

**ORDINANCE 25-05**

**DEVELOPMENT AND LAND ADJUSTMENT AGREEMENT WITH NIBLEY HAWK HOLLOW, LLC FOR THE HAWK HOLLOW SUBDIVISION FOR THE ADJUSTMENT OF BOUNDARIES BETWEEN CITY PARCELS AND THE DEVELOPER PARCEL, LOCATED AT APPROXIMATELY 1050 W 3200 S, SETTING FORTH TERMS AND CONDITIONS, INCLUDING AN EXCEPTION TO NCC 21.12.060(F)(3) REGARDING PEDESTRIAN CONNECTIVITY**

WHEREAS, UCA 10-9-532(2)(a)(iii) provides that the City may enter into a development agreement which includes provisions which the City Code would otherwise prohibit provided that the agreement is approved in accordance with the same procedures for enacting a land use regulation under UCA 10-9a-502 ; and

WHEREAS, the proposed land exchange will benefit the health and wellness of the community with additional usable park space.

WHEREAS, The proposed location of a trail adjacent to the proposed park space provides a greater community benefit than the limits of NCC 21.12.060(F)(3) provide.

WHEREAS, The setback and size limitations of the proposed casita are within constraints of Nibley City's standards for accessory dwelling units.

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

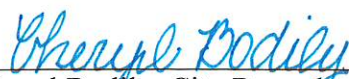
1. The attached LAND ADJUSTMENT AGREEMENT be approved.
2. The Agreement shall not take place until the Developer and City have signed the attached Agreement.
3. All ordinances, resolutions and polices of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving and law, order, resolution or ordinance or part thereof.

PASSED BY THE NIBLEY CITY COUNCIL THIS 13 DAY OF March, 2025.



Larry Jacobsen, Mayor

ATTEST:

  
Cheryl Bodily, City Recorder

