



NIBLEY CITY COUNCIL MEETING AGENDA
Thursday, September 7, 2017 – 6:30 p.m.
Nibley City Hall 455 West 3200 South, Nibley, Utah

1. Opening Ceremonies
2. Call to Order and Roll Call (Chair)
3. Approval of Minutes and Agenda (Chair)
4. Public Comment Period¹ (Chair)

5. Discussion and consideration of a final plat and development agreement for Sunrise Meadows, Phase 8, located at approximately 2400 S 1000 W (Applicant: Sherwood Hirschi)
6. A Public Hearing to receive comment regarding a Preliminary Plat for Nibley Meadows Subdivision, located at approximately 250 W and 3400 S (Applicant: Shawn Cronquist)
7. Discussion and consideration of a Preliminary Plat for Nibley Meadows Subdivision, located at approximately 250 W and 3400 S (Applicant: Shawn Cronquist)
8. Discussion and Consideration of Ordinance 17-12: A Rezone of Parcel 03-008-0001, located at approximately at 2200 S 1200 W, from Agricultural to Residential R-2A (Applicant: Return Development LLC) (Second Reading)
9. Discussion and consideration of a preliminary subdivision plat for Firefly Estates, located at approximately 2200 S 1200 W (Applicant Return: Development LLC)
10. Discussion and consideration of Ordinance 17-11: Nibley City's Parks, Trails, Recreation and Open Space Master Plan (Second Reading)

11. Council and Staff Reports

Adjourn Meeting

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 AS SOON AS POSSIBLE BEFORE THE MEETING.

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
September 7, 2017**

Agenda Item # 5

Description	Discussion and consideration of a final plat and development agreement for Sunrise Meadows, Phase 8, located at approximately 2400 S 1000 W (Applicant: Sherwood Hirschi)
Department	Planning
Presenter	Stephen Nelson
Applicant	Sherwood Hirschi
Findings	<p>The construction drawing have been reviewed and a couple of minor questions have been sent to the developer.</p> <p>City staff has reviewed state law 10-9a-508 to determine if the developer has provided a “roughly proportionate” amount of improvements to Meadow Lane for the development. Staff has concluded that the developer would be required to pay \$10,000.00 to the City to fulfill his portion.</p> <p>The Developer does not need to go through preliminary plat process because when the original preliminary plat was approved, Nibley City Code allowed the different phases to come in as final plat.</p> <p>The plat contains requirements in Nibley City’s subdivision code.</p> <p>The developer has not turned over an official ground water report, but has noted that no homes can be built below 6” above the average curb height in front of the home and there cannot be any basements. This was done because of high ground water in the area.</p> <p>A draft development agreement has been written and sent to the developer.</p> <p>Staff has requested that the 15’ stormwater easement be increased to a 20’ easement.</p> <p>The Planning Commission gave Sunrise Meadows Final Plat a recommendation for approval on August 23, 2017</p>

Financial Impact	There are several costs associated with new development and the higher impact that it brings on City infrastructure. However, these costs are offset by impact fees and other development fees.
Recommendation	Approve the final plat and Development Agreement.
Reviewed By	City Planner, City Building Inspector, City Public Works Director, City Engineer, City Manager, City Attorney and Utah Ombudsman Office.

Background

Sunrise Meadows Subdivision Phase 8 is the last phase of the Sunrise Meadows Subdivision. Sunrise Meadows preliminary plat was first brought to the Council in 2003. Nibley City Subdivision Code at that time read:

E) Approval for One. Year. Approval of the preliminary plat by the Planning Commission and Town Council shall be valid for 12 months unless an extension is granted by the Planning Commission and Town Council. If the final plat has not been recorded within the 12-month period, the preliminary plat shall again be submitted to the Planning Commission for re-approval; however, preliminary approval of a large tract shall not be voided if the first section of a final plat is submitted for final approval within one year.

Staff has interpreted this to mean that if a development was going to do multiple phases, they did not have to get final approval for each phase until they were ready to subdivide that phase. As such, Sunrise Meadows Phase 8 does not need to obtain preliminary approval and just needs to have final approval.

	Zoned R-2	Sunrise Meadows Phase 8
Min Lot Size	12,000	12,006
Average Lot Size	14,000	Subdivision on whole complies
Frontage	100 ft.	All lots comply
Side Yard Setback	10/25 ft.	All lots comply
Read Yard Setbacks	25 ft.	All lots comply

Staff and Engineering Review

Nibley City staff and engineer have reviewed the plat and the construction drawings to ensure compliance. The first plat that was turned in had some issues which staff identified and returned to the developer. All corrections have been made on the plat and the plat now complies with Nibley City Code 11-4-2. Nibley City's engineer has reviewed the construction drawing and has found no major issue or concern.

Roads and other Improvements

The developer is constructing a road that goes through his development that meets Nibley City Design Standards. The developer will also construct half of 1000 W (33') which complies with Nibley City's Transportation Master Plan.

Nibley City staff has been working with the developer and the Utah Property Right's Ombudsman about what the City can exact for Meadow Lane. Staff has determined that the developer needs to pay an additional \$10,000.00 to the City to fulfill the condition in Utah State Land Use and Development Act for providing an exactment "roughly proportionate, both in nature and extent, to the impact" (10-9a-508) of his development for improvement for Nibley Meadows. The developer has provided approximately 27,700 sq. ft. of improvements for a 40 cross-section from 2600 S to 2500 S. Then about 85,644 sq. ft. of improvements, which is the full 80 ft. cross-section from 2500 S to just past Nibley Park Ave (2450 S), and then the developer has dedicated the remainder of Meadow Lane from 2450 S to the North boundary of the development. The value of which is approximately the value if they would have provided and improved a 66' cross-section to match their impact except for an additional \$10,000.00. The City acknowledges this impact within the development agreement.

Stormwater Improvements

Stormwater will be captured and carried to Meadow Lane and will empty into the Sunrise Stormwater Basins. They have provided the easement for the stormwater pipe on lot 33 along the property line. Staff has requested that this easement be changed from a 15' to a 20'. The developer will be required to pay a fee per-lot for the stormwater system and is in the development agreement.

Tree Planting Plan

The developer has submitted a tree planting plan that complies with Nibley City Code 7-6 and will be attached to the final development agreement approved by the City Council. Trees have been selected from the City-approved, street-tree plant list (found in City Council Resolution 11-11 Tree Care Plan). The City arborist has been sent the plan and is reviewing it.

Development Agreement

The City has written and sent the developer the development agreement. The development agreement is a standard agreement. A couple of sections that are unique are as follows:

Section 3: The developer will not need to provide any additional water shares for this subdivision because all water shares were provided for the whole development on 2/2/2007.

Section 4: For the Sunrise Detention Basins, it was calculated that the cost per-home to construct the basin and all other infrastructure would be \$2,500.00. Because the developer is constructing \$6,000.00 worth of stormwater infrastructure, they will receive a discount on the total bill, bringing the total amount due to the City \$24,000.00.

Section 7: This section outlines the City's acknowledgment that the Developer has provided improvements and land along 1200 W and Meadow Lane proportionate with their impact and concluded that the developer will need to pay \$10,000.00 to fulfill their roughly proportionate amount which they would owe.

Agenda Item # 6 and 7

Description	<p>A Public Hearing to receive comment regarding a Preliminary Plat for Nibley Meadows Subdivision, located at approximately 250 W and 3400 S (Applicant: Shawn Cronquist)</p> <p>Discussion and consideration of a Preliminary Plat for Nibley Meadows Subdivision, located at approximately 250 W and 3400 S (Applicant: Shawn Cronquist)</p>
Department	Planning
Presenter	Stephen Nelson
Applicant	Shawn Cronquist
Findings	<ol style="list-style-type: none">1. 450 W is not included on the plat and is required according to Nibley City Code 11-5-5 (A). The City requires a half road with at least 20' asphalt.2. There is no irrigation/trail easement along the Blacksmith Fork Irrigation Ditch as called for by the Trail Master Plan.
Financial Impact	There are several costs associated with new development and the higher impact that it brings on City infrastructure. However, these costs are offset by impact fees and other development fees.
Recommendation	Approve the plat if the findings above are resolved. If not resolved continue or deny the plat.
Reviewed By	City Planner, City Building Inspector, City Public Works Director, City Engineer, City Manager, City Attorney and Utah Ombudsman Office.

Background

Nibley Meadows is a 9.5-acre subdivision located on 250 W. It is being proposed as a standard subdivision.

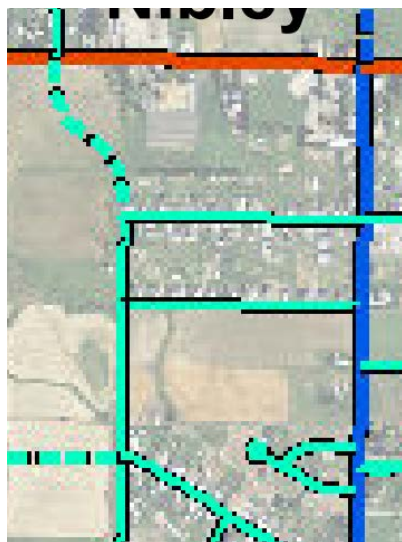
	Zoned R-2	Nibley Meadows
Min Lot Size	.5 Acres	.5 Acres
Frontage	100 ft.	All lots comply
Front Yard Setback	30/35 ft.	All lots comply
Side Yard Setback	10/25 ft.	All lots comply
Read Yard Setbacks	25 ft.	All lots comply

Staff and Engineering Review

The plat meets the requirements listed in Nibley City Code 11-4-1 for standards for a preliminary plat and contains items required. There were a few items not in compliance with Nibley City Code 11-4-1 when the plat was turned in and mailed out to residents in the area, but the developer has made the necessary changes.

The plat is not in compliance with Nibley City Code 11-5-5 (A). The developer has been notified of the error.

Roads



The plat, as of Friday September 1, 2017, does not contain 450 W that is planned to run along the west side of the development. The plat currently shows lot 12 where the road is planned to be. There has been some discussion between the developer and staff about the developer's obligation to put in the road. City staff has consulted the City Attorney and the Utah Ombudsman's Office about the plat and the road. Our City Attorney wrote:

The ordinance on streets is as follows:

11-5-5 Streets

A. Street Design: Subdividers shall locate streets within the subdivision so that streets will connect with existing streets. Streets shall be located and designed so that the adjoining land shall not be diminished in value. If the adjoining land is zoned for residential use, streets shall be located so that the adjacent land may be efficiently subdivided.

Half streets (completed only to centerline) are allowed only when the City engineer has reviewed the proposed half street design and can attest that public safety issues have been satisfied. A minimum of twenty feet (20') of asphalt shall be required on all half streets.

B. Streets To Conform To Transportation Master Plan: Arterial and collector streets shall conform to the Transportation Master plan. Whenever a subdivision is in an area

for which a major or collector street plan has not been adopted, major or collector streets shall be provided as determined by staff and the City engineer.

From this ordinance, we can pull three principal requirements:

- 1. The developer must locate streets in a subdivision to connect with existing streets;*
- 2. The developer must also locate streets so that adjacent land that is zoned residential may also be efficiently subdivided and is not diminished in value.*
- 3. Arterial and collector streets must conform to the master plan.*

The first rule allows the City to require that the developer establish 450 West along the western side of the subdivision because it needs to connect to the existing 450 West that abuts the parcel on the north. The second rule allows the City to require the street as well because the parcel immediately adjacent to the west of the subdivision parcel cannot be efficiently subdivided without frontage on 450 West. The neighboring parcel is zoned R-2 just like the subdivision parcel. The third rule would require conformance with the master road plan if the 450 West was designated as an arterial or connector street, but it is not. 450 West is designated as a neighborhood or local street, and thus the third rule does not seem to apply. However, it at least suggests an intent in the City Code to have streets conform to the master road plan, and that plan shows 450 West going all the way from 3200 S. to 4000 S.

Despite these requirements, the developer cannot be made to do more than its subdivision impacts, and so, the City can only require the developer to do the curb and gutter, sidewalk, etc. on the east side of 450 West along the subdivision and only half of the street. Anything more would be an unlawful exaction.

Brent Bateman wrote the follow in response to an email which staff sent to him regarding 450 W:

Whether the City can ask him to dedicate and build the road is always a question or proportionality to the impacts. Even if his lots will not access a road, if he abuts the road he is likely to have impacts on the road, and the City can therefore exact some road improvements.

It seems clear that the City is within our right to require the construction of a half road for 450 W according to Nibley City Code and Design Standards. The plat should not be approved if the developer fails to place the road on the plat or fails to commit to putting the road on the plat.

Trails

Nibley City Trail Master Plan (the one already adopted and the one that is being proposed) calls for a trail to be put in along the canal. From talking with the City Attorney and the Utah Ombudsman, the City can require the trail to be placed on the plat with some improvements.

Canal and Wetland

There is a canal on the property that the developer is planning on leaving open. Staff is waiting to hear back from the canal company but does not anticipate any problems. There are no registered wetlands on the property.

Stormwater and Utilities

Stormwater and utility construction drawings are not required with the preliminary plat, but the developer is required to propose a plan for all the utilities and stormwater. The developer is planning on handling the stormwater on each property and retain stormwater on-site. The City engineer is reviewing this plan to ensure it complies with Nibley City Code and Design Standards.

Agenda Item #8

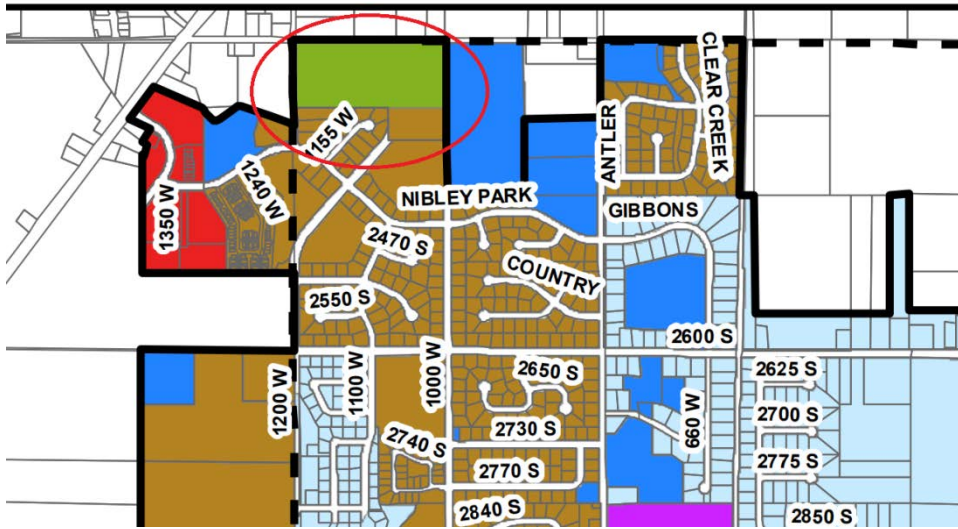
Description	Discussion and Consideration Ordinance 17-12 A Rezone of Parcel 03-008-0001, located at approximately at 2200 S 1200 W, from Agricultural to Residential R-2A (Applicant: Return Development LLC)
Department	Planning
Presenter	Stephen Nelson, City Planner
Applicant	Return Development, LLC
Findings	<ul style="list-style-type: none">• The North section of the property is currently zoned Agricultural and the South section is of the property is currently zoned R-2A.• The rezone is not a spot zone since a piece of the parcel is already R-2A and the zoning along the southern border is also zone R-2A.• This is a legislative action and the City Council has wide discretion for rezoning applications.• The City Council Continued the item on August 24, 2017.
Financial Impact	There are several costs associated with new development and the higher impact that it brings on City infrastructure. However, these costs are offset by impact fees and other development fees, as well as property tax revenue increases.
Recommendation	<p>The Planning and Zoning Commission unanimously recommended approval of this rezone application.</p> <p>Staff would also recommends approval of the rezone because it matches the surrounding zoning and the developer has agreed to conditions tied to the construction of Meadow Lane, and if the developer is willing to agree to reasonable terms set by the City Council.</p> <p>The recommendation is to adopt the ordinance and approve the rezone with the following condition:</p> <ol style="list-style-type: none">1) The developer will not be responsible for installing the asphalt on Meadow Lane or the curb gutter and sidewalk on the east side of Meadow Lane with the first phase of development of this parcel.

	<p>2) The developer will dedicate allof the property needed for the right-of-way for the future construction of Meadow Lane.</p> <p>3) Meadow Lane shall be completely constructed at such time that the portion of this property located east of Meadow Lane is developed.</p> <p>4) If the City has a need, it may develop Meadow Lane sooner. There will be a lien placed on the remainder parcel that would obligate the developer of the east side of the property to reimburse the City for a proportional cost of construction of Meadow Lane when the remainder parcel is developed and which would not allow development of the eastern portion until such payment is made.</p> <p>5) Any other reasonable terms the Council and Developer can agree to.</p> <p>A potential option for the City Council would be to rezone a portion of the property but to leave part of it in the agricultural zone. For example, if it were the intent of the Council to keep the eastern portion of this property in the agricultural zone to maintain a buffer for the adjacent Firefly Nature Park, the Council could do so.</p>
Reviewed By	City Planner, City Attorney, City Engineer, City Public Works Director, City Manager, Mayor and Planning Commission

Background

Return Development, LLC is seeking a rezone for the north section of their Parcel 03-008-0001. The parcel is currently divided between Agricultural and R-2A zones, and the landowner is requesting that the entire parcel be rezoned to R-2A so that they can develop the entire parcel. The applicant has submitted a preliminary plat in conjunction with the rezone application. The applicant has submitted all the required documents. The City Attorney has reviewed the title and finds no legal issues with the rezone that is being requested.

Nibley City Code 10-1A-6 Land Use Authority for Public Hearings states that for zone changes “The city council shall hear this matter after recommendation of the planning commission.” The Planning Commission heard and voted on the item on July 26, 2017 with a recommendation of approval.



The following is the applicant statement that was included with their application.

1. *What is the need for the proposed zone change?*
 - a. *We are developing the property into residential homes. We are simply rezoning the parcel to fit the zoning of the surrounding homes (R-2A) and possibly multi-family housing after city ordinance is adopted. (Staff Note: Nibley City Code would not currently allow for multifamily housing on this parcel)*
2. *What will the public benefit be if the zone change is granted?*
 - a. *The public benefit will be a well-built neighborhood near the Firefly Park for the future residents of Nibley City that complies with all city standards and code requirements. It will also provide Nibley with affordable housing to help them comply with state regulations.*
3. *How does the proposal comply with the goals and policies of the Nibley City General Plan?*
 - a. *Our development makes life better for citizens by providing a well-built community, not only for the middle class Americans, but also lower income families that could not afford housing otherwise. We are dedicated to preserving Nibley's historical and natural environment by preserving specifically the Fireflies that inhabit Firefly Park to the east. We are committed to working with the city to follow and uphold the municipal code and city standards while seeking to enhance Nibley's general plan throughout our development.*
4. *Is there any annexation of property necessary?*
 - a. *No.*
5. *Is the anticipated use appropriate for the surrounding area?*

a. *Yes.*

6. *What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the developer?*

a. *After discussion with Justin Maughan and the city engineer, there is adequate sewer, water and power to serve the proposed development needs.*

7. *Does the proposed zone change constitute "spot zoning"?*

a. *No.*

General Plan and Future Land Use

Nibley City's current General Plan does not provide a Future Land Use Map but recommends the City adopt one and add it to the General Plan. Staff has looked at the Future Land Use Map in the 2007 General Plan to see what it identifies the parcels use to be. The 2007 Future Land Use Map calls for the Parcel to be zoned Industrial, however, staff believes that is an inappropriate use of the land and that residential use would be a much more appropriate use for that land. An updated version of the map was included in the 2015 Stormwater Master Plan showing the same recommended use as industrial. The land just south of the parcel, as well as about 25% of the subject parcel, are zoned R-2A, which matches the zone the applicant is seeking.

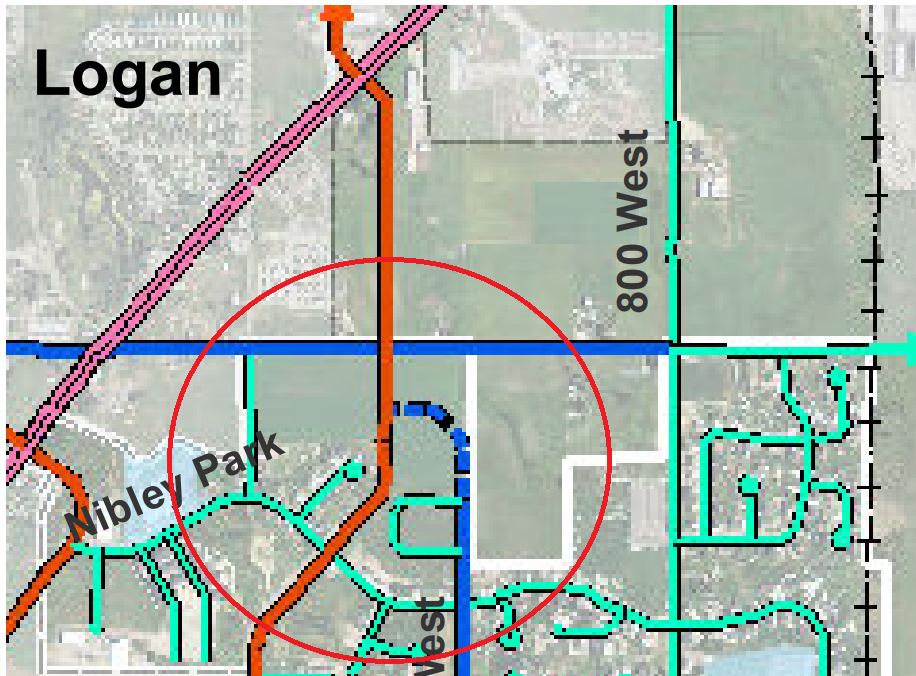
The property just north of the parcel is in Logan City and is currently in agricultural use but is zoned as Gateway, which would allow for multi-family and commercial development. A developer has discussed plans with Logan City to have multi-family and some commercial development on that site in the future.

Firefly Estates

The developer is seeking a rezone along with the Preliminary Plat Application. Staff has discussed with the City Attorney and has found that the developer can legally seek both at the same time because it is a preliminary plat, but that conditions of preliminary approval must be based on a successful change of zone. Staff has informed the developer of the risk of seeking both at the same time, and the developer has accepted the risk.

Meadowview Lane

The applicant has agreed with the City that, if the City grants the rezone, the developer will dedicate the right-of-way where the future Meadow View Lane will be, as shown below:



Some of the conditions that the applicant has agreed to regarding this right-of-way are laid out as the following:

- 1) The developer will not be responsible for installing the asphalt on Meadow Lane or the curb gutter and sidewalk on the east side of Meadow Lane with the first phase of development of this parcel.
- 2) The developer will dedicate all the property needed for the right-of-way for the future construction of Meadow Lane.
- 3) Meadow Lane shall be completely constructed at such time that the portion of this property located east of Meadow Lane is developed.
- 4) If the City has a need, it may develop Meadow Lane sooner. There will be a lien placed on the remainder parcel that would obligate the developer of the east side of the property to reimburse the City for a proportional cost of construction of Meadow Lane when the remainder parcel is developed and which would not allow development of the eastern portion until such payment is made.

Nibley City's Attorney has completed a contract that would make this agreement binding. Staff would recommend the Council review the terms and make any recommended changes.

Because of the cost of the road, it is unlikely that the road could be developed by a developer in the future under the current zoning.

Agenda Item # 9

Description	Discussion and consideration of a preliminary subdivision plat for Firefly Estates, located at approximately 2200 S 1200 W (Applicant Return: Development LLC)
Department	Planning
Presenter	Stephen Nelson
Applicant	Return Development, LLC
Findings	<p>All setback, lot sizes, frontages, and the number of lots comply with Nibley City Code 10-11 for R-2A zone.</p> <p>The majority of property and all the proposed development is zoned Agriculture, approval of plat must be made with the condition of the zone change, as has been requested by the developer.</p> <p>The preliminary plat addresses the requirements of Nibley City Code 11-4-1.</p> <p>The City Council Continued this item on August 24, 2017</p>
Financial Impact	There are several costs associated with new development and the higher impact that it brings on City infrastructure. However, these costs are offset by impact fees and other development fees, as well as property tax revenue increases.
Recommendation	Recommend approval of the preliminary plat, based on approval of the rezone application.
Reviewed By	City Planner, City Building Inspector, City Public Works Director, City Engineer, City Manager, and Nibley City Planning Commission.

Background

Firefly Estates is a proposed 9.26-acre subdivision with a proposed 24 lots. The eastern side of the property is being proposed to remain undeveloped at this time.

Min Lot Size	12,000	13,068
Average Lot Size	14,000	15,003
Frontage	100 ft.	All lots comply
Side Yard Setback	10 ft. (25 ft. next to roads)	All lots comply
Read Yard Setbacks	25 ft.	All lots comply

Zoning

It is important to note that the portion of this property being proposed to be subdivided is currently not zoned as R-2A but as Agricultural. The developer is seeking a rezone along with the Preliminary Plat Application. Staff has discussed with the City Attorney and has found that the developer can legally seek both at the same time because it is a preliminary plat, but that condition of preliminary approval be based on a successful change of zone. Staff has informed the developer of the risk of seeking both at the same time, and the developer has accepted the risk. As the plat stands today, it does not comply with zoning code, but would comply if the rezone application is successful.

Staff and Engineering Review

The plat meets the requirements listed in Nibley City Code 11-4-1 for standards for a preliminary plat. However, there are a few concerns that staff has about some aspects of the proposed infrastructure that will need to be worked out before final approval can be given, but staff has no major concerns about the preliminary plat. Those concerns are addressed below.

Canal and Wetland

There are several irrigation conveyances on the property. The subdivider has reached out to the College Irrigation Company for their approval for piping and rerouting the canals. Staff is waiting to hear back from the canal company but does not anticipate any problems.

There are no registered wetlands on the property, however, there has been some flooding on the property this past year. Staff has informed the developer and they are taking the wet condition into consideration.





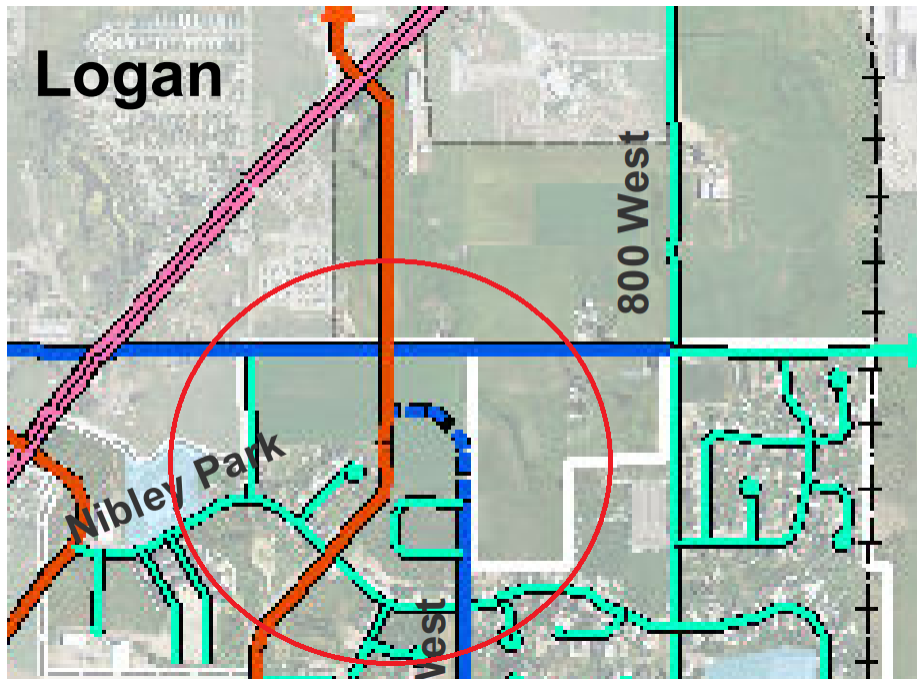
Trails

The developer is proposing a 20-ft. easement on lot 9 adjacent to lot 8. This trail would normally not be needed because of direction that staff has received in interpreting Nibley City Code 11-5-6 for road segments longer than 660 ft. Because the road makes a turn to the nearest ROW before the 660 ft., the City has interpreted that as a different road segment. However, the trail easement could be valuable to the City and residents who may wish to exit the subdivision and head eastward to Nibley's Firefly Park. Staff is currently working with the developer about the best way to develop the easement.

Roads

There are several key roads that will travel through and are adjacent to this property. As shown in the picture below, a minor arterial road (Meadow Lane) travels right through the property. 1000 W (a collector) is planned to "T" into Meadow Lane. There will also be improvements required on 1200 W and 2200 S. Because the developer is planning on only developing the western section of the property and no homes will have access to Meadowview Lane or 1000 W,

the developer is not proposing to complete those roads with this development. The developer has coordinated with Logan City and the future development to the North in order to ensure that the future road will align with the proposed development. Both Logan City and the future development and property owners have been sent a copy of the plat.



Stormwater and Utilities

Stormwater and utility construction drawings are not required with the preliminary plat, but the developer is required to propose a plan for all of the utilities and stormwater. The developer is proposing to handle stormwater in almost the same manner as the Apple Creek Subdivision. They would like to provide larger swales (about 14 ft. wide) that will take up the width of the sidewalk and park strips in the right-of-way. The developer would then provide a 6-ft. easement adjacent to the right-of-way for the sidewalks. The developer is also proposing that the stormwater system overflow into the 1200 W stormwater system. City staff is evaluating this plan to ensure it meets Nibley City Code and any cost that would be incurred by the City for the overflow onto 1200 W.

Agenda Item # 10

Description	A public hearing to receive comment regarding Ordinance 17-11: Nibley City's Parks, Trails, Recreation and Open Space Master Plan Discussion and consideration of Ordinance 17-11: Nibley City's Parks, Trails, Recreation and Open Space Master Plan (First Reading)
Department	Planning, Recreation, and Parks
Presenter	Stephen Nelson, City Planner and Civil Solutions
Applicant	N/A
Financial Impact	Chapter 7 Outlines funding
Findings	N/A
Recommendation	Make recommendation on changes and make a recommendation the City Council.

Nibley City has been working on a Parks, Trails, Recreation and Open Space Master Plan. On April 26, 2017, the Planning Commission and City Council held a joint workshop with City staff and Civil Solution (the contractor on the project) and reviewed the plan. On July 26, 2017, the Planning Commission has reviewed and made a positive recommendation to the City Council to adopt the plan.

Each chapter in the plan provides information about what the City currently has and provides to Nibley Residents and proposals for future improvements. These improvements range from new policies, new infrastructure, possible ordinance and code changes, and funding mechanisms.

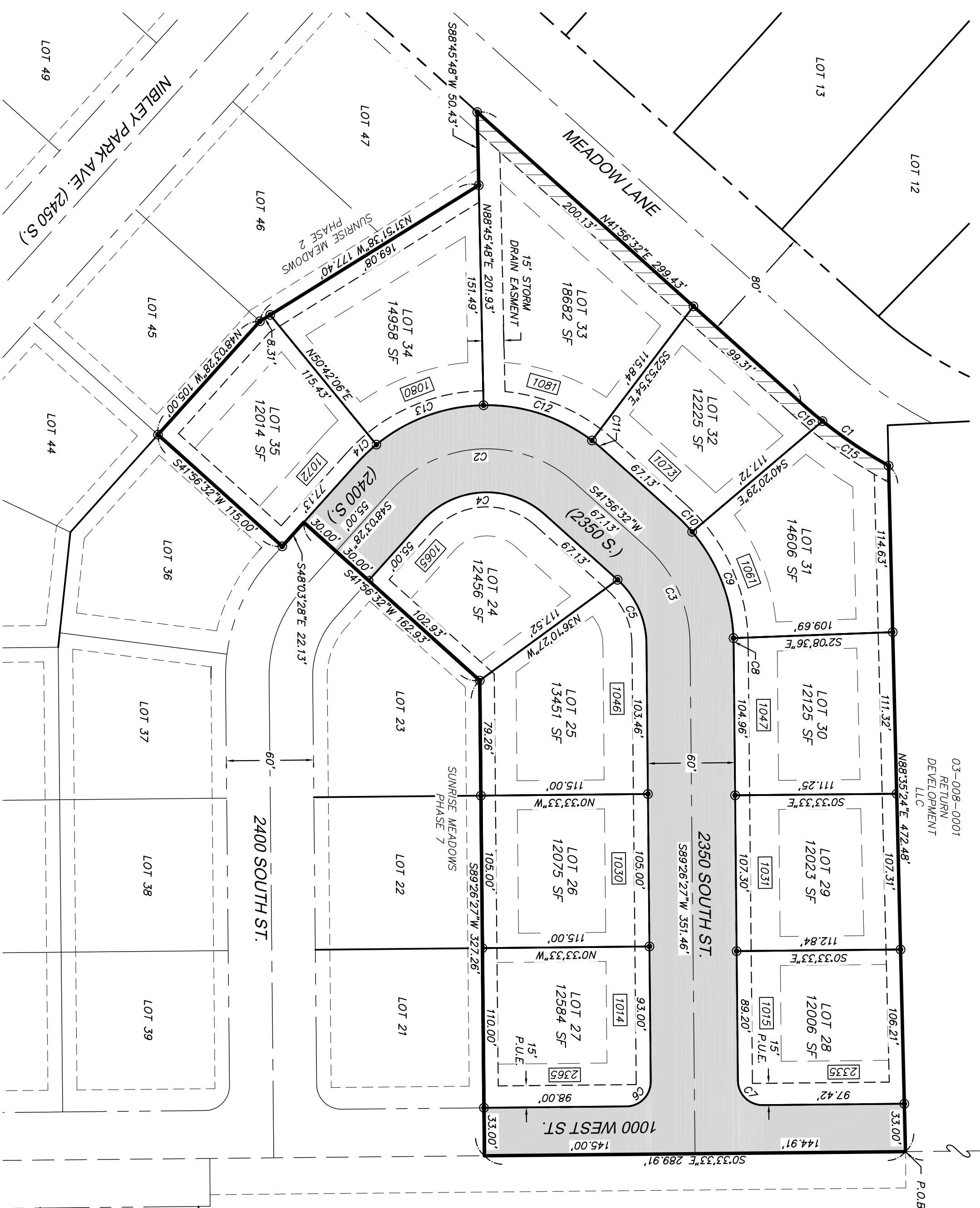
There are also several maps throughout the document detailing future for trails, parks, recreation facilities and open space. These maps are important and will play a key role in helping the City decided where future improvements are located and what they look like.

A breakdown of the plan goes as follows:

- Chapter 1: Introduction and Vision.
 - This chapter outlines the goals for the document and the purpose of the document.
- Chapter 2: Nibley City Citizen Input
 - Chapter 2 outlines and contains surveys conducted and public feedback from open house regarding the plan. It also contains findings and conclusions drawn from citizen input.

- Chapter 3: Nibley City Parks
 - This chapter contains an evaluation of Nibley's status regarding parks, total acres used as park space, location, attractions, and facilities at each park. This chapter also contains a map of possible future park locations and outline properties that City owns and could be turned into parks. It also has detail plans for future parks and list attraction and amenities that the City should place in future parks.
- Chapter 4: Nibley City Trails
 - Chapter 4 outlines the trails currently in Nibley and possible future trails. It provides two future trail maps and cross sections of future trails inside Nibley City. The chapter outlines possible future policies to enhance the City trail system.
- Chapter 5: Nibley Recreation
 - This is the first time the City has ever recommended adoption of a Recreation Master Plan. The plan outlines several of the programs current goals, events and programs. It then goes into detail about future programs and events that it can implement to enhance the recreation programs and lives of Nibley City residents.
- Chapter 6: Nibley City Open Space
 - This is also one of the first times that the City has proposed an Open Space Master Plan. The City's general plan indicates that open space is important to Nibley City residents, and the Open Space Master Plan's goal is to help maintain some of the open space in Nibley City. The chapter outlines some potential possibilities to help maintain that open space in the future.
- Chapter 7: Funding the Vision
 - The last chapter in the document provides an outline of current funding mechanisms for the City's parks, trails, recreation and open space. The chapter then outlines future possible funding mechanisms to fund the improvements listed in the plan.

SUNRISE MEADOWS SUBDIVISION PHASE 8
PART OF SE 1/4 SEC 17, T11N, R1E, S1W
NIBLEY CITY, CACHE COUNTY, UTAH



CURVE	LENGTH	RADIUS	Δ	CH. BEARING	CHORD
C1	74.61'	340.00'	1234.23°	N53°59'20"E	74.46'
C2	141.33'	90.00'	90°00'00"	S33°33'28"E	121.28'
C3	74.61'	90.00'	47°29'56"	S85°41'30"W	78.48'
C4	94.25'	60.00'	90°00'00"	S33°33'28"E	84.88'
C5	49.74'	60.00'	47°29'56"	S85°41'30"W	48.33'
C6	28.70'	17.00'	90°00'00"	N45°33'33"W	24.04'
C7	28.70'	17.00'	90°00'00"	N44°28'27"E	24.04'
C8	3.32'	120.00'	135.03°	S89°59'56"W	3.32'
C9	80.00'	120.00'	38°15'53"	S88°45'28"W	78.53'
C10	16.18'	120.00'	4°50'25"	S39°31'19"W	10.13'
C11	10.14'	120.00'	8°49'35"	S43°40'41"E	18.33'
C12	78.94'	120.00'	38°10'04"	S18°01'05"W	78.47'
C13	80.07'	120.00'	38°13'56"	S20°03'55"E	78.60'
C14	18.35'	120.00'	8°49'35"	S43°40'41"E	18.33'
C15	54.86'	340.00'	91°54'41"	N33°59'59"E	54.80'
C16	19.65'	340.00'	378°42"	N40°17'11"E	19.65'

NOTES & RESTRICTIONS

- LOTS 31, 32, AND 33 ARE NOT ALLOWED TO HAVE A DRIVEWAY ACCESS ONTO MEADOW LANE.
- NO STRUCTURES MAY BE BUILT WITHIN LANDSCAPE EASEMENTS. THESE EASEMENTS ARE TO BE USED FOR LANDSCAPING PLANT MATERIALS ONLY. FENCES ARE NOT ALLOWED WITHIN THESE EASEMENTS OR WITHIN 10 FEET OF MEADOW LANE. LANDSCAPE EASEMENTS ARE ALSO DEDICATED AS PUBLIC UTILITY EASEMENTS.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF PROPERTY THAT IS USED FOR AGRICULTURAL PURPOSES. IT MAY BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY OR MAY NOT IN THE FUTURE BE CONDUCTED IN THIS AREA AND THAT SUCH USES ARE PREVIOUSLY EXISTING USES. AGRICULTURAL USES AND SITUATIONS MUST BE SOUND AGRICULTURAL PRACTICES AND NOT BEAR A DIRECT THREAT TO THE PUBLIC HEALTH AND SAFETY.
- AREAS IN NIBLEY CITY HAVE GROUNDWATER PROBLEMS DUE TO THE VARYING DEPTHS OF A FLUCTUATING WATER TABLE. THE CITY'S APPROVAL OF A BUILDING PERMIT OR CONSTRUCTION PLANS DOES NOT CONSTITUTE A REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIC ELEVATION OR LOCATION WILL SOLVE SURFACE OR GROUNDWATER PROBLEMS. IN ADDITION, CONCERNS FOR BUILDING ELEVATION AND/OR GRADING AND DRAINAGE ARE UNIQUE TO EACH BUILDING LOT AND SITE. RESPONSIBILITY FOR THESE STARTED CONCERNS, AND ALL OTHER SUCH CONCERNS RELATED TO A LOT OR OTHER BUILDING SITE, REMAINS SOLELY WITH THE BUILDING PERMIT APPLICANT, PROPERTY OWNER AND/OR CONTRACTOR. NIBLEY CITY IS NOT RESPONSIBLE FOR ANY SUBSURFACE OR GROUNDWATER PROBLEMS WHICH MAY OCCUR, NOR FOR OTHER SUCH CONCERNS, INCLUDING, BUT NOT LIMITED TO, BUILDING LOCATION AND/OR ELEVATION, SITE GRADING AND DRAINAGE. THE FINISH FLOOR OF EACH HOUSE TO BE CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE AT AN ELEVATION OF 6-INCHES HIGHER THAN THE AVERAGE CURB HEIGHT IN FRONT OF THE HOUSE OR HIGHER. NO BASEMENTS ARE ALLOWED ON ANY LOT.
- PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVERTS TO THE OWNER(S) OF OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 17-27-603(4)(C)(I) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE P.U.E. AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROVING THAT THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
 - A RECORDED EASEMENT OR RIGHT-OF-WAY
 - A RECORDED EASEMENT TO PRESCRIPTIVE RIGHTS
 - TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND FACILITIES OR
 - ANY OTHER PROVISION OF LAW.

LEGAL DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, LOCATED IN THE CITY OF NIBLEY, COUNTY OF CACHE, STATE OF UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION; THENCE S89°44'40"W 1324.79 FEET ALONG THE LATITUDINAL MID-SECTION LINE TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION; THENCE S03°33'33"E 857.33 FEET ALONG THE EAST SIXTEENTH LINE OF SAID SECTION TO THE POINT OF BEGINNING; THENCE S03°33'33"E 288.91 FEET ALONG SAID SIXTEENTH LINE TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF SUNRISE MEADOWS PHASE 7; THENCE ALONG THE NORTHERLY AND WESTERLY BOUNDARY OF SAID PHASE 7 THE FOLLOWING FOUR COURSES:

- S89°26'27"W 327.28 FEET;
- S41°56'32"W 162.93 FEET;
- S48°03'28"E 22.13 FEET;
- S41°56'32"W 115.00 FEET TO THE EASTERMOST CORNER OF LOT 45 OF SUNRISE MEADOWS PHASE 2;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID PHASE 2 THE FOLLOWING THREE COURSES:

- N48°03'28"W 105.00 FEET;
- N31°38"W 177.40 FEET;
- S88°45'48"W 50.43 FEET TO THE SOUTHWESTERLY LINE OF MEADOW LANE; THENCE NORTHEASTERLY ALONG SAID SOUTHWESTERLY LINE THE FOLLOWING THREE COURSES:

- N41°56'32"E 299.43 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 340.00 FEET AND A LONG CHORD OF 74.46 FEET BEARING N53°59'20"E;
- NORTHEASTERLY 74.61 FEET ALONG SAID CURVE;
- THENCE N88°35'24"E 422.48 FEET TO THE POINT OF BEGINNING, CONTAINING 4.79 ACRES, MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE-DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS SUNRISE MEADOWS SUBDIVISION PHASE 8, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT, DEFEND, AND SAVE THE MUNICIPALITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH MAY INTERFERE WITH THE MUNICIPAL PURPOSES, OPERATION AND MAINTENANCE OF THE STREETS AND ALLEYS THEREON AND THE PUBLIC USE THEREOF. WE HEREBY WAIVER ANY WARRANTY AS GIVEN FOR OTHER DEDICATED PROPERTY.

IN WITNESS WHEREOF I HAVE HEREBY SET MY HAND THIS _____ DAY OF _____ 2017.

BY: NIBLEY SUNRISE MEADOWS, LLC

BY: SHERWOOD HIRSCH, MANAGING MEMBER

ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF CACHE) §
COUNTY OF CACHE)

ON THIS _____ DAY OF _____ 2017, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE SAID COUNTY OF CACHE IN THE SAID STATE OF UTAH, SHERWOOD HIRSCH, MANAGING MEMBER OF NIBLEY SUNRISE MEADOWS, LLC, WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

UTILITY COMPANY APPROVALS

THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE APPROVED:

DOMINION ENERGY _____ DATE _____

ROCKY MOUNTAIN POWER _____ DATE _____

CENTURY LINK COMMUNICATIONS _____ DATE _____

COMCAST CORPORATION _____ DATE _____

MAYOR'S APPROVAL AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY MAYOR THIS _____ DAY OF _____ 2017, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

MAYOR _____

SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY SHERWOOD HIRSCH FOR THE PURPOSE OF CREATING RESIDENTIAL BUILDING LOTS. A PREVIOUS SURVEY DONE BY TIM GIBBONS FOR CLAIR WEBB WAS RETRACED AND ACCEPTED. THE BASIS OF BEARINGS USED WAS GEODETIC, BASED ON WGS-84, NORTH BEING PROJECTED FROM THE NIBLEY GPS MONUMENT SET BY THE COUNTY SURVEYOR IN 1998. NUMBER 5 REBAR WITH CAPS STAMPED "STEVEN C EARL PLUS 318975" WERE SET AT ALL REAR LOT CORNERS. EXPANSION WALLS WITH WASHERS ARE TO BE SET AT THE INTERSECTION OF THE CURB AND THE PROLONGATION OF THE SIDE LOT LINES AFTER CONSTRUCTION.

OWNER/SUBDIVIDER
NIBLEY SUNRISE MEADOWS, LLC
Attn: Sherwood Hirsch
2350 N Main St, Suite 1
North Logan, UT 84341

COUNTY RECORDER'S NO. _____
STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE
REQUEST OF _____ TIME _____ FEE _____
DATE _____ ABSTRACTED _____

INDEX FILED IN: FILE OF PLATS _____
MICHAEL GLEED, COUNTY RECORDER

APPROVAL AS TO FORM THIS _____ DAY OF _____ 2017.
CITY ATTORNEY _____

ENGINEER'S CERTIFICATE
I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND THE CITY ORDINANCE, THIS _____ DAY OF _____ 2017.
CITY ENGINEER _____

PLANNING COMMISSION APPROVAL AND ACCEPTANCE
PRESENTED TO THE NIBLEY CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2017, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.
PLANNING COMMISSION CHAIRMAN _____



FINAL PLAT

SUNRISE MEADOWS SUBDIVISION PHASE 8

PROJECT TITLE: _____ SHEET DESCRIPTION: _____

CACHE • Landmark
Engineers
Surveyors
Planners

95 Golf Course Rd.
Suite 101
Logan, UT 84301
483.713.0099

DATE: 17 AUGUST 2017
SCALE: 1" = 60'
CALCULATIONS BY: S. EARL
CHECKED BY: L. ANDERSON
APPROVED BY: S. EARL
PROJECT NUMBER: 842-1801
SHEET: 1 of 1

**NIBLEY CITY
DEVELOPMENT AGREEMENT**

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

WHEREAS, Sunrise Meadows Subdivision Phase 8, which is legally described as follows:

LEGAL DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 11 NORTH, RANGE 1 EAST. SALT LAKE MERIDIAN, LOCATED IN THE CITY OF NIBLEY, COUNTY OF CACHE, STA TE OF UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION;

THENCE S89°44'40"W 1324. 79 FEET ALONG THE LATITUDINAL MID-SECTION LINE TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SO°33'33"E 857.33 FEET ALONG THE EAST SIXTEENTH LINE OF SAID SECTION TO THE POINT OF BEGINNING;

THENCE SO°33'33"E 289.91 FEET ALONG SAID SIXTEENTH LINE TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF SUNRISE MEADOWS PHASE 7;

THENCE ALONG THE NORTHERLY AND WESTERLY BOUNDARY OF SAID PHASE 7 THE FOLLOWING FOUR COURSES:

1. S89°26'27"W 327.26 FEET;
2. 41°56'32"W 162.93 FEET.
3. S48°03'28"E 22.13 FEET;
4. S41°56'32"W 115.00 FEET TO THE EASTERMOST CORNER OF LOT 45 OF SUNRISE MEADOWS PHASE 2;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID PHASE 2 THE FOLLOWING THREE COURSES:

1. N48°03'28"W 105.00 FEET;
2. N31°51'38"W 177. 40 FEET;
3. S88°45'48"W 50.43 FEET TO THE SOUTHEASTERLY LINE OF MEADOW LANE;

THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE THE FOLLOWING TWO COURSES:

1. N41°56'32"E 299.43 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 340.00 FEET AND A LONG CHORD OF 74.46 FEET BEARING N35°39'20"E;
2. NORTHEASTERLY 74.61 FEET ALONG SAID CURVE; THENCE N88°35'24"E 472.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 4. 78 ACRES, MORE OR LESS.

Tax Identification No. 03-008-008

hereinafter referred to as “the Development” or “the Property” has been approved for construction; and

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

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

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

WHEREAS, in accordance with said Nibley City ordinances, including Section 11-5 of the Nibley City Code, the Developer is required to furnish security for the completion of all improvements or complete all improvements prior to recording a final plat.

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

1. Developer hereby acknowledges receipt of a copy of the Nibley City Subdivision Ordinance. Developer hereby acknowledges that Developer has read the Subdivision Ordinance (or that an agent of Developer has), and that Developer understands the provisions of the Subdivision Ordinance and that Developer will fully and completely comply with the provisions and requirements therein contained.
2. In accordance with Nibley City Code Section 11-6-6, Developer shall tender to Nibley City an Improvement Bond in the amount of \$313,372.87. In the event that Developer shall fail or neglect to fulfill the obligations under this Agreement, Nibley City shall have the right to construct or cause to be constructed said streets and other improvements as shown on said plans as required by Nibley City ordinances and Design Standards, and upon completion of said improvements Developer, as secured, shall be liable to pay to, and indemnify Nibley City for, the final total cost incurred by Nibley City, including but not limited to, engineering, legal and contingency costs, together with any damages which Nibley City may sustain on account of the failure of Developer to carry out and execute all of the provisions of this Agreement which said sums are secured by the Improvement Bond.
3. Developer shall supply the City with water rights or shares as set forth in Nibley City Code Section 11-5-2 for the Development.

- a. The Developer previously supplied all water shares for the entire subdivision to the City. The shares were provided on 2/2/2007 under certificate No. 374 with the College Irrigation Company
4. This development will be served by the Sunrise Detention Basin, and, as such, the Developer is required to pay an assessment to Nibley City of \$2,500 per lot (12 lots) for a total of \$30,000.00.
 - a. The developer shall install the following stormwater infrastructure improvements
 - i. 240' of 15" RCP pipe at an estimated value of \$17.50 pre-foot for a total of \$4,200.00.
 - ii. Two 2'x3' storm water inlets which have an estimated value of \$900.00 each for a total of \$1,800.00
 - b. The City will credit the developer a total \$6,000.00 for added stormwater infrastructure improvements, bringing the total due to the City of **\$24,000.00**
5. Developer shall ensure that Street Trees are planted and maintained in the Development in accordance with Nibley City Code Chapter 7-6 and the attached Street Trees Plan which is incorporated herein as Exhibit "A." The developer shall ensure that trees are planted before the issuing of occupancy permits and enter into agreements with builders to install each tree.
6. The Developer agrees that the finish floor of each house to be constructed within this subdivision shall be at an elevation of 6-inches higher than the average curb height in front of the house or higher. The developer also agrees that no home shall have a basement, finished or otherwise.
7. The Developer agrees to pay \$400.00 each to the City for four concrete manhole collars. The Developer agrees to pay \$300.00 each to the City for four water valve collars at \$300.00 each. The Developer also agrees to pay \$150.00 each to the City for two street signs. Bringing the total due for the above-listed improvements to \$3,100.00. These fees must be paid before the City will install each of these improvements.
8. The City acknowledges that the Developer has dedicated the section of Meadow Lane adjacent to the Development to the City. The City also acknowledges that the Developer has made improvements to sections 1200 West and Meadow Lane corridor south of the Development in compliance with Nibley City and State Code. The City had found that the developer must pay the City **\$10,000.00** to fulfill a roughly proportionate amount of impact to Meadow Lane and 1200 West to fulfill Utah State Law 10-9a-508 and Nibley City code 11-5-5 requirements for Meadow Lane and 1200 West. The portion of Meadow Lane adjacent to the development shall be constructed by the City when the City deems appropriate.

- a. All other improvements for the Development shall be constructed as shown in the construction drawings as approved by the City Engineer and Public Works Director.
9. The Developer agrees that on all lots along 1000 West will not face 1000 West, but will face 2350 South and driveways will not access onto 1000 West.
10. The developer shall pay the City the cost of installing the street lights, as assessed by Rocky Mountain Power, and the City will install the street lights in the future to a design to have limited impact to the firefly population in Firefly Park.
11. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto mentioned and permitted successors and assigns; provided, however that this Agreement cannot be assigned, transferred or conveyed by either party, without the express, written consent of the other party.
12. Limitation on Recovery for Default. The sole remedy available to Developer shall be that of specific performance. IN NO EVENT SHALL NIBLEY CITY BE LIABLE TO DEVELOPER, ITS SUCCESSORS OR ASSIGNS, FOR ANY INDIRECT, SPECIAL, PUNITIVE, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING, WITHOUT LIMITATION, LOST PROFITS, COSTS OF DELAY, OR LIABILITIES TO THIRD PARTIES.
13. Developer's Default. If Developer fails to provide the required improvements as required herein and by the Nibley City Code, Nibley City may, at its election:
 - a. Withhold all further approvals, licenses, and permits for development of the Property, until such default has been cured.
 - b. Rescind prior approvals for portions of the Development which have not been transferred or sold or which would otherwise effect third parties.
 - c. Exercise rights and remedies available at law and equity, including, but not limited to, injunctive relief, specific performance and/or damages.
14. In the event that either of the parties to this Agreement shall be in default or breach of this Agreement, said party shall be liable to pay all reasonable attorney's fees, court costs and other related costs and expenses incurred by the non-defaulting or non-breaching party in pursuing its rights hereunder or under the laws of the State of Utah.
15. Developer shall comply with all applicable federal, state, county and City requirements, regulations and laws for each aspect of this Development, including payment of fees and compliance with design and construction standards. Nothing in this Agreement shall be deemed to relieve Developer from the obligation to comply with all such applicable laws, ordinances, and requirements as now existing and as enacted and/or amended.

16. Developer shall provide a Warranty Bond in the sum equal to ten percent (10%), a total of \$31,377.29, of the estimated costs of all improvements installed in the Development as estimated by the City Engineer for the period of Developer's warranty on the improvements in the Development. Security in amounts more than 10% may be required by the City Manager if it is deemed appropriate and necessary. The Warranty Bond shall meet all the criteria outlined in Nibley City Code Chapter 11-6.
17. 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.
18. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto mentioned and permitted successors and assigns; provided, however, that this Agreement cannot be assigned, transferred or conveyed by either party, without the express, written consent of the other party.
19. 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.
20. Conflicts. If this Agreement conflicts with provisions of the Nibley City Code, the Nibley City Code shall govern.
21. 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.
22. 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.
23. 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.
24. 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.
25. Recitals. The foregoing Recitals are incorporated by reference.

[Signatures Follow]

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: Sherwood Hirschi

STATE OF UTAH)
 : ss
County of Cache)

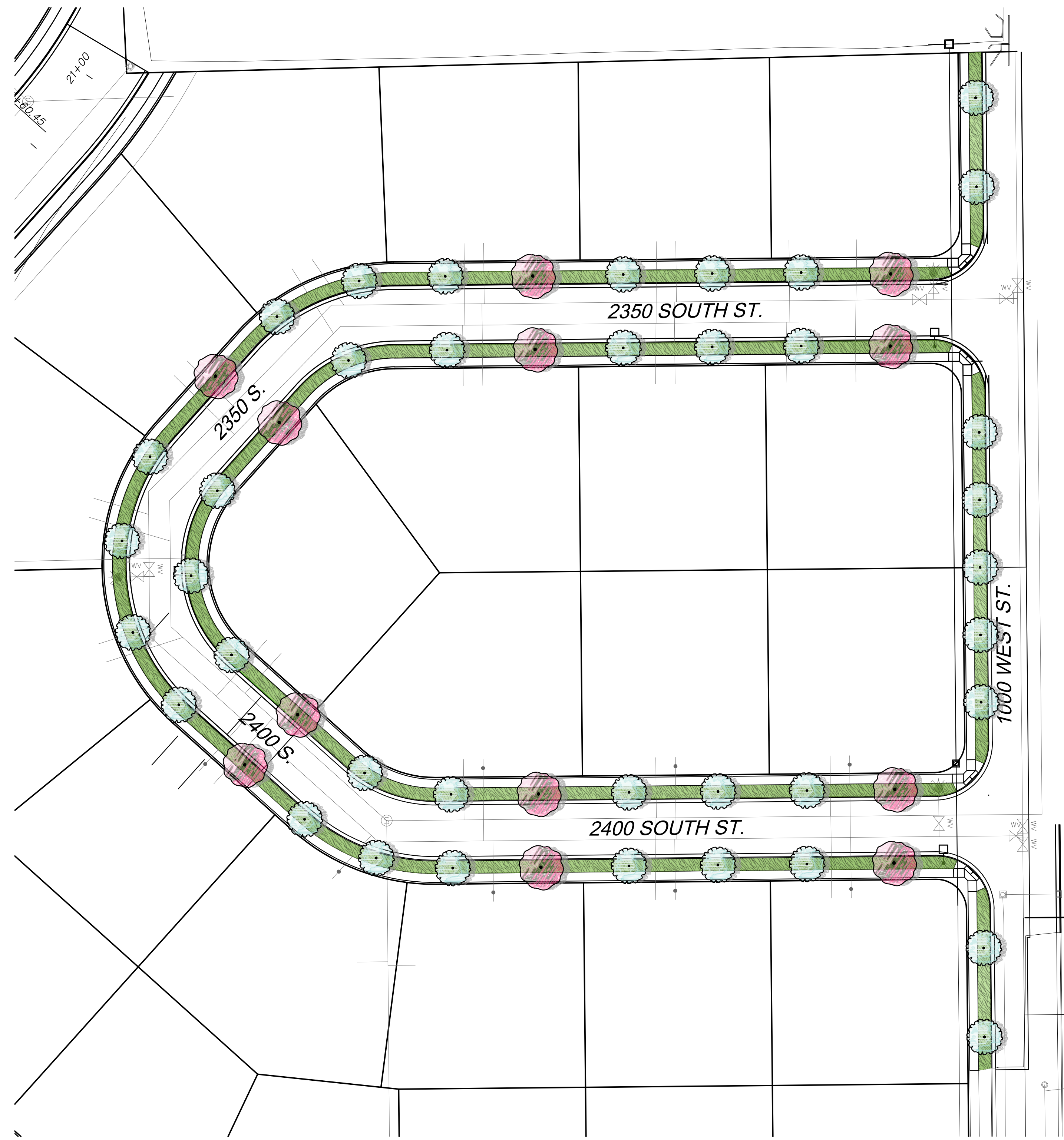
On this ____ day of _____, 2017, personally appeared before me DAVID N. ZOOK, City Manager, the signer of the within instrument, who duly acknowledged to me that he executed the same as City Manager for Nibley City Corporation.

NOTARY PUBLIC

STATE OF UTAH)
 : ss
County of Cache)

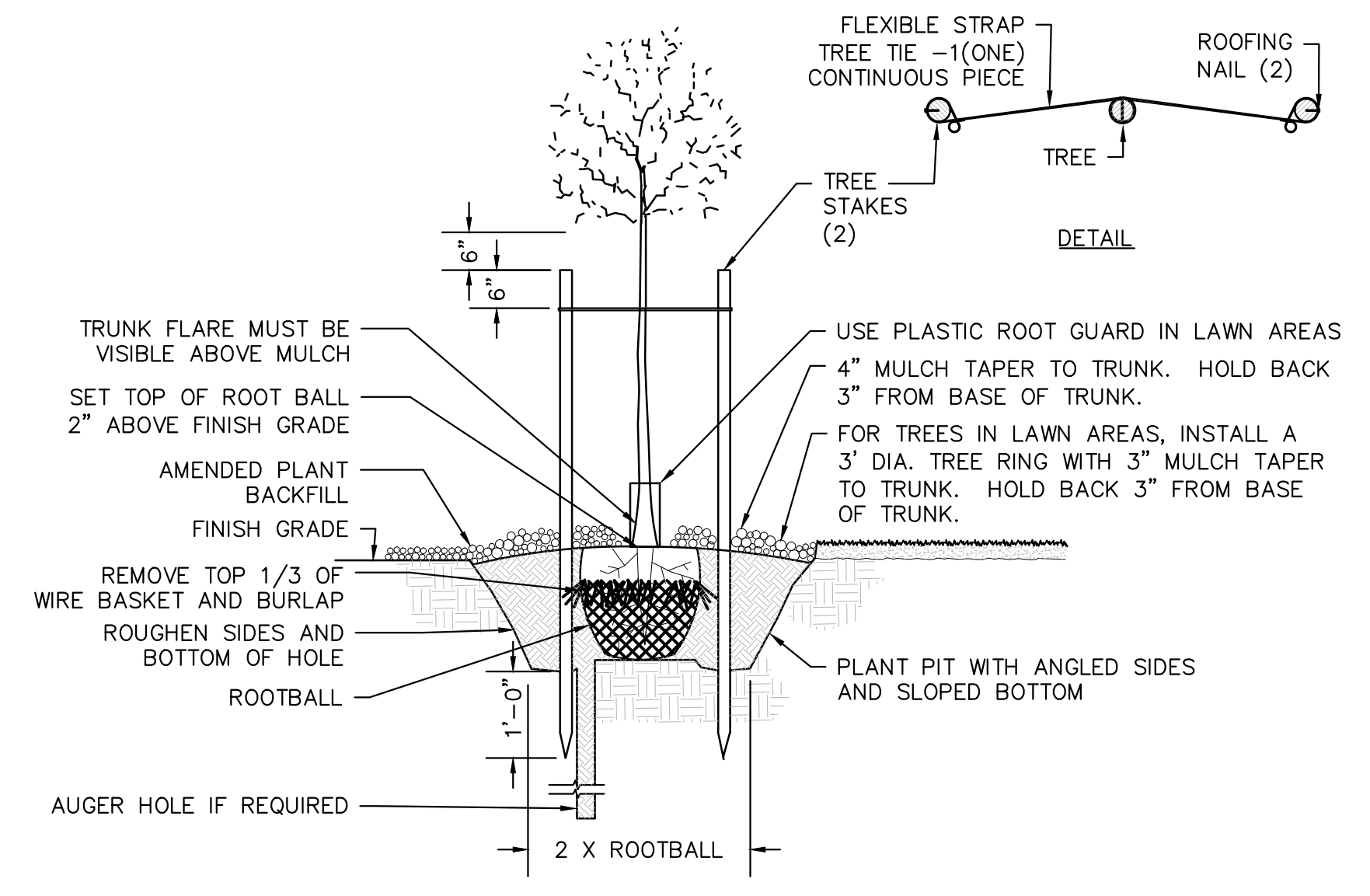
On the ____ day of _____, 2017, personally appeared before me, _____, Developer, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC



A TREE PLANTING PLAN
 1" = 40'

TR	AM	MM	T	Q	RE-MAR
	AM	MM	T	8	
			T	1	
			T		
				1	

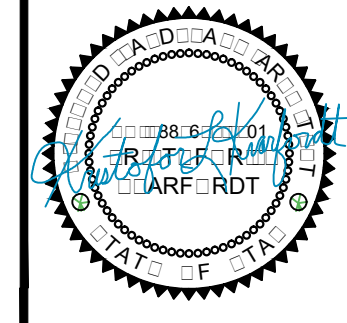


A TREE PLANTING AND STAKING DETAIL
 1" = 3" 0"

PLANTING GENERAL NOTES

1. ALL PLANT MATERIALS SHALL MEET OR EXCEED SIZE IN SCHEDULES. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REFUSE PLANT MATERIALS WHICH DO NOT MEET THE QUALITY AS DEFINED IN ANSI Z.60 AMERICAN STANDARDS FOR NURSERY STOCK.
2. AMENDED PLANT BACKFILL MATERIAL SHALL BE A MIXTURE OF THREE (3) PARTS TOPSOIL TO ONE (1) PART PEAT MOSS AND SHALL BE MIXED ON-SITE.
3. ALL PLANTINGS SHALL RECEIVE TWENTY-ONE (21) GRAM TABLETS OF "AGRIFORM" PLANT FERTILIZER (OR APPROVED EQUAL) TO BE PLACED AS SHOWN IN DETAILS AND PER MANUFACTURERS RECOMMENDATIONS.
4. TREES PLANTED ADJACENT TO PUBLIC ROADS AND/OR PEDESTRIAN WALKWAYS SHALL BE PRUNED TO SEVEN (7) FEET HEIGHT CLEARANCE ABOVE PAVEMENT.

PLOTTED August 18, 2017 By Nelson Chapman FILE 2:2016 PROJECTS\042-1501 SUNRISE MEADOWS PHASE 8 - HIBBLEY\042\LANDSCAPE\PLANTING PLAN.DWG



TREE PLANTING PLAN

SUNRISE MEADOWS PHASE 8
 2400 South 1000 West
 Nibley, Utah



Cache • Landmark
 Engineers
 Surveyors
 Planners
 95 Golf Course Rd.
 Suite 101
 Logan, UT 84321
 435.713.0099

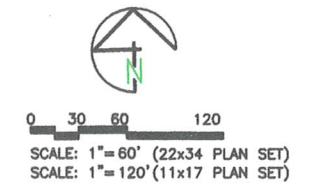
DATE	1
SCALE	1" = 40'
DRAWN	MA
CHECKED	ARF-RDT
APPROVED	ARF-RDT
PROJECT NUMBER	8
SHEET	

LEGEND

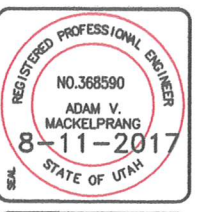
- BOUNDARY LINE
- SETBACK LINE
- EASEMENT (PUE-PUBLIC UTILITY EASEMENT)
- EXISTING FENCE
- EXISTING OVERHEAD POWER
- EXISTING SEWER
- EXISTING WATER
- EXISTING STORM
- PROPOSED SEWER
- PROPOSED WATER
- PROPOSED STORM
- EXISTING ASPHALT
- PROPOSED ASPHALT
- PROPOSED OPEN SPACE
- EXISTING DITCH
- PROPOSED DITCH RE-ROUTE
- PROPOSED LIGHT

BOUNDARY DESCRIPTION
 Part of the Northwest Quarter of Section 20, Township 11 North, Range 1 East of the Salt Lake Baseline and Meridian described as follows:
 THE N/2 OF LT 12 BLK 17 MILLVILLE WEST FIELD SVY CONT 10 AC LESS; BEG AT SE COR OF THE N/2 OF LT 12 & TH W 217.8 FT TH N 100 FT TH E 217.8 FT TH S 100 FT TO BEG CONT 0.50 AC LESS; BEG AT NE COR LT 12 & TH N 89°27'30" E 18.0 FT TH S 0°33'37" W 226.22 FT TH N 89°32'16" W 16.56 FT TO E LN OF LT 12 TH N 0°11'45" E 226.31 FT (230 FT BR) ALG E LN OF LT 12 TO BEG (ENT 655893) NET 9.50 AC

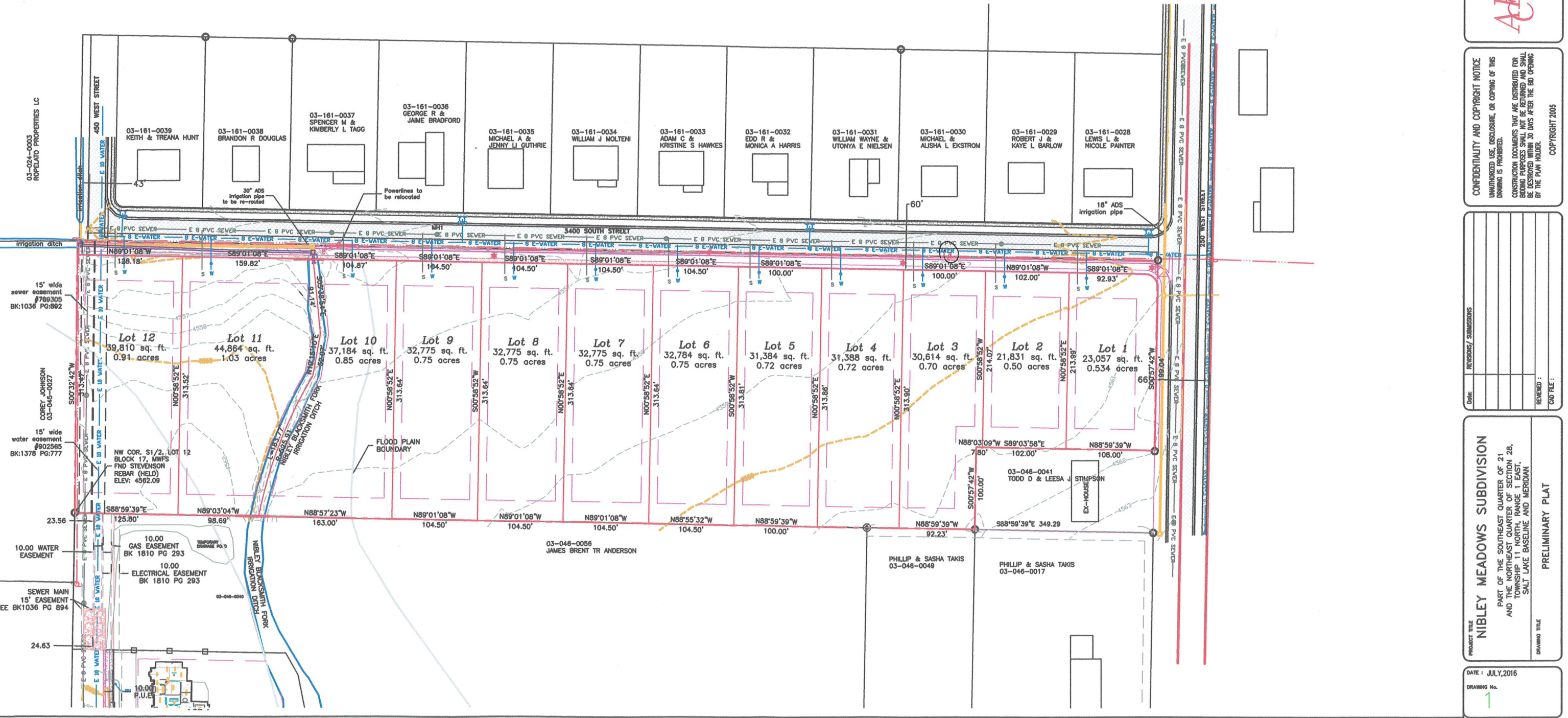
NIBLEY MEADOWS SUBDIVISION
 PART OF THE SOUTHEAST QUARTER OF 21 AND THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASELINE AND MERIDIAN
PRELIMINARY PLAT



- NOTES:**
- Statement of Intent - Subdivide the land into 20 individual building.
 - Owner: TLG PROPERTIES LLC
980 W 1000 S
Logan, Utah 84321
Developer: Shawn Cronquist
P.O. Box 311
Smithfield, Utah 84335
 - Building setbacks are as follows:
Front yard = 30 feet
Side yard:
All lots = 10 feet from adjacent lot
Corner lots = 25 feet side on street
Rear yard = 25 feet
 - The datum for this project is the Nibley City Monument with an Elevation of 4546.58.
 - Lot easements unless otherwise noted are as follows:
Front yard = 10 feet
Side yard:
All lots = 5 feet for interior lots
Corner lot = 20 feet from street
Rear yard = 10 feet
 - Contour interval: 1'
 - Subdivision size: 9.51 acres
Total lots=12
 - To be completed in one phase.
 - Nibley City to pay the cost of upsizing any line greater than 8 inches and any street wider than 60 feet.
 - The National Wetlands Inventory shows wetland along the canal as it passes through the project.
 - Individual lots owners will be required to retain storm water of their lot, respectively.



ALLIANCE CONSULTING ENGINEERS
 150 EAST 200 NORTH SUITE P
 LOGAN, UTAH 84321
 (435)755-5121
 alliance@alliance-engineers.com



CONFIDENTIALITY AND COPYRIGHT NOTICE
 UNAUTHORIZED USE, DISCLOSURE, OR COPYING OF THIS DRAWING IS PROHIBITED.
 CONSTRUCTION DOCUMENTS THAT ARE DISTRIBUTED FOR BIDDING PURPOSES SHALL NOT BE RETURNED AND SHALL BE DESTROYED WITHIN 30 DAYS AFTER THE BIDDING BY THE PLAN HOLDER.
 COPYRIGHT 2005

REVISIONS/ SUBMISSIONS	DATE	REVISION	BY

PROJECT TITLE
 NIBLEY MEADOWS SUBDIVISION
 PART OF THE SOUTHEAST QUARTER OF 21 AND THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASELINE AND MERIDIAN
DRAWING TITLE
 PRELIMINARY PLAT
DATE
 JULY, 2016
DRAWING No.
 1

ORDINANCE 17-12

AN ORDINANCE CHANGING THE ZONE OF APPROXIMATELY 21.1 ACRES FROM RESIDENTIAL R-1 TO RESIDENTIAL R-1A

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

Parcel 03-008-0001, bearing the following legal description, as shown in the office of the Cache County Recorder, is hereby rezoned from Agricultural to Residential R-2A:

A PARCEL OF LAND LOCATED IN SECTION 17, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, NIBLEY CITY, CACHE COUNTY, UTAH AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER OF SAID SECTION 17, FROM WHICH THE EAST QUARTER CORNER OF SECTION 17 BEARS NORTH 89° 46' 23" EAST 2649.62 FEET; THENCE SOUTH 00° 27' 36" EAST 589.43 FEET ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 17 TO A POINT ON THE PROPERTY LINE OF THE PARCEL SHOWN ON THE SURVEY RECORDED AS SURVEY # 2000-91 IN THE OFFICE OF THE CACHE COUNTY SURVEYOR; THENCE ALONG SAID PROPERTY LINE THE FOLLOWING 3 COURSES: THENCE NORTH 89° 36' 32" EAST 814.04 FEET; THENCE SOUTH 02° 44' 49" EAST 281.04 FEET; THENCE NORTH 88° 37' 48" EAST 500.74 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 32' 07" WEST 857.88 FEET ALONG SAID EAST LINE TO A POINT ON THE LATITUDINAL CENTERLINE OF SAID SECTION 17; THENCE SOUTH 89° 46' 23" WEST 1324.81 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING. CONTAINING 21.1 ACRES OF LAND.

Passed by the Nibley City Council this ____ day of _____, 2017.

Shaun Dustin, Mayor

ATTEST: _____
City Recorder



REZONE APPLICATION

Office Use Only	
Date Received	<u>06/28/2017</u>
Fee Paid	_____
Rec'd By	_____

Property Owner Information

Name Return Development, LLC
 Address 465 North 565 West #100, Providence, UT 84332
 Phone (801) 557-3170 Cell (435) 760-6934 Fax _____
 Email Christopher@returnndev.com Ethan@returnndev.com

Property Owner Representative (If Applicable)

Name _____
 Address _____
 Phone _____ Cell _____ Fax _____
 Email _____

PROJECT INFORMATION

Project Address 1200-800 West 2200-2350 South, Nibley, UT 84321
 Tax I.D. Number (s) 03-008-0001
 Project Size (Acres) 19.03
 Current Zoning Agricultural (AGR) Proposed Zoning R-2A

SUPPORTING MATERIALS

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

Done **Survey.** The applicant shall submit a certified survey of land area to be rezoned. The applicant may submit a copy of the Cache County Recorder's plat map identifying the property proposed for rezone. The survey shall show the following:

1. Total acreage of land proposed for rezone
2. Adjacent land uses
3. Existing zoning of property
4. Vicinity map
5. Proposed project conceptual plan (if applicable)

✓
 ✓
 ✓
 ✓
 ✓

Done **Applicant Statement.** A statement by the Applicant, explaining the rationale for the rezone request, shall accompany the application (attach additional sheets). The statement shall answer the following questions (please list each question and its answer underneath):

1. What is the need for the proposed zone change?
2. What will the public benefit be if the zone change is granted?
3. How does the proposal comply with the goals and policies of the Nibley City General Plan?
4. Is there any annexation of property necessary?
5. Is the anticipated use appropriate for the surrounding area?
6. What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the developer?
7. Does the proposed zone change constitute "spot zoning"?

Done **Title Report.** Applicant shall provide a certified, preliminary title report listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property. _____

Done **Taxes.** A statement from the County treasurer showing the current tax status of the property. _____

Done **Surrounding Property Owners.** Applicant shall provide the City with mailing labels showing the name and mailing address of all property owners of record within three-hundred (300') feet of the subject property. _____

Done **Posting.** Not less than ten (10) days prior to the public hearing, Applicant is responsible for posting a sign in a prominent place on the property containing, in lettering that maybe reasonably read by passersby, the time, date and location of the public hearing. The posting shall not be required prior to the application being accepted. However, the City shall require that, not less than ten (10) days prior to the public hearing, Applicant provides the City with evidence of compliance with this requirement. _____

Done **Application Fee.** All fees related to the rezone application shall be paid as part of the application submittal. Should be a \$30 fee _____

Please see staff for public hearing and notification requirements.

File the completed application at:

Nibley City
455 West 3200 South
Nibley, UT 84321
(435) 752-0431

Applicant Certification

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Grand County may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Nibley City Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I have reviewed and understand the section from the Consolidated Fee Schedule and hereby agree to comply with this resolution. I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.



Property Owner Signature

June 22nd, 2017
Date

- Application Statement -

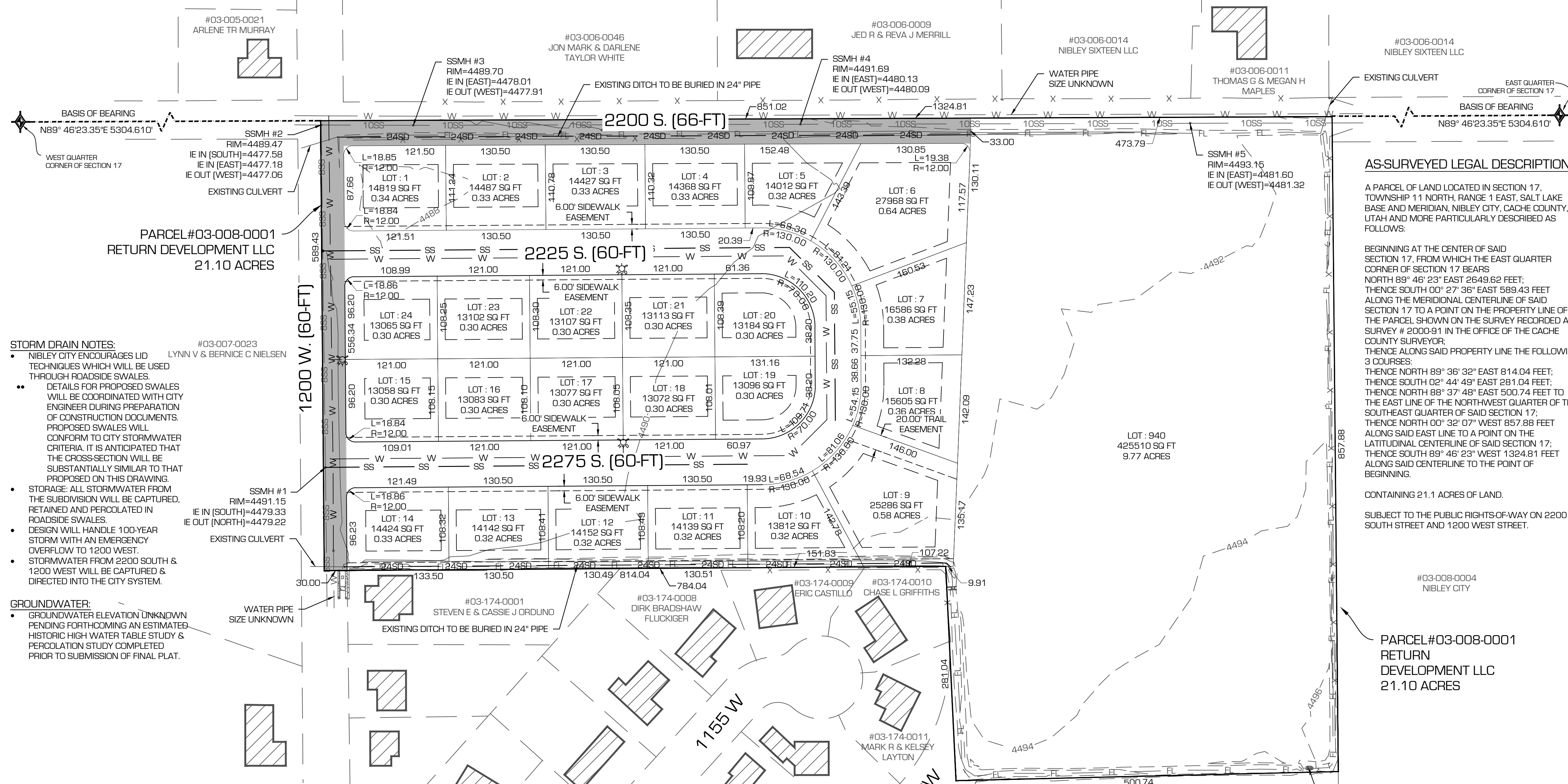
The following questions are in regards to our rezone application:

- 1. What is the need for the proposed zone change?**
 - a. We are developing the property into residential homes. We are simply rezoning the parcel to fit the zoning of the surrounding homes (R-2A) and possibly multi-family housing after city ordinance is adopted.
- 2. What will the public benefit be if the zone change is granted?**
 - a. The public benefit will be a well-built neighborhood near the Firefly Park for the future residents of Nibley City that complies with all city standards and code requirements. It will also provide Nibley with affordable housing to help them comply with state regulations.
- 3. How does the proposal comply with the goals and policies of the Nibley City's General Plan?**
 - a. Our development makes life better for citizens by providing a well-built community, not only for the middle class Americans, but also lower income families that could not afford housing otherwise. We are dedicated to preserving Nibley's historical and natural environment by preserving specifically the Fireflies that inhabit Firefly Park to the east. We are committed to working with the city to follow and uphold the municipal code and city standards while seeking to enhance Nibley's general plan throughout our development.
- 4. Is there any annexation of property necessary?**
 - a. No.
- 5. Is the anticipated use appropriate for the surrounding area?**
 - a. Yes.
- 6. What public infrastructure is in place to serve the type and intensity of the proposed use? If needed, could the infrastructure be reasonably extended, at the cost of the developer?**
 - a. After discussion with Justin Maughan and the city engineer, there is adequate sewer, water and power to serve the proposed development needs.
- 7. Does the proposed zone change constitute "spot zoning"?**
 - a. No.

FIREFLY ESTATES SUBDIVISION PRELIMINARY PLAT

LOCATED IN SECTION 17, TOWNSHIP 11 NORTH, RANGE 1 EAST
OF THE SALT LAKE BASE AND MERIDIAN, NIBLEY CITY, COUNTY OF CACHE, STATE OF UTAH

SCALE: 1"=80'

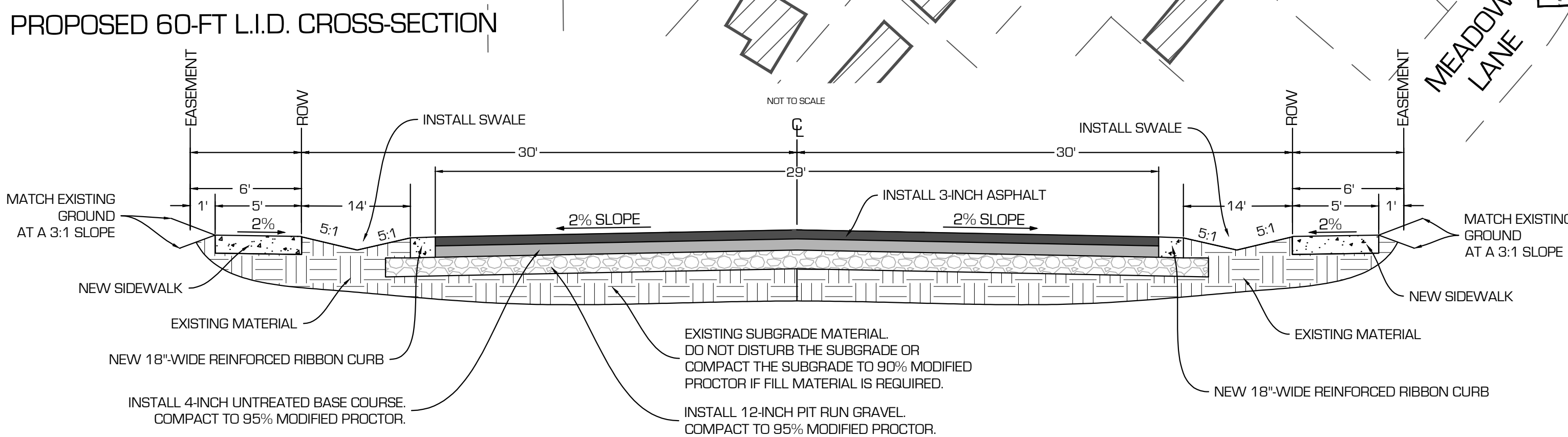


STORM DRAIN NOTES:

- NIBLEY CITY ENCOURAGES LID TECHNIQUES WHICH WILL BE USED THROUGH ROADSIDE SWALES.
- DETAILS FOR PROPOSED SWALES WILL BE COORDINATED WITH CITY ENGINEER DURING PREPARATION OF CONSTRUCTION DOCUMENTS. PROPOSED SWALES WILL CONFORM TO CITY STORMWATER CRITERIA. IT IS ANTICIPATED THAT THE CROSS-SECTION WILL BE SUBSTANTIALLY SIMILAR TO THAT PROPOSED ON THIS DRAWING.
- STORAGE: ALL STORMWATER FROM THE SUBDIVISION WILL BE CAPTURED, RETAINED AND PERCOLATED IN ROADSIDE SWALES.
- DESIGN WILL HANDLE 100-YEAR STORM WITH AN EMERGENCY OVERFLOW TO 1200 WEST.
- STORMWATER FROM 2200 SOUTH & 1200 WEST WILL BE CAPTURED & DIRECTED INTO THE CITY SYSTEM.

GROUNDWATER:

- GROUNDWATER ELEVATION UNKNOWN PENDING FORTHCOMING AN ESTIMATED HISTORIC HIGH WATER TABLE STUDY & PERCOLATION STUDY COMPLETED PRIOR TO SUBMISSION OF FINAL PLAT.



AS-SURVEYED LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 17, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, NIBLEY CITY, CACHE COUNTY, UTAH AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 17, FROM WHICH THE EAST QUARTER CORNER OF SECTION 17 BEARS NORTH 89° 46' 23" EAST 2649.62 FEET; THENCE SOUTH 00° 27' 36" EAST 589.43 FEET ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 17 TO A POINT ON THE PROPERTY LINE OF THE PARCEL SHOWN ON THE SURVEY RECORDED AS SURVEY # 2000-91 IN THE OFFICE OF THE CACHE COUNTY SURVEYOR; THENCE ALONG SAID PROPERTY LINE THE FOLLOWING 3 COURSES: THENCE NORTH 89° 36' 32" EAST 814.04 FEET; THENCE SOUTH 02° 44' 49" EAST 281.04 FEET; THENCE NORTH 88° 37' 48" EAST 500.74 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 32' 07" WEST 857.88 FEET ALONG SAID EAST LINE TO A POINT ON THE LATTITUDINAL CENTERLINE OF SAID SECTION 17; THENCE SOUTH 89° 46' 23" WEST 1324.81 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

CONTAINING 21.1 ACRES OF LAND.

SUBJECT TO THE PUBLIC RIGHTS-OF-WAY ON 2200 SOUTH STREET AND 1200 WEST STREET.

PROJECT CONTACTS & GENERAL NOTES:

- PROJECT SURVEYOR:
AA HUDSON & ASSOCIATES
TIM CHRISTENSEN, PLS. UTAH LICENSE #375041-2201
132 SOUTH STATE STREET
PRESTON, ID 83263
P: 208.852.1155
E: TIM@AAHUDSON.COM
- PROJECT ENGINEER:
CIVIL SOLUTIONS GROUP, INC.
MICHAEL E. TAYLOR, P.E. UTAH LICENSE #2843188-2202
540 W GOLF COURSE RD, SUITE B1
PROVIDENCE, UT 84332
P: 435.213.3762
E: MTAYLOR@CIVILSOLUTIONSGROUP.NET
- PROPERTY SUBDIVIDER / OWNER:
RETURN DEVELOPMENT, LLC
REPRESENTATIVE: ETHAN POPPLETON
485 N 565 W
PROVIDENCE, UT 84332
P: 435.763.8934
E: ETHAN@RETURNDEV.COM
- RESIDENTIAL (R-2A) ZONE
MIN FRONTAGE: 100'
FRONT SETBACK: 30'
REAR SETBACK: 25'
SIDE SETBACK: 10'
SIDE SETBACK (ADJACENT ROW): 25'
- ALL LOTS HAVE ADEQUATE BUILDABLE ENVELOPE WITH REGARD TO HAZARDOUS SLOPE, BUILDING, WATER, ZONING SETBACKS, ETC.
ZONE: RESIDENTIAL (R-2A)
TOTAL LOTS: 24
MIN. LOT SIZE: 13,058 SF
AVERAGE LOT SIZE: 14,959 SF
- PROJECT WILL BE BUILT IN ONE PHASE
- PUBLIC UTILITY EASEMENTS SHALL BE PROVIDED AT 10-FT WIDE ALONG THE FRONT & BACK OF LOTS AND 5-FT ON THE SIDES
- 2200 SOUTH AND 1200 WEST WILL BE IMPROVED TO CITY STANDARDS ALONG SUBDIVISION FRONTAGES.

LEGEND

— SS — SS —	EXISTING SEWER SERVICE
— W — W —	EXISTING WATER SERVICE
— FL — FL —	EXISTING CANAL FLOWLINE
— IRRX — IRRX —	EXISTING IRRIGATION CULVERT
— X — X —	EXISTING FENCE
— — — — —	ADJACENT PROPERTY BOUNDARY
— — — — —	PROPERTY BOUNDARY
— — — — —	PARCEL
— — — — —	SIDEWALK EASEMENT
— — — — —	PUBLIC UTILITY EASEMENT
— — — — —	RIGHT OF WAY DEDICATION AREA
— — — — —	SETBACK LINE
— SS — SS —	PROPOSED SEWER LINE
— W — W —	PROPOSED WATER LINE
— 24SD — 24SD —	PROPOSED STORMDRAIN LINE

DESIGN ENGINEER'S CERTIFICATE

I CERTIFY THAT ALL LOTS HAVE AN ADEQUATE BUILDABLE ENVELOPE WITH REGARD TO HAZARDOUS SLOPE, BUILDING, WATER, ZONING SETBACKS.
6.26.2017
DATE
Michael E. Taylor
DESIGN ENGINEER

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND THE CITY ORDINANCE.
DATE _____ CITY ENGINEER _____

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 2017.
CITY ATTORNEY _____

OWNER'S CERTIFICATE

I THE APPLICANT AM THE OWNER, OR AM AUTHORIZED IN WRITING FOR THE LAND PROPOSED TO BE SUBDIVIDED.
DATE _____ OWNER _____

CULINARY WATER AND SANITARY SEWER AUTHORITY APPROVALS

PLAT APPROVED BY NIBLEY CULINARY WATER AUTHORITY AND SANITARY SEWER AUTHORITY.
DATE _____ CULINARY WATER AND SANITARY SEWER AUTHORITY _____

- NOTES:**
- INSTALL 4" ROAD BASE OR GRAVEL UNDER THE CURB AND EXTEND ROAD BASE AND PIT RUN GRAVEL 1-FOOT BEHIND CURB.
 - THE CONTRACTOR SHALL COMPACT ALL IMPORTED MATERIAL TO 95% MODIFIED PROCTOR.
 - THE CONTRACTOR SHALL BUILD THE ROAD ACCORDING TO THE CONSTRUCTION PLAN ELEVATIONS AS PROVIDED BY CONSTRUCTION STAKING METHODS.
 - 8.25 CU FT OF STORMWATER STORAGE REQUIRED IN EACH SWALE TO RETAIN THE 100-YR 48-HR STORM, 9.8 CU FT PROVIDED. THIS ASSUMES A PERCOLATION RATE LIMITED TO 0.2 CFS/ACRE.

COUNTY RECORDER'S NO. _____
STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST
DATE _____ TIME _____ FEE _____
INDEX FILED IN FILE OF PLATS COUNTY RECORDER

COUNTY SURVEYOR'S CERTIFICATE
I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND FURTHER CERTIFY THAT IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.
DATE _____ COUNTY SURVEYOR _____
LEADERS IN SUSTAINABLE ENGINEERING AND PLANNING

PLANNING COMMISSION CHAIRMAN APPROVAL AND ACCEPTANCE
PRESENTED TO THE NIBLEY CITY PLANNING COMMISSION CHAIRMAN THIS _____ DAY OF _____ A.D. 2017, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.
DATE _____ PLANNING COMMISSION CHAIRMAN _____

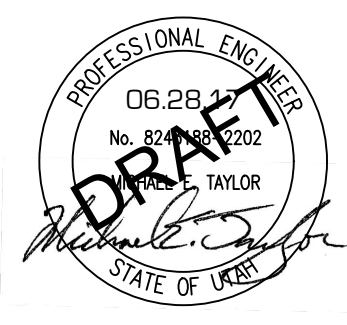
MAYOR'S APPROVAL AND ACCEPTANCE
PRESENTED TO THE NIBLEY CITY MAYOR THIS _____ DAY OF _____ A.D. 2017, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
DATE _____ MAYOR _____

civilsolutionsgroup inc.
540 W GOLF COURSE RD SUITE B1
PROVIDENCE, UT 84332
P: 435.213.3762
F: 435.213.3762
www.civilsolutionsgroup.net

**FIREFLY ESTATES SUBDIVISION
PRELIMINARY PLAT**
2200 SOUTH 1200 WEST
NIBLEY, UTAH 84321

MARK DATE DESCRIPTION:

PROJECT #: 17050
DRAWN BY: K. ALTHOUSE
REVIEWED BY: M. TAYLOR
ISSUED: 6.26.2017



PRELIMINARY PLAT

C-101