



Nibley City
Planning Commission Meeting
Thursday, July 7, 2022
Nibley City Hall
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. **Public Hearing:** Ordinance 22-13: Rezone a portion of Parcel 03-026-0014 and 03-026-0006, located at 35 West 3200 South from R-2 (Residential) to C (Commercial)(Applicant: Shane Johnson)
2. **Discussion and Consideration:** Ordinance 22-13: Rezone a portion of Parcel 03-026-0014 and 03-026-0006, located at 35 West 3200 South from R-2 (Residential) to C (Commercial)(Applicant: Shane Johnson)
3. **Public Hearing:** Ordinance 22-14: Future Land Use Map Amendments
4. **Discussion and Consideration:** Recommendation for Ordinance 22-14: Future Land Use Map Amendments
5. **Workshop:** Combining lots exemption and Subdivision Plat Amendment approval authority
6. 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 7, 2022**

**Agenda Item #1 & #2: Shane Johnson Rezone:
Residential (R-2) to Commercial**

Description

Public Hearing: Ordinance 22-13: Rezone a portion of Parcel 03-026-0014 and the remainder of 03-026-0006, located at 35 West 3200 South from R-2 (Residential) to C (Commercial)
(Applicant: Shane Johnson)

Discussion and Consideration: Ordinance 22-13: Rezone a portion of Parcel 03-026-0014 and the remainder of 03-026-0006, located at 35 West 3200 South from R-2 (Residential) to C (Commercial) (Applicant: Shane Johnson)

Department

City Planning

Action Type

Legislative

Recommendation

Recommend approval of Ordinance 22-13: Ordinance 22-13: Rezone a portion of Parcel 03-026-0014 and 03-026-0006, located at 35 West 3200 South from R-2 (Residential) to C (Commercial) with the following condition:

- This Rezone does not take effect until this area is subdivided and assigned a separate Parcel Tax ID number.

Reviewed By

City Planner, City Manager

Background

Shane Johnson, owner of parcel 03-026-0014, located at 35 W 3200 S, has submitted a rezone application for a 1 acre portion of the property. The entire property is 7.3 acres and stretches to the north of the proposed rezone area. The current zoning on the property is residential (R-2). The applicant has proposed to rezone the southern 1 acre section of the property, which fronts 3200 South, to commercial (C). The applicant would like to rezone the property to allow for the operation of a landscape products sales business. The use is not permitted in the R-2 zone in which the property is located, so a rezone is necessary to operate the business. ‘Construction Sales and Service’ is listed as a conditional use in the commercial zone.

The applicant has justified this rezone stating that it is in support of the general plan, specifically the objective to “promote small scale neighborhood retail development along Hwy 165 & at appropriate locations throughout the city in order to better meet residents’ needs.” They have also justified the benefit of “providing citizens of Nibley and surrounding communities access to products to manicure and beautify properties.”

Site Context

The site currently sits vacant and is immediately east of the recently constructed Dominion Energy regulator station and west of Ginny’s Pit Stop Soda Shop and a UDOT stormwater basin, which the City maintains. It is approximately 200 feet from the corner of Hwy 165 and 3200 South. There are a few lower density single family residences in the vicinity with Little Wonders Daycare across the street on 3200 South.

General Plan Guidance

The property is located within the ‘Town Center’ area of the Future Land Use Map. Although there is currently no specific zoning designation for the Town Center, the ‘Nibley Town Center Design Study and Guidelines Supplement’ designates the area near 3200 South & Main Street as a ‘Commercial Activity Node’ and “one of the most significant development opportunities in Nibley.” A commercial designation of this property is in support of this Plan. Although the proposed business isn’t necessarily emblematic of the Town Center in regard to promoting walkability and community gathering spaces, it is a necessary use as the City continues to grow with good transportation access. It is likely that other economic development opportunities will be presented in the area as businesses continue to locate to this node of the City. In general, a rezone of commercial in this area would be supportive of the General Plan and the Town Center concept.

Other Considerations

As noted above, the applicant has proposed to divide the zoning on a single larger property. While dividing the property into different zones is technically legal and there are several parcels in Nibley City that are divided into different zones, Staff does not recommend this practice. In addition to use regulations, a zoning designation dictates the setback requirements, design

standards, and City standards. In many cases, these standards are difficult to enforce and administer if the parcel has more than one zoning designation. Therefore, Staff recommends that the rezone be approved conditional upon subdividing this portion of the property, so that it is a separate lot. This would be consistent with recent actions the City has taken for other rezone applications that propose to split the zoning on a single parcel.

The proposed rezone area is immediately adjacent to Parcel 03-026-0006, where Ginny's Pit Stop is located. Although the building is located in a Commercial Zone, a portion of the property, which includes a parking lot, is currently designated as R-2(Residential). Staff recommends rezoning the remainder of 03-026-0006 at this time. The property owner of 03-026-0006 has expressed support for rezoning this remainder piece.



Agenda Item #3 & #4: Future Land Use Map Amendments

Description

Public Hearing: Ordinance 22-14: Future Land Use Map Amendments

Discussion and Consideration: Recommendation for Ordinance 22-14: Future Land Use Map Amendments

Department

City Planning

Action Type

Legislative

Recommendation

Recommend Approval of Ordinance 22-14: Future Land Use Map Amendments

Reviewed By

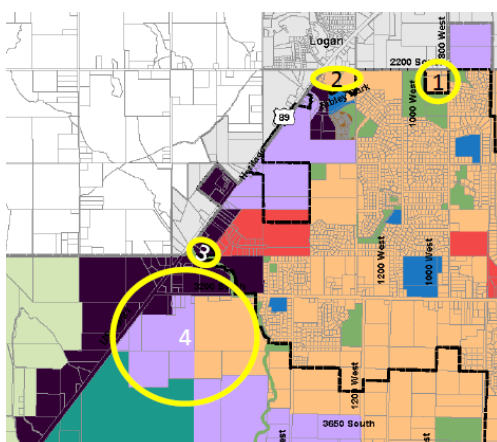
City Planner

Background

One of the Planning Commission Goals for 2022 is to review future land use for future annexation areas. This goal was created in anticipation of the development of areas that face development pressure and are located near the border of Nibley City's existing boundaries. In some cases, these areas abut Logan City and may also annex or otherwise be incorporated into Logan City. In 2021, a 40 acre property located directly north of Clear Creek Park was sold. Nibley City attempted to plan for this area, given the interface with Logan and developed a new Mixed Residential (R-M) ordinance for the area. However, the applicant ultimately annexed into Logan City. The purpose of this workshop is to review specific future annexation areas and discuss the appropriate future land use, given the evolving context of such areas.

The following areas were discussed and considered by the Planning Commission:

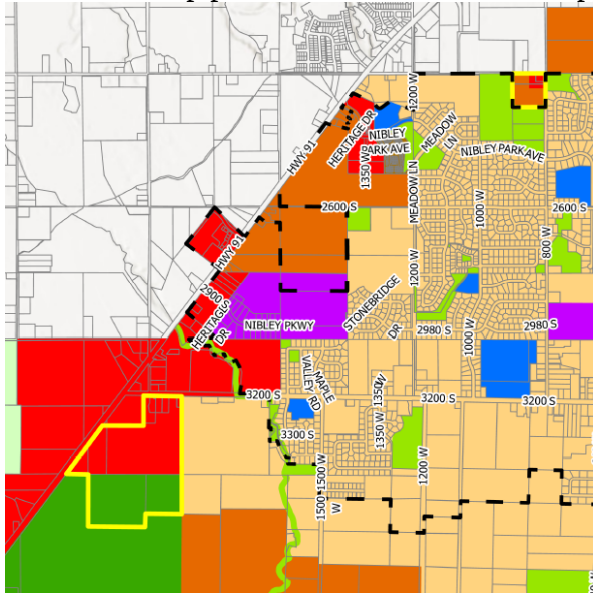
1. SW quadrant of 800 W/2200 S: This unincorporated area is adjacent to Heritage and Clear Creek Park and was recently sold to K holdings. Currently designated as 'medium density residential.'
2. SE quadrant of Hwy 89/91/2200 S: This is incorporated into Logan and was recently rezoned to Commercial. This may be better served by Nibley and was included as a potential annexation area to Nibley with Logan City. Currently designated as 'medium density residential.'



Based upon the discussion and other considerations, the following changes are being proposed by Staff:

For Area 1, the designation is proposed to be changed to 'Commercial' near the corner of 800 West and 2200 and 'Commercial or Medium to High Density Residential' for the remaining area. This is a more appropriate designation given the anticipated higher intensity land uses in the area, including significant high density residential development across the street in Logan.

For Area 4, an area near the corner of 3200 South and Hwy 89/91 is proposed to be changed from 'Commercial and Medium to High Density Residential' to 'Commercial' for a large portion near the intersection and 'Agricultural' for a southern portion which immediately borders the USU Farm property on two sides. The Planning Commission expressed the desire to expand the commercial designation for this intersection to capture the potential of this area as a signal is installed and future road improvements, including the extension of Heritage Drive, are made. There are relatively limited opportunities for viable commercial development to thrive in Nibley and this will help preserve this area for these opportunities.



On the south portion, Staff recommends an Agricultural Designation. This area has limited access and is immediately adjacent to the USU Animal Science Farm. This area includes high-intensity agricultural activities that are planned to continue, and which could be buffered with agricultural uses in the immediate vicinity. This designation will help ensure that productive farmland with viewsheds of the area are maintained.

Agenda Item #5: Combining lots exemption

Description

Workshop: Combining lots exemption and Subdivision Plat Amendment approval authority

Department

City Planning

Action Type

Legislative

Recommendation

Discuss potential ordinance changes

Reviewed By

City Planner, City Attorney

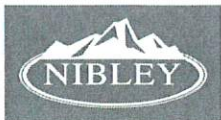
Background

Utah Code 10-9a-601 was recently amended with the following provision:

(4) A legislative body may adopt a land use regulation that specifies that combining lots does not require a subdivision plat amendment.

Currently Nibley City Code does not exempt combining lots from the requirements of a subdivision amendment. Staff recommends considering this exemption since combining lots will, as a general rule, not create a condition of non-compliance with Nibley City's Land Use Ordinance. This is primarily due to the fact that lot sizes and frontages are set as minimum standards and combining lots do not decrease lot sizes or frontages. Nonetheless, Staff recommends adding a caveat to this exemption that waiving the requirement does not 'constitute a land use or zoning approval by the City, unless expressly approved as such by the City. Documents recorded as part of a lot or parcel combination do not modify any existing easement or public right of way, nor do they waive or modify any requirement to comply with all zoning and other land use regulations.'

In addition to this change, Staff recommends modifying the approval authority for a subdivision plat to be the same approval authority as for the original subdivision, rather than the City Council in all cases. It is more appropriate to assign this authority to the same approval authority that originally approved the plat. For Minor or Standard Subdivisions, the Planning Commission would be the approval authority. The City Council would generally be the approval authority for all other plat amendments.



APPLICATION FOR REZONE

PROPERTY OWNER INFORMATION

Name SHANE JOHNSON
Address 135 N. 200 E. MILLVILLE UT. 84326
Phone (435) 764-1560
Email shane90210@yahoo.com quinnjohns@hotmail.com

OFFICE USE ONLY

Date Received:

Application

Fee Paid: \$

PROPERTY OWNER REPRESENTATIVE (If Applicable)

Name _____
Address _____
Phone _____
Email _____

PROJECT INFORMATION:

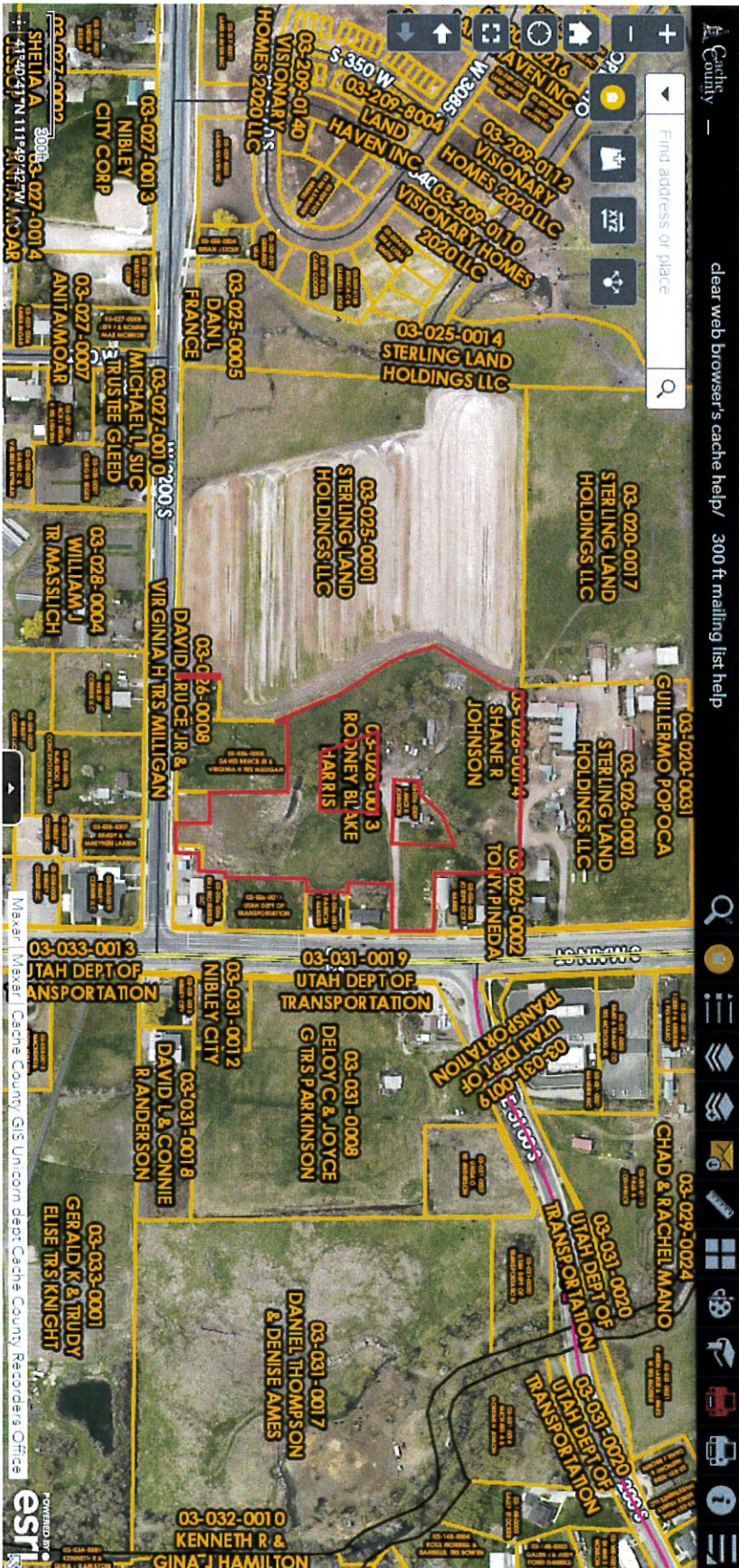
Project Address: 35 WEST 3200 SOUTH NIBLEY
Tax I.D. Number(s): 03-026-0014
Project Size (Acres): 7.65 AC
Current Zoning: RESIDENTIAL Proposed Zoning: COMMERCIAL

SUPPORTING MATERIALS:

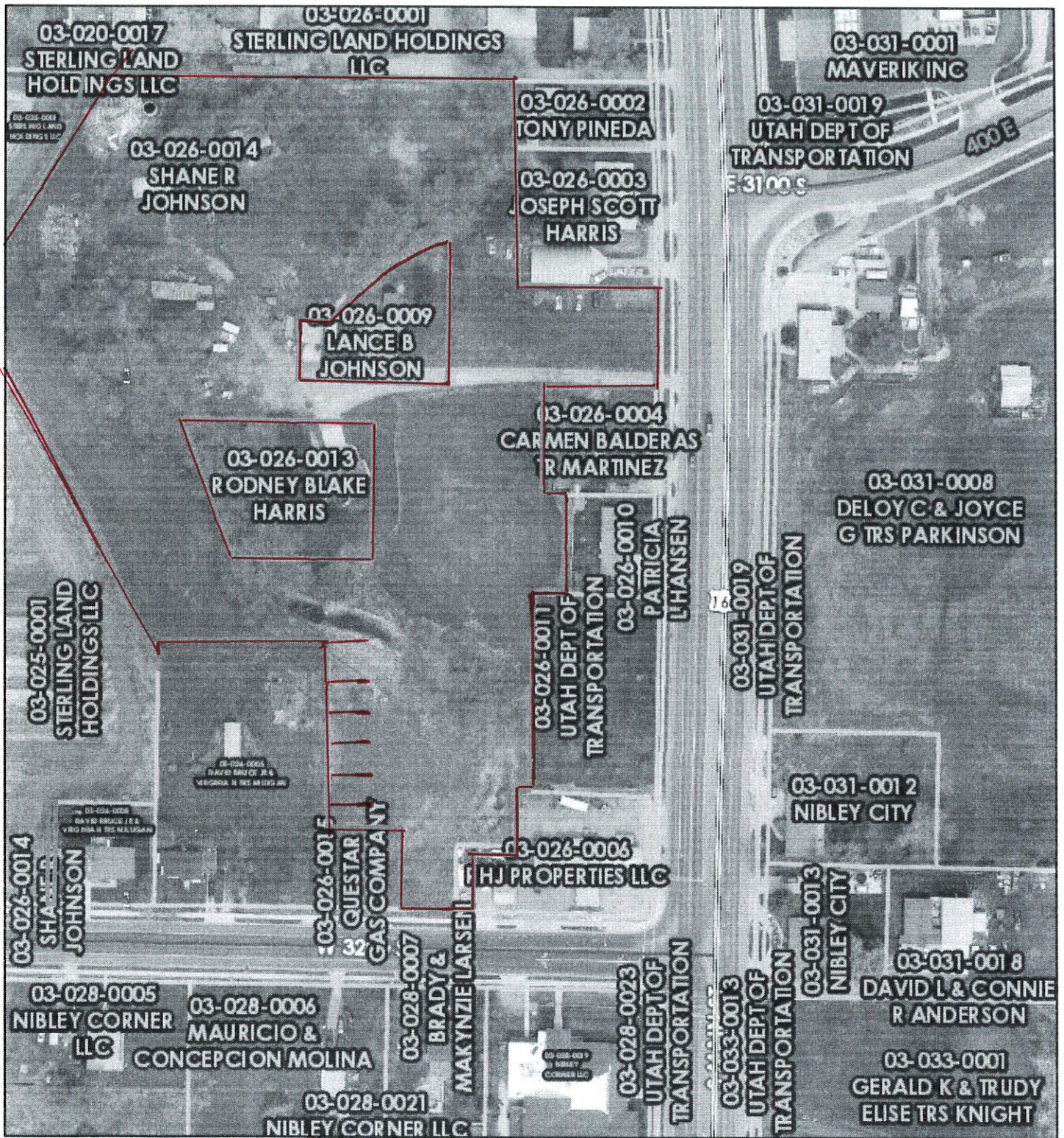
The following materials **must** be submitted with this Rezone Application, or the application will not be accepted by Nibley City.

 Site Plan and Map. The applicant shall submit a site plan and map of the land area proposed to be rezoned. The site plan and map shall show the following:

Identification of area proposed for rezone	
Total acreage of land proposed for rezone	
Total acreage and dimensions of individuals lots and parcels proposed for rezone	
Adjacent land uses	
Existing zoning of property	
Existing structures on the property with dimensions and setbacks	
Vicinity map	
Proposed project conceptual plan (if applicable)	

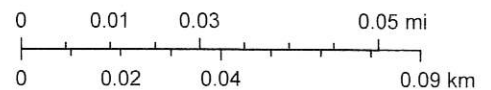


Parcel Map



6/20/2022, 9:26:10 PM

1:2,257



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Rezone Request for parcel 03-026-0014

Acreage 7.05

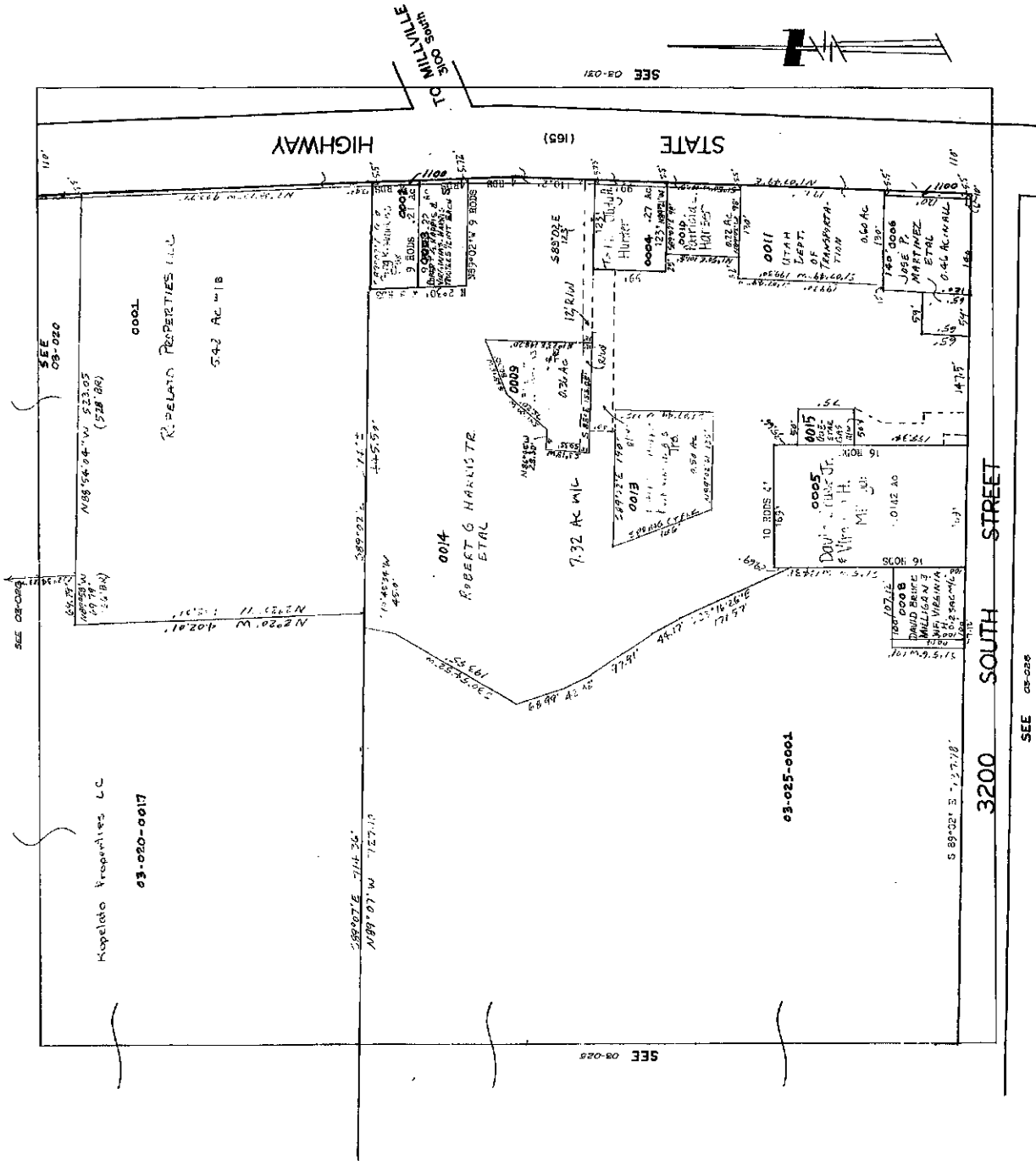
Rezone from Residential to Commercial

Application Statement

1. Rezone is needed in order to obtain a business license. This will allow us to provide to the citizens of Nibley and surrounding communities access to products to manicure and beautify their properties.
2. In Nibley City's general plan document it states in objective 3 that the city wants to "promote small scale neighborhood retail development along hwy 165 & at appropriate locations throughout the city in order to better meet residents needs." We feel that our business proposal meets the requirements for this objective as well as others.
3. Several factors lend to this rezone being appropriate for the surrounding area. First being direct access to 3200 South. Existing commercial use of adjacent property is an additional factor in making this land use appropriate for the area.

03-026

TAX UNIT 08





Cache County

1857

www.cachecounty.org/treasurer

Website is updated nightly to reflect payments.

Additional answers and resources are available online.

Cache County Treasurer's Office
 Craig McAllister - Treasurer
 179 North Main Street, Room 201
 Logan, Utah 84321
 (435) 755-1500

(877) 690-3729 Phone Payments
 USE JURISDICTION CODE: 3412

2021 TAX NOTICE

DUE Tuesday, November 30, 2021

Parcel Number: 03-026-0014



Tax Area: 008

PROPERTY ADDRESS / LEGAL DESCRIPTION

BEG 432.83 FT S & 1157.0 FT E OF NW COR OF SW/4 OF SEC 21 T 11N R 1E & TH S 89°02' E 727.10 FT TO TRUE POB TH S 10°45'34" W 45.0 FT TH S 30°54'52" W 193.55 FT TH SE'LY ALG FENCE IN 5 COURSES: S 17°34'41" E 68.99 FT S 25°04'55" E 42.82 FT S 32°36'34" E 97.91 FT S 29°08'22" E 44.17 FT S 23°16'26" E 171.57 FT TH N 29.69 FT TO NW COR PARCEL 0005 TH E 10 RDS 4 FT TH S 35.66 FT TH E 50 FT TH S 75 FT TH W 50 FT TH S 0°58' W 155.34 FT TO N LN OF 3200 S ST TH E 147.5 FT TO PT N 89°02' W 199 FT OF W LN OF ST HWY TH N
 THIS MAY NOT BE A COMPLETE LEGAL DESCRIPTION

Printed Thursday, June 9, 2022

TAXES HEREIN ENUMERATED FOR THE CURRENT YEAR ARE DUE AND PAYABLE IN TREASURER'S OFFICE, LAST NOTICE REQUIRED BY LAW.

PROPERTY TYPE	ACRES/COUNT	MARKET VALUE	TAXABLE VALUE	TAX AMOUNT
BUILDING AGRICULTURE		15,200	15,200	158.95
LAND AGRICULTURE	7.32	190,400	190,400	1,991.01
*** NEW PAYMENT OPTIONS ON BACK OF NOTICE ***				
TOTALS	7.32	205,600	205,600	2,149.96

ENTITY	TAXING UNIT	TAX RATE	TAX AMOUNT - BREAKDOWN
28	CACHE CO GENERAL FUND	<RETAINED BY COUNTY>	0.001420 291.95
38	CACHE CO HEALTH FUND	<RETAINED BY COUNTY>	0.000083 17.06
58	CACHE CO A & C	<RETAINED BY COUNTY>	0.000288 59.21
30	CACHE SCHOOL DISTRICT		0.005130 1,054.73
67	CACHE SCHOOL CHARTER LEVY		0.000050 10.28
60	CACHE SCHOOL STATE LEVY		0.001661 341.50
48	MULTI-CO A & C	<SENT TO STATE>	0.000012 2.47
70	CACHE MOSQUITO ABATE. DISTRICT		0.000055 11.31
36	CACHE WATER DISTRICT		0.000026 5.35
06	MILLVILLE/NIBLEY CEMETERY		0.000065 13.36
08	NIBLEY CITY		0.001667 342.74

Please see reverse side of this notice for additional information - Thank you for your timely payment.

PAID IN FULL

SUBJECT TO FUNDING FROM YOUR BANK

2021 TOTAL TAXES	0.010457	\$	2,149.96
2021 Last Payment Date: 11/29/2021	PREPAYMENTS		2,149.96
	ADJUSTMENTS TO TAXES		0.00
	2021 TAX DUE	\$	0.00
	TOTAL DUE	\$	0.00

PLEASE BRING ENTIRE NOTICE WHEN PAYING IN PERSON IF MAILING IN PAYMENT, DETACH AND KEEP ABOVE PORTION FOR YOUR RECORDS.

Property Address:

Property Owner/Address: HARRIS, VIRGINIA S TR
 PO BOX 281
 MILLVILLE, UT 84326-0281

☐ Yes, I am interested in a coupon book.

Please include parcel number on all checks or correspondence.
 Make check payable to: Cache County Treasurer

Parcel Number: 03-026-0014



☐ PLEASE NOTE ONLY A CHANGE OF MAILING ADDRESS BELOW:

HARRIS, VIRGINIA S TR

Address _____

City _____ State _____ Zip _____

THIS PROPERTY MAY BE RE-APPRAISED

PARCEL NUMBER	03-026-0014
TOTAL DUE	\$0.00

Taxes are delinquent at 5:00 p.m.
 Tuesday, November 30, 2021

Printed Thursday, June 9, 2022

The Treasurer's website is updated nightly reflecting all posted payments.



2022 TAX YEAR

RECORDER

179 North Main St. Suite 101 • Logan, UT 84321 • (435) 755-1530

6/9/2022

03-026-0014

Parcel Number

Owner's Name & Address

Owner(s) List (1/1/2022)

Parcel **03-026-0014** Entry **1296464**Name **JOHNSON, SHANE R**

C/O Name

Address **PO BOX 281**City, ST Zip **MILLVILLE, UT 84326-0281**District **008 NIBLEY CITY W/CEM**Year **2022** Status **TX****1 JOHNSON, SHANE R****1296464 2278/1326****2 JOHNSON, LANCE B****1296464 2278/1326**

Property Address

Address

City

Assr. Review **11/15/2021**

PARCEL HISTORY

REM PT 03-025-0001 9/00; REM 11/08-0006; REM 12/09-0015; SUBJ TO BLA W/ 0015 6/21; REALIGN BNDRY W/ 0003 01/22

LEGAL DESCRIPTION FOR 2022

EGINNING 432.83 FEET SOUTH AND 1157.0 FEET EAST OF THE NORTHWEST CORNER OF SOUTHWEST QUARTER OF SECTION 21 TOWNSHIP 11 NORTH RANGE 1 EAST AND THENCE SOUTH 89°02' EAST 727.10 FEET TO THE TRUE POINT OF BEGINNING THENCE SOUTH 10°45'34" WEST 45.0 FEET THENCE SOUTH 30°54'52" WEST 193.55 FEET THENCE SOUTHEASTERLY ALONG FENCE IN 5 COURSES: SOUTH 17°3'41" EAST 68.99 FEET SOUTH 25°04'55" EAST 42.82 SOUTH 32°36'34" EAST 97.91 FEET SOUTH 29°08'22" EAST 44.17 FEET SOUTH 23°16'26" EAST 171.57 FEET THENCE NORTH 29.69 FEET TO THE NORTHWEST CORNER OF PARCEL 0005, THENCE EAST 10 RODS 4 FEET, THENCE SOUTH 186.00 FEET TO THE NORTHWEST CORNER OF PARCEL 03-026-0015, THENCE SOUTH 89°02'00" EAST 75.00 FEET ALONG THE NORTH LINE OF SAID PARCEL, THENCE SOUTH 00°58'00" WEST ALONG THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF 3200 SOUTH, THENCE SOUTH 89°02'00" EAST 72.5 FEET ALONG THE NORTH LINE OF 3200 SOUTH TO THE POINT NORTH 89°02' WEST 199 FEET OF THE WEST LINE OF STATE HIGHWAY [THENCE N 1° 50' EAST 65 FEET; THENCE S 89°02' EAST 59 FEET] THENCE NORTH 1°50' EAST 55 FEET THENCE SOUTH 89°02' EAST 10 FEET THENCE NORTH 1°07'49" EAST 199.30 FEET THENCE EAST 32 FEET NORTH 1°50' EAST 101.5 FEET THENCE NORTH 89°21' WEST 25 FEET NORTH 1°50' EAST 99 FEET SOUTH 89°02' EAST 123 FEET NORTH 1°50' EAST 110.2 FEET NORTH 2°30' WEST 4 RODS NORTH 89°02' WEST 9 RODS NORTH 2°30' WEST 8 RODS NORTH 89°02' WEST 455.5 FEET TO TRUE POINT OF BEGINNING.

ALSO: BEGINNING 18.78 CHAINS SOUTH AND 31.61 CHAINS SOUTH 89°02' EAST AND NORTH 89°02' EAST AND NORTH 89°02' WEST 100 FEET OF NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 NORTH RANGE 1 EAST AND THENCE NORTH 100 FEET THENCE NORTH 89°02' WEST 7.12 FEET, THENCE SOUTH 100 FEET THENCE SOUTH 89°02' EAST 7.12 FEET TO BEGINNING.

LESS PARCEL 03-026-0009 AS FOLLOWS: BEGINNING NORTH 88° WEST 225.1 FEET FROM A POINT NORTH 1°50' EAST 99 FEET OF A POINT BEARING SOUTH 859.46 FEET AND EAST 2433.02 FEET FROM THE NORTHWEST CORNER OF THE



**2022 TAX YEAR
RECORDER**

179 North Main St. Suite 101 • Logan, UT 84321 • (435) 755-1530

6/9/2022

03-026-0014
Parcel Number

LEGAL DESCRIPTION FOR 2022 (Continued)

SOUTHEAST CORNER OF SECTION 21 TOWNSHIP 11 NORTH RANGE 1 EAST AND
THENCE NORTH 1°23' EAST 148.2 FEET THENCE SOUTH 69°16' WEST 80.7 FEET,
THENCE SOUTH 41°04' WEST 75.2 FEET THENCE NORTH 86°44' WEST 28.3 FEET
THENCE SOUTH 3°19' WEST 59.35 FEET THENCE SOUTH 88° EAST 153.05 FEET TO
BEGINNING.
CONT 0.36 AC

SUBJECT TO 12 FOOT RIGHT OF WAY OVER THE SOUTH 12 FEET OF PARCEL WITH
A 12 FOOT RIGHT OF WAY BEGINNING AT THE SOUTHEAST CORNER OF SAID
PARCEL AND THENCE EAST 219.37 FEET TO THE WEST RIGHT OF WAY STATE
HIGHWAY THENCE NORTHERLY 12 FEET ALONG RIGHT OF WAY THENCE
WESTERLY 219.32 FEET IN LINE PARELLEL TO AND NORTH 12 FEET FROM THE
SOUTH LINE OF RIGHT OF WAY THENCE SOUTH 1°23' WEST 12 FEET TO
BEGINNING.

LESS PARCEL 03-026-0013 AS FOLLOWS: BEGINNING 783.43 FEET SOUTH AND
2118.21 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER
OF SECTION 21 TOWNSHIP 11 NORTH RANGE 1 EAST AND THENCE SOUTH 1°07'49"
WEST 135 FEET, THENCE NORTH 89°02' WEST 135 FEET TO CENTER OF SPRING
CREEK, THENCE NORTHWESTERLY ALONG CREEK 146 FEET TO A POINT WEST OF
BEGINNING, THENCE SOUTH 89°02' EAST 190 FEET TO BEGINNING WITH RIGHT OF
WAY.
CONT 0.50 AC
LESS LAND DEEDED TO UDOT FOR HIGHWAY 165 (0011)
CONT 7.27 AC (CCR)

NOTE: THE BRACHETED PART OF THE DESCRIPTION USED IN ENTRY 1296464 APPEARS TO BE IN ERROR

PROPERTY INFORMATION

		2021		2022	
	Acres	Market	Taxable	Acres	Market
BA BUILDING AGRICULTURE		15,200	15,200		15,200
LA LAND AGRICULTURE		190,400	190,400	7.27	189,650
TOTALS	7.32	205,600	205,600	7.27	204,850

BUILDING & TAX INFORMATION

Square Footage: 2,400	2021	(Final Tax Rate: 0.000000)	2022	(Proposed Tax Rate: 0.010108)
Year Built: 1991		Taxes:		2,070.62
Building Type: Ag Bldg		Special: +		0.00
		Rollback: +		0.00
		Penalty: +		0.00
		Abatements: -		0.00
		Payments: -		0.00
		Balance Due:	*DRAFT TOTAL:	2,070.62
	Last Payment Date:	10/19/2021	Last Payment Date:	

The 2022 levied amounts (taxes) are
approximations based on the previous year tax
rates and are subject to change.

*Estimate only. Tax rates not set.



2022 TAX YEAR

RECORDER

179 North Main St. Suite 101 • Logan, UT 84321 • (435) 755-1530

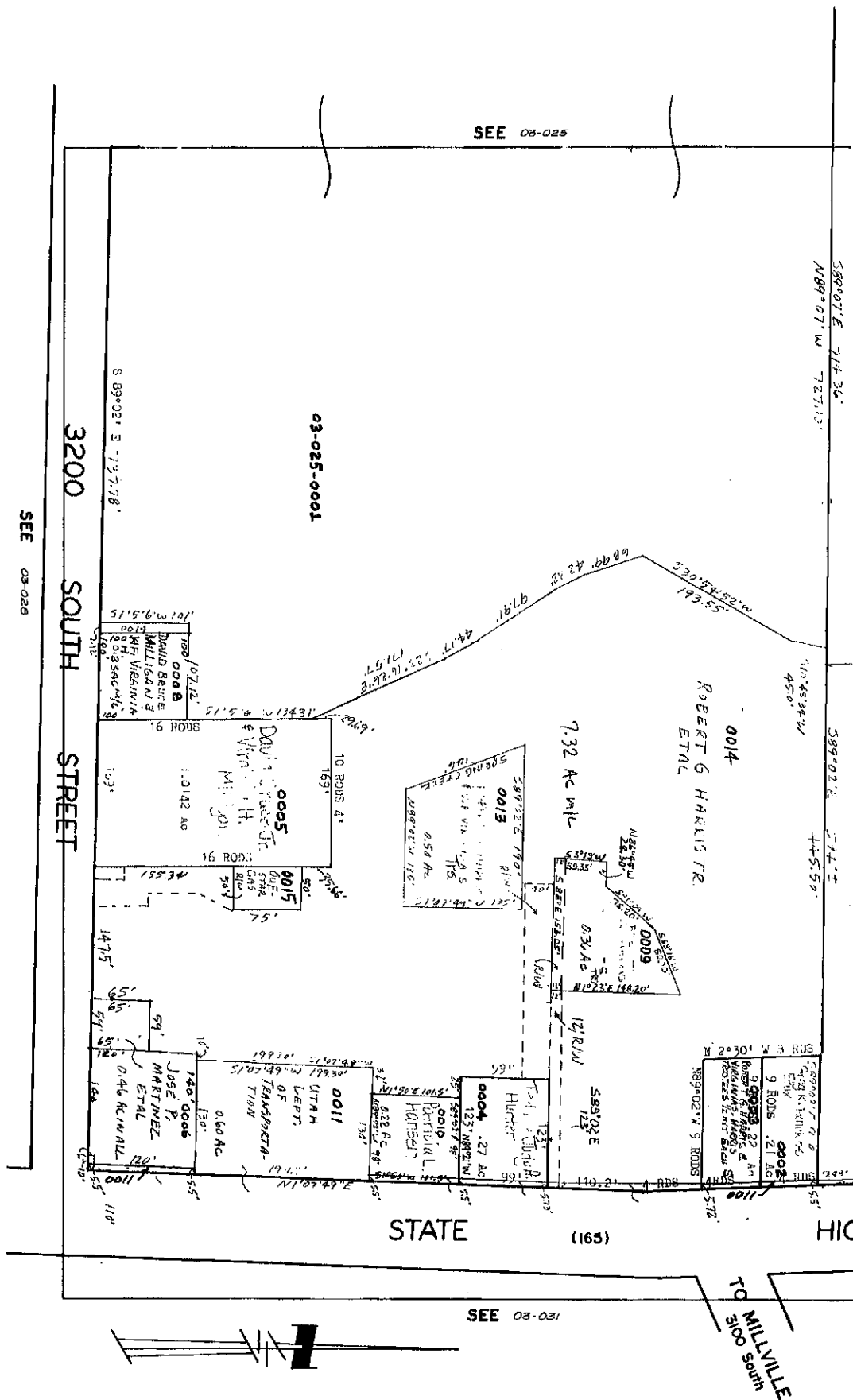
6/9/2022

03-026-0014

Parcel Number

BACK TAX SUMMARY

NO BACK TAXES



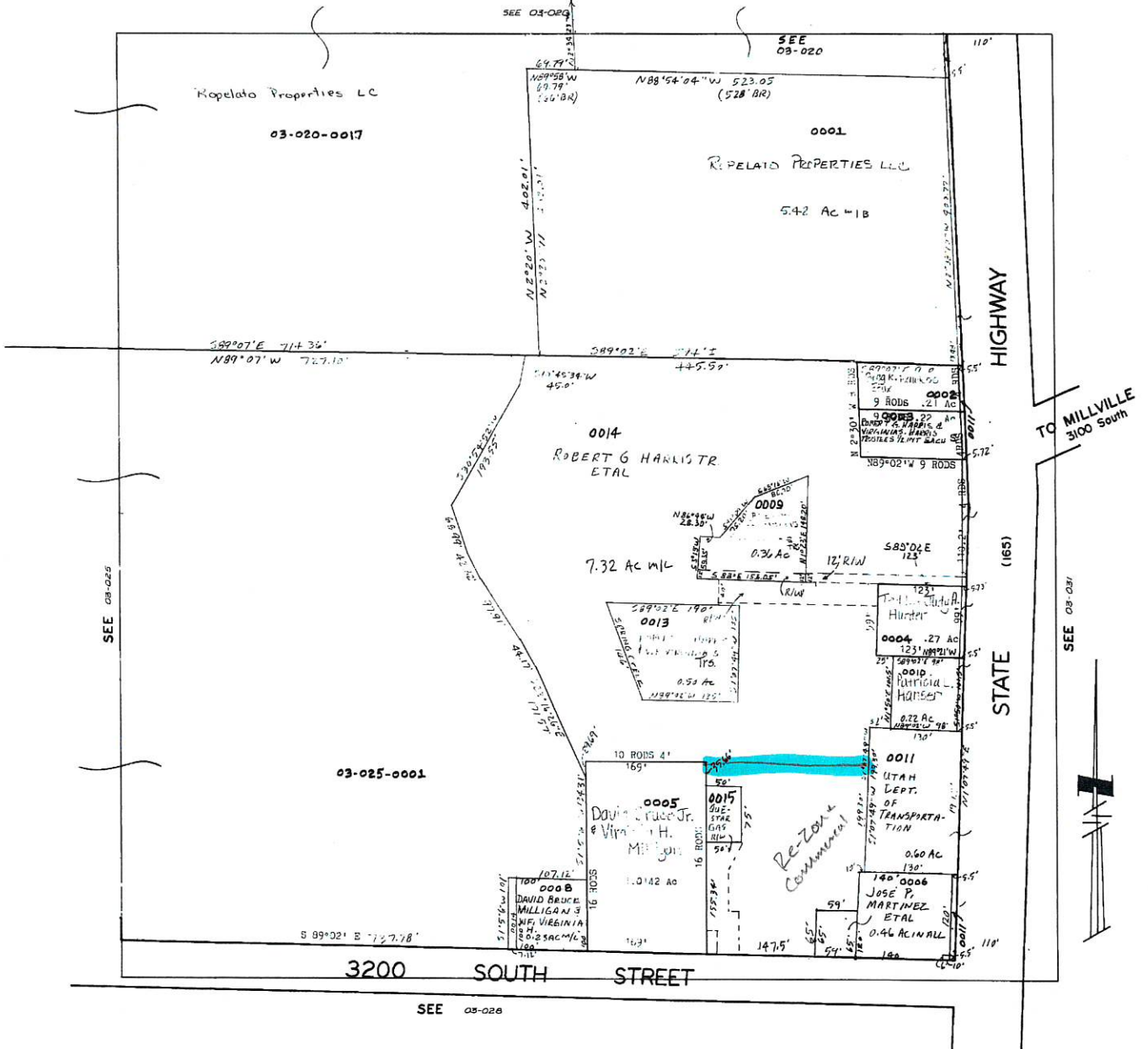
Section 21 Township 11 North Range 1 East

NE⁴ OF SE⁴

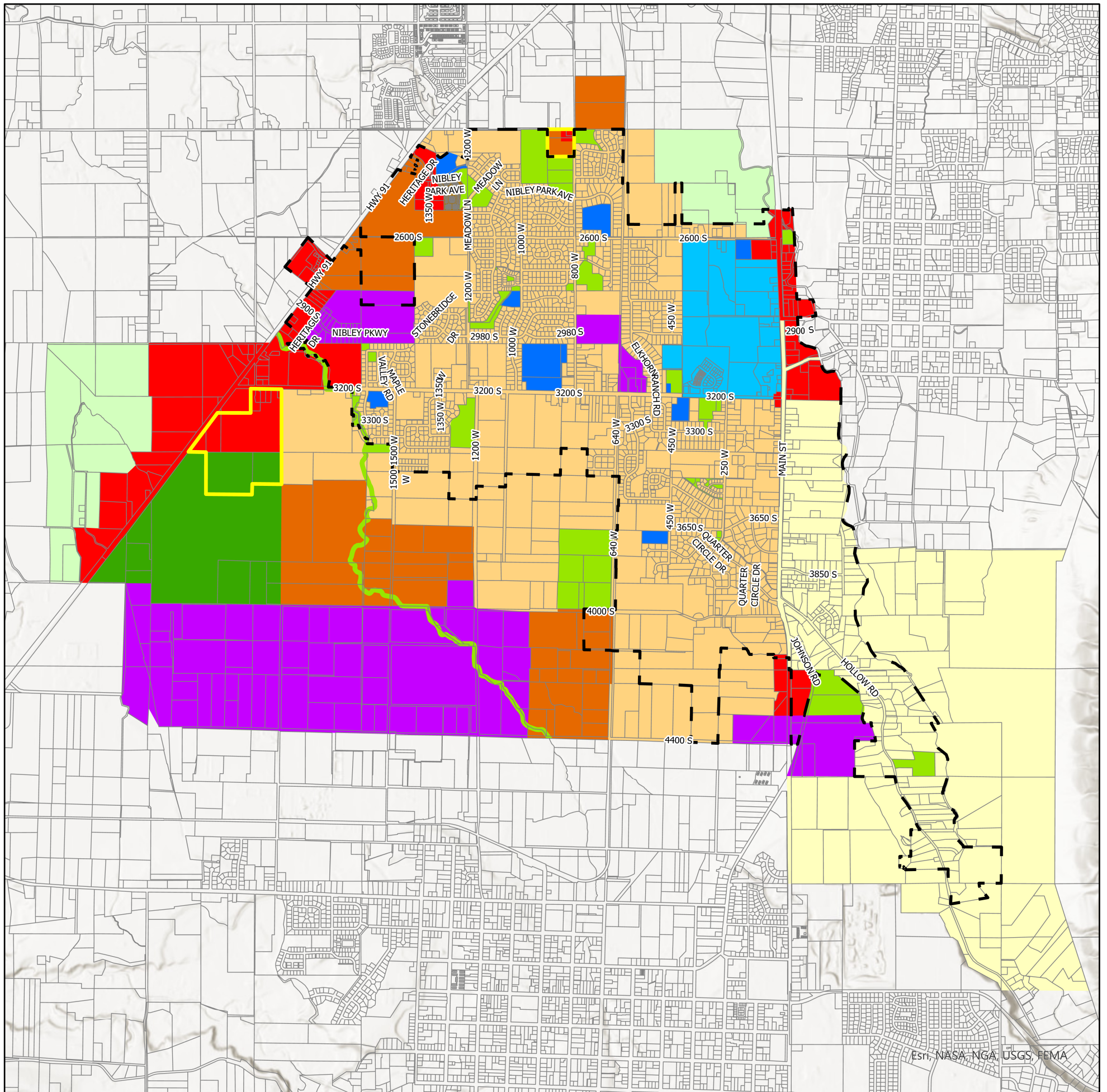
Scale 1 Inch = 100 FEET

TAX UNIT 08

03-026



DRAFT- Nibley Future Land Use Amendments- June 2022



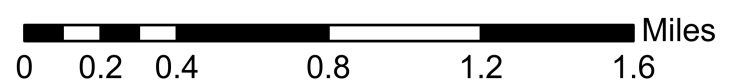
Legend

-  Nibley_Municipal_Boundaries
 DRAFT change areas
 Parcels

Future Land Use

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

*The Future Land Use Map is a guiding document for future zoning decisions and does not represent existing zoning which regulates Land Use within Nibley City.



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

- A. Lot Line and Parcel Boundary Adjustments: An agreement to adjust boundary lines between adjoining properties, where at least one of the properties being adjusted is a lot or where the properties at issue include a dwelling either in a subdivision or on unsubdivided parcels of land, may be applied for by the owners of record of said properties as set forth herein.
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. For lot line adjustments, a surveyed plat, which describes the differences between the amended and the original plat, as provided in UCA 10-9a-6.
 - c. For parcel boundary adjustments, a survey, which describes the differences between the amended and the original parcels.
 - d. A site plan which shows existing and proposed property boundary lines, any existing easements, and structures on the affected properties, including dimensions and setbacks from existing and proposed lot lines.
 2. The City Planner or City Engineer shall approve the application for lot line/parcel boundary adjustment if the following conditions are met:
 - a. All required materials are submitted.
 - b. No new lot or parcel results from the adjustment.
 - ~~e. No previously existing lot is eliminated as a result of the adjustment. This does not apply to parcel boundary adjustments.~~
 - ~~d.c.~~ If the properties to be adjusted are in a subdivision, the lot sizes, frontages and configurations are consistent with this title and NCC 19.
 - ~~e.d.~~ No lot is made undevelopable without a variance or other special consideration.
 - ~~f.c.~~ All property owners directly affected by the adjustment give their consent.
 - ~~g.f.~~ The adjustment does not result in a remnant piece of land that did not exist previously.
 - ~~h.g.~~ The adjustment does not result in the violation of any applicable zoning ordinance, including restrictions on permissible uses or number and location of dwellings and structures.
 - ~~i.h.~~ 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.
 - ~~j.i.~~ 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.
 - ~~k.j.~~ 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:
 - a. A parcel boundary adjustment involving parcels, 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. Combining Lots or Parcels: the combination of contiguous lots or parcels that eliminates one or more boundary lines in common between the contiguous lots or parcels and that does not otherwise adjust property boundaries are not considered lot line adjustments, parcel boundary adjustments or subdivision amendments and are not subject to the regulations of this chapter. A lot or parcel combination does not constitute a land use or zoning approval by the City, unless expressly approved as such by the City. Documents recorded as part of a lot or parcel combination do not modify any existing easement or public right of way, nor do they waive or modify any requirement to comply with all zoning and other land use regulations.

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

21.06.060 Land Use Authority

1. The Land Use Authority shall be established according to the table below for Land Use Applications.

Subdivision Type	Approval Authority
Standard Subdivision	Planning Commission
Minor Subdivision	Planning Commission
Rural Preservation Subdivision	City Council
Cluster Subdivision	City Council
R-PUDs and other Overlay Zones Development	City Council
Annexation Petition	City Council
Annexation Policy Plan	City Council
Conditional Use Permit	Planning Commission ¹
General Plan	City Council
Ordinance Change (new or existing)	City Council
Plat Amendment	City Council <u>or Planning Commission²</u>

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Proposal to Vacate, Alter or Amend a Public Street or Right-of-Way	City Council
Subdivision Ordinance	City Council
Subdivision; Preliminary Approval	City Council
Zone Changes	City Council

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¹The planning commission may designate to city staff, its land use authority for those conditional use permit application outline in NCC 03.02.040.Sub

²The Approval Authority for a Plat Amendment shall be the same approval authority as for the original Subdivision

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