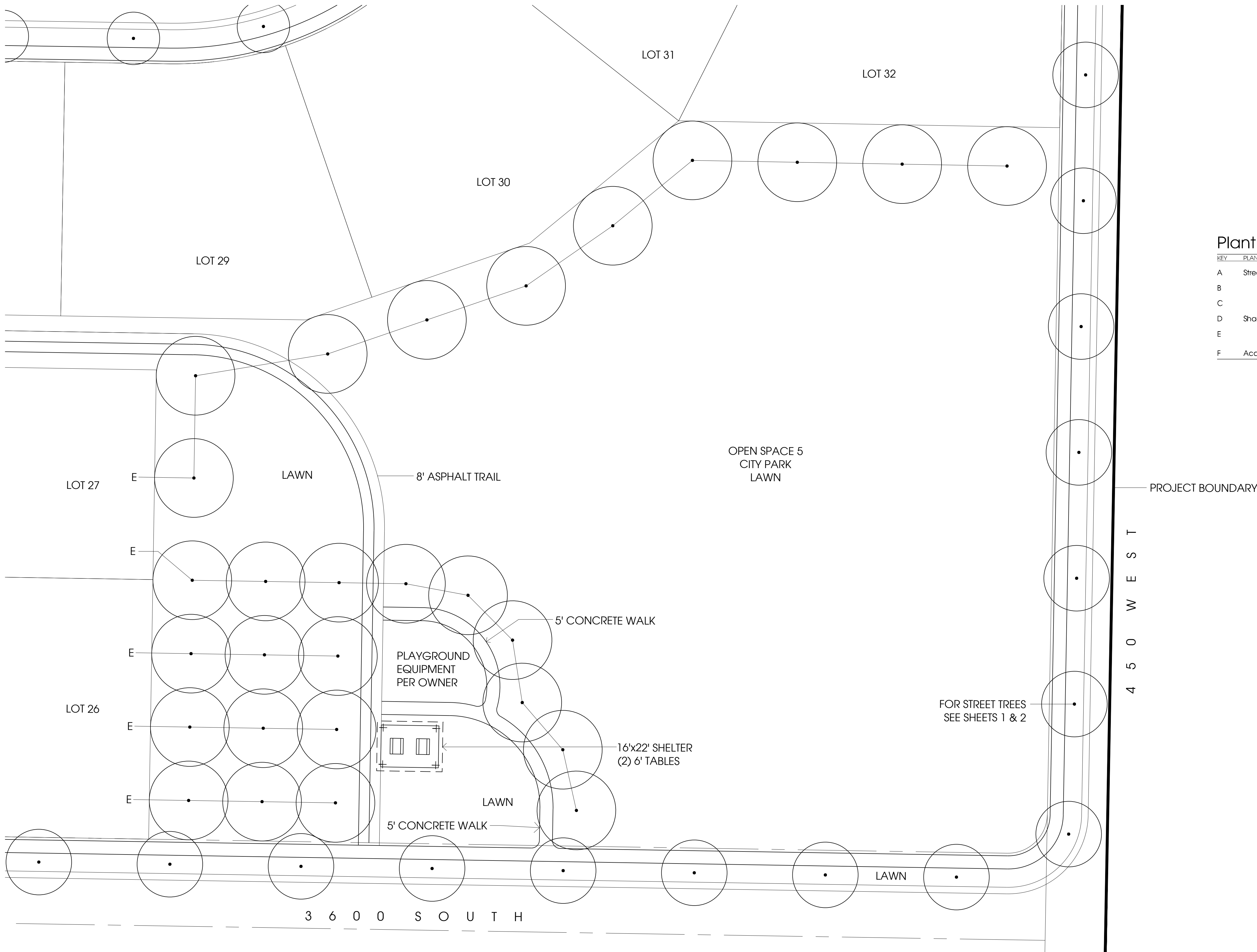
- Planting Notes . Open Spaces: OS-1, OS-3, OS-4, OS-5
1. Provide and place four (4) inches of topsoil over all planting areas prior to commencement of planting operations.
 2. Backfill for all planting pits shall be native material excavated from the pit.
 3. All lawn areas shall be installed with sod consisting of primarily *Poa pratensis* Kentucky Bluegrass species.
 4. Refer to Planting Specification.



17 SEPTEMBER 2019
SHEET 5
Planting Plan: OPEN SPACE 3, OPEN SPACE 4

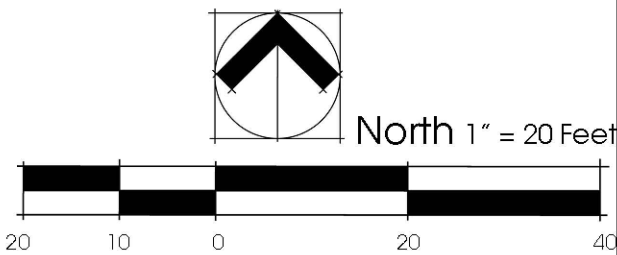
MOUNTAIN VISTA

Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction				
KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
B		Fraxinus p.l. 'Patmore'	Patmore Ash	2" cal.
C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Cetis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

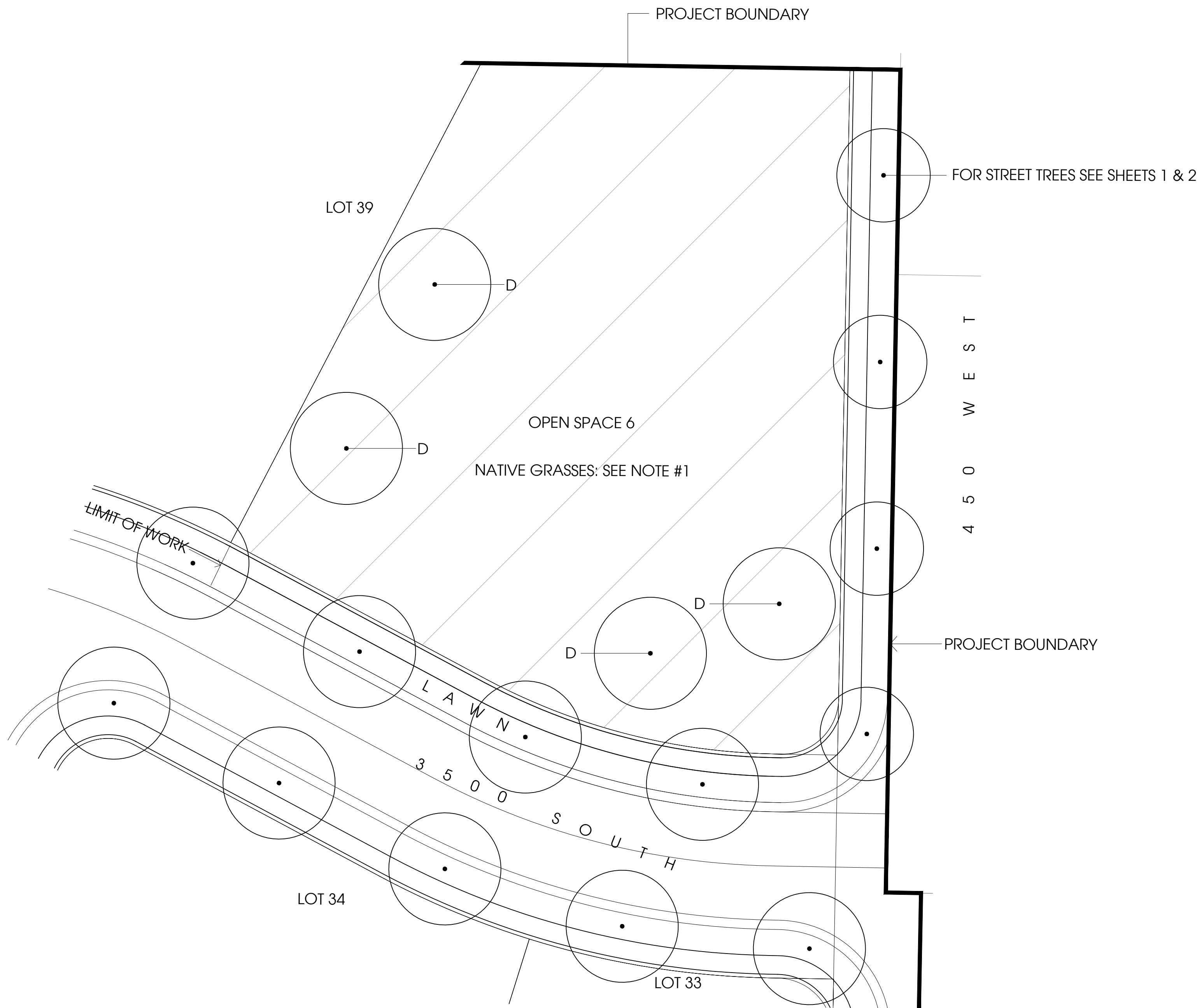
- Planting Notes . Open Spaces: OS-1, OS-3, OS-4, OS-5
1. Provide and place four (4) inches of topsoil over all planting areas prior to commencement of planting operations.
 2. Backfill for all planting pits shall be native material excavated from the pit.
 3. All lawn areas shall be installed with sod consisting of primarily *Poa praeferensis*, *Kentucky Bluegrass* species.
 4. Refer to Planting Specification.



17 SEPTEMBER 2019
SHEET 6
Planting Plan: OPEN SPACE 5

MOUNTAIN VISTA

Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

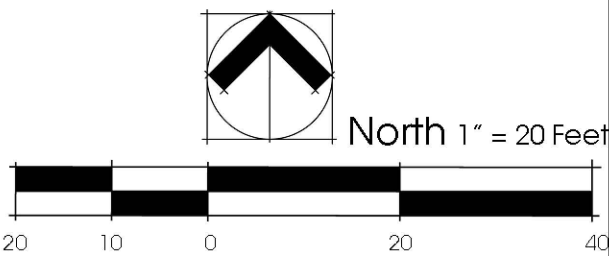
KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer f. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
B		Fraxinus p.l. 'Patmore'	Patmore Ash	2" cal.
C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Celtis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

Native Grasses Seed Mix

KEY	BOTANICAL NAME	COMMON NAME	PLS lbs./acre
	Distichlis spicata	Inland Saltgrass	7.0
	Bouteloua rothrockii	Rothrock's Grama	2.0
	Festuca pratensis	Meadow Fescue	8.0

Planting Notes . OS- 2 and OS-6

1. Preserve native vegetation to maximum extent possible. Where the existing vegetation is disturbed during construction, re-seed these areas with the seed mix specified on this drawing.
2. Provide and place four (4) inches of topsoil over all areas designated to receive sod prior to commencement of planting operations.
3. Backfill for all tree planting pits shall be native material excavated from the pit.
4. All lawn in park strips shall be installed with sod consisting of primarily *Poa pratensis*, *Kentucky Bluegrass* species.
5. Refer to Planting Specification.



17 SEPTEMBER 2019

SHEET 7

Planting Plan: OPEN SPACE 6

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



R. MICHAEL KELLY
CONSULTANTS

LAND PLANNING • LANDSCAPE ARCHITECTURE

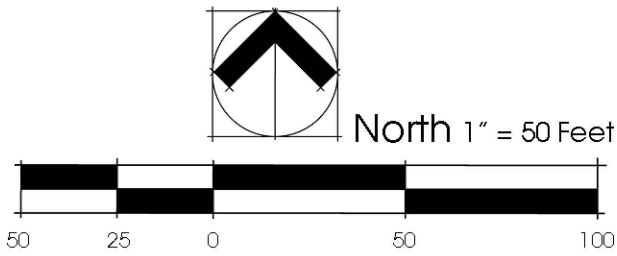
P.O. Box 469, Millville, UT 84326 435.753.2955



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
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D	Shade Trees	Cetis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

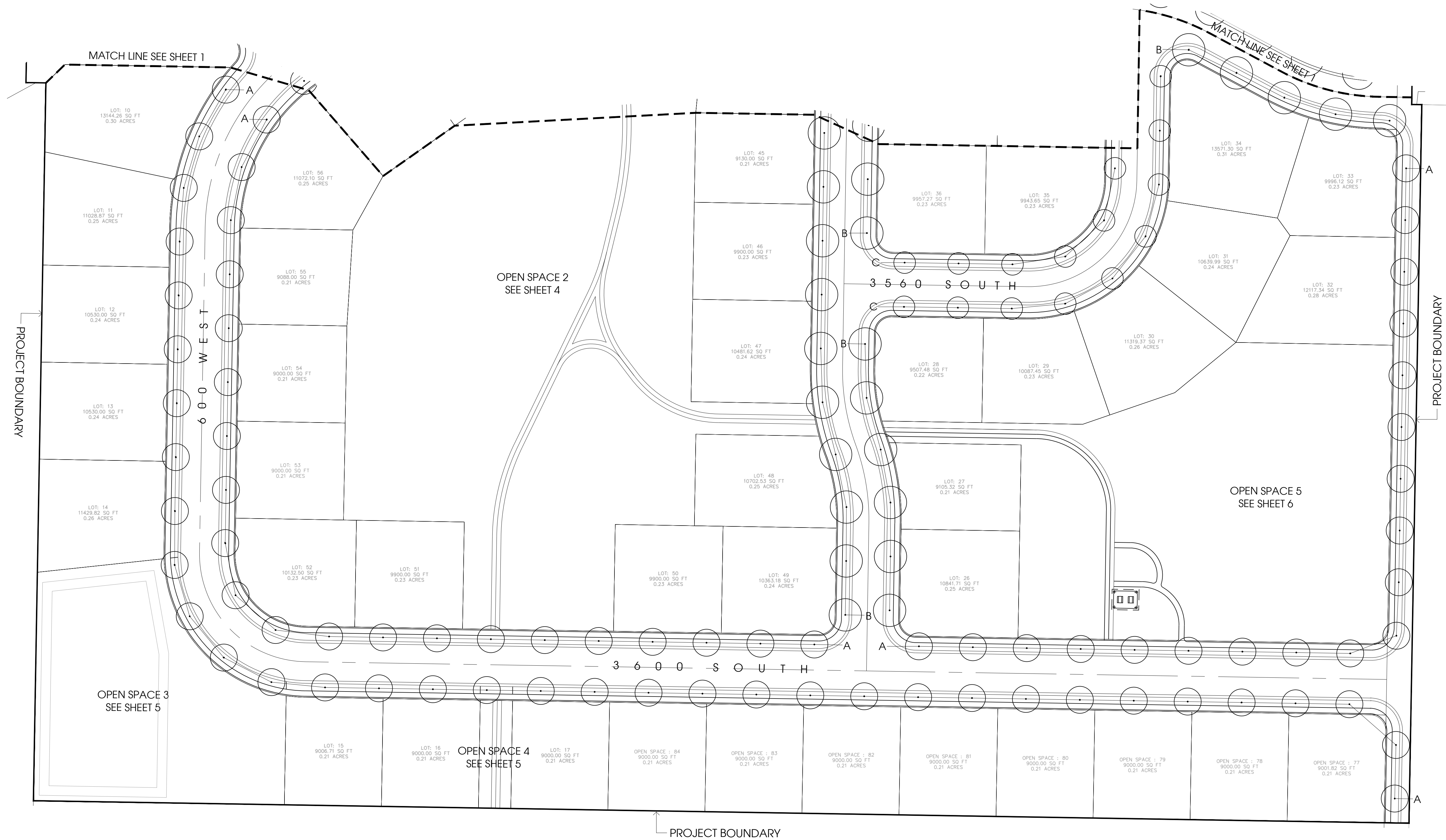
- Planting Notes . Street Trees
- Street trees are to be located at approximately 50 feet on center and as shown on the plan.
 - Street trees are to be installed by the Developer when home is built and occupied.
 - If driveway or utilities locations conflict with the street tree's placement, it may be eliminated or may require adjustment to the tree's location.
 - Street trees shall be centered in the park strip between the sidewalk and curb.
 - All park strips are to be planted with lawn—either seed or sod is acceptable. Planting is the responsibility of the homeowner and is to be maintained by the homeowner.
 - Refer to the Planting Specification.



17 SEPTEMBER 2019
SHEET 1
Street Tree Plan

MOUNTAIN VISTA

Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah

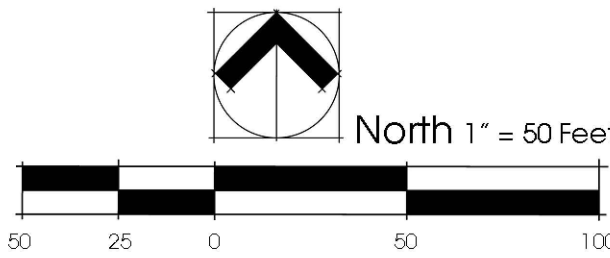


Plant List

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
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C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Celtis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 1/2" cal.

Planting Notes . Street Trees

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2. Street trees are to be installed by the Developer when home is built and occupied.
3. If driveway or utilities locations conflict with the street tree's placement, it may be eliminated or may require adjustment to the tree's location.
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5. All park strips are to be planted with lawn—either seed or sod is acceptable. Planting is the responsibility of the homeowner and is to be maintained by the homeowner.
6. Refer to the Planting Specification.

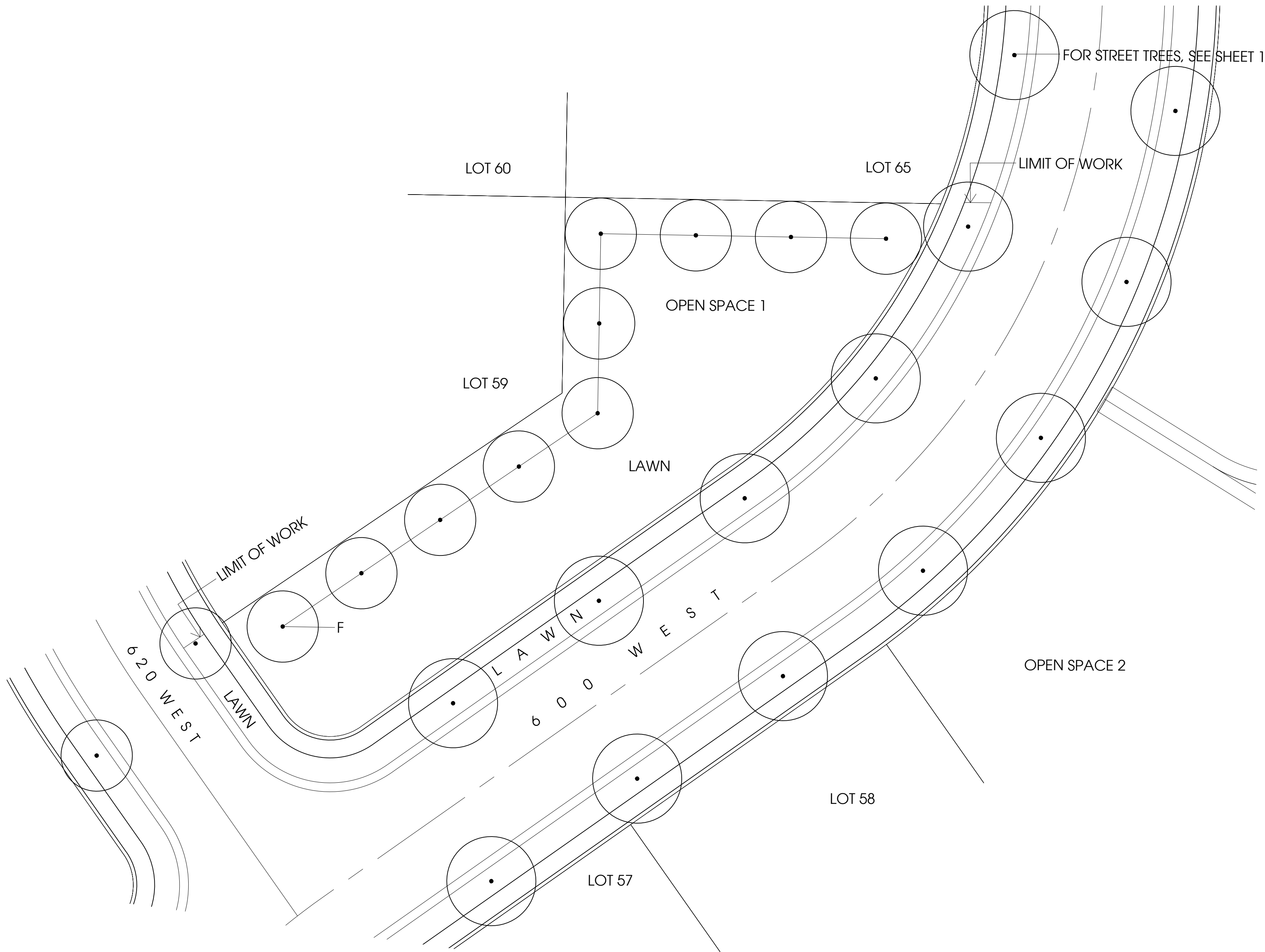


17 SEPTEMBER 2019
SHEET 2
Street Tree Plan

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

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E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

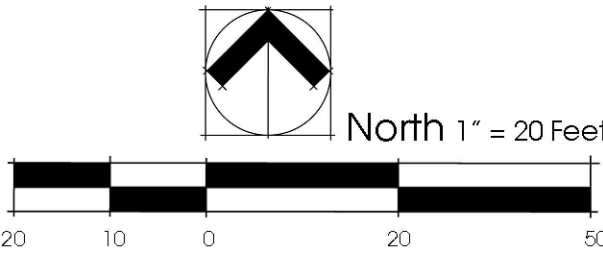
- Planting Notes . Open Spaces: OS-1, OS-3, OS-4, OS-5
1.

Provide and place four (4) inches of topsoil over all planting areas prior to commencement of planting operations.
2.

Backfill for all planting pits shall be native material excavated from the pit.
3.

All lawn areas shall be installed with sod consisting of primarily *Poa praetensis*; *Kentucky Bluegrass* species.
4.

Refer to Planting Specification.



17 SEPTEMBER 2019

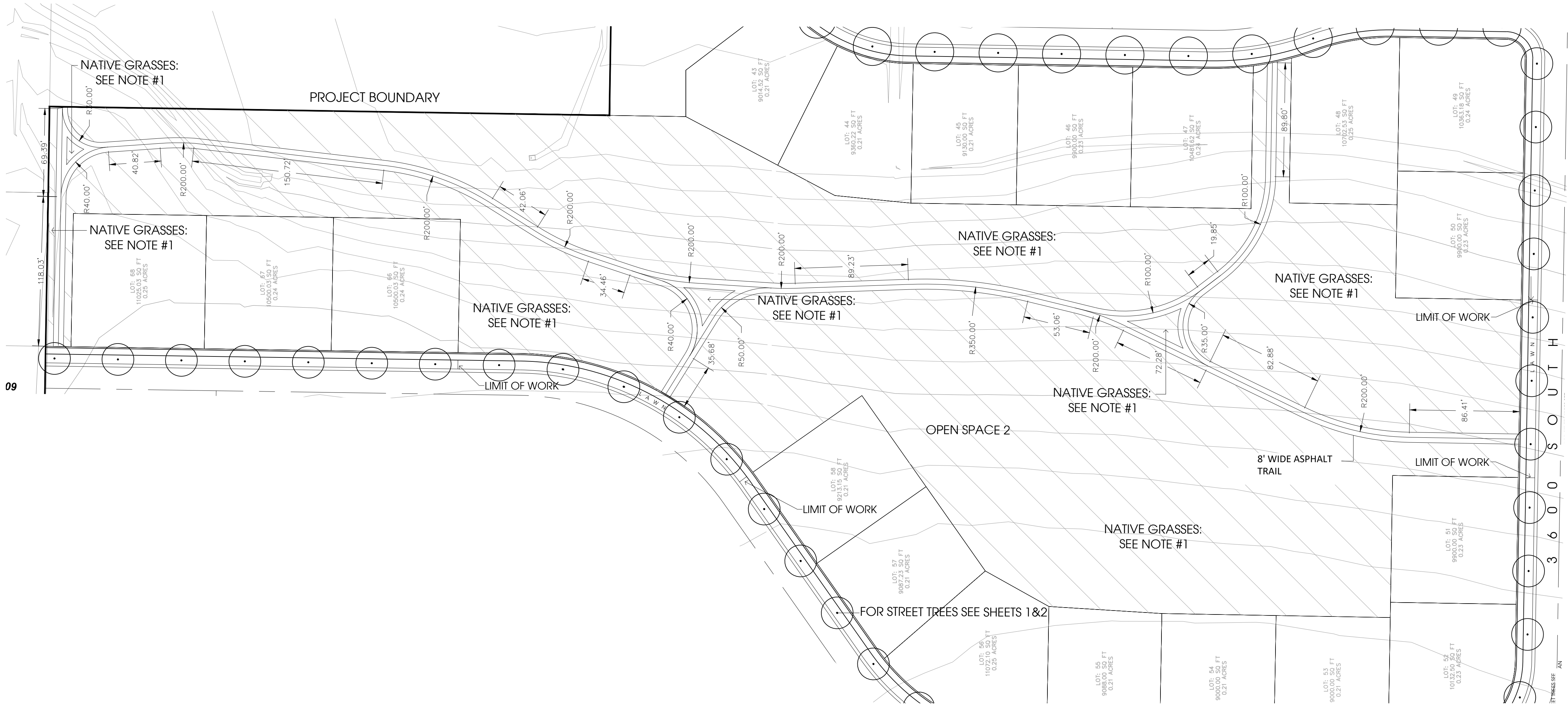
SHEET 3

Planting Plan: OPEN SPACE 1

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

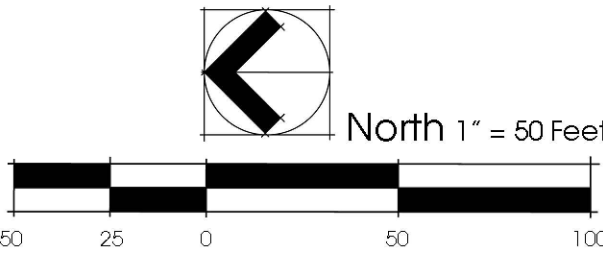
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Native Grasses Seed Mix

KEY	BOTANICAL NAME	COMMON NAME	P.L.S lbs./acre
	Distichlis spicata	Inland Saltgrass	7.0
	Bouteloua rothrockii	Rothrock's Grama	2.0
	Festuca pratensis	Meadow Fescue	8.0

Planting Notes . OS- 2 and OS-6

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17 SEPTEMBER 2019
SHEET 4
Planting Plan: OPEN SPACE 2

MOUNTAIN VISTA

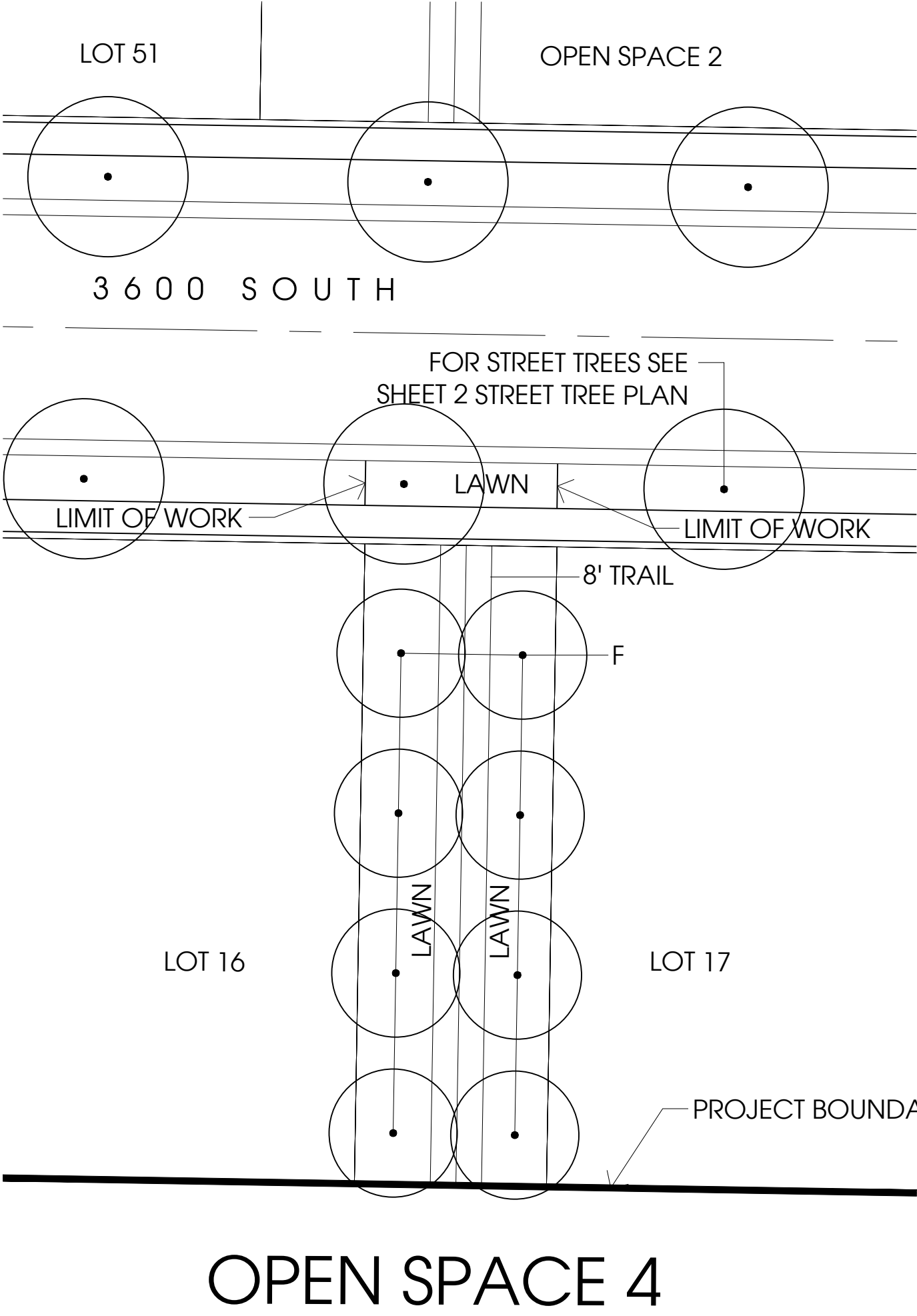
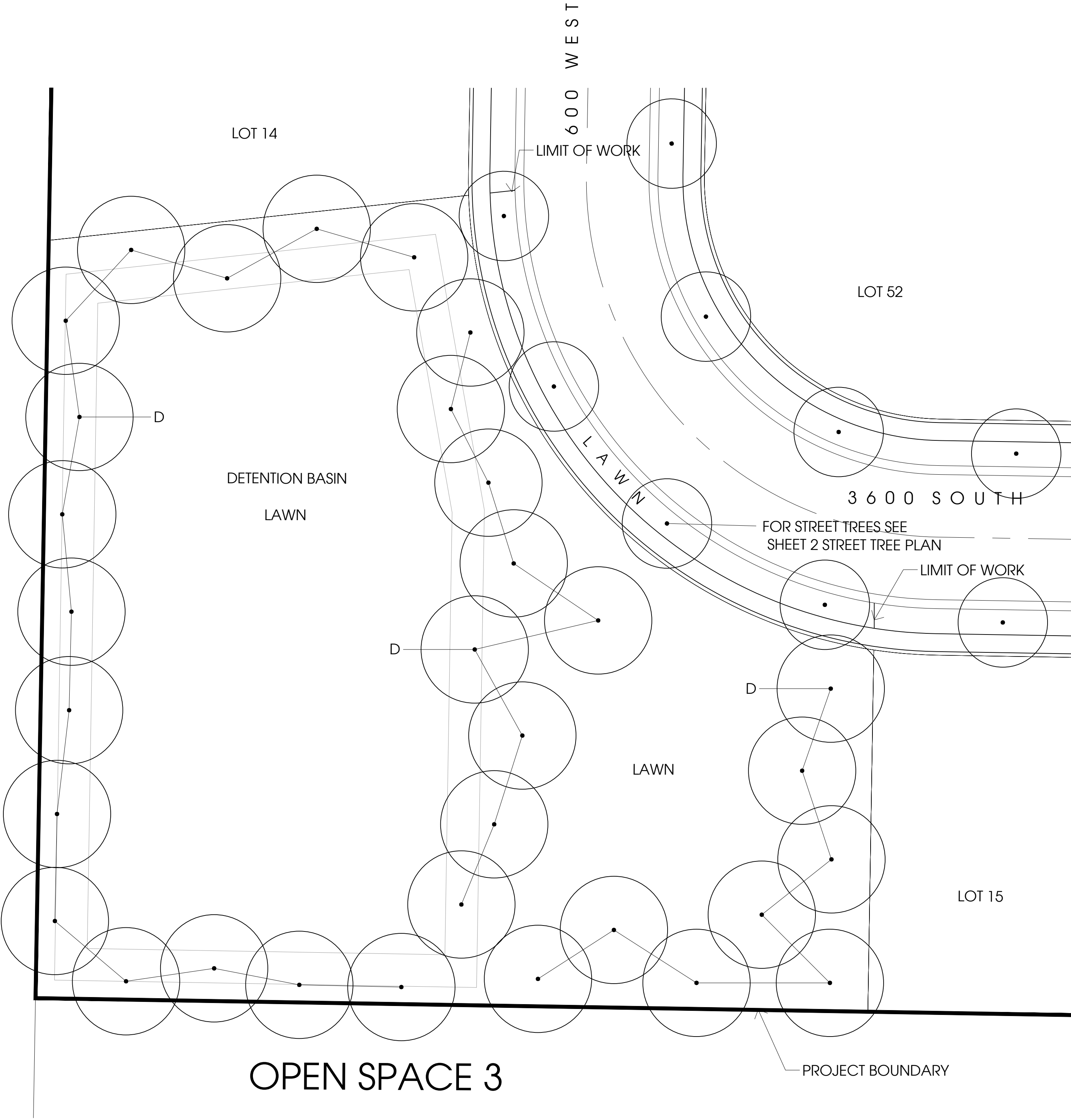
Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



R. MICHAEL KELLY
CONSULTANTS

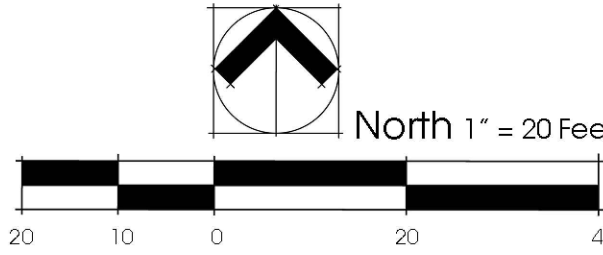
LAND PLANNING • LANDSCAPE ARCHITECTURE
P.O. Box 469, Millville, UT 84326 435.753.2955



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
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E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

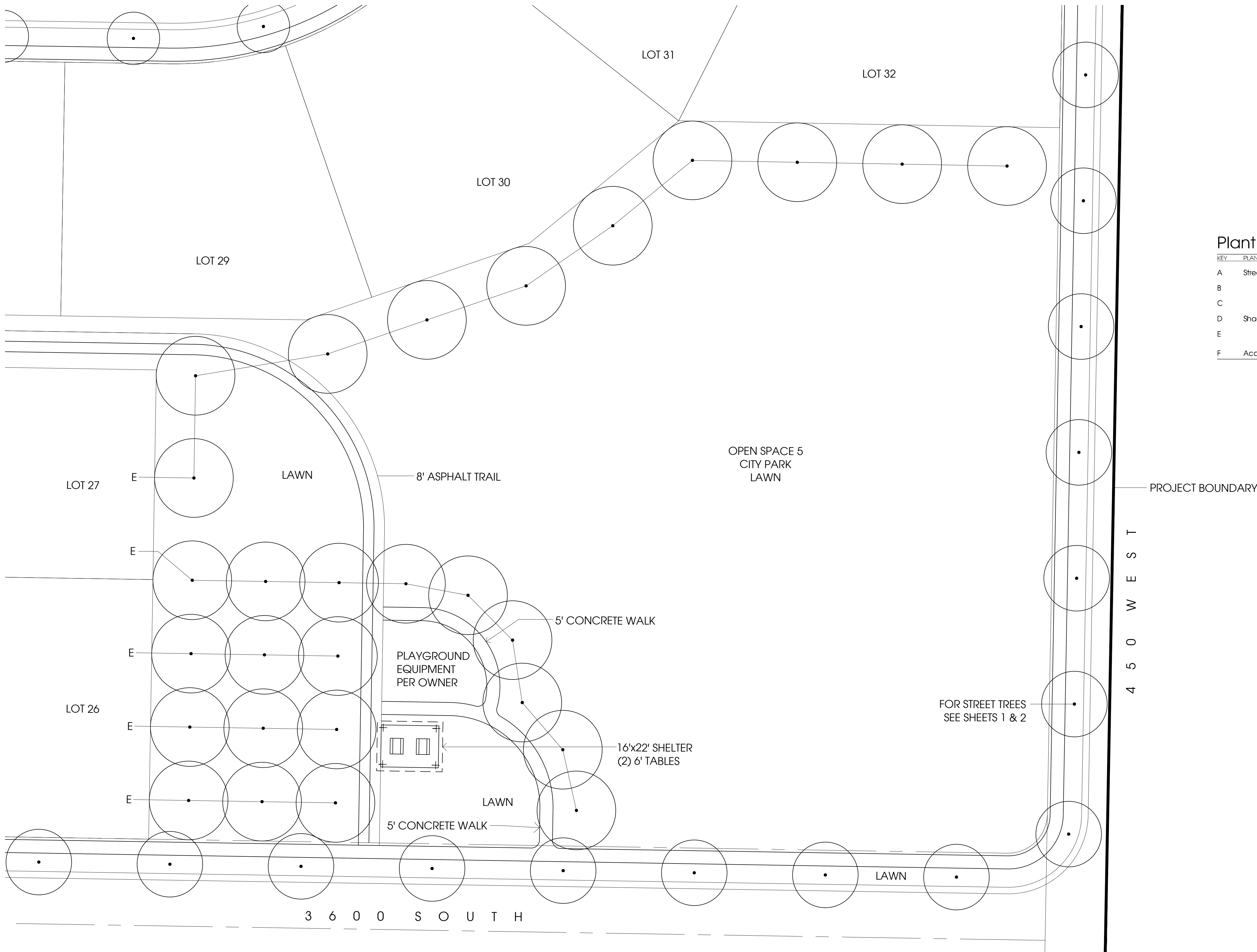
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 3. All lawn areas shall be installed with sod consisting of primarily *Poa pratensis* Kentucky Bluegrass species.
 4. Refer to Planting Specification.



17 SEPTEMBER 2019
SHEET 5
Planting Plan: OPEN SPACE 3, OPEN SPACE 4

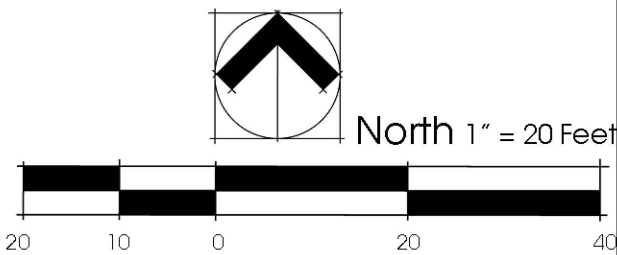
MOUNTAIN VISTA

Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction				
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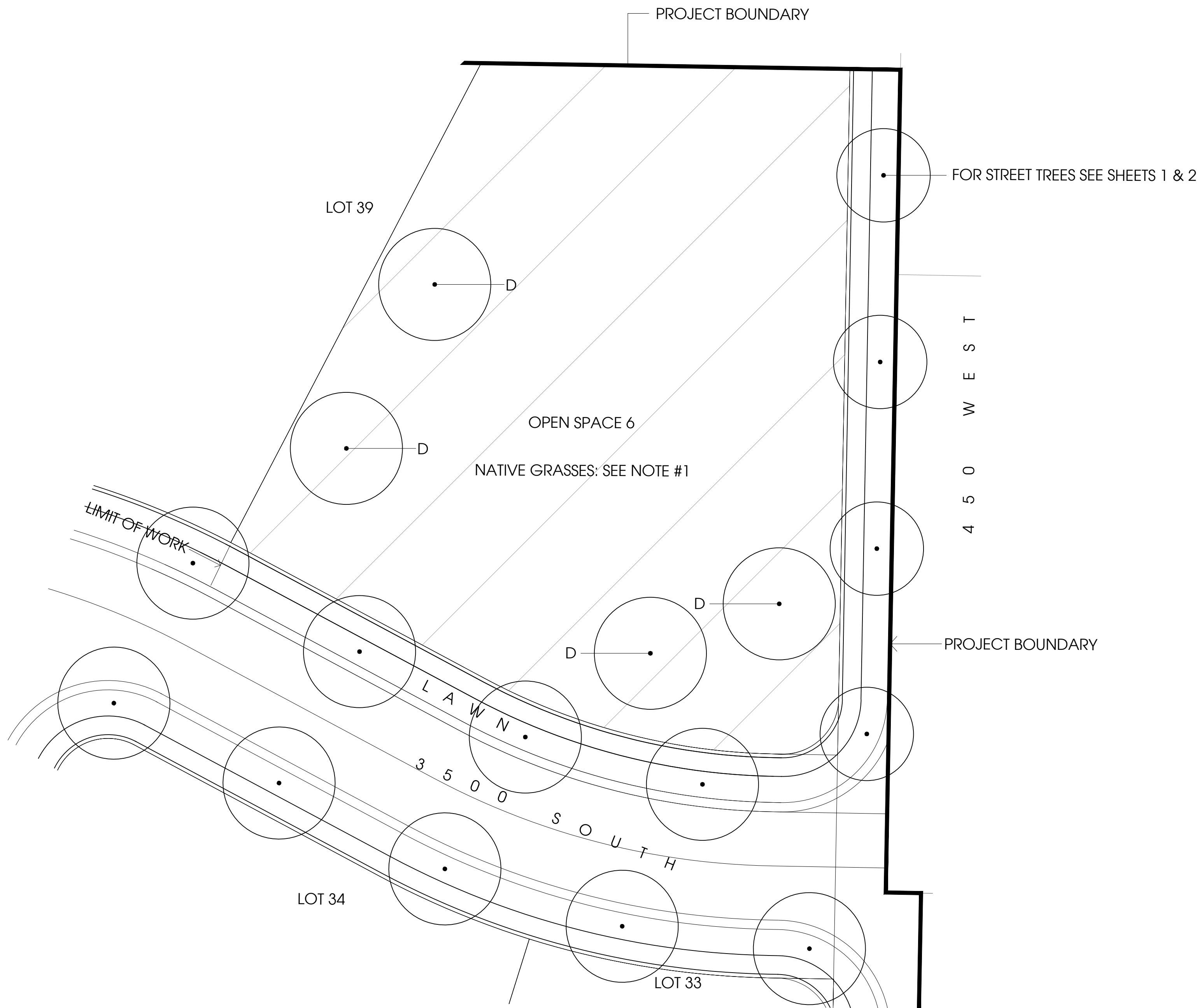
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 4. Refer to Planting Specification.



17 SEPTEMBER 2019
SHEET 6
Planting Plan: OPEN SPACE 5

MOUNTAIN VISTA

Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

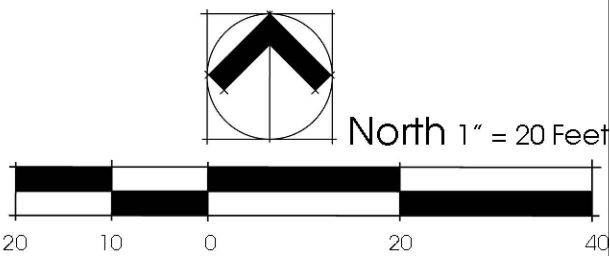
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E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

Native Grasses Seed Mix

KEY	BOTANICAL NAME	COMMON NAME	P.LS lbs./acre
	Distichlis spicata	Inland Saltgrass	7.0
	Bouteloua rothrockii	Rothrock's Grama	2.0
	Festuca pratensis	Meadow Fescue	8.0

Planting Notes . OS- 2 and OS-6

1. Preserve native vegetation to maximum extent possible. Where the existing vegetation is disturbed during construction, re-seed these areas with the seed mix specified on this drawing.
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5. Refer to Planting Specification.



17 SEPTEMBER 2019

SHEET 7

Planting Plan: OPEN SPACE 6

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



R. MICHAEL KELLY
CONSULTANTS

LAND PLANNING • LANDSCAPE ARCHITECTURE

P.O. Box 469, Millville, UT 84326 435.753.2955

Agenda Item #5: Mount Vista Final Plat: Phase 3

Description

Discussion and Consideration of a recommendation on Mount Vista Phase 3 Final Plat, located at approximately 450 W and 3500 S. (Applicant: Visionary Homes)

Department

City Planning, Engineering, and Public Works

Action Type

Recommendation, Administrative

Recommendations

Review and make a recommendation to the City Council

Reviewed By

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

Background

Visionary Homes has applied for final approval for Mount Vista Phase 3 Subdivision. Mount Vista Subdivision is a Rural Preservation Subdivision. Phase 3 contains a total of 22 lots and 1.198 acres of open space that will be dedicated to Nibley City. The plat has the same lot layout and roadways with the approved preliminary plat that was approved by the City Council on August 8, 2019. At the end of this report, you can find a list of “Recommended Findings” from staff. The applicant has been sent the list of findings and is in the process of making the needed corrections.

Zoning

Staff finds that the plat meets the zoning requirements for the total number of lots, lot sizes, and the proportion of proposed open space as shown on the approved preliminary plat. The minimum

frontage requirement for the Open Space Ratio for the full subdivision is 80', with which the plat complies. The plat also meets the standards for a final plat as required in NCC 21.

Mount Vista Phase 1	
Total Gross Acres	8.12
Total Open Space Land	1.198 Acres
Total Lots	22

Utility Lines and Easements

Mount Vista has provided the property public utility easements and utility connections on the plat.

Construction Drawings

Staff has reviewed the construction drawings and the City Engineer has signed off on the drawings. The applicant has taken responsibility for securing the easement for the sewer line under the railroad tracks and will turn the line over to the City after completion of the project in Phase 2. Phase 3 sewer will be connected to this line.

The applicant will also need to make some upgrades to the Scott Farms Lift Station for the sewer. Staff is currently in negotiations with the applicant about those improvements.

Finished Floor Elevations

The application has provided finish floor elevation on the plat as required by Nibley City Code. Finished lots with XXXXX.XX, note needs to be added that says "No finished floor shall be built at an elevation lower than six inches (6") above finished curb or centerline of the street, whichever is higher unless an individual lot owner is able to provide a stamped report meeting the qualifications as listed within this section for their lot, and unless that report is reviewed and approved by the City Engineer."

Canals

The Developer has reached out to the canal company and is getting their final approval for canal improvements. There are canals on the property and have been placed in proper easements.

Roads

The Developer shows the proper dedication for the roadways.

Street Tree Plan

The developer has submitted a Street Tree Plan for Phase 2. The applicant plans on paying the City for the street trees, and then the City will plant the trees. This is allowed in NCC 21.12.170 Street Trees:

21.12.170 Street Trees

A. The developer shall provide a street tree planting plan that will be attached to the development agreement. Proposed street trees must conform with Nibley City's Tree Care Plan. The City and the Developer shall enter into an agreement that the City shall install and plant new trees within the development according to the submitted and approved street tree planting plan. The Development agreement shall outline this agreement and shall include the number of trees that will be planted and the cost of each tree that the developer will pay to the City to plant said trees.

1. The City and Developer may agree to allow the Developer the responsibility to plant and maintain trees until such a time that the adjacent property owner or Owners Association can manage and properly maintain the trees.

B. A variety of tree species, of similar shape and mature height, is required of all tree planting plans submitted to the City, with a minimum of one tree per fifty feet (50').

Open Space

The open space meets the general layout and placement of the approved preliminary plat.

Parcel G

This open space is planned to be planted with natural vegetation. Parcel G will be a common space owned and maintained by the HOA.

Parcel H and I

These open space parcels will be developed as part of the trail system within the development will make connections to Parcel C and E in phase 2.

Recommended Findings

1. The plat meets the design of the approved preliminary plat
2. The plat complies with Nibley City zoning and subdivision standards
3. Note from Cache County Recorder: Open Space that is going to be part of an HOA should be labeled as Common Space
4. Open Space dedicated to the City should be noted as becoming City Property



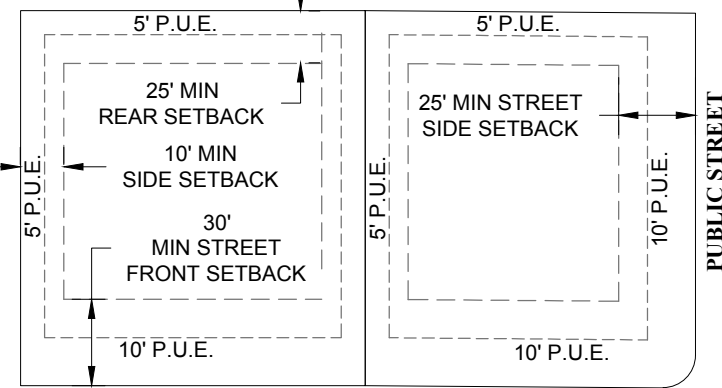
VICINITY MAP

- NTS
- NOTES:**
- NO STRUCTURES MAY BE BUILT WITHIN ANY PUBLIC UTILITY EASEMENT, EXCEPT AS APPROVED BY THE CITY ENGINEER.
 - ALL EXPENSES INVOLVING THE NECESSARY IMPROVEMENTS OR EXTENSIONS FOR SANITARY SEWER SYSTEMS, GAS SERVICE, ELECTRICAL SERVICE, GRADING AND LANDSCAPING, STORM DRAIN SYSTEMS, CURBS AND GUTTERS, FIRE HYDRANTS, PAVEMENT, SIDEWALKS, STREET LIGHTING AND SIGNING, AND OTHER IMPROVEMENTS SHALL BE FINANCED BY SUBDIVIDER.
 - THIS PROPERTY IS LOCATED IN THE VICINITY OF PROPERTY THAT IS USED FOR AGRICULTURAL PURPOSES. IT MAY BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY OR MAY NOT IN THE FUTURE BE CONDUCTED IN THIS AREA AND THAT SUCH USES ARE PREVIOUSLY EXISTING USES. AGRICULTURAL USES AND SITUATIONS MUST BE SOUND AGRICULTURAL PRACTICES AND NOT BEAR A DIRECT THREAT TO THE PUBLIC HEALTH AND SAFETY.
 - AREAS IN NIBLEY CITY HAVE GROUNDWATER PROBLEMS DUE TO THE VARYING DEPTHS OF A FLUCTUATING WATER TABLE. THE CITY'S APPROVAL OF A BUILDING PERMIT OR CONSTRUCTION PLANS DOES NOT CONSTITUTE A REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIED ELEVATION OR LOCATION WILL SOLVE SUBSURFACE OR GROUNDWATER PROBLEMS. IN ADDITION, CONCERNS FOR BUILDING ELEVATION AND/OR GRADING AND DRAINAGE ARE UNIQUE TO EACH BUILDING LOT AND SITE. RESPONSIBILITY FOR THESE STATED CONCERNS, AND ALL OTHER SUCH CONCERNS RELATED TO A LOT OR OTHER BUILDING SITE, REMAINS SOLELY WITH THE BUILDING PERMIT APPLICANT, PROPERTY OWNER AND/OR CONTRACTOR. NIBLEY CITY IS NOT RESPONSIBLE FOR ANY SUBSURFACE OR GROUNDWATER PROBLEMS WHICH MAY OCCUR, NOR FOR OTHER SUCH CONCERNS, INCLUDING, BUT NOT LIMITED TO, BUILDING LOCATION AND/OR ELEVATION, SITE GRADING AND DRAINAGE.
 - VERTICAL DATA SHOWN HEREON IS BASED ON THE NAVD88 ELEVATION OF 4546.58 PUBLISHED BY CACHE COUNTY ON AN ALUMINUM CAP MONUMENT MARKING THE GPS MONUMENT "NIBL" LOCATED NEAR THE FRONT OF THE NIBLEY CITY PUBLIC WORKS BUILDING.
 - PARCELS G & H ARE NON-BUILDABLE PARCELS HEREBY DEDICATED TO, AND MAINTAINED BY THE PROJECT HOA. TRAILS LOCATED ON THESE PARCELS SHALL BE OPEN TO PUBLIC USE.
 - PARCEL I IS A NON-BUILDABLE OPEN SPACE PARCEL HEREBY DEDICATED TO AND MAINTAINED BY NIBLEY CITY. TRAILS LOCATED ON THESE PARCELS SHALL BE ACCESSIBLE TO PUBLIC USE.
 - #5 REBAR & CAP TO BE SET AT ALL REAR LOT CORNERS, CURB PINS TO BE SET IN THE TOP OF THE CURB AT THE EXTENSION OF THE SIDE LOT LINES.

LOWEST ALLOWABLE FINISHED FLOOR ELEVATION

ON THOSE LOTS LABELED WITH (XXXX.XX): NO DWELLING SHALL BE BUILT WITH A FINISHED FLOOR ELEVATION LOWER THAN SIX INCHES (6") ABOVE FINISHED CURB OR CENTERLINE OF THE STREET, WHICHEVER IS HIGHER, UNLESS AN INDIVIDUAL LOT OWNER IS ABLE TO PROVIDE A STAMPED REPORT MEETING THE QUALIFICATIONS AS LISTED WITHIN THIS SECTION FOR THEIR LOT, AND UNLESS THAT REPORT IS REVIEWED AND APPROVED BY THE CITY ENGINEER.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S88°58'28"E	22.54
L2	N0°56'19"E	5.44
L3	S0°56'19"W	5.44
L4	S0°56'19"W	5.44
L5	S89°03'41"E	129.46
L6	N88°58'28"W	23.06
L7	N88°58'28"W	54.55



PUE DETAIL
(TYPICAL SEE DRAWING FOR EXCEPTIONS)
NTS

OWNER(S)/SUBDIVIDER
VISIONARY HOMES 2018 LLC
50 East 2500 North
North Logan, Utah 84341

DATE OF PREPARATION
JANUARY 22, 2020

ENGINEER & SURVEYOR
CIVIL SOLUTIONS GROUP, INC.
MICHAEL TAYLOR, PE
DENNIS P. CARLISLE, PLS
540 W GOLF COURSE RD SUITE B1
PROVIDENCE, UTAH 84322
435-213-3762

LEGEND

(1234.5) LOWEST ALLOWABLE FINISHED FLOOR ELEVATION
1234 N LOT ADDRESS

UTILITY COMPANIES

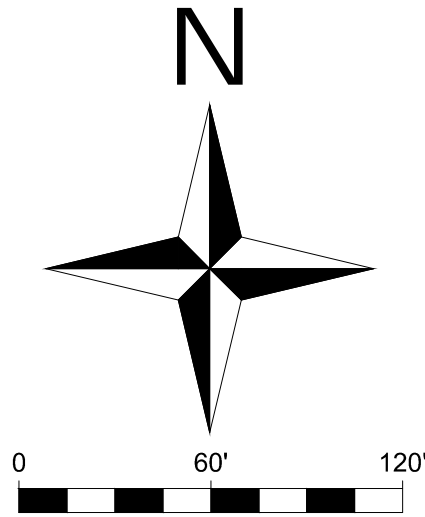
THE UTILITY EASEMENTS SHOWN ON THIS PLAT HAVE BEEN REVIEWED AND ARE APPROVED.

DOMINION ENERGY* _____ DATE _____ ROCKY MOUNTAIN POWER _____ DATE _____
COMCAST CABLE _____ DATE _____ CENTURYLINK COMMUNICATIONS _____ DATE _____

*DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THIS PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

FINAL PLAT OF MOUNT VISTA SUBDIVISION PHASE 3

LOCATED IN A PORTION OF LOTS 6 & 7, BLOCK 17, MILLVILLE WEST FIELD FARM SURVEY
NW1/4 OF SECTION 28, T11N, R1E, S.L.B.&M.
NIBLEY CITY, UTAH



CURVE TABLE

CURVE #	RADIUS	DELTA	LENGTH	CHORD
C1	170.00	27°08'31"	80.53	S75°24'13"E 79.78
C2	230.00	20°45'30"	83.33	S72°12'42"E 82.87
C3	230.00	27°15'43"	109.44	N75°27'48"W 108.41
C4	230.00	6°30'13"	26.11	S85°50'33"E 26.09
C5	130.00	12°31'26"	28.42	N84°38'37"E 28.36
C6	130.00	25°41'32"	58.29	N65°32'08"E 57.81
C7	130.00	89°58'01"	204.13	S45°55'20"W 183.79
C8	130.00	26°07'04"	59.26	N39°37'50"E 58.75
C9	130.00	25°37'59"	58.16	N13°45'19"E 57.68
C10	230.00	8°35'11"	34.47	N3°21'16"W 34.44
C11	230.00	7°39'29"	30.74	S11°28'36"E 30.72
C12	230.00	21°05'07"	84.64	S9°36'14"E 84.16
C13	230.00	4°50'27"	19.43	N17°43'34"W 19.43
C14	170.00	21°05'07"	62.56	N9°36'14"W 62.21
C15	200.00	21°05'07"	73.60	S9°36'14"E 73.19
C16	200.00	21°05'07"	73.60	S9°36'14"E 73.19
C17	100.00	89°58'01"	157.02	S45°55'20"W 141.38
C18	200.00	7°36'52"	26.58	S85°18'21"E 26.56
C19	200.00	19°41'05"	68.71	S71°39'22"E 68.38
C20	200.00	27°17'58"	95.29	N75°27'48"W 94.39
C21	200.00	27°08'31"	94.74	N75°24'13"W 93.86
C22	230.00	16°18'51"	65.49	N80°49'03"W 65.27
C23	230.00	10°49'40"	43.47	N67°14'47"W 43.40
C24	15.00	117°13'44"	30.69	S59°33'11"W 25.61
C25	130.00	8°02'12"	18.23	S4°57'25"W 18.22
C26	130.00	29°20'48"	66.59	S23°38'55"W 65.86
C27	130.00	89°58'01"	204.13	N45°55'20"E 183.79
C28	130.00	32°50'01"	74.50	S54°44'20"W 73.48
C29	100.00	89°58'01"	157.02	S45°55'20"W 141.38
C30	130.00	19°45'00"	44.81	S81°01'50"W 44.59
C31	15.00	89°58'01"	23.55	S45°55'20"W 21.21
C32	169.99	16°52'21"	50.06	S72°29'50"E 49.88
C33	170.00	21°05'07"	62.56	S9°36'14"E 62.21
C34	170.02	4°12'46"	12.50	N18°02'23"W 12.50
C35	230.00	2°10'08"	8.71	N19°03'44"W 8.71
C36	230.00	18°54'59"	75.94	S8°31'10"E 75.59
C37	230.00	21°08'24"	84.86	S9°37'53"E 84.38
C40	15.00	90°01'59"	23.57	N44°04'40"W 21.22
C41	70.00	89°58'01"	109.92	N45°55'20"E 98.97
C42	230.00	27°08'31"	108.95	S75°24'13"E 107.94

ENGINEER'S APPROVAL

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.

CITY ENGINEER _____

DATE _____

ATTORNEY APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

CITY ATTORNEY _____

DATE _____

ROCKY MOUNTAIN POWER

1. PURSUANT TO UTAH CODE ANN. § 53-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

- (1) A RECORDED EASEMENT OR RIGHT OF WAY
- (2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
- (3) TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND FACILITIES OR
- (4) ANY OTHER PROVISION OF LAW.

SURVEYOR'S CERTIFICATE

I, DENNIS P. CARLISLE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 172675 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S) THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF SAID CODE, AND HAVE ALSO SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND THE SAME HAS, OR WILL BE, CORRECTLY SURVEYED, STAKED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

DENNIS P. CARLISLE
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 172675

DATE _____

BOUNDARY DESCRIPTION

A portion of Lots 6 & 7, Block 17, MILLVILLE WEST FIELD FARM SURVEY, located in the NW1/4 of Section 28, Township 11 North, Range 1 East, Salt Lake Base & Meridian, Nibley, Utah, more particularly described as follows:

Beginning at a point located South 3,067.40 feet and East 1,769.16 feet from the West 1/4 Corner of Section 21, T11N, R1E, S.L.B. & M. (Basis of Bearing: N0°27'11"W along the Section line between the West 1/4 Corner and the Northwest Corner of said Section 21); thence S89°05'40"E 598.71 feet parallel with, and 220.40 feet northerly of the south line of said Lot 7 to the westerly line of Lot 1, ANDERSON LOT SPLIT Subdivision, according to the Official Plat thereof on file in the Office of the Cache County Recorder; thence S1°01'32"W (plat: S0°58'33"W) 220.39 feet to the southwest corner of said Subdivision; thence S88°56'55"E (plat: S88°59'54"E) along said Plat 9.45 feet to the northwest corner of Phase 2, HERITAGE HILLS Subdivision, according to the Official Plat thereof on file in the Office of the Cache County Recorder; thence S1°01'42"W (plat: S0°15'00"W) along said Plat 223.95 feet; thence N88°51'30"W 168.35 feet; thence S50°36'46"W 73.48 feet; thence S71°03'24"W 90.29 feet; thence N89°03'41"W 56.68 feet; thence S0°56'19"W 100.00 feet; thence N89°03'41"W 301.78 feet; thence N0°56'19"E 85.02 feet; thence N8°31'25"W 30.41 feet; thence N0°56'19"E 268.00 feet; thence N5°42'08"E 60.21 feet; thence N27°55'19"E 132.89 feet; thence N0°54'21"E 60.24 feet parallel with, and 67.00 feet easterly of the west line of the East 1/2 of said Lot 7 to the point of beginning.

Contains: 8.12+/- acres

OWNER'S DEDICATION

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

MOUNT VISTA SUBDIVISION PHASE 3

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. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

(SIGNATURE)

BY: _____ (PRINTED NAME)

ITS: _____

CORPORATE ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME _____, _____, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) AND WHO BY ME DULY SWORE/AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF _____ AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR RESOLUTION OF ITS BOARD OF DIRECTORS, AND SAID _____ ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC (SIGNATURE)

RESIDING IN _____ COUNTY

MY COMMISSION No. _____ PRINTED FULL NAME OF NOTARY

CITY COUNCIL APPROVAL AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY COUNCIL THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

NIBLEY CITY MAYOR _____ DATE _____

NIBLEY CITY RECORDER _____ DATE _____

PLANNING COMMISSION APPROVAL AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY PLANNING COMMISSION THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.

PLANNING COMMISSION CHAIR _____ DATE _____

FINAL PLAT OF

MOUNT VISTA SUBDIVISION PHASE 3

LOCATED IN A PORTION OF LOTS 6 & 7, BLOCK 17, MILLVILLE WEST FIELD FARM SURVEY
NW1/4 OF SECTION 28, T11N, R1E, S.L.B.&M.
NIBLEY CITY, UTAH

RECORDED

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

\$ _____
FEE: _____ CACHE COUNTY RECORDER

civilsolutionsgroup inc.

CACHE VALLEY | P: 435.213.3762
SALT LAKE | P: 801.216.3192
UTAH VALLEY | P: 801.874.1432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net





FINAL MAINTENANCE PLAN
FOR THE
MOUNTAIN VISTA SUBDIVISION

LOCATED AT APPROXIMATELY

3530 SOUTH 450 W

NIBLEY, UT

September 30, 2019



Introduction

The following maintenance plan was prepared in accordance with section 21.10.020(L)(3) of the Nibley city municipal code. The intent of this document is to outline the ownership and maintenance plans for the open space that is proposed as a part of the Mountain Vista Rural Preservation Subdivision. A copy of the landscape plan is attached as exhibit 'A' to the end of this document.

Open Space Ownership

Each parcel of open space contained within this subdivision will be owned by the Mountain Vista Home-Owners Association, except for the parcel 3 and potentially parcel 5. The proposed open space parcels will be subject to a perpetual access easement granting the public access to the open space parcels and accompanying amenities. The city has expressed interest in the park parcel in phase 2 becoming a public park. If that is the case, the parcel for the park will be deeded to the city after the phase 2 plat is recorded.

Maintenance Responsibility

For all open space parcels privately owned by the Association, all maintenance will be the responsibility of said entity, or its assigns. The management company that will be contracted with is Advantage Management (AM). They will be responsible for establishing the necessary HOA dues and collecting said dues in order to pay the maintenance company of their choosing. All maintenance of the HOA owned parcels will be done by a private maintenance company that is contracted through AM. The HOA for this subdivision will not have any employees.

All long-term maintenance and improvement projects will be funded by HOA fees as well as a reinvestment fee that will be collected from each homeowner at the time of closing. The monthly HOA fee is planned to be **\$25.00** per home, and the reinvestment fee will be **0.25%** of each home purchase price. With this fee schedule in place, the HOA for this subdivision will have a robust financial ability to manage the proposed facilities without concern.

Insurance Requirements

All insurance requirements for the maintenance company will be provided by the maintenance company to AM prior to signing any contracts. The HOA will maintain liability insurance on the common areas that are privately owned at an initial cost of **\$119.00** per month. The liability insurance will be paid for out of the HOA's monthly budget from membership dues.

Maintenance Plan

Open Space Area 1: This parcel will be maintained once per week by the maintenance company. Maintenance will include lawn mowing and trimming and general cleanup. Trees will be pruned and trimmed as needed.

Open Space Area 2: This parcel will need to be maintained on a less regular basis as the native grasses are slower growing. We anticipate that mowing by the maintenance company will need

to happen 2-3 times through the growing season. General cleanup will take place as needed. Trail repairs will also take place on an as needed basis.

Open Space Area 3: This parcel as per city code (21.10.020(I)(7)) will be owned and maintained by the city.

Open Space Area 4: This parcel will be maintained once per week by the maintenance company. Maintenance will include lawn mowing and trimming and general cleanup.

Open Space Area 5: it is anticipated that this parcel will become a public park and will be owned and maintained by the city.

Open Space Area 6: This parcel will need to be maintained on a less regular basis as the native grasses are slower growing. We anticipate that mowing by the maintenance company will need to happen 2-3 times through the growing season. General cleanup will take place as needed. Trail repairs will also take place on an as needed basis.

Open Space Description and Standards

Each parcel of proposed open space must meet three of the seven criteria listed in section 21.10.020(I) of the Nibley City code. The following paragraphs detail how each parcel meets the required criteria to be considered as open space.

Open Space Area 1: Area 1 will be landscaped in such a way that it will provide a small, but still useable park area. The area will be manicured grass with deciduous and evergreen trees densely planted to create an area that is not only a great visual buffer for those on the go, but also an inviting area to stop at during a leisurely walk with the kids. This area meets criteria 2, 5, and 6.

Open Space Area 2: Area 2 encompasses 5.4 acres and preserves a significant feature on the property which is the hillside that traverses the north-south along the entire project. There will be a public trail that will traverse the parcel for approximately 1200 feet. While enjoying the trail and accompanying corridor, which is up to 320 feet wide, trail users will enjoy native grass landscapes. The parcel will also provide a large swath of open space that runs nearly the length of the project from north to south. With the elevation differences on this parcel it lends itself well to be the sledding hill for kids from this neighborhood and surrounding neighborhoods. This area meets criteria 1, 2, 5, and 6.

Open Space Area 3: This parcel contains the storm water storage area. The parcel will be landscaped per all code requirements to be eligible to be counted towards the required open space area. The landscape requirement for this area is significant requiring 1 tree per 300 square feet. While creating our planting plan it became obvious that with the constraints on this pond parcel it was going to be difficult to plant the required number of trees on this parcel without planting inside of the required future road easement, or in the pond itself. In trying to keep with the intent of the code, the 104 required trees that are not able to be planted in this parcel will be planted in open space areas 1, 5, and 6.

This parcel is just under 1 acre (0.94 ac) and will function as a recreation space for residents. The sidewalks and nearby trail system provide pedestrian access to make this accessible. This parcel meets criteria 5, 6, and 7.

Open Space Area 4: This parcel is a trail corridor connection to the property to the south of the proposed subdivision. This parcel meets criteria 2, 5, and 6.

Open Space Area 5: The park parcel. This 2-acre parcel provides great public access to a large park area. The city's park master plan shows this park as being in an area that is not currently being served by a city park. Residents of the Mountain Vista Subdivision, as well as neighboring property owners will enjoy the recreation space that this park provides. This parcel would be an excellent candidate for a local city park if the city chose to pursue that option. This parcel will be fully landscaped with trees and manicured grass. This parcel meets criteria 2, 5, and 6.

Open Space Area 6: This parcel will provide a contiguous open space connection to the neighboring parcels to the north. This area will also provide buffering between this subdivision and the larger lots to the east, it will also provide buffering between this subdivision and traffic on 450 West street. The sidewalk along the entire south side of the parcel will provide access for the public to enjoy this hillside parcel. This parcel meets criteria 2, 4, and 5.

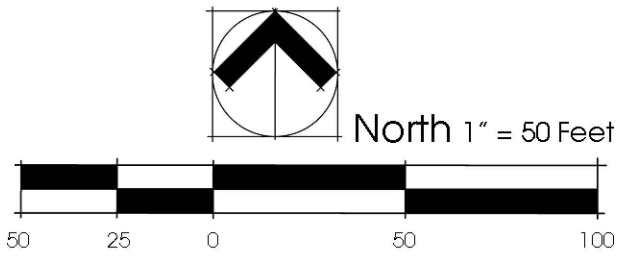
Exhibit 'A'
Landscape Plan



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
B		Fraxinus p.l. 'Patmore'	Patmore Ash	2" cal.
C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Cetis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

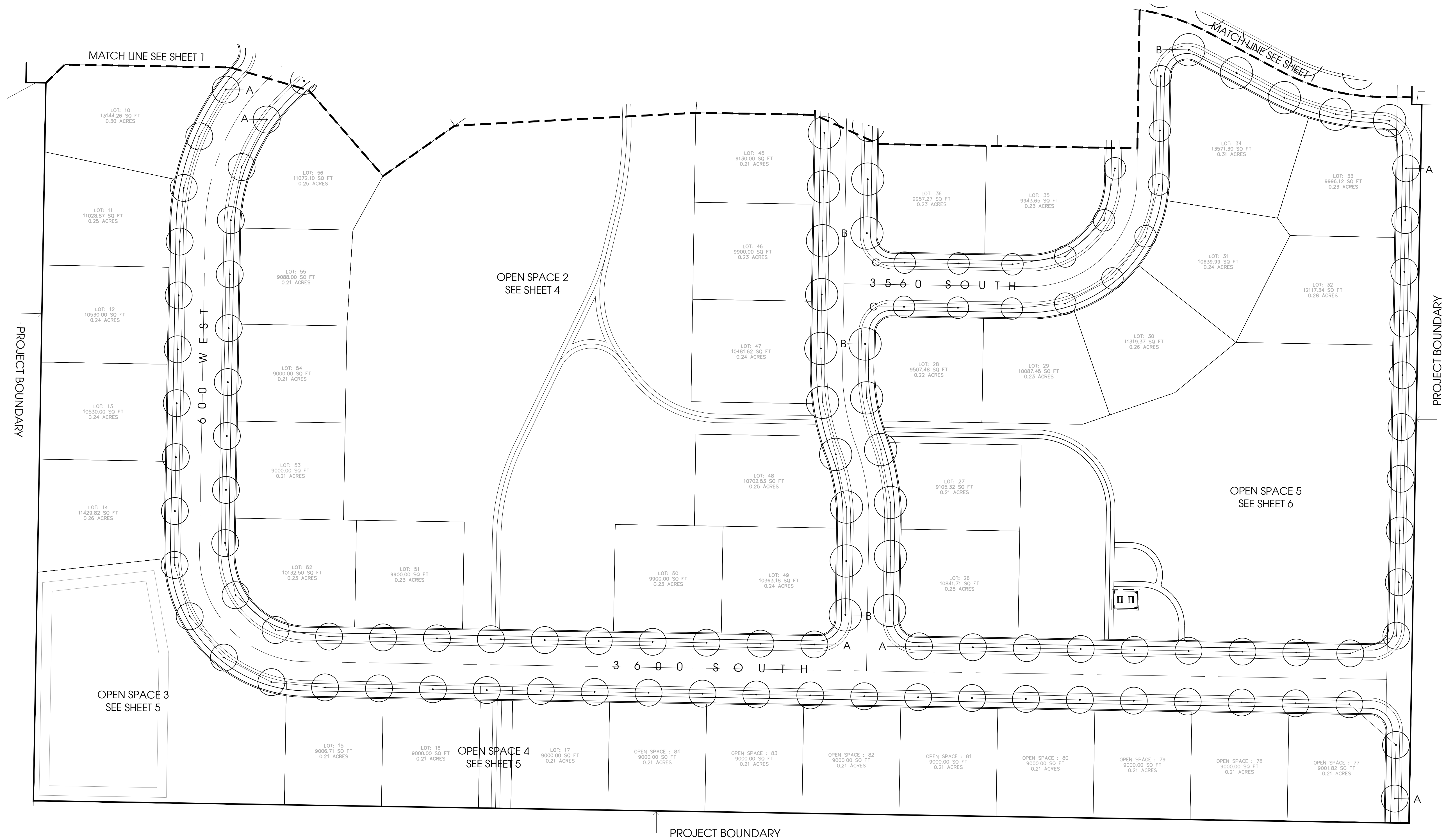
- Planting Notes . Street Trees
- Street trees are to be located at approximately 50 feet on center and as shown on the plan.
 - Street trees are to be installed by the Developer when home is built and occupied.
 - If driveway or utilities locations conflict with the street tree's placement, it may be eliminated or may require adjustment to the tree's location.
 - Street trees shall be centered in the park strip between the sidewalk and curb.
 - All park strips are to be planted with lawn—either seed or sod is acceptable. Planting is the responsibility of the homeowner and is to be maintained by the homeowner.
 - Refer to the Planting Specification.



17 SEPTEMBER 2019
SHEET 1
Street Tree Plan

MOUNTAIN VISTA

Ironwood Construction . 50 East 2500 North . North Logan, Utah



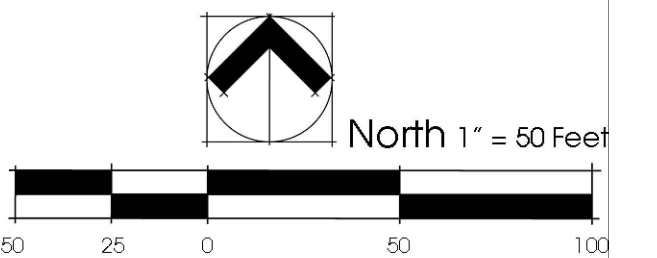
Plant List

. Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
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C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Celtis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 1/2" cal.

Planting Notes . Street Trees

- Street trees are to be located at approximately 50 feet on center and as shown on the plan.
- Street trees are to be installed by the Developer when home is built and occupied.
- If driveway or utilities locations conflict with the street tree's placement, it may be eliminated or may require adjustment to the tree's location.
- Street trees shall be centered in the park strip between the sidewalk and curb.
- All park strips are to be planted with lawn—either seed or sod is acceptable. Planting is the responsibility of the homeowner and is to be maintained by the homeowner.
- Refer to the Planting Specification.

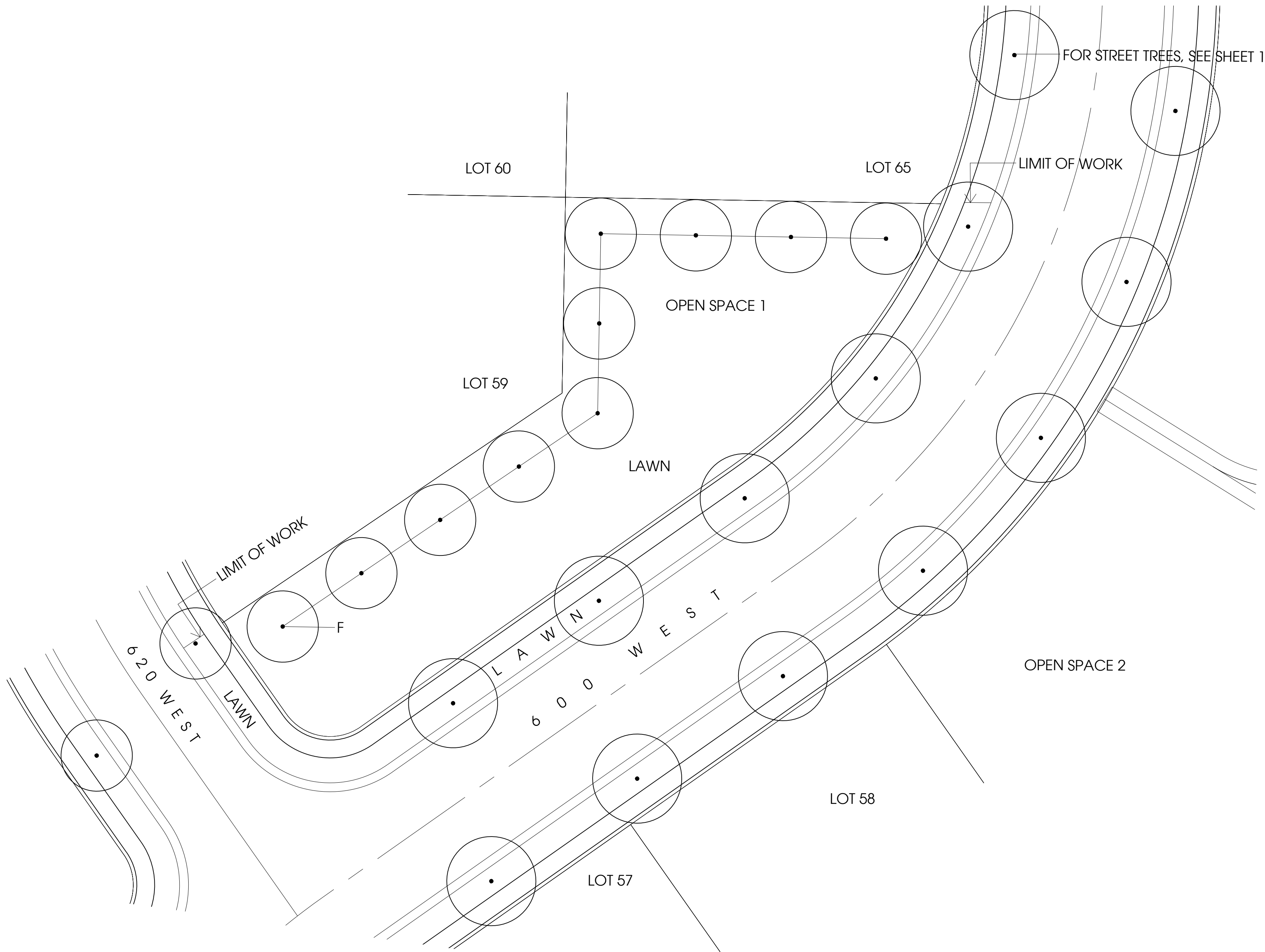


17 SEPTEMBER 2019
SHEET 2
Street Tree Plan

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
B		Fraxinus p.l. 'Patmore'	Patmore Ash	2" cal.
C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Cetlis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

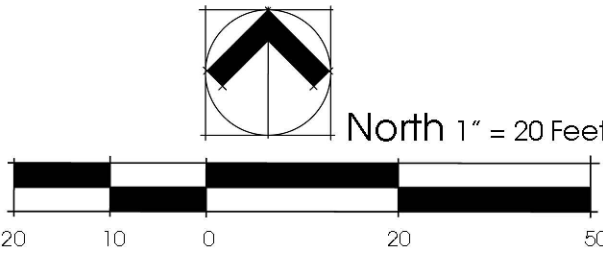
- Planting Notes . Open Spaces: OS-1, OS-3, OS-4, OS-5
1.

Provide and place four (4) inches of topsoil over all planting areas prior to commencement of planting operations.
2.

Backfill for all planting pits shall be native material excavated from the pit.
3.

All lawn areas shall be installed with sod consisting of primarily *Poa praetensis*; *Kentucky Bluegrass* species.
4.

Refer to Planting Specification.



17 SEPTEMBER 2019

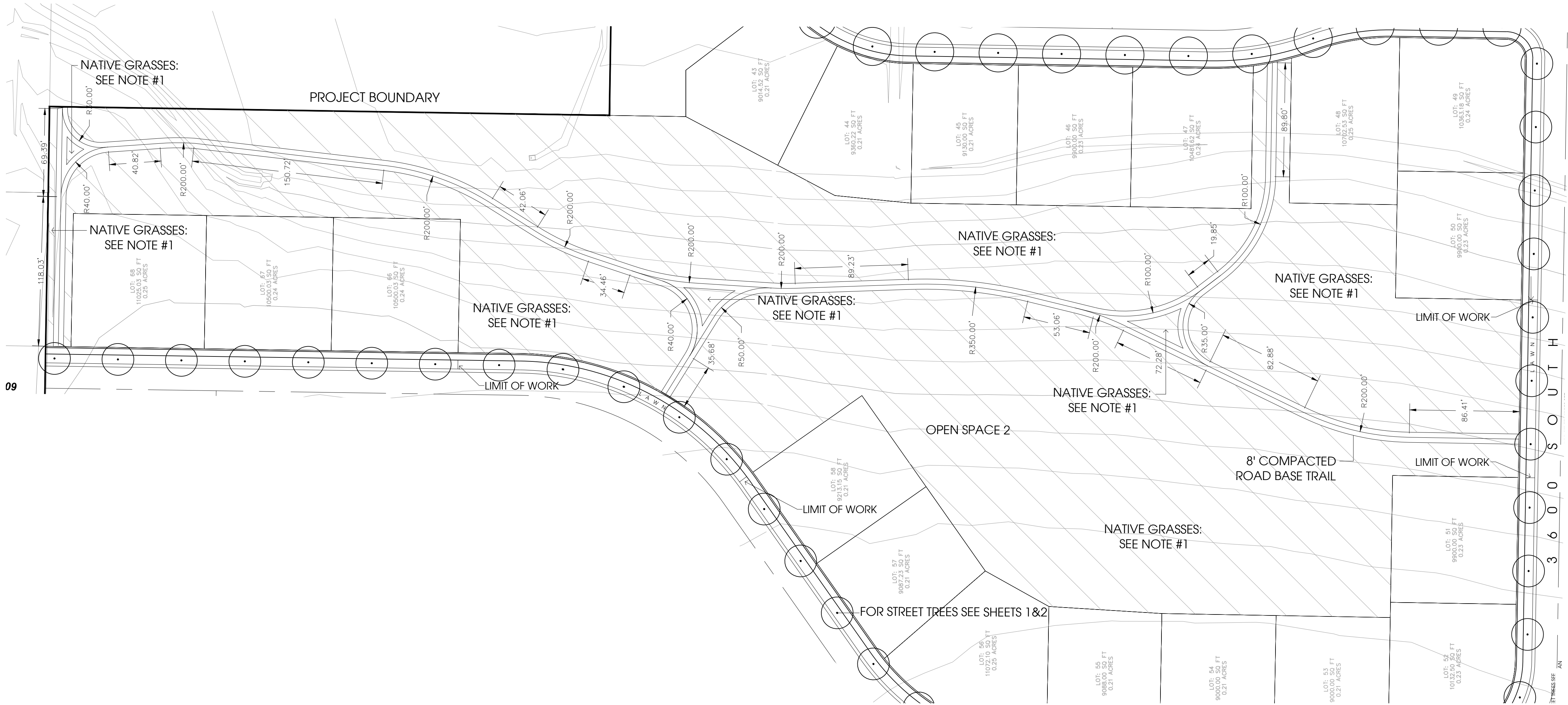
SHEET 3

Planting Plan: OPEN SPACE 1

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

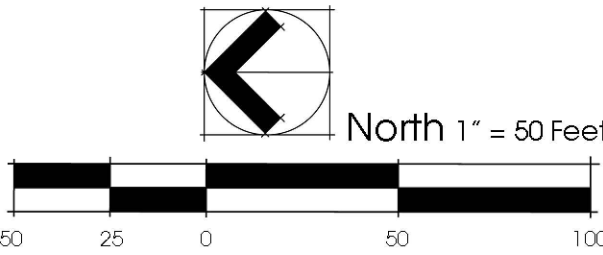
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D	Shade Trees	Celtis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

Native Grasses Seed Mix

KEY	BOTANICAL NAME	COMMON NAME	P.L.S lbs./acre
	Distichlis spicata	Inland Saltgrass	7.0
	Bouteloua rothrockii	Rothrock's Grama	2.0
	Festuca pratensis	Meadow Fescue	8.0

Planting Notes . OS- 2 and OS-6

1. Preserve native vegetation to maximum extent possible. Where the existing vegetation is disturbed during construction, re-seed these areas with the seed mix specified on this drawing.
2. Provide and place four (4) inches of topsoil over all areas designated to receive sod prior to commencement of planting operations.
3. Backfill for all tree planting pits shall be native material excavated from the pit.
4. All lawn in park strips shall be installed with sod consisting of primarily *Poa praeatensis*, *Kentucky Bluegrass* species.
5. Refer to Planting Specification.



17 SEPTEMBER 2019
SHEET 4
Planting Plan: OPEN SPACE 2

MOUNTAIN VISTA

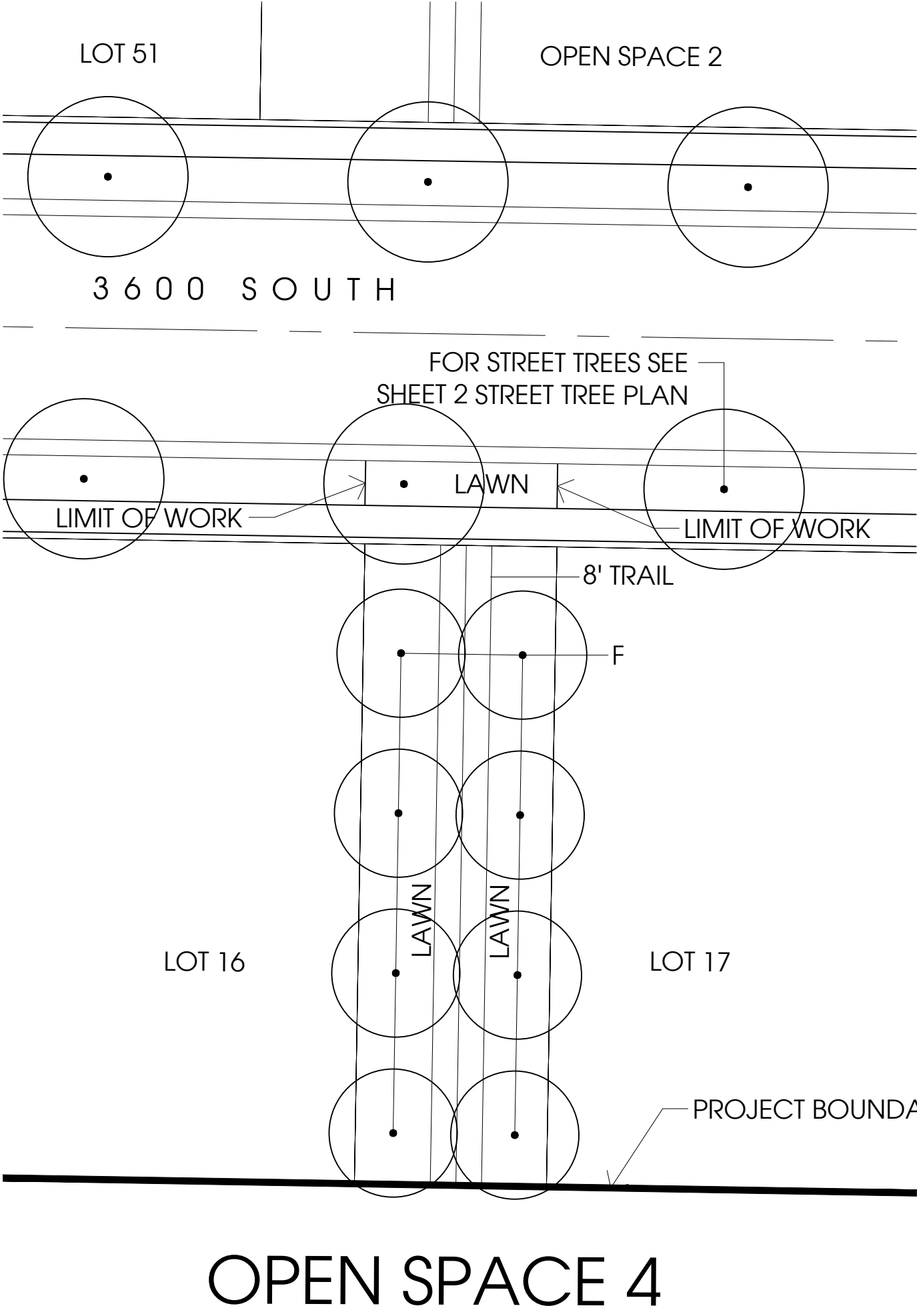
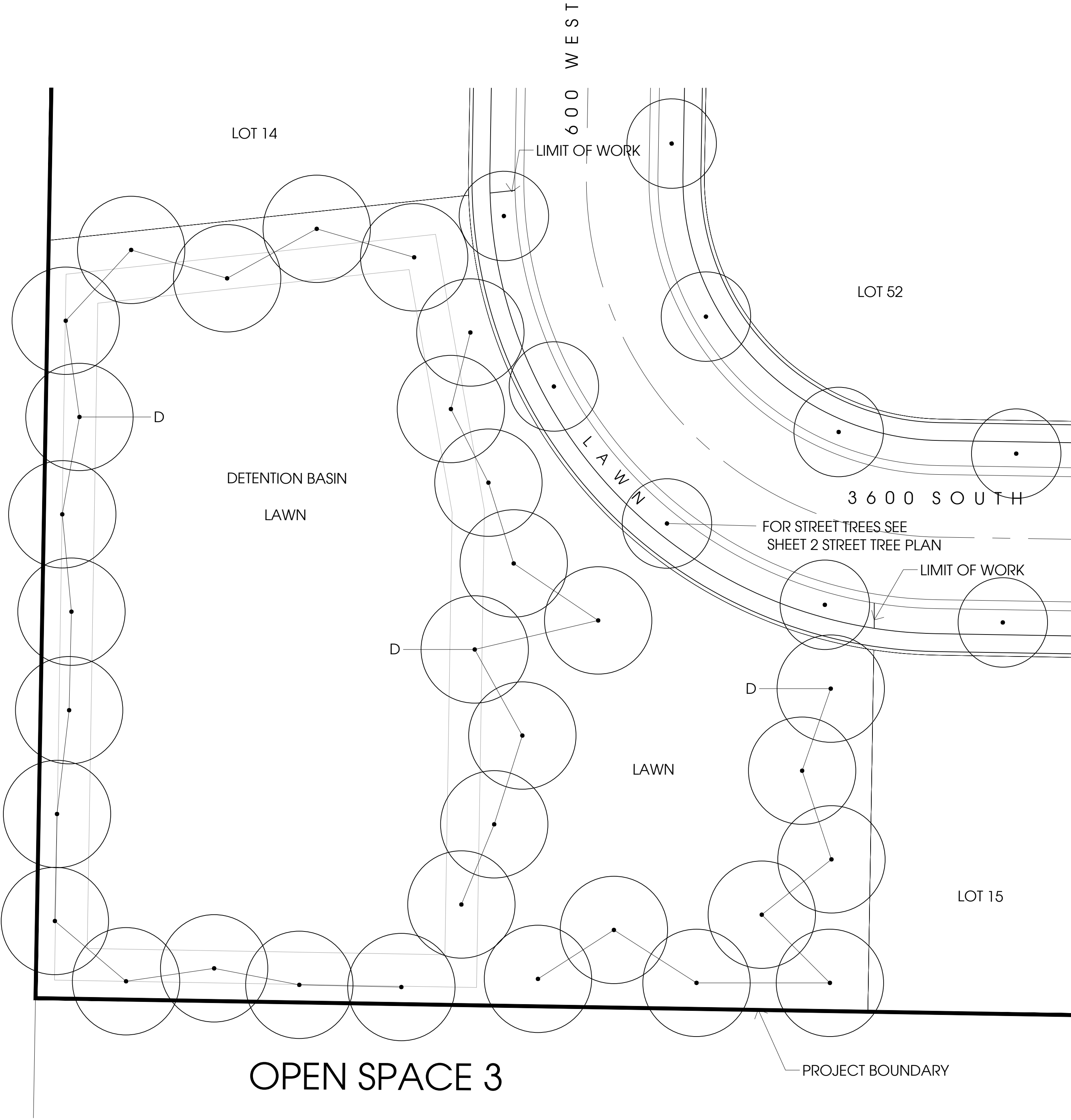
Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



R. MICHAEL KELLY
CONSULTANTS

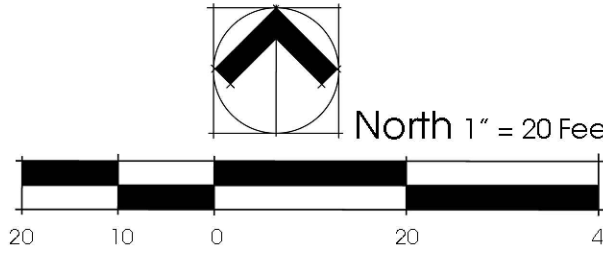
LAND PLANNING • LANDSCAPE ARCHITECTURE
P.O. Box 469, Millville, UT 84326 435.753.2955



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

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E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

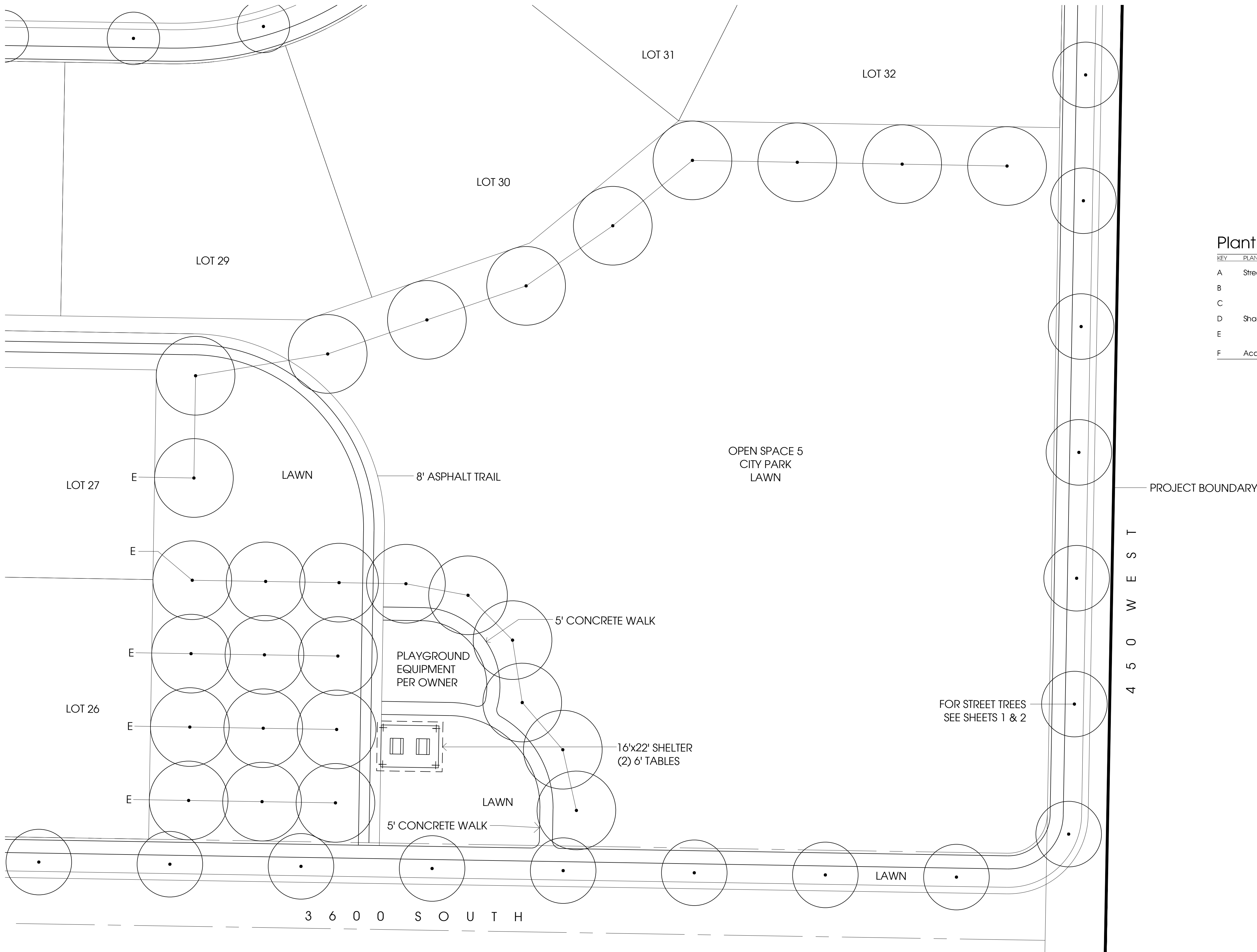
- Planting Notes . Open Spaces: OS-1, OS-3, OS-4, OS-5
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 2. Backfill for all planting pits shall be native material excavated from the pit.
 3. All lawn areas shall be installed with sod consisting of primarily *Poa pratensis* Kentucky Bluegrass species.
 4. Refer to Planting Specification.



17 SEPTEMBER 2019
SHEET 5
Planting Plan: OPEN SPACE 3, OPEN SPACE 4

MOUNTAIN VISTA

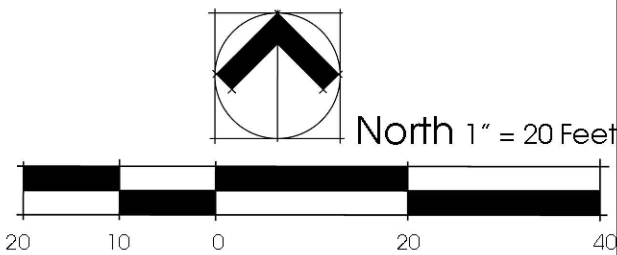
Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
B		Fraxinus p.l. 'Patmore'	Patmore Ash	2" cal.
C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Cetis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

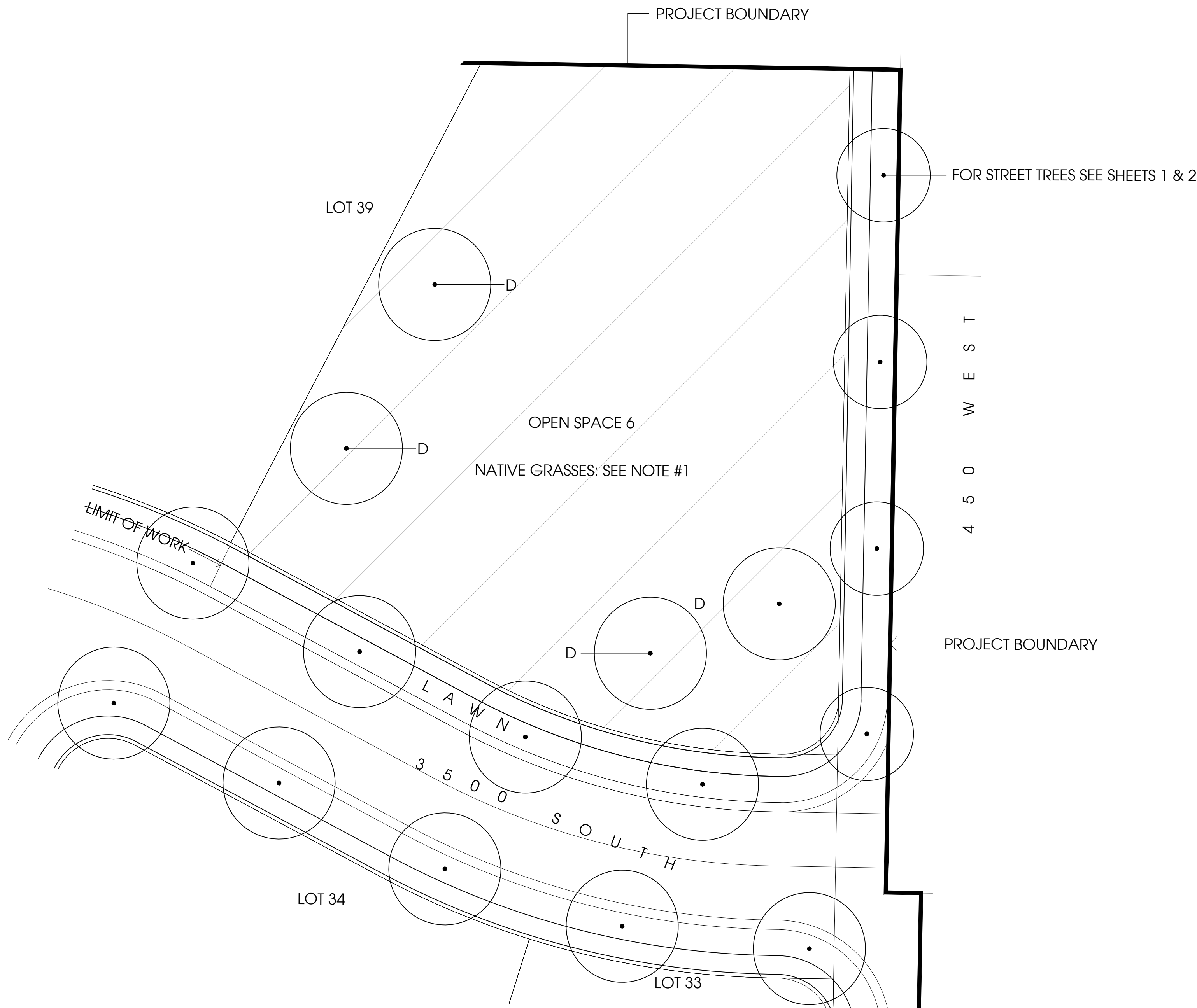
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 4. Refer to Planting Specification.



17 SEPTEMBER 2019
SHEET 6
Planting Plan: OPEN SPACE 5

MOUNTAIN VISTA

Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

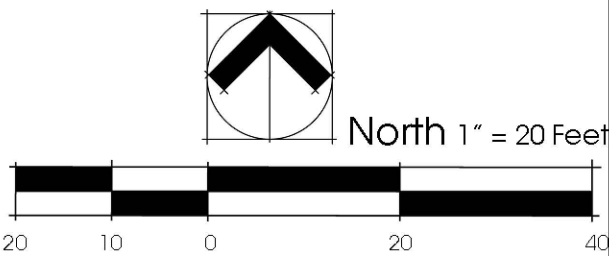
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A	Street Trees	Acer f. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
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D	Shade Trees	Celtis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

Native Grasses Seed Mix

KEY	BOTANICAL NAME	COMMON NAME	P.LS lbs./acre
	Distichlis spicata	Inland Saltgrass	7.0
	Bouteloua rothrockii	Rothrock's Grama	2.0
	Festuca pratensis	Meadow Fescue	8.0

Planting Notes . OS- 2 and OS-6

1. Preserve native vegetation to maximum extent possible. Where the existing vegetation is disturbed during construction, re-seed these areas with the seed mix specified on this drawing.
2. Provide and place four (4) inches of topsoil over all areas designated to receive sod prior to commencement of planting operations.
3. Backfill for all tree planting pits shall be native material excavated from the pit.
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5. Refer to Planting Specification.



17 SEPTEMBER 2019

SHEET 7

Planting Plan: OPEN SPACE 6

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



R. MICHAEL KELLY
CONSULTANTS

LAND PLANNING • LANDSCAPE ARCHITECTURE

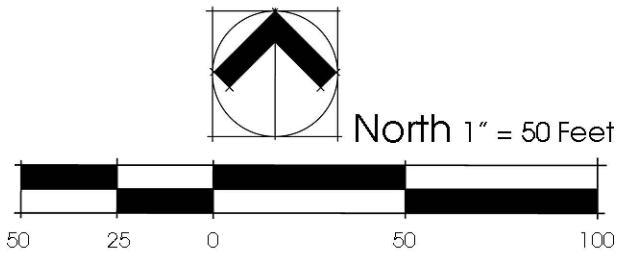
P.O. Box 469, Millville, UT 84326 435.753.2955



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

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A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
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D	Shade Trees	Cetis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
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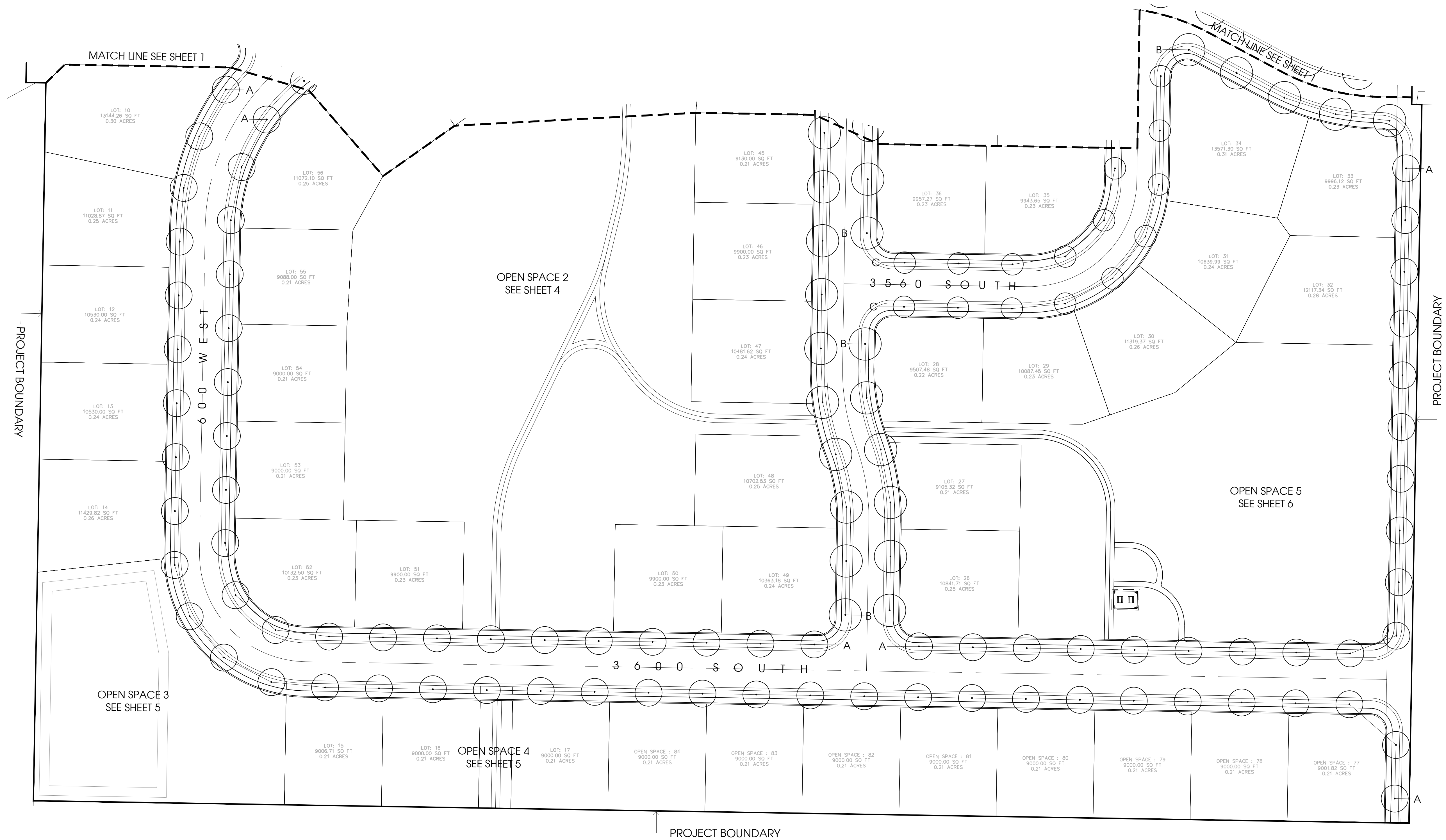
- Planting Notes . Street Trees
- Street trees are to be located at approximately 50 feet on center and as shown on the plan.
 - Street trees are to be installed by the Developer when home is built and occupied.
 - If driveway or utilities locations conflict with the street tree's placement, it may be eliminated or may require adjustment to the tree's location.
 - Street trees shall be centered in the park strip between the sidewalk and curb.
 - All park strips are to be planted with lawn—either seed or sod is acceptable. Planting is the responsibility of the homeowner and is to be maintained by the homeowner.
 - Refer to the Planting Specification.



17 SEPTEMBER 2019
SHEET 1
Street Tree Plan

MOUNTAIN VISTA

Ironwood Construction . 50 East 2500 North . North Logan, Utah

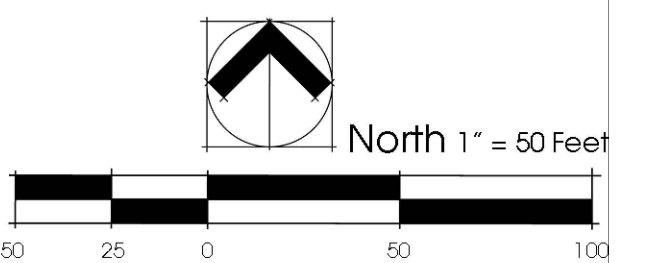


Plant List

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
B		Fraxinus p.l. 'Patmore'	Patmore Ash	2" cal.
C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
D	Shade Trees	Celtis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 1/2" cal.

Planting Notes . Street Trees

- Street trees are to be located at approximately 50 feet on center and as shown on the plan.
- Street trees are to be installed by the Developer when home is built and occupied.
- If driveway or utilities locations conflict with the street tree's placement, it may be eliminated or may require adjustment to the tree's location.
- Street trees shall be centered in the park strip between the sidewalk and curb.
- All park strips are to be planted with lawn—either seed or sod is acceptable. Planting is the responsibility of the homeowner and is to be maintained by the homeowner.
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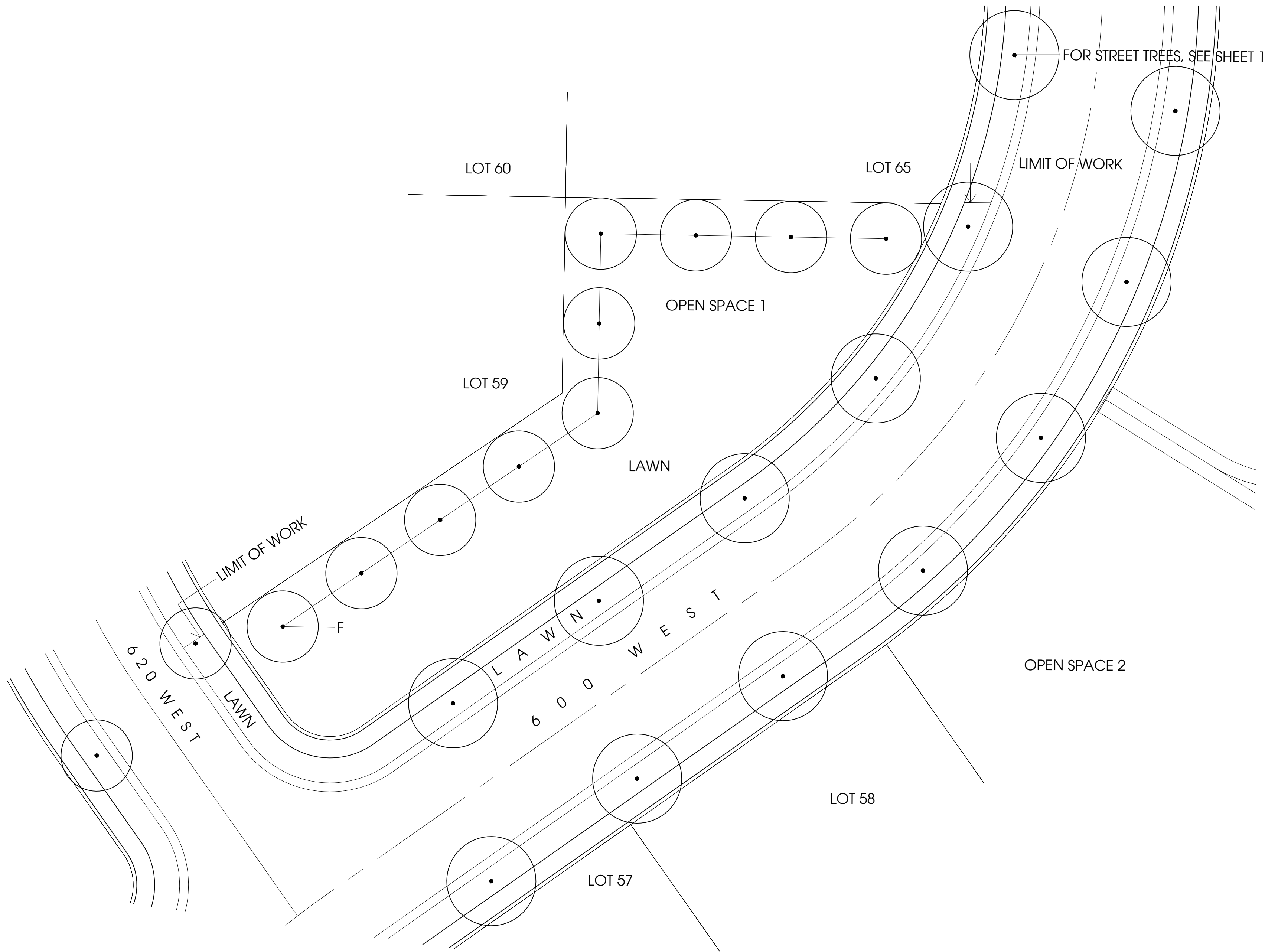


17 SEPTEMBER 2019
SHEET 2
Street Tree Plan

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE
A	Street Trees	Acer t. x Acer p. 'Warrenred'	Pacific Sunset Maple	2" cal.
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E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

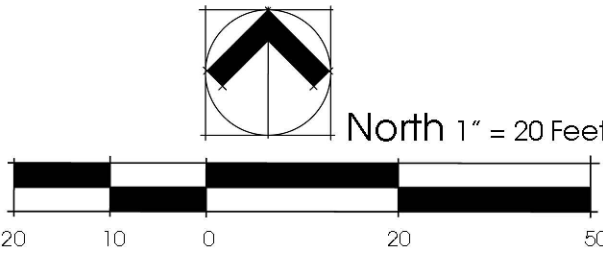
- Planting Notes . Open Spaces: OS-1, OS-3, OS-4, OS-5
1.

Provide and place four (4) inches of topsoil over all planting areas prior to commencement of planting operations.
2.

Backfill for all planting pits shall be native material excavated from the pit.
3.

All lawn areas shall be installed with sod consisting of primarily *Poa praetensis*; *Kentucky Bluegrass* species.
4.

Refer to Planting Specification.



17 SEPTEMBER 2019

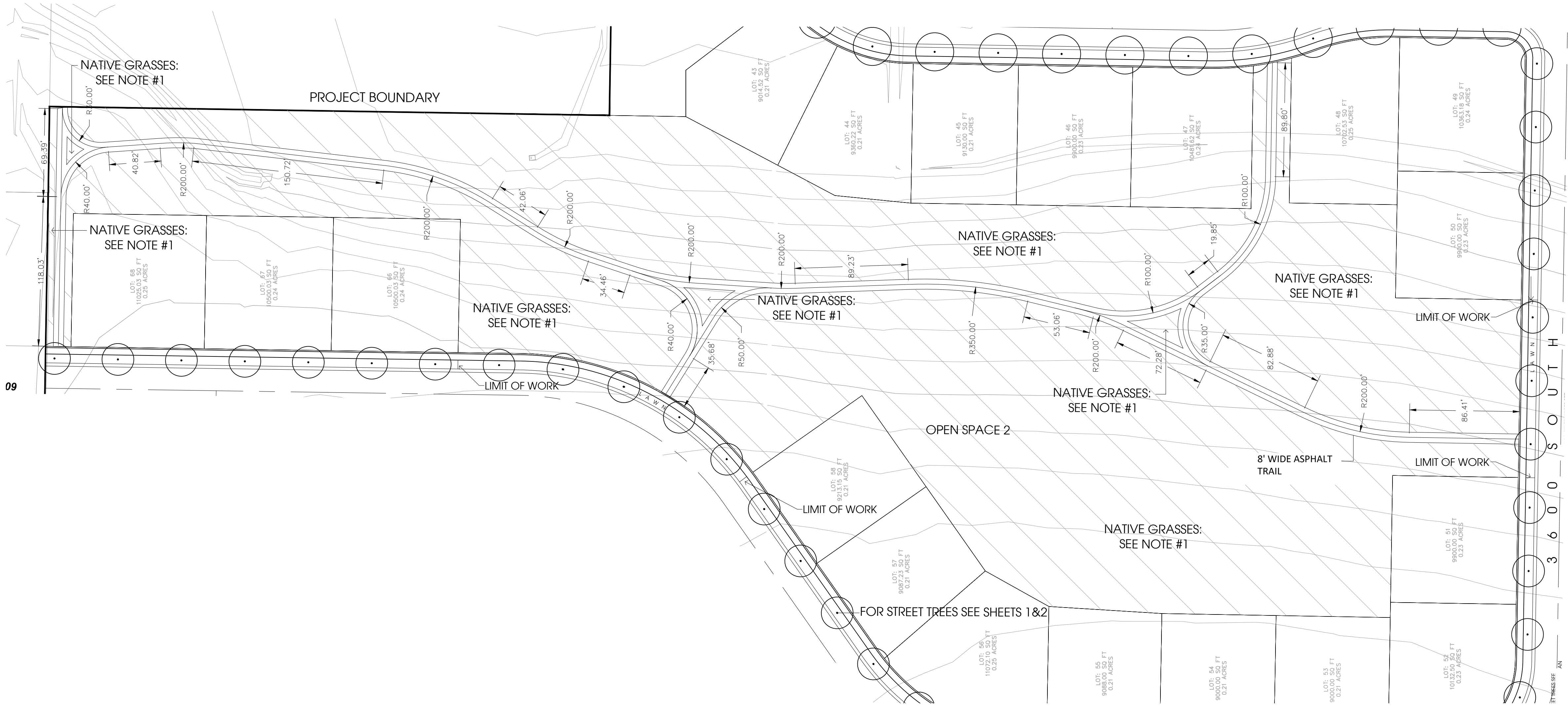
SHEET 3

Planting Plan: OPEN SPACE 1

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



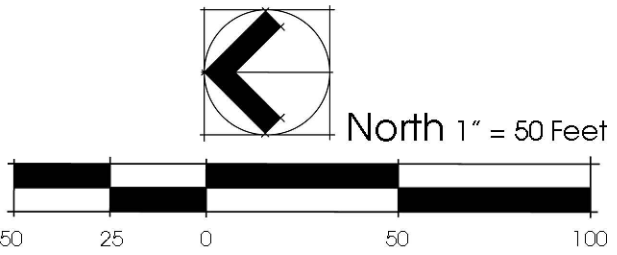
Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

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F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

Native Grasses Seed Mix

KEY	BOTANICAL NAME	COMMON NAME	P.L.S lbs./acre
	Distichlis spicata	Inland Saltgrass	7.0
	Bouteloua rothrockii	Rothrock's Grama	2.0
	Festuca pratensis	Meadow Fescue	8.0

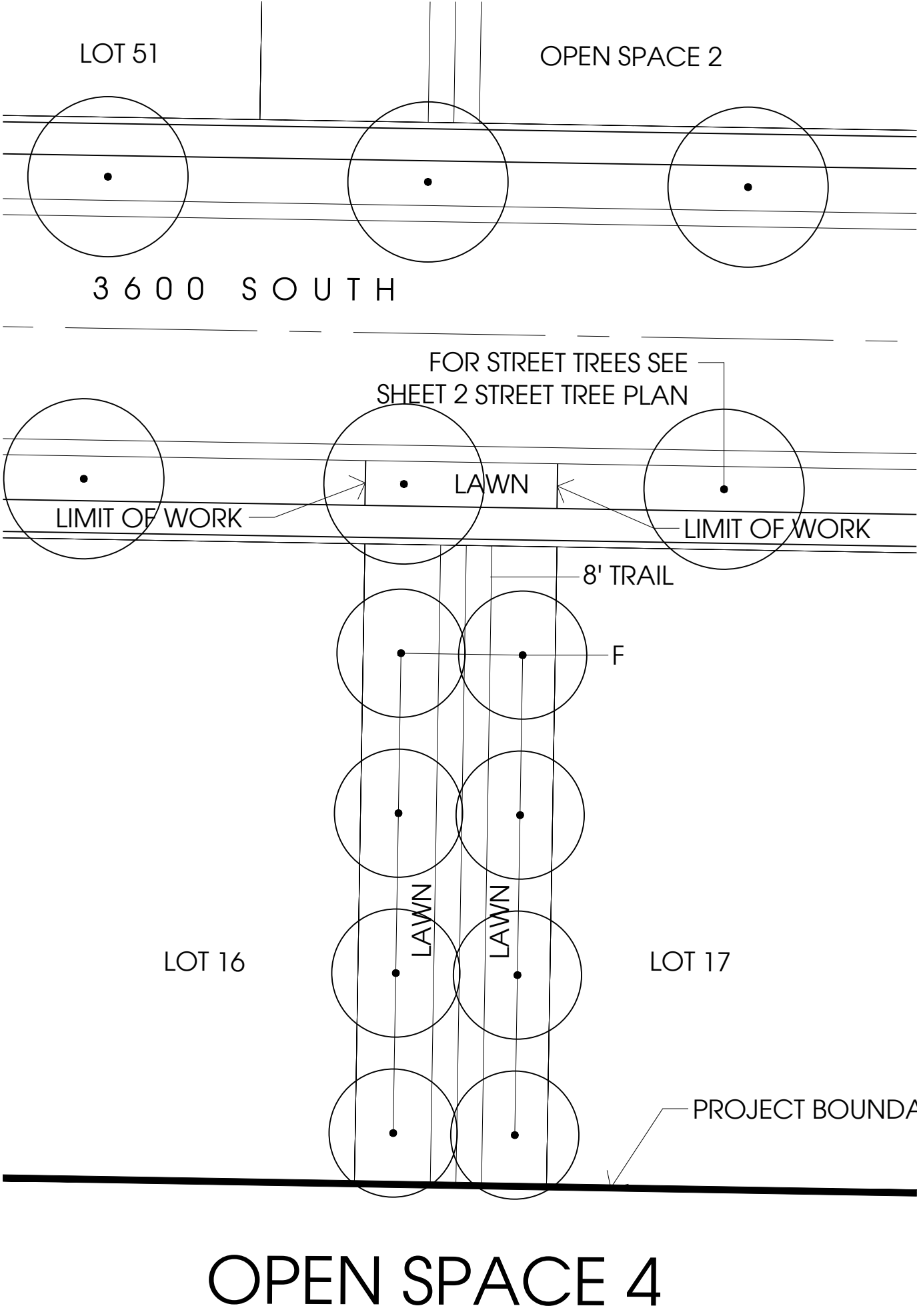
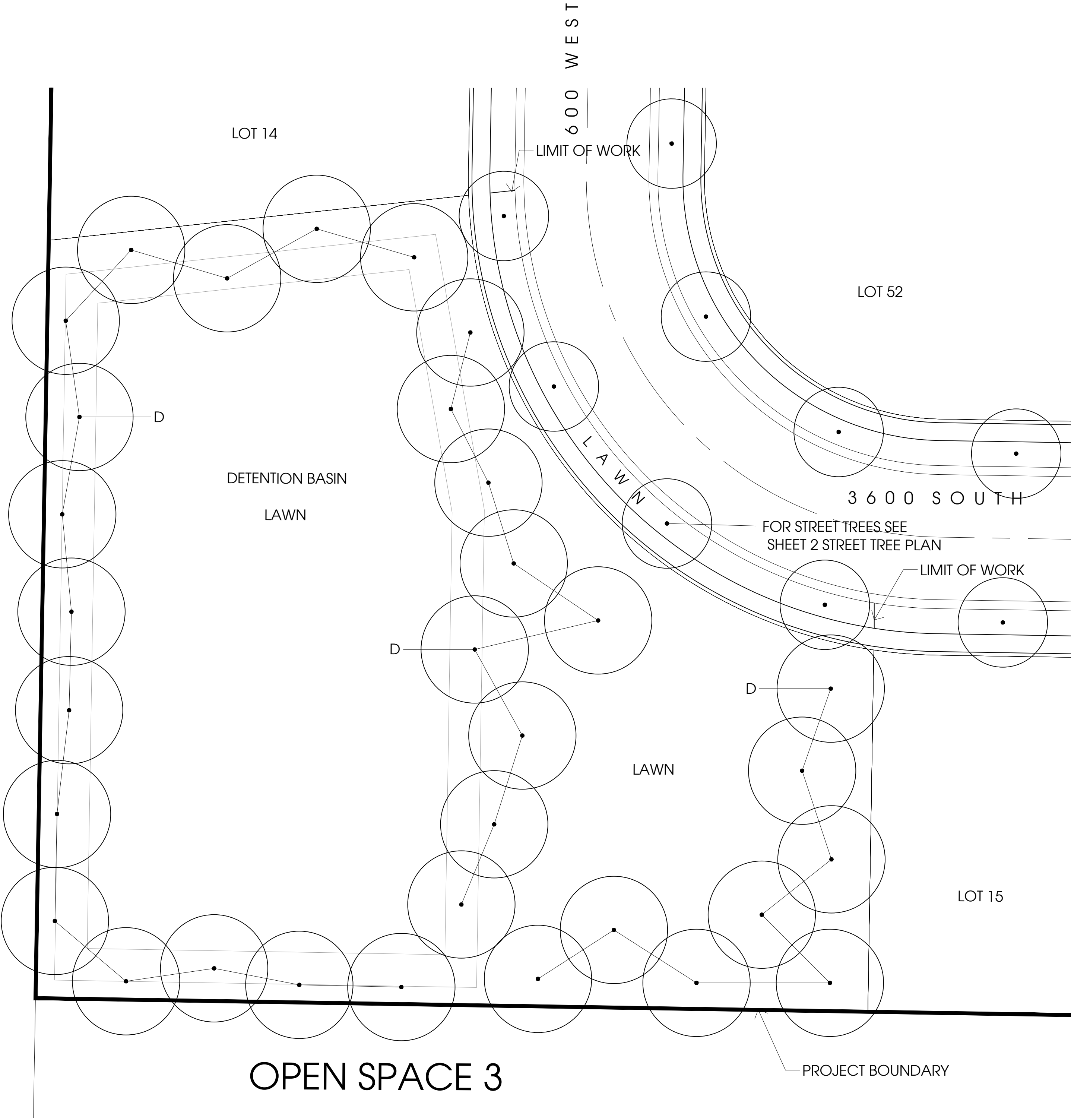
- Planting Notes . OS- 2 and OS-6
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17 SEPTEMBER 2019
SHEET 4
Planting Plan: OPEN SPACE 2

MOUNTAIN VISTA

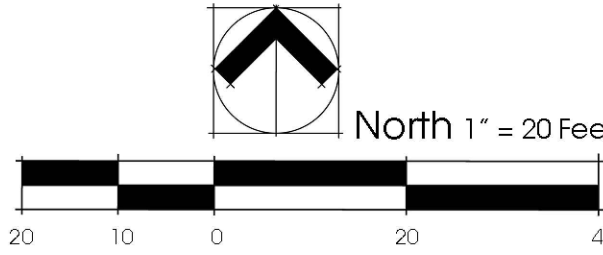
Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

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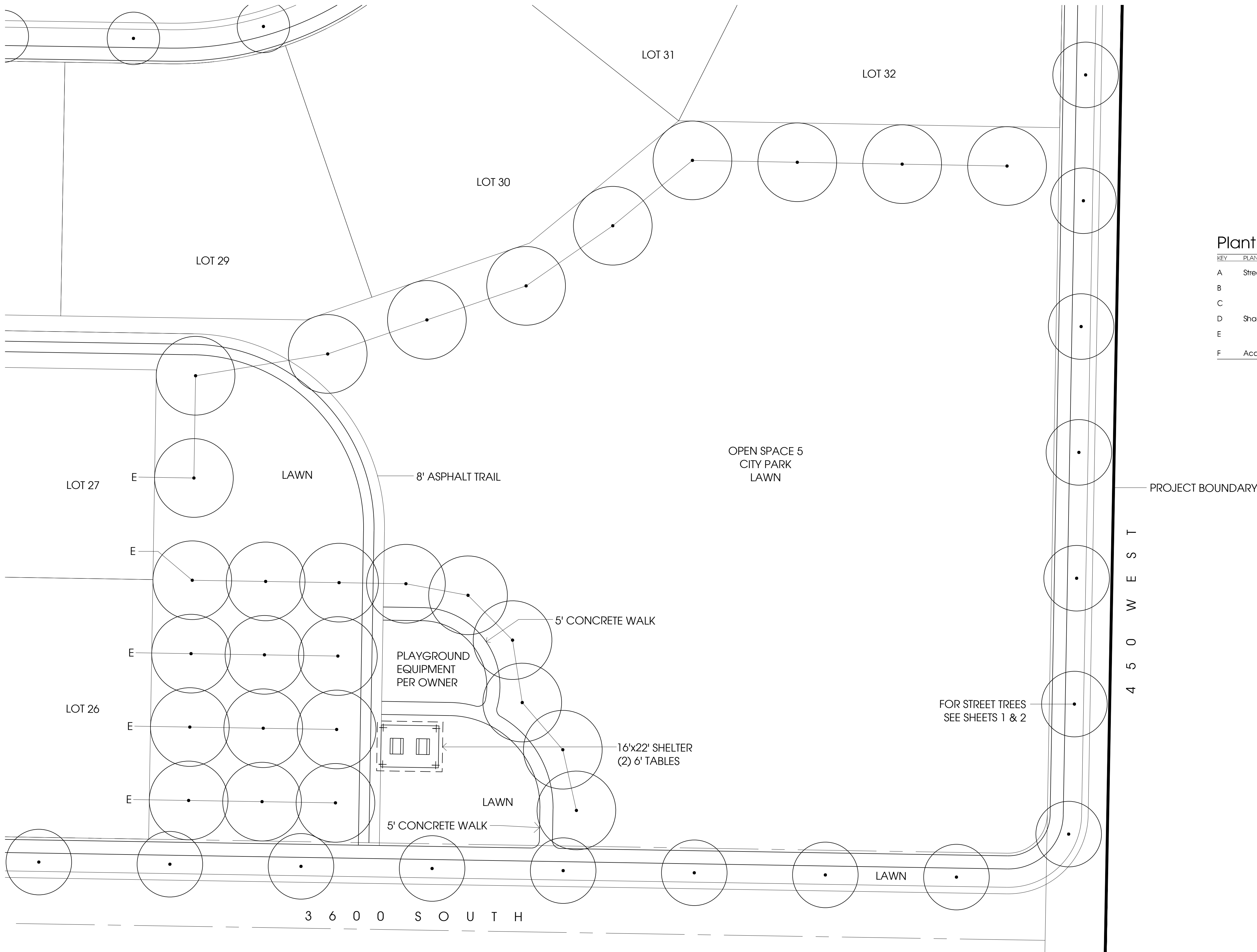
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17 SEPTEMBER 2019
SHEET 5
Planting Plan: OPEN SPACE 3, OPEN SPACE 4

MOUNTAIN VISTA

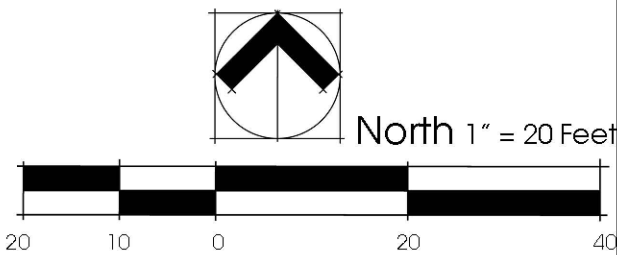
Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

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C		Pyrus calleryana 'Bradford'	Bradford Flowering Pear	2" cal.
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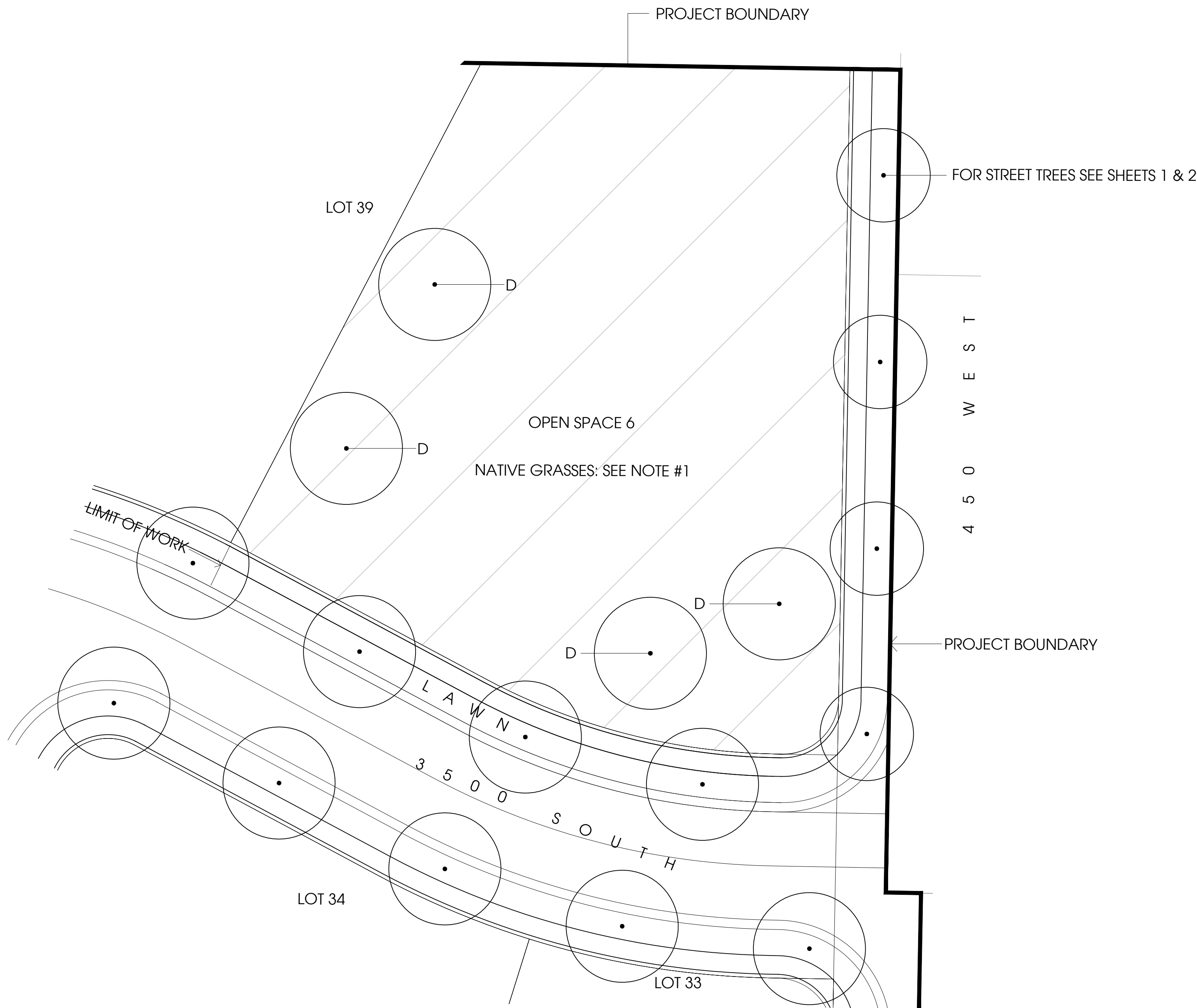
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17 SEPTEMBER 2019
SHEET 6
Planting Plan: OPEN SPACE 5

MOUNTAIN VISTA

Nibley, Utah
Ironwood Construction . 50 East 2500 North . North Logan, Utah



Plant List . Mountain Vista . Nibley, Utah . Ironwood Construction

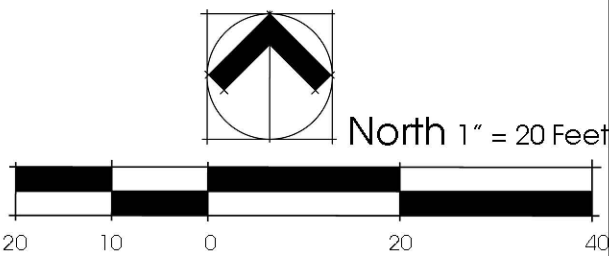
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D	Shade Trees	Celtis occidentalis	Common Hackberry	2" cal.
E		Tilia cordata 'Greenspire'	Little Leaf Linden	2" cal.
F	Accent Tree	Malus 'Prairie Fire'	Prairie Fire Crabapple	1 ½" cal.

Native Grasses Seed Mix

KEY	BOTANICAL NAME	COMMON NAME	PLS lbs./acre
	Distichlis spicata	Inland Saltgrass	7.0
	Bouteloua rothrockii	Rothrock's Grama	2.0
	Festuca pratensis	Meadow Fescue	8.0

Planting Notes . OS- 2 and OS-6

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2. Provide and place four (4) inches of topsoil over all areas designated to receive sod prior to commencement of planting operations.
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5. Refer to Planting Specification.



17 SEPTEMBER 2019

SHEET 7

Planting Plan: OPEN SPACE 6

MOUNTAIN VISTA

Nibley, Utah

Ironwood Construction . 50 East 2500 North . North Logan, Utah



R. MICHAEL KELLY
CONSULTANTS

LAND PLANNING • LANDSCAPE ARCHITECTURE

P.O. Box 469, Millville, UT 84326 435.753.2955

Agenda Item #6: Accessory Dwelling Units

Description

Workshop: Accessory Dwelling Units

Department

City Planning, Engineering, and Public Works

Action Type

Workshop

Recommendations

Review and make a recommendation

Reviewed By

City Planner

Background

An Accessory Dwelling Unit (ADU) is a secondary dwelling unit that is located on the same property as a primary dwelling unit. These take the form of basement apartments, guest houses, an apartment above the garage, etc. Nibley City's Moderate Income Housing Plan states the following as its first goal to address moderate income housing:

Allow for and reduce regulation related to accessory dwelling units in residential zones.

Nibley City currently allows for attached accessory dwelling units (ADUs). These ADUs mostly take the form of basement apartments. Nibley City should consider expanding allowances for detached ADUs within most residential zones. ADUs can be a great way to expand moderate income housing stock with minimal impacts to neighborhoods. As established above, many of Nibley City lots are larger than half an acre, which could create the opportunity for construction of ADUs throughout the city.

Moderate Income Housing Considerations

- *How large would the City allow an ADU to be in reference to the primary structure*
- *In what zones and lot sizes would a detached ADU be allowed?*
- *Parking requirements? Having no or minimal parking requirements would allow for more homeowners to build ADUs*
- *Property owner habitation*
- *Making ADUs for short-term rentals as a prohibited use*
- *Registration of ADUs so the City could track the number of units.*

Timeframe: Early 2020

(Nibley City Moderate Income Housing Plan, 2019, p 18)



The 2016 Nibley City General Plan estimated that Nibley has anywhere from 20-30 ADUs in the City, all in the form of attached apartments. These apartments can serve as a way to provide affordable housing throughout the community and can allow property owners to more fully realize the value of their property.

Attached to this report is a presentation that was given at a Utah American Planning Association conference which provides additional information about ADU.

Cache County Monthly Planning Newsletter, February 2020 also provides some great information about ADUS

[Cache County Monthly Newsletter: February 2020](#)

Chapter 19.XX
Accessory Dwelling Units (ADUs)

A. Purpose

1. This chapter establishes approval criteria and outlines processing procedures for accessory dwelling units (ADUs).
2. The purpose of this chapter is to allow accessory dwelling units within single-family detached dwellings in zoning districts specified in this title, to establish the conditions under which accessory dwelling units are regulated under this chapter, and to set forth criteria and standards to be required of accessory dwelling units when this chapter is applicable.

B. Definitions

1. Accessory Dwelling Unit: A residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in a de-tached building. Secondary dwelling units shall be developed in accordance with the standards set forth in this chapter and only in those zoning districts where the use is listed as a special review use.

Commented [SN1]: Should we allow a mobile home as an ADU?

C. Accessory Dwelling Unit Approval Required

1. Accessory Dwelling Units shall be considered permitted by right when they comply with the standards and provisions of this title. Accessory Dwelling Units that existed prior to the adoption of this ordinance, that have not received formal approval, shall be considered illegal until approved in compliance with these provisions

D. Application

1. Persons shall make application for an accessory dwelling unit on forms prepared by MUNICIPALITY. No accessory dwelling unit application shall be processed without the submission of the application, all supporting materials as required by this chapter, and the processing fee. Incomplete applications shall not be processed under any circumstances.
2. Supporting Materials. The Accessory Dwelling Unit application shall be submitted with the materials listed herein.
 - a. Notarized letter: a notarized letter of application shall be provided by the property owner stating that such owner will occupy the property except for bona fide temporary absences
 - b. Floor Plan: A floor plan showing the floor in which the accessory apartment will be located shall be provided

- c. Parking Plans: A parking plan shall be submitted showing where off-street parking will be provided.
- d. Fire Extinguisher(s): Evidence of a fire extinguisher in the accessory dwelling unit shall be provided.
- e. Fee: The processing fee as required by the consolidated fee schedule as approved by the City council shall be paid in full.

E. Approval Criteria

- 1. Proposed accessory dwelling units in compliance with the following criteria to ensure the health and safety of occupants and that preserve the residential characteristic of the neighborhood shall be approved
- 2. Owner Occupation: the owner(s) of the residence shall live either in the dwelling in which the accessory dwelling unit was created or the ADU, except for bona fide temporary absences
- 3. Fire, building, and health codes. The design and size of the accessory dwelling unit shall conform to all applicable standards in the fire, building, and health codes. All necessary permits shall indicate the area to be designated for accessory dwelling unit use.
- 4. Exterior Appearance: The accessory dwelling unit shall be incorporated into the residence so that to the degree reasonably feasible, the appearance of the building remains that of a single-family residence, including landscaping, installation of separate utility meters for accessory dwelling units is prohibited. Separate addresses and mailboxes shall be placed on all accessory dwelling units regulated by this chapter as required for public safety purposes. All entrances to accessory dwelling units shall be located on the rear or side of the building.
- 5. Parking: Off-street parking for one vehicle, shall be provided for use by the tenants of the accessory dwelling unit
- 6. One Accessory Dwelling Unit: Only one accessory dwelling unit shall be created within a single-family dwelling
- 7. Detached Structures: Accessory dwelling units may be permitted in a detached structure so long as the setbacks of the detached structure are maintained.
- 8. Size criteria:

F. Size and Zoning

- 1. ADU shall have the following size requirements:
 - a. Shall have the minimum size of 300 sq. ft.

- b. For Detach ADUs, the ADU shall following the sizing and setback requirements for other accessory buildings as listed in NCC 19.24.

G. Noncompliance

1. Owners of the single-family dwelling where the accessory dwelling unit use has been approved shall be responsible for their property's compliance with the city's ordinances and conditions of approval. Single-family owners who fail to maintain or violate the city's ordinances regulating accessory apartment use or conditions upon which approval was contingent may have the permit revoked. Notice of violation shall be given to the owner of the residence containing the accessory apartment use providing 14 days to correct a violation before the permit is revoked. Persons aggrieved by the revocation of their permit may use the appeal process to have their grievances heard.

Agenda Item #7: Residential Planned Unit Development Code Update

Description

Workshop: Residential Planned Unit Development Code Update

Department

City Planning, Engineering, and Public Works

Action Type

Workshop

Recommendations

Review and make a recommendation

Reviewed By

City Planner

Background

Nibley City has received three applications for the new Residential Planned Unit Development (R-PUD). There has been a desire to make some changes to the ordinance to clarify open space calculation, the application process, zoning, etc. The City Council will hold a public hearing and discussion and consideration on an ordinance that would adopt a six month moratorium for new application for R-PUD.

During this workshop, staff and the Planning Commission will identify key sections of code to be updated.

You can review the full code here:

[Nibley City Code 19.32 Residential Planned Unit Developments](#)

Opens Space and Amenities

There has been general concern and agreement on updating the definition of open space within the development. Currently, the R-PUD code allows for open space to count any public landscaping contained with setbacks and within the right-of-way. Staff has eliminated the clause within the definition that would allow for open space within the right-of-way.

Another concern brought up by the City Council is about what amenities and open space should be dedicated to Nibley City. This is an item the Planning Commission should consider as part of their recommendation to the City Council.

Density and Housing Mix

Another concern that has been expressed by the citizens, planning commissioners, and members of the city council is they would like to see a greater variety of housing types. This could reflect a change in the split of housing type, which right now allows for 80% of the units as townhomes and minimum of 20% need to be single family lots.

21.10.020 Open Space Subdivision~~Rural Preservation Subdivision~~Open Space Subdivision

A. Purpose: The purpose of this section is to provide for subdivision development within Nibley City in a manner that:

1. Helps preserve the rural feeling of Nibley City as outlined in the General Plan;
2. Provides Open Space Land with a specific purpose that provides visual and physical access to the public.
3. Supports adopted City policies to conserve a variety of irreplaceable and environmentally sensitive resources and agricultural lands as set forth in the General Plan;
4. Protects constrained and sensitive lands, including, but not limited to, those areas containing sensitive features such as steep slopes, floodplains, and wetlands, by setting them aside from development;
5. Provides Open Space Land, including those areas containing unique or natural features such as meadows, grasslands, tree stands, streams, stream corridors, berms, waterway, farmland, wildlife corridors and/or habitat, historical buildings and/or sites, archeological sites, and green space, by setting them aside from development;
6. Reduces erosion and sedimentation by the retention of existing vegetation and the minimization of development on steep slopes and other constrained and sensitive lands;
7. Provides for a diversity of lot sizes to accommodate a variety of age and income groups and residential preferences, so that the community's population diversity may be enhanced;
8. Provides incentives for the creation of greenway systems and Open Space Land within the City for the benefit of present and future residents.
9. Creates neighborhoods with direct visual and/or physical access to Open Space Land;
10. Maintains and creates scenic views and elements of the City's rural and scenic character and minimizes perceived density by maintaining views of new development from existing roads.

B. Definitions: For the purpose of this section, the following words shall have the meanings set forth herein:

1. OPEN SPACE LAND: Any parcel or area of land dedicated under this section as indicated on a ~~Rural Preservation Subdivision~~Open Space Subdivision Plat for the access and/or visual enjoyment of the public. Open Space Land must meet the standards and requirements of this section. Open Space Land may not be contained in the privately-owned parcel except as specifically allowed in this ordinance. Open Space Land must have 25% of its border adjacent to public access right-of-way, easement, or City park or contain a trail open to the public which traverses or runs adjacent to the Open Space Land. Open Space Land area shall not be included in setback areas calculations for principal or accessory uses.
2. CONSTRAINED AND SENSITIVE LAND: Land which is generally unbuildable without engineered ground modifications, or which contains features including, but not limit to Federal, State, or municipally designated wetlands, floodplains, slopes greater than 20%, faults, designated canals per Nibley Ordinance and other geologically or environmentally sensitive features that require mitigation, special insurance or permits from government authorities to allow development. This land may be used as Open Space Land if it

complies fully with conditions within this ordinance for qualification of Open Space.

3. **WATERWAY:** Surface water runoff and drainage, drainage ditches and irrigation waterways, whether surface or subsurface and natural waterways including creeks, streams, springs, rivers, ponds, and wetlands.
4. **TREE STAND:** A group or cluster of trees within a geographic location that are occurring naturally or artificially.
5. **MEADOWS:** Land vegetated with native species of grasses, trees, forbs, and flowers, either undisturbed or constructed, that can be sustained without supplemental irrigation. Actively used pasture and agricultural land are not considered Meadows under this definition.
6. **PASTURE:** A fenced enclosure or confined area used for the grazing of livestock or small animals which contains sufficient vegetation to serve as the principle food source for the livestock confined therein.
7. **NET DEVELOPABLE LAND:** Net Developable Land shall include the total area of the proposed development minus land that is required by Nibley City ordinance to be dedicated to the City including, but not limited to:
 8. Public access rights-of-way
 9. Land required to be dedicated along waterways
10. Preservation lands with infrastructure installed to City standards by the developer as part of the development process (parks, trails, etc.)
11. Constrained and Sensitive Land as defined herein
12. Easements, lands dedicated to the City for preservation space but without public rights of access, and other utility or general rights-of-way without access to the public shall be included as Net Developable Land.
13. Net Developable Land may be calculated for the purposes of concept review and preliminary plat approval based on either rule of thumb as outlined in the Lot Standards chart for the underlying zone of the proposed subdivision or based on actual measurements derived from the proposed plat. Calculation of Net Developable Land for final plat approval shall use actual measured Net Developable Land area. The proponent shall demonstrate compliance with this provision by calculation based on values demonstrably derived from the proposed final plat.

C. Applicability:

1. The election to develop the property as a ~~Rural Preservation Subdivision~~Open Space Subdivision is voluntary and provided to developers as an alternative to the standard subdivision process codified in NCC 19 and NCC 21. The intent of this section and the ~~rural preservation subdivision~~Open Space Subdivision options is to encourage the creation and development of flexible designed Open Space Land and variety in lot size and conformation. ~~Rural Preservation Subdivision~~Open Space Subdivisions may be developed within applicable residential zones of the City. ~~Rural Preservation Subdivision~~Open Space Subdivisions shall be developed in accordance with and subject to the development standards, conditions, procedures and regulations of this section and with all other applicable subdivision ordinances and zoning regulations of the City which are not otherwise in conflict with the provisions of this section.
2. In cases of conflict with other Nibley City ordinances, the terms of this section shall govern.
3. Development Options: In R-1, R-1A, and R-2 zones in Nibley City, developers may elect to develop a ~~Rural Preservation Subdivision~~Open Space Subdivision. R-2A zones may

also be developed under the terms of this ordinance; in such cases, the R-2A zoned property shall be treated as R-

2 for the purposes of calculating underlying base density, number of lots, bonus density, lot sizes, and all other provisions outlined in this ordinance. If the zone is not listed above, it does not qualify for a ~~Rural Preservation Subdivision~~Open Space Subdivision.

4. Developers desiring to develop the property as ~~Rural Preservation Subdivision~~Open Space Subdivision are subject to the development standards, conditions procedures and regulations of this section.

D. Application Process:

1. Applications for a ~~Rural Preservation Subdivision~~Open Space Subdivision shall be submitted and processed in accordance with the requirements and procedures set forth in the City Subdivision Ordinance, including submission and approval of schematic, preliminary and final plans or plats, and any additional procedural requirements set forth in this section, including, but not limited to, submission of a sensitive area designation plan and maintenance plan.
2. Pre-application Meeting: Applicants for a ~~Rural Preservation Subdivision~~Open Space Subdivision shall have a pre- application meeting with the Development Committee as established in NCC 21.06.030 to review the application and answer questions provided by the applicant. Prior to this meeting, the developer shall submit the draft plan of the proposed subdivision and shall include the following:
 - a. Zoning and parcel location
 - b. Total gross acres
 - c. Estimated right-of-way dedication
 - d. Estimated Constrained and Sensitive Land
 - e. Estimated Net Developable Land
 - f. Estimated Open Space Dedication and proposed uses.
 - g. Total number of lots based on density bonus
 - h. Estimated lot sizes and subdivision layout.
3. Sensitive Area Designation Plan Map: All applications for a ~~Rural Preservation Subdivision~~Open Space Subdivision shall include a sensitive area designation plan map prepared in accordance with the provisions set forth herein and submitted with the preliminary plat. The sensitive areas designation plan map shall identify all constrained and sensitive lands within the property boundaries as set forth in this section. The sensitive area designation plan map shall also clearly identify all-natural or cultural resources present on the property, including, but not limited to those defined in this ordinance (geographic features, meadows, tree stands, streams, stream corridors, floodwalls, berms, waterways, canals, irrigation ditches, farmland, pastures, wildlife corridors and/or habitat; historic buildings and/or sites; archeological sites; cultural features and green space). Applicants are solely responsible for the accuracy and designation of constrained and sensitive lands as defined in this ordinance, and natural and cultural resources as defined by the United States, State of Utah, Cache County, and Nibley City on the sensitive area designation plan map for their project and applicable adjacent property. The applicant shall include all sensitive areas within four hundred feet(400') of the developments property boundaries as noted in City, County, State, and Federal records.
4. Maintenance Plan for preserved Open Space Land: The developer must submit a Preliminary Maintenance Plan in accordance with subsection M,2 of this section and with

the preliminary plat. For final plat application, the developer must submit a Final Maintenance Plan in accordance with subsection M,3 of this section. The Final

Maintenance Plan shall be attached to the Development Agreement required by NCC 21 and recorded with the Final for the property.

E. Dimensional Standards:

1. The lot standards within a ~~Rural Preservation Subdivision~~ Open Space Subdivision shall be determined in accordance with the Lot Standards Chart.

Lot Standards Chart					
Zone	Open Space Ratio (OSR) ^{Note 1}	Incentive Multiplier	Average Residential Lot Size	Minimum Residential Lot Size	Frontage ^{Note 2}
R-1	$0.25 \leq \text{OSR} < 0.30$	1.25	$\geq 18,700 \text{ ft}^2$	$\geq 17,000 \text{ ft}^2$	$\geq 100 \text{ ft}$
	$0.30 \leq \text{OSR} < 0.35$	1.30	$\geq 16,700 \text{ ft}^2$	$\geq 15,000 \text{ ft}^2$	$\geq 100 \text{ ft}$
	$0.35 \leq \text{OSR} < 0.40$	1.35	$\geq 14,700 \text{ ft}^2$	$\geq 13,000 \text{ ft}^2$	$\geq 95 \text{ ft}$
	$0.40 \leq \text{OSR}$	1.40	$\geq 12,700 \text{ ft}^2$	$\geq 11,000 \text{ ft}^2$	$\geq 90 \text{ ft}$
R-1A	$0.25 \leq \text{OSR} < 0.30$	1.25	$\geq 14,000 \text{ ft}^2$	$\geq 12,000 \text{ ft}^2$	$\geq 100 \text{ ft}$
	$0.30 \leq \text{OSR} < 0.35$	1.30	$\geq 13,000 \text{ ft}^2$	$\geq 11,000 \text{ ft}^2$	$\geq 95 \text{ ft}$
	$0.35 \leq \text{OSR} < 0.40$	1.35	$\geq 12,000 \text{ ft}^2$	$\geq 10,000 \text{ ft}^2$	$\geq 90 \text{ ft}$
	$0.40 \leq \text{OSR}$	1.40	$\geq 11,000 \text{ ft}^2$	$\geq 9,000 \text{ ft}^2$	$\geq 85 \text{ ft}$
R-2 and R-2A	$0.25 \leq \text{OSR} < 0.30$	1.20	$\geq 13,200 \text{ ft}^2$	$\geq 11,500 \text{ ft}^2$	$\geq 95 \text{ ft}$
	$0.30 \leq \text{OSR} < 0.35$	1.25	$\geq 12,200 \text{ ft}^2$	$\geq 10,500 \text{ ft}^2$	$\geq 90 \text{ ft}$
	$0.35 \leq \text{OSR} < 0.40$	1.30	$\geq 10,200 \text{ ft}^2$	$\geq 9,000 \text{ ft}^2$	$\geq 85 \text{ ft}$
	$0.40 \leq \text{OSR}$	1.35	$\geq 9,200 \text{ ft}^2$	$\geq 7,800 \text{ ft}^2$	$\geq 80 \text{ ft}$
Notes:					
1. The OSR is the ratio of the area of the Open Space Land divided by the area of the Net Developable Land.					
2. Frontage is determined at the front setback line.					

2. Procedure for Calculating Allowed Number of Lots: The Allowed Number of Lots including the density bonus for a ~~Rural Preservation Subdivision~~ Open Space Subdivision shall be determined as follows using the appropriate Incentive Multiplier from the Lot Standards Chart. The developer shall follow the process outlined below to determine allowable properties of the proposed subdivision and use these properties in developing the preliminary and final plats. All calculations and measurements shall be clearly documented in order and following the process outlined below and submitted with the plat applications:

- a. The subdivision must be in one of the approved zones as listed within the ~~Rural Preservation Subdivision~~ Open Space Subdivision requirements, and all calculation will be based on the parcel's current zone at the time of application and the associated Lot Standards Chart with the exception of R-2A zones: R-2A zones shall be treated as R-2 zones for the purposes of this ordinance.
- b. Provide to the City the total area contained within the subdivision plat.
- c. Provide to the City the total area being dedicated to rights-of-way.
- d. Provide to the City the total acres of Constrained and Sensitive Land.
- e. Provide the City the total Net Developable Land area as defined within this section.
- f. State the area of proposed Open Space Land.
- g. Calculate Open Space Ratio.
- h. Calculate the Base Number of Lots per zone:

$$(1) \text{ Base Number of Lots R-1} = \text{Net Developable Land} / 1 \text{ acre}$$

(2) Base Number of Lots R-1A = Net Developable Land / .75 acres

(3) Base Number of Lots R-2 and R-2A = Net Developable Land / 0.5 acres

i. Determine Incentive Multiplier

(1) Determine Incentive Multiplier based on the Lot Standards Chart, the applicable zone, and the Open Space Ratio.

j. Calculate total allowed

(1) Total allowed lots = Base number of lots multiplied by the Incentive Multiplier

3. Phasing of lot sizes: Open Space Subdivision located in R-2 and R-2A zones and adjacent to an existing subdivision shall have the lots that boarder that subdivision shall be 80% of the sizes of the minimum of lots size for the underlying zone. Open Space Subdivisions in R-1 and R-1A zones shall have the lots that boarder other subdivision shall be a minimum of 14,000 sq. ft.

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F. Lot Area, Frontages, and Zoning Regulations:

1. The subdivision, along with each lot within the subdivision, shall meet and comply with the minimum lot sizes, average lot sizes, and frontages shown on the Lot Standards Chart. Except for these requirements, the Zoning Regulations (NCC 19) for the underlying zone shall apply to ~~Rural Preservation Subdivision~~Open Space Subdivisions, unless otherwise noted within this section.

G. Conservancy Lots:

1. Open Space Land and Constrained and Sensitive Land may be included within individual residential lots when such areas can be properly protected and preserved in accordance with the intent and purpose of this section. Such lots shall be known and referred to as "conservancy lots". These lots must contain a minimum of 0.5 acres of Open Space Land, except for areas approved by Nibley City as defined Landscape Buffers, and that Open Space Land must meet the design standards and use standards within this section.
2. Regulations: Open Space Land and Constrained and Sensitive land within a Conservancy Lot shall remain subject to all regulations and requirements for such land as set forth herein, including, but not limited to, use, design, maintenance, ownership and permanent protection. Open Space Land must be developed and maintained within the first year of the date of issuance of a Notice to Proceed under NCC 21.
3. The portion of each Conservancy Lot that is not Open Space Land must meet the minimum lot size on the applicable Lot Standards Chart and shall be the portion of the Conservancy Lot used to calculate the average and minimum lot size within the subdivision.

H. Use Regulation: Use of the land in a ~~Rural Preservation Subdivision~~Open Space Subdivision that is not Open Space Land is subject to any restrictions set forth in NCC 19, unless otherwise specified within this section, for the zone in which the land is located. Use of Open Space Land within a ~~Rural Preservation Subdivision~~Open Space Subdivisions is subject to the following:

1. Permitted Uses on Open Space Land: The following uses are permitted in Open Space Land areas:

a. Street rights-of-way may traverse Open Space Land if permitted under City

ordinances; provided, areas encumbered by such facilities and/or rights-of-way shall not be counted as Open Space Land when computing the Open Space Ratio in the Lot Standards Chart.

- b. Utility rights-of-way or easements, including above ground and underground utilities may traverse Open Space Land if permitted by City ordinance; areas encumbered by such facilities and/or rights-of-way may be counted as Open

Space Land when computing the Open Space Ratio in the Lot Standards Chart so long as the rights-of-way and easements otherwise meet the requirements of this ordinance for Open Space Land.

- c. Agricultural and horticultural uses, including raising crops wholesale nurseries and associated buildings that are specifically needed to support active, viable horticultural operations. Wholesale nurseries must obtain an operating permit and business license from the City and must comply with all fencing and maintenance requirements of this ordinance.
- d. Conservation of open land in its natural state; e.g., meadows, tree stands, wetlands, forestland.
- e. Waterways along with dedicated public access rights-of-way or easements along one or both sides.
- f. Underground utility easements for drainage, access, sewer or water lines, electric lines or other public purposes.
- g. Active noncommercial recreation areas, such as trails, playing fields, playgrounds, courts, and multipurpose trails. These parcels shall be maintained by the City or an owners' association and shall be open to the public if maintained by the City, or residents within the ~~Rural Preservation Subdivision~~Open Space Subdivision if maintained by a functional owners association.
- h. Agricultural uses excluding livestock operations involving swine, poultry, and mink. Open Space Land of less than one-half (0.5) acre may be used as landscaped buffers for roadways, landscaped entrances to subdivisions, neighborhood "pocket parks" or similar amenities that meet standards and uses listed herein.
- i. Fencing that is rural in character. All fencing must be transparent, such as rail fences, post fences, or wire fences and architecturally appropriate to the use as determined by the City Planner. Chain link fences are not permitted on Open Space Land. All applicants must receive a fence permit from the City before construction of any proposed fence.
- j. Golf courses, not including commercial miniature golf. A development plan must be turned in as part of the approval process that outlines ownership, development, and building plans.
- k. Neighborhood Open Space Land uses such as village greens, commons, picnic areas, community gardens, trails, and similar low-impact passive recreational uses. Neighborhood Open Space Land must be owned and maintained by an owners' association or the City.
- l. Pasture for sheep, goats, cows, horses or other animals approved by Nibley City code. Pasture and animal density must conform with Nibley City Animal Land Use Regulations and be enclosed with appropriate fencing.
- m. Silviculture, in keeping with established standards for selective harvesting and sustained yield forestry.
- n. Water supply and sewage disposal systems, and stormwater detention areas designed, landscaped, and available for use as an integral part of the Open Space Land. These facilities must be built to Nibley City Design Standards and Specifications, must contain a tree for every 300 square feet and planted around the perimeter, an irrigation system must be installed, and be planted with grass or natural vegetation

2. Prohibited Uses on Open Space Land: The following uses shall be considered prohibited in Open Space Land areas:

- a. Motor vehicles are prohibited except as necessary to maintain and operate the property and/or utility facilities within the property. Recreational motorized off-road vehicle usage including but not limited to motorcycles, dirt bikes, go-carts, OHVs, dune buggies, side-by-sides and their derivatives, and snowmobiles are prohibited.
- b. Firearm ranges, and other uses similar in character and potential impact are prohibited.
- c. Advertising of any kind and any billboards or signs; provided, directory and information signs may be displayed describing the easement and prohibited or authorized the use of the same.
- d. Any cutting of trees or vegetation, except as reasonably necessary for fire protection, thinning, elimination of diseased growth, control of non-native plant species, maintenance of landscaped areas, and similar protective measures or those activities relating to permitted agricultural uses or other uses allowed within this section.
- e. Any development, construction or location of any manmade modification or improvements such as buildings, structures, roads, parking lots, or other improvements, except as may be necessary to support a permitted use.
- f. Any dumping or storing of ashes, trash, garbage, vehicles, trailers, recreational vehicles or other equipment except for equipment needed to maintain the land.
- g. Any filling, dredging, excavating, mining, drilling, or exploration for and extraction of oil, gas, minerals or other resources from the property.
- h. Any residential, commercial or industrial activity except as specifically permitted in this ordinance.
- i. Burning of any materials, except as necessary for agricultural, drainage and fire protection purposes.
- j. Changing the topography of the property by placing on it any soil, dredging spoils, landfill, or other materials, except as necessary to conduct specifically permitted purposes.
- k. Hunting or trapping for any purpose other than predatory or problem animal control.
- l. The change, disturbance, alteration, or impairment of significant natural ecological features and values of the property or destruction of other significant conservation interests on the property.
- m. The division, subdivision or de facto subdivision of the property.
- n. The use of motor vehicles, including snowmobiles, all-terrain vehicles, motorcycles and other recreational vehicles.
- o. All other uses and practices inconsistent with and detrimental to the stated objectives and purpose of this section.

3. Constrained and Sensitive Lands: Except for passive recreational activities, no development or residential uses shall be permitted within Constrained and Sensitive Lands

4. Open Space Land Coordination: ~~Open Space Land shall be located on the boarder of proposed subdivision and be located adjacent to undeveloped land where possible. The City may make exceptions for internal trails, constrained and sensitive lands. Open Space Land shall be coordinated and located to maximize the continued use of the space. To create larger areas of Open Space Land and to combine Open Space Land from a variety of developments, Open Space Land shall be coordinated either with existing adjacent Open Space Land or with planned future Open Space Land. If no adjacent parcels of land are planned for development, Open Space Land shall be planned to provide the greatest likelihood of adjoining future developments' Open Space Land.~~
5. Open Space Lands: Standards pertaining to the quantity, quality, configuration, use, permanent protection, ownership, and maintenance of the Open Space Land within a ~~rural preservation Subdivision~~Open Space Subdivision shall be complied with as provided herein.
- I. Open Space Land Design Standards: Open Space Land shall be located and designed within the ~~Rural Preservation Subdivision~~Open Space Subdivision to add to the visual amenities of neighborhoods and the surrounding area by maximizing the visibility of Open Space Land. Designated Open Space Land within a ~~Rural Preservation Subdivision~~Open Space Subdivision shall also comply as defined in this section, permitted uses as listed in this section, and meet three (3) or more of the following standards:
 1. Significant Areas and Natural Landscape: Open Space Land shall include the most unique and sensitive resources and locally significant features of the property within the subdivision. Specifically, meadows, waterways and wetlands as defined in this Ordinance, and tree stands and contain a minimum of 0.5 acres. Other uses include berms, wildlife corridors and/or habitat and must extend a minimum of 15' on each side of the feature. This Open Space Land may also contain historic buildings and/or sites, archeological sites, and cultural features. The maintenance plan shall outline how the property will be preserved and maintained. The maintenance plan must specify what type of feature(s) that is being preserved and how the property will be maintained.
 2. Contiguous Land: Open Space Land within a Rural Conservation Subdivision shall be contiguous within the subdivision, or to other Open Space Land in adjacent subdivisions or developments to provide for large and integrated Open Space Land areas within the City.
 3. Agricultural Land: Privately held Open Space Land that is used for agricultural purposes as defined in this Ordinance and is 0.5 acre or greater in size.
 4. Buffering: Open Space Land shall be designed to provide buffers and to protect scenic views as seen from existing public rights-of-way and from public parks or trails. Buffering area along public rights-of-way or street must be at least thirty (30') feet wide. Buffering must be landscaped, at the sole cost of the developer and shall provide for every hundred (100) linear feet of buffer, six (6) trees and fifteen (15) shrubs. Tree and shrub species must be approved by the City's arborist or the City's Park Director. Trees and shrubs shall be planted within thirty (30) feet of the right-of-way or public park. Irrigation shall be provided by the developer and shall be designed and installed to Nibley City Standards for City parks current at the time of approval of Final Plat. Open Space buffer areas shall be under single ownership.
 5. Pedestrian Access: Developer shall provide pedestrian access to Open Space Land which is open to public or owners' association member use. Access methods can be a trail, park, recreation space, or neighborhood gathering space.
 6. Recreation Space: Open Space Land maybe designated as recreation space or park space, including maintained grass, trails, picnic areas, playgrounds, sports fields or other

recreation and park amenities. These recreation spaces are conditional upon the City Council's approval, and amenities must be approved by the City Council before final approval of the maintenance plan can be given. Publicly and owners' association owned open spaces shall be fully developed and operational in conjunction with each phase of

the subdivision as a percentage of the total developed value of the subdivision (for example, if 25% of the dollar value of the development is being constructed, then a minimum of 25% of the dollar value of the built-out Recreation Space must be developed). The determination of value, construction sequencing, and acceptance criteria shall be specified in the development agreement; until improvements are accepted by the City for the attendant phase, no permits shall be issued for subsequent phases.

7. Stormwater Basin: These facilities must be built to Nibley City Design Standards and Specifications, must contain a tree for every 300 square feet and planted and clustered around the perimeter basin area; an irrigation system must be installed, and be planted with grass, natural vegetation and shrubs. The stormwater basin can be a local or regional basin and must be owned and maintained by Nibley City.

J. Permanent Protections of Open Space Land:

1. Conservation Easement: All Open Space Land shall be permanently restricted from future development by a conservation easement or other method of protection and preservation acceptable to the City. Under no circumstances shall any development be permitted in the Open Space Land at any time, except for those permitted or conditional uses listed herein and approved in conjunction with the ~~rural preservation subdivision~~Open Space Subdivision. All conservation easements, or another acceptable method of protection and preservation of the Open Space Land within a ~~Rural Preservation Subdivision~~Open Space Subdivision, shall be approved by the City Council and recorded prior to or concurrent with the recording of the final plat for the ~~Rural preservation subdivision~~Open Space Subdivision.
2. Terms and Conditions: All conservation easements, or another acceptable method of protection and preservation of the Open Space Land within a ~~Rural Preservation Subdivision~~Open Space Subdivision, shall be in substantially the same form as the standard conservation easement form provided by the City and shall include, at a minimum, the following terms and/or conditions:
 - a. Legal description of the easement;
 - b. Description of the current use and condition of the property;
 - c. Permanent duration of easement;
 - d. Permitted and conditional uses;
 - e. Prohibited development and/or uses;
 - f. Maintenance responsibilities and duties; and
 - g. Enforcement rights and procedures.
3. Marking of Open Space Land: Open space land shall be marked at each corner and property line intersection with a minimum 4" diameter x 3' deep concrete monument provided with an aluminum or brass cap cast or epoxied into the monument. Caps shall be stamped "Nibley Conservation Marker, Do Not Remove", and an arrow stamped into the cap perpendicular to the Open Space boundary line and pointing into the Open Space. Monuments shall be placed such that the top 6" of the monument is above finished grade at the monument location.
4. Grantee: Unless otherwise approved by the City Council, the grantee of a conservation easement shall consist of one of the following acceptable entities which entity shall be qualified to maintain and enforce such conservation easement: land trust, conservation organization, or governmental entity. The City may, but shall not be required to, accept, as grantee, a conservation easement encumbering Open Space Lands within a ~~Rural~~

~~Preservation Subdivision~~ Open Space Subdivision, provided there is no cost of acquisition to the City for the

easement and sufficient access to and maintenance responsibilities regarding the Open Space Land are provided.

K. Ownership of Open Space Land:

1. Undivided Ownership: Unless otherwise approved by the City Council and subject to the provisions set forth in this section, the underlying fee Ownership of the Open Space Land shall remain in single Ownership and may be owned and maintained by one of the following entities: homeowners' association, land trust, conservation organization, governmental entity, or private individual.
2. Property Not Subject to Subdivision: Property subject to a conservation easement, or another acceptable method of protection and preservation, shall not be subdivided.
3. Nibley City may at its sole discretion opt to take ownership of Open Space Land at the subdivision approval stage. The developer shall landscape the property with sod, grass, trees and an irrigation system or other natural landscape features as appropriate as determined by the City Council.
4. Owners' Association: Open Space Land may be held in common ownership by a Home Owners' or other acceptable Owners' Association, subject to all the provisions for Owners' Associations set forth in state law, the City Code, and the following:
 - a. A description of the organization of the proposed Association, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for Open Space Land, including restrictive covenants for the subdivision, shall be submitted by the developer with the final plat application.
 - b. The proposed association shall be established, funded and operating (with financial subsidization from the Developer, if required in by the City in the development agreement) prior to or concurrent with the recording of the final plat for the subdivision;
 - c. Membership in the association shall be mandatory for all purchasers of property within the subdivision and their successors in title.
 - d. The association shall be the responsible party for maintenance and insurance of its Open Space Land under the Final Maintenance Plan for the subdivision;
 - e. The bylaws of the association and restrictive covenants for the subdivision shall confer legal authority on the association to place a lien on the real property of any member who falls delinquent in dues. Such dues shall be paid with the accrued interest before the lien may be lifted; and
 - f. Written notice of any proposed transfer of Open Space Land by the Association or the assumption of maintenance for the Open Space Land must be given to all members of the Association and to the City no less than thirty (30) days prior to such event.
 - g. The owners' association shall be required to provide a bond or line of credit to the City for the cost of one year of maintenance of property owned by the Association, to be maintained by the Association for as long as the Association owns the Open Space.
 - h. In the event of a failure of the owners' association to maintain the properties in accordance with the requirements of the development agreement, the City shall revoke the owners' association's bond, determine an appropriate assessment for the operation and maintenance of the open space, and assess all properties of the Subdivision on a monthly basis for said maintenance.

5. Private Ownership: A conservation parcel may be owned by a private individual or entity. Such parcels shall have a defined purpose and restrictions recorded in the maintenance plan and comply with this section.

L. Maintenance of Open Space Lands:

1. Costs: Unless otherwise agreed to by the City, the cost and responsibility of maintaining Open Space Land shall be borne by the owner of the underlying fee of the Open Space Land.
2. Preliminary Maintenance Plan: A Preliminary Maintenance Plan shall be turned in with the preliminary plat for proposed maintenance of Open Space Land within the subdivision. This plan shall outline the following:
 - a. The proposed Ownership of the Open Space Land;
 - b. The party that will be responsible for maintenance of the Open Space Land;
 - c. The proposed use of the Open Space Land and how each parcel of Open Space Land meets the standards listed within this section;
 - d. The size of each Open Space Land parcel; and
 - e. The proposed concept plan for landscaping of the Open Space Land.
3. Final Maintenance Plan: The developer shall submit a plan outlining maintenance and operations of the Open Space Land and providing for and addressing the means for the permanent maintenance of the Open Space Land within the proposed ~~Rural Preservation Subdivision~~Open Space Subdivision application for the subdivision. The developer shall provide a final maintenance plan with the final plat and the plan shall contain the following:
 - a. Ownership agreements for Open Space Land;
 - b. A description of the use of the Open Space Land and how that use complies with this section;
 - c. The establishment of necessary regular and periodic operation and maintenance responsibilities for the various kinds of Open Space Land (e.g., lawns, playing fields, meadow, pasture, wetlands, stream corridors, hillsides, cropland, woodlands, etc.);
 - d. The estimated staffing needs, insurance requirements, and associated costs, and define the means for funding the maintenance of the Open Space Land, and the operation of any common facilities located thereon, on an ongoing basis, including means for funding long-term capital improvements as well as regular yearly operating and maintenance costs; and
 - e. The landscaping plans for parcels that will be owned by an owners association or by the City.
 - f. Approval: The Final Maintenance Plan must be approved by the City Council prior to or concurrent with final plat approval for the subdivision. The Final Maintenance Plan shall be recorded against the property within the subdivision and shall include provisions for the City's corrective action rights as set forth herein. Any changes or amendments to the Final Maintenance Plan must be approved by the City Council.
4. The developer shall offer an approved letter of credit, bond or escrow for all proposed

improvements and must complete all proposed open space improvements within the first

three years of approval. If a designated open space parcel is planned to be maintained by a single property owner, the developer shall maintain that property until title is transferred to a new property owner.

5. Failure to Maintain: For all open space designated under the terms of this Ordinance, including privately held Open Space Lands, the responsible party for the maintenance of the Open Space Land in accordance with the terms of this ordinance, the approved maintenance agreement, any conditional use permits, business licenses or any other agreements between the City and the responsible party, or the operation of any common facilities located thereon fails to maintain all or any portion of the Open Space Land or common facilities in accordance with the aforementioned agreements and ordinances, the City may assume responsibility for the maintenance and operation of the Open Space Land. If the City assumes responsibility under this paragraph, any remaining development escrow or bond funds may be forfeited, liens for maintenance costs shall be assessed as described herein, and any permits, licenses or operating agreements may be revoked or suspended by the City in the City's sole discretion. The owner shall not impede the City in their efforts to maintain the open space.
6. Corrective Action: The City may enter the premises and take corrective action, including extended maintenance. The costs of such corrective action may be charged to the property Owner and may include administrative costs and penalties. Such costs shall become a lien on said properties. Notice of such lien shall be filed by the City in the county recorder's office. The maintenance plan and all other documents creating or establishing any Association or conservation organization for the property shall reference the City's corrective action authority set forth herein and shall be recorded against the property.
7. Implementation and Maintenance: The developer of the subdivision shall fund implementation and maintenance of the conservation easement until such time as the control of the easement is transferred to the long-term manager. The developer shall address implementation, development, maintenance and transfer procedures in the sensitive area designation plan map or master development plan, as applicable.
8. Maintenance Access: The developer of the subdivision shall provide sufficient maintenance access from a dedicated right-of-way to all Open Space Land and constrained and sensitive lands within the ~~Rural preservation subdivision~~ Open Space Subdivision.

HISTORY

Adopted by Ord. [18-05](#) on 7/19/2018

Agenda Item #8: Rural Preservation Subdivision Code Update

Description

Workshop: Rural Preservation Subdivision

Department

City Planning, Engineering, and Public Works

Action Type

Workshop

Recommendations

Review and make a recommendation

Reviewed By

City Planner

Background

Planning Commissioner Mansell has made a recommendation that the Planning Commission review and make two changes to this code:

1. Lots adjacent to existing subdivisions are 80% of the zoning minimum of the adjacent zone
2. Eliminating “islands” of open space

After reviewing these suggestions, the Planning Commission directed staff to review these and make the appropriate modifications. Staff will plan on presenting those modifications to the Planning Commission this week.

You can review the complete Rural Preservation Subdivision Code [here](#):

[Nibley City Code 21.10.020 Rural Preservation Subdivision](#)

ORDINANCE 20-08

AN ORDINANCE ESTABLISHING TEMPORARY LAND USE REGULATIONS PROHIBITING THE RECEIPT, PROCESSING AND APPROVAL OF ALL APPLICATIONS FOR RESIDENTIAL PLANNED UNIT DEVELOPMENTS

WHEREAS, Nibley City (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and

WHEREAS, the City Council finds that in conformance with Utah Code (“UC”) §10-3-717, and UC §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; and

WHEREAS, the City finds that UC §10-9a-101 et. seq. and related sections provide that the City Council may enact zoning and subdivision ordinances establishing regulations for land use and development within the City; and

WHEREAS, the City finds that the management and administration of the applications for zoning, re-zoning, subdivision approval and annexation are an integral part of the function of both the Nibley City Planning Commission and Nibley City Council; and

WHEREAS, Nibley City, is in the process of updating its Residential Planned Unit Development; and

WHEREAS, Nibley City Ordinances governing Residential Planned Unit Developments require legislative approval of any such development, so no property that has not already received legislative approval of a Residential Planned Unit Development has any entitlement to receive the terms and conditions of the Residential Planned Unit Development ordinance; and

WHEREAS, the City finds that the continued receipt of applications or approval of such is not in the best interest of the City nor its residents and would be harmful to the public interest until the City’s updates and adopts the amendments to the code; and

WHEREAS the City finds that a certain amount of time will be required to complete the review, design, and amendment of said ordinance; and

WHEREAS the City finds that UC §10-9a-504 provides, in part, that the City Council may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality.

WHEREAS, Utah State Law provides as follows:

UCA 10-9a-504 Temporary Land Use Regulations.

- (1) (a) A municipal legislative body may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality if:
- (i) the legislative body makes a finding of compelling, countervailing public interest; or
 - (ii) the area is unregulated.
- (b) A temporary land use regulation under Subsection [\(1\)\(a\)](#) may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval.
- (c) A temporary land use regulation under Subsection [\(1\)\(a\)](#) may not impose an impact fee or other financial requirement on building or development.

...

and;

WHEREAS, the Nibley City Council finds that there is compelling, countervailing public interest to have the Nibley City Code 19.32 Residential Planned Unit Development put on a temporary land use regulation prohibiting the receipt, processing and approval of all new application for Residential Planned Unit Developments in order to ensure that such developments are carried in the best interests of the City and its citizens.

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

1. There is hereby adopted an immediate, temporary land use regulation pursuant to Utah Code § 10-9a-504 regarding Nibley Code 19.32 and Residential Planned Unit Developments, as detailed below.
2. The Nibley Code 19.32 Residential Planned Unit Development is hereby temporarily amended and suspended to prohibit the receipt, processing, and approval of applications for the Residential Planned Unit Development.
3. These temporary land use regulations shall be effective for a period of time not exceeding six (6) months, starting on the date this Ordinance is posted as required by law.
4. These temporary land use regulations may be rescinded prior to the end of said six (6) month period, upon a finding by the Nibley City Council adopted by ordinance or resolution that it would be in the best interest of the City so to do.
5. All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency and only for the period of

time this Ordinance remains effective. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

6. Should any provision, clause or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

7. This ordinance shall become effective upon posting as required by law.

Passed by the Nibley City Council this _____ day of _____, 2015.

Shaun Dustin, Mayor

David Zook, City Recorder

Posting Date: _____

Activity/Facility	Recommended Space Requirements	Recommended Size and Dimensions
Badminton	1620 sq. ft.	Singles 17'x44 Double 20x44
Basketball Youth	2400-3036 sq. ft.	46-50x 84
Basketball Highschool	5040-7280 sq. ft.	50'x84'
Collegiate	5600-7980 sq. ft. 50x94	50x94
Handball	800 sq. ft. for 4 walls and 1000 sq ft. for 3	20x 40
Ice Hockey	22,000 sq ft	Rink 85x200(185') additional 5000
Tennis	7,200 sq. ft. Single court (2 acres for comp	36x78, 12' clearance on both sides, 21' cl
Volleyball	Minimum of 4,000 sq. ft.	30x60 minimum 6' clearance on all sides
Baseball Official		

Recommended Orientation	No. of Units per population	Service Radius	Location notes
Long axis North-South	1 per 5000	1/4-1/2 miles	usually in school, recreation center
Long axis North-South	1 per 5000	1/4-1/2 miles	Same as badminton. Outdoor
Long axis North-South	1 per 5000	1/4-1/2 miles	Same as badminton. Outdoor
Long axis North-South	1 per 20,000	15-30 minutes travel	4-wall usually indoor as part of recreation center
Long axis North-South	1 per 20,000	1/2-1 hour	Climate important consideration
Long axis North-South	1 court per 2000	1/4-1/2 miles	Best in batteries of 2-4. Local
Long axis North-South	1 per 5,000	1/4-1/2 miles	Same as other court activities

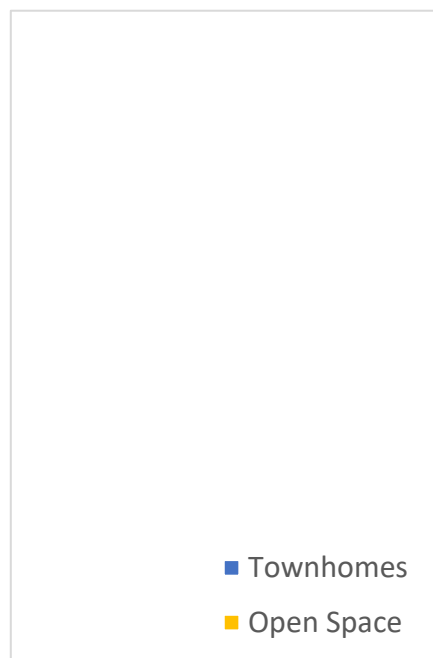
r courts in neighborhood and community parks, plus active recreation areas in other parks settings
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PUD Open	PUD Total	Conservation	
4.5	7.06	0.04	8.09
1.11	6.89	0.4	12.17
0.5	13.5	0.39	33.9
0.62		1.14	8.36
0.61		0.33	10.69
0.64		0.48	
1.63		0.55	
9.61	27.45	1.22	
		1.13	
0.350091		1.22	
		2.74	
		0.36	
		0.37	
		0.4	
		0.39	
		0.39	
		0.56	
		0.9	
		1.11	
		0.26	
		0.23	
		0.34	
		0.15	
		0.89	
		0.33	
		1.16	
		0.78	
		18.26	73.21
		0.249419	

PUD Type	Total Acres	ND Acres	Percentage of Amenities	Units Per-Acre
Single Family Home	20	16	20%	5
Mix	20	16	35%	12

Mix Use Houseing	Max Percentage	Lot size	Possible Number	Housing Lots
Townhomes	80%	1,200	153.6	184,320
Single Family	20%	4,500	38.4	172,800
Total	100%		192	357,120

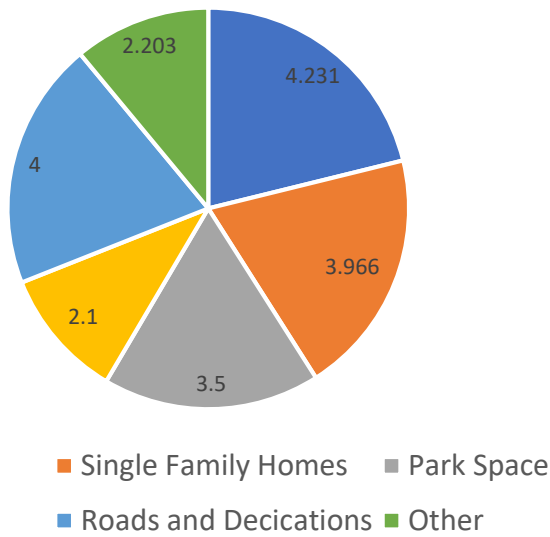
Spaced Use	Acres	Percentage
Townhomes	4.231	21%
Single Family Homes	3.966	20%
Park Space	3.5	18%
Open Space	2.1	11%
Roads and Decications	4	20%
Other	2.203	11%
Total	20	100%

[illegible]

Total Units	Sq. Ft. of homes lots	Acres of Homes	Acres of Open Space	Remaining Acres
80	400,000.00	9.18	3.2	3.62
192	960,000	8.197	5.6	2.203

In Acres
4.231
3.966
8.197

Current R-PUD Max for 20 Acres



PUD Type	Total Acres	ND Acres	Percentage of Amenities	Units Per-Acre
Single Family Home	20	16	20%	5
Mix	20	16	35%	10

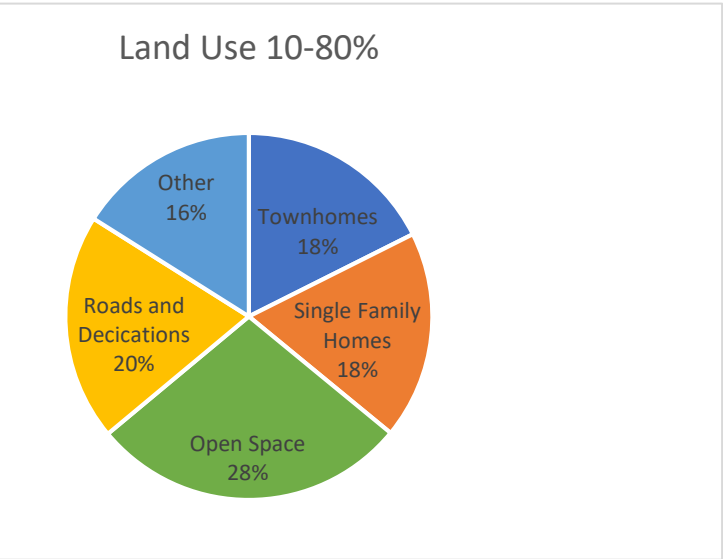
Mix Use Houseing	Max Percentage	Lot size	Possible Number	Housing Lots
Townhomes	80%	1,200	128	153,600
Single Family	20%	5,000	32	160,000
Total	100%		160	313,600

Spaced Use	Acres	Percentage
Townhomes	3.52	18%
Single Family Homes	3.67	18%
Open Space	5.6	28%
Roads and Decications	4	20%
Other	3.21	16%
Total	20	100%

[illegible]

Total Units	Sq. Ft. of homes lots	Acres of Homes	Acres of Open Space	Remaining Acres
80	400,000.00	9.18	3.2	3.62
160	800,000	7.19	5.6	3.21

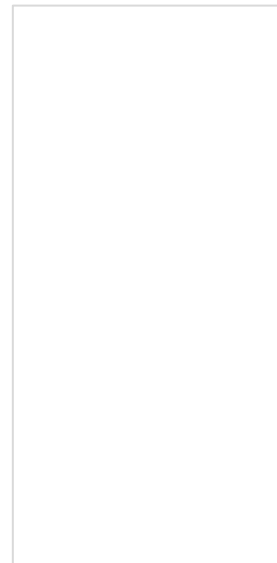
In Acres
3.52
3.67
7.19



PUD Type	Total Acres	ND Acres	Percentage of Amenities	Units Per-Acre
Single Family Home	20	16	20%	5
Mix	20	16	35%	12

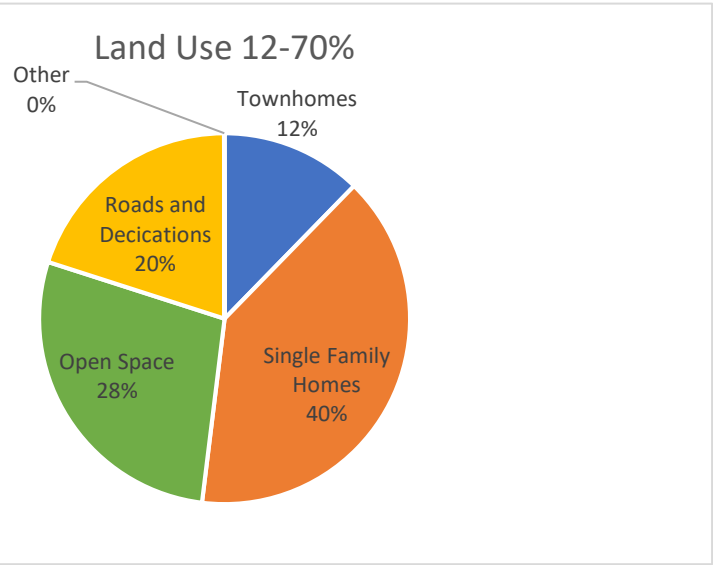
Mix Use Houseing	Max Percentage	Lot size	Possible Number	Housing Lots
Townhomes	70%	800	134.4	107,520
Single Family	30%	6,000	57.6	345,600
Total	100%		192	453,120

Spaced Use	Acres	Percentage
Townhomes	2.46	12%
Single Family Homes	7.93	40%
Open Space	5.6	28%
Roads and Decications	4	20%
Other	0.01	0%
Total	20	100%



Total Units	Sq. Ft. of homes lots	Acres of Homes	Acres of Open Space	Remaining Acres
80	480,000.00	11.02	3.2	1.78
192	453,120	10.39	5.6	0.01

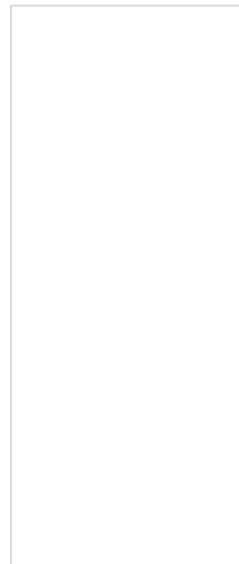
In Acres
2.46
7.93
10.39



PUD Type	Total Acres	ND Acres	Percentage of Amenities	Units Per-Acre
Single Family Home	20	16	20%	5
Mix	20	16	35%	10

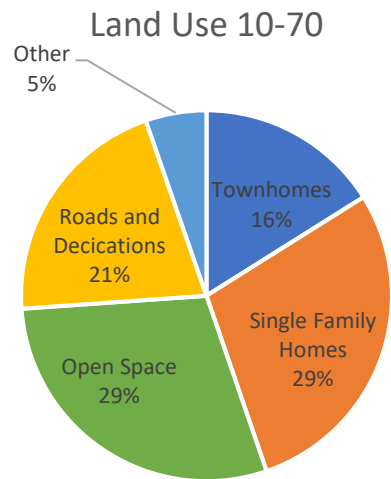
Mix Use Housing	Max Percentage	Lot size	Possible Number	Housing Lots
Townhomes	70%	1,200	112	134,400
Single Family	30%	5,000	48	240,000
Total	100%		160	374,400

Spaced Use	Acres	Percentage
Townhomes	3.09	16%
Single Family Homes	5.51	29%
Open Space	5.6	29%
Roads and Decications	4	21%
Other	1.02	5%
Total	19.22	100%



Total Units	Sq. Ft. of homes lots	Acres of Homes	Acres of Open Space	Remaining Acres
80	400,000.00	9.18	3.2	3.62
160	800,000	8.595	5.6	1.805

In Acres
3.085
5.51
8.595



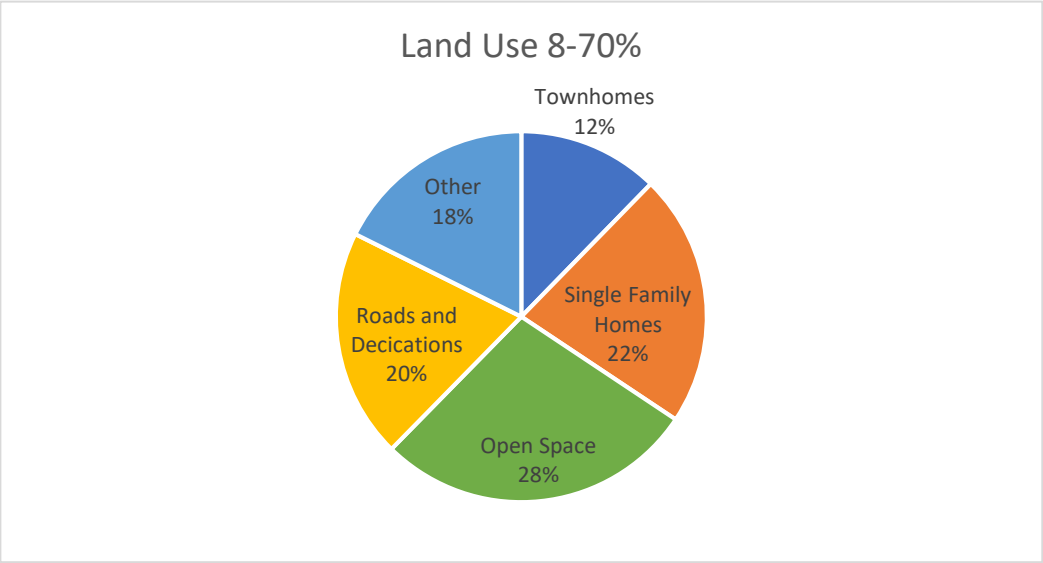
PUD Type	Total Acres	ND Acres	Percentage of Amenities	Units Per-Acre
Single Family Home	20	16	20%	5
Mix	20	16	35%	8

Mix Use Houseing	Max Percentage	Lot size	Possible Number	Housing Lots
Townhomes	70%	1,200	89.6	107,520
Single Family	30%	5,000	38.4	192,000
Total	100%		128	299,520

Spaced Use	Acres	Percentage
Townhomes	2.46	12%
Single Family Homes	4.41	22%
Open Space	5.6	28%
Roads and Decications	4	20%
Other	3.53	18%
Total	20	100%

Total Units	Sq. Ft. of homes lots	Acres of Homes	Acres of Open Space	Remaining Acres
80	400,000.00	9.18	3.2	3.62
128	640,000	6.87	5.6	3.53

In Acres
2.46
4.41
6.87



Spring Creek Crossing	
0.16	6
0.14	6
0.14	6
0.08	4
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.16	6
0.12	6
0.15	4
3.03	116
units pre acre	38.28382838

Average Unit Size 0.02612069
1137 sq. ft.

Total Density 8.721804511

Net Developable Density 9.555189456

2.74

0.8

0.2

12

5

Existing RPUD

Units	Acreage	Population	Impa	Acreage needed (no ROW, includes open space)□
<100		1.5	300	12.16666667
101-150		2.5	450	18.5
151-200		3.5	600	24.83333333
201-250		4.5	750	31.16666667
251-300		5.5	900	37.5
301-400		6.5	1200	49.16666667
401-500		7.5	1500	60.83333333
501+	7.5+			

12

5

Good for 50-54%

0.5

0.5

RPUD Open Spa

0.3 OSR Multiplier

	50% Townhome: Minimum acres	Minimum NDL	Population Impact
<100	4.25	18.41666667	14.16666667 339
101-150	6.375	27.625	21.25 508.5
151-200	8.5	36.83333333	28.33333333 678
201-250	10.625	46.04166667	35.41666667 847.5
251-300	12.75	55.25	42.5 1017
301-400	17	73.66666667	56.66666667 1356
401-500	21.25	92.08333333	70.83333333 1695
501+			

Good for 54-64%

0.6

0.4

RPUD Open Spa

0.375 OSR Multiplier

	60% Townhome: Minimum acres	Minimum NDL	Population Impact
<100	4.875	17.875	13 326
101-150	7.3125	26.8125	19.5 489
151-200	9.75	35.75	26 652
201-250	12.1875	44.6875	32.5 815
251-300	14.625	53.625	39 978
301-400	19.5	71.5	52 1304
401-500	24.375	89.375	65 1630
501+			

Good for 64-74%

0.7

0.3

RPUD Open Spa

0.45 OSR Multiplier

	70% Townhom	Minimum acres	Minimum NDL	Population Impact
<100	5.325	17.15833333	11.83333333	313
101-150	7.9875	25.7375	17.75	469.5
151-200	10.65	34.31666667	23.66666667	626
201-250	13.3125	42.89583333	29.58333333	782.5
251-300	15.975	51.475	35.5	939
301-400	21.3	68.63333333	47.33333333	1252
401-500	26.625	85.79166667	59.16666667	1565
501+				

Good for 74-80.00
 0.8 0.2
 0.525 OSR Multiplier

RPUD Open Space	80% Townhome	Minimum acres	Minimum NDL	Population Impact
<100	5.6	16.26666667	10.66666667	300
101-150	8.4	24.4	16	450
151-200	11.2	32.53333333	21.33333333	600
201-250	14	40.66666667	26.66666667	750
251-300	16.8	48.8	32	900
301-400	22.4	65.06666667	42.66666667	1200
401-500	28	81.33333333	53.33333333	1500
501+				

RPUD Formulas

Formulas

- 1) Minimum NDL = (# of townhomes / 12 units/acre) + (# of homes / 5)
- 2) Open Space Required = Minimum NDL * OSR Multiplier
- 3) Minimum acreage = Minimum NDL + Open Space Required (this doe

Townhomes	Homes	RPS Homes (bas Population Impa		Population % increase
50	50	49.725	200.39175	40.89%
75	75	74.5875	300.587625	40.89%
100	100	99.45	400.7835	40.89%
125	125	124.3125	500.979375	40.89%
150	150	149.175	601.17525	40.89%
200	200	198.9	801.567	40.89%
250	250	248.625	1001.95875	40.89%

Townhomes	Homes	RPS Homes (bas Population Impa		Population % increase
60	40	48.2625	194.497875	40.34%
90	60	72.39375	291.7468125	40.34%
120	80	96.525	388.99575	40.34%
150	100	120.65625	486.2446875	40.34%
180	120	144.7875	583.493625	40.34%
240	160	193.05	777.9915	40.34%
300	200	241.3125	972.489375	40.34%

Townhomes	Homes	RPS Homes (bas Population Impa		Population % increase
70	30	46.3275	186.699825	40.35%
105	45	69.49125	280.0497375	40.35%
140	60	92.655	373.39965	40.35%
175	75	115.81875	466.7495625	40.35%
210	90	138.9825	560.099475	40.35%
280	120	185.31	746.7993	40.35%
350	150	231.6375	933.499125	40.35%

Townhomes	Homes	RPS Homes (bas	Population Impa	Population % increase
80	20	43.92	176.9976	41.00%
120	30	65.88	265.4964	41.00%
160	40	87.84	353.9952	41.00%
200	50	109.8	442.494	41.00%
240	60	131.76	530.9928	41.00%
320	80	175.68	707.9904	41.00%
400	100	219.6	884.988	41.00%

multiplier

s not include required dedicated land)