



Nibley City
Planning Commission Meeting
Thursday, July 15, 2021
455 W. 3200 S.
Nibley, UT

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

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. The public may participate in the meeting either in person or via the Zoom meeting link provided at www.nibleycity.com.

1. **Workshop:** Animal Land Use Regulations
2. **Workshop:** Parcel Boundary and Lot Line Adjustments
3. Staff Report and Action Items

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

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



**Nibley City Planning
Commission
Agenda Item Report
July 15, 2021**

Agenda Item #1: Animal Land Use Regulations

Description

Workshop: Amendments to Animal Land Use Regulations

Department

City Planning

Action Type

Workshop

Recommendations

Discuss potential changes to Animal Land Use Regulations in preparation for public hearing

Reviewed By

City Planner

Background

Recently, a potential resident of the City expressed the desire to house two Juliana Pigs on a residential lot in Nibley City. Pigs are currently addressed within NCC 19.34: Animal Land Use Regulations. Under this provision of code, pigs are only allowed on a lot with more than $\frac{3}{4}$ acre and only 1 pig is allowed per $\frac{1}{2}$ acre. There is also no differentiation between different breeds of pigs within the Code. The petitioner has expressed that the pigs are approximately the size of an english bulldog, are very clean and have minimal impact to neighbors.

Considerations

- What is the anticipated impact of miniature pigs on residential neighborhoods (smell, noise, etc.)?
- Can anticipated impacts be reasonably mitigated?
- What are the potential benefits to the community to allowing the keeping of miniature pigs as pets?
- If miniature pigs should be allowed on smaller lots in Nibley City, how should this be incorporated into Nibley City Code?

Current state of practice

Although most communities prohibit large pigs from residential zones, some municipalities address miniature pigs differently than livestock. For example, Logan City defines potbelly pigs as ‘exotic pets,’ allowing up to 5 of such for each residence.

A quick survey of Planners across Utah revealed the following approaches and experiences:

- In West Valley City, pot-bellied pigs are considered a household pet. Each household is allowed up to four pets from a long list of potential pets. Weight is limited to 150 pounds, and any tusks must either be removed or kept trimmed.
- In Eagle Mountain, pigs (of all kinds) are allowed on lots greater than ½ Acre in size, they allow 2 pigs on lots ½ - 1 acre, 4 Pigs on lots from 1 to 3 acres, and 8 pigs on lots 3+ acres in size. They require 500 SF of fenced area per animal, and to be at least 150’ from the nearest occupied structure on an adjacent lot.
- In Brigham City, there was a resident with a miniature pig that petitioned the City to allow them. City Staff offered this experience: “The house that had the pigs had odors that would carry to the neighbors’ houses in the summer, and the back yard where the pig spent a fair amount of time was devoid of plant life but had plenty of pig poop. We did not end up allowing them here. It was one of the few times in my job here that the tv cameras were showing up for staff review, planning commission, and City Council meetings.”
- In North Salt Lake, after much research and deliberation, the Council decided that pot belly pigs were household pets and not domesticated farm animals. They adopted the following definition:

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats and canaries, but not normally dangerous animals, such as lions or tigers. This definition shall not include a sufficient number of dogs as to constitute an "animal kennel", as defined in this section. Purebred miniature Vietnamese potbelly pigs and other similar purebred miniature pigs, not exceeding one hundred twenty five (125) pounds and twenty two inches (22") in height at the shoulder, limited to no more than two (2) miniature potbelly pigs per residence.

City Staff offered this additional information: “My research told me that there really is no such thing as a mini pig, they are mini because they are being starved so they don’t grow

full size which shortens their life expectancy. However, they are very smart, are litter box trained, but you don't want more than 2 or they get into mischief.”

- Layton City recently considered allowing miniature pigs as household pets, but ultimately denied the request due to concerns of impacts on neighbors.

Recommended approach to applicant's request

In order to consider the applicant's request, Staff recommends considering the addition of 'potbellied pigs or other similar miniature pig, not to exceed 125 pounds' to the list of allowed animals under each appropriate section of NCC 19.34. It appears that the impact of a miniature pig may be compared to that of a pygmy goat or sheep, which are allow up to 2 such animals on lots greater than 18,000 sq. ft. For lots greater than 0.75 acre, Staff recommends considering adding miniature pigs to the chart of allowed 'large animals,' assigning 15 points per animal, which is the same as a sheep or female/whether goat. The Planning Commission should consider whether this approach is appropriate given the anticipated impact of a miniature pig. If the impact is greater, it may not be appropriate to amend the ordinance in relation to pigs.

Other recommended changes

In addition to the consideration to allow for miniature pigs on smaller lots, Staff recommends making the following changes to NCC 19.34: Animal Land Use Regulations.

1. Amend definition of household pet, excluding references to domesticated/commercial use.
2. Add definition of service animal consistent with the Americans with Disabilities Act (ADA)
3. Strike the provision that requires a conditional use permit for service animals, if they are in addition to the maximum animal limits. This seems inappropriate under the ADA and the City does not have objective standards that would apply in this situation.
4. Add a provision that household pets (other than cats and dogs) are permitted if kept within the primary dwelling. Currently, all pets not listed are prohibited, so technically it is not legal to own a fish or hamster in Nibley City. Staff believes this is reasonable, as the City is unlikely to enforce the keeping of small pets within the home. Those that are not kept within the dwelling at all times are not permitted unless otherwise listed.
5. Strike the provision that allows for a conditional use permit for animals not listed. The City does not have objective standards to apply in various situations. If an animal is not listed, the owner would need to apply to add it to the list of allowed animals and it could be applied appropriately at that time.
6. Strike the provision that requires a conditional use permit for a third dog on lots greater than 0.75 acre. Without objective standards, this is not appropriate. This provision is difficult to enforce and discourages dog owners from registering their dogs if they don't want to go through the conditional use permit process. In addition, it is Staff's opinion that 0.75 acres is adequate space to house three dogs. With this change, Staff recommends deleting section 19.34.060, which currently duplicates 19.34.050, with the exception of the requirement for CUP for the third dog.

Agenda Item #2: Parcel Boundary and Lot Line Adjustments

Description

Workshop: Parcel Boundary and Lot Line Adjustments

Department

City Planning

Action Type

Workshop

Recommendations

Discuss potential amendments to Nibley City Code regarding review process for Parcel Boundary and Lot Line Adjustments

Reviewed By

City Planner

Background

One of the Planning Commission goals for 2021 is to review requirements for lot line adjustments and subdivision amendments. In addition, HB 409, passed by the Utah State Legislature this year, adjusts and clarifies certain requirements for subdivision plat amendments and parcel boundary adjustments. In particular, the following changes have been made to Utah State Code:

- HB 409 clarifies what qualifies as a parcel boundary adjustment vs. a lot line adjustment. Boundary adjustments are adjustments of the boundaries between parcels that are not part of a subdivision and generally do not need city approval, while lot line adjustments are adjustments of lots that are part of a subdivision and constitute a subdivision plat amendment.
- HB 409 provides that cities can review boundary line adjustments if the city adopts an ordinance with the following terms:
 - Boundary line adjustments are reviewable for parcels with dwellings;
 - The review is limited to ensuring the adjustment will not result in lots that violate applicable land use and zoning ordinances;

- Within 14 days of submission, the adjustment is reviewed and either approved or the city sends a notice explaining the specific reasons why it was not approved, with a statement that the adjustment will be approved if the deficiencies or missing information are corrected.

Currently, Nibley City Code does point to State Code for approval of subdivision plat amendments, but provides an exemption for lot line adjustments whether they are part of a subdivision or not. Specifically, NCC 21.08.030 provides:

- A. *An agreement to adjust lot lines between adjoining properties, whether in a subdivision or on unsubdivided parcels of land, may be executed by the owners of record of said properties and recorded upon execution, if the following conditions are met:*
 - 1. *No new lot results from the lot line adjustment.*
 - 2. *No previously existing lot is eliminated as a result of the adjustment.*
 - 3. *If the properties to be adjusted are in a subdivision, the lot sizes, frontages and configurations are consistent with this title and NCC 19.*
 - 4. *No lot is made undevelopable without a variance or other special consideration.*
 - 5. *All property owners directly affected by the lot line adjustment give their consent.*
 - 6. *The lot line adjustment does not result in a remnant piece of land that did not exist previously.*
 - 7. *The lot line adjustment does not result in the violation of any applicable zoning ordinance.*
 - 8. *The lot line adjustment does not substantially alter legal lots that may otherwise need further review by the Planning Commission or City Council in the form of a subdivision amendment.*
 - 9. *Provided the above conditions are met, no municipal land use authority approval is required.*
- B. *An amendment to a subdivision plat shall follow the process and standards within Utah State Code 10-9a-6 as amended, and any applicable Nibley City ordinances.*

Staff has identified some instances in which lot line adjustments have been recorded for lots that do not meet minimum lot sizes, frontage requirements and other standards. This creates issues for existing and future homeowners. To help prevent issues related to non-conforming or non-buildable lots, Staff recommends a Staff-level review process be developed for both lot line adjustments within a subdivision and parcel boundary adjustments outside of a subdivision. This process would require an application be submitted, including:

- a. A quitclaim deed or boundary line agreement, which complies Utah Code 10-9a to be used for recording the lot line adjustment
- b. A property exhibit which displays the existing and proposed lot lines of the affected parcels, including dimensions of each.
- c. A site plan which shows any existing easements and structures on the affected properties, including dimensions and setbacks from existing and proposed lot lines.

In addition to the standards currently required (but not reviewed by the City), Staff recommends the allowance for non-conforming parcels to complete a lot line/parcel boundary adjustment if

the adjustment doesn't decrease the conformance of zoning standards. For example, a $\frac{1}{2}$ lot that is located in an R-1 could complete a parcel boundary adjustment to become a $\frac{3}{4}$ acre lot, even though it doesn't meet the minimum lot size. However, a lot line adjustment which would decrease the lot size of the $\frac{1}{2}$ acre lot in an R-1 zone would not be permitted.

In addition, in accordance with state code, an application for parcel boundary adjustment would only be required if a dwelling is on one of the affected parcels. The review time for application would also be limited to 14 days.

The purpose of this workshop is to review this draft ordinance and discuss its appropriateness and potential changes in preparation for a public hearing.

19.34.010 Intent

The intent of these regulations is to protect and preserve Nibley City's rural heritage while allowing multiple land uses, including agricultural and residential, within city boundaries.

19.34.020 Definition

In this chapter:

HOUSEHOLD PET: animals primarily kept within the house for company or pleasure, such as dogs, cats, birds, fish, turtles, small rodents, and snakes. ~~A domesticated animal, such as a dog, cat, bird, fish, or turtle that is traditionally recognized as a companion animal and is kept in the home for pleasure rather than for commercial purposes.~~

SERVICE ANIMAL: An animal which is individually trained to perform tasks to assist a person with disabilities, regardless of whether they have been licensed or certified by a state or local government. This does not include emotional support, therapy or comfort animals.

Commented [LR1]: This definition is consistent with the Americans with Disabilities Act.

19.34.030 Residential Lots Less Than Twelve Thousand Square Feet

Lots in residential zones that are less than twelve thousand (12,000) square feet are permitted the following animals:

- A. Animals kept as household pets are permitted and are subject to each of the following limitations:
1. The maximum number of dogs per household is two (2) dogs.
 2. The maximum number of cats per household is two (2) cats.
 3. The combination of dogs and cats per household shall not exceed two (2) animals.
 - 4.

Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.

3.—

~~Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance. Service animals are not subject to the above restrictions~~

5.

~~6.~~ Other household pets not listed are permitted if such animals are housed at all times within the primary dwelling unit. All other animals not specifically permitted are prohibited.

Commented [LR2]: Requiring a conditional use permit does not seem appropriate for service animals. It seems questionable under the Americans with Disabilities Act and there are not objective standards for the situation.

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19.34.040 Residential Lots Greater Than Or Equal To Twelve Thousand Square Feet And Less Than 0.75 Acre

Lots in residential zones that are greater than or equal to twelve thousand (12,000) square feet and less than 0.75 acre are permitted the following animals:

A. Animals kept as household pets are permitted and are subject to each of the following limitations:

1. The maximum number of dogs per household is two (2) dogs.
2. The maximum number of cats per household is four (4) cats.
3. The combination of dogs and cats per household shall not exceed four (4) animals.

4.

Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.

5.

Service animals are not subject to the above restrictions. Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.

6. Other household pets not listed are permitted if such animals are housed at all times within the primary dwelling unit. All other animals not specifically permitted are prohibited.

3.

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B. The following animals are permitted with the following maximum number of animals per lot:

1. Two (2) female or wether pygmy goats.
2. Two (2) lambs less than eight (8) months old.
- 2-3. Two (2) potbellied pigs or other similar miniature pig, not to exceed 125 pounds
- 3-4. Two (2) turkeys.
- 4-5. Six (6) rabbits.
- 5-6. Six (6) hen chickens.
- 6-7. Eight (8) pigeons.
- 7-8. Six (6) ducks.
- 8-9. Eight (8) game birds such as quail or pheasants.

C. A minimum lot size of eighteen thousand (18,000) square feet is required for subsections (B)(1), (B)(2), and (B)(3), and (B)(4) of this section.

Offspring less than six (6) months old of animals listed above shall not be counted or regulated.

A combination of the animals listed in subsection B of this section is permitted on each lot with the following provisions:

1. For lots greater than or equal to twelve thousand (12,000) square feet and less than or equal to 0.5 acre, two (2) different species are permitted at any one time.
2. For lots greater than 0.5 acre and less than 0.75 acre, three (3) different species are permitted at any one time.

The animals permitted by subsection B of this section are independent of, and in addition to, the household pets permitted by subsection A of this section.

19.34.050 Residential Lots Greater Than Or Equal To 0.75 Acre

Lots in residential zones that are greater than or equal to 0.75 acre are permitted the following animals:

A. Animals kept as household pets are permitted and are subject to each of the following limitations:

1. The maximum number of dogs per household is ~~three~~^{two} (3²) dogs, ~~and a conditional use permit may be granted for a third dog.~~
2. The maximum number of cats per household is four (4) cats.
- ~~3.~~ The combination of dogs and cats per household shall not exceed six (6) animals.
- ~~4.~~

Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.

~~5.~~

~~Service animals are not subject to the above restrictions. Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.~~

- ~~6. Other household pets not listed are permitted if such animals are housed at all times within the primary dwelling unit. All other animals not specifically permitted are prohibited.~~

~~3.~~

Commented [LR3]: A conditional use permit for a third dog on a property greater than 0.75 acre seems unnecessary. What objective, enforceable standards could be applied in this situation?

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- B. The following animals are permitted at a maximum rate of one hundred (100) large animal points per acre. Large animal points are assigned based on the following table:

Offspring less than eight (8) months old of a permitted large animal shall not be counted or regulated.

Animal	Large Animal Points
Horse, mule, or donkey	75
Goat: billy	75
Cattle: cow, heifer, or steer	50
Pig	50
Ostrich	50
Llama or alpaca	25
Emu	25
Miniature horse or donkey	25
Sheep	15
Goat: female or wether	15
<u>Potbellied pig or other similar miniature pig, not to exceed 125 pounds</u>	<u>15</u>

- C. The following animals are permitted at a maximum rate of one hundred (100) small animal points per acre. Small animal points are assigned based on the following table:

Animal	Small Animal Points
Rooster chicken	50

Rabbit	10
Turkey	10
Duck	10
Goose	10
Hen chicken	2
Game bird such as quail or pheasant	2
Pigeon	2

Offspring less than six (6) months old of a permitted small animal shall not be counted or regulated.

- D. The animals permitted by subsections B and C of this section are independent of, and in addition to, the household pets permitted by subsection A of this section. In addition, residents are permitted to have any combination of permitted large and small animals as long as the combination does not exceed one hundred (100) large animal points per acre plus one hundred (100) small animal points per acre.

Examples for a 2.0 acre lot:

Maximum number of large animal points permitted = $100 \times 2.0 = 200$

Maximum number of small animal points permitted = $100 \times 2.0 = 200$

Two horses, two llamas ($2 \times 75 + 2 \times 25 = 200$ large animal points), plus one hundred hen chickens ($100 \times 2 = 200$ small animal points) are permitted on a residential 2.0 acre lot.

Two horses and three llamas ($2 \times 75 + 3 \times 25 = 225$ large animal points) are not permitted on a residential 2.0 acre lot.

Twenty five hen chickens, twelve rabbits, and four turkeys ($25 \times 2 + 12 \times 10 + 4 \times 10 = 210$ small animal points) are not permitted on a residential 2.0 acre lot.

These examples are not all inclusive of the possible mix of animals.

~~E. A conditional use permit may be granted for species not listed in subsections B and C of this section. The conditional use permit will consider the impact of the proposed species relative to the impact of the species listed in this section.~~

Commented [LR4]: A conditional use permit is not appropriate for this situation. Conditional uses should be listed with objective standards.

~~19.34.060 Agricultural Lots Greater Than Or Equal To 5.0 Acres~~

~~Lots in the agricultural zone that are greater than or equal to five (5.0) acres are permitted the following animals:~~

Commented [LR5]: With the change that lots with greater than 0.75 acre are permitted to have 3 dogs, there is no difference between 19.34.050 and 19.34.060, so this section is no longer needed.

~~A. Animals kept as household pets are permitted and are subject to each of the following limitations:~~

- ~~1. The maximum number of dogs per household is three (2) dogs.~~
- ~~2. The maximum number of cats per household is four (4) cats.~~

~~Offspring less than six (6) months old of permitted household pets shall not be counted or regulated.~~

~~Applicants may be granted a conditional use permit that waives the above limitations for a service animal, such as a guide dog, or an animal that is being trained to provide such assistance.~~

~~B. The following animals are permitted at a maximum rate of one hundred (100) large animal points per acre. Large animal points are assigned based on the following table:~~

Animal	Large Animal Points
Horse, donkey, or mule	50
Cattle: cow, heifer, steer, or bull	50
Pig	50
Goat: billy	50
Ostrich	50
Llama or alpaca	25
Emu	25
Miniature horse or donkey	25

Sheep	15
Goat, female or wether	15

Offspring less than twelve (12) months old of a permitted small animal shall not be counted or regulated.

C. The following animals are permitted at a maximum rate of one hundred (100) small animal points per acre. Small animal points are assigned based on the following table:

Animal	Small Animal Points
Rooster chicken	5
Rabbit	5
Turkey	5
Duck	5
Goose	5
Hen chicken	1
Game bird such as quail or pheasant	1
Pigeon	1

D. Offspring less than six (6) months old of a permitted small animal shall not be counted or regulated.

E. The animals permitted by subsections B and C of this section are independent of, and in addition to, the household pets permitted by subsection A of this section. In addition, residents are permitted to have any combination of permitted large and small animals as long as the combination does not exceed one hundred (100) large animal points per acre plus one hundred (100) small animal points per acre.

F. A conditional use permit may be granted for species not listed in subsections B and C of this section. The conditional use permit will consider the impact of the proposed species relative to the impact of the species listed in this section.

Commented [LR6]: A conditional use permit is not appropriate for this situation. Conditional uses should be listed with objective standards.

19.34.070 Required Setbacks For Animal Land Uses

	Street Line, Public/Private	Dwelling Unit; Same Lot	Dwelling Unit; Adjacent Lot	Lot Line
Barns, stables, coops, beehives, and other accommodations for non-household pets (over 50 square feet)	75 feet	35 feet	50 feet	20 feet
Barns, stables, coops, beehives and other accommodations for non-household pets (under 50 square feet)	50 feet	10 feet	35 feet	10 feet
Manure piles, manure pits	150 feet	100 feet	100 feet	20 feet

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~~No manure piles, manure pits, or similar features shall be kept within one hundred feet (100') of any residential dwelling, commercial dwelling, public street, private street, open waterway, natural stream, stormwater system, or canal. Such features shall not be within twenty feet (20') of a property line.~~

Commented [LR7]: This is redundant with the information already included in the chart.

19.34.080 Surface Drainage

Surface drainage from barns, corrals, stables, coops and other similar buildings shall not be permitted to drain into a waterway that drains into a natural stream or canal.

19.34.090 Restraint Of Livestock And Pets

All livestock and pets shall be so restrained that they shall not damage or destroy adjacent property and must comply with the Nibley City animal control, nuisance and noise regulations, including those listed in NCC 9.02, "Animal Control".

19.34.100 Creation And Continuation Of Nonconforming Uses

Established animal land uses that are impacted by an ordinance change, including rezoning, to a more restrictive animal land use regulation shall be allowed to continue as a legally nonconforming land use (sometimes known as a "grandfathered" land use), with these additional provisions:

1. The established animal land use must have been a legal land use that conformed to the previous, less restrictive regulations.
2. The burden of proving the established animal land use rests on the landowner.
3. The legally nonconforming animal land use will be lost if it is interrupted for more than twelve (12) continuous months. A legally nonconforming use is associated with the property on which it is established.

4. An increased intensity of nonanimal land uses, including subdivision of property and new building construction, on lots with legally nonconforming animal land uses shall not be allowed.
5. Agricultural areas are established to provide areas where the growing of crops and the raising of livestock can be encouraged and supported within the city.

21.08.030 Parcel Boundary Adjustments, Lot Line Adjustments And Amendments To A Subdivision Plat

A. Lot Line and Parcel Boundary Adjustments: An agreement to adjust ~~boundary~~~~lot~~ lines between adjoining properties, whether in a subdivision or on unsubdivided parcels of land, may be ~~executed~~~~applied for~~ by the owners of record of said properties.

1. The following materials shall be submitted with a parcel boundary/lot line adjustment application:

a. A quitclaim deed or boundary line agreement, which complies Utah Code 10-9a to be used for recording the lot line adjustment

b. A property exhibit which displays the existing and proposed lot lines of the affected parcels, including dimensions of each.

c. A site plan which shows any existing easements and structures on the affected properties, including dimensions and setbacks from existing and proposed lot lines.

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A.2. The City Planner or City Engineer shall approve the application for lot line/parcel boundary adjustment ~~and recorded upon execution~~, if the following conditions are met:

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a. All required materials are submitted.

a-b. No new lot results from the lot line/parcel boundary adjustment.

b-c. No previously existing lot is eliminated as a result of the adjustment.

c-d. If the properties to be adjusted are in a subdivision, the lot sizes, frontages and configurations are consistent with this title and NCC 19.

d-e. No lot is made undevelopable without a variance or other special consideration.

e-f. All property owners directly affected by the lot line adjustment give their consent.

f-g. The lot line adjustment does not result in a remnant piece of land that did not exist previously.

g-h. The lot line adjustment does not result in the violation of any applicable zoning ordinance.

i. The lot line adjustment does not substantially alter legal lots that may otherwise need further review by the Planning Commission or City Council in the form of a subdivision amendment.

h-j. Non-conforming lots: notwithstanding the conditions described above, a lot line/parcel boundary adjustment for an existing non-conforming lot which does not result in conformity with the land use ordinance may be approved if the adjustment does not result in a lower level of conformance for any established lot size, frontage or other established standards. For example, if a ½ acre lot located within a zone with a minimum lot size of 1 acre applies for a lot line adjustment which increases the size of the lot to ¾ acre via a lot line adjustment, it may be approved.

i-k. Provided the above conditions are met, no municipal land use authority approval is required. Upon approval, the applicant(s) shall execute and record the adjustment with the Cache County Recorder, in accordance with Utah State Code 10-9a.

3. Exemptions from lot line/parcel boundary adjustment application:

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a. The joining of adjacent properties does not constitute a parcel boundary or lot line adjustment may be executed and recorded with the Cache County Recorder and is not subject to City approval, provided that only one dwelling is located on any affected adjoining properties

b. A parcel boundary adjustment involving properties located outside of a subdivision, which do not contain a dwelling on any affected properties may be executed and recorded with the Cache County Recorder and is not subject to City approval.

4. A complete application for parcel boundary adjustment must be reviewed by the City Planner or City Engineer within 14 days of submittal.

- B. All other amendments to a subdivision plat not described above shall follow the process and standards within Utah State Code 10-9a-~~6~~ as amended, and any applicable Nibley City ordinances.

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