



## CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054  
(801) 335-8700  
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### NORTH SALT LAKE PLANNING COMMISSION NOTICE & AGENDA August 9, 2021 6:30 p.m.

Notice is given of a public meeting of the North Salt Lake Planning Commission to be held on the above noted date and time in the North Salt Lake City Council chambers located at 10 East Center Street. The agenda will be as follows:

- 1) Welcome, Pledge, and Introduction
- 2) Public comments
- 3) Work Session: Introduction to drafted Annexation Policy Update
- 4) Report on City Council actions on items recommended by Planning Commission
- 5) Approval of minutes:
  - a. 7/27/2021

Adjourn

The public is invited to attend all Planning Commission meetings. If you need special accommodations to participate in the Planning Commission meeting, please call the City offices at (801) 335-8700. Please provide at least 24 hours' notice for adequate arrangements to be made. The agenda items may be heard in a different order as warranted by the Commission.

#### Notice of Posting:

I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 5<sup>th</sup> day of August, 2021.

Dated this 5<sup>th</sup> day of August, 2021.

Sandra H. Henscher





# CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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10 East Center Street, North Salt Lake, Utah 84054  
(801) 335-8700  
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## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Sherrie Pace, Community Development Director  
**DATE:** August 9, 2021  
**SUBJECT:** Work Session-Annexation Policy Plan Draft Preparation

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### BACKGROUND

In 2020 the City received a request from property owners along 2200 West in Salt Lake County for consideration of a future annexation petition. The property is located west of the current North Salt Lake boundary along the Jordan River and is not within the adopted 2003 annexation policy plan expansion area. The proposed area, is known as the North Pointe Annexation and proposed development Misty River. For the City to entertain a petition for annexation within this area the annexation policy plan is required to be amended to include the area. The City Council entered into an agreement with the property owner, whereby the owner would pay the proportional cost of hiring a consultant to draft an update to the City's plan. The plan update includes an updated analysis of the existing expansion areas for conformance with state code, that the City included within the plan update scope of work to be completed by the consultant.

The City began a process to update the Annexation Policy Plan and Map in September of 2020. City staff has been working with the hired consultant on the draft and has prepared the initial draft for the Planning Commission review and input as required by state statute. The proposed draft Annexation Policy Plan addresses and updates all existing expansion areas A, B, & C, and includes the proposed area D, also known as the North Pointe Annexation Area.

Utah State Code Section 10-2-401.5 contains the specific steps for the adoption of an Annexation Policy Plan, as well as the requirements to be contained within the plan. The steps for adoption of the plan and estimated review/key dates are outlined as follows:

<b>August 9, 2021</b>	Planning Commission prepares proposed annexation policy plan
<i>August 17, 2021</i>	<i>City Council Work Session-Update from petition sponsor (not required by state code, requested meeting by applicant)</i>
<b>August 24, 2021</b>	Planning Commission Public Meeting to begin the 10 day public input period
<b>September 3, 2021</b>	Deadline for written comments submitted
<b>September 14, 2021</b>	Planning Commission Public Hearing Modify draft plan, as warranted Recommendation to the City Council
<b>October 5, 2021</b>	City Council Public Hearing Modify draft plan, as warranted Adoption of policy plan

## **APPLICABLE STATUTES**

Utah State Code 10-2-401.5(3) requires that an annexation policy include:

1. A map of the expansion area(s)
2. A statement of criteria to guide the City's decision to grant future annexations, that address the following:
  - a. Character of the community
  - b. Need for municipal services
  - c. City plans for extension of municipal services
  - d. How the services will be financed
  - e. Estimate of tax consequences to current residents and those within expansion areas
  - f. Interests of all affected entities
3. Justification for excluding urban development within ½ mile of city boundary from an expansion area (if applicable)
4. A statement addressing comments made by affected entities at or within 10 days after the required public meeting

Utah State Code 10-2-401.5(4) requires that the plan:

1. Attempt to avoid gaps between or overlaps with the expansion areas of other cities
2. Consider population growth projections for 20 years
3. Consider current and projected cost of infrastructure, urban services, and public facilities necessary:
  - a. To facilitate full development of the area within the municipality
  - b. To expand the infrastructure, services, and facilities into the area being considered for inclusion in the expansion area
4. Consider, in conjunction with General Plan, the need over the next 20 years for additional land suitable for residential, commercial, and industrial development
5. Consider the reasons for including agricultural lands, forests, recreational areas, and wildlife management areas in the municipality
6. Be guided by the principles in Subsection 10-2-103(5)

Utah State Code 10-2-403(5) states: If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:

1. Along boundaries of existing local districts and special service districts for sewer and water, school districts, and taxing entities
2. To eliminate islands and peninsulas of territory that is not receiving municipal-type services
3. To facilitate the consolidation of overlapping functions of local government
4. To promote efficient delivery of services
5. To encourage the equitable distribution of community resources and obligations

## **REVIEW**

The proposed draft policy plan contains a general information section with population estimates, which are based upon, current projects under construction, building permit data, census data, and projected population growth rates for Davis County (Kem C. Gardner Policy Institute at the University of Utah). Also contained within the plan and as a separate document for review is the annexation expansion area map. The map contains the existing three expansion areas A, B, & C as shown on the 2003 Annexation Policy Plan. An additional annexation area D is proposed, west of the current City boundary and within Salt Lake County. It is estimated that population estimates would not be affected by Areas A or C, as

those areas contain only industrial (Chevron) uses and recreational (state and federal lands) uses. Area B is a fully developed single family neighborhood within unincorporated Davis County and is estimated to have a population of 924 residents. Proposed Area D, contains agricultural lands and approximately 22 existing homes. Population projections include all of Area D with a total population projection for the next 20 years of 6,360 residents, representing approximately 2,000 dwelling units within the 413 acres.

The draft plan provides a narrative on the character of the community and need for municipal services within each area, including law enforcement, justice court, parks, community development and building department services, public works, and the expansion of these services. The plan also includes an analysis of the tax consequences to residents related to annexation. The provided analysis is subject to verification from affected taxing entities during the public comment period.

The draft policy plan contains policy recommendations for Planning Commission review and recommendation to the City Council. Of particular note are the following:

1. The inclusion of sensitive lands within the expansion areas, forest service and state lands, including the Jordan River and a recommended buffer from the Jordan River.
2. Level of service policy for public safety and public utilities.
3. Annexation criteria for future petitions.

**Planning Commission Action:**

No formal action is required by the Planning Commission at this time. Upon direction from the Planning Commission, staff will prepare a revised draft to include changes discussed at the meeting, advertise the required public meeting and notify affected entities regarding the public comment period and meeting schedule.

**Attachments**

- 1) Draft Annexation Policy Plan
- 2) Draft Annexation Expansion Area Map

DRAFT  
CITY OF NORTH SALT LAKE  
ANNEXATION POLICY PLAN  
EXPANSION AREA MAP

CITY OF NORTH SALT LAKE

BOUNTIFUL CITY

WOODS CROSS CITY

W 3300 N

68

15

89

93

W 2600

Center Street

N Main St

S Orchard Dr

N Orchard Dr

Bountiful Blvd

Eagleridge Dr.

2200 N

Redwood Rd

215

Veterans' Memorial Hwy

2200 W

Wood Rd

SALT LAKE CITY

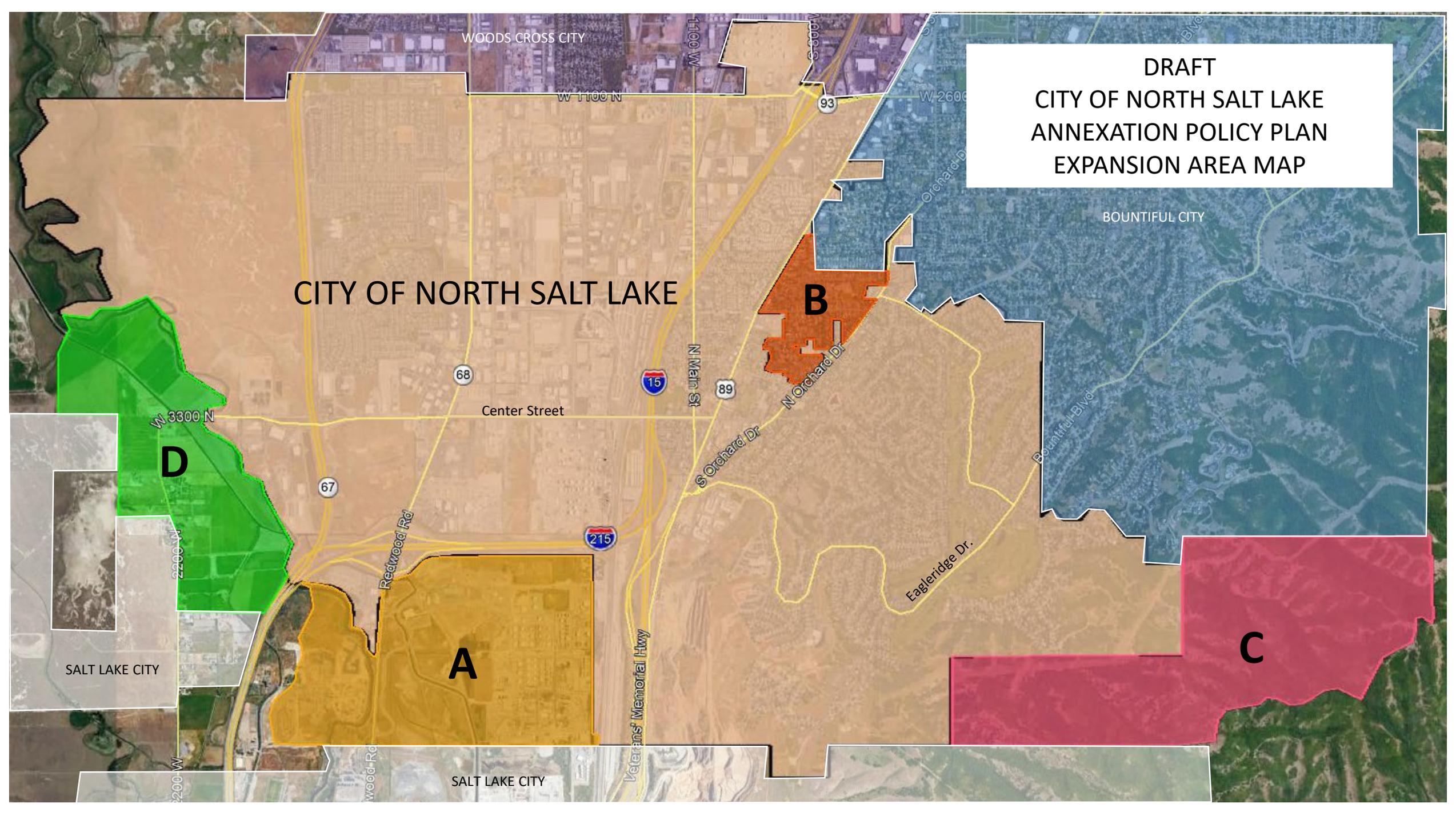
**D**

**B**

**A**

**C**

SALT LAKE CITY





# NORTH SALT LAKE, UTAH

DRAFT  
ANNEXATION POLICY PLAN



DRAFT: AUGUST 5, 2021



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## INTRODUCTION

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Per the provisions of 10-2-401.5, Utah Code Annotated, all Utah municipalities are required to adopt an Annexation Policy Plan. In this Annexation Policy Plan, cities are required to develop an expansion area map and plan for the future growth of the community for the next 20 years. The Annexation Policy Plan helps the City plan for future expansion of the City's boundary. North Salt Lake City ("the City") adopted its first Annexation Policy Plan in February of 2003. This Annexation Policy Plan update will replace all prior annexation documents and provides opportunity for the elimination of islands and peninsulas of unincorporated county between municipal jurisdictions.

In 2020, property owners in Salt Lake County requested the City consider amending the Expansion Area Map to include their properties. These lands are contiguous to a portion of the City's west boundary along the Jordan River. This is shown as proposed Area D. Additionally, the City desired to update the adopted 2003 Annexation Policy Plan for compliance with State Code as part of the 2021 Update to the Annexation Policy Plan. These areas are generally described below.

Draft



## GENERAL INFORMATION

As per Utah Code, Section 10-2-401.5 (4) and 10-2-401.5 (3) (c), the City has considered the following six points in preparing, considering, and adopting this Annexation Policy Plan as follows:

### GAPS AND OVERLAPS

North Salt Lake has attempted to avoid gaps or overlaps with the expansion areas of other municipalities. Contiguous unincorporated areas in Davis and Salt Lake counties have historically not been served by other municipalities, nor do plans exist to serve these areas. North Salt Lake has the ability to provide municipal services necessary for these unincorporated areas and provide those services more efficiently.

### 20 YEAR POPULATION PROJECTIONS

The City has considered population growth projections for the municipality within the current city boundary and additionally for the Annexation Policy Declaration Areas A, B, C and D for the next 20 years. Population projections for the City and annexation area by City Staff (building permit data and projected growth rates from the Kem C. Gardner Policy Institute), show the City and Areas A, B and C with current development will grow from 23,430 in 2020 to 29,918 persons in 2041. Area B is projected to include a population of 924 and Area D is projected to add an additional 6,360. All population dates are as of December 31 of each year.

**Table 1: North Salt Lake Year Population Projections  
Existing City Boundary**

Year	NSL Population	Annual Growth Rate	Area B 924	Area D 6,160	Total NSL Population
12/31/2020	23,430	4.73%			
2021	24,241	3.46%			
2022	24,537	1.10%			
2023	24,807	1.01%			
2024	25,058	0.91%			
2025	25,286	0.99%			
2026	25,536	1.01%			
2027	25,794	1.03%			
2028	26,060	1.05%			
2029	26,333	1.07%			
2030	26,615	1.07%			
2031	26,900	1.09%			
2032	27,193	1.10%			
2033	27,492	1.09%			
2034	27,792	1.09%			
2035	28,095	1.08%			
2036	28,398	1.08%			
2037	28,705	1.08%			
2038	29,015	1.08%			
2039	29,328	1.00%			
2040	29,621	1.00%			
2041	29,918	1.00%			



**MAP 1: ANNEXATION AREAS** depicts four annexation areas. Areas A, B and C are existing expansion areas. Area D is a new proposed expansion area which includes the proposed North Pointe Annexation within Salt Lake County. Per the provisions of 10-2-401.5(3)(a), Utah Code Annotated, all municipalities within the State are required to adopt “a map of the expansion area, and which may include territory located outside the county in which the municipality is located.”

**(Area A)** All unincorporated Davis County property (including but not limited to that property currently owned or controlled by Chevron/Texaco) west of the Union Pacific right-of-way and south of I-215, extending to the Davis County boundary line west and south. Area A is the State of Utah’s Jordan River OHV State Recreation Area located west of Redwood Road and the Jordan River, whose only access is from Salt Lake County. There are no residential uses existing in this primarily industrial area and the designated future land use does not include residential zoning. No impact on city population projections is expected for Area A.

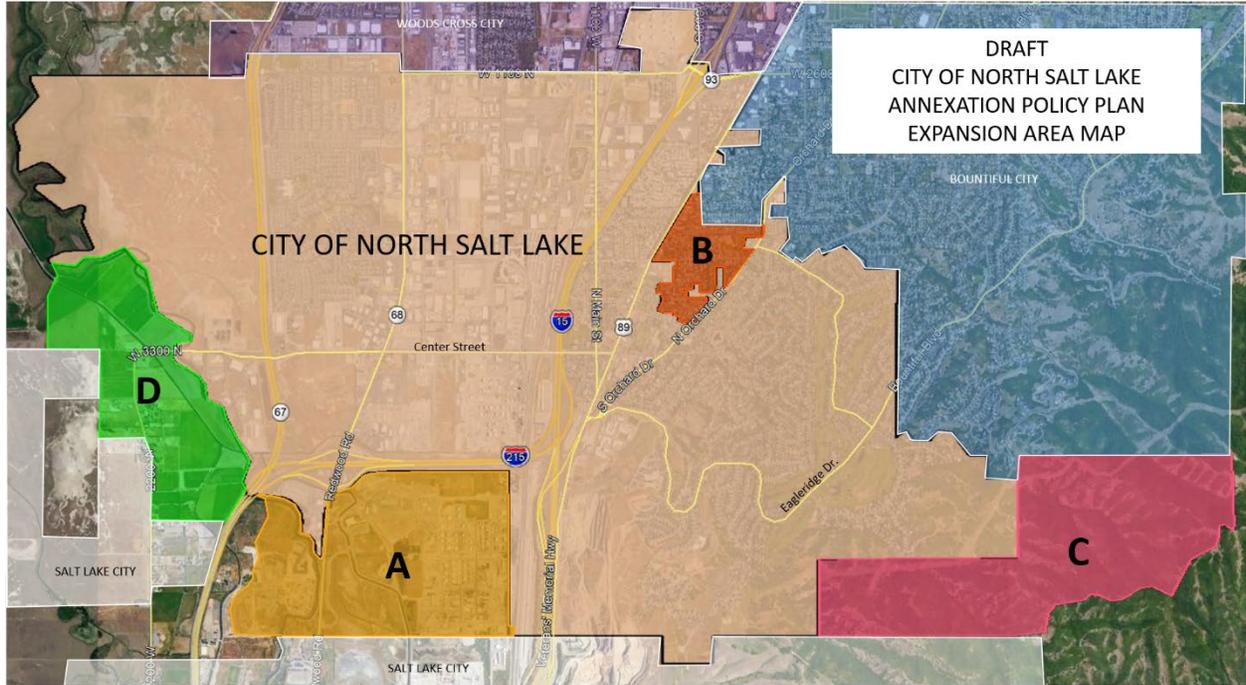
**(Area B)** All unincorporated Davis County property between the current northern boundary of North Salt Lake and the southern boundary of Bountiful City. Generally, this area is north of Odell Lane to the existing Bountiful City boundary line (located between 3400 South and 3500 South in Davis County), which is also the municipal boundary for Bountiful City and east of Highway 89 to Orchard Drive. This area is fully developed with single family homes and existing infrastructure, and is served by South Davis Water, a private water company . Area B is approximately 98 acres in size and contains approximately 300 homes and 6 businesses. The estimated population of Area B is 924 (4% of current population).

**(Area C)** All unincorporated Davis County property lying south and east of the current southeast city boundary, from the Bountiful City boundary line south to the Davis County boundary line. This area contains US Forest Service and Salt Lake City Corporation property. There are no residential uses existing in this primarily hillside area and the designated future land use is Natural Open Space (NOS) and does not include residential zoning. No impact on city population projections is expected for Area C.

**(Area D)** The proposed annexation Area D contains about 413 acres which are currently unincorporated Salt Lake County. This area lies on the west side of the Jordan River. The southern border is the current Salt Lake City boundary at approximately 2800 North (Salt Lake County Coordinates) to the northern boundary at approximately 3600 North (Salt Lake County coordinates). The western boundary is Salt Lake City’s boundary west of 2200 West. Area D contains the North Pointe Annexation Petition, approximately 350 acre. Future land use for Area D will include residential, commercial, and agricultural uses. There are existing approximately 13 residences with an estimated population of 39 persons. Future land use has not been designated in the City General Plan. The projected overall density within the 413 acres is 5 dwelling units per acre, for a total projected dwelling units of 2,065 and a projected population of 6,360 residents within Area D.



**MAP 1: ANNEXATION AREAS (A, B, C, D)**



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## GENERAL INFORMATION

All the four areas have things in common. There is repetition in the review of each area. To make this document, simpler to read and understand, certain sections are included herein and apply to all four areas. Individual sections follow for each area. These individual sections include specific needs or actions that are required in individual areas.

### CHARACTER OF THE COMMUNITY

The City of North Salt Lake is bordered by Salt Lake City on its southern boundary, the Cities of Woods Cross and Bountiful on its north boundary, Salt Lake County to the west, and unincorporated Davis County to the east. North Salt Lake provides an excellent location for individuals and families interested in living in a strong, stable economy with nearby outdoor activities. North Salt Lake has a variety of activities, businesses, restaurants, parks and trails to explore. The City has diversified housing to meet the needs of all people. Housing development needs to be supported by suitable commercial and industrial development. This will allow the City a revenue base to remain strong, stable and robust.

The City's development patterns are similar to other small, Utah urban communities. The City must take a long-range view, at least 20 years, at its potential for expansion. The City intends for growth to occur in areas where the it can cost efficiently and effectively extend municipal services and to discourage development that negatively increases costs which place a higher tax burden upon existing and future citizens of North Salt Lake.

### THE NEED FOR MUNICIPAL SERVICES IN DEVELOPED AND UNDEVELOPED UNINCORPORATED AREAS

For purposes of this plan, Municipal Services may include: infrastructure maintenance (maintain, repair, replace, upgrade) management, observation and oversight of: roads, stormwater/flood control, sewer, water, electric utility, natural gas, fiber, street lights, intersections, walkways, signage, solid waste collection and recycling as well as police and fire protection and integrated land use planning.

Areas A: Municipal services for Area A have generally been provided by Davis County, South Davis Sewer District and South Davis Metro Fire. The area is fully developed with the Chevron refinery and the Jordan Parkway Recreation Park (Utah State) and is expected to have little to no demand for new municipal services.

Area B: Municipal services for Area B have been provided by Davis County. The area is a fully developed island of unincorporated county, provision of municipal services is not as efficient nor effective as that which the City would be able to provide due to proximity of resources. The City currently provides police assistance and response to Area B to assist Davis County.

Area C: Designated as future Natural Open Space. No municipal services are provided to Area C and there are none anticipated upon annexation.

Area D: has the greatest need for municipal services, currently provide for by Salt Lake County to the unincorporated island. Emergency response times to Area D have been reported to be an issue with the area being located on the far northern reach of Salt Lake County. Area D also lacks additional municipal services, such as sewer, water, and secondary water systems which support development of the area and to date have been a challenge for property owners that wish to develop their properties.

There are no pending plans to develop in Area A, Area B which is fully developed with approximately 300 homes and 924 residents and Area C, which is designated as future Natural Open Space. Currently the City provides limited police response to these areas to assist Davis County. Further the areas are serviced by Davis Metro Fire District, with no change in service expected upon annexation. Sewer services are provided by South Davis Sewer District, regardless of annexation status. No new water services will be necessary to extend to these areas, as Area B is served by South Davis Water Company and the other areas either will not be developed residentially or have their own water source in the case of Chevron. There are approximately 2.5 miles of existing roadway within Areas A, B, & C The cost of providing municipal services to these areas without new development would be minimal and would have little impact on the existing City infrastructure or organization.

## GENERAL INFORMATION

### LAW ENFORCEMENT SERVICES

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The North Salt Lake Police Department will provide law enforcement for the annexed areas. The Police Department anticipates that new officers will service new developments within annexed areas. Total costs will include new hires, training, office supplies, equipment maintenance, vehicle maintenance, uniforms, etc. The City provides a level of service of \_\_\_\_ officers per 1,000 residents. It is expected that the annexation will warrant the addition of \_\_\_\_ officers by 2041

### JUSTICE COURT

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The City provides a Justice Court that serves the needs for civil cases and non-felony crimes. As part of an annexation application and review, the expense impact on the Justice Court would be review and estimated and provisions for increased revenues, if needed, would be determined. Annexation of Area D, may result in an increase of service costs for criminal cases which will be prosecuted in Salt Lake County as opposed to Davis County.

### PARKS

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The City's Parks Department provides maintenance services to City-owned neighborhood parks, trails, City buildings and grounds, entrance features and other open spaces. Access to these facilities is open to the public, including non-City residents. As properties are annexed, the City should analyze the need for neighborhood parks and trails in those areas and determine if the City's Development (Impact) Fee is sufficient to meet estimated park and trail demands and that long-term revenue will cover additional operations and maintenance expenses.

### COMMUNITY DEVELOPMENT SERVICES

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The City provides planning services through the North Salt Lake Community Development Department Staff. The North Salt Lake Building Department provides inspection to ensure compliance of all construction with the adopted International Building Code. In addition, the City Engineer ensures compliance of new development with City Standards and Specifications.

### PUBLIC WORKS

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The City Public Works has responsibility for flood control, street, water, irrigation, storm drainage, and street plowing. The South Davis Sewer District is responsible for the sewer services within the city and surrounding areas.

### PLANS FOR EXTENSION OF MUNICIPAL SERVICES

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The City requires developers to construct and dedicate all new public facilities needed for new development. The City collects impact fees that upsize water, irrigation, and street facilities to meet growth needs. The South Davis Sewer District collects impact fees that upsize sewer mains. As a condition of annexation, developments may be required to extend or improve streets, water and sewer, and other vital public facilities consistent with the City's Master Plan and South Davis Sewer District's Master Plan. The City's policy is to deliver high-quality municipal services throughout the City, including annexation areas. Such services may be provided directly by the City through inter-local cooperative service agreements or by creating such special improvement districts as determined by the City to be in the best public interest of its citizens.

## GENERAL INFORMATION

### ELEMENTARY SCHOOL OR SECONDARY SCHOOLS

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Areas A, B and C are within the Davis School District and Area D is within the Granite School District. The Districts are obligated by Utah law to provide elementary and secondary education for school age children who live in the District. As properties apply for annexation, the District should be noticed so they can determine how they will accommodate new students that might be generated by new residential development

### URBAN DEVELOPMENT EXCLUSIONS

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There is no unincorporated urban development within ½ mile of the Areas A, B, C or D that has not been included in the expansion areas.

### HOW MUNICIPAL SERVICES MAY BE FINANCED

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Financing services in the expansion area will be accomplished in the same manner as financing infrastructure and services within the corporate limits. Infrastructure needed to service developed properties is installed at the developer's expense. With dedication and City acceptance, City operation and maintenance is provided by property tax and sales tax revenues, Class B and C Road Funds and utility franchise fees. In addition, the City will impose impact fees to offset the impact of offsite infrastructure systems needed for new growth.

New development is required to install the base-sized service facilities needed for development. Impact fees are used for upsizing facilities to accommodate new growth and development. Upon an annexation petition, the City may require a developer to install or improve offsite facilities as a condition of annexation. When a developer installs an offsite improvement such as a road, waterline, or sewer line, the City, at the developer's request, may enter into reimbursement agreements with the developer to provide compensation to the developer when future development benefits from those new services. New development would be required to pay their proportionate share back to the original developer. Another financing mechanism available to the City is creating a Special Improvement District, creating a Community Reinvestment Project Area or using a Public Infrastructure District Bond permitted by Utah Code Part 12 - Public Infrastructure District Act. The City should consider these options when a proposed development furthers the economic development or transportation goals of the City's General Plan, but these mechanisms should be used sparingly.

### ESTIMATE OF TAX CONSEQUENCES TO RESIDENTS BOTH CURRENTLY WITHIN THE CITY AND IN THE EXPANSION AREA

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It is anticipated that if all or portions of Areas A, B, C, or D were annexed into the City, they would increase in value, and the tax assessment on newly developed areas, along with impact fees, development fees, and additional revenue assessments will generate revenue to help support on new services. However, the City needs to constantly monitor and advocate for a balanced tax base through economic promotion and development and by encouraging commercial and service industry. The estimated tax consequences would be minimal having little impact on the existing North Salt Lake tax burden or benefit. In all cases, the loss to Davis and Salt Lake County would likewise be minimal.

Areas A, B, and C all located within Davis County had a tax rate of 0.011986 in 2020, while the City tax rate was 0.12318 a difference of 2.77%. Area D located in Salt Lake County had a 2020 tax rate of 0.014511 and properties within the Foxboro Area of North Salt Lake 0.012318. Property in Areas A, B, and C would see a small increase in property tax (2.77%) and Area D would see a decrease in property taxes by 12.49%. See the table below for the tax impacts on a typical single family dwelling, valued at \$400,000.

#### Area B

## GENERAL INFORMATION

2020 Tax Year	Valuation	Mil Levy	Taxable Value	2020 Tax			
Davis County NSL (annexed area)	\$ 400,000.00	0.011986	\$ 220,000.00	\$ 2,636.92			
	\$ 400,000.00	0.012318	\$ 220,000.00	\$ 2,709.96	Projected Increase	\$ 73.04	Per Year
<b>Area D</b>							
2020 Tax Year	Valuation	Mil Levy	Taxable Value	2020 Tax			
Salt Lake County NSL (annexed area)	\$ 400,000	0.014511	\$ 220,000.00	\$ 3,192.42			
	\$ 400,000	0.012699	\$ 220,000.00	\$ 2,793.78	Projected Decrease	\$ (398.64)	Per Year

## AFFECTED ENTITIES

The following entities are affected by Area A, Area B or Area C.

- Davis County Mosquito Abatement District
- South Davis Sewer District
- South Davis Metro Fire
- Davis County Government
- South Davis Recreation District
- Davis County Health Department
- Davis County Flood Control
- Jordan River Commission
- Utah State Division of Forestry
- Fire and State Lands
- Legacy Nature Preserve
- Davis County Animal Care
- Davis School District
- Davis County Library

The affected entities for Area D are listed specifically within the Area D Section on pages 14-15.

## STATEMENT ADDRESSING COMMENTS MADE BY AFFECTED ENTITIES

A Statement addressing comments made by affected entities at the public meeting or within ten (10) days after the public meeting be added to this plan below.

## AREA SPECIFIC INFORMATION

### AREA A

All unincorporated Davis County property (including but not limited to that property currently owned or controlled by Chevron/Texaco) west of the Union Pacific right-of-way and south of I-215, extending to the Davis County boundary line west and south. Area A is the State of Utah's Jordan River OHV State Recreation Area located west of Redwood Road and the Jordan River, whose only access is from Salt Lake County.

### CURRENT AND PROJECTED COSTS OF INFRASTRUCTURE, URBAN SERVICES, AND PUBLIC FACILITIES NECESSARY

Area A is existing industrial development and a regional recreation facility owned by State of Utah, Division of Parks and Recreation. The costs of extending infrastructure, urban services, and public facilities are minimal. Area A annexation will not impact the City's infrastructure, urban services, or public facilities. In the event of an emergency at the Chevron facility, South Davis Metro Fire and North Salt Lake Police respond, costs currently borne by the City.

### IN CONJUNCTION WITH THE MUNICIPALITY'S GENERAL PLAN, CONSIDER THE NEED OVER THE NEXT 20 YEARS FOR ADDITIONAL LAND SUITABLE FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT

Area A contains heavy industrial (Chevron refinery) and recreational uses (Division of Parks and Recreation). The Chevron facility is bounded by two highways, I-215 and I-15. Land uses west of the facility and across Redwood Road include retail commercial and office. The recreational use is separated from the commercial and industrial uses within the existing city boundary by the Jordan River and Jordan River Parkway Trail. Therefore, the existing land uses within Area A are consistent and compatible with surrounding land uses.

### REASONS FOR INCLUDING SENSITIVE LANDS IN EXPANSION AREA

Area A includes lands designated as flood plain areas and sensitive lands near the Jordan River. Additional structures are not expected to be built within Area A. Prior to annexation, the City should determine the boundaries of the flood plain, establish the base flood elevation for structures, and survey any sensitive lands to ensure that they are inventoried and protected by annexation agreement.

## AREA SPECIFIC INFORMATION

### AREA B

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Area B includes all unincorporated Davis County property between the current northern boundary of North Salt Lake and the southern boundary of Bountiful City. Generally, this area is north of Odell Lane to the existing Bountiful City boundary line (located between 3400 South and 3500 South in Davis County), the annexation boundary for Bountiful City and east of Highway 89 to Orchard Drive. This area is fully developed with single family homes and existing infrastructure. Area B is fully developed with approximately 300 homes and 924 residents.

### CURRENT AND PROJECTED COSTS OF INFRASTRUCTURE, URBAN SERVICES, AND PUBLIC FACILITIES NECESSARY

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The costs of infrastructure, urban services, and public facilities would be minimal. The area is served by South Davis Water Company. Additional maintenance costs will be incurred for street maintenance and police services that are expected to be offset by the additional B & C Road Funds, as well as the minimal increase generated by property taxes. Therefore, it is not anticipated that Area B will impact the City's existing infrastructure, urban services, or public facilities.

### IN CONJUNCTION WITH THE MUNICIPALITY'S GENERAL PLAN, CONSIDER THE NEED OVER THE NEXT 20 YEARS FOR ADDITIONAL LAND SUITABLE FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT

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This area is bordered by land uses that are mainly medium density residential and a lesser amount of general commercial. This is consistent with the land uses existing in Area B. Area B currently contains medium-density residential buildings and commercial lots.

### REASONS FOR INCLUDING SENSITIVE LANDS IN EXPANSION AREA

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There are no sensitive lands that would be included in Area B.

## AREA SPECIFIC INFORMATION

### AREA C

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Area C includes all unincorporated Davis County property which lies south and east of the current southeast city boundary, from the Bountiful City boundary line south to the Davis County boundary line. In addition, this area contains US Forest Service Property. Area C is designated as a future land use of Natural Open Space. No development would be permitted in the area, due to the terrain and steep slopes.

### CURRENT AND PROJECTED COSTS OF INFRASTRUCTURE, URBAN SERVICES, AND PUBLIC FACILITIES NECESSARY

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The costs of infrastructure, urban services, and public facilities would be minimal as the area is natural open space owned by the Forest Service. Therefore, it is not anticipated that Area C will impact the City by infrastructure, urban services, or public facilities.

### IN CONJUNCTION WITH THE MUNICIPALITY'S GENERAL PLAN, CONSIDER THE NEED OVER THE NEXT 20 YEARS FOR ADDITIONAL LAND SUITABLE FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT

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Area C is wholly comprised of a US Forest Service area. The City boundary it borders contains land uses of open space and low density residential.

### REASONS FOR INCLUDING SENSITIVE LANDS IN EXPANSION AREA

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The City's expansion Area C includes US Forest Service area. This area would be deemed to be within the sensitive lands overlay zone, due to steep slope. The area would be protected from development due to the overlay zone. Annexing Area C would ensure protection of the sensitive lands, slopes, vegetation, and wildlife in the foothills of North Salt Lake

## AREA SPECIFIC INFORMATION

### AREA D

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The proposed annexation Area D contains about 400 acres which is currently unincorporated Salt Lake County. This area lies west of the Jordan River. The southern border is the current Salt Lake City boundary at approximately 2800 North (Salt Lake County Coordinates) to the northern boundary at approximately 3600 North (Salt Lake County coordinates) and the western boundary being Salt Lake City's boundary west of 2200 West. Area D contains the approximately 350 acre North Pointe Annexation Petition.

Area D has the greatest need for municipal services, currently provide for by Salt Lake County to the unincorporated island. Emergency response times to Area D have been reported to be an issue with the area being located on the far northern reach of Salt Lake County. Area D also lacks additional municipal services, such as sewer, water, and secondary water systems which support development of the area and to date have been a challenge for property owners that wish to develop their properties.

### GAPS AND OVERLAPS

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Area D is within Salt Lake City's 1979 Annexation Policy Declaration area. Salt Lake City has made no attempts to annex Area D since 1979. Salt Lake County and Salt Lake City have been unable to provide adequate municipal services to the North Pointe area, North Salt Lake has the municipal services that are necessary for residential and commercial/industrial development that the unincorporated area to be annexed lacks. North Salt Lake is desirous to accommodate the proposed residential development and agri-tourism expansion within Area D's boundary.

### CURRENT AND PROJECTED COSTS OF INFRASTRUCTURE, URBAN SERVICES, AND PUBLIC FACILITIES NECESSARY

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Substantial infrastructure is required to serve Area D. Extensions of streets, water lines and sewer lines will be required. North Salt Lake and South Davis Sewer District will require that the property developers pay the costs of offsite and onsite infrastructure construction and pay impact fees to repay the costs of City and District construction of existing infrastructure that benefits the new development. After construction and acceptance for maintenance, taxes and fees will assist the City with operations and maintenance costs.

The same is valid for urban services and public facilities. Initial improvements will be made by the developer if deemed necessary. Impact fees will be paid as required by the City ordinance. Taxes and fees will defer the ongoing costs of operation and maintenance.

### IN CONJUNCTION WITH THE MUNICIPALITY'S GENERAL PLAN, CONSIDER THE NEED OVER THE NEXT 20 YEARS FOR ADDITIONAL LAND SUITABLE FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT

---

Area D contains land being used currently for agriculture. The potential residential development would add approximately 2,000 new homes. **(NOTE: THIS IS ALL OF AREA D, NOT JUST PROPOSED MISTY RIVER)** Its current and future land uses in Area D are consistent with the City's General Plan.

### REASONS FOR INCLUDING SENSITIVE LANDS IN EXPANSION AREA

---

The City's expansion area includes agricultural lands and the Jordan River runs the length of Area D's eastern boundary. The land proposed for residential development will be removed from agriculture. The agricultural lands in Cross E Ranch Property will be retained until the Ranch owners propose new development. Annexation into North Salt Lake will benefit this agricultural property along with their plans to expand. Cross E Ranch currently operates without municipal water and sewer. In order to grow its agri-tourism business, it needs municipal water and sewer service to make the expansion feasible.

## AREA SPECIFIC INFORMATION

Development along the Jordan River must be mitigated for impact on the river and preservation or restoration of the river bank. The City, with advice from the Jordan River Commission, shall ensure that a portion of land shall be reserved along the Jordan River for riverbank restoration and open space. The dimensions, width, and allowed uses within the reserved area shall be determined based upon the type of improvements to the riverbank and landscaped areas, such as native or manicured vegetation, trails, park space, or other recreational open space amenities and habitat preservation. In no case shall the required reserve be less than 50-100 feet in width. Annexation of these sensitive lands will allow the city to protect the sensitive nature of the area, rather than relying upon other jurisdictions to protect the area adjacent to and impacting the City and its residents.

### THE NEED FOR MUNICIPAL SERVICES IN DEVELOPED AND UNDEVELOPED UNINCORPORATED AREAS

---

Area D is devoid of municipal services at this time. This is the reason for annexation to North Salt Lake, the most efficient North Pointe municipal services provider. The River Ranch developer will finance and construct offsite culinary water, secondary water, sewer and street improvements. The developer will also construct the same facilities needed onsite for residential development. River Ranch will also include parks and trails. It has not been determined whether the parks and trails will be dedicated to the City or owned and maintained by a homeowner's association.

The municipal services constructed by the River Ranch developer will also provide Cross E Ranch with the opportunity to connect and construct water and sewer lines to their property. If desired by the property owners, municipal services are also available to properties that are within Area D, but not part of the North Pointe Annexation. The unincorporated property owners would need to negotiate with the City and the District to use water and sewer lines, respectively.

### ELEMENTARY OF SECONDARY SCHOOLS

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Area D is within the Granite School District that serves the Salt Lake County cities and communities of Magna, West Valley City, Kearns, Taylorsville, South Salt Lake, Millcreek and Holladay. It is not served by the Davis School District that serves North Salt Lake and there will be no attempt to annex Area D into the Davis School District with city annexation.

Schools assigned to this area are in Magna, Utah. The distance by automobile from Area D to Magna schools is roughly 17 miles and 20 to 25 minutes along Interstate 215 and the 201 Freeway. These routes are frequently impacted by early morning commute traffic.

Historically, children growing up in North Pointe have attended Salt Lake City schools in Rose Park under the Utah Department of Education's Open Enrollment Program. Open Enrollment allows a student to attend an out-of-area school if space is available.

To address school availability and access, the River Ranch developer proposes to build 1,000 student K-8 Charter School that will be completed in three phases as the River Ranch neighborhood is developed and occupied. It is anticipated that families in North Pointe will have priority to attend the new charter school allowing K-8 students to walk or bike to school if they choose. Children in Grades 9-12 will need to attend either Granite District secondary schools, Davis School District or Salt Lake City District secondary schools where space is available through Open Enrollment or attend Charter Schools.

### AFFECTED ENTITIES

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The following entities are affected by Area D:

- South Davis Sewer District
- South Davis Metro Fire
- Jordan River Commission
- Utah State Division of Forestry
- Fire and State Lands
- Utah Department of Transportation

## AREA SPECIFIC INFORMATION

- Utah Transit Agency
- Salt Lake County
- Granite School District
- Central Utah Water Conservancy District
- Wasatch Waste and Recycling District
- Salt Lake County Municipal Type Services
- Unified Fire Service
- Salt Lake Valley Law Enforcement Service Area
- Greater Salt Lake Municipal Services District
- Salt Lake County Library
- Jordan River Commission
- Salt Lake City
- Salt Lake City Department of Airports

### STATEMENT ADDRESSING COMMENTS MADE BY AFFECTED ENTITIES

A Statement addressing comments made by affected entities at the public meeting or within ten (10) days after the public meeting be added to this plan below.

Draft

## EXHIBIT A: ANNEXATION CRITERIA

Item	Criteria - North Salt Lake City will grant annexation if.. (each statement may be read “and/or”)
Character of the Community	<ol style="list-style-type: none"> <li>1. The annexation will accommodate development consistent with the zoning and use allowed in the area.</li> <li>2. Annexation will initiate site improvement, i.e. public utilities and streets, parks or other public features.</li> <li>3. The annexation does not create or exacerbate an existing peninsula or island, unless the City Council determines that not annexing the entire unincorporated island or peninsula is in North Salt Lake City’s best interest.</li> <li>4. The area is contiguous to the municipality.</li> </ol>
The need for Municipal Services	<ol style="list-style-type: none"> <li>1. The residents request annexation as a means to gain access to culinary water.</li> <li>2. The annexation will provide storm sewer improvements to benefit annexed land owners.</li> <li>3. The extension of utilities in this area will enhance the overall City’s system.</li> <li>4. The area will be better serviced by the North Salt Lake Police Department rather than the Davis County Sheriff’s office.</li> </ol>
The municipality’s plan for extension of services	<ol style="list-style-type: none"> <li>1. The area to be annexed will provide an orderly extension of culinary water, storm sewer collection, and street system enhancements.</li> <li>2. The annexation will allow for orderly extension of utilities by providing easements, right-of-ways or street dedication.</li> <li>3. The extension of utilities corresponds to the City’s Capital Improvement Plan.</li> </ol>
How services will be financed	<ol style="list-style-type: none"> <li>1. The development will extend all required services.</li> <li>2. The City will extend service with reimbursement through user fees or impact fees.</li> </ol>
An estimate of the tax consequences	<ol style="list-style-type: none"> <li>1. The tax increment increase, if any, is recognized by the petitioner.</li> <li>2. The property certified tax rate for existing parcels within the City limits will not be increased to provide for the annexation of any area.</li> </ol>

## EXHIBIT A: ANNEXATION CRITERIA

Item	Criteria - North Salt Lake City will grant annexation if. (each statement may be read “and/or”)
The interests of all affected entities	<ol style="list-style-type: none"><li>1. The annexation will not create boundary alignment problems with elementary or secondary schools.</li><li>2. The annexation does not extend beyond the limits of the adopted annexation policy plan.</li><li>3. Other services, i.e., sanitary sewer, secondary water, natural gas, electrical power and communications facilities, are available or reasonably available to the site.</li></ol>

Draft

# EXHIBIT B: FINANCIAL AND ECONOMIC IMPACT ANALYSIS (AREA D)

## ANNEXATION COST BENEFIT CITY'S GENERAL FUND COST-BENEFIT SUMMARY

Based on the development assumptions utilized in the analysis of Area D, the North Pointe Annexation produces a net benefit to the City annually with **\$2,120,802** of cumulative net revenue projected over 20 years, as illustrated in **Table 5.1**. The absorption and timing of the development will impact the current projections. In addition, the development may provide additional benefit to the City through the public infrastructure and amenities considered in this analysis.

**TABLE 4: COST/BENEFIT ANALYSIS FOR CITY (THROUGH 20 YEARS)**

Revenue	2025	2030	2035	2040	20-Year Total
Property Tax	\$209,101	\$209,101	\$209,101	\$209,101	\$3,902,797
Sales Tax	338,714	379,725	426,818	480,973	7,303,069
Electric Franchise Tax	53,385	58,942	65,077	71,850	1,125,093
Natural Gas Franchise Tax	21,097	23,293	25,717	28,394	444,613
<b>Total Revenue</b>	<b>\$622,297</b>	<b>\$671,060</b>	<b>\$726,712</b>	<b>\$790,317</b>	<b>\$12,775,573</b>
<b>Expenses</b>					
Public Works	\$45,574	\$50,318	\$55,555	\$61,337	\$966,061
General Government	42,427	46,843	51,718	57,101	899,341
Parks	24,935	27,530	30,396	33,560	528,563
Fire Protection	-	201,821	222,827	246,019	3,083,615
Law Enforcement	-	329,846	364,176	402,080	5,177,191
<b>Total Expense</b>	<b>\$112,936</b>	<b>\$656,358</b>	<b>\$724,672</b>	<b>\$800,096</b>	<b>\$10,654,771</b>
<b>Net Operating Revenue</b>	<b>\$509,361</b>	<b>\$14,703</b>	<b>\$2,040</b>	<b>-\$9,779</b>	<b>\$2,120,802</b>

## ANNEXATION OF PROPOSED DEVELOPMENT OF BENEFIT TO NORTH SALT LAKE CITY

Based on the proposed Development, including the type of development, densities, amenities, and public infrastructure dedications that are envisioned to occur as part of the annexation, this Economic and Fiscal Impact and Benefit Analysis concludes the City's general fund will be enhanced by **\$2,120,802** over the 20-year planning horizon. Based on these calculations, LYRB believes the proposed Development and its associated annexation (Area D) provide an overall net benefit. LYRB recommends and encourages the City to assess the facts, circumstances and calculations presented herein throughout the proposed Annexation process to ensure the City receives the anticipated net benefits of the Development.

Often cities and local governments only evaluate the potential for new revenue derived by development or annexation. In this analysis, special attention to the costs of municipal services, demand on existing services, and personnel costs that are increased due to the Development were carefully analyzed and reviewed. Notwithstanding the additional municipal service costs, the Development does "pay for itself" and adds a "net" benefit to the City.

In addition to the "net" fiscal benefit of the Development, the proposed annexation would provide additional benefits, including public infrastructure elements that enhance overall utilities and services. These rooftops have disposable income to drive demand for goods and services.

1 CITY OF NORTH SALT LAKE  
2 PLANNING COMMISSION MEETING  
3 JULY 27, 2021

4  
5 **DRAFT**  
6

7 Commission Chair Ted Knowlton called the meeting to order at 6:30 p.m. and BreAnna Larson  
8 led those present in the Pledge of Allegiance.  
9

10 PRESENT: Commission Chair Ted Knowlton  
11 Commissioner Ron Jorgensen  
12 Commissioner BreAnna Larson  
13 Commissioner Katherine Maus  
14 Commissioner Brandon Tucker  
15 Commissioner William Ward  
16

17 STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Bennett,  
18 Planner.  
19

20 OTHERS PRESENT: In person: Dee Lalliss, Brad Buehner, Amanda Buehner, residents; John  
21 James, Shannon Colton, S&J Custom Creations.  
22

23 1. PUBLIC COMMENTS  
24

25 There were no public comments.  
26

27 2. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR S&J CUSTOM  
28 CREATIONS LOCATED AT 151 NORTH 700 WEST, UNITS #4 AND #5,  
29 SHANNON COLTON, APPLICANT  
30

31 Mackenzie Bennett reported that S&J Custom Creations designed and manufactured custom  
32 cabinets. The building at 151 North 700 West has five units shared by multiple tenants with S&J  
33 Custom Creations proposing to operate out of two units #4 and #5. The building is located in the  
34 Manufacturing Distribution (MD) zone and per City Code “wood product manufacturing” would  
35 be a conditional use in this zone. Each unit would be approximately 1,500 square feet for a total  
36 of 3,000 square feet dedicated to this business. The business would be required to have a  
37 minimum of three parking stalls and have provided eight. The building contains three additional  
38 units, one unit was vacant, another was used for a cabinet shop, and one consisted of an  
39 automotive related business.  
40

41 S&J Custom would use woodworking machinery, sanding booth, and paint booths. The paint  
42 booth must be approved by the South Davis Metro Fire Agency prior to the issuance of a

43 business license. The applicant had indicated that this location would be temporary, and they do  
44 not anticipate expanding or growing their business here.

45  
46 The Development Review Committee (DRC) recommended approval of the conditional use  
47 permit for S&J Custom Creations with the condition that they submit paint booth  
48 specifications/plans for review by the South Davis Metro Fire Agency prior to issuance of a  
49 business license.

50  
51 John James, S&J Custom Creations, commented that the woodworking and the paint booth  
52 would be kept separate.

53  
54 Commissioner Maus asked if there would be outdoor storage onsite. Mackenzie Bennett replied  
55 that there would not be any outdoor storage.

56  
57 **Commissioner Tucker moved that the Planning Commission approve the conditional use**  
58 **permit for S&J Custom Creations located at 151 North 700 West, with one condition:**

59  
60 **1) Submit paint booth specifications/plans for review by South Davis Metro Fire**  
61 **Agency.**

62  
63 **Commissioner Maus seconded the motion. The motion was approved by Commissioners**  
64 **Knowlton, Jorgensen, Larson, Maus, Tucker, Van Langeveld and Ward.**

65  
66 3. CONSIDERATION OF A PRELIMINARY PLAN AND FINAL PLAT FOR ALTYN  
67 VISTA PUD, A FOUR LOT SUBDIVISION AT 340 AND 360 NORTH ORCHARD  
68 DRIVE, DARIN FENWICK, APPLICANT

69  
70 Mackenzie Bennett reported that the concept plan for Altyn Vista PUD subdivision was  
71 approved by the Planning Commission during the March 9, 2021 meeting and by the City  
72 Council during the March 16, 2021 meeting. The two parcels located at 340 and 360 North  
73 Orchard contain approximately 1.48 combined acres. The applicant would like to divide the two  
74 parcels into four lots with a private road. The proposed road would be 23 feet wide and 255 feet  
75 long with a 70-foot-wide hammerhead turnaround. At the time of concept plan approval, one  
76 condition was placed to increase the lot sizes to a minimum of 10,000 square feet which was a  
77 standard for the R1-10 zone.

78  
79 Ms. Bennett said the applicant has adjusted the lot line for lot 2 to increase the lot size to 10,000  
80 square feet. All access points to Orchard Drive would be removed with the exception of the  
81 northernmost driveway on lot 1. Per City code section 10-7-4 the Planning Commission would  
82 be allowed to vary lot area, setback, height, and coverage requirements in a Planned Unit  
83 Development (PUD). The applicant has requested reduced setbacks from the new private road  
84 for the existing and proposed structures. She explained that the applicant was meeting or

85 exceeding the minimum requirements for setbacks with the exception of the front yard setback  
86 from the road. Typically, the setback was 25 feet or 20 feet with a slope greater than 15% but the  
87 applicant was requesting a 10 foot front yard setback to accommodate existing structures. The  
88 side yard setback would remain at 8 feet and the rear yard setbacks would remain at 25 feet for  
89 the main dwelling. Accessory structures could be three feet away from side and rear property  
90 lines or one foot if roof drainage stays on the property and there are no windows or a fire rated  
91 wall. The applicant has asked that the front yard setback requirement be reduced from the private  
92 road to the accessory structures to 3 feet when normally it would be 25 feet from the road. There  
93 are existing structures on lot 1 which would become legal nonconforming if this setback was not  
94 allowed. The garage and shed on lot 1 would remain, the garage on lot 2 would be demolished to  
95 make room for the new road while the pergola would remain, and the 10 foot wildlife fence  
96 would be demolished prior to development of lot 4. Plans and construction for lot 3 would begin  
97 soon; however, lot 4 would not be developed in the foreseeable future.

98  
99 The City Engineering and Planning Departments have redlines that must be addressed prior to  
100 the final plat being recorded. The redlines would be minor and therefore the DRC has  
101 recommended approval of the preliminary plan and final plat with completion of any redlines as  
102 a condition.

103  
104 Mackenzie Bennett said that Brad Buehner and Amanda Buehner, who owned lot 2, were in  
105 attendance.

106  
107 Brad Buehner asked about the water detention and said there was a retention pond on lot 4.  
108 Mackenzie Bennett replied that the City Engineer, Paul Ottoson, would have to make a  
109 determination on this.

110  
111 Brad Buehner then asked if a private road could be gated. Sherrie Pace replied affirmatively and  
112 said an electric gate would require a building permit with the code or Knox box provided to the  
113 Fire Department.

114  
115 Commissioner Maus asked about the road width and the requirement to increase the road 24  
116 inches to include gutters. She asked if the 24 inches would come from the setback or the road.  
117 Mackenzie Bennett replied that this was for the plat recording and the site plan referenced the  
118 proper size.

119  
120 Commissioner Jorgensen spoke on the discussion from the March 9<sup>th</sup> meeting and said this area  
121 was designated as surface fault rupture special study zone per the Utah Geologic Survey.  
122 However, there was nothing noted in the City's sensitive lands overlay district that would trigger  
123 any additional provisions. He asked the applicant if they had done any further due diligence or  
124 research. Brad Buehner replied that he thought the area was further up and had not investigated it  
125 further.

126 Commissioner Jorgensen asked if there was any further due diligence that the Planning  
127 Commission would need to do related to this potential concern. Sherrie Pace said she would  
128 speak with the building official which may result in an inspection when the foundation was  
129 excavated. There may be certain building code restrictions that would then be necessary if any  
130 fault lines were uncovered.

131  
132 Chair Knowlton asked if the information had been reflected in the City's map what the  
133 functional consequences would be. Sherrie Pace replied that prior to a building permit they  
134 would be required to obtain a site-specific geotechnical review and a letter of clearance would be  
135 placed in the building permit file. If something was found there would then be specific  
136 recommendations from the geotechnical engineer. She explained if a geotechnical hazard was  
137 found at any time during an excavation, then a geotechnical review would be required.

138  
139 Chair Knowlton asked if there was anything the staff could do as this was a hypothetical  
140 situation. Sherrie Pace responded that this would put the applicant on notice that there may be a  
141 geologic hazard which would be reviewed at the time of excavation for the building permit. She  
142 said a note could be placed on the plat stating that the area may be included within a geological  
143 hazard fault rupture zone and that a letter of clearance from a geotechnical engineer, in  
144 accordance with the International Building Code Chapter 18, would be required if a hazard was  
145 discovered.

146  
147 Commissioner Jorgensen commented that as a matter of precedent that consideration was given  
148 to known information whether it was within the City's codes and maps or from credible sources.  
149 He said the intent was not to burden the applicant but felt the Planning Commission should  
150 address potential concerns or risks.

151  
152 Chair Knowlton asked the applicants about the prospective approach if it was put into the  
153 motion. Brad Buehner questioned what the cost might be for testing like that.

154  
155 Mackenzie Bennett commented that they, the developers, would have to hire a geotechnical or  
156 engineering firm to perform the testing.

157  
158 Chair Knowlton clarified that the Commission was not proposing to require more testing but just  
159 to place information about the potential risks on the plat. It would then be the property owner's  
160 decision on how to proceed at the time of excavation. Sherrie Pace said that in the event that a  
161 hazard was found by the building official at the time of excavation, the City would then require  
162 an expert to review the property.

163  
164 Mackenzie Bennett commented that this would be a redline on the plat and would not require any  
165 immediate action.

166

167 Chair Knowlton reiterated that the intent was that the applicant may want to perform the testing  
168 to better understand the site before building the home. He said the benefits would be to reduce  
169 the risk and for peace of mind.

170  
171 Commissioner Maus said that the property was currently owned by one family and asked who  
172 would maintain the road if a lot was sold. Sherrie Pace replied that they would have a type of  
173 HOA with CC&Rs that detailed road maintenance and snow removal, etc.

174  
175 Commissioner Tucker commented that it was essentially a glorified driveway and not technically  
176 a road. He said this meant he had zero concerns with the setback changes especially as it was not  
177 visible from a public road.

178  
179 Commissioner Maus asked if there was any concern with the reduced setback when considering  
180 current drought conditions, parking within 3 feet of the structures, and potential fire danger from  
181 hot exhaust and dry grass. Sherrie Pace replied that after review with the fire marshal of the road  
182 design, current utilities, and placement of the fire hydrant that she did not have a concern. She  
183 felt that fire trucks would still be able to service the homes. Ms. Pace also clarified that she did  
184 not have a concern with the location of parked cars and a potential fire hazard.

185  
186 Amanda Buehner clarified that the parking would be next to the existing structure on lot 2 or her  
187 driveway area. She said there would not be room for parking where the 3 foot setback would be.  
188 Mrs. Buehner asked if there was still a need for the hammerhead turnaround as the hydrant  
189 would be relocated to Orchard Drive. Sherrie Pace responded that any street over 150 feet would  
190 require a turnaround.

191  
192 **Commissioner Jorgensen moved that the Planning Commission recommend to the City**  
193 **Council approval of the requested preliminary plan and final plat for a four lot subdivision**  
194 **called Altyn Vista PUD located at 340 and 360 North Orchard Drive subject to the**  
195 **following conditions:**

- 196  
197 **1) Completion of all engineering and planning redlines including the addition of a note**  
198 **on potential geohazards;**  
199 **2) Reference negotiated setbacks on the plat to be recorded with the County;**  
200 **3) Receive approval from the South Davis Metro Fire Agency on driveway placement**  
201 **for lot 3.**

202  
203 **Commissioner Larson seconded the motion. The motion was approved by Commissioners**  
204 **Knowlton, Jorgensen, Larson, Maus, Tucker, Van Langeveld and Ward.**

205 4. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY  
206 PLANNING COMMISSION

207  
208 Sherrie Pace reported that no Planning Commission items went before the City Council during  
209 their July 20<sup>th</sup> meeting.

210  
211 Chair Knowlton asked if there was a date for the form based code open house. Sherrie Pace  
212 replied that staff had discussed this but had not yet set a date.

213  
214 5. APPROVAL OF MINUTES

215  
216 The Planning Commission meeting minutes of July 13, 2021 were reviewed and approved.

217  
218 **Commissioner Tucker moved to approve the meeting minutes as written for the July 13,**  
219 **2021 Planning Commission meeting. Commissioner Jorgensen seconded the motion. The**  
220 **motion was approved by Commissioners Knowlton, Jorgensen, Larson, Maus, Tucker, Van**  
221 **Langeveld and Ward.**

222  
223 6. ADJOURN

224  
225 Chair Knowlton adjourned the meeting at 7:20 p.m.

226  
227 *The foregoing was approved by the Planning Commission of the City of North Salt Lake on*  
228 *Tuesday August 10, 2021 by unanimous vote of all members present.*

229  
230  
231 \_\_\_\_\_  
*Linda Horrocks, City Recorder*