

ORDINANCE 24-10

**DEVELOPMENT AGREEMENT WITH STOKES NATURE CENTER FOR THE
CONSTRUCTION OF AN OUTDOOR LEARNING SPACE AND NATURE PARK ON
PARCEL 03-004-0011, LOCATED AT 99 W 2600 S, SETTING FORTH CONDITIONS
AND STANDARDS FOR ITS CONSTRUCTION, INCLUDING EXCEPTIONS TO
REQUIREMENTS FOR THE INCLUSION OF PUBLIC TRAILS AND THE
DEDICATION OF WATER SHARES OR RIGHTS**

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 Planning Commission has conditionally approved a Site Plan for the construction of an outdoor learning space and nature park; and

WHEREAS, Stokes Nature Center has indicated that the provision of a public trail would be a violation of the conservation easement held by the Utah Division of Wildlife Resources; and

WHEREAS, Stokes Nature Center has demonstrated the ability to irrigate the property's intended outdoor use without culinary water use.

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

1. The attached NIBLEY CITY DEVELOPMENT 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 All ordinances, resolutions and polices of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency.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 22 DAY OF August, 2024.

LARRY JACOBSEN

Larry Jacobsen, Mayor

ATTEST:

Cheryl Bodily
Cheryl Bodily, City Recorder

