

## **Mayor's Report**

**24 July 2023 – 6 August 2023**

Larry Jacobsen

Greetings, boss! Thanks for reading this status report. Here are the topics in this report:

- **Watermark Property and the Thomas Edison Charter School**
- **Land Use on Municipal Boundaries**
- **2600 South**
- **Ridgeline Park Park**
- **Animal Land Use Committee**
- **Employee Appreciation**

### **Watermark Property and the Thomas Edison Charter School**

During their last meeting, the Nibley City Council approved a commitment to a concept plan for the Watermark property north of the Thomas Edison Charter School. Ironically, this property is currently in Logan City. The council action lets the landowner know what to expect in Nibley if they disconnect from Logan and annex to Nibley. Previous reports have discussed how the property owners approached Logan in December last year asking for a change from commercial zoning, which allows 30 residential units per acre and requires commercial activity, to straight residential, also at 30 units per acre. Logan denied that zone change. Many charter school parents spoke against the plan presented to Logan because they felt it impacted the school, especially the playground area. Because the landowners did not want to put commercial uses in their development, they approached Nibley City about annexation. Nibley organized a collaborative effort between the landowners and the school to develop a less-intensive Nibley plan. That plan reduces the residential density to 16 units per acre, moves buildings away from the school playground, and reduces the height of the building closest to the playground. Principal Kirk spoke at the Nibley City Council Public Hearing in support of the new concept plan. She explained that the best solution for the school would leave the Watermark property as vacant land. However, the Nibley plan was preferable to the Logan plan. Land to the east of the Watermark property is already in Nibley's jurisdiction, and the new plan will lessen the impact to those residents as well. For now, Nibley has done its part in this negotiation, and we can wait to see what happens with the property's disconnection from Logan.

### **Land Use on Municipal Boundaries**

I wrote a letter to Logan Mayor Holly Daines asking how she felt about a change to Utah Code that would force municipalities to honor mitigation buffers on their city boundaries that are already required within their own cities. The case that motivated my letter is the Logan Altitude project at 800 West and 2200 South on property that is north of Nibley's existing Clear Creek subdivision. This project was approved by the Logan Planning Commission in January of this year, and despite Nibley City's request for height and setback mitigation to adjacent

single-family housing (which Logan requires within Logan), Logan did not require the same mitigation to the Nibley single-family neighborhood. The Logan Senior Planner reported to me and Nibley staff that because Nibley single-family zones are named differently than Logan single-family zones, then Logan should not, and could not, honor those mitigation strategies. To me, it seems that we missed an opportunity for cooperative regional planning between cities. I admit that Logan followed the letter of the law, but I don't believe the project approval aligns with the spirit of the law. Mayor Daines responded to me that she and her legal counsel felt mitigation to neighboring cities would be difficult to enforce. She did, however, say she was not opposed to me proposing the change to the Utah League of Cities and Towns, and I plan to do so. Contacting Mayor Daines was a precursor to seeing how our Utah legislative representatives feel about this change, and I still plan to do that. I admit that it's too late for the Altitude project, but maybe it's not too late to require what I see as better regional planning between municipalities.

### **2600 South**

As previously mentioned, the private road at 2600 South west of 1200 West has been opened as a private road. The decision to open this road was made by the landowner. I see this as a good move by the landowner because opening that road, along with their submission of a previously-omitted description of their future commercial plans along US-89/91, helped UDOT give a favorable opinion for a future traffic signal at 2600 South and US-89/91. This traffic signal will increase the value of the landowner's property, and it will be a good thing for Nibley City. I have mentioned before why Nibley City has not yet accepted ownership of 2600 South, despite the landowner's desires. Nibley City wants to ensure 2600 South will be completed in its entirety (curb, gutter, sidewalk, and landscaping), and that Nibley citizens will not have to pay for that completion. We have an agreement in place with the landowner that would accomplish these goals, but the landowner would like to reopen the negotiations of that agreement. Our response to the landowner is to wait for the Utah Property Rights Ombudsman's Office to issue its opinion on a complaint filed against Nibley City by the landowner. That complaint alleges that Nibley City has not acted according to required local land-use laws. Of course, we disagree. However, we are interested in the Ombudsman Office's advisory opinion to learn if we did something outside the law. We want to know if we made a mistake. After the Ombudsman's Office issues that opinion, we will give the landowner a chance to explain the defects that they feel are in the existing agreement that both parties have accepted. I will keep you posted.

### **Ridgeline Park Park**

Tom Dickenson, Nibley City Engineer, Councilmember Norman Larsen, and Parks and Rec Committee member Kendall Welker have been leading an effort with a consultant to complete a 90 percent design on the first phase of a future park in the Ridgeline Park development close to city hall. This park is a cooperative effort between the Ridgeline Park developers and Nibley City. The design is nearing the point where Tom can request construction bids. Like most construction efforts these days, the costs have gone up. On a brighter note, we are still optimistic about receiving a \$1.2M grant from the Federal Land and Water Conservation Fund to help with construction costs.

### **Animal Land Use Committee**

Council members Nathan Laursen and Erin Mann continue to work with a citizen committee considering changes to Nibley's animal land-use code. The committee has indicated it will likely propose less restrictive code on large animals, especially horses, on one-half acre lots. The committee is still working on the changes, and there will be lots of opportunity for citizen input as the Planning Commission and City Council consider those proposed changes. Please stay tuned as this process moves forward.

### **Employee Appreciation**

The Nibley City Office Staff organized an employee appreciation picnic last week, and it reminds me to show appreciation to Nibley's employees. Nibley has an enthusiastic, professional, and client-centered group of employees. I appreciate what they do for our citizens. Many thanks to the employees for their efforts to provide Nibley citizens with municipal services and to help make us proud to live in Nibley. Way to go, gang!

Thanks for reading, boss. Please call, text, or write any time.  
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