



NIBLEY CITY COUNCIL MEETING AGENDA

Thursday, April 9, 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 Sweeten)
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. **Discussion & Consideration** – A Proclamation Recognizing Arbor Day in Nibley City
7. **Public Hearing** – Ordinance 20-09: An Update to Nibley City Commercial and Neighborhood Commercial Zoning Standards
8. **Discussion & Consideration** – Ordinance 20-09: An Update to Nibley City Commercial and Neighborhood Commercial Zoning Standards
9. **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 (Third Reading)
10. **Discussion & Consideration** – Resolution 20-04: Interlocal Agreement Regarding Wastewater Services (Third Reading)
11. **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
April 9, 2020**

Agenda Item #6

Description	Discussion & Consideration – A Proclamation Recognizing Arbor Day in Nibley City
Department	City Council
Presenter	Rod Elwood, City Forester
Recommendation	Make a motion to adopt the resolution recognizing Arbor Day in Nibley City.
Reviewed By	Mayor, City Manager, City Forester

Background

In accordance with the Tree City standards, the City spends more than \$12,000 per year on tree related activities, including planting new trees, providing trees to residents to plant in the City, and equipment and staff time to maintain existing trees.

Nibley City participates in the Tree City USA program administered by the Arbor Day Foundation. To be designated as a Tree City USA city, there are several standards the City must meet, including the following:

1. Have a tree board or tree department
2. Have a tree care ordinance
3. Have a community tree program with a budget of at least \$2 per resident
4. Hold an annual Arbor Day observance and make an Arbor Day Proclamation

Arbor Day in 2020 is proposed to be recognized on Friday, April 24 in conjunction with National Arbor Day.

A PROCLAMATION CELEBRATING ARBOR DAY IN NIBLEY CITY, UTAH

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than one million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and *WHEREAS*, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and *WHEREAS*, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, Nibley City makes great efforts to set the example in planting trees and encouraging citizens to do likewise; and

WHEREAS, Nibley City desires to improve its efforts to commemorate Arbor Day each year; and

WHEREAS, Nibley City has chosen to celebrate Arbor Day 2019 on Friday, April 24, in coordination with National Arbor Day.

NOW, THEREFORE, I, Shaun Dustin, Mayor of the City of Nibley do hereby proclaim Friday, April 24, 2020, to be ARBOR DAY in the City of Nibley, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

Dated this 9th day of April 2020.

Shaun Dustin, Mayor

Attest: _____
David Zook, City Recorder

Agenda Item #7 & 8

Description	Public Hearing – Ordinance 20-09: An Update to Nibley City Commercial and Neighborhood Commercial Zoning Standards and Discussion & Consideration – Ordinance 20-09: An Update to Nibley City Commercial and Neighborhood Commercial Zoning Standards (First Reading)
Department	Planning
Presenter	Stephen Nelson, 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.

Quick Links: [Nibley City Design Standards for Commercial and Institutional Uses](#)
Nibley City Commercial Codes: [19.14 Commercial Zone](#)

[19.20 Land Use Chart](#)
[19. 28 Conditional Use](#)

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.

As requested at the last meeting, the Accessory Dwelling Unit section has been removed.

Condominiums:

Staff recommends that the City Council consider allowing commercial condo units within the neighborhood commercial zone. Staff is proposing the following language:

A. Condominiums

- a. Neighborhood Commercial developments shall allow for commercial building as condominiums. All properties, landscaping, parking lots, private roadways, etc shall be maintained by an owners association.*
- b. Condominium buildings must comply with all other aspects of this chapter.*
- c. A commercial condominium development must provide sufficient parking and landscaping for each unit as required by this chapter.*
- d. Front, rear, and side setbacks shall be measured from the foundation walls of the building*
- e. There shall be a max of five condominium units per acre.*

ORDINANCE 20-09

**AN UPDATE TO NIBLEY CITY COMMERCIAL AND NEIGHBORHOOD
COMMERCIAL ZONING STANDARDS**

WHEREAS, Nibley City wants to encourage commercial development within Nibley City; and

WHEREAS, the City wants to eliminate some barriers to developing in commercial and neighborhood commercial zones; and

WHEREAS, commercial and economic development can have positive and negative impacts on residents of Nibley City; and

WHEREAS, Nibley City also wants to ensure businesses and commercial developments provide needed infrastructure to offset their impact.

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

1. The attached ordinance is hereby adopted as Nibley City Code 19.14
2. Nibley City Code 19.24.170 (C) title shall be titled "Commercial, Neighborhood Commercial and Industrial".
3. 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.
4. This ordinance shall become effective upon posting as required by law.

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

Shaun Dustin, Mayor

ATTEST:

David Zook, City Recorder

Stephen Nelson 4/7/2020 9:28 PM

Comment [1]: I have added this to ensure that it is clear that our landscaping code is the same for each zone.

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.

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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

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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.
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.

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Comment [1]: Surrender

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Comment [2]: Remove

Stephen Nelson [2] 3/19/2020 9:09 PM

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- D. Each Commercial building shall be built to the standards in Nibley City Design Standards for Commercial and Institutional Uses except for Remodeled Residential Units as stated within this chapter.

- E. All commercial buildings shall comply with fire code and are subject to inspection of the Fire Marshall before a business license or conditional use permit is 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

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.

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. Such homes may be referred to as "Remodeled Residential Units."

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

3. Any business taking place in a remodeled residential unit is considered a conditional use and shall obtain a conditional use permit prior to beginning operations, regardless of the use within the building. Any change in the business or use of the Remodeled Residential Unit shall require a new conditional use permit.

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

H. The City may require the placement of fences or walls to enhance security and mitigate aesthetic or other impacts at facilities adjacent to residential areas.

I. In Commercial Zones, warehousing and storage may be allowed as part of business if it is attached to offices, retail, or other permitted or conditional use allowed within a Commercial Zone.

J. All Commercial developments shall comply with landscaping code within NCC 19.24.170

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Stephen Nelson [2] 3/13/2020 12:12 PM

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Comment [4]: Something to consider. Is a CUP for a specific business, or just for the Unit to be operated as a commercial building? If the former, then I suggest making clear that changes in uses need new CUPs, along these lines. If the latter, then delete this suggestion.

Stephen Nelson [2] 4/7/2020 9:34 PM

Comment [5]: I believe the intent was for the business.

Robert Patterson 4/6/2020 6:09 PM

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19.14.030 Space Requirements

See NCC 19.22.

HISTORY

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

19.14.040 Parking Requirements

See NCC 19.24.160.

HISTORY

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

19.14.050 Neighborhood Commercial Zone C-N

A. Purpose

1. The neighborhood commercial zone C-N is established to provide areas in which the primary use of land is for commercial and service uses to:

- a. Serve the daily convenience needs of the adjacent residential neighborhoods.
 - b. Provide economic stability.
 - c. Enhance property values.
 - d. Establish strategies for achieving good community design.
 - e. Stabilize areas/zones.
 - f. Reduce traffic congestion and promote walkable communities.
 - g. Promote the policies of the general plan.
2. This C-N zone shall be located in areas deemed appropriate and approved by the city council for services to the residents of the city. The zone will create a minimum of detriment, hazard, noise or inconvenience to surrounding residential development.
 3. The C-N zone shall be characterized by harmonious grouping and architectural offset of building mass of commercial stores and shops which will be architecturally designed for, and will function as, an integrated unit. Clean parking lots and attractive well maintained shops with appropriate landscaping will also be characteristic of this zone.
 4. Lighting will be of low intensity, low profile and fully shielded to protect the surrounding residential areas. The architectural design and character will be compatible with that of the surrounding residential environment.
 5. Heavy commercial uses within this zone have been excluded and are not permitted.
- B. Permitted Uses: See NCC 19.20.
- C. Conditional Uses:
1. Regular Conditional Uses: See NCC 19.20.
 2. Temporary Accessory Uses: Temporary accessory uses and structures are permitted in the C-N zone, provided they are incidental to, and do not substantially alter the character of, the permitted use or structure. Such permitted accessory uses and structures include, but are not limited to, the following: Storage of materials used for construction of a building, including the contractor's temporary office, provided that such use is on the building site or immediately adjacent thereto and provided further that such shall be permitted only during construction period and thirty (30) days thereafter.
 3. Use Limitations: All other uses not listed are not permitted.
 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. Such homes may be referred to as "Remodeled Residential Units."
 - b. Remodeled Residential Units must comply with landscaping, parking, fire code, the Americans with Disability Act (ADA) requirements, building permit requirements, inspections, and all other standards and requirements described within this title.
 - c. Any business taking place in a remodeled residential unit is considered a conditional use and shall obtain a conditional use permit prior to beginning operations, regardless of the use within the building. Any

Stephen Nelson 12/3/2019 11:15 AM

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Robert Patterson 4/6/2020 6:27 PM

Comment [6]: This isn't very clear to me. One building? Strip mall? Multiple buildings in some kind of unifying plan?

Stephen Nelson [2] 4/6/2020 11:00 PM

Comment [7]: I added the condo section to help clarify.

Stephen Nelson [2] 4/7/2020 9:33 PM

Comment [8]: Changes copied from above based on Robs changes.

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change in the business or use of the Remodeled Residential Unit shall require a new conditional use permit.

- D. Area Density Requirements: Each single lot or parcel of land in the C-N zone shall contain a minimum of one-fourth (1/4) acre to allow for the building, site development, parking, required landscaping and stormwater detention. Stormwater detention can be planned as one shared basin.
- E. Lot Frontage: The combined, contiguous parcels or lot of land in the C-N zone shall abut a public street for a minimum distance of one hundred feet (100').
- F. Lot Coverage: No building, structure or group of buildings with their accessory buildings shall cover more than seventy percent (70%) of the lot or parcel.
- G. Minimum Lot Standards: The following minimum yard requirements shall apply to the C-N zone:
1. Front Yard: Each yard or parcel in the C-N zone shall have a store front yard of not less than twenty feet (20').
 2. Side Yard: Each yard or parcel of land in the C-N zone shall have a side yard of not less than ten feet (10'). The minimum side setback from an adjacent residential zone shall be ten feet (10').
 3. Side Yard; Corner Lots: On corner lots the side yard contiguous to the street shall not be less than twenty feet (20') in width and shall not be used for vehicular parking. Said area shall be appropriately landscaped except those permitted accesses or driveways.
 4. Rear Yard: Each lot or parcel of land in the C-N zone shall have a rear yard of not less than five feet (5'), but at a minimum shall match the space requirements for the rear yard setback of the adjoining zone except the rear yard setback shall be thirty feet (20') adjacent to a residential zone.
- H. Building Height: No lot or parcel of land in the C-N zone shall have a building or structure which exceeds the height of two (2) stories with a maximum height of thirty five feet (35') and comply with NCC 19.24.080, "Public Buildings, Additional Height Allowed".
- I. Building Size: The maximum size building footprint allowed shall not exceed a total of fifteen thousand (15,000) square feet. Condominiums
1. Condominiums, as defined in 19.32.020, shall be a permitted use in the Neighborhood Commercial zone, as set forth herein.
 2. All shared or common properties, landscaping, parking lots, roadways, and other non-public amenities or improvements that serve the condominium shall be maintained by an owners association, pursuant to duly adopted and recorded agreements.
 3. If a development chooses to build condominiums, they must provide sufficient parking and landscaping for each unit.
 4. Front, rear, and side setbacks shall be measured from the foundation walls of the building
 5. There shall be a maximum of five condominium units per acre.
- J. Off Street Parking, Loading, And Access:

Robert Patterson 4/6/2020 6:27 PM

Comment [9] : Something to consider. Is a CUP for a specific business, or just for the Unit to be operated as a commercial building? If the former, then I suggest making clear that changes in uses need new CUPs, along these lines. If the latter, then delete this suggestion.

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Comment [10] : Once we finalize the language above, we should copy it here. Or we Should just point to the language above ... [1]

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Comment [12] : The C-N zone is nc ... [9]

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Comment [13] : Do we have a sta ... [11]

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Comment [14] : Yes, in code 19.2 ... [12]

Stephen Nelson [2] 3/13/2020 12:28 PM

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

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

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

Agenda Item #9

Description	Discussion & Consideration – Ordinance 20-06: Residential Planned Unit Development Overlay Zone and Development Agreement 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, City Planner
Recommendation	Make a motion to approve the overlay zone
Reviewed By	Mayor, City Manager, City Attorney, City Planner, Public Works Director, City Engineer, and Nibley City Planning Commission.

Background:

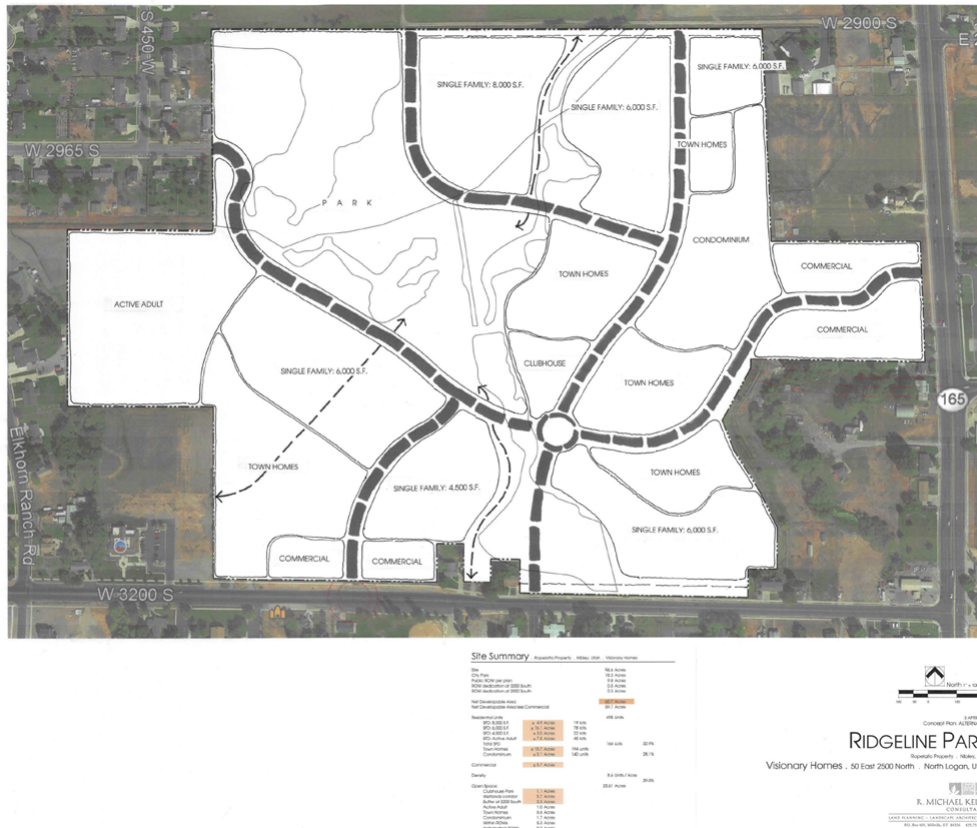
The following is excerpted from an email drafted by Mayor Dustin to the City Council regarding this project:

“There were two open questions to be resolved when we continued the issue and left the meeting last week.

- 1) Roadway alignment—Provide revised design the “flattens” the route between 2965S and 2900S
- 2) Park agreement
 - a. Who will be designing the city owned portion of the park?
 - b. How will the city owned portion of the park be built?
 - c. How much do we want to obligate to the park development from the impact fees generated by Ridgeline

Answers that I intended are below:

- 1) Roadway alignment: See below. There should be a higher quality copy of this in the Box. This meets the intent of attaching to the two streets more directly and aligning with the existing Maverik drive as requested by the Council and staff.



- 1) Park development agreement
 - a. Who will control the design? The City will control the design. The ground will be deeded to the City, and it's a City park being funded with City dollars.
 - b. The City owned portion of the park may, at the City's option, be developed by the proponent under the direction of the City. This would result in a pretty substantial savings for the city so long as we have a good relationship with the Proponent. If there comes a time when the City Council feels that this is not in the best interest of the taxpayers, the City may elect to build portions using in house resources or by contracting it out. The offer from the developer could be generous—we would be able to take advantage of their mobilization, their pricing power, and their construction management. It could also be that we would be better off on our own. Either way, the Council will have the control and the option for each phase.
 - c. How much do we want to obligate? The current text in the Box says 63%. This is my fault. That number is derived from the fact that 63% of the existing land is wetland. As we know from developing Firefly, wetland can't get the intensive development that unregulated ground can get, but it still costs money for trees, sidewalks, benches, bridges, and irrigation for trees and grass buffers. What I intended was to propose that

the unregulated ground be valued at 100% and the wetland be valued at 50-60% of the development cost of unregulated ground. I DON'T KNOW IF THIS IS RIGHT. But it's a good faith point to start that gives us a basis that's grounded in some kind of metric that I think is comparable to what we've already done, and it gives our partner some kind of certainty with regard to the quality of work that they can rely on moving forward. If we set it at 60%, then that gives us a total of 85% of the impact fees would be focused on the new park. I have worked through this with the developer, explained the logic and the need for the City to have some flexibility, and they have agreed in principle."

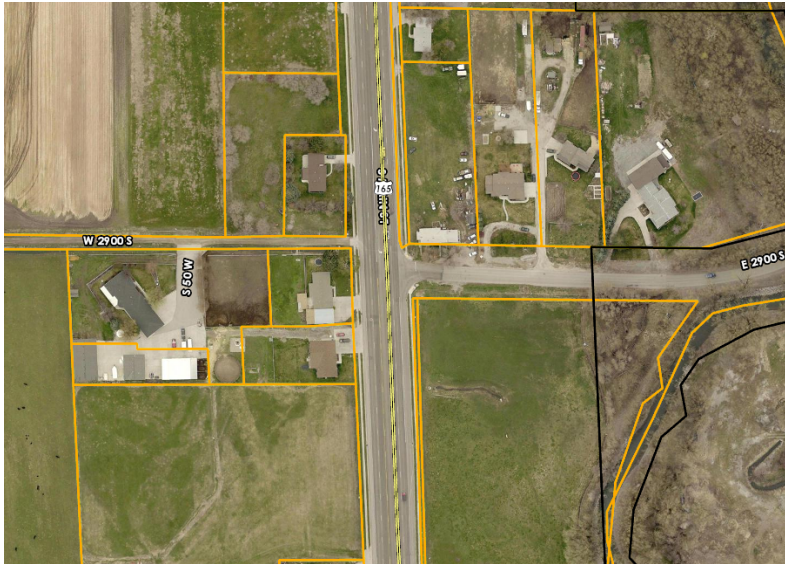
End of Mayor Dustin Email Excerpt.

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 approved, 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. Since the City Council passed the moratorium to revise the RPUD ordinance, it may wish to deny this application in order to require the applicant to follow the new guidelines, after they are developed and adopted. However, if the application meets the expectation of the City Council, then the Council may approve the application with the development agreement.

-Streets



Staff has had several concerns about the proposed road layout with the proposed development. The main concern is access to Highway 165. Staff recommended that an 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 a few weeks ago 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.

The new proposed road layout and development agreement require the developer to build the following roadways:

1. 2900 S within the current right-of-way east of the proposed development to highway 165.
2. That 2965 S has a direct alignment or route to 250 W and Highway 165.
3. 250 W as shown on the transportation master plan.

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 give the park property to the City and develop the property in exchange for impact fees. **The proposed development agreement states that the City Park Property will be donated to the City by the property owner, then at least 85% of the impact fees that would be generated from the development be used to design, develop, and construct the park. The 85% is based on the fact that almost 40% of the land within the park that is registered wetlands, as explained in Mayor Dustin's email above.**

-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 use, 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

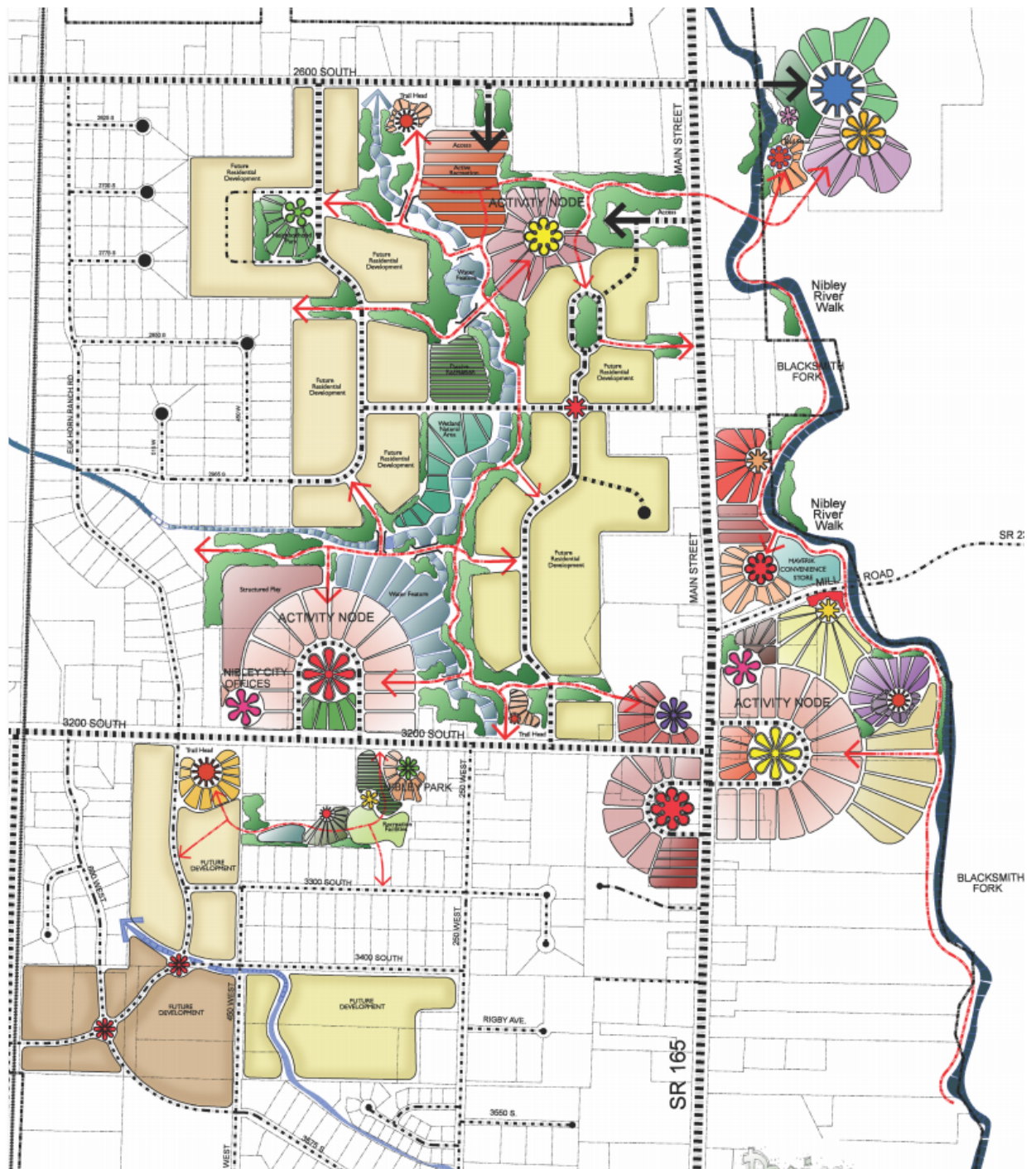
One of the critical aspects of the town center development is the preservation and enhancement of the north-south drainage/open space corridor. This corridor provides for trail access, environmental education, wetland preservation, as well as a multitude of passive and active recreational activities.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

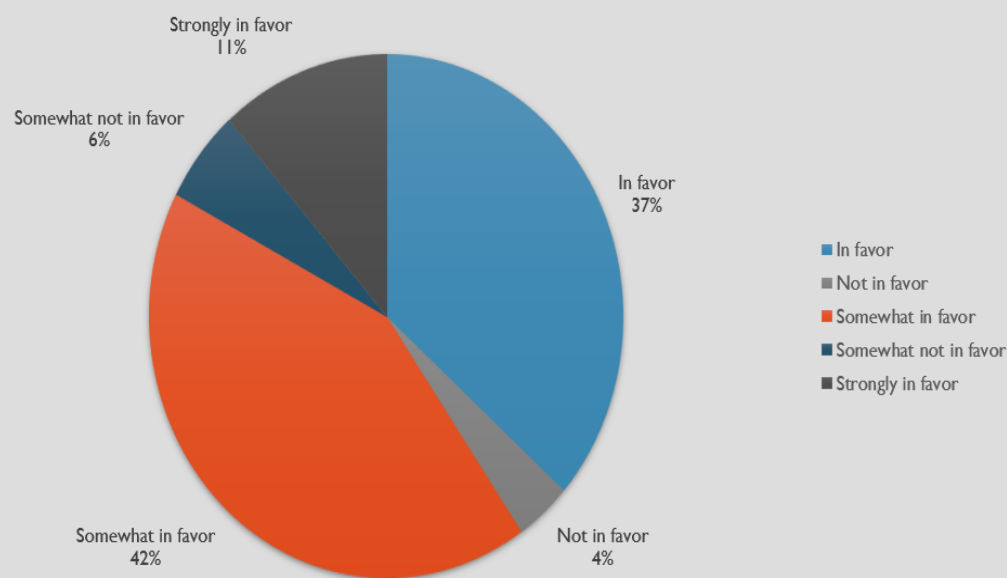
To be viable, the town center must be a safe place to live, work and play, offer financially viable development opportunities (synergy), provide more enhanced public spaces and overall promote a more positive image of the community as a whole. The town center has to be a vibrant, exciting, interesting, 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.

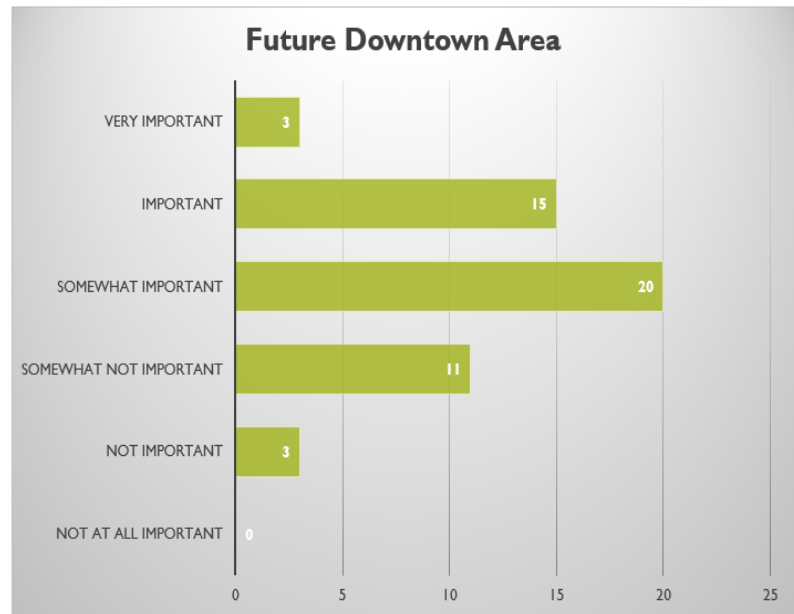
In preparation for creating a Future Land Use Map, Nibley City staff conducted a survey of Nibley residents during the 2018 Heritage Days. This survey covered a number of future land use topics, but there were two questions about the development of a downtown or Town Center. The following are the results.

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.

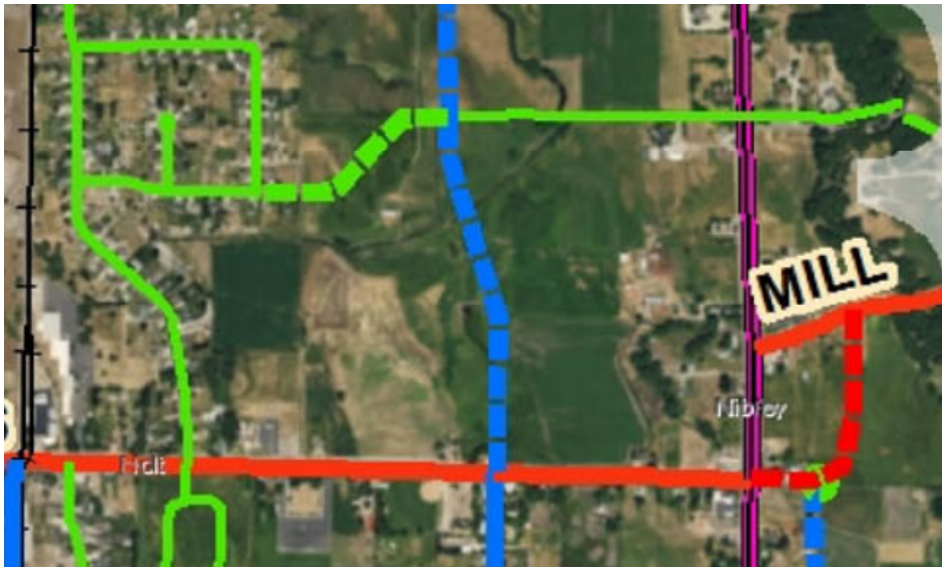
Utilities

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

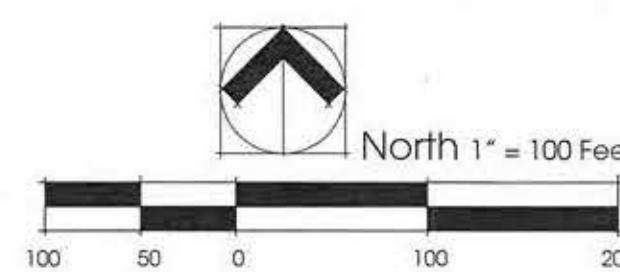
ATTEST:

David Zook, City Recorder



Site Summary

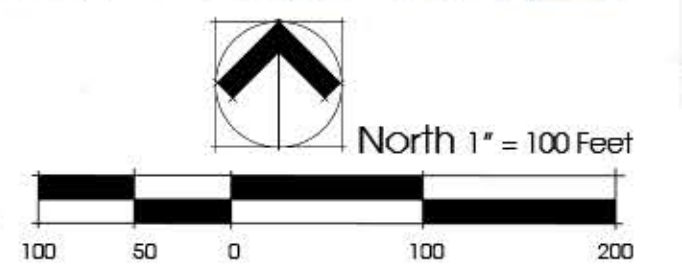
Site	94.6 Acres
City Park	18.3 Acres
Public ROW per plan	9.8 Acres
ROW dedication at 3200 South	0.5 Acres
ROW dedication at 2900 South	0.3 Acres
Net Developable Area	65.7 Acres
Net Developable Area less Commercial	59.7 Acres
Residential Units	498 Units
SFD: 8,000 S.F.	± 4.9 Acres
SFD: 6,000 S.F.	± 16.1 Acres
SFD: 4,500 S.F.	± 3.0 Acres
SFD: Active Adult	± 7.5 Acres
Total SFD	194 Lots
Town Homes	± 15.7 Acres
Condominium	± 5.1 Acres
Commercial	± 5.7 Acres
Density	8.6 Units / Acre
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



3 APRIL 2020
Concept Plan: ALTERNATIVE

RIDGELINE PARK

Ropelatto Property . Nibley, Utah
Visionary Homes . 50 East 2500 North . North Logan, Utah



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. The Developer shall dedicate 18.3 acres to the City as consideration for this Agreement, free and clear as shown in the attached Preliminary Plans for a City Park. The City and Developer shall then enter into a separate Park Development Agreement for improvement of said park space, as described herein.

- a. The City and Developer shall enter into a future agreement to develop the City Park Space. This agreement shall cover amenities, infrastructure, landscaping, and development. The City shall design of the future City Park Space and all improvements incorporated there in.
- b. The Developer shall develop and construct the City Park Space as determined and designed by the City.
- c. Funding: The Developer shall pay for the design, development, and construction of the City Park Space as described in the Preliminary Plans through park impact fees generated from the Development. The Park Development Agreement shall review and allocate the park impact fees generated from the Ridgeline Park Development in accordance with this section. At least 85% of park impact fees generated from the Development shall be used to fund the design, development, and construction of the City Park Space. All other impact fees may be assessed, collected, and used as set forth in Nibley City Code. The City may waive, offer a credit for, or reimburse impact fees as set forth in Nibley City Code for Developer's provision of park amenities, infrastructure, landscaping, and improvements, provided that the Developer shall not receive a waiver, credit, or reimbursement of any impact fees due to the dedication of the park space.
- d. The park construction shall be proportionally phased in construction with each phase of development of Ridgeline Park R-PUD. The Park Development Plan shall contain a phasing plan for construction of the park space.

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

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8. The Developer shall develop a half road of 2900 S adjacent to Ridgeline Park and also develop and pave the 2900 S right-of-way east of the Development to Highway 165, according to City standards, including curb, gutter, sidewalks and landscaping.

9. The Developer shall provide a public roadway to Highway 165 through the eastern neighborhood commercial property. This roadway shall be built when the commercial property is developed, or when traffic generated in the development warrants the intersection, as determined by Nibley City, and according to Nibley City traffic and design standards.

a. This roadway shall have direct east/west alignment with 2965 S intersection on the west side of the development. Meaning, 2965 S shall align with the intersection on Highway 165 without need to turn onto another roadway.

10. The Developer shall construct 250 W on the south edge of its development to align with 250 W south of the development as shown on the Transportation Master Plan.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

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16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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 _____, 2020, 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.

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NOTARY PUBLIC

STATE OF UTAH)
 : SS
County of Cache)

On the ____ day of _____, 2020, personally appeared before me, _____, Developer, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

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Exhibit A
Preliminary Plans

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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.

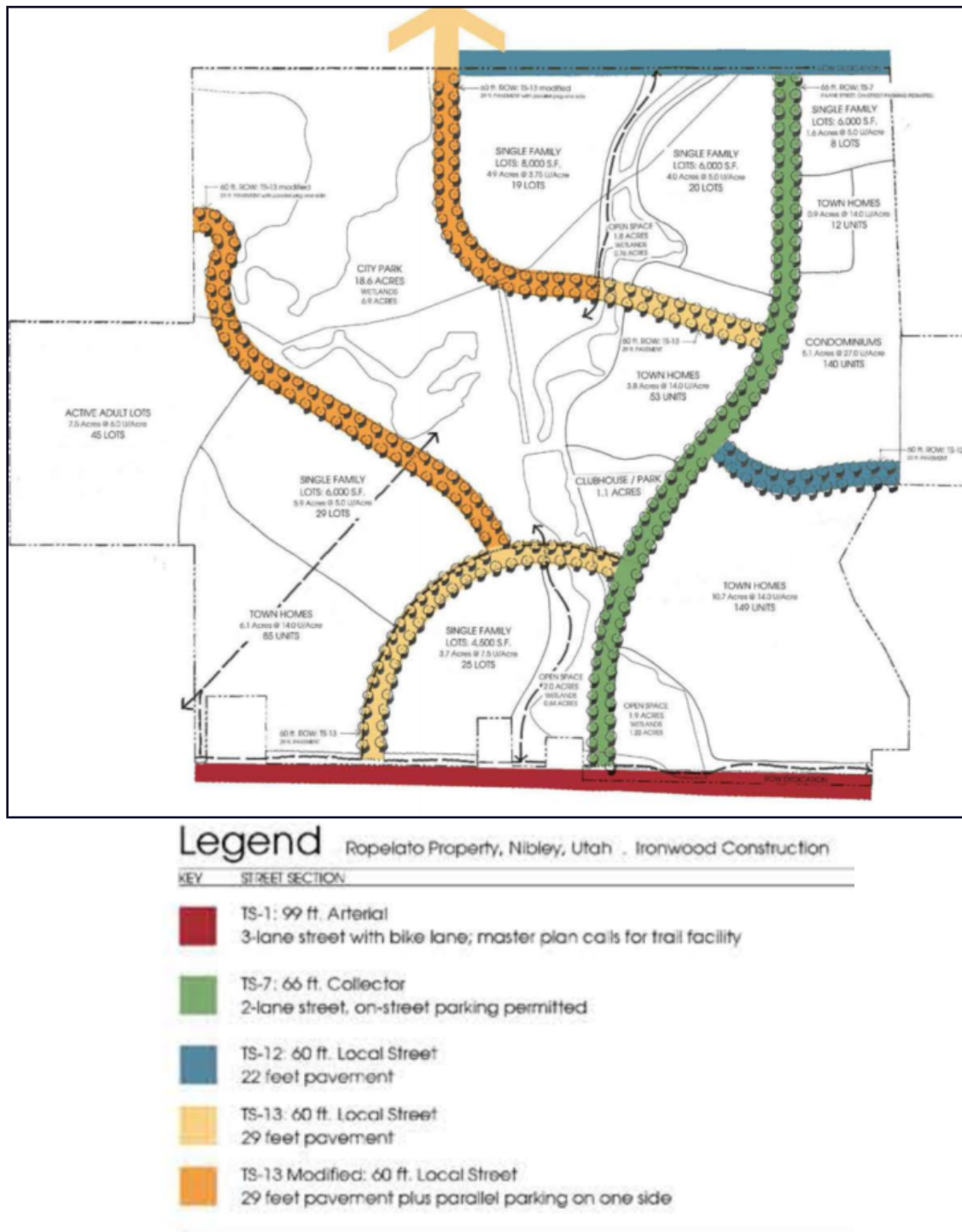


Exhibit 3. Road-Cross Section Exhibit

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



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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

Flow Field	Flow	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

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	10.318	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

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0 0.5 1 Miles



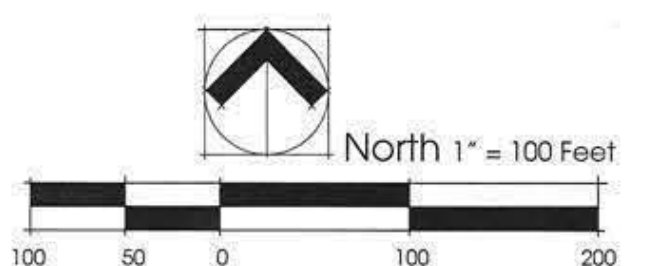
OTHER J-U-B COMPANIES



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 #10

Description	Discussion & Consideration: Resolution 20-03 – Interlocal Agreement Regarding Wastewater Services (Third 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, Public Works Director, 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