

ORDINANCE 24-08

**AMENDING 19.12.040 MIXED RESIDENTIAL ZONE R-M, INCLUDING ADJUSTMENTS TO
MAXIMUM DENSITY, REQUIRED OPEN SPACE AND ADDING PARCEL 03-227-0003, LOCATED
AT 1301 W 2600 S TO THE R-M APPLICATION MAP**

WHEREAS, Nibley City regulates land use within Nibley City boundaries; and

WHEREAS, The Mixed Residential (R-M) zone is compatible with the 'commercial and medium to high density residential' designation of the City's adopted future land use map; and

WHEREAS, The Nibley City General Plan emphasizes the preservation of open space; and

WHEREAS, The current density threshold for R-M zone is appropriate to accomplish the zone's purpose, while incentivizing open space preservation through transfer of development rights; and

WHEREAS, The Transportation Master Plan emphasizes improved street connectivity. The inclusion of 2500 South, as shown on the Master Streets Plan, is in support of this emphasis.

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

1. The attached amendments to Nibley City Code 19.12.040 be adopted.
2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
4. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS 22 DAY OF August 2024.

ATTEST:

Cheryl Bodily
Cheryl Bodily, City Recorder



LARRY JACOBSEN
Larry Jacobsen, Mayor