

ORDINANCE 23-05
AMENDING NCC 19.24.250 TO REMOVE REQUIREMENTS FOR IMPACT FEES FOR
ACCESSORY DWELLING UNITS

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

WHEREAS, Strategy 2 of the Nibley City Moderate Income Housing Plan is to eliminate impact fees for any detached accessory dwelling unit that is not an internal accessory dwelling unit as defined in Utah Code Section 10-9a-530; and

WHEREAS, providing for increased opportunities for landowners to build accessory dwelling units will increase the availability of attainable housing; and

WHEREAS, upon further discussion it is only the desire of the Council to reduce impact fees for any detached accessory dwelling unit to be equivalent to a Multi Family Unit per the latest associated Impact Fee Analysis.
NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The attached amendments to Nibley City Code 19.24.250 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 All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency.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 9 DAY OF March, 2023.

ATTEST:

Cheryl Bodily
Cheryl Bodily, City Recorder



LARRY JACOBSEN

Larry Jacobsen, Mayor