



NIBLEY CITY COUNCIL MEETING AGENDA

Thursday, March 26, 2020 – 6:30 p.m.

In accordance with Utah Code Annotated 52-4-207 and Nibley City Resolution 12-04, this meeting may be conducted electronically. The anchor location for the meeting will be Nibley City Hall 455 West 3200 South, Nibley, Utah

1. Opening Ceremonies (Councilmember Laursen)
2. Call to Order and Roll Call (Chair)
3. Approval of the Previous Meeting Minutes and Current Agenda (Chair)
4. Public Comment Period¹ (Chair)
5. Planning Commission Report
6. **Department Report:** Cache County Sheriff Department, Sheriff Chad Jensen
7. **Discussion & Consideration** – Ordinance 20-06: Residential Planned Unit Development Overlay Zone and Development Agreement for Ridgeline Park, in the area north of 3200 S, West of Highway 165, and East of City Hall. Proposing 529 units on 76 acres (Second Reading)
8. **Public Hearing** – Ordinance 20-08: Residential Planned Unit Development Moratorium
9. **Discussion & Consideration** – Ordinance 20-08: Residential Planned Unit Development Moratorium (Second Reading)
10. **Discussion & Consideration** – Ordinance 20-07: Residential Planned Unit Development Overlay Zone and Development Agreement for Nibley Meadows, located at approximately 1000 W and 3200 S. Proposing 340 units on 54.6 acres
11. **Discussion & Consideration** – Preliminary Subdivision Plat for Nibley Meadows Residential Planned Unit Development, located at approximately 1000 W and 3200 S. Proposing 56 units on 6.33 acres
12. **Discussion & Consideration** – Resolution 20-04: Interlocal Agreement Regarding Wastewater Services (Second Reading)
13. **Presentation & Workshop** – Ordinance 20-09: A Update to Nibley City Commercial and Neighborhood Commercial Zoning Standards
14. **Discussion & Consideration** – Mount Vista Phase 2 Final Plat, located at approximately at 600 W and 3600 S. Proposing 32 Units on 17.4 acres (Applicant: Visionary Homes)
15. **Discussion & Consideration** – Mount Vista Phase 3 Final Plat, located at approximately at 450 W and 3500 S. Proposing 22 units on 8.7 acres (Applicant: Visionary Homes)
16. **Council and Staff Reports**

In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, please call (435) 752-0431.

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



**Nibley City Council
Agenda Report for
March 26, 2020**

Agenda Item #6

Description	Department Report: Cache County Sheriff's Office
Department	Administration - Public Safety
Presenter	Chad Jensen, Cache County Sheriff
Recommendation	Receive the report. Provide comments. Ask questions.
Reviewed By	Mayor and City Manager

Background:

Nibley City contracts with the Cache County Sheriff's Office to provide law enforcement and animal control services in the City. Sheriff Chad Jensen has asked for an opportunity to present to the City Council about the services provided by his office. One of the topics the Sheriff wishes to address is the costs for providing services. He has proposed increasing the amount Nibley pays for services based on reviews his office has conducted of the costs of service delivery and the number of hours being provided.

Agenda Item #7

Description	Discussion & Consideration – Ordinance 20-06: Residential Planned Unit Development Overlay Zone for Ridgeline Park, approximately 76 acres located in the area North of 3200 S, West of Highway 165, and East of City Hall (Second Reading)
Department	Planning
Presenter	Stephen Nelson, Nibley City Planner
Recommendation	Staff recommends continuing or denying Ordinance 20-06 until questions of roads, open space/park space, and commercial areas and the moratorium are resolved.
Reviewed By	Mayor, City Manager, City Attorney, City Planner, City Public Works Director, City Engineer, and Nibley City Planning Commission.

Background:

Staff recommends that the City Council consider the following items before the application is moved forward.

-Moratorium

This application has legal standing to be reviewed under the existing RPUD ordinance. However, in light of the moratorium the City Council is considering, the Council could deny this application, which would require the applicant to re-apply after the ordinance is revised, if the applicant wishes to reapply. If the City Council chooses to implement a moratorium and/or to revise the RPUD ordinance, it may wish to deny this application in order to require the applicant to follow the new guidelines.

-Streets



Staff has several concerns about the current road layout with the proposed development. The main concern is access to Highway 165. Staff strongly recommends that another access be added to Highway 165. There is also a question about the intersection of 2900 S and Highway 165. The developer, Nibley City staff, staff with the Cache Metropolitan Planning Organization, and Utah

Department of Transportation (UDOT) had a meeting last week to discuss the access issue. UDOT, which controls access onto Highway 165, agreed that additional access might be necessary and asked the developer to conduct a more thorough traffic impact study. UDOT also indicated that it preferred having access to the highway at 2900 S and that 2900 S should connect to the west into Elkhorn Ranch.

Open Space and City Park

The applicant is proposing for the 18-acre remainder area to be dedicated to the City and be built as a park. The applicant has proposed to sell and develop the property in exchange for impact fees. Staff requests that the City Council give clear direction on that open space before the R-PUD application is approved. Once the R-PUD application is approved, the City loses leverage to negotiate the land deal. Staff would like clear direction from the Council on what its desire is in relation to the open space and staff would like to complete negotiations related to that plan before giving up the leverage the City currently has in relation to the legislative approval of this application.

-Commercial Space

At the February 27 Council meeting, the Council requested that the applicant provide approximately two acres of neighborhood commercial along 3200 S. There was a question about the legality of that request. Staff has followed up with the City Attorney about the question and received the following responses:

“The code does state, “Commercial use must be concentrated in one location.” This provision does require, as a general matter, that commercial uses be focused in a particular part of an R-PUD. However, the application of the R-PUD ordinance is a legislative, zoning matter, negotiated with the applicant. The Council has broad discretion when it comes to zoning issues. Further, the ordinance states that the commercial uses must be “concentrated” in an area. It does not state that commercial uses may only be allowed in one area or that the City is prohibited from allowing commercial uses in more than one location (example, “Commercial uses shall only be allowed in one location”). So while the City is required to follow the mandatory terms of its ordinances, this provision is not so restrictive that it forbids having more than one commercial areas. At most, it may require one primary commercial location, with a secondary, smaller location also allowed.

The applicant has turned in a new application that shows the commercial space along 3200 S. The area may be too small, as a total of 2 acres needs to be zoned for neighborhood commercial, but the area could be sufficient if you count the area for the right-of-way that splits the parcels.

Background Report from February 27, 2020

Town Center Background

In 2013, Nibley City’s Economic Development Plan recommended that Nibley City “Develop a specific land use plan for a ‘town center’ district. This area should focus on neighborhood-scale retail emphasizing personal services and meeting local demand.” (Nibley p. 3, 2013). This is one of the first mentions of finding and identifying a Town Center area within Nibley City. Following that idea, the 2016 General Plan also mentions a Town Center. In the Commercial and Economic Development section, the General Plan recommends that the City “Provide for potential future development of a Nibley Town Center as the focus of commercial development and community life.” (Nibley 2016, p. 26-27). The General Plan also recommended that the “Future Land Use Map would also delineate the future Town Center and describe the types and intensities of development envisioned in and near the Town Center” (Nibley, 2016 p 38).

Though both of these first plans focus on commercial aspects of a Town Center, it was clear that housing options would be a required part of the development of commercial activity for the area. Within the Nibley Town Center Design Study, it proposes three concepts for what a future town center could look like. The City Council reviewed these three options on February 15, 2018, and gave guidance to staff to generally pursue “Concept 3” as described below.

The 2016 Nibley Town Center study gave the following guidelines about Concept 3:

Open Space Corridor

One of the critical aspects of the town center development is the preservation and enhancement of the north-south drainage/open space corridor. This corridor provides for trail access, environmental education, wetland preservation, as well as a multitude of passive and active recreational activities. Proposed residential development adjacent to

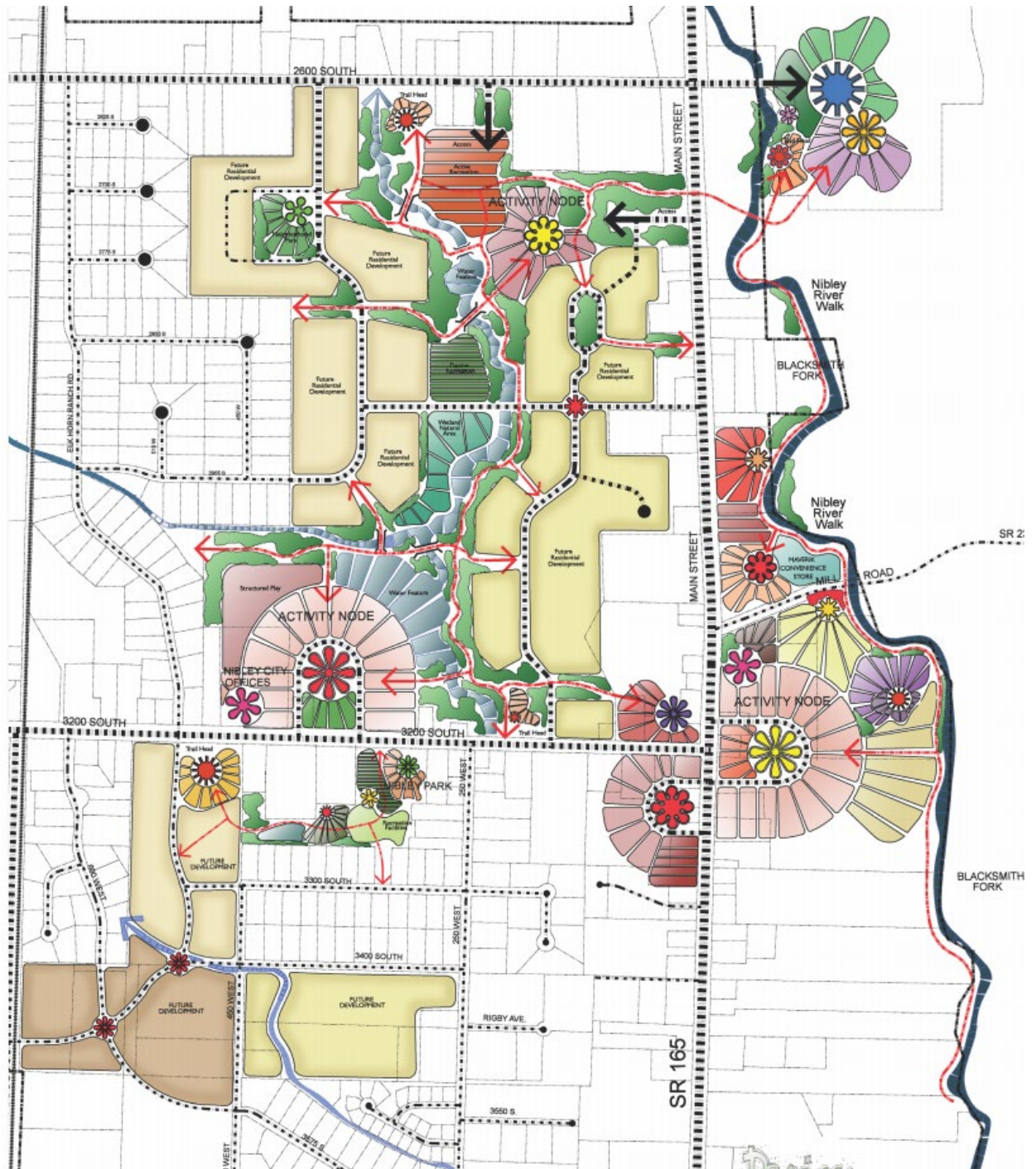
the open space corridor will also benefit from more stable and enhanced land values because of their adjacency to natural preserved open space...

Commercial Center

A natural evolution of creating a civic center “critical mass” is the expansion of a center of activity that is more geared towards service and neighborhood commercial. With adjacency to the Blacksmith Fork Trail and Open Space system and the need to create residential uses for all demographics as the key ways of achieving the necessary critical mass for a successful town center, this “node” suggests, not only the expansion of commercial uses, but also the inclusion of residential development associated with and taking advantage of the natural open space corridor, views and vistas.

As this concept suggests, the “critical mass” can be achieved by creating more variety, a walkable scale and a more welcoming environment for development throughout the town center district....

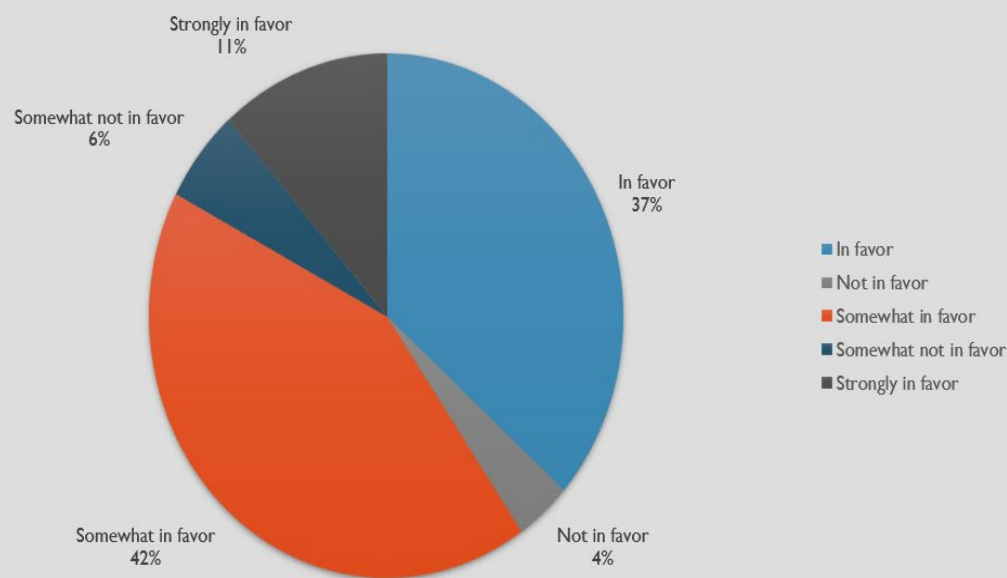
To be viable, the town center must be a safe place to live, work and play, offer financially viable development opportunities (synergy), provide more enhanced public spaces and overall promote a more positive image of the community as a whole. The town center has to be a vibrant, exciting, interesting, and safe environment for it to draw people to it, not just for special events and occasions, but on a regular basis, therein providing the necessary interactions between people, retail, business, leisure activities and the environment.



The concept above has a mix of housing, open space, municipal services, and commercial uses. City officials and staff have also done research on the possibility of future commercial growth in the area. Though commercial development will be market-driven, commercial development normally follows residential growth.

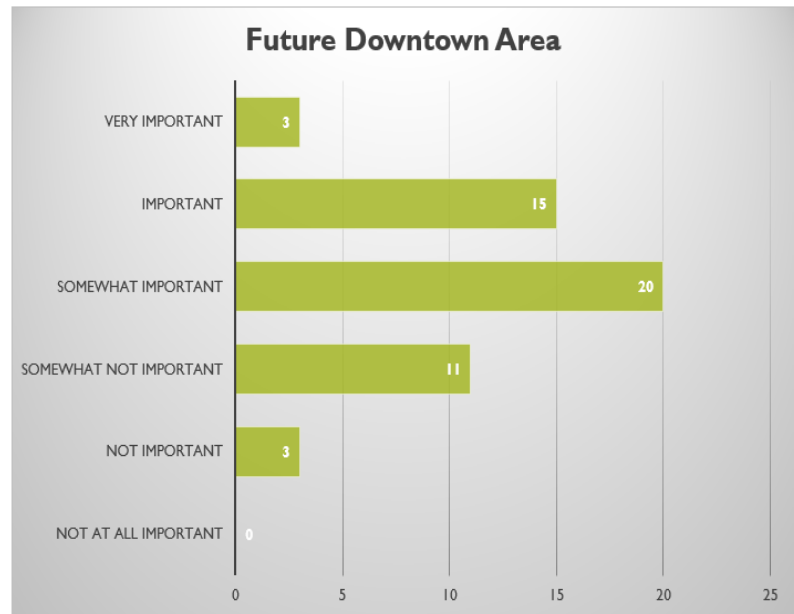
In preparation for creating a Future Land Use Map, Nibley City staff conducted a survey of Nibley residents during the 2018 Heritage Days. This survey covered a number of future land use topics, but there were two questions about the development of a downtown or Town Center. The following are the results.

Nibley City is examining the possibility of creating a downtown zone east of Nibley City Hall. This zone might allow commercial uses such as retail, office space, and restaurants; and/or housing with apartments, town-homes, and single-family Homes, and open space with parks, trails, and courtyards. How much would you support this planning effort by the City? (This question also showed a picture of Concept 3 from the 2016 Town Center Design Study)



Take Away:
90.3% of those who took the survey were either somewhat in favor, in favor, or strongly in favor of a downtown zone.

Select what you think Nibley City should make a priority in future land use planning.



With these guidelines within the General Plan, The Town Center Study, and resident feedback, the City, on October 4, 2018, adopted a Future Land Use Map which identified a Town Center Area, anticipating a mix of open space, housing and commercial use in the area. The map outlines commercial use on the east side of Highway 165, with the Town Center on the west side, between 2600 S and 3200 S (see attached).

Housing

While reviewing the concept for the Town Center and Future Land Use, the City also was determining if allowing a higher density and diversity of housing type in the City would be appropriate. With a growing housing shortage within the State and looking at long term financial stability for the City, the City decided to create an overlay zone that would allow for a mix of housing types, provide higher densities, and require open space. This Code was later adopted as the Residential Planned Unit Development (R-PUD). Within this ordinance, the City selected six locations where higher density would be appropriate (see attached R-PUD Application Map). One of those locations was identified at the Town Center which allowed for a higher mix of housing options as follows:

19.32.040 Area and Density Regulations

B. Town-Center: The area as marked on R-PUD Application Map in NCC 19.32.030 (B) as Town-Center Area shall have the following Housing Requirements.

- 1. Single Family Home Development and Mix of Single Family and Townhome Development shall be governed by NCC 19.32.040 (A).*
- 2. A Mix of Single Family, Townhomes and Condominiums: Equal to or less than 12 units per Net Developable Acres. Up to 40% of the units can be condominiums, and a minimum of 20% of homes must be single family homes.*

In the Spring of 2019, the Utah State Legislature passed *S.B. 34 Affordable Housing Modifications*. This bill requires most cities in Utah to adopt a Moderate Income Housing Plan as Part of the General Plan by December 1, 2019. The City did adopt this plan in October of 2019 as part of the City's general plan. Nibley City's Moderate Income Housing Plan found that Nibley had an affordable housing shortage. The plan concluded the following:

By 2024, Nibley will need an additional 364 housing units to house the projected population growth. To meet the needs of moderate-income households, 105, or a quarter of housing units needed by 2024, will need to be moderate-income housing units. About 33 of those units will be needed at the 50 percent AMI threshold. Of the 33 housing units needed at the 50 percent AMI threshold, 29 should be owner-occupied housing and four renter-occupied.

The 105 additional moderate-income housing units needed by 2024 does not take into consideration the current deficit of moderate-income housing units. Therefore, Nibley will need more than 155 moderate-income housing units to meet the needs of current and future moderate income households. (Nibley 2019, p 14).

The Moderate Income Housing Plan makes four recommendations on how to address the affordable housing shortage:

- 1. Allow for and reduce regulation related to accessory dwelling units in residential zones.*
- 2. Allow for higher density of moderate income residential developments in commercial and mixed-use zones, town center, neighborhood commercial, and other employment areas.*
- 3. Rezone for densities necessary to assure the production of moderate income housing.*
- 4. Partner with organizations that offer grants or additional assistance in Housing affordability. (Nibley 2019, pp. 1, 17-20)*

The plan also specifically recommends that the Town Center area be developed to “allow for mixed-use, condominiums, townhomes, and single-family homes in addition to open space and commercial uses.” *(Nibley 2019, pp. 1, 19)*

Ridgeline Park R-PUD Application

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

19.32.010 Purpose And Intent

1. *Intent: This section provides enabling authority and standards for the review and approval of applications for Residential Planned Unit Developments (R-PUD's). The intent of this ordinance is to provide an alternative to traditional subdivision design by encouraging innovation and offering some flexibility in the design of residential developments, which may incorporate the permanent preservation of amenities, agricultural lands and other valuable natural and cultural resources, as well as providing a variety of amenities for the enjoyment and benefit of the citizens of Nibley.*
2. *Purpose: An R-PUD is an overlay rezone. That is, applicants apply for the overlay to be applied, allowing them to receive the density outlined herein in exchange for public amenities, all while retaining the original zoning of the property. The Planning Commission and City Council may approve, deny or approve the R-PUD with conditions, and no applicant has any entitlement to the approval of an R-PUD.*

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

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

Nibley City Code 19.32.70 outlines what should be considerations for an R-PUD:

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

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

The Planning Commission, on January 16, 2020, gave a positive recommendation for the Ridgeline Park Overlay Zone Application.

Zoning

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

	R-PUD Requirements	Ridgeline Park
Listed on R-PUD Application Map	Parcels need to be listed on the map	Yes
Total Gross Acres	N/A	76
Net Developable Acres	N/A	66.3 with Commercial and 61.6 without
Total Open Space Land	35%	42.2%
Units Per Net Developable Acre	12 Max Units	8.6 Units
Total Number of Single Family Lots	20% min	31.6%
Min Lot Size for Single Family Lots	4,500 sq. ft.	4,500 sq. ft.
Multi-Family	Max of 40% of Condos	26% Condos and 42% Townhomes
Total Lots		522
Total Park Space Required	7.5 Acres of Park with 2 Pavillion, 2 Swing Sets, 3 Playgrounds, 2 or either a pool, clubhouse or splash pad.	27.01 Acres of Open Space, with around 16 acres of open space with amenities. 3 Playgrounds, 1 Clubhouse, 1 pool, 2 pavilions, 2 pickleball courts. Will Need to Ensure Swing Sets are included.
Parking	2 spaces for each unit (1,044), and one guest parking for every 3 units (174 total with 125 in townhomes and condos)	The applicant is getting additional parking information but believes they will be able to meet the parking requirements.

Surrounding Zoning and Land Use

Most of the surrounding land use is currently residential development, in R-2 zoning, or undeveloped agricultural land. The City anticipates that commercial development will likely occur in the area in the future as anticipated on the Future Land Use Map.

Utilities

Nibley City's Public Works Director and City Engineer have reviewed the proposed number of units and have determined that the utility lines in the area are able to support the development. If approved, the applicant will need to submit more detailed utility designs with preliminary plats.

Sensitive Lands

The site contains approximately 2.6 acres of delineated wetland, along with canals through the property. The Applicant has shown a trail system that will follow the wetlands and some canals on the property. Finalized plans with canals will be presented with the preliminary plats if the application receives approval.

Roads



*Nibley City Street Master Plan:
Section of the
proposed area*

The applicant has submitted a proposed street layout for the development. The main streets plan does not show every street that will be within the development, but does show the

primary roadways to provide for transportation needs. Staff has reviewed the general road layout and has found it complies with the Transportation Master Plan. The applicant has made a recommendation for different cross-sections within the development, but many of those may change as needed to provide for swales, stormwater, and parking as determined in the preliminary plats.

2965 S to 2900 S

One of the roadways that has been altered is the future layout of 2900 S. The primary reason for the change in layout is because of the large area of wetlands that that road would cross. The

applicant has recommended having that roadway go south to avoid the wetlands. Since the Street Master Plan has labeled the roadway as a “local road”, the applicant has some discretion to make alterations to the roadway.

Traffic Study

The applicant has conducted a traffic study to help determine any other traffic needs or additional improvements to 3200 S and will design any needed improvements to the preliminary plats. The main recommendations from the study are as follows:

- 1) Add a southbound left turn bay from 340 West onto 3200 South.
- 2) Add a southbound left turn bay from 250 West onto 3200, and
- 3) Add a westbound right turn bay onto 250 West from 3200.

Staff is reviewing the application with UDOT to determine the need for another access onto Highway 165 and will provide further details at the City Council meeting.

Open Space and Maintenance Plan

The applicant has submitted a general open space plan that includes parks, green space, wetlands, trails, and buffer areas. They are proposing a total of 43.8% of the net developable area be maintained as green space. The plan is that the majority of the green space be owned and maintained by a homeowners association, with some trails being dedicated to Nibley City. The applicant will need to provide two swing sets in addition to their other amenities.

City Park

The applicant has proposed the creation of a City Park in the northwest corner of the development. Their proposal is that the City waive park impact fees from the development, and the developer would then use those funds to build the park. That park is not part of this application and the details would be laid out in a future development agreement for the park space if approval is granted for this development.

Commercial Area

The applicant has proposed a total of five acres of development that has been labeled as commercial use. The R-PUD code allows for a parcel to be rezoned as neighborhood commercial use and must then comply with neighborhood commercial standards.

19.32.030 Use Regulations

F. Up to 30% of the Net Developable Area may be approved for neighborhood commercial use as part of an R-PUD. These uses shall comply with Nibley's City's Neighborhood Commercial Zone Use Chart and standards as listed in NCC 19.14.050. Commercial use must be concentrated in one location. These parcels shall be labeled on the plat as Neighborhood Commercial.

Recommended Findings

The Findings for the R-PUD Application:

1. *Parking: Each R-PUD shall provide 2 primary parking spaces for each unit. Primary parking must be contained in a garage, carports, driveway, or parking court. An R-PUD shall provide one guest parking spot for every three units. Guest parking may be located in parking courts or on street parking maintained by the owner association. NCC 19.32.080 (B) (5).*
2. Housing Mix: The proposed plan meets the housing mix as required by the ordinance.
3. The trail layout is different than within the Trail Master Plan. Staff finds the changes are appropriate:
http://nibleycity.com/images/Nibley_Parks_Trails_Recreation_and_Open_Space_Master_Plan_Digital_Version.pdf
4. *Housing Placement: A proposed R-PUD adjacent to existing single-family homes must place single family homes adjacent to the established single-family homes unless otherwise buffered by an arterial roadway or 300-foot width of open space including a landscaped Buffer as defined within this chapter. NCC 19.32.040 (C).* The property owner to the southwest, just east of Nibley City Hall, has signed on to the application to have their property included in the R-PUD Application, allowing for town-homes to be placed in that area.

Other Consideration

1. Fencing: Will the HOA plan to place fencing around the HOA amenities, mostly the ones around the clubhouse?
2. Park: If the proposed City Park does not gain approval and needs to become part of the development in the future, It can be added with the following: “Revisions: In the event, an approved preliminary or final site plan requires revision by the developer, the site plan, and its revision shall be approved by the Nibley City Council with the recommendation of the Planning Commission. In the event revision is for a final site plan, all property owners in the development shall be notified in writing by the Planning Commission that a revision has been submitted and will be considered by the Planning Commission.” NCC 19.32.070 (E)
3. Phasing of Open Space: The development agreement will need to ensure the park amenities are built-in proportion with each phase of the development.
4. Public vs. Private Trail. The City has a major trail ways planned to go through the property, starting from City Hall and continuing North to 2600 S. The general layout of trails, it appears the major trails are in place in a way that meets the intent of the master plan. Staff's recommendation is that the trails in the brown color should be a public trail system, as well as trails within the park. Those will need to be 10' wide.
5. Roadways: 250 W is shown on the Nibley City Transportation Master Plan as a TS-8. However, the City may be interested in eliminating some, if not all, of the street parking as shown in that cross-section in order to help control street parking.
6. Roadways: Other cross-sections for local roads. Staff is generally okay with the proposed cross-section, but may require others as subdivision plats come in.

ORDINANCE 20-06

RESIDENTIAL PLANNED UNIT DEVELOPMENT OVERLAY ZONE APPLICATION AND DEVELOPMENT AGREEMENT FOR THE PROPOSED RIDGLINE PARK RESIDENTIAL PLANNED UNIT DEVELOPMENT

WHEREAS, Nibley City's Future Land Use Map shows this area as Nibley's future Town Center; and

WHEREAS, Nibley City's Moderate Income Housing Plan encourages development of higher diversity of housing types; and

WHEREAS, Nibley City wishes to expand commercial use along Highway 165; and

WHEREAS, the City Council created the Residential Planned Unit Overlay Zone to allow a higher diversity of housing types and developments; and

WHEREAS, the City Council and Planning Commission finds the proposed Firefly Estates meets the criteria listed in Nibley City Code and is a desirable place for a Residential Planned Unit Development Overlay Zone.

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

1. The attached Residential Planned Unit Development Overlay Zone Application be approved for parcels 03-025-0001, 03-025-0012, 03-022-0002, 03-020-0010, 03-020-0017, 03-026-0001, and 03-025-0003.
2. That the shown area shown on the master development plan be rezoned for Neighborhood Commercial as part of Residential Planned Unit Development Application.
3. The attached Development Agreement be approved
4. The Overlay Zone shall not take place until the Developer and City have signed the attached Development Agreement and said Development Agreement has been properly recorded as required by Nibley City Code.
5. All ordinances, resolutions and polices of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving and law, order, resolution or ordinance or part thereof.

PASSED BY THE NIBLEY CITY COUNCIL THIS ____ DAY OF _____ 2020.

Shaun Dustin, Mayor

ATTEST:

David Zook, City Recorder



Site Summary

Ropelatto Property - Nibley, Utah - Ironwood Construction			
Site		94.6 Acres	
City Park		18.6 Acres	
Public ROW per plan		9.8 Acres	
ROW dedication at 3200 South		0.5 Acres	
ROW dedication at 2900 South		0.3 Acres	
Net Developable Area		65.4 Acres	
Net Developable Area less Commercial		59.7 Acres	
Residential Units		516 Units	
SFD: 8,000 S.F.	4.9 Acres	19 lots	
SFD: 6,000 S.F.	15.7 Acres	78 lots	
SFD: 4,500 S.F.	3 Acres	22 lots	
SFD: Active Adult	7.5 Acres	45 lots	
Total SFD		164 Lots	31.8%
Town Homes	16.0 Acres	212 units	
Condominium	5.1 Acres	140 units	27.1%
Commercial	5.7 Acres		
Density		8.6 Units / Acre	39.2%
Open Space:		25.61 Acres	
Clubhouse Park	1.1 Acres		
Wetlands corridor	5.7 Acres		
Buffer at 3200 South	0.3 Acres		
Active Adult	1.0 Acres		
Town Homes	6.6 Acres		
Condominium	1.7 Acres		
Within ROWs	5.3 Acres		
Anticipated ROWs	5.0 Acres		



North 1" = 100 Feet



REVISED 09 MARCH 2020
REVISED 26 FEBRUARY 2020
REVISED 24 FEBRUARY 2020
REVISED 6 FEBRUARY 2020
REVISED 18 DECEMBER 2019
REVISED 6 DECEMBER 2019
11 NOVEMBER 2019
Concept Plan

NIBLEY PROPERTY

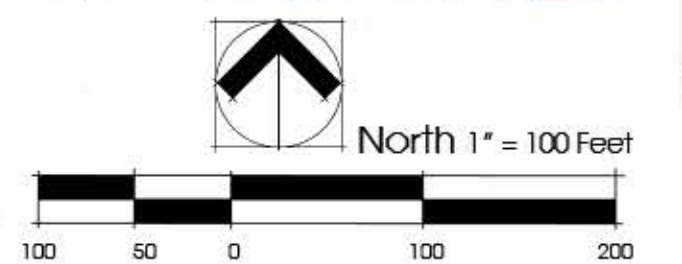
Ropelatto Property - Nibley, Utah

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



REVISED 09 MARCH 2020
 REVISED 26 FEBRUARY 2020
 REVISED 24 FEBRUARY 2020
 REVISED 5 FEBRUARY 2020
 REVISED 18 DECEMBER 2019
 REVISED 6 DECEMBER 2019
 11 NOVEMBER 2019
 Concept Plan

NIBLEY PROPERTY

Rapelato Property . 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

**NIBLEY CITY
R-PUD DEVELOPMENT AGREEMENT**

THIS DEVELOPMENT AGREEMENT (“Agreement”), entered into this ____ day of _____, 20____, between _____, hereinafter referred to as “Developer” and Nibley City, here in after referred to as “City”, and

WHEREAS, _____, hereinafter referred to as “the Development” seeks to obtain approval as a Residential Planned Unit Development (“R-PUD”) under Nibley City Code Title 19, Chapter 32 (“R-PUD Ordinance”); and

WHEREAS, the approval of an R-PUD requires the City, by legislative act, to apply the R-PUD overlay zone to the Development, which act is preconditioned on the Developer entering into and complying with the terms of this Agreement; and

WHEREAS, the Developer has prepared preliminary plans for the Development, including a preliminary site plan, proposed amenity improvements, proposed open space, total number of units to be developed, proposed phasing, maintenance plans, and other supporting documentation as required by the City and the R-PUD Ordinance, (“Preliminary Plans”) which plans are attached hereto and made part of this Agreement as Exhibit “A”; and

WHEREAS, it is necessary for the interest of the public welfare that the Development be developed and improved according to the specifications set forth in Nibley City Ordinances and Design Standards and this Agreement; and

NOW, THEREFORE, to induce Nibley City to approve the proposed R-PUD development and rezoning, the Developer does hereby unconditionally promise and agree with Nibley City as follows:

1. Developer hereby acknowledges receipt of a copy of the Nibley City Subdivision Ordinance, Nibley City Code Title 21, the R-PUD Ordinance and the Nibley City Design Standards. Developer hereby acknowledges that Developer, or an agent of Developer, has read and understands the provisions of the ordinances and standards and that Developer will fully and completely comply with the provisions and requirements therein contained.

2. Developer hereby acknowledges that the execution of this Agreement, on its own, does not constitute final plat approval, approval of the R-PUD rezone, or permission to begin development, and that any such approvals granted by the City may be granted only upon Developer’s compliance with the terms of the Nibley City Ordinances, Design Standards, and this Agreement.

3. This Agreement, including the Preliminary Plans attached hereto, shall govern the Development. The Developer shall develop, construct, improve, and maintain the Development in a way that is substantially similar to the Preliminary Plans. In no event may the number of units in the Development exceed the number of units described in the Preliminary Plans.

4. Developer shall develop and construct all open space, landscaping, housing units, utilities, amenities, roadways, and all other improvements in accordance with the standards listed within Nibley City Design Standards, Nibley City Code Title 21, Nibley City Code Title 21 Chapter 32.

5. Developer shall develop the park and amenities in proportional phases as required in NCC 19.32.050(A).

6. Developer shall provide a preliminary maintenance plan with the Preliminary Plans for the maintenance of amenities as required by NCC 19.32.050(B).

7. This Agreement and the Preliminary Plans may be revised or amended only upon the approval of the Nibley City Council, with the recommendation of the Planning Commission.

8. Developer shall ensure that there are no holders of interests that are superior in title to this Agreement, and that all interests, including but not limited to liens, mortgages, deeds of trust, and other similar devices, have been made subordinate to this Agreement. Developer shall provide such documentation as is necessary to establish these facts prior to receiving final plat approval or approval of the R-PUD rezone.

9. Developer shall comply with all applicable federal, state, county and City requirements, regulations and laws for each aspect of this Development, including payment of fees, provision of bonds and other guarantees, and compliance with design and construction standards. Nothing in this Agreement shall be deemed to relieve Developer from the obligation to comply with all such applicable laws, ordinances and requirements as now existing and as enacted and/or amended prior to construction. In the event of a conflict between this Agreement and any applicable federal, state, county, or city requirement, regulation, or law, the federal, state, county, or city requirement, regulation, or law shall prevail to the extent of such conflict.

10. Developer shall not engage in any construction or disturbance of soil in the development prior to issuance of the Notice to Proceed by the Public Works Director.

11. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto mentioned and permitted successors and assigns including all parties who acquire title to any portion of the Development; provided, however, that this Agreement cannot be otherwise assigned, transferred or conveyed by either party, without the express, written consent of the other party.

12. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the parties consider and intend that this Agreement shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement shall remain in full force and affect.

13. Time is of the Essence. Time is of the essence to this Agreement and every right or responsibility shall be performed within the times specified.

14. Mutual Drafting. Each party has participated in negotiating and drafting this Agreement and therefore no provision of this Agreement shall be construed for or against either party based on which party drafted any particular portion of this Agreement.

15. Entire Agreement. This Agreement, and all Exhibits thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all parties.

16. No Third Parties. This Agreement, and all Exhibits thereto, is intended for the sole benefit of the named parties thereto. No third party, except for permitted successors and assigns, shall have any right to enforce any of the terms or obligations herein.

17. Recordation and Running with the Land. This Agreement shall be recorded in the chain of title for the Development. This Agreement shall be deemed to run with the land and bind all future owners of any part of the Development.

18. Attorney Fees. Both Parties shall pay for their own attorney fees and costs arising out of or connected in any way to the execution of this Agreement. Any Party that prevails in any legal proceeding, including court proceedings, arbitration, and administrative proceedings, to enforce this Agreement or adjudicate any issues under or in connection with this Agreement will be entitled to recover its reasonable attorney fees, costs, and expenses of such proceedings.

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

NIBLEY CITY

DEVELOPER

By: DAVID N. ZOOK
Its: City Manager

By:

By:

STATE OF UTAH)
 : ss
County of Cache)

On this ____ day of _____, 2019, personally appeared before me DAVID N. ZOOK, City Manager, the signer of the within instrument, who duly acknowledged to me that he executed the same as City Manager for Nibley City Corporation.

NOTARY PUBLIC

STATE OF UTAH)
 : ss
County of Cache)

On the ____ day of _____, 2019, personally appeared before me, _____, Developer, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC

Exhibit A
Preliminary Plans

This Page Intentionally Left Blank



visionary
HOMES

REVISED FEBRUARY 10, 2020

Visionary Homes

Project Manager: Benjamin Steele

Ridgeline Park RPUD Rezone Application

Ridgeline Park - Project Summary

The proposed Ridgeline Park RPUD Subdivision is located at approximately 250 West and 3200 South in Nibley, Utah. The property being submitted for rezone is comprised of approximately 76.2 Acres. The property currently is being used for agricultural purposes; raising corn and grazing cattle.

The proposed development includes a mix of residential uses, including traditional single-family homes, active adult single-family homes (contained within the 4,500 SF lot sizes in Table 1), townhomes, and stacked flat condo buildings. A unit breakdown is shown in the Table 1 below. In addition to the residential uses, 4.9 acres that fronts on State Highway 165 is being reserved for future commercial development. The commercial area was not used in the overall density calculations.

Site				94.6	Acres	
City Park				18.6	Acres	
Ridgeline Park RPUD				76.0	Acres	
Public ROW per plan				8.9	Acres	
ROW dedication at 3200 South				0.5	Acres	
ROW dedication at 2900 South				0.3	Acres	
Net Developable Area				66.3	Acres	
Net Developable Area Minus Commercial Area				61.4	Acres	
Residential Units				529	Units	
SFD: 8,000 S.F.	4.9	Acres	19	lots		
SFD: 6,000 S.F.	15.9	Acres	78	lots		
SFD: 4,500 S.F.	11.2	Acres	70	lots		
Total SFD				167	Lots	31.6%
Town Homes	16.9	Acres	222	units		42.0%
Condominium	5.1	Acres	140	units		26.5%
						100.0%
Commercial	4.9	Acres				
Density				8.6	Units / Acre	42.2%
Open Space:				25.91	Acres	
Clubhouse Park	1.1	Acres				
Wetlands corridor	5.7	Acres				
Buffer at 3200 South	0.6	Acres				
Active Adult	1.0	Acres				
Town Homes	6.6	Acres				
Condominium	1.7	Acres				
Within ROWs	5.3	Acres				
Anticipated ROWs	5.0	Acres				

Table 1. Project Summary Table

As shown in Table 1 above, the proposed total unit count is 529 units, which would result in an overall project density of 8.6 units per net developable acre, which is below the 12 units per acre allowed by the ordinance. The requirements for minimum or maximum limits on different unit types have been met with nearly 32% of the development being single family homes (20% min), roughly 27% of the proposed units being condominium units (40% max), and 42% of the total units as townhomes (80% max).

Open Space

The open space requirement in the RPUD zone is 35%. The Ridgeline Park RPUD has proposed that 42% of the project be maintained as open space. The open space in this development is comprised of grassy park areas dispersed throughout the development, as well as wetland corridors that will have a trail system that meanders throughout. Exhibit 1 below shows the anticipated development amenity layout at a conceptual level.



Exhibit 1. Anticipated Future Development Pattern

You can see the open space is spread throughout the development in a way that all residents will be able to enjoy the open space in some manner not far from their homes.

Also shown in the exhibit is the anticipated trail configuration and amenity locations. The code requires a minimum number of pavilions, playgrounds, club house, pool, and park area, which have all been met in this proposal. Table 2 below shows the proposed amenities.

Ridgeline Park RPUD Proposed Amenities		
Park Area	10.7	Acres
Pavilions	2	
Playgrounds	3	
Clubhouse	1	
Pool	1	
Sport Courts	2	

Table 2. Project Amenity Table

The amenity locations shown in Exhibit 1 are conceptual and are subject to change as refinement of the road layouts, lot configurations, and other details change as we move from the rezone stage into more detailed preliminary and final approval stages. With these refinements, keep in mind that the amenity locations may change but the quantities will remain consistent with what is approved at the rezone phase.

Constrained and Sensitive Lands

This site contains approximately 2.6 acres of delineated wetlands as can be seen in Exhibit 2 below. The wetlands will be impacted by the proposed road layout as minimally as possible. Prior to any wetlands impact, the appropriate permits will be applied for with the Army Corps of Engineers, or other applicable entities.



Exhibit 2. Sensitive Lands

Street Design

The street layout for the proposed rezone is meant to solidify the major road connections that will be made through the project, as well as identify the road cross sections that will be used when those roads are platted. Exhibit 3 below shows the road cross sections that are being proposed.

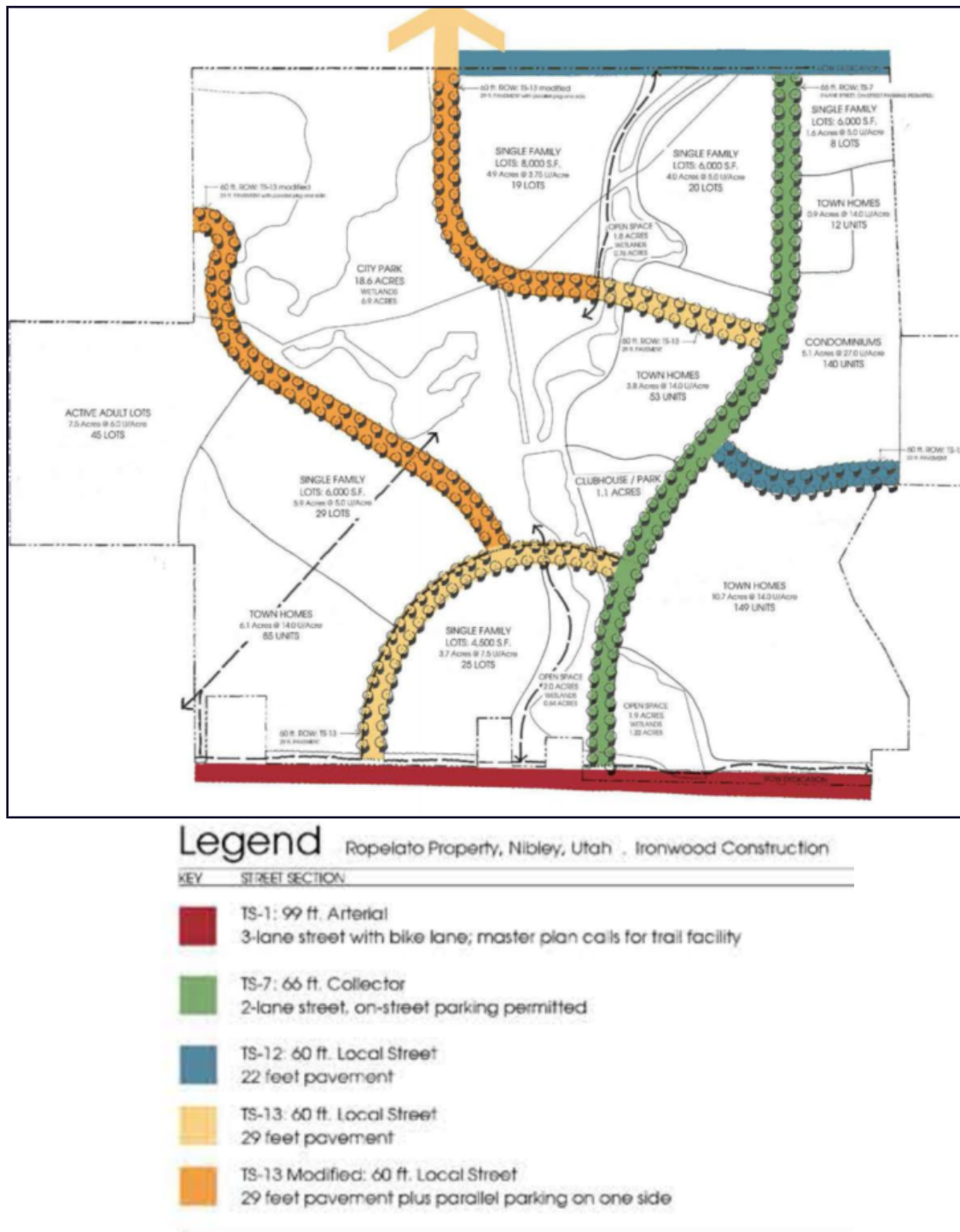


Exhibit 3. Road-Cross Section Exhibit

This project will have three road connections to existing Nibley City public roads that will allow traffic to flow to the south and to the west, and 2 connections to future roads that will allow traffic to flow to

the north. The proposed plan is to continue the alignment of 250 West directly north from where it intersects 3200 South. This alignment requires a significant impact to the wetlands that are located directly north of the current intersection. In the event that the Army Corps of Engineers will not allow the road to traverse through the wetlands, the intersection will be offset to the east to circumvent the wetlands. The legend on Exhibit 3 should show a TS-8 rather than TS-7 for 250 West.

A traffic impact study has been performed by Civil Solutions Group to determine what improvements would be recommended on 3200 South in order to accommodate the increased traffic from this development. A copy of this report has been made available to city staff. The only intersections necessitating improvements are at 250 West and 340 West. The intersection of 3200 South and SR-165 will not require improvements to handle the increased traffic from this project.

Parking

Each unit within this R-PUD will be provided with 2 primary parking spaces contained within garages and driveways. Guest parking will be provided with one spot for every three units. Guest parking will be located in parking courts, driveways built with sufficient space to serve as a guest parking spot (at least 9' x 18') and on street parking via public streets but maintained by the homeowners association.

Utilities

Utilities are readily available around the perimeter of this site. During the planning process the city staff has been consulted along with the city utility and road master plans. Sewer and water mains are located in 3200 South, 2965 South, and along Highway 165. Plans have been made to split the sewer flows as evenly as possible between the three sewer mains that surround the site. This will ensure that future capacity in the different sewer mains remain available for future development.

Storm Runoff

This development will detain the 24-hr 100-yr storm in conformance with Nibley City standards. Controlled release rates will be the lesser of the pre-development runoff rate or 0.2 cfs/acre.

The southwestern portion of the project sits on free-draining gravel-based soils. This area of the project will collect storm water into gravel sumps sized appropriately to manage and infiltrate this runoff into the ground. Such sumps will also serve to retain the 90th-percentile storm.

Most of the remaining portions of the project sit on heavy soils, (hydrologic soil groups C&D) which may make the retention of the 90th-percentile storm infeasible. These same areas are also subject to a relatively high-water table. The 100-yr 24-hr storm will be detained in shallow above-ground basins, or in shallow underground basins.

Architectural Design

The architectural style for this development will be a mix of farmhouse and craftsman styles. With Visionary Homes being the sole developer in this project, control over the architectural styles and materials will be easily achieved.

As preliminary applications are made, site specific building elevations will be submitted for each building type in that phase.

Homeowners Association

The overall Ridgeline Park development will be controlled by the Ridgeline Park Master HOA. Each individual unit type (townhome, condo, single family) will then also be subject to a sub-HOA that will have CCR's and bylaws that are specifically tailored to meeting the maintenance and amenity needs of that unit type. Each level of the HOA will have monthly fees associated with it that will be used for maintaining common areas, private alleys, amenities, building exteriors, etc.

Architectural standards will be controlled by Visionary Homes through the entire buildout of the development. After the last unit is sold, control of the architectural review committee will be turned over to the master HOA. The architectural review committee will be responsible for maintaining the architectural standards for new outbuildings and future renovations.

Parcel No. 03-025-0003 Addition to Visionary Homes R-PUD Application

We, the undersigned, Vern and Lena Bales, located at 397 West 3200 South, Nibley, Utah 84321, Cache County Tax ID No. 03-025-0003, agree to join and act in concert with Visionary Homes in making application to Nibley City for the inclusion of our property referenced above, in the "R-PUD" zoning overlay application, and agree to otherwise cooperate with Visionary Homes in its rezone efforts.

Signed this 6th day of February, 2020



VERN BALES



LENA BALES

03-025-0001

03-025-0012

03-022-0002

03-020-0010

03-020-0017

03-026-0001

03-025-0003 (Bales Parcel)



Traffic Impact Study

Ropelato Subdivision

3200 South 250 West, Nibley, UT

Prepared For:

Dallas Nicoll, Development Manager

Visionary Homes

dnicoll@visionaryhomes.com

Prepared By:

Civil Solutions Group, Inc.

Michael E. Taylor, P.E.

540 West Golf Course Road Suite B1

Providence, Utah 84332

Original Submittal: February 4, 2020



Contents

1.0 INTRODUCTION.....	3
2.0 TRAFFIC COUNTS	4
3.0 TRIP GENERATION	4
4.0 TRIP DISTRIBUTION.....	6
5.0 INTERSECTION TRAFFIC ANALYSIS	6
6.0 ROADWAY CAPACITY THRESHOLDS & CROSS-SECTION RECOMMENDATIONS	14
7.0 TURNING LANE WARRANTS, QUEUING LENGTHS & RECOMMENDATIONS.....	14
8.0 SUMMARY.....	15
APPENDIX A: TRAFFIC COUNTS.....	16
APPENDIX B: INTERSECTION LOS CALCULATIONS	17

List of Figures and Tables

FIGURE 1. OVERALL PROJECT MAP	3
FIGURE 2. TRIP GENERATION ZONES	5
FIGURE 3. 2020 EXISTING LEVEL OF SERVICE	9
FIGURE 4. BACKGROUND 2021 LOS	10
FIGURE 5. 2021 BACKGROUND +PROJECT LOS	11
FIGURE 6. BACKGROUND 2026 LOS	12
FIGURE 7. 2026 BACKGROUND +PROJECT LOS	13
TABLE 1. SITE SUMMARY AND UNIT BREAKDOWN.....	4
TABLE 2. TRIP GENERATION FOR WEST ZONE	5
TABLE 3. TRIP GENERATION FOR EAST ZONE.....	5
TABLE 4. TRIP GENERATION FOR ENTIRE PROJECT	5
TABLE 5. LEVEL OF SERVICE DESCRIPTIONS	7
TABLE 6. LEVEL OF SERVICE ANALYSIS FOR ALL SCENARIOS	8

1.0 INTRODUCTION

Visionary Homes is proposing the construction of a mixed-residential development with up to 631 units to be located near 3200 South and SR-165. The project will include adult-living detached housing, single-family detached housing, townhome units, and three-story condo buildings. Two major project access points are proposed onto 3200 South at 250 West and 340 West. Minor secondary accesses are proposed at 2965 South and 2900 South. The major regional access point is anticipated to be the signal at SR-165 and 3200 South. A layout of the proposed development is provided in Figure 1. An anticipated unit breakdown is provided in Table 1. For the purposes of this study, the future 4.9-acre commercial area on the east has not been included in any calculations as its nature, use and timing are still unknown.

Visionary Homes hired Civil Solutions Group, Inc. to prepare this report to determine the traffic impacts of the development on adjacent roadways, the adequacy of the proposed roadway cross-sections and any traffic improvements necessitated by project impacts.



FIGURE 1. OVERALL PROJECT MAP

TABLE 1. SITE SUMMARY AND UNIT BREAKDOWN

Site Summary . Ropelatto Property . Nibley, Utah . Ironwood Construction					
Site				94.6 Acres	
City Park				18.6 Acres	
Public ROW per plan				9.1 Acres	
Net Developable Area				66.9 Acres	
Residential Units				631 Units	
SFD: 8,000 S.F.	5.1 Acres	19 lots			
SFD: 6,000 S.F.	9.7 Acres	49 lots			
SFD: 4,000 S.F.	3.7 Acres	27 lots			
SFD: Active Adult	6.8 Acres	41 lots			
Total SFD			136 Lots	21.6%	
Town Homes	22.0 Acres	313 units			
Condominium	7.6 Acres	182 units		28.8%	
Commercial	4.9 Acres				
Density			9.4 Units / Acre	34.5%	
Open Space:			23.05 Acres		
Wetlands corridor	7.0 Acres				
Buffer at 3200 South	0.64 Acres				
Active Adult	1.00 Acres				
Town Homes	5.7 Acres				
Condominium	1.4 Acres				
Within ROWs	5.3 Acres				
Anticipated ROWs	2.0 Acres				

2.0 TRAFFIC COUNTS

Traffic counts were collected for both AM and PM peak hour periods at both the 250 West 3200 South intersection and the SR-165 3200 South intersection. PM counts for the 250 West intersection were collected on Thursday, January 2, 2020 from 4 PM to 6 PM, while morning counts were collected on Monday, January 6, 2020 from 7 AM to 9AM. Morning and Evening counts for the intersection at SR-165 were collected on Monday, January 6, 2020 from 7 AM to 9 AM and from 4 PM to 6 PM respectively. The peak hour at both intersections was identified as the period between 5 PM and 6 PM. Traffic count tabulations have been included in Appendix A.

3.0 TRIP GENERATION

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition, 2012). Any potential internal capture reductions were not included. Values corresponding to the “weekday PM peak hour of adjacent street” scenario were utilized. The proposed project includes a mix of single-family detached housing, senior adult detached housing, and residential condos and townhouses. Accordingly, the following land-use codes were selected:

- 210: Single Family Detached Housing
- 230: Residential Condominium/Townhouse
- 251: Senior Adult Housing – Detached

Trip Generation was calculated separately for the east side and west sides of the project which each have their own separate primary access point onto 3200 South. These trip generation zones are illustrated in Figure 2.



FIGURE 2. TRIP GENERATION ZONES

Trip Generation for the West Zone is provided in Table 2. Trip Generation for the East Zone is provided in Table 3. Trip Generation for the Development as a whole is provided in Table 4.

TABLE 2. TRIP GENERATION FOR WEST ZONE

ITE Land Use Code	Independent Variable	Value	Method	Trips	In %	In	Out	IC In	IC Out	Reduction %	Driveway In	Driveway Out	Total
251 - Senior Adult Housing - Detached	Dwelling Units	40	*Average Rate	11	61	7	4	0	0	0	7	4	11
230 - Residential Condominium/Townhouse	Dwelling Units	61	Average Rate	32	67	21	11	0	0	0	21	11	32
210 - Single Family Detached Housing	Dwelling Units	50	Average Rate	50	63	32	18	0	0	0	32	18	50

TABLE 3. TRIP GENERATION FOR EAST ZONE

ITE Land Use Code	Independent Variable	Value	Method	Trips	In %	In	Out	IC In	IC Out	Reduction %	Driveway In	Driveway Out	Total
230 - Residential Condominium/Townhouse	Dwelling Units	434	Average Rate	226	67	151	75	0	0	0	151	75	226
210 - Single Family Detached Housing	Dwelling Units	45	Average Rate	45	63	28	17	0	0	0	28	17	45

TABLE 4. TRIP GENERATION FOR ENTIRE PROJECT

ITE Land Use Code	Independent Variable	Value	Method	Trips	In %	In	Out	IC In	IC Out	Reduction %	Driveway In	Driveway Out	Total
251 - Senior Adult Housing	Dwelling Units	41	*Average Rate	11	61	7	4	0	0	0	7	4	11
230 - Residential Condomir	Dwelling Units	495	Average Rate	257	67	172	85	0	0	0	172	85	257
210 - Single Family Detache	Dwelling Units	95	Average Rate	95	63	60	35	0	0	0	60	35	95

Trip generation for the development is further summarized as follows:

- East Zone:
 - In: 179 trips
 - Out: 92 trips
- West Zone:
 - In: 60 trips
 - Out: 33 trips
- Total:
 - In: 239 trips
 - Out: 124 trips

4.0 TRIP DISTRIBUTION

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially those in close proximity to the site.

It was observed that at the 250 West 3200 South intersection the Eastbound (EB) and Westbound (WB) traffic was split almost exactly in half: 49.7% WB and 50.3% EB. Observing the relative location of regional trip attractors to the study area, it is assumed the majority of this traffic is likely coming to and from residences located within the travelshed of the 3200 South and SR-165 intersection. This means that the majority of these observed trips end up passing the SR-165 node to the east of the project rather than some other regional access point (such as 2600 South and SR-165, 3200 South and US-89/91, or 800 West and US-89/91). Accordingly, in distributing traffic for the proposed development it is estimated that approximately 80% of the trips will utilize the 3200 South SR-165 intersection as their means of regional ingress and egress. The other 20% is assumed to be coming to or from the West. In order to assess worst-case conditions at 3200 South and SR-165, no traffic has been distributed in this analysis to the minor local connections at 2965 South and 2900 South. Furthermore, given that the project does not provide significant through routes, no NB or SB through traffic has been assumed at the 250 West intersection.

5.0 INTERSECTION TRAFFIC ANALYSIS

This section of the report examines the traffic impacts of the proposed project at the study intersections, including those at 340 West and 3200 South, 250 West and 3200 South, and SR-165 and 3200 South. For purposes of this study, the project opening day is assumed to occur a year from now 2021. Five scenarios have been examined:

- 2020 Existing Conditions

- 2021 Background Traffic
- 2021 Background Traffic + Project Conditions
- 2026 Background Traffic
- 2026 Background Traffic + Project Conditions

An annual growth rate of 3% was applied to the background traffic representing the developing nature of the surrounding vicinity. Using TransModeler SE software (produced by the Caliper Corporation), which follows the Highway Capacity Manual (HCM) 2010 methodology, the PM peak hour Level of Service (LOS) was computed for each study intersection under each scenario.

LOS is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 5 provides a brief description of each LOS letter designation, as outlined in the 2010 Highway Capacity Manual, and lists an accompanying average delay per vehicle for both signalized and unsignalized intersections.

TABLE 5. LEVEL OF SERVICE DESCRIPTIONS

Level of Service	Description of Traffic Conditions	Average Delay (Seconds/Vehicle)
	Signalized Intersections	Overall Intersection
A	Extremely favorable progression and a very low level of control delay. Individual users are virtually unaffected by others in the traffic stream.	$0 \leq 10.0$
B	Good progression and a low level of control delay. The presence of other users in the traffic stream becomes noticeable.	> 10.0 and ≤ 20.0
C	Fair progression and a moderate level of control delay. The operation of individual users becomes somewhat affected by interactions with others in the traffic stream.	> 20.0 and ≤ 35.0
D	Marginal progression with relatively high levels of control delay. Operating conditions are noticeably more constrained.	> 35.0 and ≤ 55.0
E	Poor progression with unacceptably high levels of control delay. Operating conditions are at or near capacity.	> 55.0 and ≤ 80.0
F	Unacceptable progression with forced or breakdown operating conditions	> 80.0
	Unsignalized Intersections	Worst Approach
A	Free Flow / Insignificant Delay	$0 \leq 10.0$
B	Stable Operations / Minimum Delays	> 10.0 and ≤ 15.0
C	Stable Operations / Acceptable Delays	> 15.0 and ≤ 25.0
D	Approaching Unstable Flows / Tolerable Delays	> 25.0 and ≤ 35.0
E	Unstable Operations / Significant Delays Can Occur	> 35.0 and ≤ 50.0
F	Forced Flows / Unpredictable Flows / Excessive Delays Occur	> 50.0

For the purposes of this study, a minimum overall intersection performance for each of the study intersections was set at LOS D. However, if LOS E or F conditions exist, an explanation and/or mitigation measures will be presented. According to the Traffic Engineering Handbook, 5th Edition, “[f]or most design or planning purposes...service flow rates D or C are usually used because they ensure a more acceptable quality of service to facility users” (pg. 95). The LOS D threshold is also consistent with UDOT’s standard for state roads in urbanized areas (see UDOT Roadway Design Manual of Instruction, May 2007 – updated August 2011, Section 7 – Page 4).

The results of this analysis are reported in Table 6 (see Appendix B for the detailed LOS reports). An optimized signal cycle of 60-seconds generated using the Webster Equation was utilized for the intersection of SR-165 and 3200 South. As shown in Table 6, all study intersections, in all scenarios continue to operate at LOS C or better.

TABLE 6. LEVEL OF SERVICE ANALYSIS FOR ALL SCENARIOS

		2020 Existing		2021 Background		2021 Back + Project		2026 Background		2026 Back + Project	
Intersection	Control	Delay ¹	LOS	Delay ¹	LOS	Delay ¹	LOS	Delay ¹	LOS	Delay ¹	LOS
340 W.	Minor Leg Stop Control	0.0	A	0.0	A	12.4	B	0.0	A	13.1	B
250 W.	Minor Leg Stop Control	12.0	B	12.2	B	19.1	C	13.2	B	21.9	C
SR-165	Signalized	12.0	B	12.2	B	13.2	B	13.3	B	14.3	B
¹ Average delay as measured in seconds per vehicle. These values represent the overall intersection average for roundabout, signalized, all-way stop controlled intersections and the worst approach for all other unsignalized intersections.											

All intersections continue to operate at LOS C or better through the 2026 background plus project scenario. The same is true of all movements within the study intersections and is mapped graphically in Figures 3 through 7. The most congested movement in any scenario is the EB left turn and NB left turn movements at SR-165 in the 2026 scenario, which also continue to operate at LOS C through the study’s time horizon. This analysis also suggests that the proposed traffic control methods are sufficient.



FIGURE 3

2020 BACKGROUND TRAFFIC



FIGURE 4

2021 BACKGROUND TRAFFIC



FIGURE 5

2026 BACKGROUND TRAFFIC



FIGURE 6

2021 TOTAL TRAFFIC & LOS



FIGURE 7

2026 TOTAL TRAFFIC & LOS

6.0 ROADWAY CAPACITY THRESHOLDS & CROSS-SECTION RECOMMENDATIONS

The current Nibley City Transportation Master Plan proposes that 250 West be built to typical cross-section TS-8: *Collector, 2-Lane Street, Bicycle Blvd, 66' ROW*. The same master plan designates 3200 South in its existing condition as a *3-lane Minor Arterial*. Lastly, the developer's proposal for the Ropelato Subdivision assigns 340 West to TS-13: *Local, 2-Lane Local, 60' ROW*. According to Table 1 of the City Master Plan, a 2-lane roadway can carry up to 8,000 vehicles per day and operate at a LOS C, while a 3-lane minor arterial can carry up to 11,000 vehicles per day.

Peak hour volumes typically represent 8-12% of average vehicles per day, 8% being more representative of rural areas, 12% of highly-urbanized areas. Given that Nibley City is increasingly becoming suburban, 10% has been utilized. Peak hour volumes on 340 West, 250 East and 3200 South in the 2026 background + project AADT have thus been estimated as follows:

- 340 West (Local, 2 Lanes): 930 AADT
- 250 East (Collector, 2 Lanes): 2,710 AADT
- 3200 South (Minor Arterial, 3 Lanes): 7,770 AADT

According to the standards set forth in the City Transportation Master Plan, the proposed cross-sections have sufficient roadway capacity to handle the projected vehicles per day and still provide an adequate LOS.

7.0 TURNING LANE WARRANTS, QUEUING LENGTHS & RECOMMENDATIONS

Per the request of the City Engineer this study includes an analysis of potential necessary turning lane improvements necessitated by the project. In the absence of City standard for the same, recommendations from the Utah Administrative Code will be utilized. Per UDOT's current mapping, the portion of SR-165 in the Study Area is a Category 3 roadway. Per Section R930-6-7.5.e.i.D.i & R930-6-7.5.e.i.D.ii, left-turn lanes and right-turn lanes are required to be installed at a Category 3 intersection when the following criteria are met:

- (I) "A left turn deceleration lane with taper and storage length is required for any access with a projected peak hour left ingress **turning volume greater than 5 vehicles per hour...**"
- (II) "A right turn deceleration lane and taper length is required for any access with a projected peak hour right ingress **turning volume greater than 10 vehicles per hour...**"

3200 South appears to meet the same code's definition of a Category 7 roadway (R930-6-6.2.b.vii): "Category 7 is appropriate for use on highways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic but with emphasis on local movements such as those common on small city Main Streets."

Per Section R930-6-7.5.e.i.E.i & R930-6-7.5.e.i.E.ii, left-turn lanes and right-turn lanes are required to be installed at a Category 7 intersection when the following criteria are met:

- (I) *A left turn lane with storage length plus taper is required for any access with a projected peak hour left ingress turning volume greater than 25 vehicles per hour...*
- (II) *A right turn lane with storage length plus taper is required for any access with a projected peak hour right ingress turning volume greater than 50 vehicles per hour...*

Based on predicted turning movement volumes and the calculated 95th-percentile queueing lengths in the 2026 Proposed Condition (see Appendix B; LOS calculations, line item “Back of Queue (Q), veh/ln”), the following deficiencies have been identified:

- 340 West:
 - SB Left-turn bay needed, additional pavement may be required
- 250 West:
 - SB Left-turn bay needed, additional pavement may be required
 - WB right-turn bay should be added, additional pavement may be required
 - WB two-way left-turn bay should be re-stripped to a dedicated left-turn bay
 - EB two-way left-turn bay should be re-stripped to a dedicated left-turn bay
- SR-165:
 - No improvements needed. 95th-percentile queueing length for left-turn requires 100-ft for 4.7 vehicles; 100-ft already provided. Likewise, sufficient storage length exists for all other turning movements.

8.0 SUMMARY

The analysis contained in this study has determined that all intersections adjacent to the project together with their individual movements continue to operate at LOS C or better through the 2026 study horizon. Also, it has been determined that cross-sections proposed for project by the developer and the City Transportation Master Plan are sufficient to handle the projected daily traffic loading. Recommended improvements are limited to turning-lane additions/modifications as outlined in the Section 7.0 of this report.

APPENDIX A: TRAFFIC COUNTS

		250 WEST & 3200 SOUTH														
		EBR		EBT		WBL		WBT		NBL		NBR		15 Min	1-HR	PED
		Cars	Trucks	Cars	Trucks	Cars	Trucks	Cars	Trucks	Cars	Trucks	Cars	Trucks	Totals	TOTALS	
7:00 AM	7:15 AM	0	1	19	0	3	0	31	3	2	0	6	0	65		0
7:15 AM	7:30 AM	1	0	32	0	2	0	13	1	4	0	7	0	60		0
7:30 AM	7:45 AM	2	0	55	1	2	0	25	0	7	0	19	0	111		0
7:45 AM	8:00 AM	3	0	48	1	2	0	52	0	9	1	10	0	126	362	0
8:00 AM	8:15 AM	4	0	44	0	3	0	34	0	5	0	5	0	95	392	0
8:15 AM	8:30 AM	1	0	13	0	0	0	26	0	3	0	6	0	49	381	0
8:30 AM	8:45 AM	2	1	32	1	5	0	23	1	2	0	6	0	73	343	0
8:45 AM	9:00 AM	3	0	44	3	2	0	34	1	11	3	4	0	105	322	1
4:00 PM	4:15 PM	4	0	54	1	12	0	36	1	2	0	10	0	120		0
4:15 PM	4:30 PM	3	0	43	0	7	0	42	1	2	0	7	1	106		0
4:30 PM	4:45 PM	2	0	38	1	6	0	44	0	2	0	7	0	100		0
4:45 PM	5:00 PM	5	0	42	2	7	1	34	0	6	0	5	0	102	428	0
5:00 PM	5:15 PM	9	0	57	0	12	0	41	1	4	0	4	0	128	436	0
5:15 PM	5:30 PM	7	0	44	0	11	0	45	0	5	1	3	0	116	446	0
5:30 PM	5:45 PM	12	0	46	1	9	0	33	0	7	0	3	0	111	457	0
5:45 PM	6:00 PM	12	0	37	0	15	0	43	0	8	0	3	0	118	473	0

		SR-165 & 3200 SOUTH														
		NBL		NBT		EBR		EBL		SBR		SBT		15 Min	1-HR	PED
		Cars	Trucks	Cars	Trucks	Cars	Trucks	Cars	Trucks	Cars	Trucks	Cars	Trucks	Totals	TOTALS	
7:00 AM	7:15 AM	5	1	123	5	3	0	21	0	27	2	56	1	244		0
7:15 AM	7:30 AM	3	0	184	0	12	0	32	0	12	0	79	3	325		0
7:30 AM	7:45 AM	6	0	250	3	7	0	64	1	19	0	88	4	442		0
7:45 AM	8:00 AM	13	0	310	6	12	0	57	2	38	0	93	3	534	1545	0
8:00 AM	8:15 AM	6	1	200	7	9	0	34	0	27	0	90	2	376	1677	0
8:15 AM	8:30 AM	5	0	172	4	2	0	18	0	19	0	56	3	279	1631	0
8:30 AM	8:45 AM	3	1	146	8	5	1	26	0	28	0	95	9	322	1511	0
8:45 AM	9:00 AM	2	1	182	8	13	1	39	2	28	0	78	2	356	1333	0
4:00 PM	4:15 PM	5	1	133	1	11	0	41	0	49	0	188	6	435		0
4:15 PM	4:30 PM	9	0	141	4	13	1	42	1	30	0	209	6	456		0
4:30 PM	4:45 PM	9	0	150	4	16	1	32	0	49	1	235	7	504		0
4:45 PM	5:00 PM	3	1	158	3	9	1	39	0	41	1	209	1	466	1861	2
5:00 PM	5:15 PM	2	0	187	3	12	0	51	0	42	0	225	2	524	1950	2
5:15 PM	5:30 PM	7	0	156	2	12	0	48	0	42	0	264	1	532	2026	0
5:30 PM	5:45 PM	8	0	157	0	9	0	34	0	52	0	263	0	523	2045	0
5:45 PM	6:00 PM	10	0	144	0	9	0	33	0	49	0	251	1	497	2076	1

APPENDIX B: INTERSECTION LOS CALCULATIONS

250 West & 3200 South Background Traffic – 2020

Control

Stop or Yield

General

Turns

Stop/Yield Signs

LOS

HCM Adjustments

Node

25

MOEs

Flow Field

Flow

Flow Interval (min.)

60

Base Saturation Flow Rate (pc/h/ln)

1900

Movement	WBR	WBT	WBL	SBR	SBT	SBL	EBL	EBR	EBT	NBT	NBL	NBR
Approach	2 (W)	2 (W)	2 (W)	5 (S)	5 (S)	5 (S)	6 (E)	6 (E)	6 (E)	4 (N)	4 (N)	4 (N)
Number of Lanes	0.5	0.5	1.0	0.3	0.3	0.3	1.0	0.5	0.5	0.3	0.3	0.3
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0
Control Delay (d), s/veh	0.000	0.000	7.751	11.547	11.547	11.547	7.521	0.000	0.000	11.995	11.995	11.995
Level Of Service	A	A	A	B	B	B	A	A	A	B	B	B
Stream Code	3	2	1	9	8	7	4	6	5	11	10	12
Stream Rank	1	1	2	2	3	4	2	1	1	3	4	2
Critical Gap (tc)	--	--	4.100	6.500	6.500	7.500	4.100	--	--	6.500	7.500	6.900
Follow-Up Time (tf), s	--	--	2.200	3.300	4.000	3.500	2.200	--	--	4.000	3.500	3.300
Conflicting Flows (Vc), veh/h	--	--	225	163	482	469	163	--	--	462	462	205
Potential Capacity (Cp), veh/h	--	--	1356	859	487	482	1428	--	--	500	488	808
Capacity (Cm), veh/h	--	--	1356	859	470	462	1428	--	--	482	475	808
Shared-lane Capacity (Csh), veh/h	--	--	1356	550	550	550	1428	--	--	553	553	553
Shared-lane Flow, veh/h	--	--	47	0	0	0	0	--	--	38	38	38
Queue, veh/ln	--	--	0.1	0.0	0.0	0.0	0.0	--	--	0.2	0.2	0.2
v/c Ratio	--	--	0.035	0.000	0.000	0.000	0.000	--	--	0.069	0.069	0.069
Movement Flow, veh/h	0	163	47	0	0	0	0	40	185	0	25	13
Movement Adjusted Flow, veh/h	0	163	47	0	0	0	0	40	185	0	25	13

Save Adjusted Sat. Flow

Control Delay (s/veh)

1.7

Level of Service

A

250 West & 3200 South Background Traffic – 2021

Control

Stop or Yield

General

Turns

Stop/Yield Signs

LOS

HCM Adjustments

MOEs

Flow Interval (min.)

30

Node

25

Flow Field	Flow	WBR	WBT	WBL	SBR	SBT	SBL	EBL	EBR	EBT	NBT	NBL	NBR
		2 (W)	2 (W)	2 (W)	5 (S)	5 (S)	5 (S)	6 (E)	6 (E)	6 (E)	4 (N)	4 (N)	4 (N)
Movement													
Approach		2 (W)	2 (W)	2 (W)	5 (S)	5 (S)	5 (S)	6 (E)	6 (E)	6 (E)	4 (N)	4 (N)	4 (N)
Number of Lanes		0.5	0.5	1.0	0.3	0.3	0.3	1.0	0.5	0.5	0.3	0.3	0.3
Lane Width, ft		12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0
Control Delay (d), s/veh		0.000	0.000	7.770	11.667	11.667	11.667	7.532	0.000	0.000	12.192	12.192	12.192
Level Of Service		A	A	A	B	B	B	A	A	A	B	B	B
Stream Code		3	2	1	9	8	7	4	6	5	11	10	12
Stream Rank		1	1	2	2	3	4	2	1	1	3	4	2
Critical Gap (tc)		--	--	4.100	6.900	6.500	7.500	4.100	--	--	6.500	7.500	6.900
Follow-Up Time (tf), s		--	--	2.200	3.300	4.000	3.500	2.200	--	--	4.000	3.500	3.300
Conflicting Flows (Vc), veh/h		--	--	232	168	496	482	168	--	--	476	476	212
Potential Capacity (Cp), veh/h		--	--	1348	853	478	472	1422	--	--	491	477	800
Capacity (Cm), veh/h		--	--	1348	853	461	452	1422	--	--	473	464	800
Shared-lane Capacity (Csh), veh/h		--	--	1348	540	540	540	1422	--	--	540	540	540
Shared-lane Flow, veh/h		--	--	48	0	0	0	0	--	--	39	39	39
Queue, veh/ln		--	--	0.1	0.0	0.0	0.0	0.0	--	--	0.2	0.2	0.2
v/c Ratio		--	--	0.036	0.000	0.000	0.000	0.000	--	--	0.072	0.072	0.072
Movement Flow, veh/h		0	168	48	0	0	0	0	41	191	0	26	13
Movement Adjusted Flow, veh/h		0	168	48	0	0	0	0	41	191	0	26	13

Save Adjusted Sat. Flow

Control Delay (s/veh)

1.7

Level of Service

A

250 West & 3200 South Total Traffic – 2021

Control

Stop or Yield

Node

25

General

Turns

Stop/Yield Signs

LOS

HCM Adjustments

MOEs

Flow Field

Flow

Flow Interval (min.)

60

Base Saturation Flow Rate (pc/h/ln)

1900

Movement	WBR	WBT	WBL	SBR	SBT	SBL	EBL	EBR	EBT	NBT	NBL	NBR
Approach	2 (W)	2 (W)	2 (W)	5 (S)	5 (S)	5 (S)	6 (E)	6 (E)	6 (E)	4 (N)	4 (N)	4 (N)
Number of Lanes	0.5	0.5	1.0	0.3	0.3	0.3	1.0	0.5	0.5	0.3	0.3	0.3
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0
Control Delay (d), s/veh	0.000	0.000	7.836	19.121	19.121	19.121	8.067	0.000	0.000	15.540	15.540	15.540
Level Of Service	A	A	A	C	C	C	A	A	A	C	C	C
Stream Code	3	2	1	9	8	7	4	6	5	11	10	12
Stream Rank	1	1	2	2	3	4	2	1	1	3	4	2
Critical Gap (tc)	--	--	4.100	6.900	6.500	7.500	4.100	--	--	6.500	7.500	6.900
Follow-Up Time (tf), s	--	--	2.200	3.300	4.000	3.500	2.200	--	--	4.000	3.500	3.300
Conflicting Flows (Vc), veh/h	--	--	259	288	715	701	360	--	--	767	704	239
Potential Capacity (Cp), veh/h	--	--	1317	715	359	329	1210	--	--	335	328	769
Capacity (Cm), veh/h	--	--	1317	715	335	308	1210	--	--	313	304	769
Shared-lane Capacity (Csh), veh/h	--	--	1317	346	346	346	1210	--	--	380	380	380
Shared-lane Flow, veh/h	--	--	48	92	92	92	36	--	--	39	39	39
Queue, veh/ln	--	--	0.1	1.1	1.1	1.1	0.1	--	--	0.3	0.3	0.3
v/c Ratio	--	--	0.036	0.266	0.266	0.266	0.030	--	--	0.103	0.103	0.103
Movement Flow, veh/h	144	216	48	18	0	74	36	41	218	0	26	13
Movement Adjusted Flow, veh/h	144	216	48	18	0	74	36	41	218	0	26	13

Control Delay (s/veh)

3.6

Level of Service

A

250 West & 3200 South Background Traffic – 2026

Control

Stop or Yield

General

Turns

Stop/Yield Signs

HCM Adjustments

LOS

Node

25

MOEs

Flow Field

Flow

Flow Interval (min.)

60

Base Saturation Flow Rate (pc/h/ln)

1900

	WBR	WBT	WBL	SBR	SBT	SBL	EBL	EBR	EBT	NBT	NBL	NBR
Movement	2 (W)	2 (W)	2 (W)	5 (S)	5 (S)	5 (S)	6 (E)	6 (E)	6 (E)	4 (N)	4 (N)	4 (N)
Approach	0.5	0.5	1.0	0.3	0.3	0.3	1.0	0.5	0.5	0.3	0.3	0.3
Number of Lanes	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0
Lane Width, ft	0.000	0.000	7.879	12.427	12.427	12.427	7.590	0.000	0.000	13.187	13.187	13.187
Control Delay (d), s/veh	A	A	A	B	B	B	A	A	A	B	B	B
Level Of Service	3	2	1	9	8	7	4	6	5	11	10	12
Stream Code	1	1	2	2	3	4	2	1	1	3	4	2
Critical Gap (tc)	--	--	4.100	6.900	6.500	7.500	4.100	--	--	6.500	7.500	6.900
Follow-Up Time (tf), s	--	--	2.200	3.300	4.000	3.500	2.200	--	--	4.000	3.500	3.300
Conflicting Flows (Vc), veh/h	--	--	269	195	576	560	195	--	--	552	552	245
Potential Capacity (Cp), veh/h	--	--	1306	820	431	415	1390	--	--	444	421	762
Capacity (Cm), veh/h	--	--	1306	820	412	393	1390	--	--	425	407	762
Shared-lane Capacity (Csh), veh/h	--	--	1306	485	485	485	1390	--	--	486	486	486
Shared-lane Flow, veh/h	--	--	56	0	0	0	0	--	--	46	46	46
Queue, veh/ln	--	--	0.1	0.0	0.0	0.0	0.0	--	--	0.3	0.3	0.3
v/c Ratio	--	--	0.043	0.000	0.000	0.000	0.000	--	--	0.095	0.095	0.095
Movement Flow, veh/h	0	195	56	0	0	0	0	48	221	0	30	16
Movement Adjusted Flow, veh/h	0	195	56	0	0	0	0	48	221	0	30	16

Control Delay (s/veh)

1.9

Level of Service

A

340 West & 3200 South Background Traffic – 2020

MOEs

Flow Field

▼

Flow Interval (min.)

60

▼

Base Saturation Flow Rate (pc/h/ln)

1900

i

Movement	↕ SBR	↕ SBL	↕ EBL	↔ EBT	↕ WBR	↔ WBT
Approach	7 (S)	7 (S)	8 (E)	8 (E)	6 (W)	6 (W)
Number of Lanes	0.5	0.5	1.0	1.0	0.5	0.5
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
Control Delay (d), s/veh	10.318	10.318	7.575	0.000	0.000	0.000
Level Of Service	B	B	A	A	A	A
Stream Code	9	7	4	5	3	2
Stream Rank	2	3	2	1	1	1
Critical Gap (tc)	6.900	6.800	4.100	--	--	--
Follow-Up Time (tf), s	3.300	3.500	2.200	--	--	--
Conflicting Flows (Vc), veh/h	188	413	188	--	--	--
Potential Capacity (Cp), veh/h	828	572	1398	--	--	--
Capacity (Cm), veh/h	828	572	1398	--	--	--
Shared-lane Capacity (Csh), veh/h	677	677	1398	--	--	--
Shared-lane Flow, veh/h	0	0	0	--	--	--
Queue, veh/ln	0.0	0.0	0.0	--	--	--
v/c Ratio	0.000	0.000	0.000	--	--	--
Movement Flow, veh/h	0	0	0	225	0	188
Movement Adjusted Flow, veh/h	0	0	0	225	0	188

Control Delay (s/veh)

0

Level of Service

A

340 West & 3200 South Background Traffic – 2021

MOEs

Flow Field
Flow
▼
Flow Interval (min.)
60
▼

Base Saturation Flow Rate (pc/h/ln)
1900
?

Movement	↰ SBR	↱ SBL	↰ EBL	↱ EBT	↰ WBR	↱ WBT
Approach	7 (S)	7 (S)	8 (E)	8 (E)	6 (W)	6 (W)
Number of Lanes	0.5	0.5	1.0	1.0	0.5	0.5
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
Control Delay (d), s/veh	10.397	10.397	7.588	0.000	0.000	0.000
Level Of Service	B	B	A	A	A	A
Stream Code	9	7	4	5	3	2
Stream Rank	2	3	2	1	1	1
Critical Gap (tc)	6.900	6.800	4.100	--	--	--
Follow-Up Time (tf), s	3.300	3.500	2.200	--	--	--
Conflicting Flows (Vc), veh/h	194	426	194	--	--	--
Potential Capacity (Cp), veh/h	821	562	1391	--	--	--
Capacity (Cm), veh/h	821	562	1391	--	--	--
Shared-lane Capacity (Csh), veh/h	667	667	1391	--	--	--
Shared-lane Flow, veh/h	0	0	0	--	--	--
Queue, veh/ln	0.0	0.0	0.0	--	--	--
v/c Ratio	0.000	0.000	0.000	--	--	--
Movement Flow, veh/h	0	0	0	232	0	194
Movement Adjusted Flow, veh/h	0	0	0	232	0	194

Control Delay (s/veh)
0

Level of Service
A

340 West & 3200 South Total Traffic – 2021

Control Stop or Yield Node 28

General Tums Stop/Yield Signs LOS HCM Adjustments

MOEs

Flow Field Flow Flow Interval (min.) 60 Base Saturation Flow Rate (pc/h/ln) 1900

Movement	SBR	SBL	EBL	EBT	WBR	WBT
Approach	7 (S)	7 (S)	8 (E)	8 (E)	6 (W)	6 (W)
Number of Lanes	0.5	0.5	1.0	1.0	0.5	0.5
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
Control Delay (d), s/veh	12.390	12.390	7.760	0.000	0.000	0.000
Level Of Service	B	B	A	A	A	A
Stream Code	9	7	4	5	3	2
Stream Rank	2	3	2	1	1	1
Critical Gap (tc)	6.900	6.800	4.100	--	--	--
Follow-Up Time (tf), s	3.300	3.500	2.200	--	--	--
Conflicting Flows (Vc), veh/h	236	528	260	--	--	--
Potential Capacity (Cp), veh/h	772	485	1316	--	--	--
Capacity (Cm), veh/h	772	481	1316	--	--	--
Shared-lane Capacity (Csh), veh/h	521	521	1316	--	--	--
Shared-lane Flow, veh/h	34	34	12	--	--	--
Queue, veh/ln	0.2	0.2	0.0	--	--	--
v/c Ratio	0.065	0.065	0.009	--	--	--
Movement Flow, veh/h	7	27	12	268	48	212
Movement Adjusted Flow, veh/h	7	27	12	268	48	212

Control Delay (s/veh) 0.9 Level of Service A

340 West & 3200 South Background Traffic – 2026

MOEs

Flow Field Flow Flow Interval (min.) 60 Base Saturation Flow Rate (pc/h/ln) 1900

Movement	 SBR	 SBL	 EBL	 EBT	 WBR	 WBT
Approach	7 (S)	7 (S)	8 (E)	8 (E)	6 (W)	6 (W)
Number of Lanes	0.5	0.5	1.0	1.0	0.5	0.5
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
Control Delay (d), s/veh	10.820	10.820	7.654	0.000	0.000	0.000
Level Of Service	B	B	A	A	A	A
Stream Code	9	7	4	5	3	2
Stream Rank	2	3	2	1	1	1
Critical Gap (tc)	6.900	6.800	4.100	--	--	--
Follow-Up Time (tf), s	3.300	3.500	2.200	--	--	--
Conflicting Flows (Vc), veh/h	224	493	224	--	--	--
Potential Capacity (Cp), veh/h	786	510	1357	--	--	--
Capacity (Cm), veh/h	786	510	1357	--	--	--
Shared-lane Capacity (Csh), veh/h	619	619	1357	--	--	--
Shared-lane Flow, veh/h	0	0	0	--	--	--
Queue, veh/ln	0.0	0.0	0.0	--	--	--
v/c Ratio	0.000	0.000	0.000	--	--	--
Movement Flow, veh/h	0	0	0	269	0	224
Movement Adjusted Flow, veh/h	0	0	0	269	0	224

Control Delay (s/veh) 0 Level of Service A

340 West & 3200 South Total Traffic – 2026

Control
Stop or Yield
Node 28

General
Turns
Stop/Yield Signs
LOS
HCM Adjustments

MOEs

Flow Field Flow
Flow Interval (min.) 60
Base Saturation Flow Rate (pc/h/ln) 1900

Movement	SBR	SBL	EBL	EBT	WBR	WBT
Approach	7 (S)	7 (S)	8 (E)	8 (E)	6 (W)	6 (W)
Number of Lanes	0.5	0.5	1.0	1.0	0.5	0.5
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
Control Delay (d), s/veh	13.139	13.139	7.832	0.000	0.000	0.000
Level Of Service	B	B	A	A	A	A
Stream Code	9	7	4	5	3	2
Stream Rank	2	3	2	1	1	1
Critical Gap (tc)	6.900	6.800	4.100	--	--	--
Follow-Up Time (tf), s	3.300	3.500	2.200	--	--	--
Conflicting Flows (Vc), veh/h	266	595	290	--	--	--
Potential Capacity (Cp), veh/h	738	440	1283	--	--	--
Capacity (Cm), veh/h	738	436	1283	--	--	--
Shared-lane Capacity (Csh), veh/h	476	476	1283	--	--	--
Shared-lane Flow, veh/h	34	34	12	--	--	--
Queue, veh/ln	0.2	0.2	0.0	--	--	--
v/c Ratio	0.071	0.071	0.009	--	--	--
Movement Flow, veh/h	7	27	12	305	48	242
Movement Adjusted Flow, veh/h	7	27	12	305	48	242

Save Adjusted Sat. Flow
Control Delay (s/veh) 0.8
Level of Service A

SR-165 & 3200 South Background Traffic – 2020

Control
Pretimed (Sequential Phasing)
Start Time 05:00:00
Change...
Remove
☐ Based on
Choose base plan...
Node 21

General
Tums
Timing
LOS
HCM Adjustments

MOEs

Flow Field Flow
Flow Interval (min.) 60
Base Saturation Flow Rate (pc/h/ln) 1900

Lane Group	↓ T	↓ R	↓ L	↓ R	↓ L	↑ T
Approach	1 (S)	1 (S)	2 (E)	2 (E)	3 (N)	3 (N)
Number of Lanes	2	1	1	1	1	2
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
QAP	QAP	QAP	QAP	QAP	QAP	QAP
Adjusted Flow, veh/h	1007	185	166	42	27	649
Capacity (c), veh/h	1678	1207	377	1207	181	2058
Volume-to-Capacity Ratio (X)	0.600	0.153	0.441	0.035	0.149	0.315
Green to Cycle Ratio	0.442	0.750	0.208	0.750	0.100	0.542
Assigned Phase	1	2	3	3	2	2
Uniform Delay (d1), s/veh	12.735	2.126	20.708	1.931	24.671	7.610
Incremental Delay Calibration (K)	0.500	0.500	0.500	0.500	0.500	0.500
Incremental Delay (d2), s/veh	1.595	0.270	3.706	0.054	1.738	0.402
Initial Queue Delay (d3), s/veh	0.000	0.000	0.000	0.000	0.000	0.000
Progression Adjustment Factor (PF)	1.000	1.000	1.000	1.000	1.000	1.000
Control Delay (d), s/veh	14.330	2.395	24.414	1.985	26.409	8.013
Level Of Service	B	A	C	A	C	A
Total Delay, veh-hr	4.008	0.123	1.126	0.023	0.198	1.444
Fully Stopped (Nf), veh/ln	9.3	0.3	2.0	0.1	0.3	4.0
Back of Queue (Q), veh/ln	9.6	0.4	2.3	0.1	0.4	4.1
Y Ratio	0.265	0.115	0.092	0.026	0.015	0.171
Effective Green Time, s	26.5	45.0	12.5	45.0	6.0	32.5
Approach Delay, s/veh	--	12.478	--	19.885	--	8.747
Flow (v), veh/h	1007	185	166	42	27	649
Saturation Flow, veh/h	3800	1900	1900	1900	1900	3800
Adjusted Saturation Flow, veh/h	3800	1609	1809	1609	1809	3800
Available Capacity (ca), veh/h	1678	161	377	335	181	380

Control Delay (s/veh) 12
Level of Service B

SR-165 & 3200 South Background Traffic – 2021

Control
Pretimed (Sequential Phasing)
Start Time 05:00:00
Change...
Remove
☐ Based on
Choose base plan...
Node 21

General
TURNS
Timing
LOS
HCM Adjustments

MOEs

Flow Field Flow
Flow Interval (min.) 60
Base Saturation Flow Rate (pc/h/ln) 1900

Lane Group	↓ T	↓ R	↖ L	↗ R	↖ L	↑ T
Approach	1 (S)	1 (S)	2 (E)	2 (E)	3 (N)	3 (N)
Number of Lanes	2	1	1	1	1	2
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
QAP	QAP	QAP	QAP	QAP	QAP	QAP
Adjusted Flow, veh/h	1037	191	171	43	28	668
Capacity (c), veh/h	1678	1207	377	1207	181	2058
Volume-to-Capacity Ratio (X)	0.618	0.158	0.454	0.036	0.155	0.325
Green to Cycle Ratio	0.442	0.750	0.208	0.750	0.100	0.542
Assigned Phase	1	2	3	3	2	2
Uniform Delay (d1), s/veh	12.874	2.135	20.771	1.932	24.685	7.657
Incremental Delay Calibration (K)	0.500	0.500	0.500	0.500	0.500	0.500
Incremental Delay (d2), s/veh	1.717	0.280	3.906	0.055	1.814	0.420
Initial Queue Delay (d3), s/veh	0.000	0.000	0.000	0.000	0.000	0.000
Progression Adjustment Factor (PF)	1.000	1.000	1.000	1.000	1.000	1.000
Control Delay (d), s/veh	14.591	2.415	24.677	1.987	26.499	8.076
Level Of Service	B	A	C	A	C	A
Total Delay, veh-hr	4.203	0.128	1.172	0.024	0.206	1.499
Fully Stopped (Nf), veh/ln	9.7	0.3	2.0	0.1	0.4	4.1
Back of Queue (Q), veh/ln	10.1	0.4	2.4	0.1	0.4	4.3
Y Ratio	0.273	0.119	0.095	0.027	0.015	0.176
Effective Green Time, s	26.5	45.0	12.5	45.0	6.0	32.5
Approach Delay, s/veh	--	12.697	--	20.118	--	8.817
Flow (v), veh/h	1037	191	171	43	28	668
Saturation Flow, veh/h	3800	1900	1900	1900	1900	3800
Adjusted Saturation Flow, veh/h	3800	1609	1809	1609	1809	3800
Available Capacity (ca), veh/h	1678	161	377	335	181	380

Save Adjusted Sat. Flow
Control Delay (s/veh) 12.2
Level of Service B

SR-165 & 3200 South Total Traffic – 2021

Control
Pretimed (Sequential Phasing)
Start Time 05:00:00
Change...
Remove
☐ Based on
Choose base plan...
Node 21

General
Turns
Timing
LOS
HCM Adjustments

MOEs

Flow Field Flow
Flow Interval (min.) 60
Base Saturation Flow Rate (pc/h/ln) 1900

Lane Group	↓ T	↓ R	← L	→ R	← L	↑ T
Approach	1 (S)	1 (S)	2 (E)	2 (E)	3 (N)	3 (N)
Number of Lanes	2	1	1	1	1	2
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
QAP	QAP	QAP	QAP	QAP	QAP	QAP
Adjusted Flow, veh/h	1037	345	252	63	66	668
Capacity (c), veh/h	1634	1207	398	1207	181	2014
Volume-to-Capacity Ratio (X)	0.635	0.286	0.633	0.052	0.365	0.332
Green to Cycle Ratio	0.430	0.750	0.220	0.750	0.100	0.530
Assigned Phase	1	1	3	3	2	1
Uniform Delay (d1), s/veh	13.417	2.395	21.213	1.957	25.223	8.051
Incremental Delay Calibration (K)	0.500	0.500	0.500	0.500	0.500	0.500
Incremental Delay (d2), s/veh	1.892	0.596	7.472	0.082	5.607	0.443
Initial Queue Delay (d3), s/veh	0.000	0.000	0.000	0.000	0.000	0.000
Progression Adjustment Factor (PF)	1.000	1.000	1.000	1.000	1.000	1.000
Control Delay (d), s/veh	15.308	2.991	28.685	2.040	30.830	8.494
Level Of Service	B	A	C	A	C	A
Total Delay, veh-hr	4.410	0.287	2.008	0.036	0.565	1.576
Fully Stopped (Nf), veh/ln	9.9	0.7	3.1	0.1	0.9	4.3
Back of Queue (Q), veh/ln	10.4	0.9	3.9	0.1	1.1	4.4
Y Ratio	0.273	0.214	0.139	0.039	0.036	0.176
Effective Green Time, s	25.8	45.0	13.2	45.0	6.0	31.8
Approach Delay, s/veh	--	12.234	--	23.356	--	10.502
Flow (v), veh/h	1037	345	252	63	66	668
Saturation Flow, veh/h	3800	1900	1900	1900	1900	3800
Adjusted Saturation Flow, veh/h	3800	1609	1809	1609	1809	3800
Available Capacity (ca), veh/h	1634	692	398	354	181	1634

Save Adjusted Sat. Flow
Control Delay (s/veh) 13.2
Level of Service B

SR-165 & 3200 South Background Traffic – 2026

Control
Pretimed (Sequential Phasing)
Start Time
05:00:00
Change...
Remove
☐ Based on
Choose base plan...
Node
21

General
Turns
Timing
LOS
HCM Adjustments

MOEs

Flow Field
Flow
Flow Interval (min.)
60
Base Saturation Flow Rate (pc/h/ln)
1900

Lane Group	↓ T	↓ R	← L	→ R	← L	↑ T
Approach	1 (S)	1 (S)	2 (E)	2 (E)	3 (N)	3 (N)
Number of Lanes	2	1	1	1	1	2
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
QAP	QAP	QAP	QAP	QAP	QAP	QAP
Adjusted Flow, veh/h	1202	221	198	50	32	775
Capacity (c), veh/h	1678	1207	377	1207	181	2058
Volume-to-Capacity Ratio (X)	0.716	0.183	0.525	0.041	0.177	0.377
Green to Cycle Ratio	0.442	0.750	0.208	0.750	0.100	0.542
Assigned Phase	1	2	3	3	2	2
Uniform Delay (d1), s/veh	13.691	2.181	21.119	1.941	24.740	7.928
Incremental Delay Calibration (K)	0.500	0.500	0.500	0.500	0.500	0.500
Incremental Delay (d2), s/veh	2.651	0.334	5.164	0.064	2.127	0.527
Initial Queue Delay (d3), s/veh	0.000	0.000	0.000	0.000	0.000	0.000
Progression Adjustment Factor (PF)	1.000	1.000	1.000	1.000	1.000	1.000
Control Delay (d), s/veh	16.343	2.515	26.283	2.006	26.867	8.455
Level Of Service	B	A	C	A	C	A
Total Delay, veh-hr	5.457	0.154	1.446	0.028	0.239	1.820
Fully Stopped (Nf), veh/ln	11.9	0.4	2.4	0.1	0.4	5.0
Back of Queue (Q), veh/ln	12.5	0.5	2.9	0.1	0.5	5.1
Y Ratio	0.316	0.137	0.109	0.031	0.018	0.204
Effective Green Time, s	26.5	45.0	12.5	45.0	6.0	32.5
Approach Delay, s/veh	--	14.195	--	21.388	--	9.185
Flow (v), veh/h	1202	221	198	50	32	775
Saturation Flow, veh/h	3800	1900	1900	1900	1900	3800
Adjusted Saturation Flow, veh/h	3800	1609	1809	1609	1809	3800
Available Capacity (ca), veh/h	1678	161	377	335	181	380

Control Delay (s/veh)
13.3
Level of Service
B

SR-165 & 3200 South Total Traffic – 2026

Control
Pretimed (Sequential Phasing)
Start Time 05:00:00
Change...
Remove
☐ Based on
Choose base plan...
Node 21

General
Tums
Timing
HCM Adjustments
LOS

MOEs

Flow Field Flow
Flow Interval (min.) 60
Base Saturation Flow Rate (pc/h/ln) 1900

Lane Group	↓ T	↘ R	↗ L	↖ R	↗ L	↑ T
Approach	1 (S)	1 (S)	2 (E)	2 (E)	3 (N)	3 (N)
Number of Lanes	2	1	1	1	1	2
Lane Width, ft	12.0	12.0	12.0	12.0	12.0	12.0
QAP	QAP	QAP	QAP	QAP	QAP	QAP
Adjusted Flow, veh/h	1202	375	279	70	70	775
Capacity (c), veh/h	1659	1207	386	1207	181	2039
Volume-to-Capacity Ratio (X)	0.724	0.311	0.723	0.058	0.387	0.380
Green to Cycle Ratio	0.437	0.750	0.213	0.750	0.100	0.537
Assigned Phase	1	1	3	3	2	1
Uniform Delay (d1), s/veh	13.937	2.454	21.957	1.966	25.281	8.101
Incremental Delay Calibration (K)	0.500	0.500	0.500	0.500	0.500	0.500
Incremental Delay (d2), s/veh	2.788	0.671	11.175	0.092	6.146	0.540
Initial Queue Delay (d3), s/veh	0.000	0.000	0.000	0.000	0.000	0.000
Progression Adjustment Factor (PF)	1.000	1.000	1.000	1.000	1.000	1.000
Control Delay (d), s/veh	16.726	3.124	33.133	2.058	31.427	8.641
Level Of Service	B	A	C	A	C	A
Total Delay, veh-hr	5.584	0.325	2.568	0.040	0.611	1.860
Fully Stopped (Nf), veh/ln	12.0	0.8	3.5	0.1	0.9	5.0
Back of Queue (Q), veh/ln	12.7	1.0	4.7	0.2	1.2	5.2
Y Ratio	0.316	0.233	0.154	0.043	0.039	0.204
Effective Green Time, s	26.2	45.0	12.8	45.0	6.0	32.2
Approach Delay, s/veh	--	13.491	--	26.900	--	10.529
Flow (v), veh/h	1202	375	279	70	70	775
Saturation Flow, veh/h	3800	1900	1900	1900	1900	3800
Adjusted Saturation Flow, veh/h	3800	1609	1809	1609	1809	3800
Available Capacity (ca), veh/h	1659	703	386	343	181	1659

Control Delay (s/veh) 14.3
Level of Service B



STREET VIEW 10-PLEX CONDO SIDE



STREET VIEW 10-PLEX CONDO FRONT



FRONT CORNER PERSPECTIVE



REAR PERSPECTIVE



BACK CORNER PERSPECTIVE



UNIT A3-O

UNIT A1

UNIT A2-L

UNIT A2-B

UNIT A1

UNIT A3-L





FRONT CORNER PERSPECTIVE



REAR PERSPECTIVE



BACK CORNER PERSPECTIVE



Kalahari 2,270 SQ. FT.



DESERT COTTAGE ELEVATION



DESERT CRAFTSMAN ELEVATION

Mojave 2,414 SQ. FT.



DESERT COTTAGE ELEVATION



DESERT CRAFTSMAN ELEVATION

Nibley City

Future Land Use

10/16/2018

 Nibley City Boundary

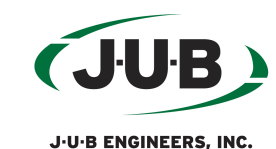
 Annexation Declaration
 Boundary

-  Parks, Open Space, and Trails
-  Agriculture
-  Open Space, Agriculture, and Low Density Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Commercial and Medium to High Density Residential
-  Commercial
-  Industrial
-  Municipal, Schools, and Churches
-  Town Center

This document and the ideas and designs incorporated herein, as an instrument of professional service, is the property of J-U-B Engineers, Inc., and is not to be used, in whole or part, for any other project without the express written authorization of J-U-B Engineers, Inc.



0 0.5 1 Miles



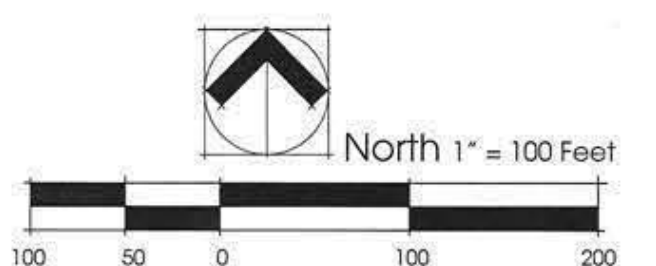
OTHER J-U-B COMPANIES



City Park

Ropelato Property, Nibley, Utah · Ironwood Construction

Total Area:	18.6 Acres	
Wetlands:	6.9 Acres	37.1 %
Parking lots:	1.1 Acres	
Net Landscaped Area:	10.3 Acres	55.4 %
Internal Trails:	5,515 Linear Feet	1.04 miles



11 NOVEMBER 2019
Concept Plan: CITY PARK

NIBLEY PROPERTY

Ropelato Property · Nibley, Utah
Ironwood Construction · 50 East 2500 North · North Logan, Utah

Agenda Item #8 & 9

Description	<u>Public Hearing</u> – Ordinance 20-08: Residential Planned Unit Development Moratorium and Discussion & Consideration – Ordinance 20-08: Residential Planned Unit Development Moratorium (2nd Reading)
Department	Planning
Presenter	Stephen Nelson, City Planner
Recommendation	Hold the public hearing and receive the public’s feedback. Move to approve Ordinance 20-08: Residential Planned unit Development Moratorium.
Reviewed By	Mayor, City Manager, and City Planner, City Attorney

Background:

Nibley City approved Nibley City Code 19.32 Residential Planned Unit Development (R-PUD) as Ordinance 19-03 on May 23, 2019. Since the adoption of the code, the City has received three applications, one that has been approved, subject to a pending referendum, and two that are partially through the approval/review process. Through the review and application process of those three applications, several concerns have been identified related to requirements in the ordinance, as currently written. Because of these concerns, members of the Planning Commission and City Council have expressed a desire to modify the ordinance and to put a moratorium on R-PUDs while the City reviews and modifies the code.

Under Utah law, a moratorium cannot last longer than six months (see Utah Code 10-9a-504). Because of the short nature of a moratorium, the City Council can approve the ordinance without a recommendation from the Planning Commission. However, the City Council would need to hold a public hearing before the ordinance could be approved.

There are currently two pending RPUD applications before the City Council for review. Although those two applications have legal standing to be reviewed under the existing ordinance, the City Council could deny both of those applications, which would require both of those

applicants to re-apply after the ordinance is revised, if they wish to reapply. If the City Council chooses to implement a moratorium and/or to revise the R-PUD ordinance, staff recommends the council consider whether or not it wants to deny the existing applications in order to require them to follow the new guidelines.

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: _____

Agenda Item #10

Description	Discussion & Consideration – Ordinance 20-07: Residential Planned Unit Development Overlay Zone and Development Agreement for Nibley Meadows, located at approximately 1000 W and 3200 S. Proposing 340 units on 54.6 acres
Department	Planning
Presenter	Stephen Nelson, City Planner
Recommendation	Make a motion to advance Ordinance 20-07: Residential Planned Unit Development Overlay Zone and Development Agreement for Nibley Meadows, located at approximately 1000 W and 3200 S. Proposing 340 units on 54.6 acres, to the second reading.
Reviewed By	Mayor, City Manager, and City Planner

Background:

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

19.32.010 Purpose And Intent

- 1. Intent: This section provides enabling authority and standards for the review and approval of applications for Residential Planned Unit Developments (R-PUD's). The intent of this ordinance is to provide an alternative to traditional subdivision design by encouraging innovation and offering some flexibility in the design of residential developments, which may incorporate the permanent preservation of amenities, agricultural lands and other valuable natural and cultural resources, as well as providing a variety of amenities for the enjoyment and benefit of the citizens of Nibley.*
- 2. Purpose: An R-PUD is an overlay rezone. That is, applicants apply for the overlay to be applied, allowing them to receive the density outlined herein in exchange for public amenities, all while retaining the original zoning of the property. The Planning Commission and City Council may approve, deny or approve the R-PUD with conditions, and no applicant has any entitlement to the approval of an R-PUD.*

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

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

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

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

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

The Planning Commission is a recommending body for an R-PUD, while the City Council is the land-use authority. The Planning Commission has made a positive recommendation of the proposed layout with amenities that meet the requirements.

Zoning

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

	R-PUD Requirements	Nibley Meadows
--	--------------------	----------------

Listed on R-PUD Application Map	Parcels need to be listed on the map	Yes
Total Gross Acres	N/A	54.602
Net Developable Acres	N/A	43.7
Total Open Space Land	35%(15.29 Acres)	43.7% (19.11 Acres)
Units Per Net Developable Acre	12 Max Units	7.78 Units
Min Lot Size for Single Family Lots	4,500 sq. ft.	4,500 sq. ft.
Total Lots	Max of 524 Unit	340 Units
Single Family Town Home Mix	20%/80%	25%/75% (68 Single Family and 272 Townhomes)
Total Park Space Required	6.5 acres with 3 Playground, 2 swing sets, 2 sport courts or fields, 2 pavilions, 2 of either clubhouse, pool, or splash pad.	14.91 acres with 2 Playgrounds, 2 swing sets, 2 sport courts, 1 pavilion, 1 clubhouse 1 pool.
Parking	2 spaces for each unit (680), and one guest parking for every 3 units (102)	The applicant is getting additional parking information but believes they will be able to meet the parking requirements.

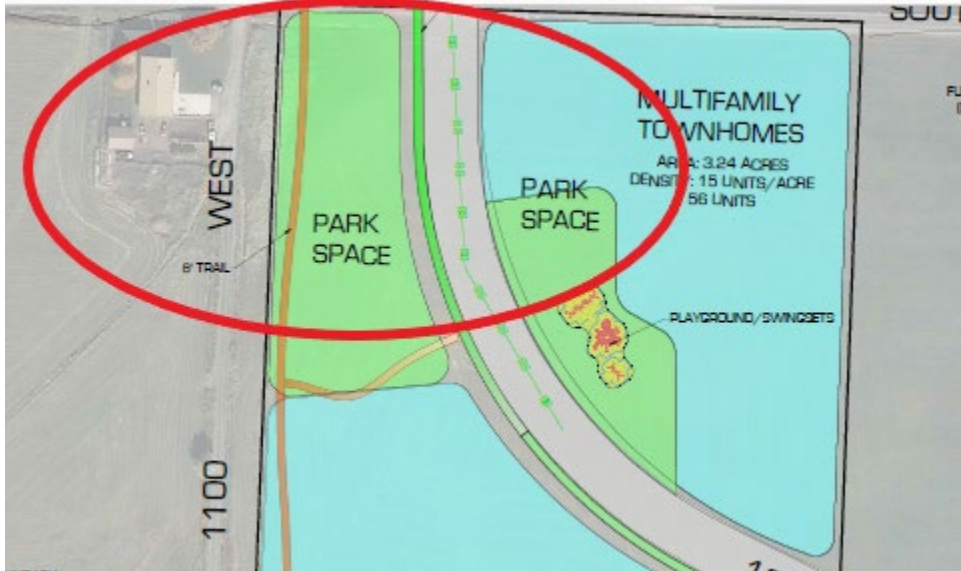
Surrounding Zoning and Land Use

Most of the surrounding land use is currently undeveloped with R-2 zoning, and most land in agricultural use. There is a residential development along 1000 W and Heritage Elementary School to the north, and a single-family home located adjacent to the northwest of the project. These homes are buffered by an arterial roadway (3200 S).

In the version recommended by the Planning Commission, there is open space adjacent to a single-family lot, and a 66-foot right-of-way. The Open Space does not appear to provide a sufficient buffer for the single-family home as required below:

19.32.040 Area and Density Regulations

C. A proposed R-PUD adjacent to existing single-family homes must place single-family homes adjacent to the established single-family homes unless otherwise buffered by an arterial roadway or 300-foot width of open space including a landscaped Buffer as defined within this chapter.



Utilities

Nibley City Public Works Director and the City Engineer have reviewed the proposed number of units and have determined that the utility lines in the area are able to support the development. The applicant will need to have a few larger lines as shown on the R-PUD concept plan. If approved, the applicant will need to submit a more detailed utility design with preliminary plats and construction drawings. The alignment of the water and sewer line on the south side of the parcels are being realigned.

Sensitive Lands and Canal

There are no sensitive lands contained within the proposed development. There are a few canals, but most of the canals are small ditches used to water the property. There is a canal that runs along the northern boundary that is adjacent or goes through open space.

Roads



Nibley City Street Master Plan: Section of the proposed area

The applicant has turned in a proposed street layout for the development. The main street plan does not show every street that will be within the development, but the primary roadways to provide the transportation needs. Staff has reviewed the general road layout and has found it complies with the Transportation Master Plan.

Staff has some concerns about connectivity within the development. Namely a connection from 900 W and 1000 W. The applicant is proposing a couple of private roadway connections between the two roads. These private roadways will need to have emergency access easements in place.

Traffic Study

The applicant has conducted a traffic study to help determine any other traffic needs or additional improvements to 3200 S and 1200 W, and will design any needed improvements to the preliminary plats and construction drawings. The full traffic study is under review by the City Engineer and other staff. Staff has sent a few questions to the applicant and are waiting for their responses.

Open Space, Trails, and Maintenance Plan

The applicant has submitted a general open space plan which includes parks, green space, trails, and buffer areas. They are proposing that a total of 43% of the net developable area be maintained as green space. The plan is that the majority of the green space be owned and maintained by a homeowners association, with some trails and even park space being dedicated to Nibley City. The applicant also has sufficient park space as required by [Nibley City Code 19.32.050 Open Space Amenities](#). The applicant will need to provide an additional playground and pavilion as required by the same code listed above. The City will need to consider the overall phasing of the project to ensure that park space is phased in a proportion of the development.

The applicant has indicated that the park on 1200 W could be dedicated as a public park. There are a few things to consider if that space should be a public park:

[Nibley City Code 19.32.020 Definitions and Standards:](#)

***Public Park:** A publicly-owned tract of land landscaped and developed for the general public. Public Parks, as defined for R-PUD, must contain at least one amenity as defined herein. Public Parks must contain one (1) tree for every 1,000 sq. ft. and 60% of the area must be planted with sod. All landscaping must meet Nibley City Standards. Sod and tree requirement may be altered for approved, sport courts/fields, swimming pools, splash pads, covered pavilions or other approved recreation uses. Public Parks shall be placed on the border of each development so that it may easily be accessed by the community as a whole. Each public park must contain a public bathroom.*

The Applicant has stated that if the City Council would like that area to be a public park, that they would be open to what improvements needed to be made on the property. Public park space must be approved by the City Council. All other amenities will be maintained by a local homeowners association.

The applicant has also included all trails as shown on Nibley's Trail Master Plan (attached). The Trail Master plan shows that the 1100 W right-of-way should be turned into trail space. The applicant has shown the trail space following along 1100 W right-of-way. Staff has recommended that the single-family homes located on the very south be connected to the rest of the development with a trail along 1100 W.

Planning Commission Review

The Planning Commission recommended that the developer make a few changes from the original application. One of the Planning Commission's main concerns was traffic flow within the development. The original application had a majority of the traffic funneled onto 3200 S and 1000 W. With that concern, the roads were laid out to get most of the proposed traffic onto 1200 W. The Planning Commission also requested that the different housing types be grouped together. This caused the single-family homes to be mostly grouped in the south of the property.

The Planning Commission also recommended pulling the townhomes along 3200 S farther back to around 40 feet to provide a further buffer from 3200 S and the Heritage Elementary School.

The Planning Commission gave a positive recommendation on the application presented with a three to one vote.

Recommended Findings

1. Buffering for the single-family home located to the northwest of the projects needs to be brought up to City code.
2. The applicant will need to provide an additional playground and pavilion.

Other Consideration

1. Parking: the applicant has committed to following the parking standard within the ordinance. The applicant has also indicated that the townhomes will have a two car garage.
2. Open space construction and phasing of the project.
3. Housing layout and ratio.
4. Park Space: should the City take ownership of the park space on 1200 W?
5. Traffic: A traffic report has been included with application.
6. This application has legal standing to be reviewed under the existing R-PUD ordinance. However, in light of the moratorium the City Council is considering, the Council could deny this application, which would require the applicant to re-apply after the ordinance is revised, if they wish to reapply. If the City Council chooses to implement a moratorium and/or to revise the R-PUD ordinance, it may wish to deny this application in order to require the applicant to follow the new guidelines.

ORDINANCE 20-07

**RESIDENTIAL PLANNED UNIT DEVELOPMENT OVERLAY ZONE
APPLICATION AND DEVELOPMENT AGREEMENT FOR THE PROPOSED NIBLEY
MEADOWS RESIDENTIAL PLANNED UNIT DEVELOPMENT**

WHEREAS, Nibley City's Moderate Income Housing Plan encourages development of higher diversity of housing types; and

WHEREAS, the City Council created the Residential Planned Unit Overlay Zone to allow a higher diversity of housing types and developments; and

WHEREAS, the City Council and Planning Commission finds the proposed Nibley Meadows Residential Planned Unit Development meets the criteria listed in Nibley City Code and is a desirable place for a Residential Planned Unit Development Overlay Zone.

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

1. The attached Residential Planned Unit Development Overlay Zone Application be approved for parcels 03-018-0017, 03-050-007, and 03-050-0001
2. The attached Development Agreement be approved
3. The Overlay Zone shall not take place until the Developer and City have signed the attached Development Agreement and said Development Agreement has been properly recorded as required by Nibley City Code.
4. All ordinances, resolutions and polices of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving and law, order, resolution or ordinance or part thereof.

PASSED BY THE NIBLEY CITY COUNCIL THIS ____ DAY OF _____ 2020.

Shaun Dustin, Mayor

ATTEST:

David Zook, City Recorder



*80% VALUE IS PER CODE, NOT PER FINAL LAYOUT.

CONCEPT PLAN

7 Point Royal, LLC
R-PUD Overlay Zone Application

Supporting Materials

1. A complete development plan application that is duly signed by the property owner or the owner's representative and that includes a legal description of the property and a nonrefundable application fee.

submitted

2. A vicinity map showing the approximate location of the subject parcel in relation to other major areas of the city.

Provided on the drawing

3. A general description of the proposed development, together with a map indicating the general development pattern, land uses, densities, intensities, open spaces, parks and recreation, and how the project is coordinating with existing and planned trails, sidewalks and pedestrian walkways and any other important elements within or adjacent to the project.

These elements are shown on the included drawing.

It is the intent of the development to compliment the efforts of the city in providing continuity of trails, open space, transportation and utilities through the development rather than create an island within the city.

4. Sufficient detail to indicate how the proposed development complies with the development standards for residential and nonresidential uses according to Nibley City Code and Design Standards.

Provided on the drawing

5. A description of architectural design standards that will apply to all buildings within the development plan.

To ensure continuity between pods and housing types, all multi-family buildings will meet the following guidelines as listed in 19.32.080:

A. Townhome, Patio Homes, and Condominium Architectural Standards

1. General Design Concepts. New development shall be designed for its specific context within Nibley City. Developments shall possess a similar design theme, and the site shall be designed such that the overall development is cohesive. Building architecture, exterior materials, and colors shall coordinate.

2. All facades shall include architectural treatments to provide visual interest and to differentiate individual units. These design standards shall be applicable to all sides of a building, with each façade (front, rear, and side) being required to meet the terms of this Section.

3. Building Materials. The majority of each façade (51% or more of the wall area excluding windows and doors) shall be constructed of the following hard surface building materials: brick, stone, stucco, treated or split face decorative block (CMU), fiber cement siding, concrete,

composite siding, or other durable building material as approved by the City Council. EIFS or untreated concrete block (CMU) may be allowed as an accent or secondary material only. The Planning Commission may approve metal as an exterior building material and as a primary material on a case-by-case basis if an applicant can show that the type of metal is of a high grade and provides architectural quality to a building.

4. Vertical Separation. Buildings in excess of one (1) story in height shall exhibit architectural detailing that establishes a vertical separation between lower and upper stories. This may be accomplished by a mid-façade cornice or trim, a change in material, style or color, a façade step-back or roof pitch with dormer windows, or other methods

5. Building Entrances. Building entrances shall have porches and shall be oriented toward the street or an open space area and provide connecting pedestrian access between the street, parking or open space areas.

6. Variation. Townhome dwellings units shall be designed with architectural wall variations spaced at intervals of thirty (30) to fifty (50) feet in linear width, depending on the size of the building. The following architectural features shall be incorporated into the design of the building:

- a. Change in building materials;
- b. Building projections measuring at least twelve(12) inches in depth based on the scale of the proposed building;
- c. Awnings and lighting, or another architectural variation as approved on a case-by-case basis that creates visual interest.

7. Garages. Townhomes shall be designed oriented toward exterior public roads with rear loading garages accessed by a paved parking area or alleyway, except along Highway 165 and 89/91 as approved. Rear loading garages are highly encouraged for townhomes located on interior project roads with units oriented toward a road or common courtyard area. Front loading garages may be allowed for townhomes that do not have any portion of the building adjacent to a current or planned public road or street outside of the development. Multiple unit structures shall have garages incorporated into the primary structure. At least fifty percent (50%) of units shall contain a two-car garage. Detached garages are prohibited in R-PUDs

The single family homes will use elements and colors of the townhome exteriors to provide a balanced, but not uniform look and feel to the project without making the project feel completely distinct from the rest of the community.

6. A data table showing the total number of lots/units. Existing and proposed infrastructure including proposed roadways, utility locations and capacities and the estimated impacts of the proposed development plan on all public utilities including culinary water, secondary water, wastewater, transportation, storm drainage, fire protection, solid waste, parks and recreation demands of the proposed project.

Provided on the drawing

7. Existing physical characteristics of the site including all constrained and sensitive land

There are no sensitive areas within the project boundary.

8. Identify how environmental issues, if any, will be protected or mitigated, i.e., wetlands, historical sites, endangered plants and animals.

The lower areas and the ditches will be incorporated into the overall layout.

9. Conceptual information relating to storm drainage including 100-year 24-hour drainage flows, 10-year 24-hour stormwater flows and proposed storm drainage facilities.

Provided

10. Major street layout that meets Nibley City standards.

The road network uses the transportation plan layout info as a backbone for the major roads.

11. A general description of controlling entities and methods such as the use of CC&Rs, Owners Associations, architectural or design review committees or associations proposed to ensure that internal compatibility related to issues such as site design and architecture will be maintained over the life of the project.

There will be a homeowner's association with an architectural review committee established to ensure compliance with recorded CC&Rs.

12. A list of property owners' names and addresses within three hundred feet (300') of the subject property and stamped and pre-addressed envelopes (return address to be left blank) for all property owners within three hundred feet (300') of the propose development.

Provided

13. A list of land adjacent in the same ownership.

All lands within the overlay area that are under the same ownership are part of this application. All other adjacent property under the same ownership has been previously approved under the Nibley Farms subdivision process including 03-017-0013, 03-049-0006, 03-049-0007 and 03-049-0008.

14. An electronic file of all submitted plans in PDF format or other electronic format determined by city staff. Such other information shall be included as may be necessary to determine that the contemplated arrangement of uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this title.

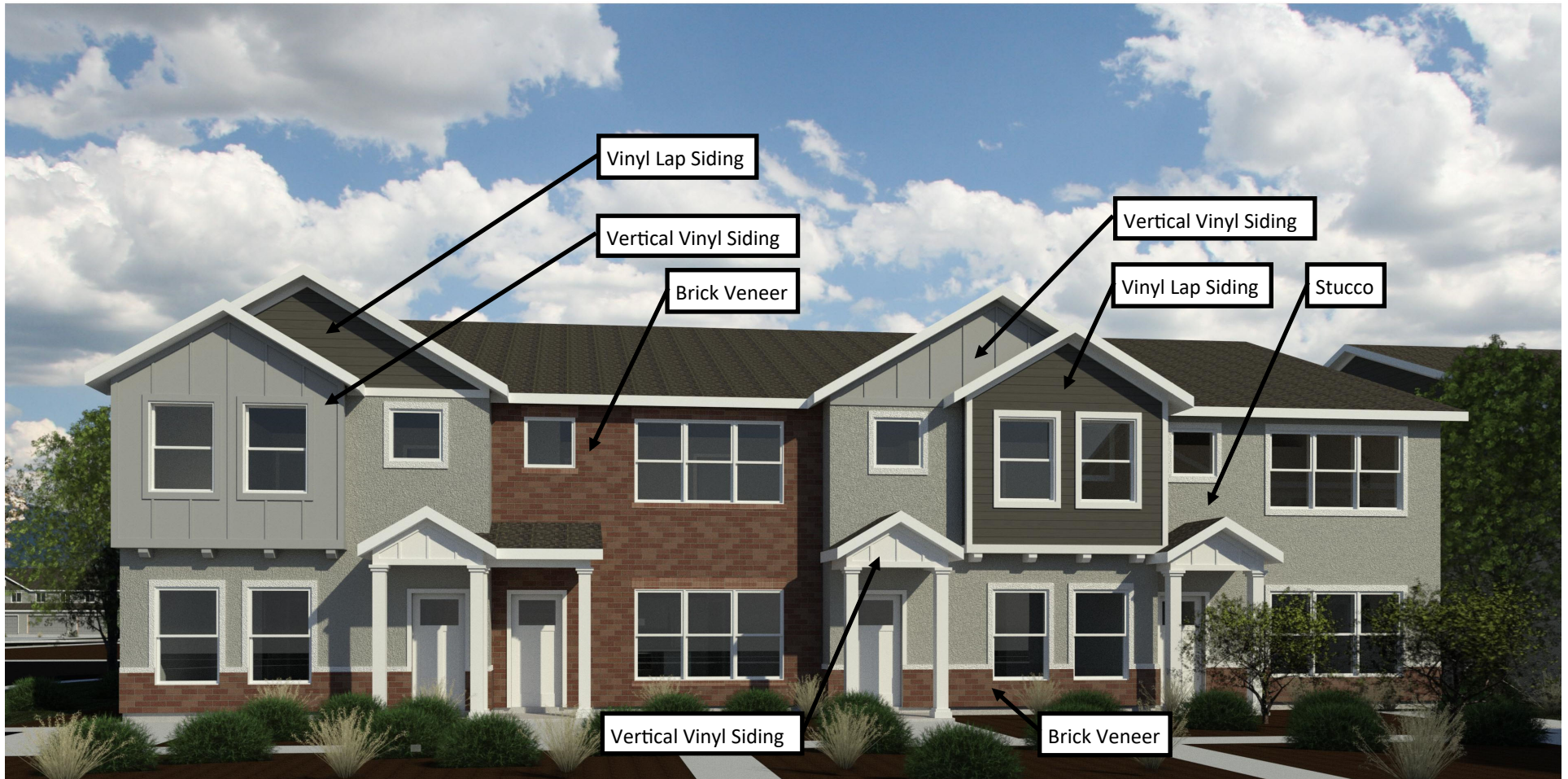
Provided

15. Any other information the City may require to determine that the proposed application meets all requirements

Nibley Meadows - Phase 1

Exterior Finish Calculation (Front Elevation)

Total Exterior Finish Area (Excluding Windows & Doors):	1,109 SF
Hard Surface Finish Area: (Stucco, Brick Veneer)	801 SF (72%)
Vinyl Siding Surface Area:	308 SF (28%)





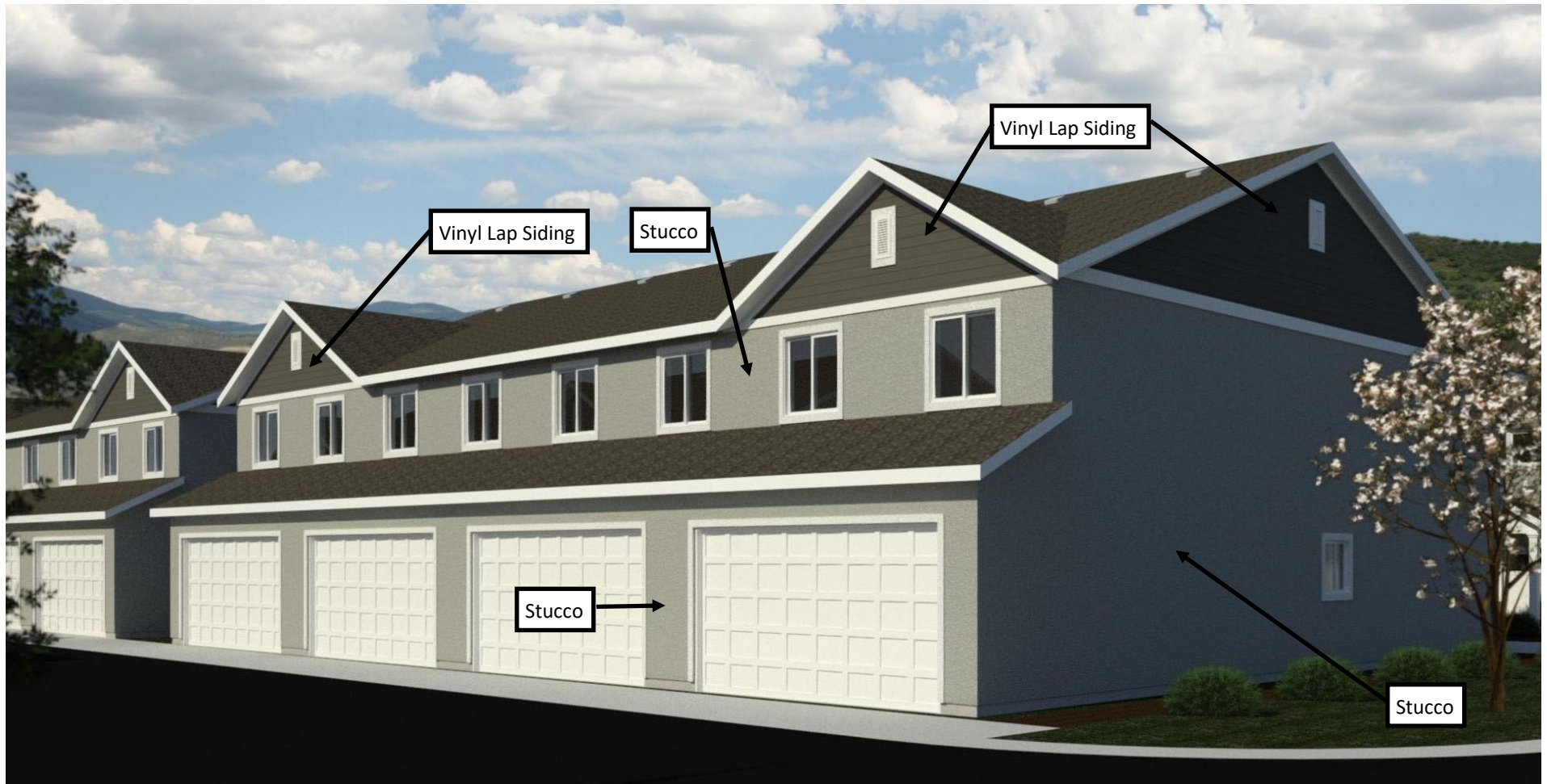
Nibley Meadows - Phase 1

Exterior Finish Calculation (Side Elevation)

Total Exterior Finish Area (Excluding Windows & Doors):	1,137SF
Hard Surface Finish Area: (Stucco)	905 SF (80%)
Vinyl Siding Surface Area:	232 SF (20%)

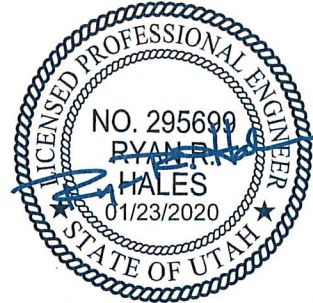
Exterior Finish Calculation (Rear Elevation)

Total Exterior Finish Area (Excluding Windows & Doors):	667 SF
Hard Surface Finish Area: (Stucco)	527 SF (79%)
Vinyl Siding Surface Area:	140 SF (21%)



MEMORANDUM

Date: January 22, 2020
To: Travis Taylor, PE, Westates Companies
From: Hales Engineering



Subject: Nibley Riggs Traffic Study

UT20-1612

This memorandum discusses the study completed for the Riggs development in Nibley. Included in this memorandum is a description of the project, an outline of the data collection process, and an analysis of the anticipated development traffic impact on the surrounding network.

After performing an existing (2020) evening peak hour analysis, it was determined that all intersections are anticipated to operate at an acceptable level of service with and without the project. Hales Engineering recommends that the existing two-way left-turn lane on the westbound approach of the 1000 West / 3200 South intersection be restriped into a separate left-turn lane for ingress to the project access. Storage length for the left-turn lane is recommended to be 100 feet. Further study of morning peak hour and future scenarios may be needed.

Project Description

The Riggs project is a residential development located in Nibley, Utah. The development is located on the south side of 3200 South, just east of 1200 west, and will consist of residential townhome and single-family units. A concept plan for the proposed development is provided in Appendix C. The proposed land use for the development has been identified as having 70 single-family homes and 270 townhomes.

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, 10th Edition, 2017. Trip generation for the proposed project is as follows, see Table 1:

- | | |
|----------------------------|-------|
| • Daily Trips: | 2,786 |
| • Morning Peak Hour Trips: | 187 |
| • Evening Peak Hour Trips: | 220 |

Table 1 Nibley - Riggs TIS Trip Generation								
Weekday Daily								
Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total Daily Trips
Single-Family Detached Housing (210)	54	Dwelling Units	590	50%	50%	295	295	590
Multifamily Housing (Low-Rise) (220)	270	Dwelling Units	2,002	50%	50%	1,001	1,001	2,002
Single-Family Detached Housing (210)	16	Dwelling Units	194	50%	50%	97	97	194
Project Total Daily Trips						1,393	1,393	2,786
Morning Peak Hour								
Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total a.m. Trips
Single-Family Detached Housing (210)	54	Dwelling Units	44	25%	75%	11	33	44
Multifamily Housing (Low-Rise) (220)	270	Dwelling Units	124	23%	77%	29	95	124
Single-Family Detached Housing (210)	16	Dwelling Units	18	25%	75%	5	14	19
Project Total a.m. Peak Hour Trips						45	142	187
Evening Peak Hour								
Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total p.m. Trips
Single-Family Detached Housing (210)	54	Dwelling Units	58	63%	37%	37	21	58
Multifamily Housing (Low-Rise) (220)	270	Dwelling Units	144	63%	37%	91	53	144
Single-Family Detached Housing (210)	16	Dwelling Units	18	63%	37%	11	7	18
Project Total p.m. Peak Hour Trips						139	81	220
¹ Land Use Code from the Institute of Transportation Engineers (ITE) <i>Trip Generation</i> , 10th Edition, 2017. SOURCE: Hales Engineering, January 2020								

There are three project accesses as shown on the site plan. Two accesses tee into 1200 West, and one access meets 3200 South at the 1000 West intersection. All accesses were assumed to have shared left-turn / thru / right-turn lanes or shared left-turn / right-turn lanes leading out of the project. The access on 3200 South was modeled as having a separate westbound left-turn lane, as it would only require restriping the existing two-way left-turn lane (TWLTL) on 3200 South. The storage length for the separate left-turn lane is recommended to be 100 feet.

Data Collection

Weekday evening (4:00 to 6:00 p.m.) peak period traffic counts were performed at the following intersections:

- 1200 West (Miller Road) / 3200 South
- 1000 West / 3200 South

The counts were performed on Tuesday, January 21, 2020. The evening peak hour was determined to be between 4:30 and 5:30 p.m. The evening peak hour volumes were assumed to be higher; however, Heritage Elementary School is located across 3200 South from the project, which means that further study of the morning peak hour may be warranted. Detailed count data are included in Appendix A.

Hales Engineering made seasonal adjustments to the observed traffic volumes. Monthly traffic volume data were obtained from a nearby UDOT automatic traffic recorder (ATR) on SR-165 (ATR #622). In recent years, traffic volumes in January have been equal to approximately 79% of average traffic volumes. The observed traffic volumes were adjusted accordingly to determine average turning movement counts at the study intersections.

Figure 1 shows the existing evening peak hour volumes as well as the intersection geometry at the study intersections, and Figure 2 shows the volumes and intersection geometry with project traffic added.





Level of Service Analysis

Level of service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst.

The *Highway Capacity Manual* (HCM), 6th Edition, 2016 methodology was used in this study to remain consistent with “state-of-the-practice” professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized and all-way stop intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections, LOS is reported based on the worst approach.

Using Synchro/SimTraffic software, which follow the HCM methodology, the peak hour LOS was computed for each study intersection. Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. The detailed LOS reports are provided in Appendix B. Hales Engineering also calculated the 95th percentile queue lengths for each of the study intersections using SimTraffic. The detailed queue length reports are provided in Appendix D.

For the purposes of this study, a minimum acceptable intersection performance for each of the study intersections was set at LOS D. If levels of service E or F conditions exist, an explanation and/or mitigation measures will be presented. A LOS D threshold is consistent with “state-of-the-practice” traffic engineering principles for urbanized areas.

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the evening peak hour in background conditions and with project traffic added, as shown in Table 1.

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. Some queuing was observed and anticipated for the evening peak hour, most significantly on the northbound approach of the 1200 West / 3200 South intersection. During existing (2020) background conditions, the 95th percentile queue length was approximately 190 feet, and during existing (2020) plus project conditions, the 95th percentile queue length was approximately 320 feet.

Table 1: Riggs Evening Peak Hour Level of Service

LOS Analysis - Evening Peak Hour Nibley - Riggs TS		
Intersection	Level of Service (Sec/Veh)¹	
	Existing (2020) Background	Existing (2020) Plus Project
1200 West / 3200 South	C (15.5) / NB	D (25.8) / NB
1000 West & 900 West / 3200 South	A (4.9) / SB	A (6.8) / NB
3300 South / 1200 West ²	-	A (7.5) / WB
Access 3 / 1200 West ²	-	A (5.5) / WB
1. Intersection LOS and delay (seconds/vehicle) values represent the overall intersection average for roundabout, signalized, all-way stop controlled intersections and the worst approach for all other unsignalized intersections. 2. This intersection is a project access and was only analyzed in "plus project" scenarios.		
Source: Hales Engineering, January 2020		

Cross Section / Turn Pockets

In the *Nibley Transportation Master Plan (NTMP)* dated, January 2019, it proposes that 3200 South become a three-lane street (one lane per direction and a two-way left-turn lane) with a bike lane and trail facility (pg. 4). Currently, 3200 South is constructed as a three-lane road with a bike lane on the north and south of the existing pavement section. A three-lane road can handle approximately 13,000 ADT (see NTMP, Table 1, Capacity Thresholds), and with the project traffic 3200 South will increase to approximately 6,000 to 7,000 ADT, well below the thresholds and functioning at an acceptable LOS B/C.

In discussions with the City Engineer, there is a desire to add an eastbound right-turn pocket at the 1000 West / 3200 South intersection. The default standard for identifying a needed right-turn pocket is to review the UDOT requirements. In this case, UDOT's requirement is 50 vehicles per hour and the project is projected to have 53 vehicle per hour. Although this is slightly over the threshold, leaving the right-turning vehicles in the through lane will provide some minor traffic calming near the elementary school by slowing traffic.

Conclusions and Recommendations

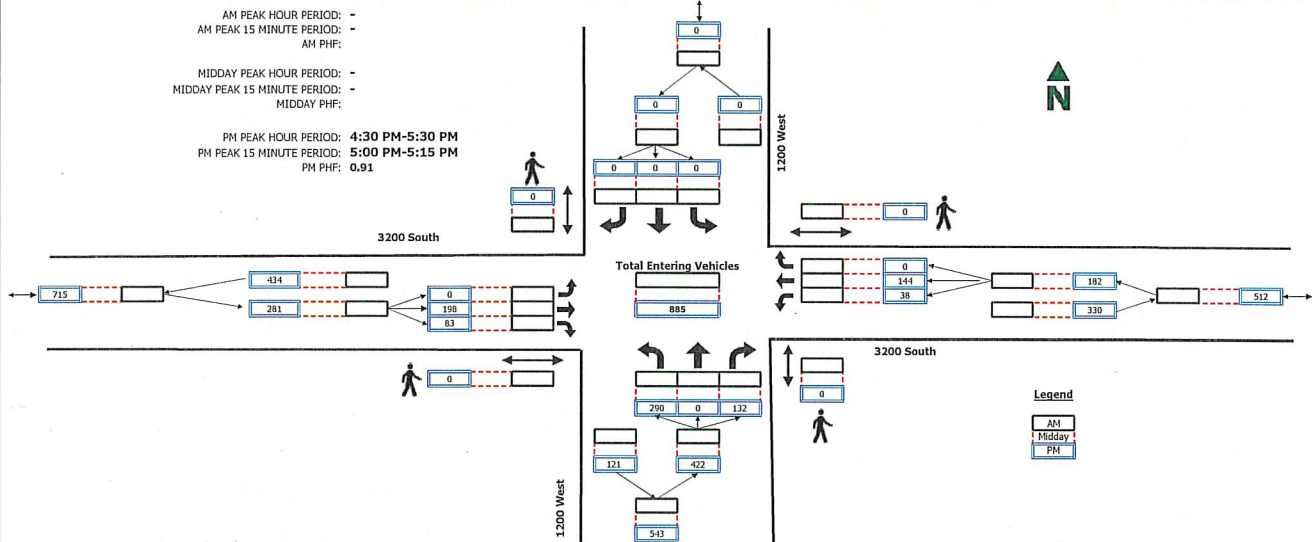
After performing an existing (2020) evening peak hour analysis, it was determined that all intersections are anticipated to operate at an acceptable level of service with and without the project. Hales Engineering recommends that the existing two-way left-turn lane on the westbound approach of the 1000 West / 3200 South intersection be restriped into a separate left-turn lane for ingress to the project access. Storage length for the left-turn lane is recommended to be 100 feet. Further study of morning peak hour and future scenarios may be needed.

APPENDIX A

Turning Movement Counts

Intersection: 1200 West / 3200 South
North/South: 1200 West
East/West: 3200 South
Jurisdiction: Nibley
Project Title: Riggs TS
Project No: UT20-1612
Weather: Clear

Date:	1-21-20, Tue
Day of Week Adjustment:	100.0%
Month of Year Adjustment:	79.0%
Adjustment Station #:	622
Growth Rate:	0.0%
Number of Years:	0



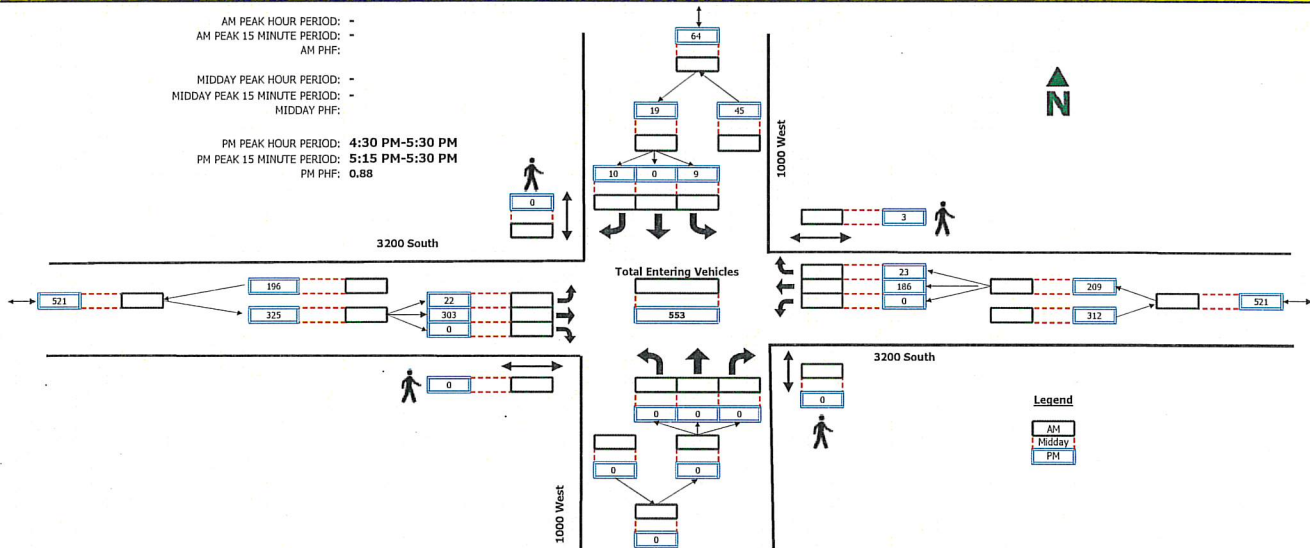
RAW COUNT SUMMARIES	1200 West Northbound				1200 West Southbound				3200 South Eastbound				3200 South Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period:	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 - 7:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 - 7:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 - 8:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 - 8:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 - 8:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 - 8:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 - 9:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MIDDAY PERIOD COUNTS																	
Period:	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period:	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00 - 16:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:15 - 16:30	52	0	15	0	0	0	0	0	49	23	0	9	47	0	0	0	195
16:30 - 16:45	96	0	25	0	0	0	0	0	48	18	0	8	34	0	0	0	229
16:45 - 17:00	49	0	27	0	0	0	0	0	58	15	0	6	34	0	0	0	189
17:00 - 17:15	77	0	39	0	0	0	0	0	46	30	0	11	39	0	0	0	242
17:15 - 17:30	68	0	41	0	0	0	0	0	46	20	0	13	37	0	0	0	225
17:30 - 17:45	30	0	15	0	0	0	0	0	39	15	0	4	41	0	0	0	144
17:45 - 18:00	14	0	6	0	0	0	0	0	44	14	0	9	30	0	0	0	117

Intersection Turning Movement Summary

Intersection: 1000 West / 3200 South
North/South: 1000 West
East/West: 3200 South
Jurisdiction: Nibley
Project Title: Riggs TS
Project No: UT20-1612
Weather: Clear

Date: 1-21-20, Tue
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 79.0%
Adjustment Station #: 622
Growth Rate: 0.0%
Number of Years: 0

AM PEAK HOUR PERIOD: -
AM PEAK 15 MINUTE PERIOD: -
AM PHF: -
MIDDAY PEAK HOUR PERIOD: -
MIDDAY PEAK 15 MINUTE PERIOD: -
MIDDAY PHF: -
PM PEAK HOUR PERIOD: 4:30 PM-5:30 PM
PM PEAK 15 MINUTE PERIOD: 5:15 PM-5:30 PM
PM PHF: 0.88



RAW COUNT SUMMARIES	1000 West Northbound				1000 West Southbound				3200 South Eastbound				3200 South Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 - 7:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 - 7:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 - 8:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 - 8:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 - 8:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 - 8:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 - 9:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MIDDAY PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00 - 16:15	0	0	0	0	13	0	4	0	6	63	0	0	0	43	4	0	123
16:15 - 16:30	0	0	0	0	3	0	3	0	5	52	0	0	0	44	4	0	111
16:30 - 16:45	0	0	0	0	3	0	1	0	8	53	0	0	0	48	4	0	117
16:45 - 17:00	0	0	0	0	0	0	3	0	1	86	0	0	0	42	11	0	143
17:00 - 17:15	0	0	0	0	1	0	3	0	4	78	0	0	0	44	5	3	135
17:15 - 17:30	0	0	0	0	5	0	3	0	9	86	0	0	0	52	3	0	158
17:30 - 17:45	0	0	0	0	1	0	3	0	6	58	0	0	0	39	3	0	112
17:45 - 18:00	0	0	0	0	5	0	0	0	5	44	0	0	0	35	5	0	94

APPENDIX B

LOS Results

SimTraffic LOS Report

Project: Nibley Riggs TS
Analysis Period: Existing (2020) Background
Time Period: Evening Peak Hour

Project #: UT20-1612

Intersection: 1200 West & 3200 South
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	290	286	99	16.6	C
	R	132	131	99	13.2	B
	Subtotal	422	417	99	15.5	C
EB	T	198	202	102	1.5	A
	R	83	87	105	0.7	A
	Subtotal	281	289	103	1.3	A
WB	L	41	37	90	3.1	A
	T	155	156	101	0.8	A
	Subtotal	196	193	98	1.2	A
Total		899	899	100	7.9	A

Intersection: 3200 South & 1000 West
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SB	L	9	8	86	6.8	A
	R	10	11	107	3.5	A
	Subtotal	19	19	100	4.9	A
EB	L	22	21	97	2.8	A
	T	309	314	102	0.7	A
	Subtotal	331	335	101	0.8	A
WB	T	186	182	98	0.5	A
	R	23	26	114	0.3	A
	Subtotal	209	208	100	0.5	A
Total		559	562	101	0.8	A

1: 1200 West & 3200 South Performance by movement Interval #1 5:30

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.3	0.3	0.0	0.0	0.3	0.3	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.3	0.1	0.4
Total Del/Veh (s)	1.5	0.8	3.1	0.7	13.4	10.4	6.4
Vehicles Entered	48	21	9	37	66	30	211
Vehicles Exited	49	22	9	37	67	31	215
Hourly Exit Rate	196	88	36	148	268	124	860
Input Volume	191	80	40	150	280	128	869
% of Volume	103	110	90	99	96	97	99

1: 1200 West & 3200 South Performance by movement Interval #2 5:45

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.3	0.2	0.0	0.0	0.3	0.3	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.3	0.1	0.5
Total Del/Veh (s)	1.4	0.6	3.0	0.9	16.4	12.8	7.9
Vehicles Entered	48	21	11	38	71	32	221
Vehicles Exited	46	20	11	38	70	31	216
Hourly Exit Rate	184	80	44	152	280	124	864
Input Volume	191	80	40	150	280	128	869
% of Volume	96	100	110	101	100	97	99

1: 1200 West & 3200 South Performance by movement Interval #3 6:00

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.3	0.3	0.0	0.0	0.3	0.3	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.4	0.2	0.7
Total Del/Veh (s)	1.8	0.7	3.4	0.9	19.3	15.8	9.2
Vehicles Entered	56	25	10	43	78	38	250
Vehicles Exited	57	25	10	43	77	37	249
Hourly Exit Rate	228	100	40	172	308	148	996
Input Volume	218	91	45	170	319	145	988
% of Volume	105	110	89	101	97	102	101

1: 1200 West & 3200 South Performance by movement Interval #4 6:15

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.2	0.2	0.0	0.0	0.3	0.4	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.3	0.1	0.4
Total Del/Veh (s)	1.3	0.5	2.6	0.7	14.3	11.3	7.0
Vehicles Entered	50	20	9	39	71	31	220
Vehicles Exited	50	20	8	39	73	32	222
Hourly Exit Rate	200	80	32	156	292	128	888
Input Volume	191	80	40	150	280	128	869
% of Volume	105	100	80	104	104	100	102

1: 1200 West & 3200 South Performance by movement Entire Run

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Denied Del/Veh (s)	0.3	0.3	0.0	0.0	0.3	0.3	0.2
Total Delay (hr)	0.1	0.0	0.0	0.0	1.3	0.5	2.0
Total Del/Veh (s)	1.5	0.7	3.1	0.8	16.6	13.2	7.9
Vehicles Entered	202	87	38	156	287	131	901
Vehicles Exited	202	87	37	156	286	131	899
Hourly Exit Rate	202	87	37	156	286	131	899
Input Volume	198	83	41	155	290	132	899
% of Volume	102	105	90	101	99	99	100

2: 3200 South & 1000 West Performance by movement Interval #1 5:30

Movement	EBL	EBT	WBT	WBR	SBL	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.0	0.2	0.2	0.1	4.3	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	2.7	0.7	0.5	0.2	7.8	3.7	0.8
Vehicles Entered	5	75	42	6	2	3	133
Vehicles Exited	5	76	42	6	2	3	134
Hourly Exit Rate	20	304	168	24	8	12	536
Input Volume	21	299	180	22	9	10	541
% of Volume	95	102	93	109	89	120	99

2: 3200 South & 1000 West Performance by movement Interval #2 5:45

Movement	EBL	EBT	WBT	WBR	SBL	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.2	0.2	0.2	3.7	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.1	0.7	0.5	0.2	6.4	3.1	0.8
Vehicles Entered	5	73	46	6	2	3	135
Vehicles Exited	5	72	46	7	2	3	135
Hourly Exit Rate	20	288	184	28	8	12	540
Input Volume	21	299	180	22	9	10	541
% of Volume	95	96	102	127	89	120	100

2: 3200 South & 1000 West Performance by movement Interval #3 6:00

Movement	EBL	EBT	WBT	WBR	SBL	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.2	0.2	0.1	5.2	0.1
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	2.6	0.7	0.6	0.3	5.3	4.4	0.9
Vehicles Entered	6	88	49	7	3	2	155
Vehicles Exited	6	88	50	7	3	2	156
Hourly Exit Rate	24	352	200	28	12	8	624
Input Volume	24	339	204	25	10	11	613
% of Volume	100	104	98	112	120	73	102

2: 3200 South & 1000 West Performance by movement Interval #4 6:15

Movement	EBL	EBT	WBT	WBR	SBL	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.2	0.2	0.1	4.2	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	2.7	0.6	0.5	0.3	5.1	3.0	0.8
Vehicles Entered	5	77	46	6	2	3	139
Vehicles Exited	5	78	45	6	1	3	138
Hourly Exit Rate	20	312	180	24	4	12	552
Input Volume	21	299	180	22	9	10	541
% of Volume	95	104	100	109	44	120	102

2: 3200 South & 1000 West Performance by movement Entire Run

Movement	EBL	EBT	WBT	WBR	SBL	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.2	0.2	0.1	4.3	0.2
Total Delay (hr)	0.0	0.1	0.0	0.0	0.0	0.0	0.1
Total Del/Veh (s)	2.8	0.7	0.5	0.3	6.8	3.5	0.8
Vehicles Entered	21	313	183	26	8	11	562
Vehicles Exited	21	314	182	26	8	11	562
Hourly Exit Rate	21	314	182	26	8	11	562
Input Volume	22	309	186	23	9	10	559
% of Volume	97	102	98	114	86	107	101

Total Network Performance By Interval

Interval Start	5:30	5:45	6:00	6:15	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.1
Denied Del/Veh (s)	0.3	0.3	0.3	0.3	0.3
Total Delay (hr)	0.5	0.6	0.7	0.5	2.3
Total Del/Veh (s)	7.1	8.4	9.9	7.5	8.7
Vehicles Entered	218	229	258	229	936
Vehicles Exited	223	224	256	230	934
Hourly Exit Rate	892	896	1024	920	934
Input Volume	2310	2310	2623	2310	2388
% of Volume	39	39	39	40	39

Intersection: 1: 1200 West & 3200 South, Interval #1

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	30	131
Average Queue (ft)	11	87
95th Queue (ft)	34	143
Link Distance (ft)	1642	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 1: 1200 West & 3200 South, Interval #2

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	32	181
Average Queue (ft)	12	102
95th Queue (ft)	38	191
Link Distance (ft)	1642	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 1: 1200 West & 3200 South, Interval #3

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	37	210
Average Queue (ft)	13	125
95th Queue (ft)	42	229
Link Distance (ft)	1642	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 1: 1200 West & 3200 South, Interval #4

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	31	163
Average Queue (ft)	9	93
95th Queue (ft)	31	164
Link Distance (ft)	1642	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 1: 1200 West & 3200 South, All Intervals

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	41	244
Average Queue (ft)	11	102
95th Queue (ft)	36	187
Link Distance (ft)	1642	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 2: 3200 South & 1000 West, Interval #1

Movement	EB	SB	SB
Directions Served	L	L	R
Maximum Queue (ft)	20	28	28
Average Queue (ft)	3	8	11
95th Queue (ft)	19	30	35
Link Distance (ft)	649		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	100	100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 2: 3200 South & 1000 West, Interval #2

Movement	EB	SB	SB
Directions Served	L	L	R
Maximum Queue (ft)	27	31	31
Average Queue (ft)	6	6	10
95th Queue (ft)	26	26	33
Link Distance (ft)	649		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	100	100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 2: 3200 South & 1000 West, Interval #3

Movement	EB	SB	SB
Directions Served	L	L	R
Maximum Queue (ft)	15	31	28
Average Queue (ft)	3	9	8
95th Queue (ft)	19	33	30
Link Distance (ft)	649		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	100	100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 2: 3200 South & 1000 West, Interval #4

Movement	EB	SB	SB
Directions Served	L	L	R
Maximum Queue (ft)	23	27	25
Average Queue (ft)	3	5	10
95th Queue (ft)	18	24	33
Link Distance (ft)	649		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	100	100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 2: 3200 South & 1000 West, All Intervals

Movement	EB	SB	SB
Directions Served	L	L	R
Maximum Queue (ft)	31	31	31
Average Queue (ft)	4	7	10
95th Queue (ft)	21	28	33
Link Distance (ft)	649		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	100	100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Network Summary

Network wide Queuing Penalty, Interval #1: 0
Network wide Queuing Penalty, Interval #2: 0
Network wide Queuing Penalty, Interval #3: 0
Network wide Queuing Penalty, Interval #4: 0
Network wide Queuing Penalty, All Intervals: 0

SimTraffic LOS Report

Project: Nibley Riggs TS
Analysis Period: Existing (2020) Plus Project
Time Period: Evening Peak Hour

Project #: UT20-1612

Intersection: 1200 West & 3200 South
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	296	296	100	27.3	D
	T	0	0	0		
	R	142	147	103	22.7	C
	Subtotal	438	443	101	25.8	D
EB	T	246	248	101	1.9	A
	R	90	100	111	0.8	A
	Subtotal	336	348	104	1.6	A
WB	L	45	43	96	3.9	A
	T	183	185	101	1.0	A
	Subtotal	228	228	100	1.5	A
Total		1,003	1,019	102	12.1	B

Intersection: 900 West/1000 West & 3200 South
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	27	26	95	8.1	A
	T	4	5	118	8.8	A
	R	15	16	108	4.1	A
	Subtotal	46	47	102	6.8	A
SB	L	9	7	76	8.2	A
	T	7	8	110	7.9	A
	R	11	12	112	3.8	A
	Subtotal	27	27	100	6.2	A
EB	L	22	21	95	2.7	A
	T	314	318	101	1.4	A
	R	53	56	105	0.8	A
	Subtotal	389	395	102	1.4	A
WB	L	32	34	105	3.2	A
	T	189	189	100	0.6	A
	R	23	21	91	0.3	A
	Subtotal	244	244	100	0.9	A
Total		707	713	101	1.8	A

SimTraffic LOS Report

Project: Nibley Riggs TS
Analysis Period: Existing (2020) Plus Project
Time Period: Evening Peak Hour

Project #: UT20-1612

Intersection: 1200 West & 3300 South
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	T	432	434	101	1.4	A
	R	34	37	110	0.4	A
	Subtotal	466	471	101	1.3	A
SB	L	3	2	67	2.5	A
	T	132	140	106	0.5	A
	Subtotal	135	142	105	0.5	A
WB	L	22	25	114	8.0	A
	R	6	7	112	5.5	A
	Subtotal	28	32	114	7.5	A
Total		628	645	103	1.5	A

Intersection: 1200 West & Access 3
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	T	460	465	101	0.5	A
	R	3	4	133	0.0	A
	Subtotal	463	469	101	0.5	A
SB	L	8	9	109	2.5	A
	T	147	158	108	0.5	A
	Subtotal	155	167	108	0.6	A
WB	L	2	2	100	8.1	A
	R	5	6	114	4.6	A
	Subtotal	7	8	114	5.5	A
Total		625	644	103	0.6	A

1: 1200 West & 3200 South Performance by movement Interval #1 5:30

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.2	0.3	0.0	0.0	0.0	0.0	0.1
Total Delay (hr)	0.0	0.0	0.0	0.0	0.4	0.1	0.6
Total Del/Veh (s)	1.8	0.5	3.4	0.9	17.6	14.2	8.1
Vehicles Entered	60	23	11	42	72	35	243
Vehicles Exited	60	23	11	43	72	34	243
Hourly Exit Rate	240	92	44	172	288	136	972
Input Volume	235	86	43	174	283	136	957
% of Volume	102	107	102	99	102	100	102

1: 1200 West & 3200 South Performance by movement Interval #2 5:45

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.3	0.3	0.0	0.0	0.0	0.0	0.1
Total Delay (hr)	0.0	0.0	0.0	0.0	0.3	0.1	0.5
Total Del/Veh (s)	2.0	0.8	3.1	0.9	16.7	12.7	7.6
Vehicles Entered	62	24	10	43	68	35	242
Vehicles Exited	60	24	10	42	68	36	240
Hourly Exit Rate	240	96	40	168	272	144	960
Input Volume	235	86	43	174	283	136	957
% of Volume	102	112	93	97	96	106	100

1: 1200 West & 3200 South Performance by movement Interval #3 6:00

Movement	EBT	EBR	WBL	WBT	NBL	NBT	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.3	0.3	0.0	0.0	0.0		0.0	0.1
Total Delay (hr)	0.0	0.0	0.0	0.0	0.9	0.0	0.3	1.3
Total Del/Veh (s)	2.0	0.9	4.7	1.1	36.4		31.5	15.7
Vehicles Entered	68	28	12	57	83	0	39	287
Vehicles Exited	69	28	12	56	77	0	38	280
Hourly Exit Rate	276	112	48	224	308	0	152	1120
Input Volume	280	102	51	209	336	1	161	1140
% of Volume	99	110	94	107	92	0	94	98

1: 1200 West & 3200 South Performance by movement Interval #4 6:15

Movement	EBT	EBR	WBL	WBT	NBL	NBT	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.3	0.3	0.0	0.0	0.0		0.0	0.1
Total Delay (hr)	0.0	0.0	0.0	0.0	0.7	0.0	0.3	1.1
Total Del/Veh (s)	1.8	0.7	3.6	1.0	31.1		27.3	14.8
Vehicles Entered	59	24	9	43	73	0	37	245
Vehicles Exited	58	25	9	44	79	0	39	254
Hourly Exit Rate	232	100	36	176	316	0	156	1016
Input Volume	235	86	43	174	283	0	136	957
% of Volume	99	116	84	101	112		115	106

1: 1200 West & 3200 South Performance by movement Entire Run

Movement	EBT	EBR	WBL	WBT	NBL	NBT	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.3	0.3	0.0	0.0	0.0		0.0	0.1
Total Delay (hr)	0.1	0.0	0.0	0.1	2.3	0.0	0.9	3.4
Total Del/Veh (s)	1.9	0.8	3.9	1.0	27.3		22.7	12.1
Vehicles Entered	248	100	43	185	296	0	146	1018
Vehicles Exited	248	100	43	185	296	0	147	1019
Hourly Exit Rate	248	100	43	185	296	0	147	1019
Input Volume	246	90	45	183	296	0	142	1003
% of Volume	101	111	96	101	100	0	103	102

2: 900 West/1000 West & 3200 South Performance by movement Interval #1 5:30

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.0	0.0	3.6	0.2	0.3	0.1	0.1	0.1	0.1	0.1	3.6
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	2.3	1.3	0.8	2.7	0.6	0.2	7.1	7.2	3.5	7.3	8.1	3.0
Vehicles Entered	5	76	14	9	45	5	7	2	4	2	2	3
Vehicles Exited	5	75	14	9	44	5	7	2	4	2	2	2
Hourly Exit Rate	20	300	56	36	176	20	28	8	16	8	8	8
Input Volume	21	300	51	31	180	22	26	4	14	9	7	10
% of Volume	95	100	110	116	98	91	108	200	114	89	114	80

2: 900 West/1000 West & 3200 South Performance by movement Interval #1 5:30

Movement	All
Denied Delay (hr)	0.0
Denied Del/Veh (s)	0.3
Total Delay (hr)	0.1
Total Del/Veh (s)	1.7
Vehicles Entered	174
Vehicles Exited	171
Hourly Exit Rate	684
Input Volume	675
% of Volume	101

2: 900 West/1000 West & 3200 South Performance by movement Interval #2 5:45

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.0	3.5	0.2	0.4	0.1	0.1	0.1	0.1	0.3	4.8
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	2.8	1.3	0.9	3.6	0.5	0.4	8.4	13.7	3.9	10.1	8.3	4.7
Vehicles Entered	5	77	14	8	45	6	5	1	3	2	2	2
Vehicles Exited	5	78	14	8	45	6	5	1	3	2	2	2
Hourly Exit Rate	20	312	56	32	180	24	20	4	12	8	8	8
Input Volume	21	300	51	31	180	22	26	4	14	9	7	10
% of Volume	95	104	110	103	100	109	77	100	86	89	114	80

2: 900 West/1000 West & 3200 South Performance by movement Interval #2 5:45

Movement	All
Denied Delay (hr)	0.0
Denied Del/Veh (s)	0.3
Total Delay (hr)	0.1
Total Del/Veh (s)	1.7
Vehicles Entered	170
Vehicles Exited	171
Hourly Exit Rate	684
Input Volume	675
% of Volume	101

2: 900 West/1000 West & 3200 South Performance by movement Interval #3 6:00

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.0	3.6	0.3	0.2	0.2	0.1	0.1	0.1	0.1	4.3
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.0	1.6	0.8	3.1	0.7	0.3	8.5	6.9	4.1	10.0	9.1	4.3
Vehicles Entered	6	86	14	9	57	6	8	1	5	1	2	4
Vehicles Exited	6	86	14	9	57	6	8	1	5	1	2	4
Hourly Exit Rate	24	344	56	36	228	24	32	4	20	4	8	16
Input Volume	25	357	60	36	215	26	31	5	17	10	8	13
% of Volume	96	96	93	100	106	92	103	80	118	40	100	123

2: 900 West/1000 West & 3200 South Performance by movement Interval #3 6:00

Movement	All
Denied Delay (hr)	0.0
Denied Del/Veh (s)	0.4
Total Delay (hr)	0.1
Total Del/Veh (s)	1.9
Vehicles Entered	199
Vehicles Exited	199
Hourly Exit Rate	796
Input Volume	803
% of Volume	99

2: 900 West/1000 West & 3200 South Performance by movement Interval #4 6:15

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.0	3.8	0.3	0.2	0.1	0.2	0.1	0.2	0.3	3.7
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	2.1	1.4	0.8	3.6	0.5	0.3	7.1	9.2	3.9	6.4	6.2	3.5
Vehicles Entered	6	78	14	8	42	5	6	1	4	2	2	3
Vehicles Exited	5	78	14	8	43	5	6	1	4	2	2	3
Hourly Exit Rate	20	312	56	32	172	20	24	4	16	8	8	12
Input Volume	21	300	51	31	180	22	26	4	14	9	7	10
% of Volume	95	104	110	103	96	91	92	100	114	89	114	120

2: 900 West/1000 West & 3200 South Performance by movement Interval #4 6:15

Movement	All
Denied Delay (hr)	0.0
Denied Del/Veh (s)	0.3
Total Delay (hr)	0.1
Total Del/Veh (s)	1.8
Vehicles Entered	171
Vehicles Exited	171
Hourly Exit Rate	684
Input Volume	675
% of Volume	101

2: 900 West/1000 West & 3200 South Performance by movement Entire Run

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.0	3.6	0.3	0.3	0.1	0.1	0.1	0.1	0.2	4.1
Total Delay (hr)	0.0	0.1	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	2.7	1.4	0.8	3.2	0.6	0.3	8.1	8.8	4.1	8.2	7.9	3.8
Vehicles Entered	21	318	56	34	189	21	26	5	16	7	8	12
Vehicles Exited	21	318	56	34	189	21	26	5	16	7	8	12
Hourly Exit Rate	21	318	56	34	189	21	26	5	16	7	8	12
Input Volume	22	314	53	32	189	23	27	4	15	9	7	11
% of Volume	95	101	105	105	100	91	95	118	108	76	110	112

2: 900 West/1000 West & 3200 South Performance by movement Entire Run

Movement	All
Denied Delay (hr)	0.1
Denied Del/Veh (s)	0.3
Total Delay (hr)	0.4
Total Del/Veh (s)	1.8
Vehicles Entered	713
Vehicles Exited	713
Hourly Exit Rate	713
Input Volume	707
% of Volume	101

3: 1200 West & 3300 South Performance by movement Interval #1 5:30

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.2	0.0	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Total Del/Veh (s)	8.7	4.2	1.3	0.4	1.4	0.4	1.4
Vehicles Entered	6	2	105	10	1	33	157
Vehicles Exited	6	2	105	11	1	33	158
Hourly Exit Rate	24	8	420	44	4	132	632
Input Volume	21	6	412	32	3	126	600
% of Volume	114	133	102	138	133	105	105

3: 1200 West & 3300 South Performance by movement Interval #2 5:45

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.0	0.0		0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Total Del/Veh (s)	5.9	4.4	1.2	0.4		0.4	1.2
Vehicles Entered	6	2	100	9	0	34	151
Vehicles Exited	6	2	101	9	0	34	152
Hourly Exit Rate	24	8	404	36	0	136	608
Input Volume	21	6	412	32	3	126	600
% of Volume	114	133	98	112	0	108	101

3: 1200 West & 3300 South Performance by movement Interval #3 6:00

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.0	0.0		0.0	0.0
Total Delay (hr)	0.0	0.0	0.1	0.0	0.0	0.0	0.1
Total Del/Veh (s)	6.9	6.7	1.7	0.5		0.5	1.7
Vehicles Entered	8	2	123	9	0	40	182
Vehicles Exited	8	2	120	9	0	40	179
Hourly Exit Rate	32	8	480	36	0	160	716
Input Volume	25	7	491	38	3	150	714
% of Volume	128	114	98	95	0	107	100

3: 1200 West & 3300 South Performance by movement Interval #4 6:15

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.0	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Total Del/Veh (s)	9.7	7.8	1.3	0.4	2.9	0.4	1.4
Vehicles Entered	6	1	106	8	1	33	155
Vehicles Exited	6	1	108	8	1	33	157
Hourly Exit Rate	24	4	432	32	4	132	628
Input Volume	21	6	412	32	3	126	600
% of Volume	114	67	105	100	133	105	105

3: 1200 West & 3300 South Performance by movement Entire Run

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.0	0.0	0.0	0.0	0.0
Total Delay (hr)	0.1	0.0	0.2	0.0	0.0	0.0	0.3
Total Del/Veh (s)	8.0	5.5	1.4	0.4	2.5	0.5	1.5
Vehicles Entered	25	7	434	37	2	140	645
Vehicles Exited	25	7	434	37	2	140	645
Hourly Exit Rate	25	7	434	37	2	140	645
Input Volume	22	6	432	34	3	132	628
% of Volume	114	112	101	110	67	106	103

4: 1200 West & Access 3 Performance by movement Interval #1 5:30

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.3	0.1	0.0	0.0	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	4.0	3.4	0.6	0.0	2.4	0.4	0.6
Vehicles Entered	1	2	114	1	2	38	158
Vehicles Exited	1	2	114	1	2	38	158
Hourly Exit Rate	4	8	456	4	8	152	632
Input Volume	2	5	439	3	8	140	597
% of Volume	200	160	104	133	100	109	106

4: 1200 West & Access 3 Performance by movement Interval #2 5:45

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)		0.1	0.3	0.4	0.0	0.0	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)		3.4	0.5	0.0	2.2	0.4	0.6
Vehicles Entered	0	2	107	1	2	38	150
Vehicles Exited	0	2	107	1	2	37	149
Hourly Exit Rate	0	8	428	4	8	148	596
Input Volume	2	5	439	3	8	140	597
% of Volume	0	160	97	133	100	106	100

4: 1200 West & Access 3 Performance by movement Interval #3 6:00

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)		0.1	0.5	0.3	0.0	0.0	0.3
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)		5.0	0.6	0.0	3.4	0.5	0.7
Vehicles Entered	0	2	131	1	2	45	181
Vehicles Exited	0	1	131	1	2	45	180
Hourly Exit Rate	0	4	524	4	8	180	720
Input Volume	2	6	523	3	9	167	710
% of Volume	0	67	100	133	89	108	101

4: 1200 West & Access 3 Performance by movement Interval #4 6:15

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)		0.1	0.3	0.4	0.0	0.0	0.2
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)		4.1	0.5	0.0	3.4	0.4	0.6
Vehicles Entered	0	1	113	1	2	37	154
Vehicles Exited	0	1	113	1	2	37	154
Hourly Exit Rate	0	4	452	4	8	148	616
Input Volume	2	5	439	3	8	140	597
% of Volume	0	80	103	133	100	106	103

4: 1200 West & Access 3 Performance by movement Entire Run

Movement	WBL	WBR	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.4	0.3	0.0	0.0	0.3
Total Delay (hr)	0.0	0.0	0.1	0.0	0.0	0.0	0.1
Total Del/Veh (s)	8.1	4.6	0.5	0.0	2.5	0.5	0.6
Vehicles Entered	2	6	464	4	9	158	643
Vehicles Exited	2	6	465	4	9	158	644
Hourly Exit Rate	2	6	465	4	9	158	644
Input Volume	2	5	460	3	8	147	625
% of Volume	100	114	101	133	109	108	103

Total Network Performance By Interval

Interval Start	5:30	5:45	6:00	6:15	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.1
Denied Del/Veh (s)	0.4	0.4	0.5	0.4	0.4
Total Delay (hr)	0.8	0.7	1.6	1.3	4.4
Total Del/Veh (s)	9.4	8.7	16.1	15.1	13.2
Vehicles Entered	288	278	333	278	1177
Vehicles Exited	281	281	320	292	1178
Hourly Exit Rate	1124	1124	1280	1168	1178
Input Volume	3931	3931	4674	3931	4117
% of Volume	29	29	27	30	29

Intersection: 1: 1200 West & 3200 South, Interval #1

Movement	EB	WB	NB
Directions Served	TR	L	LR
Maximum Queue (ft)	2	37	198
Average Queue (ft)	0	14	111
95th Queue (ft)	5	41	208
Link Distance (ft)	862		764
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 1: 1200 West & 3200 South, Interval #2

Movement	EB	WB	NB
Directions Served	TR	L	LR
Maximum Queue (ft)	7	29	170
Average Queue (ft)	1	12	112
95th Queue (ft)	11	39	195
Link Distance (ft)	862		764
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 1: 1200 West & 3200 South, Interval #3

Movement	EB	WB	WB	NB
Directions Served	TR	L	T	LR
Maximum Queue (ft)	2	40	8	367
Average Queue (ft)	0	19	1	195
95th Queue (ft)	4	49	18	347
Link Distance (ft)	862		888	764
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)		100		
Storage Blk Time (%)			0	
Queuing Penalty (veh)			0	

Intersection: 1: 1200 West & 3200 South, Interval #4

Movement	EB	WB	NB
Directions Served	TR	L	LR
Maximum Queue (ft)	2	36	355
Average Queue (ft)	0	12	178
95th Queue (ft)	5	38	421
Link Distance (ft)	862		764
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 1: 1200 West & 3200 South, All Intervals

Movement	EB	WB	WB	NB
Directions Served	TR	L	T	LR
Maximum Queue (ft)	14	45	8	415
Average Queue (ft)	0	14	0	149
95th Queue (ft)	7	42	9	318
Link Distance (ft)	862		888	764
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)		100		
Storage Blk Time (%)			0	
Queuing Penalty (veh)			0	

Intersection: 2: 900 West/1000 West & 3200 South, Interval #1

Movement	EB	WB	WB	NB	SB	SB
Directions Served	L	L	TR	LTR	LT	R
Maximum Queue (ft)	9	29	2	44	31	28
Average Queue (ft)	2	9	0	26	13	10
95th Queue (ft)	12	33	4	51	38	34
Link Distance (ft)			768	642	649	
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)	100	100				100
Storage Blk Time (%)						
Queuing Penalty (veh)						

Intersection: 2: 900 West/1000 West & 3200 South, Interval #2

Movement	EB	WB	NB	SB	SB
Directions Served	L	L	LTR	LT	R
Maximum Queue (ft)	16	39	42	30	28
Average Queue (ft)	3	11	25	13	8
95th Queue (ft)	15	38	52	39	30
Link Distance (ft)			642	649	
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)	100	100		100	
Storage Blk Time (%)					
Queuing Penalty (veh)					

Intersection: 2: 900 West/1000 West & 3200 South, Interval #3

Movement	EB	EB	WB	NB	SB	SB
Directions Served	L	TR	L	LTR	LT	R
Maximum Queue (ft)	21	2	29	56	31	31
Average Queue (ft)	5	0	9	32	12	12
95th Queue (ft)	20	3	33	60	36	37
Link Distance (ft)		888		642	649	
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)	100		100		100	
Storage Blk Time (%)						
Queuing Penalty (veh)						

Intersection: 2: 900 West/1000 West & 3200 South, Interval #4

Movement	EB	WB	NB	SB	SB
Directions Served	L	L	LTR	LT	R
Maximum Queue (ft)	16	32	48	27	25
Average Queue (ft)	3	10	30	10	9
95th Queue (ft)	16	34	52	33	31
Link Distance (ft)			642	649	
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)	100	100		100	
Storage Blk Time (%)					
Queuing Penalty (veh)					

Intersection: 2: 900 West/1000 West & 3200 South, All Intervals

Movement	EB	EB	WB	WB	NB	SB	SB
Directions Served	L	TR	L	TR	LTR	LT	R
Maximum Queue (ft)	26	2	43	2	62	36	32
Average Queue (ft)	3	0	10	0	28	12	10
95th Queue (ft)	16	1	34	2	54	37	33
Link Distance (ft)	888		768		642	649	
Upstream Blk Time (%)							
Queuing Penalty (veh)							
Storage Bay Dist (ft)	100		100		100		
Storage Blk Time (%)							
Queuing Penalty (veh)							

Intersection: 3: 1200 West & 3300 South, Interval #1

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	42	5
Average Queue (ft)	22	1
95th Queue (ft)	50	8
Link Distance (ft)	674	764
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 3: 1200 West & 3300 South, Interval #2

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	42	5
Average Queue (ft)	24	1
95th Queue (ft)	49	8
Link Distance (ft)	674	764
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 3: 1200 West & 3300 South, Interval #3

Movement	WB
Directions Served	LR
Maximum Queue (ft)	43
Average Queue (ft)	25
95th Queue (ft)	54
Link Distance (ft)	674
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 3: 1200 West & 3300 South, Interval #4

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	46	11
Average Queue (ft)	22	2
95th Queue (ft)	53	12
Link Distance (ft)	674	764
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 3: 1200 West & 3300 South, All Intervals

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	60	16
Average Queue (ft)	23	1
95th Queue (ft)	52	8
Link Distance (ft)	674	764
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 4: 1200 West & Access 3, Interval #1

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	22	10
Average Queue (ft)	8	2
95th Queue (ft)	30	14
Link Distance (ft)	502	1234
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 4: 1200 West & Access 3, Interval #2

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	31	12
Average Queue (ft)	7	2
95th Queue (ft)	28	15
Link Distance (ft)	502	1234
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 4: 1200 West & Access 3, Interval #3

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	28	18
Average Queue (ft)	6	5
95th Queue (ft)	27	23
Link Distance (ft)	502	1234
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 4: 1200 West & Access 3, Interval #4

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	28	18
Average Queue (ft)	7	4
95th Queue (ft)	29	19
Link Distance (ft)	502	1234
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 4: 1200 West & Access 3, All Intervals

Movement	WB	SB
Directions Served	LR	LT
Maximum Queue (ft)	31	28
Average Queue (ft)	7	3
95th Queue (ft)	29	18
Link Distance (ft)	502	1234
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty, Interval #1: 0
Network wide Queuing Penalty, Interval #2: 0
Network wide Queuing Penalty, Interval #3: 0
Network wide Queuing Penalty, Interval #4: 0
Network wide Queuing Penalty, All Intervals: 0

APPENDIX C

Site Plan

ARK.: DATE:

DESCRIPTION:

PROJECT #:
19-368

DRAWN BY: T. REES

PROJECT MANAGER: M. TAYLOR

ISSUED: 01.15.20

 $+$

CONCEPT
PLAN



APPENDIX D

95th Percentile Queue Length Reports

SimTraffic Queueing Report

Project: Nibley Riggs TS

Analysis: Existing (2020) Background

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet)



Project #: UT20-1612

Intersection	NB		SB		EB		WB	
	LR	L	R	L	L	L	L	L
1200 West & 3200 South	187	--	--	--	--	--	36	--
3200 South & 1000 West	--	28	33	21	--	--	--	--

SimTraffic Queueing Report

Project: Nibley Riggs TS

Analysis: Existing (2020) Plus Project

Time Period: Evening Peak Hour

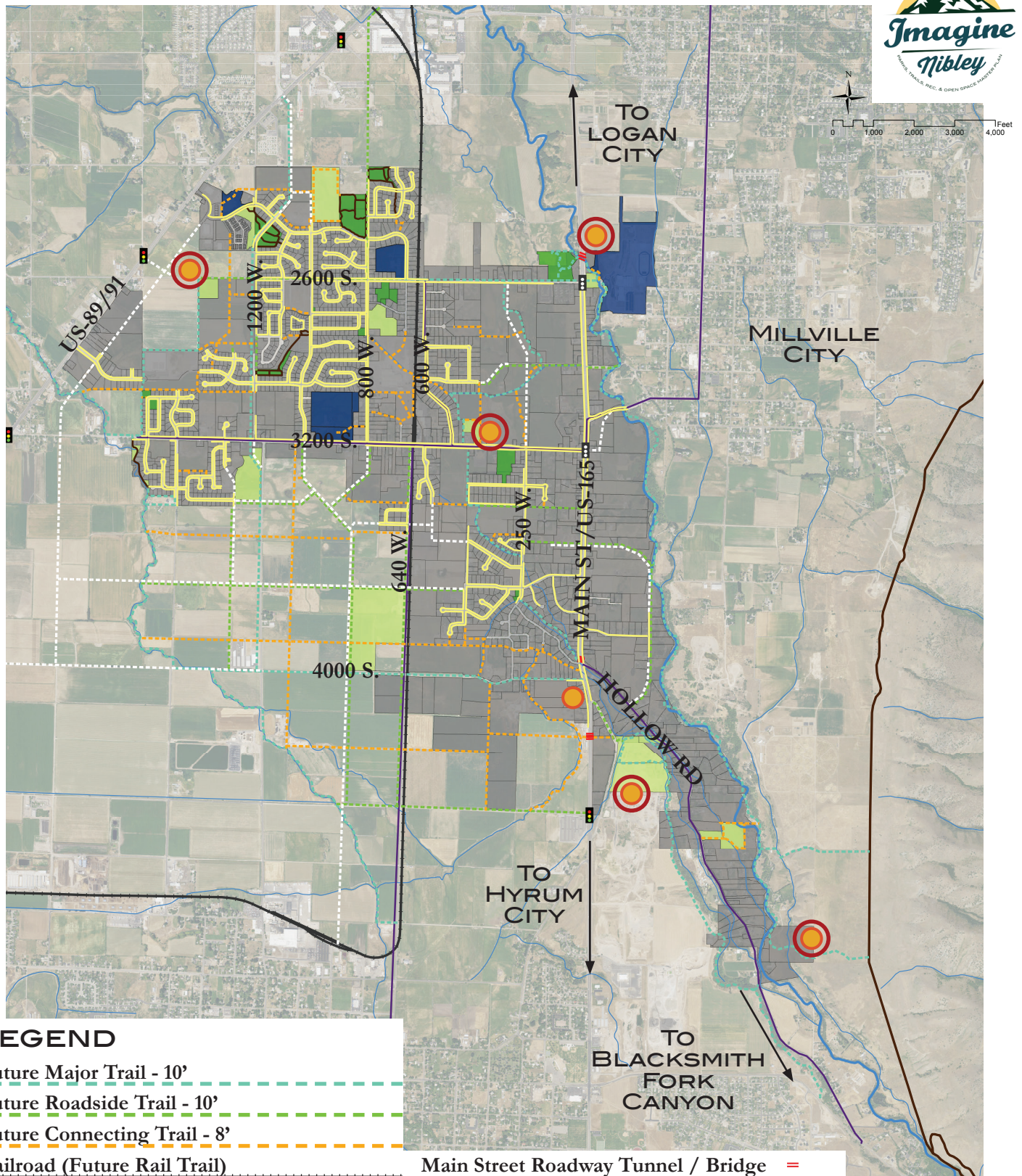
95th Percentile Queue Length (feet)



Project #: UT20-1612

Intersection	NB		SB		EB		WB	
	LR	LTR	LT	R	L	TR	L	TR
1200 West & 3200 South	318	--	--	--	--	7	42	--
1200 West & 3300 South	--	--	8	--	--	--	52	--
1200 West & Access 3	--	--	18	--	--	--	29	--
900 West/1000 West & 3200 South	--	54	37	33	16	1	34	2

TRAILS MAP



LEGEND

Future Major Trail - 10'

Future Roadside Trail - 10'

Future Connecting Trail - 8'

Railroad (Future Rail Trail)

Future Roads

Existing Shared-Use Roadway

Existing Park Pathway

Existing Sidewalk

Future Trailhead

Existing Trailhead

Main Street Roadway Tunnel / Bridge

Bonneville Shoreline Trail

Blacksmith Fork River

Canal/Stream

Future Park

Existing Park

School



civilsolutionsgroupinc.

NIBLEY MEADOWS



Required Open Space

- ▶ **35% of gross area**
- ▶ **Gross area: 54.6 acres**
- ▶ **Required open space: 19.11 ac**

Designed Open Space

- ▶ **Non-setback open space: 19.4 ac**
- ▶ **Setback open space: 3.4 ac**

OPEN SPACE



Maximum R-PUD Density

- ▶ Gross area: 54.6 acres
- ▶ Net developable (code): 80%
- ▶ Net developable: 43.7 ac
- ▶ 12 units per acre: 524 units
- ▶ 80% townhomes: 419
- ▶ 20% single family: 105

Designed Density

- ▶ Total units: 340
- ▶ Townhomes: 272
- ▶ Single family homes: 68

- ▶ Density: 6.23 u/ac

DENSITY



City Amenities

- ▶ 5 acre park dedicated to the city
- ▶ Adjacent to unused section of 1100 West ROW
- ▶ Trails

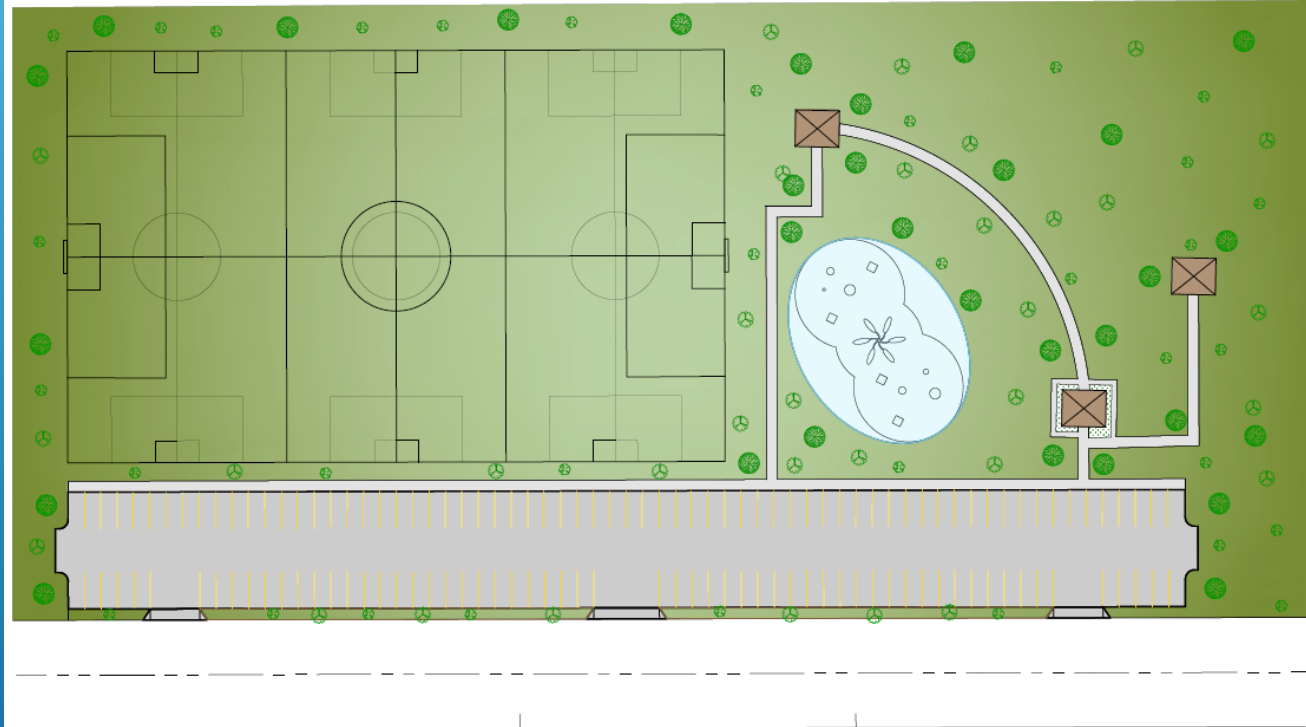
Private Amenities – HOA

- ▶ Over 18 acres of open space
- ▶ Neighborhood playgrounds
- ▶ Neighborhood park space
- ▶ Trails
- ▶ Playgrounds
- ▶ Sports court / Fields
- ▶ Pavilions

AMENITIES

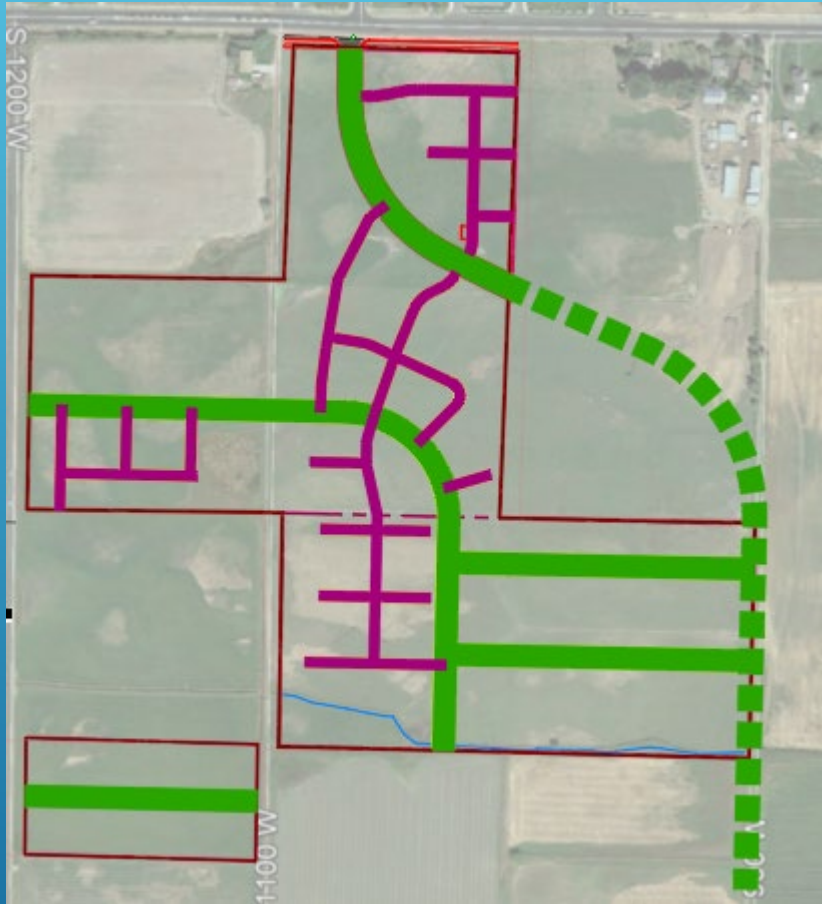


Impact Fees and Private Contribution



- ▶ \$4,500 per unit park impact fee
- ▶ 340 units
- ▶ \$1.53 million
- ▶ Cost of private amenities: \$350,000
- ▶ Proposed contribution: \$1,500 per home
- ▶ Total \$510,000
- ▶ Improvements in six phases

CITY PARK IMPROVEMENTS



- ▶ Redesigned to route south end traffic to 1200 West
- ▶ Minimize impact of development at 1000 W 3200 S
- ▶ Multiple interconnected private roads

TRANSPORTATION



NIBLEY 
MEADOWS



ABILITY TO COMPLETE PROJECT



Project	City	Units	Year Completed	Description
Brigham Place Apartments	Brigham City	72	2014	Apartments
Brigham Place Apartments II	Brigham City	48	2018	Apartments
Central Park Station	Provo	59	2017	Apartments
Cove at Pleasant View	Pleasant View	88	2015	Townhomes
Crest Haven	Lehi	80	2017	Townhomes
Greyhawk Townhomes	Layton	114	2017	Townhomes
Highland Vista	Highland	81	ongoing	Townhomes
Juniper Springs	Eagle Mountain	84	ongoing	Townhomes
Northstar Ranch	Grantsville	2400	ongoing	Single Family
Porter Ranch Townhomes	Eagle Mountain	128	2019	Townhomes
Simpson Hollow	Eagle Mountain	59	ongoing	Townhomes
Smithfield Ridges	Smithfield	150	ongoing	Single Family
Smithfield Station	Smithfield	95	2019	Townhomes
South Ridge Townhomes	South Jordan	145	2015	Townhomes
Stone Brook Apartments	Rexburg	140	2004	Apartments
Stone Creek Canyon	West Haven	61	2019	Townhomes
The Cove at Jordan River	Saratoga Springs	179	2015	Townhomes
The Cove at North Logan	North Logan	58	2016	Townhomes
The Cove at Rock Creek	Eagle Mountain	84	2018	Townhomes
Trail Head	Eagle Mountain	65	2019	Townhomes
The Cove at Herriman Springs	Herriman	640	Ongoing	Single Family

ABILITY TO COMPLETE PROJECT



**NIBLEY CITY
R-PUD DEVELOPMENT AGREEMENT**

THIS DEVELOPMENT AGREEMENT (“Agreement”), entered into this ____ day of _____, 20____, between _____, hereinafter referred to as “Developer” and Nibley City, here in after referred to as “City”, and

WHEREAS, _____, hereinafter referred to as “the Development” seeks to obtain approval as a Residential Planned Unit Development (“R-PUD”) under Nibley City Code Title 19, Chapter 32 (“R-PUD Ordinance”); and

WHEREAS, the approval of an R-PUD requires the City, by legislative act, to apply the R-PUD overlay zone to the Development, which act is preconditioned on the Developer entering into and complying with the terms of this Agreement; and

WHEREAS, the Developer has prepared preliminary plans for the Development, including a preliminary site plan, proposed amenity improvements, proposed open space, total number of units to be developed, proposed phasing, maintenance plans, and other supporting documentation as required by the City and the R-PUD Ordinance, (“Preliminary Plans”) which plans are attached hereto and made part of this Agreement as Exhibit “A”; and

WHEREAS, it is necessary for the interest of the public welfare that the Development be developed and improved according to the specifications set forth in Nibley City Ordinances and Design Standards and this Agreement; and

NOW, THEREFORE, to induce Nibley City to approve the proposed R-PUD development and rezoning, the Developer does hereby unconditionally promise and agree with Nibley City as follows:

1. Developer hereby acknowledges receipt of a copy of the Nibley City Subdivision Ordinance, Nibley City Code Title 21, the R-PUD Ordinance and the Nibley City Design Standards. Developer hereby acknowledges that Developer, or an agent of Developer, has read and understands the provisions of the ordinances and standards and that Developer will fully and completely comply with the provisions and requirements therein contained.

2. Developer hereby acknowledges that the execution of this Agreement, on its own, does not constitute final plat approval, approval of the R-PUD rezone, or permission to begin development, and that any such approvals granted by the City may be granted only upon Developer’s compliance with the terms of the Nibley City Ordinances, Design Standards, and this Agreement.

3. This Agreement, including the Preliminary Plans attached hereto, shall govern the Development. The Developer shall develop, construct, improve, and maintain the Development in a way that is substantially similar to the Preliminary Plans. In no event may the number of units in the Development exceed the number of units described in the Preliminary Plans.

4. Developer shall develop and construct all open space, landscaping, housing units, utilities, amenities, roadways, and all other improvements in accordance with the standards listed within Nibley City Design Standards, Nibley City Code Title 21, Nibley City Code Title 21 Chapter 32.

5. Developer shall develop the park and amenities in proportional phases as required in NCC 19.32.050(A).

6. Developer shall provide a preliminary maintenance plan with the Preliminary Plans for the maintenance of amenities as required by NCC 19.32.050(B).

7. This Agreement and the Preliminary Plans may be revised or amended only upon the approval of the Nibley City Council, with the recommendation of the Planning Commission.

8. Developer shall ensure that there are no holders of interests that are superior in title to this Agreement, and that all interests, including but not limited to liens, mortgages, deeds of trust, and other similar devices, have been made subordinate to this Agreement. Developer shall provide such documentation as is necessary to establish these facts prior to receiving final plat approval or approval of the R-PUD rezone.

9. Developer shall comply with all applicable federal, state, county and City requirements, regulations and laws for each aspect of this Development, including payment of fees, provision of bonds and other guarantees, and compliance with design and construction standards. Nothing in this Agreement shall be deemed to relieve Developer from the obligation to comply with all such applicable laws, ordinances and requirements as now existing and as enacted and/or amended prior to construction. In the event of a conflict between this Agreement and any applicable federal, state, county, or city requirement, regulation, or law, the federal, state, county, or city requirement, regulation, or law shall prevail to the extent of such conflict.

10. Developer shall not engage in any construction or disturbance of soil in the development prior to issuance of the Notice to Proceed by the Public Works Director.

11. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto mentioned and permitted successors and assigns including all parties who acquire title to any portion of the Development; provided, however, that this Agreement cannot be otherwise assigned, transferred or conveyed by either party, without the express, written consent of the other party.

12. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the parties consider and intend that this Agreement shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement shall remain in full force and affect.

13. Time is of the Essence. Time is of the essence to this Agreement and every right or responsibility shall be performed within the times specified.

14. Mutual Drafting. Each party has participated in negotiating and drafting this Agreement and therefore no provision of this Agreement shall be construed for or against either party based on which party drafted any particular portion of this Agreement.

15. Entire Agreement. This Agreement, and all Exhibits thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all parties.

16. No Third Parties. This Agreement, and all Exhibits thereto, is intended for the sole benefit of the named parties thereto. No third party, except for permitted successors and assigns, shall have any right to enforce any of the terms or obligations herein.

17. Recordation and Running with the Land. This Agreement shall be recorded in the chain of title for the Development. This Agreement shall be deemed to run with the land and bind all future owners of any part of the Development.

18. Attorney Fees. Both Parties shall pay for their own attorney fees and costs arising out of or connected in any way to the execution of this Agreement. Any Party that prevails in any legal proceeding, including court proceedings, arbitration, and administrative proceedings, to enforce this Agreement or adjudicate any issues under or in connection with this Agreement will be entitled to recover its reasonable attorney fees, costs, and expenses of such proceedings.

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

NIBLEY CITY

DEVELOPER

By: DAVID N. ZOOK
Its: City Manager

By:

By:

STATE OF UTAH)
 : ss
County of Cache)

On this ____ day of _____, 2019, personally appeared before me DAVID N. ZOOK, City Manager, the signer of the within instrument, who duly acknowledged to me that he executed the same as City Manager for Nibley City Corporation.

NOTARY PUBLIC

STATE OF UTAH)
 : ss
County of Cache)

On the ____ day of _____, 2019, personally appeared before me, _____, Developer, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC

Exhibit A
Preliminary Plans

Agenda Item #11

Description	Discussion & Consideration – Preliminary Subdivision Plat for Nibley Meadows Residential Planned Unit Development, located at approximately 1000 W and 3200 S. Proposing 56 units on 6.33 acres
Department	Planning
Presenter	Stephen Nelson, Nibley City Planner
Recommendation	Continue discussion and consideration of the Preliminary Subdivision Plat for Nibley Meadows Residential Planned Unit Development, located at approximately 1000 W and 3200 S. Proposing 56 units on 6.33 acres
Reviewed By	Mayor, City Manager, and City Planner

Background:

This item is for the preliminary plat for the Nibley Meadows R-PUD Development. The applicant has decided to turn in both an R-PUD application and Preliminary Plat application at the same time as allowed in [Nibley City Code 19.32.070 Approval Process \(C\)\(1\)\(b\)](#). Because it involves the same development, many of the items in the report for the R-PUD application will apply, but there will need to be two different motions, one for the overlay application and another for the preliminary plat. The approval of this application partially hinges on the approval of the overlay application. If the Nibley Meadows R-PUD application is denied or continued then the preliminary plat should be denied or continued as well.

Because of the size of the development, the preliminary plat is only for the first phase of the overall development and is located in the northeast corner of the development.

Utilities

Nibley City Public Works Director and the City Engineer have reviewed the proposed number of units and have determined that the utility lines in the area are able to support the development.

The applicant will need to have a few larger lines as shown on the R-PUD concept plan. If approved, the applicant will need to submit a more detailed utility design with preliminary plats.

Roads



Nibley City Street Master Plan: Section of the proposed area

The applicant has proposed a street layout for the development. The main street plan does not show every street that will be within the development but does show the primary roadways to provide the transportation needs. Staff has reviewed the general road layout and has found it complies with Nibley's Transportation Master Plan.

The applicant is planning on construction 1000 W and 3200 S intersection as part of phase 1. The remaining streets will be private drives used to access the units.

A second access is the main concern that will need to be addressed for Phase 1. The Cache County Fire Marshal has reviewed the plan and has determined that there will need to be at least a temporary second access for phase 1.

Traffic Study

The applicant has also conducted a traffic study to help determine any other traffic needs or additional improvements to 3200 S and 1200 W and will design any needed improvements to the preliminary plats. The full traffic study is under review by the City Engineer and other staff. It is likely the applicant will need to provide proper turning lanes at the intersection of 1000 W and 3200 S.

Recommended Finding

Staff recommends the City Council find the following for the Preliminary Plat

1. The proposed name on the plat does not meet the application.
2. Plat should be updated based on recommendations from the Planning Commission and City Council.
3. The Plat should clearly outline setback of the townhomes along the public roadways
4. Need to submit Title Report
5. After the Fire Marshal review, he determined that there needs to be a second access to the first phase.
6. Parking: Need 112 Resident and 19 for guests. A total of 36 detached parking. What size of garages are planned for the development?

Other Considerations

1. R-PUD application and phasing
2. Are townhomes rear-loading or front loading? Townhomes on 3200 S or access on private drives must be rear loading.
3. 1000 W, is the applicant building the full ROW or just half?
4. This application has legal standing to be reviewed under the existing RPUD ordinance. However, in light of the moratorium the City Council is considering, the Council could deny this application, which would require the applicant to re-apply after the ordinance is revised, if they wish to reapply. If the City Council chooses to implement a moratorium and/or to revise the RPUD ordinance, it may wish to deny this application in order to require the applicant to follow the new guidelines.

PRELIMINARY PLAT
7-POINT ROYAL SUBDIVISION PHASE 1
LOCATED IN THE SE1/4 OF SECTION 20, T11N, R1E, SLB&M
NIBLEY, CACHE COUNTY, UTAH
SCALE: 1"=50'

WEST 1/4 CORNER
OF SECTION 20,
T11N, R1E, SLB&M

0 50' 100'

BASIS OF BEARING: N89°51'19"W
1,501.85'

EAST 1/4 CORNER
OF SECTION 20,
T11N, R1E, SLB&M

STORMWATER CALCULATIONS

Description	Area (sq ft)	Area (ac)	CN (Group B)	(SubArea / TotalArea)*CN
Impervious Area	149,160	3.42	98	53
Open Space	126,275	2.90	61	28
Total Area:	275,435	6.32	81	
Pre Development (Pasture, grassland, or range; good):	275,435	6.32	61	

90th-Percentile Storm Volume
w/in Roadway ROW's (0.6-in):

4,488	cu-ft
-------	-------

Initial Abstraction	0.47	inches		
for pre dev	1.28	inches		
Precipitation (10 Yr)	24 hour storm	2.04	inches	
Precipitation (25 Yr)	24 hour storm	2.41	inches	
Precipitation (100 Yr)	24 hour storm	3.02	inches	
Direct Runoff (10 Yr)	24 hour storm	0.63	total runoff depth	
for pre dev (10 Yr)	24 hour storm	0.08	total runoff depth	
Direct Runoff (25 Yr)	24 hour storm	0.88	total runoff depth	
for pre dev (25 Yr)	24 hour storm	0.17	total runoff depth	
Direct Runoff (100 Yr)	24 hour storm	1.33	total runoff depth	
for pre dev (100 Yr)	24 hour storm	0.37	total runoff depth	

Post Development

10-Year Direct Runoff	0.33	acre-ft	14,499	ft ³
25-Year Direct Runoff	0.46	acre-ft	20,216	ft ³
100-Year Direct Runoff	0.70	acre-ft	30,557	ft ³

Pre-Development

10-Year Direct Runoff	0.04	acre-ft	1,859	ft ³
25-Year Direct Runoff	0.09	acre-ft	3,904	ft ³
100-Year Direct Runoff	0.20	acre-ft	8,556	ft ³

*Pre-development runoff = 0.44 cfs or 0.07 cfs/acre

TS-7: COLLECTOR: 2-LANE STREET, ON-STREET PARKING PERMITTED, 66' ROW
N.T.S.

PRELIMINARY
PLAT

Agenda Item #12

Description	Discussion & Consideration: Resolution 20-03 – Interlocal Agreement Regarding Wastewater Services (Second Reading)
Department	City Council
Presenter	Shaun Dustin, Mayor
Recommendation	Provide input regarding any proposed changes and make a motion for adoption.
Reviewed By	Mayor, City Manager, City Attorney

Background:

At the February 27 City Council meeting, Mayor Dustin presented the concept of an interlocal agreement between cities on the south end of the valley, which could be formed to collaboratively address wastewater collection and treatment. That interlocal agreement was presented to the City Council for a first reading on March 12, 2020 and is now before the Council for discussion and consideration on its second reading.

The interlocal agreement includes Hyrum, Nibley and Millville. Other cities could potentially join the group in the future.

The intent of the interlocal agency that would be formed by adoption of this interlocal agreement would be to investigate and plan for the potential use of an expanded Hyrum Wastewater treatment plant, which would serve each of the partnering cities.

RESOLUTION 20-04

INTERLOCAL AGREEMENT REGARDING WASTEWATER SERVICES

WHEREAS, Hyrum City, as authorized by law, operates and maintains a wastewater treatment facility; and

WHEREAS, Nibley desires to form an interlocal agency to consider options for jointly owning, expanding, modifying, and operating Hyrum's existing wastewater treatment plant and other wastewater facilities and infrastructure.

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

1. The attached Interlocal Wastewater Agreement is hereby adopted.
2. Mayor Shaun Dustin is appointed as Nibley's representative on the South Cache Valley Reclamation Facility Board.

PASSED BY THE NIBLEY CITY COUNCIL THIS _____ day of _____, 2020.

Shaun Dustin, Mayor

ATTEST: _____
David Zook, City Recorder

Agenda Item #13

Description	Presentation & Workshop – Ordinance 20-09: An Update to Nibley City Commercial and Neighborhood Commercial Zoning Standards
Department	Planning
Presenter	Stephen Nelson, Nibley City Planner
Recommendation	Receive the presentation, ask clarifying questions and provide feedback.
Reviewed By	City Planner, Nibley City Planning Commission, City Public Works Director, City Engineer



Background:

Nibley City Mayor and a couple of members of the City Council have recommended to staff that the Planning Commission review several items related to the City's commercial zoning. The Planning Commission has reviewed the commercial and neighborhood commercial zones and has made recommended changes as

summarized below.

Site Improvements

Since the City updated the Land Use Chart this past year, staff and the Planning Commission wanted to adopt more standards within the city's commercial code that would give the City more control over uses that would be permitted. Most of these uses would be built into a subdivision

that would have the required infrastructure and amenities already built and installed. However, the Planning Commission and staff have recommended that those items be included within the commercial code as well. Some of these standards are street improvements, providing enough water to the city for the proposed use etc.

Home Remodels

One of the other items that the Planning Commission has added is the ability for a single-family residence to be remodeled for commercial use without having to comply with all of Nibley City Commercial facade requirements. This could allow homes along 165 to remodel and apply for commercial rezoning. These remodels would require a conditional use permit, and the building would still need to comply with all commercial fire and ADA standards.

Neighborhood Commercial

The Planning Commission has also made some recommended changes to the Neighborhood Commercial code. The Planning Commission cut the requirements that a Neighborhood Commercial area needed to be 2-5 acres in size, to give more flexibility to the ordinance. With that, the minimum lot size was changed to .25 acres from .5 acres.

One of the other major changes recommended is to lower the setback requirement from 30' to 20', to allow businesses to be placed closer to the right-of-way.

The last major change in Neighborhood Commercial is the allowance of Accessory Dwelling Units (ADUs) within Neighborhood Commercial Zones. Each commercial building would be able to have up to two attached ADUs located either behind the primary structure or on the second story.

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 and buildings.

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 surrender 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.
 - a. 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 install 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 except for remodeled residential structures as stated within this chapter.

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 granted. 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

Commented [SN1]: Surrender

Commented [SN2]: Remove

Formatted

Commented [SN3]: Made a subsection

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

Formatted

Formatted

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.

Commented [RP4]: I wonder if this is not better handled as an overlay for residential, given that you're now allowing accessory dwelling units.

- b. Provide economic stability.
 - c. Enhance property values.
 - d. Establish strategies for achieving good community design.
 - e. Stabilize areas/zones.
 - f. Reduce traffic congestion and promote walkable communities.
 - g. Promote the policies of the general plan.
2. This C-N zone shall be located in areas deemed appropriate and approved by the city council for services to the residents of the city. The zone will create a minimum of detriment, hazard, noise or inconvenience to surrounding residential development. ~~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

Commented [RP5]: This isn't very clear to me. One building? Strip mall? Multiple buildings in some kind of unifying plan?

Formatted

Formatted

Formatted: Indent: Left: 1", No bullets or numbering

- 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 [RP6]: 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 #14

Description	Discussion & Consideration – Mount Vista Phase 2 Final Plat and Development Agreement located at approximately 600 W and 3600 S. Proposing 32 Units on 17.4 acres (Applicant: Visionary Homes)
Department	Planning
Presenter	Stephen Nelson, Nibley City Planner
Recommendation	Move to approve Mount Vista Phase 2 Final Plat and Development Agreement located at approximately at 600 W and 3600 S. Proposing 32 Units on 17.4 acres (Applicant: Visionary Homes)
Reviewed By	City Planner, Nibley City Planning Commission, City Public Works Director, City Engineer

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 6.18 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.

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 2	
Total Gross Acres	17.74
Total Open Space Land	6.24 Acres
Total Lots	32

Streets

The Developer shows the proper dedication for the roadways. The City Council required that Parcel D provide a road right-of-way (ROW) to be dedicated on the property for potential future roadway improvement. That ROW has been shown as required. Some Planning Commissioners discussed their concerns about not having the road actually paved across the parcel and not having utility lines stubbed out to the south property line.

Utility Lines and Easements

Mount Vista has provided the proper 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. The plan is for the applicant to provide a backup generator to power the lift station in case of an emergency.

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." This note is required by Nibley City Code 21.06.080 (B)(2).

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.

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.

The applicant would be required to plant 104 trees. Because of limited space with of the future ROW, the application is planning on planting some of the required trees in Parcel E.

-Parcel E

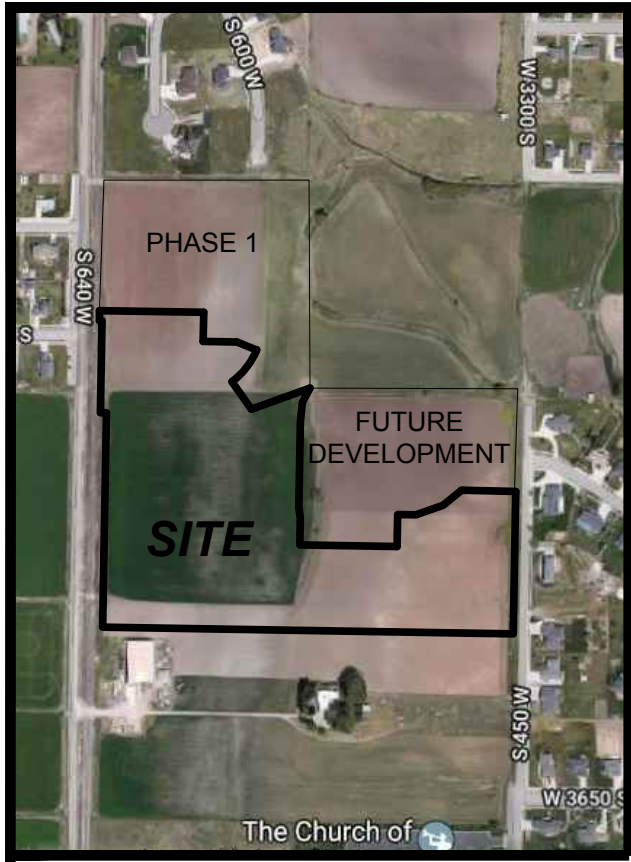
This open space will be developed and dedicated as a City Park. It will contain trails, landscaping, and sod grass.

Planning Commission Recommendation

The Planning Commission gave a positive recommendation of the plat as presented with a vote three in favor and two opposed. Those that opposed wanted to see the ROW through Parcel D fully developed into a roadway that would stub into the adjacent property.

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

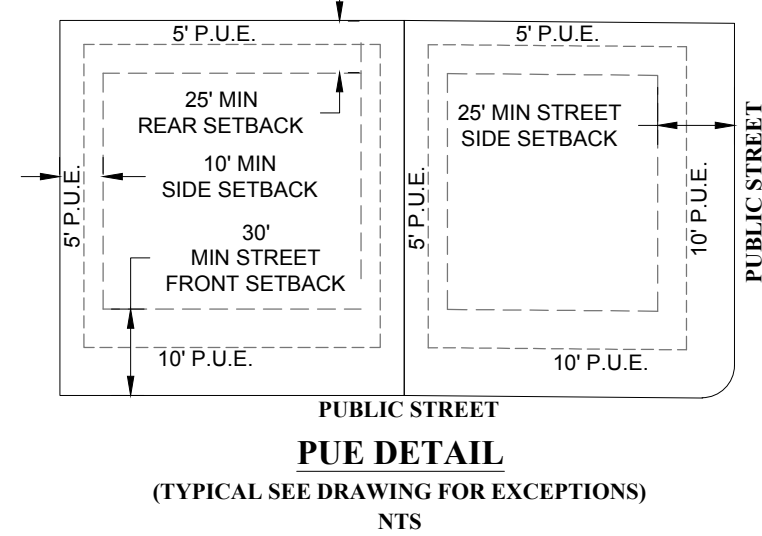
ENGINEER & SURVEYOR
CIVIL SOLUTIONS GROUP, INC.
MICHAEL TAYLOR, PE
DENNIS P. CARLISLE, PLS
540 W GOLF COURSE RD SUITE B1
PROVIDENCE, UTAH 84322
435-213-3762

DATE OF PREPARATION
JANUARY 22, 2020

LEGEND

(1234.5) LOWEST ALLOWABLE
FINISHED FLOOR
ELEVATION

1234 N LOT ADDRESS



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

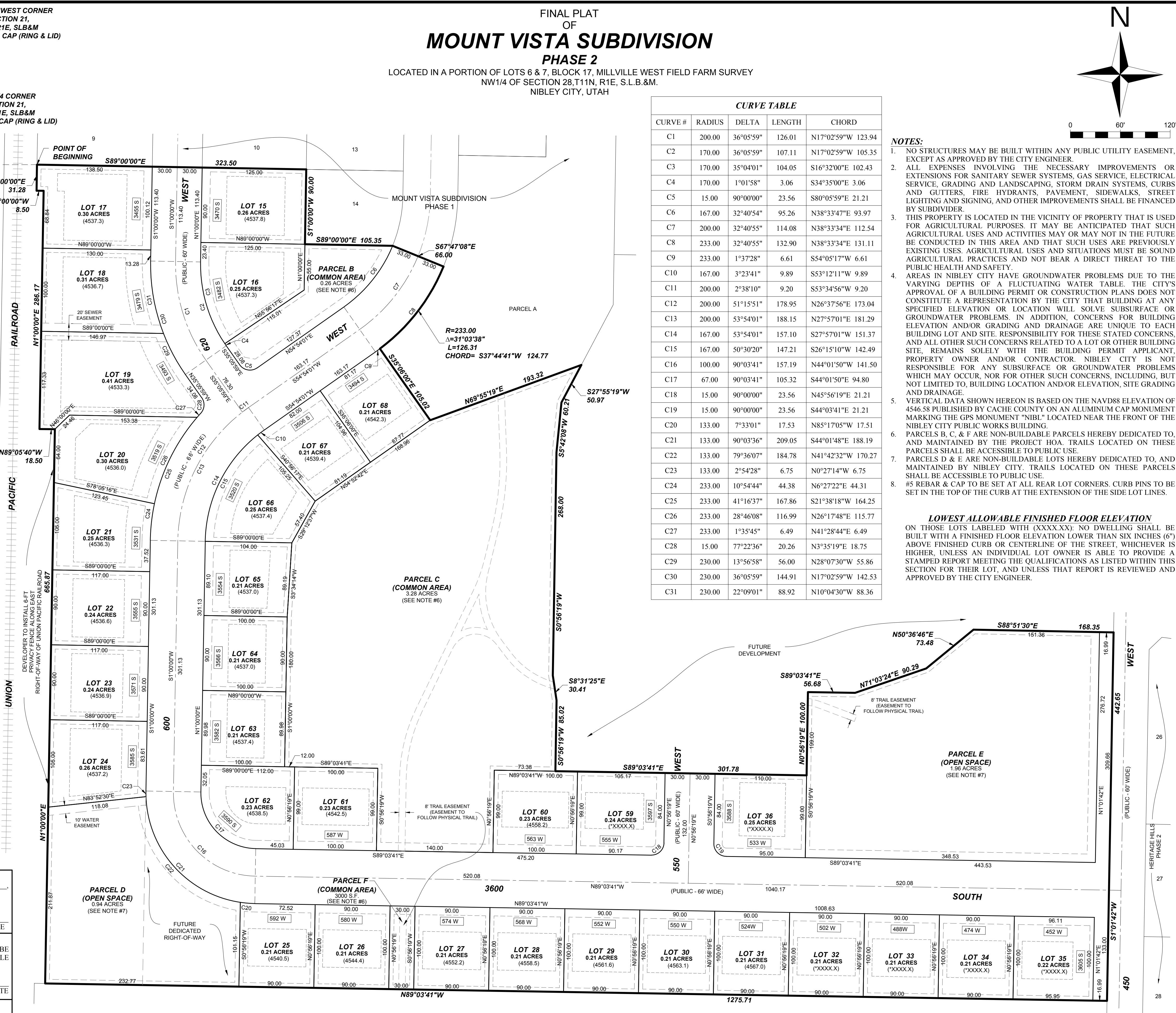


17 NORTHWEST CORNER OF SECTION 21, T11N, R1E, SLB&M BRASS CAP (RING & LID)

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



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 (plat: 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

**NIBLEY CITY
DEVELOPMENT AGREEMENT**

THIS DEVELOPMENT AGREEMENT (“Agreement”), entered into this ____ day of _____, 20____, between _____, hereinafter referred to as “Developer” and Nibley City, here in after referred to as “City”, and

WHEREAS, Mount Vista Phase 2, hereinafter referred to as “the Development” has been approved for platting; and

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

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

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

WHEREAS, in accordance with said Nibley City ordinances, including Chapter 21.14 of the Nibley City Code, the Developer is required to furnish security for the completion of all improvements or complete all improvements prior to recording a final plat.

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

1. Developer hereby acknowledges receipt of a copy of the Nibley City Subdivision Ordinance. Developer hereby acknowledges that Developer has read the Subdivision Ordinance (or that an agent of Developer has), and that Developer understands the provisions of the Subdivision Ordinance and that Developer will fully and completely comply with the provisions and requirements therein contained.

2. In accordance with Nibley City Code 21.14, Developer shall tender to Nibley City an Improvement Completion Assurance in the amount of \$_____. In the event that Developer shall fail or neglect to fulfill the obligations under this Agreement, Nibley City shall have the right to foreclose on the Improvement Completion Assurance and to construct or cause to be constructed said streets and other improvements as shown on said plans as required by Nibley City ordinances and Design Standards. Upon completion of said improvements Developer shall be liable to pay to, and indemnify Nibley City for, the final total cost incurred by Nibley City in foreclosing on the Improvement Completion Assurance and completing all required

improvements, including but not limited to, engineering, legal and contingent costs, together with any damages which Nibley City may sustain on account of the failure of Developer to carry out and execute all of the provisions of this Agreement, which said sums are secured by the Improvement Bond. Developer's liability shall in no way be limited to the amount of the Improvement Completion Assurance,

3. The Developer shall complete all improvements contained within the approved construction drawings, landscape and maintenance plan, and final plat.

4. Developer shall pay the City \$450.00 for each sewer manhole collar and \$350.00 for each water valve collar for their future installation.

5. Developer shall supply the City with water rights or shares as set forth in Nibley City Code Section 21.12.020 for the Development, as follows: _____ Acre-ft. of water shares from Black Smith Fork Irrigation Company or an equivalent amount of acre feet from another irrigation company located in Nibley City. Developer shall provide said shares to the City before the commencement of construction.

6. Open Space Land in the Development and indicated on the approved plat shall be managed and maintained as outlined in the attached Maintenance and Landscape Plans which is incorporated herein as Exhibit "A."

a. Open Space located within phase one shall be developed as part of the phase and must be completed within one year of notice to proceed.

7. Developer shall ensure that Street Trees are planted and maintained in the Development in accordance with Nibley City Code and the attached Street Trees Plan, which is incorporated herein as Exhibit "B."

a. The Developer shall pay the City a sum equal to \$250 per required tree for the development, as shown in the attached Street Tree Plan. The total required trees for Phase 2 is 113 trees. The total amount due to Nibley City is \$28,250.00

b. The City shall use the Tree Payment to select, purchase, plant and maintain trees planted in the park strips of the Development.

c. The City shall plant trees for each lot within one year of each home being granted occupancy

8. Developer shall provide and install a generator on the Scott Farms Lift Station as approved and agreed upon by the Nibley City Public Works Director.

9. **Pacific Railroad Sewer Line Construction and Dedication:** *wording being provided by Nibley City Attorney*

10. Developer shall provide a Warranty Bond in the sum equal to ten percent (10%), a total of \$_____, of the estimated costs of all improvements installed in the Development as estimated by the City Engineer for the period of Developer's warranty on the improvements in the Development as described in Nibley City Code 21.14.050. Security in amounts of more than

10% may be required by the City Manager if it is deemed appropriate and necessary. The Warranty Bond shall meet all the criteria outlined in Nibley City Code Chapter 21.14.

11. Developer shall comply with all applicable federal, state, county and City requirements, regulations and laws for each aspect of this Development, including payment of fees and compliance with design and construction standards. Nothing in this Agreement shall be deemed to relieve Developer from the obligation to comply with all such applicable laws, ordinances and requirements as now existing and as enacted and/or amended prior to construction. In the event of a conflict between this Agreement and any applicable federal, state, county, or city requirement, regulation, or law, the federal, state, county, or city requirement, regulation, or law shall prevail to the extent of such conflict.

12. Developer shall not engage in any construction or disturbance of soil in the development prior to issuance of the Notice to Proceed by the Public Works Director.

13. The City agrees to provide secondary/irrigation water owned by the City to Developer for the benefit of some or all of the Open Space Land, on such terms and conditions as the City deems appropriate. The provision of water shall be governed by a separate agreement.

14. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto mentioned and permitted successors and assigns; provided, however, that this Agreement cannot be assigned, transferred or conveyed by either party, without the express, written consent of the other party.

15. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the parties consider and intend that this Agreement shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement shall remain in full force and affect.

16. Time is of the Essence. Time is of the essence to this Agreement and every right or responsibility shall be performed within the times specified.

17. Mutual Drafting. Each party has participated in negotiating and drafting this Agreement and therefore no provision of this Agreement shall be construed for or against either party based on which party drafted any particular portion of this Agreement.

18. Entire Agreement. This Agreement, and all Exhibits thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all parties.

19. No Third Parties. This Agreement, and all Exhibits thereto, is intended for the sole benefit of the named parties thereto. No third party, except for permitted successors and assigns, shall have any right to enforce any of the terms or obligations herein.

20. Recordation and Running with the Land. This Agreement shall be recorded in the chain of title for the Development. This Agreement shall be deemed to run with the land.

21. Attorney Fees. Both Parties shall pay for their own attorney fees and costs arising out of or connected in any way to the execution of this Agreement. Any Party that prevails in any legal proceeding, including court proceedings, arbitration, and administrative proceedings, to enforce this Agreement or adjudicate any issues under or in connection with this Agreement will be entitled to recover its reasonable attorney fees, costs, and expenses of such proceedings

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

NIBLEY CITY

DEVELOPER

By: DAVID N. ZOOK
Its: City Manager

By:

By: Jeff Jackson

STATE OF UTAH)
 :ss
County of Cache)

On this ____ day of _____, 2019, personally appeared before me DAVID N. ZOOK, City Manager, the signer of the within instrument, who duly acknowledged to me that he executed the same as City Manager for Nibley City Corporation.

NOTARY PUBLIC

STATE OF UTAH)
 : ss
County of Cache)

On the ____ day of _____, 2019, personally appeared before me, _____, Developer, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC

Exhibit A

Maintenance and Landscape Plans

Exhibit B
Tree Planting Plan

Agenda Item #15

Description	Discussion & Consideration – Mount Vista Phase 3 Final Plat and Development Agreement, located at approximately at 450 W and 3500 S. Proposing 22 units on 8.7 acres (Applicant: Visionary Homes)
Department	Planning
Presenter	Stephen Nelson, Nibley City Planner
Recommendation	Move to approve Mount Vista Phase 3 Final Plat and Development Agreement, located at approximately at 450 W and 3500 S. Proposing 22 units on 8.7 acres (Applicant: Visionary Homes).
Reviewed By	City Planner, Nibley City Planning Commission, City Public Works Director, City Engineer

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.

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 3	
Total Gross Acres	8.12
Total Open Space Land	1.198 Acres
Total Lots	22

Utility Lines and Easements

Mount Vista has provided the proper 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, 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." This note is required by Nibley City Code 21.06.080 (B)(2).

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 and will make connections to Parcel C and E in phase 2.

Planning Commission Recommendation

The Planning Commission voted in favor of the plat as presented.

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



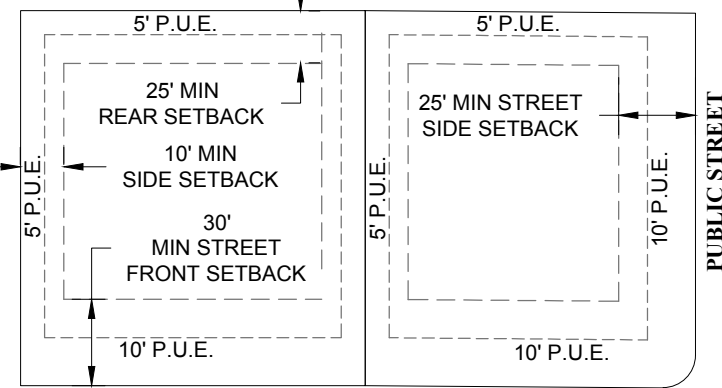
VICINITY MAP

- 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

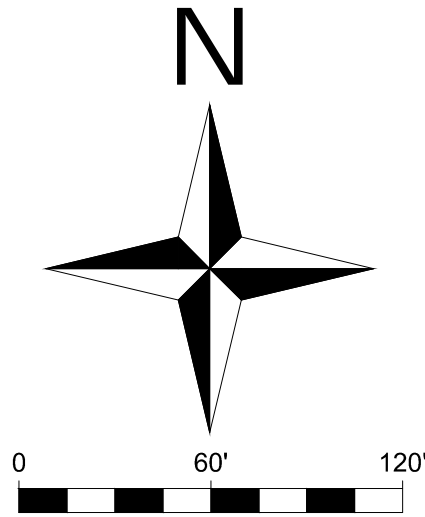
THE UTILITY EASEMENTS SHOWN ON THIS PLAT HAVE BEEN REVIEWED AND ARE APPROVED.

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

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 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



**NIBLEY CITY
DEVELOPMENT AGREEMENT**

THIS DEVELOPMENT AGREEMENT (“Agreement”), entered into this ____ day of _____, 20____, between _____, hereinafter referred to as “Developer” and Nibley City, here in after referred to as “City”, and

WHEREAS, Mount Vista Phase 3, hereinafter referred to as “the Development” has been approved for platting; and

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

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

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

WHEREAS, in accordance with said Nibley City ordinances, including Chapter 21.14 of the Nibley City Code, the Developer is required to furnish security for the completion of all improvements or complete all improvements prior to recording a final plat.

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

1. Developer hereby acknowledges receipt of a copy of the Nibley City Subdivision Ordinance. Developer hereby acknowledges that Developer has read the Subdivision Ordinance (or that an agent of Developer has), and that Developer understands the provisions of the Subdivision Ordinance and that Developer will fully and completely comply with the provisions and requirements therein contained.

2. In accordance with Nibley City Code 21.14, Developer shall tender to Nibley City an Improvement Completion Assurance in the amount of \$_____. In the event that Developer shall fail or neglect to fulfill the obligations under this Agreement, Nibley City shall have the right to foreclose on the Improvement Completion Assurance and to construct or cause to be constructed said streets and other improvements as shown on said plans as required by Nibley City ordinances and Design Standards. Upon completion of said improvements Developer shall be liable to pay to, and indemnify Nibley City for, the final total cost incurred by Nibley City in foreclosing on the Improvement Completion Assurance and completing all required

improvements, including but not limited to, engineering, legal and contingent costs, together with any damages which Nibley City may sustain on account of the failure of Developer to carry out and execute all of the provisions of this Agreement, which said sums are secured by the Improvement Bond. Developer's liability shall in no way be limited to the amount of the Improvement Completion Assurance,

3. The Developer shall complete all improvements contained within the approved construction drawings, landscape and maintenance plan, and final plat.

4. Developer shall pay the City \$450.00 for each sewer manhole collar and \$350.00 for each water valve collar for their future installation.

5. Developer shall supply the City with water rights or shares as set forth in Nibley City Code Section 21.12.020 for the Development, as follows: _____ Acre-ft. of water shares from Black Smith Fork Irrigation Company or an equivalent amount of acre feet from another irrigation company located in Nibley City. Developer shall provide said shares to the City before the commencement of construction.

6. Open Space Land in the Development and indicated on the approved plat shall be managed and maintained as outlined in the attached Maintenance and Landscape Plans which is incorporated herein as Exhibit "A."

- a. Open Space located within phase one shall be developed as part of the phase and must be completed within one year of notice to proceed.

7. Developer shall ensure that Street Trees are planted and maintained in the Development in accordance with Nibley City Code and the attached Street Trees Plan, which is incorporated herein as Exhibit "B."

- a. The Developer shall pay the City a sum equal to \$250 per required tree for the development, as shown in the attached Street Tree Plan. The total required trees for Phase 3 is 67 trees. The total amount due to Nibley City is \$16,750.00
- b. The City shall use the Tree Payment to select, purchase, plant and maintain trees planted in the park strips of the Development.
- c. The City shall plant trees for each lot within one year of each home being granted occupancy

8. Developer shall provide a Warranty Bond in the sum equal to ten percent (10%), a total of \$_____, of the estimated costs of all improvements installed in the Development as estimated by the City Engineer for the period of Developer's warranty on the improvements in the Development as described in Nibley City Code 21.14.050. Security in amounts of more than 10% may be required by the City Manager if it is deemed appropriate and necessary. The Warranty Bond shall meet all the criteria outlined in Nibley City Code Chapter 21.14.

9. Developer shall comply with all applicable federal, state, county and City requirements, regulations and laws for each aspect of this Development, including payment of fees and compliance with design and construction standards. Nothing in this Agreement shall be deemed to relieve Developer from the obligation to comply with all such applicable laws, ordinances and requirements as now existing and as enacted and/or amended prior to construction. In the event of a conflict between this Agreement and any applicable federal, state, county, or city requirement, regulation, or law, the federal, state, county, or city requirement, regulation, or law shall prevail to the extent of such conflict.

10. Developer shall not engage in any construction or disturbance of soil in the development prior to issuance of the Notice to Proceed by the Public Works Director.

11. The City agrees to provide secondary/irrigation water owned by the City to Developer for the benefit of some or all of the Open Space Land, on such terms and conditions as the City deems appropriate. The provision of water shall be governed by a separate agreement.

12. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto mentioned and permitted successors and assigns; provided, however, that this Agreement cannot be assigned, transferred or conveyed by either party, without the express, written consent of the other party.

13. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the parties consider and intend that this Agreement shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement shall remain in full force and affect.

14. Time is of the Essence. Time is of the essence to this Agreement and every right or responsibility shall be performed within the times specified.

15. Mutual Drafting. Each party has participated in negotiating and drafting this Agreement and therefore no provision of this Agreement shall be construed for or against either party based on which party drafted any particular portion of this Agreement.

16. Entire Agreement. This Agreement, and all Exhibits thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all parties.

17. No Third Parties. This Agreement, and all Exhibits thereto, is intended for the sole benefit of the named parties thereto. No third party, except for permitted successors and assigns, shall have any right to enforce any of the terms or obligations herein.

18. Recordation and Running with the Land. This Agreement shall be recorded in the chain of title for the Development. This Agreement shall be deemed to run with the land.

19. Attorney Fees. Both Parties shall pay for their own attorney fees and costs arising out of or connected in any way to the execution of this Agreement. Any Party that prevails in any legal proceeding, including court proceedings, arbitration, and administrative proceedings, to enforce this Agreement or adjudicate any issues under or in connection with this Agreement will be entitled to recover its reasonable attorney fees, costs, and expenses of such proceedings

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

NIBLEY CITY

DEVELOPER

By: DAVID N. ZOOK
Its: City Manager

By:

By: Jeff Jackson

STATE OF UTAH)
 :SS
County of Cache)

On this ____ day of _____, 2019, personally appeared before me DAVID N. ZOOK, City Manager, the signer of the within instrument, who duly acknowledged to me that he executed the same as City Manager for Nibley City Corporation.

NOTARY PUBLIC

STATE OF UTAH)
 : SS
County of Cache)

On the ____ day of _____, 2019, personally appeared before me, _____, Developer, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC

Exhibit A
Maintenance and Landscape Plans

Exhibit B
Tree Planting Plan