



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

NORTH SALT LAKE PLANNING COMMISSION NOTICE & AGENDA August 24, 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) 2021 Annexation Policy Plan & Expansion Area Map (Draft Amendment)-Public meeting to receive comments from Affected Entities on the proposed amendments to the Plan and expansion areas prior to the Public Hearing (tentatively scheduled 9/14/2021)
- 4) Report on City Council actions on items recommended by Planning Commission
- 5) Approval of minutes:
 - a. 8/9/2021

Adjourn

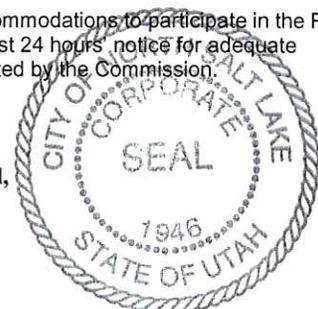
The public is invited to attend all Planning Commission meetings. If you need special accommodations to participate in the Planning Commission meeting, please call the City offices at (801) 335-8700. Please provide at least 24 hours' notice for adequate arrangements to be made. The agenda items may be 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 19th day of Aug, 2021.

Dated this 19th day of Aug, 2021.

Lynne Horrocks





CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Planning Commission
FROM: Sherrie Pace, Community Development Director
DATE: August 24, 2021
SUBJECT: Affected Entity Public Meeting: Annexation Policy Plan Draft Comments

GENERAL INFO

The Annexation Policy Plan is a guiding document that is used when a Petition for Annexation is filed by property owners outside the current city boundary. The Plan will provide direction to the Planning Commission when making a recommendation to the City Council on approve or deny an annexation and associated development proposal. The current City Annexation Policy Plan was adopted in 2003 is required to be updated to address the current state code requirements.

The Draft Plan attached has been updated to reflect the direction from the Planning Commission Work Session on August 9, 2021. The purpose of the meeting is to meet with Affected Entities (Service Districts, County Agencies, City Agencies, etc.) and receive input on applicable sections related to their entities. The meeting is not a Public Hearing, which is tentatively scheduled for September 14, 2021.

This meeting will begin a 10-day comment period for all affected entities to submit written comments to the City for inclusion or consideration in the Final Plan

Comments received prior to the meeting are attached herein.

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:

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

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 as well as respond to comments received from the affected entities.

Attachments

- 1) Draft Annexation Policy Plan
- 2) Draft Annexation Expansion Area Map
- 3) Letter-Developer Response to Work Session (Aug. 9)
- 4) Letter-Developer Submittal in support
- 5)



NORTH SALT LAKE, UTAH

ANNEXATION POLICY PLAN



DRAFT: - AUGUST 10, 2021



Table of Contents

INTRODUCTION	<u>323</u>
AREA A.....	<u>725</u>
AREA B.....	<u>1629</u>
AREA C	<u>17240</u>
AREA D	<u>18211</u>
EXHIBIT A: ANNEXATION CRITERIA	<u>20215</u>
EXHIBIT B: FINANCIAL AND ECONOMIC IMPACT ANALYSIS (AREA D)	<u>ERROR! BOOKMARK NOT DEFINED.ERROR! BOOKMARK NOT DEFINED.16</u>



INTRODUCTION

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 [belowherein](#).

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 addition 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
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%

Sources: Kem C. Gardner Policy Institute 2015-2065 State and County Projections; City of North Salt Lake Permit Tracking



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. The current Area A, includes-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, and as such is recommended for removal from the plan. 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) is not included within the growth projections noted above.

(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.



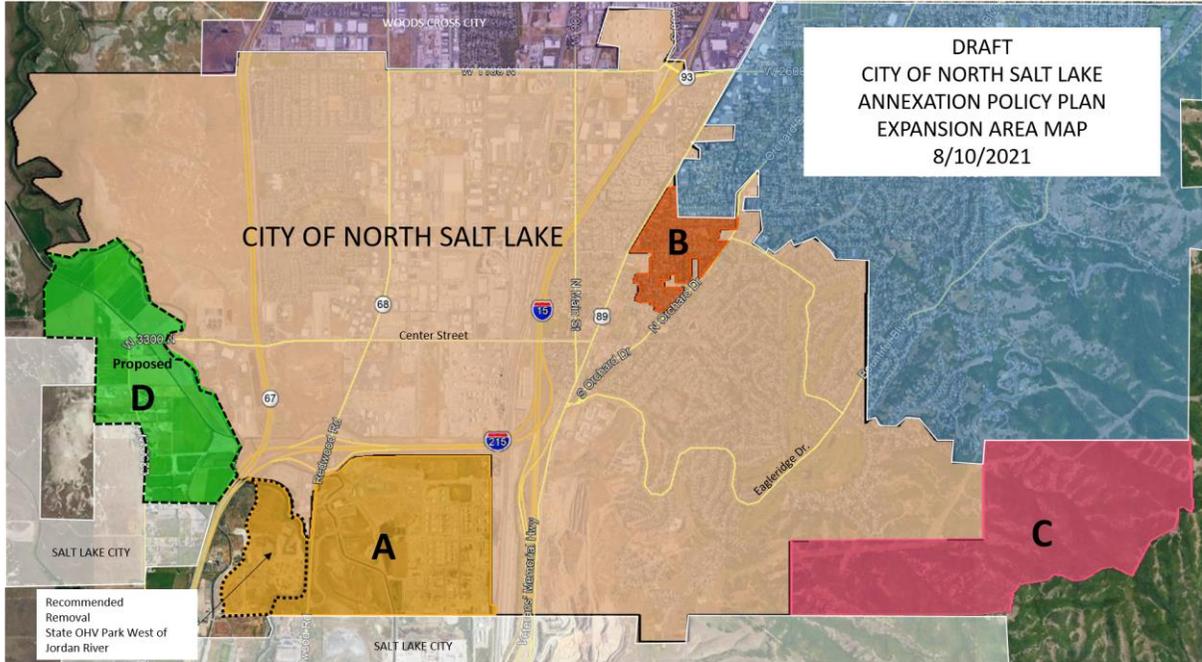
(Area D) The proposed annexation Area D contains about 413 acres which are currently unincorporated Salt Lake County. This area lies on the west side of the Jordan River. The southern border is the current Salt Lake City boundary at approximately 2800 North (Salt Lake County Coordinates) to the northern 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 acres. 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. For the purposes of this 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. These land use densities are based upon the proposed River Ranch Development and the development plans for Cross E Ranch as an agri-tourism destination with limited residential development and preservation of agricultural uses.

<u>Year</u>	<u>NSL Population</u>	<u>Annual Growth Rate</u>	<u>Total w/annex</u>	<u>Area D</u>
			924 (Area B)	6,160*
<u>12/31/2020</u>	<u>23,430</u>	<u>4.73%</u>		
<u>2021</u>	<u>24,241</u>	<u>3.46%</u>		
<u>2022</u>	<u>24,537</u>	<u>1.10%</u>	<u>24,837</u>	<u>150</u>
<u>2023</u>	<u>24,807</u>	<u>1.01%</u>	<u>26,362</u>	<u>350</u>
<u>2024</u>	<u>25,058</u>	<u>0.91%</u>	<u>26,952</u>	<u>350</u>
<u>2025</u>	<u>25,286</u>	<u>0.99%</u>	<u>27,569</u>	<u>350</u>
<u>2026</u>	<u>25,536</u>	<u>1.01%</u>	<u>28,147</u>	<u>300</u>
<u>2027</u>	<u>25,794</u>	<u>1.03%</u>	<u>28,737</u>	<u>300</u>
<u>2028</u>	<u>26,060</u>	<u>1.05%</u>	<u>29,339</u>	<u>300</u>
<u>2029</u>	<u>26,333</u>	<u>1.07%</u>	<u>29,953</u>	<u>300</u>
<u>2030</u>	<u>26,615</u>	<u>1.07%</u>	<u>30,573</u>	<u>300</u>
<u>2031</u>	<u>26,900</u>	<u>1.09%</u>	<u>31,206</u>	<u>300</u>
<u>2032</u>	<u>27,193</u>	<u>1.10%</u>	<u>31,850</u>	<u>300</u>
<u>2033</u>	<u>27,492</u>	<u>1.09%</u>	<u>32,497</u>	<u>300</u>
<u>2034</u>	<u>27,792</u>	<u>1.09%</u>	<u>33,151</u>	<u>300</u>
<u>2035</u>	<u>28,095</u>	<u>1.08%</u>	<u>33,809</u>	<u>300</u>
<u>2036</u>	<u>28,398</u>	<u>1.08%</u>	<u>34,474</u>	<u>300</u>
<u>2037</u>	<u>28,705</u>	<u>1.08%</u>	<u>35,146</u>	<u>300</u>
<u>2038</u>	<u>29,015</u>	<u>1.08%</u>	<u>35,826</u>	<u>300</u>
<u>2039</u>	<u>29,328</u>	<u>1.00%</u>	<u>36,484</u>	<u>300</u>
<u>2040</u>	<u>29,621</u>	<u>1.00%</u>	<u>37,149</u>	<u>300</u>
<u>2041</u>	<u>29,918</u>	<u>1.00%</u>	<u>37,821</u>	<u>300</u>

Sources: Kem C. Gardner Policy Institute 2015-2065 State and County Projections; City of North Salt Lake Permit Tracking; Estimated average absorption for new residential units



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



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. [The City of North Salt Lake General Plan provides an additional resource for the City to guide future development and future service requirements.](#)

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 within 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

GENERAL INFORMATION

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.

LAW ENFORCEMENT SERVICES

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 currently employs 22 full me officers and 5 full time support staff. It is projected that additional full time officers will be increase by _____ officers and _____ support staff by 2041. The need for additional staffing should be considered and analyzed when annexation petitions are accepted by the City. Analysis should include the proposed land uses and population densities expected within the annexation area.

JUSTICE COURT

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. Careful consideration of annexation within Salt Lake County to determine the associated fiscal impacts in administering justice court operations within two counties. Interlocal agreements may provide a solution to offset increases.

PARKS

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 verify long-term revenue will cover additional operations and maintenance expenses.

COMMUNITY DEVELOPMENT SERVICES

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

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. Annexed and developed areas must be carefully evaluated to determine the impact of new roads, parks, water service, and storm drainage for required staffing increase and projected maintenance costs. Projected fiscal impacts may be mitigated by design or through the use of private roadways and parks to be maintained by individual home owner's associations. The City must weigh the cost benefits (fiscal, environmental, and social) with the trade-off of making these facilities private as opposed to allowing public access to all residents in North Salt Lake. Insert staffing increases projected for public facilities.

GENERAL INFORMATION

PLANS FOR EXTENSION OF MUNICIPAL SERVICES

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.

For purposes of this plan, certain development assumption have been utilized and are summarized in Exhibit C. (to be added by LYRB)

ELEMENTARY SCHOOL OR SECONDARY SCHOOLS

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

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

HOW MUNICIPAL SERVICES MAY BE FINANCED

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 their proposed development, which includes any off-site improvements to deliver the improvement to the property boundary. The City may enter into an agreement with a developer to use impact fees are used for the purpose of extending and upsizing those facilities to accommodate new growth and development not within the boundary of the specific development proposal.

Upon an annexation petition, the City has the authority to may require a developer to install, upsized, or improve said offsite facilities as a condition of annexation. When a developer installs an offsite improvement such as a road, waterline, or sewer line, the City and the developer, at the developer's request, may enter into reimbursement agreements with the developer where the City agrees to use future impact fees collected in the area -to provide reimbursement compensation to the developer for those proportional offsite improvements that will be utilized by other property owners in the area. when -future development benefits from those new services.

When additional nNew development occurs and utilizes the infrastructure installed by others, these new developments must would be -required to pay their proportionate share for those extended services. The City has the authority to enter into pay back agreements with -to the original developer, whereby new development utilizing the improvements are required to remit payment to reimburse the developer for a proportional share of the costs. Any payback agreements must be made in accord with State Statute regarding such agreements which require prorated reimbursements limited to ten (10) yeas after installation.

GENERAL INFORMATION

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 ~~may~~ 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.

GENERAL INFORMATION

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

Exhibit A identifies criteria on tax consequences, including the objective of not increasing taxes for existing properties within the City as a result of annexation.

AREAS A, B, & C

It is anticipated that if all or portions of Areas A, B, and C, or D were annexed into the City, the properties within those areas may they would increase in value providing additional tax base for the City and Service Districts, 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 and offset by the decrease in services provided to the area.

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 0.012318 a difference of 2.77%. Property in Areas A, B, and C would are projected to see a small increase in property tax (2.77%). See the table below for the tax impacts on a typical single family dwelling, valued at \$400,000. Tax consequences should be re-evaluated with any annexation petition to ensure the most accurate and current estimate of the impact is provided to the City to assist the City Council in the decision to approve an annexation request.

Area B

<u>2020 Tax Year</u>	<u>Single Family Valuation</u>	<u>Mil Levy</u>	<u>Taxable Value</u>	<u>2020 Tax</u>	<u>Projected Increase</u>
Davis County	\$ 400,000.00	0.011986	\$ 220,000.00	\$ 2,636.92	
<u>North Salt Lake</u>	\$ 400,000.00	0.012318	\$ 220,000.00	\$ 2,709.96	\$ 73.04

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
- Salt Lake City Corporation
- U.S. Forest Service

GENERAL INFORMATION

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.

GENERAL INFORMATION

AREA D

Property annexed and subsequently developed within the proposed Area D, would generate new tax assessment for the City. Development generates impact fees, development fees, and additional revenue assessments to help support new services. However, the City needs to constantly monitor and advocate for a balanced tax base through economic promotion and development by encouraging and possibly incentivizing new commercial and service industry expansion. Providing opportunities for new residents to work and shop within the City will capture some of the secondary tax increases generated by new growth and can be used to support the services provided.

Proposed Area D located in Salt Lake County and is compared here with the nearby Foxboro neighborhood of North Salt Lake. The tax rate for properties within Area D had a 2020 tax rate of 0.014511 and properties within the Foxboro Area of North Salt Lake a rate of 0.012318. Property within ~~and~~ Area D are projected ~~would to realize see~~ a decrease in property taxes by 12.49%

Area D

2020 Tax Year	Single Family Valuation	Mil Levy	Taxable Value	2020 Tax	Projected Decrease
Salt Lake County	\$ 400,000	0.014511	\$ 220,000.00	\$ 3,192.42	
<u>North Salt Lake</u>	\$ 400,000	0.012699	\$ 220,000.00	\$ 2,793.78	\$ (398.64)

AFFECTED ENTITIES

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
- Utah Transit Agency
- Davis County Government
- 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.

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. When considering annexation within Area A, additional investigation with regard to potential off-site hazard consequences related to existing and future industrial uses may be required to properly determine the potential impacts on land uses and citizens of North Salt Lake.

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

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

The costs of infrastructure, urban services, and public facilities would be minimal. Infrastructure in Area B is currently in satisfactory condition and requires no repairs, upgrades, or replacements are forecasted for the next five years. Right of way improvements to include the provision of sidewalks may be required in certain areas to facilitate pedestrian safety and convenience. 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 state funding from the 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

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

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

AREA SPECIFIC INFORMATION

AREA C

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

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. The City should refer to the current Forest Plan for the Wasatch-Cache National Forest for current land management objectives and practices within the area. If considered for annexation, the City should consider the adoption of wildland fire hazards management strategies, mitigations, and regulations for both areas annexed and areas adjacent to the area within the hazard area.

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 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

The City's expansion Area C includes US Forest Service area and a parcel owned by Salt Lake City for the purposes of watershed management and protection. 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

The proposed annexation Area D contains about ~~400~~413 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

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~~ willing to examine the feasibility, costs, and benefits of 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

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. Exhibit C (provided by LYRB) provides additional details on development assumptions and required infrastructure improvements within Area D.

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

AREA SPECIFIC INFORMATION

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.

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 may also be 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 AND~~ SECONDARY SCHOOLS

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

The following public entities are affected by Area D:

- South Davis Sewer District
- South Davis Metro Fire

AREA SPECIFIC INFORMATION

- Jordan River Commission
- Utah State Division of Forestry
- Fire and State Lands
- Utah Department of Transportation
- 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.

EXHIBIT A: ANNEXATION CRITERIA

Item	<p style="text-align: center;">Criteria – North Salt Lake City will grant annexation if. (each statement may be read “and/or”)</p> <p style="text-align: center;"><u>The following criteria considerations shall be used in the evaluation of future annexation petitions reviewed by the City.</u></p>
Character of the Community	<ol style="list-style-type: none"> 1. The annexation will accommodate development consistent with the zoning and use allowed in the area. 2. Annexation will initiate site improvement, i.e. public utilities and streets, parks or other public features. 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. 4. The area is contiguous to the municipality.
The n Need for Municipal Services	<ol style="list-style-type: none"> 1. The residents request annexation as a means to gain access to culinary water. 2. The annexation will provide storm sewer improvements to benefit annexed land owners. 3. The extension of utilities in this area will enhance the overall City’s system. 4. <u>4.5.</u> The area will be better serviced by the North Salt Lake Police Department rather than the Davis County Sheriff’s office existing police agency. <u>Annexation contributes water rights and facilities required by the users, or does not materially detract from municipal water supplies. Special consideration should be given related to current and future climate conditions (ex. severe drought).</u>
The m Municipality’s plan for extension of services	<ol style="list-style-type: none"> 1. The area to be annexed will provide an orderly extension of culinary water, storm sewer collection, and street system enhancements. 2. The annexation will allow for orderly extension of utilities by providing easements, right-of-ways or street dedication. 3. <u>The extension of utilities corresponds to the City’s Capital Improvement Plan.</u>
How services will be financed	<ol style="list-style-type: none"> 1. The development will extend all required services. 2. The City will extend service with reimbursement through user fees or impact fees, <u>collected from those developments within the area</u>

EXHIBIT A: ANNEXATION CRITERIA

	<u>annexed.</u>
An e Estimate of the tax consequences	<ol style="list-style-type: none"> <u>Any increase in taxes collected, if any, to provide services to the area, above that tax currently collected within the unincorporated county, The tax increment increase, if any,</u> is recognized by the petitioner. The property certified tax rate for existing parcels within the City limits will not be increased to provide for the annexation of any area.
Item	Criteria – North Salt Lake City will grant annexation if. (each statement may be read “and/or”)
The i Interests of all affected entities	<ol style="list-style-type: none"> The annexation will not create boundary alignment problems with elementary or secondary schools. The annexation does not extend beyond the limits of the adopted annexation policy plan. Other services, i.e., sanitary sewer, secondary water, natural gas, electrical power and communications facilities, are available or reasonably available to the site.

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

(SECTION TO BE EXPANDED BY LYRB)

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 [is projected to produce](#) 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
Total Revenue	\$622,297	\$671,060	\$726,712	\$790,317	\$12,775,573
Expenses					
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
Total Expense	\$112,936	\$656,358	\$724,672	\$800,096	\$10,654,771
Net Operating Revenue	\$509,361	\$14,703	\$2,040	-\$9,779	\$2,120,802

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 [re-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.

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

[INSERT EXHIBIT C \(LYRB\)](#)

[INSERT EXHIBIT D \(LYRB\)](#)

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

DRAFT
CITY OF NORTH SALT LAKE
ANNEXATION POLICY PLAN
EXPANSION AREA MAP
8/10/2021

CITY OF NORTH SALT LAKE

Proposed
D

B

A

C

Recommended
Removal
State OHV Park West of
Jordan River



SALT LAKE CITY

SALT LAKE CITY

SALT LAKE CITY

WOODS CROSS CITY

W 1100 N

W 1100 W

93

W 2600

Orchard Dr

68

Center Street

15

N Main St

89

215

Veterans' Memorial Hwy

67

Redwood Rd

S Orchard Dr

N Orchard Dr

Bountiful Blvd

Eagleridge Dr.

Wood Rd

SALT LAKE CITY



Stephen G. McCutcheon
Land Developer / Land Planner

August 16, 2021

Members of the Planning Commission
City of North Salt Lake
10 East Center Street
North Salt Lake, UT 84054

Re: Background Information for Your Consideration of the Draft Annexation Policy Declaration

Members of the Planning Commission:

This letter is on behalf of Xcel Development, LLC, (XCEL) owner of roughly 126 Acres within Area D, a part of the Draft Annexation Policy Declaration. After attending your August 10, 2021 meeting, we felt that background would assist in understanding why the City's Annexation Policy Declaration is being revised.

Chronological Background

- | | |
|--------------|--|
| January 2018 | XCEL placed 126 Acres under a purchase contract in January 2018. |
| June 2018 | Contacted Salt Lake County Planning Department about filing applications for a rezoning and a planned unit development. |
| August 2018 | Salt Lake County Planning Department states we could not file applications because the property was in the County's Airport Overlay Zone (AOZ). |
| August 2018 | Salt Lake County's AOZ, like Salt Lake City's AOZ, restricts development to lots One Acre or larger based on the Salt Lake City International Airport (SLCIA) assessment that the property was subject to "severe noise" from the Airport and aircraft. The noise impact studies in the County and City AOZ referenced a 1998 Noise Impact Analysis Map. SLCIA also has a Noise Impact Analysis Map on their website prepared in 2003. |
| August 2018 | Neither of the maps show that XCEL's property was subject to SLCIA aircraft noise greater than 65 dBA. FAA Regulation Part 150 states that residential development on lots less than One Acre should not be developed on land subject to 65 dBA or greater. |
| August 2018 | In a meeting with Planning Department and County Council legal staff, a suggestion was made that XCEL consider annexing their property into the City of North Salt Lake. In September 2018, we contacted Ken Leetham, City Manager, and had a meeting with City of North Salt Lake officials. The City expressed interest in the annexation with the provision that the application include 220 |

Acres owned by Cross E Ranch and roughly 15 homes on about 50 Acres located in Unincorporated Salt Lake County along 2200 West.

September 2018 XCEL contacts Ken Leetham, City Manager, and schedules a meeting with City of North Salt Lake officials. The City expressed interest in the annexation based upon the annexation include the Cross E Ranch's 220 Acres and roughly 15 homes on about 50 Acres located in Unincorporated Salt Lake County along 2200 West.

Fall 2018 An essential element of XCEL's property development was the availability of municipal services. The property and surrounding area did not have municipal services other than some homes were serviced by a 6" culinary water line extended to the unincorporated area by Salt Lake City. All of the homes had septic tanks. For XCEL's plans to be realistic, sources of municipal water and sewer needed to be extended to the property.

Salt Lake City's closest services were south roughly one mile in 2200 West, north of 2100 North, where new warehouses were under construction. Historically, Salt Lake City has had no plans to extend water and sewer north in 2200 West to the rural residential neighborhoods in Salt Lake City and Unincorporated Salt Lake County. This was consistent with their AOZ Zoning Policy to limit development to One Acre or larger lots.

Fall 2018 Ivory Development contracts to purchase roughly 400 Acres north of 2100 North and west of 2200 West to build a business park similar to the University of Utah Research Park. If this were to occur, 2200 West, water and sewer lines would be extended by Ivory Development to XCEL's property. However, if XCEL's property were annexed, Salt Lake City would not allow residential development.

Within six months, Ivory Development canceled its plans to develop a business park because Salt Lake City delayed approving a rezoning prior preparing a revised North Point Small Area Plan. Salt Lake City finally started the revision to the North Pointe Small Area Plan in July 2021.

Fall/Winter 2018 During the final months of 2018, XCEL had further discussions with Salt Lake County and the City of North Salt Lake. It was determined that XCEL should apply to annex its property, Cross E Ranch and the surrounding homesites to North Salt Lake.

State Law required that the Salt Lake County Council pass a resolution approving the ability of North Salt Lake to consider the annexation. Because XCEL's property is in Salt Lake County and North Salt Lake is in Davis County, a County Council resolution was required.

February 2019 XCEL meets in a workshop meeting with the City of North Salt Lake Mayor, City Council and management staff to present our conceptual site plans and plans to extend North Salt Lake municipal services across the Jordan River to XCEL's

property. At that meeting, the North Salt Lake Mayor and City Council expressed a favorable position toward considering annexation if XCEL can get Salt Lake County approval and resolve the annexation and development objections of Salt Lake City and the SLCIA.

August 2019

XCEL and Cross E Ranch met with the Salt Lake County Council in an advertised public meeting. There was significant opposition from most of the surrounding property owners and the Salt Lake City-based Westpointe Community Council that represents Rose Park and North Pointe.

A clause in the State's Annexation Law states that a property owner of more than one acre must give written approval to be annexed. The surrounding property owners were opposed to the proposed annexation and asked the Salt Lake County Council to deny our request for an approval resolution. The County Council denied our request for an approval resolution.

Fall 2019

XCEL prepared a new annexation proposal that excluded all of the surrounding properties and only included three ownerships – XCEL, Cross E Ranch and 8 acres owned by the BEB Trust.

Winter/Spring 2019

Between December 2019 and June 2020, we met with neighbors, the West Pointe Community Council, County Officials, Salt Lake City Officials and State Officials to discuss our project and see what changes we need to make to obtain Salt Lake County Council resolution approval.

Winter 2019 –
Spring 2020

Since 1978, the property and surrounding properties had been restricted from development by Airport Overlay Zones (AOZ) because the properties were subject to severe noise from SLCIA operations and aircraft. In 2018, we had CRS Engineering prepare a computer-generated Noise Impact Analysis. The FAA develops computer models to assess aircraft noise impacts on surrounding private property. SLCIA used the models to develop their 1998 and 2003 Noise Impact Analysis Maps.

CRS Engineering developed a new Noise Impact Analysis using FAA-approved modeling. The CRS Engineering study found that since the 1998 and 2003 studies were prepared, significant improvements were made to commercial aircraft to reduce noise. The changes made over approximately 20 years moved the 65 dBA noise line approximately one-quarter mile farther west from XCEL's property. The CRS Engineering Study found that all of XCEL's property was less than 50 dBA.

SLCIA objected to the CRS Engineering study because it did not project the noise impacts of expected airport growth.

Spring 2020

XCEL hired Trinity Consultants, a national engineering firm specializing in airport noise analysis. Trinity Consultants prepared a new, comprehensive study that

estimated airport and aircraft noise impacts into 2035. Again, using FAA-approved modeling, a new Noise Impact Analysis was prepared that illustrated that even with substantial airport growth, Airport and aircraft noise would not impact XCEL's property and development plans. The Trinity Consultant Study was shared with North Salt Lake officials, including the Mayor and City Council.

July 2020

XCEL and Cross E Ranch again meet with the Salt Lake County Council and received an approval resolution to allow North Salt Lake to consider annexing 350 Acres of unincorporated Salt Lake County known as the North Pointe Annexation.

July 2020

State Law required that the City's 2003 Annexation Policy Declaration be revised to include the XCEL, Cross E Ranch and BEB Trust property before the City could receive an annexation application.

Per the City's request, XCEL's provided the City with the money, Lewis Young, the Annexation Policy Declaration consultant, estimated was the annexation proponent's share of the revised study. The money was provided to North Salt Lake in August 2020. Lewis Young began work in September 2020.

September 2020 to
August 2021

Lewis Young's proposal estimated completion before the end of 2020. We had hoped that Lewis Young would finish their work by the end of October, and public hearings could be held up until the end of the year. If the City chooses to revise the Annexation Policy Declaration Plan by the end of 2020, we anticipated filing our annexation and General Development Plan applications in January 2021 with possible annexation and approval by June 2021.

January to February
2021

XCEL signs an agreement with both Salt Lake City and the Salt Lake City International Airport that they will not contest the annexation nor the review of the River Ranch General Development Plan. The agreement includes the execution of an Avigation Easement for the Airport that will protect its continued operations.

The chronological table illustrates the time and effort that the City of North Salt Lake and XCEL have spent over three years to explore and examine the inclusion of Area D in the City's Annexation Policy Declaration. Time and effort are not guarantees of a favorable decision but illustrate a willingness by both parties to continue the work forward to see if there is a mutually, favorable decision.

Very truly yours.



Stephen G. McCutchan



August 16, 2021

Members of the Planning Commission
City of North Salt Lake
10 East Center Street
North Salt Lake, UT 84054

The Merits of Adding Area D to the City's Annexation Policy Declaration

Members of the Planning Commission:

On behalf of XCEL Development, LLC, we are providing the merits of adding Area D to the City's Annexation Policy Declaration.

These are the merits in no particular order.

1. General Plan Consistency

We have reviewed the City 2013 General Plan and have found the following consistencies with General Plan Vision, Goals, Objectives and Policies.

- **Guiding Principle 10 – TRANSIT: Enable easier transit use**

XCEL has discussed extensions of existing bus lines with UTA that will access either the 1940 West North Temple TRAX Station or the Woods Cross FrontRunner Station. Area D of the North Pointe Annexation Area is in Salt Lake County and proximity to the end of the Flex F522 Bus Line at 2100 North and 2200 West and travels to the 1940 West North Temple TRAX Station. We have also discussed restarting the Route 460 Bus Line that serves West North Salt Lake and travels to the Woods Cross FrontRunner Station.

It is hoped that with continuing lobbying by North Salt Lake, UTA will implement these changes.

- **Guiding Principle 11 - HOUSING: Meet a broad range of housing choices**

Guiding Principle 11 includes the following statement: "*The City anticipates that demographic and housing needs will change demand for new housing.*" The escalating affordable housing crisis plaguing the central Wasatch Front is an example of a dramatic "demographic and housing need" changing the demand for new housing. XCEL is committed to providing Workforce Affordable Housing to make a dent in the housing crisis.

- **Guiding Principle 12 - RECREATION: Meet a broad range of recreational needs**

Area D is separated from North Salt Lake by the Jordan River. The City has a trail that runs along the east bank of the river. In its recreational planning, XCEL has discussed with Salt Lake County, North Salt Lake and the Jordan River Commission developing a multi-use trail along the stretch of the river adjacent to River Ranch. Plans are being

made to develop a developed recreational trail area and returned to the river's native state.

- **Guiding Principle 14 - REGIONAL COORDINATION: Enhance and promote relationships with neighboring cities, the County and regional entities**

Area D is in Salt Lake County and is proposed to remain in Salt Lake County. North Salt Lake will join the list of Salt Lake County cities, Utah's only First-Class County. North Salt Lake will be part of the future planning of Salt Lake County and Davis County. In preparing Area D for inclusion, XCEL and North Salt Lake have had substantial discussions with neighbors in Salt Lake City and the Salt Lake City International Airport. An agreement has been signed with Salt Lake City and the Salt Lake City International Airport to cooperate with the Annexation Policy Declaration and potential annexations. Part of the agreement provides the Airport with Avigation Easements that will protect the long-term operations of the Airport against citizen complaints that might result from North Pointe residential neighborhoods.

2. Municipal Services

North Pointe, an unincorporated area of Salt Lake County, has few municipal services. Neither Salt Lake County nor Salt Lake City is capable or interested, respectively, in providing North Pointe services. James Rogers, Salt Lake City District 1 Councilmember, said at the August 27, 2019, Salt Lake County Council Meeting and we quote:

"There is no reason for us (Salt Lake City) to put the services in there (North Pointe) because their property taxes aren't \$1,000 a year."

North Salt Lake is the logical provider of North Pointe municipal services, including water, sewer, streets, police and fire protection with the City's and South Davis Sewer District's service lines across the Jordan River Center Street Bridge.

3. Cross E Ranch Services and Expansion

Cross E Ranch is a successful and well-known agri-tourism business owned and run by the Hinckley Family for generations. Cross E Ranch hosts thousands of guests annually for its events, including its unique Corn Maze. Due to proximity, Cross E Ranch is a part of North Salt Lake without the title.

Today, Cross E Ranch operates without culinary water and sewer. During events, they must hand out bottled drinking water and have portable toilets on-site. Cross E Ranch is restricted from building activity because it cannot obtain approval of a building permit without culinary water and sewer.

Annexation will permit Cross E Ranch to connect to North Salt City water and South Davis Sewer District sewer. It is essential to understand that Cross E Ranch alone, even if it was in the City, does not have the financial resources to construct the extensions of municipal services. The cost of extending municipal services across and under the Jordan River is \$3.5 to \$4.0 Million. There is an agreement between Cross E Ranch and XCEL that the latter will pay for the

extension of municipal services and will allow the former to connect without reimbursement. Cross E Ranch will need to pay the standard City connection costs, and XCEL will be reimbursed for the cost of service extensions through development fees.

4. Future Expansion for a Built-Out City

While not entirely, North Salt Lake is functionally a built-out city. Limited residential, commercial and manufacturing can occur, but often as the redevelopment of older properties. Planned growth is essential for a city's economy. Without planned growth, time and cost increases will affect a city's continued ability to provide consistent services.

Area D is also an exercise in determining whether expanding further west across the Jordan River to several thousand open acres in unincorporated northwest Salt Lake County is a sustainable and productive effort. Area D is an achievable extension of City services that will be paid for by the property owners requesting annexation. It is a "Win-Win" exercise where the City can determine if further westerly growth benefits the City.

5. Growth Consistent with Regional Transportation and Air Quality Goals

The Wasatch Front Regional Council's "Wasatch Choice" vision includes four key strategies that are the foundation of the Wasatch Front's sustainable regional growth:

"Four key strategies represent the overarching themes in the Wasatch Choice Regional Vision and help achieve the Regional Goals. The key strategies are as follows.

- **Provide Transportation Choices:** Help us have real options in how we choose to get around and increase the number of easily reached destinations.
- **Support Housing Options:** Support housing types and locations that we can both afford and work best for our lives.
- **Preserve Open Space:** Preserve sufficient and easily accessible open lands that provide us with recreational opportunities.
- **Link Economic Development with Transportation and Housing Decisions:** Create a synergy between these three key building blocks. Enable shorter and less expensive travel to afford us more time and money. Efficiently utilize infrastructure to save taxpayer dollars. Provide housing options and increase housing affordability. Improve the air we breathe by reducing auto emissions."

The inclusion of Area D in the City's Annexation Policy Declaration implements all four key strategies. For example,

- **Provide Transportation Choices**

Area D is adjacent to two regional expressways, I-215 and Legacy Highway, close to the State's north/south artery, I-15. The impact on city street traffic will be negligible as future residents can readily enter and exit expressway options that take them to all points in the Wasatch Front.

Also, Area D is close enough to Utah Transit Agency's public transit system, including rail, where commuters could either drive to a TRAX (1940 West North Temple) or FrontRunner station (Woods Cross) or UTA should be encouraged to make extensions to existing bus lines (Flex Line 522) or restart recently closed lines (Route 460) where Area D residents to take buses to rail transit stations.

- **Support Housing Options**

Section 6: Workforce Affordable Income Housing explains that the Area D proponents have been and continue to commit to planning and developing housing that will be available to Workforce Affordable Income families. All of the housing in River Ranch is planned as for-sale housing that will be priced to be available to working families hit hard by the housing crisis.

- **Preserve Open Space**

Most of Area D is owned by Cross E Ranch, a well-known agri-tourism business owned by the Hinckley Family for decades. The family's plans are not solidified to date. Still, they are committed to continuing the agri-tourism business (Corn Maze, Spring Animal Festival, On-Site Farming Education) and their cattle and beef business.

- **Link Economic Development with Transportation and Housing Decisions**

More than any other effort the Wasatch Front has seen in years, Area D accomplishes all three of the above strategies with economic development. Area D will generate housing within 10 to 20 minutes of Salt Lake County's five major employment centers – Downtown SLC, the University of Utah, the 2100 South Industrial Center, the Salt Lake City International Airport and the International Center / Inland Urban Port.

Area D uses existing infrastructure efficiently by extending North Salt Lake and South Davis Sewer District's lines the short distance across the Jordan River initially at the developer's expense and saving tax dollars.

Finally, the above will generate new housing that is affordable and close to employment centers. Fewer vehicle miles traveled and improvement to the regional air quality.

6. A Systematic, Planned Approach

The Chronological Background is a convincing explanation that XCEL Development, Inc. has taken time and effort to plan for the annexation of North Pointe and the development of River Ranch. By the time the first home is occupied, XCEL Development will have worked on the North Pointe Annexation and River Ranch for four and one-half, maybe five years.

Time alone is not an indicator of good planning. The planning for North Pointe and River Ranch has been an arduous task. Consider the following pitfalls that XCEL Development has overcome to get to this point in time.

- Two sophisticated noise modeling studies show that SLCIA does not impact River Ranch and most North Pointe Annexation areas.
- Civil engineering to find the most efficient way to expand streets and bring water, secondary water and sewer services from North Salt Lake to North Pointe.
- Too numerous meetings to name discussing the North Pointe Annexation and River Ranch with state officials, local officials and residents to massage the planning process to obtain the approval of the majority.
- Too numerous conceptual site plans, circulation plans, charter school locations and park plans to recall exploring different iterations of streets, housing and open space.
- A consistent approach to developing a neighborhood where homes could be sold to Workforce Affordable Families, firefighters, police officers, teachers, nurses, city employees and others who make too much family income for government-assisted housing, but not enough to catch up with the dramatic rise in new home prices in Salt Lake County.

7. Workforce Affordable Income Housing

Since Day One, XCEL has committed to designing, constructing and selling homes in River Ranch to Workforce Affordable Income families. What's a Workforce Affordable Income family, and how is it different than government-assisted affordable housing?



Workforce Affordable Income families are defined as:

"The term "workforce" suggests those gainfully employed (police officers, firemen, teachers, nurses, medical personnel and service sector employees) who are not typically the target of government affordable housing programs."

Since the Great Recession of 2008 and the housing market rebounded in 2012, housing prices have increased steadily, roughly 7.5% per year until 2018. Since 2018, home prices began to surge, and in 2021 it is anticipated that Utah home prices will rise 20%. At the same time, Utah's family income has continued to rise at a steady 5.7%. In the last three years, Workforce Affordable Income families find themselves falling rapidly out of the housing market, especially the new home market, which is also experiencing a shortage of materials and labor.

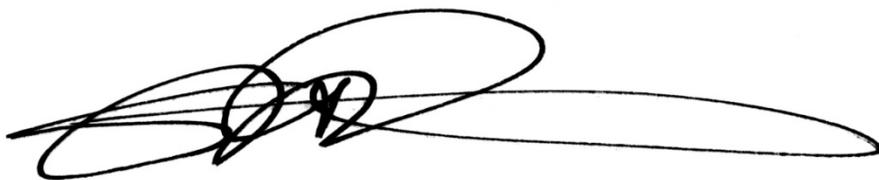
To adjust to the dramatic rise in new home prices, XCEL has revised its proposed conceptual site plan to include a new product type, Single Family Detached/Attached Planned Unit Development, or SFD-PUD. The proposed SFD-PUD neighborhoods will include narrow, alley-loaded garage single-family detached homes and twinhomes. These homes will meet the expected income range of Workforce Affordable Income families.

8. A Long-Term Positive Cash Flow for North Salt Lake and Its Business Community

It's a common misconception that residential development doesn't pay for itself. It's often true, but not in the case of River Ranch. Besides the fiscal analysis included in the Draft Annexation Policy Declaration, we have prepared a fiscal impact analysis of River Ranch. Prepared by Bob Springmeyer of Bonneville Research, River Ranch, at build-out – estimated to 3 to 4 years --, will provide an annual budget surplus of approximately \$240,000. Why will River Ranch provide an annual budget surplus? A combination of the proposed density and the amount of proposed private streets and parks.

Bonneville Research also estimated the spending that River Ranch families will do in North Salt Lake businesses. Again, this is an annual constant. The average River Ranch family will spend an estimated \$8,348 on North Salt Lake businesses. Annually, River Ranch families will spend \$8,765,400 in North Salt City businesses, particularly Redwood Road businesses.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Stephen G. McCutchan', with a long horizontal flourish extending to the right.

Stephen G. McCutchan

From: [Carl Hansen](#)
To: [Sherrie Pace](#); [Ali Avery](#); [Mackenzie Bennett](#); [Deena Christensen](#)
Cc: [Adam Wright, P.E.](#); [Jason Fielding](#); [Max Elliott](#); [Bas Bouwmeester](#); [Jeff Oyler](#)
Subject: Re:
Date: Wednesday, August 18, 2021 12:40:06 PM
Attachments: [Permits-ENSIGN \(2\).pdf](#)
[D.C. FLOODMAP.pdf](#)

The attached ' **Permits-ENSIGN** ' map pdf with related legend is the result of our research given to Ensign Engineering for *Permitting Jurisdiction for the various impacted waterways and sewer, water, storm drainage lines/channels in the **area of the original Misty River Annexation/Development***. The date this map was received is **August 28, 2019** and was **compiled and drawn by Ensign Engineering**. This was for approximately **200 acres for the original Misty River development only** as depicted in the map; annexation has been greatly expanded with the other areas proposed by North Salt Lake City in their recent '*Notice of Public Meeting and Comment Period for the Amended Annexation Policy Plan*' dated **August 10, 2021** (attached).

We have not reviewed the other areas for any impact to our storm drainage or road systems or jurisdictional complications; our storm drainage system is technically a City/County system by Ordinance where local drainage discharges into the County's central collection system at the designated channels we identified in 1987, with a few amendments (see attached DC Flood Map (2007) and Flood Control Map (2011)).

The **Davis County Surveyor's Office** is included as they have been copied the recent *Notice of Amended Annexation Policy*. They have created a large map which verifies the existing '*Jordan River Meander Line and Current Jordan River Location*' and explains and delineates the surveys of record for this portion of the southern Davis County Boundary and area dating back through available historical and modern records. You can contact **Bas Bouwmeester** at the above email address at their office should you be interested in using this detailed document.

Carl Hansen, Permits Officer
Davis County Public Works/Flood Control Engineering

 [2011 Flood Control Map.pdf](#)

On Tue, Aug 17, 2021 at 11:40 AM Carl Hansen <carl@co.davis.ut.us> wrote:
FYI.

----- Forwarded message -----

From: **Adam Wright** <awright@co.davis.ut.us>
Date: Tue, Aug 17, 2021 at 10:50 AM
Subject: Fwd:
To: Max Elliott <melliott@co.davis.ut.us>, Carl Hansen <carl@co.davis.ut.us>

Here is the notice is given by NSL to amend the annexation policy.

Thanks,

Adam Wright, P.E.
Director
Davis County Public Works
801 444-2230

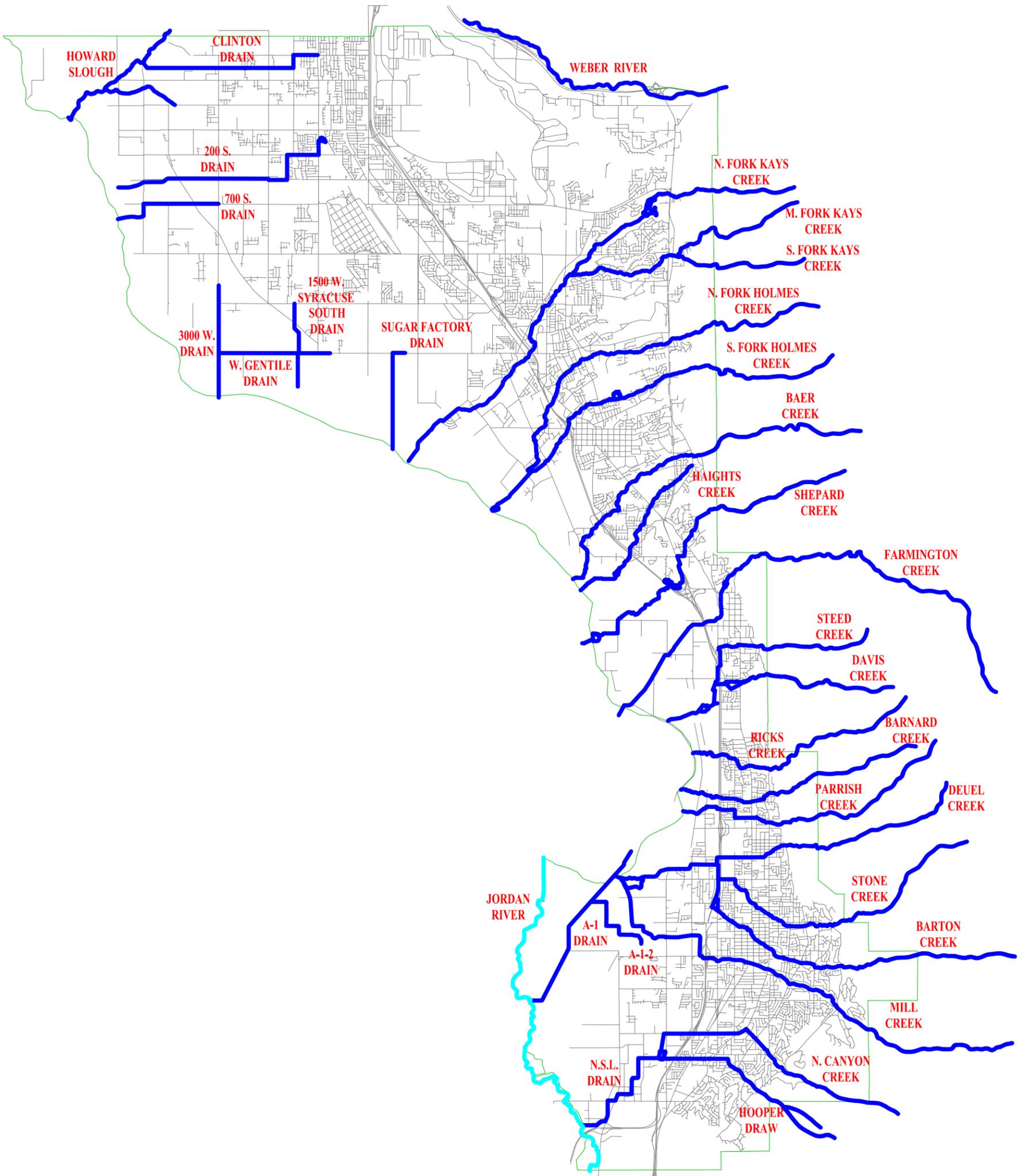
----- Forwarded message -----

From: **Admin** <admin@co.davis.ut.us>

Date: Tue, Aug 17, 2021 at 10:44 AM

Subject:

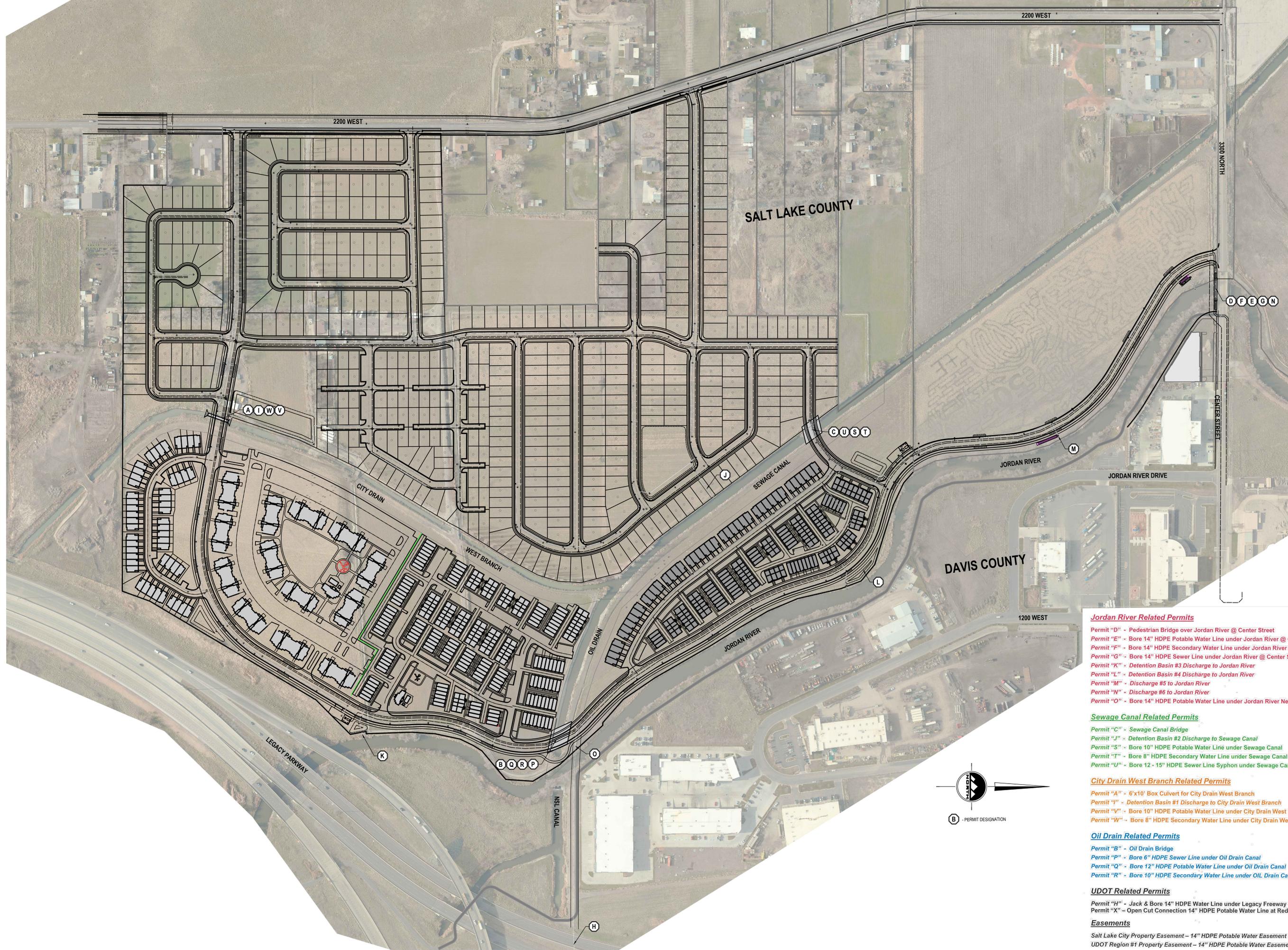
To: AWRIGHT@CO.DAVIS.UT.US <Awright@co.davis.ut.us>



Davis County Flood Control Map

Department of Public Works
Davis County, Utah

January 2007



- Jordan River Related Permits**
- Permit "D" - Pedestrian Bridge over Jordan River @ Center Street
 - Permit "E" - Bore 14" HDPE Potable Water Line under Jordan River @ Cent
 - Permit "F" - Bore 14" HDPE Secondary Water Line under Jordan River @ C
 - Permit "G" - Bore 14" HDPE Sewer Line under Jordan River @ Center Stree
 - Permit "K" - Detention Basin #3 Discharge to Jordan River
 - Permit "L" - Detention Basin #4 Discharge to Jordan River
 - Permit "M" - Discharge #5 to Jordan River
 - Permit "N" - Discharge #6 to Jordan River
 - Permit "O" - Bore 14" HDPE Potable Water Line under Jordan River Near O
- Sewage Canal Related Permits**
- Permit "C" - Sewage Canal Bridge
 - Permit "J" - Detention Basin #2 Discharge to Sewage Canal
 - Permit "S" - Bore 10" HDPE Potable Water Line under Sewage Canal
 - Permit "T" - Bore 8" HDPE Secondary Water Line under Sewage Canal
 - Permit "U" - Bore 12 - 15" HDPE Sewer Line Syphon under Sewage Canal
- City Drain West Branch Related Permits**
- Permit "A" - 6'x10' Box Culvert for City Drain West Branch
 - Permit "V" - Detention Basin #1 Discharge to City Drain West Branch
 - Permit "W" - Bore 10" HDPE Potable Water Line under City Drain West Bran
 - Permit "W" - Bore 8" HDPE Secondary Water Line under City Drain West Br
- Oil Drain Related Permits**
- Permit "B" - Oil Drain Bridge
 - Permit "P" - Bore 6" HDPE Sewer Line under Oil Drain Canal
 - Permit "Q" - Bore 12" HDPE Potable Water Line under Oil Drain Canal
 - Permit "R" - Bore 10" HDPE Secondary Water Line under OIL Drain Canal
- UDOT Related Permits**
- Permit "H" - Jack & Bore 14" HDPE Water Line under Legacy Freeway
 - Permit "X" - Open Cut Connection 14" HDPE Potable Water Line at Redwoo
- Easements**
- Salt Lake City Property Easement - 14" HDPE Potable Water Easement
 - UDOT Region #1 Property Easement - 14" HDPE Potable Water Easement

From: [Scott Paxman](#)
To: [Sherrie Pace](#)
Cc: [Derek Johnson](#); [Darren Hess](#); [Brittney Bateman](#)
Subject: Annexation plan
Date: Thursday, August 19, 2021 10:38:19 AM

Sherrie,

We have received North Salt Lake City's Notice of Public Meeting and Comment Period for their Amended Annexation Policy Plan and have some comments regarding it. The comments are as follows:

1. Any annexation of property outside of the current boundaries of Davis County, into Salt Lake County, will be outside the current Weber Basin Water Conservancy District (WBWCD) defined boundaries.
2. Currently North Salt Lake City (NSL) receives a portion of their drinking water supply from WBWCD, which is co-mingled with their own water supplies and delivered throughout the city.
3. In order for NSL facilitate drinking water service in any annexed area of Salt Lake County, WBWCD would also need to have the same area annexed into their service area.
4. WBWCD would require the assistance of NSL with the annexation of the affected lands into WBWCD's service area.

It may be beneficial for our two entities to meet and discuss this process more fully.

Please let me know if you have any questions.

Thanks
Scott

Scott W. Paxman, PE
Assistant General Manager/CTO
Weber Basin Water Conservancy District
2837 East Highway 193
Layton, Utah 84040
(801) 771-1677 tel
(801) 721-4736 cell
(801) 544-0103 fax
spaxman@weberbasin.com



CONFIDENTIALITY NOTICE – This e-mail transmission, and any documents, files or previous e-mail messages attached to it, may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person

responsible for delivering it to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading or saving in any manner. Thank you.

1 CITY OF NORTH SALT LAKE
2 PLANNING COMMISSION MEETING
3 AUGUST 9, 2021
4

5 **DRAFT**
6

7 Commission Chair Ted Knowlton called the meeting to order at 6:30 p.m. and Ron Jorgensen led
8 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 Alisa Van Langeveld
15 Commissioner Brandon Tucker
16 Commissioner William Ward
17

18 STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Bennett,
19 Planner.
20

21 OTHERS PRESENT: Dave Tolman, Developer of Misty River/River Ranch; Michael Lichfield,
22 Skoubye, Nielson & Johansen, LLC.
23

24 1. PUBLIC COMMENTS
25

26 There were no public comments.
27

28 2. WORK SESSION: INTRODUCTION TO DRAFTED ANNEXATION POLICY
29 UPDATE
30

31 Chair Knowlton explained that the Planning Commission had not previously deliberated this
32 item and would be reviewing it publically tonight for the first time.
33

34 Sherrie Pace reported that the City received a request in 2020 from the property owners along
35 2200 West in Salt Lake County for consideration of a future annexation petition. This property,
36 known as the North Pointe Annexation included the proposed development Misty River
37 (renamed River Ranch). The proposed North Pointe Annexation was located west of the current
38 City boundary along the Jordan River and was not within the adopted 2003 Annexation Policy
39 Plan expansion area. In order for the City to entertain a petition for annexation within this area,
40 the Annexation Policy Plan would need to be amended to include the area. She presented a map
41 to those present and explained that the highlighted Area D would include the aforementioned
42 property and needed to be added to the annexation plan.
43

44 The City Council entered into an agreement with the property owner, whereby the owner would
45 pay the proportional cost of hiring a consultant to draft an update to the City's Annexation Policy
46 Plan. The plan update included an updated analysis of the existing expansion Areas A, B, and C
47 for conformation with State code, which the City included within the plan update scope of work
48 to be completed by the consultant. Ms. Pace clarified that expansion plan Areas A, B, C were
49 paid for by the City and Area D was paid for by the property owner.

50
51 The City began the process to update the Annexation Policy Plan and Map in September of 2020.
52 Staff worked with the hired consultant on the draft and prepared the initial draft for the Planning
53 Commission review with input as required by State statute. The proposed draft Annexation
54 Policy Plan would address and update all existing expansion Areas A, B, C as well as the
55 proposed Area D, also known as the North Pointe Annexation area.

56
57 Sherrie Pace reviewed the schedule, which included tonight's work session of the proposed draft
58 of the Annexation Policy Plan by the Planning Commission, work session by the City Council
59 with an update by the petitioner on August 17th, a public meeting during the Planning
60 Commission meeting on August 24th, commencement of the 10 day public input period, a public
61 hearing would be held on September 14th during the Planning Commission meeting. The
62 Planning Commission could then make changes to the draft and recommend approval to the City
63 Council. A public hearing would then be scheduled for October 5th during the City Council
64 meeting. The City Council could then modify the draft plan and adopt the policy plan. She
65 explained the per State code the public input period would require that notices be sent to all
66 affected entities including special service districts to notify them of the public meeting on August
67 24th.

68
69 Per State code the Annexation Policy Plan would need to include a map of the expansion areas, a
70 statement of criteria to guide the City's decision to grant future annexations that address the
71 following: character of the community, need for municipal services, City plans for extension of
72 municipal services, how the services will be financed, estimate of tax consequences to current
73 residents and those within expansion areas, and interests of all affected entities. The plan would
74 also need to include justification for excluding urban development within a half mile of the City
75 boundary from an expansion area if applicable, and a statement addressing comments made by
76 affected entities at or within ten days after the required public meeting. Other State code
77 requirements for the plan included an attempt to avoid gaps between or overlaps with the
78 expansion areas of other cities, consideration of population growth projections for 20 years,
79 consideration of current and projected costs of infrastructure, urban services, and public facilities
80 necessary to facilitate full development of the area within the municipality, to expand the
81 infrastructure, services, and facilities into the area being considered for inclusion in the
82 expansion area, to consider in conjunction with the General Plan, the need over the next 20 years
83 for additional land suitable for residential, commercial, and industrial development,
84 consideration of the reasons for including agricultural lands, forests, recreational areas, and
85 wildlife management areas in the municipality, and to be guided by the principles in State code

86 subsection 10-2-103(5). The State code also requires that if practicable and feasible the
87 boundaries of the area proposed for annexation shall be drawn along boundaries of existing local
88 districts and special service districts for sewer and water, school districts, and taxing entities, to
89 eliminate islands and peninsulas of territory that was not receiving municipal type services, to
90 facilitate the consolidation of overlapping functions of local government, to promote efficient
91 delivery of services, and to encourage the equitable distribution of community resources and
92 obligations.

93
94 Sherrie Pace spoke on annexation Area A, which mainly consisted of Chevron as well as
95 property owned by the State that was not accessible by Redwood Road. She explained that staff
96 had some concerns with including the property owned by the State because of the difficulty with
97 accessing it, particularly in regards to providing emergency services. Area C included properties
98 owned by the Forest Service and Salt Lake City. Ms. Pace said the City may be held financially
99 liable for fire services in the event of a fire in the forest areas if they were to be annexed into the
100 City. She said that having these areas in the annexation area boundary did not mean the City
101 would annex the property but it may allow for some influence with the Forest Service on the use
102 of that property.

103
104 Commissioner Ward suggested an addition to the annexation plan related to Area C in the event
105 that the City could be notified of any changes to forest service land. Sherrie Pace replied that it
106 would not be a problem to add this information to the plan. She felt the City may have more
107 standing as a stakeholder if the area was included in the Annexation Policy Plan.

108
109 Sherrie Pace commented on Area B, which was a fully developed area of approximately 924
110 residents, within Unincorporated Davis County and between the City and Bountiful. She
111 explained it was within the City's annexation area and not part of Bountiful. Proposed Area D
112 contained agricultural lands and 22 existing homes. Population projections for Area D included
113 approximately 6,360 residents in 2,000 dwelling units within the 413 acres. Ms. Pace clarified
114 that Area D included more area than the pending petition from River Ranch development and
115 that there were approximately 1,000 homes proposed in the River Ranch development.

116
117 The draft plan would provide a narrative on the character of the community and the need for
118 municipal services within each area including law enforcement, justice court, parks, community
119 development and building department services, public works, and the expansion of these
120 services. The plan also included an analysis of the tax consequences to residents related to the
121 annexation. The provided analysis would be subject to verification and input from affected
122 taxing entities during the public comment period. The draft policy plan contains policy
123 recommendations for the Planning Commission to review and make recommendations to the
124 City Council. The areas of note were the inclusion of sensitive lands within the expansion areas,
125 forest service and State lands, including the Jordan River and a recommended buffer, the level of
126 service policy for public safety and public utilities, and the annexation criteria for future
127 petitions.

128

129 Sherrie Pace provided examples of a tax analysis and how properties would be taxed if they were
130 annexed into the City and receive services currently provided to residents. She explained that
131 within Area B the estimated impact would be approximately 2.77% equivalent to \$73 per year on
132 a home valued at \$400,000.

133

134 Commissioner Van Langeveld asked about the rights of the property owners living in the
135 proposed annexation areas. Sherrie Pace replied that the residents would not be able to vote
136 individually against the annexation. She said they could petition to annex themselves or meet
137 with the City to discuss any concerns.

138

139 Concerning Area D, Sherrie Pace explained when property was annexed across a county line that
140 there were certain rules including the petitioner obtaining a resolution, in this case from Salt
141 Lake County, to allow them to request an annexation into North Salt Lake.

142

143 Chair Knowlton asked what needed to be accomplished during this meeting. Sherrie Pace
144 responded that she would like direction from the Planning Commission on any items to be
145 clarified and any increases or decreases to the annexation areas.

146

147 Sherrie Pace shared an update to the population projections based upon building permit data and
148 projected growth rates from the Kem C. Gardner Policy Institute as well as discussion with
149 developers for the proposed annexation area. The City considered population growth projections
150 for the municipality within the current City boundaries as well as the Annexation Policy Areas
151 A, B, C, and D for the next 20 years. The population projections for the City with Areas A, B,
152 and C were 23,430 in 2020 to 29,918 individuals in 2041. Area B was projected to include a
153 population of 924 and Area D added an additional 6,360 individuals.

154

155 Commissioner Van Langeveld said it appeared to be constant growth for 20 years and asked if
156 the developer did not anticipate to complete development for that long. Sherrie Pace clarified
157 that the Misty River/River Ranch development would take four years and encompass the entire
158 population proposed there. She said it was difficult to forecast when the additional property
159 would be developed so she spread it over 20 years.

160

161 Sherrie Pace explained that the total acreage in Area D was 413 acres and after speaking with the
162 property owner she estimated that the overall density would be approximately one dwelling unit
163 per every 5 acres. She said the existing Cross E Ranch would continue to provide agro-tourism
164 and would maintain agricultural use of some of the property.

165

166 Commissioner Van Langeveld suggested that the table related to the population projections and
167 the estimate of how many homes were projected to be constructed be included in the plan.

168

169 Chair Knowlton asked if an area was annexed if the City could determine the type of future land
170 use. Sherrie Pace replied that the City could negotiate an annexation agreement with the property
171 owner and outline a concept plan or general development plan for the properties in this area. She
172 said a future land use plan would be designated for those areas with zoning, density, and other
173 requirements.

174
175 Chair Knowlton asked if Area C could be annexed into the City and designated as a permanent
176 open space. Sherrie Pace responded that the City would not be obligated to allow development
177 but the implications if the property was annexed and a potential forest fire in that area may result
178 in the City being responsible for a portion of those firefighting costs.

179
180 Chair Knowlton asked the Planning Commission what information was needed for deliberations.

181
182 Commissioner Jorgensen suggested reviewing the Annexation Policy Plan draft as a group. He
183 asked if there were any changes from Areas A, B, C that had changed from the 2003 plan.
184 Sherrie Pace replied that she did not think there were any fundamental changes. She said the
185 emergency service response to Area B had increased since 2003. Ms. Pace also said that the City
186 had annexed a portion of that area, the Sycamore Grove Development, since that time. She
187 explained that Area B were already part of the South Davis Water Special Improvement District,
188 South Davis Metro Fire District, and South Davis Sewer District so there would be no change
189 there. The services that would change included snow plowing and road maintenance but the City
190 would be able to collect funds for those services. Those property owners would also be able to
191 vote for mayor and City Council members.

192
193 Sherrie Pace spoke on Area A which was mainly Chevron and said they were previously part of
194 the City and had de-annexed about 30 years prior back to the County.

195
196 Commissioner Ward asked if Areas A, B and C could be separated from Area D. He said that
197 Areas A-C had no real changes other than text amendments to meet State requirements. Sherrie
198 Pace replied that separating them would result in two separate documents and that there was
199 general information, which applied to all four areas. She said there were some property owners
200 in Area B that would like to be annexed into the City.

201
202 Commissioner Jorgensen commented that there may be new residents in Area B or useful
203 information that may be presented from other stakeholders such as the Forest Service or refinery
204 manager.

205
206 Commissioner Larson felt that the areas should not be bundled together as they would each
207 impact the City differently. Commissioner Van Langeveld said this was a long range document
208 but specified a specific development/developer and that this should be removed. She said Area D
209 should be annexed without any obligation or commitment to Misty River/River Ranch.

210

211 Chair Knowlton said the focus of the annexation policy plan should be on growth projection and
212 not the proposed development.

213 Commissioner Jorgensen questioned if a generic plan without a focus on the proposed
214 development would not result in an accurate projection of the costs. He said there had to be some
215 concept of the development density with cost benefits.

216

217 Chair Knowlton asked if the tax analysis were formula based and if various scenarios could be
218 reviewed.

219

220 Commissioner Jorgensen also suggested clarifying the development assumptions from Exhibit B
221 in the plan.

222

223 Sherrie Pace clarified that Area D would contain the 350 acres for the Misty River/River Ranch
224 and Cross E Ranch development plus an additional 60-65 acres that was outside of the
225 annexation in Area D. She spoke on the delay of this plan and said that the consultant only
226 provided a cost benefit analysis of the Misty River development and did not provide a complete
227 annexation plan.

228

229 Commissioner Ward commented that this was a general annexation policy but contained a more
230 specific analysis of one petitioner's proposal for annexation. He asked if it should be segregated
231 and potentially called Area E or made clearer. Sherrie Pace explained that the particular analysis
232 is a good exercise in the type of analysis that should be completed for individual annexation
233 petitions. The proposed development in the annexation area D helped to provide current cost data
234 for the extension of municipal services.

235

236 Chair Knowlton said if Area D was annexed that the eventual development would be subject to
237 the General Plan and zoning and not just the developer's intent. He said it may be better to view
238 site suitability versus growth projections.

239

240 Commissioner Tucker spoke on growth projections and that there must be assumptions on land
241 use to obtain those numbers. He said that it may appear the City was not being transparent if the
242 information being used to make those decisions was not shared. He commented that some
243 assumptions must be made. Sherrie Pace replied that she could ask the consultant what base
244 density assumptions were being made to obtain those numbers.

245

246 Commissioner Larson/Maus? commented on the analysis for water and sewer in relation to
247 adding a large number of households to the City. She spoke on the current drought and building
248 moratoriums in other cities. Sherrie Pace responded that the analysis by the consultant included
249 information from all the affected entities and what infrastructure would need to be constructed.

250

251 Commissioner Larson asked if the Commission could review the cost benefit analysis prepared
252 by the consultant. Commissioner Jorgensen was in agreement and said it was important to
253 understand any development issues and to review cost benefits.

254
255 Sherrie Pace commented that the developer has been working on a basic infrastructure plan and
256 that this data was available for the City to review.

257 Commissioner Van Langeveld asked if any of the entities that were contacted for the study had
258 raised any concerns including the school district, South Davis Sewer District, etc. Commissioner
259 Larson was in agreement and said a synopsis of the disadvantages or heavy burdens for the City
260 should be included. She said the report should include the pros and cons.

261
262 Commissioner Tucker said there was no discussion about transportation. Sherrie Pace replied
263 that those discussions had occurred but were not in the plan. She said this information could be
264 given to the Commission.

265
266 Chair Knowlton commented that there were several questions to be asked including if this was a
267 good place for growth and how much growth. He said he did not have enough information to
268 answer that question. He asked about the scenario if the development was not annexed into the
269 City as well as the financial, environmental, and airport implications. Sherrie Pace replied that
270 the airport implications had been reviewed and there would be less impact on the property in
271 question than originally assumed.

272
273 Commissioner Maus asked if there was the opportunity to include Area D in the annexation
274 policy if no growth occurred. Sherrie Pace replied that once Area D was part of the expansion
275 area that the City was not under any obligation to annex. It would just allow the City to consider
276 an annexation or a petition for annexation. She spoke on required infrastructure and said this
277 could be completed in several ways including City funded or developer financed.

278
279 Commissioner Jorgensen commented that the ten day public comment period may be too short
280 especially to receive input from the larger stakeholders.

281
282 Sherrie Pace said that the data gathered from the affected entities could be added as an appendix
283 to the plan.

284
285 Commissioner Maus said that the stakeholder entities were just being asked to comment on the
286 annexation plan but were not commenting on the potential development. Sherrie Pace replied
287 affirmatively. She said the City would try to allow all the affected parties to provide input and
288 would provide them with notice of the public hearing.

289
290 Chair Knowlton asked for a summary on what staff would need to obtain. Sherrie Pace
291 responded on the items to be obtained including background to the projected population growth
292 rate estimates from Kem C. Gardner Policy Institute, a summary of the affected entity input

293 made during the initial investigation, an appendix from the consultant showing the background
294 data and assumptions, and comments or concerns from stakeholders, including the impact of the
295 airport.

296
297 Commissioner Van Langeveld asked for information on what it would cost to service the
298 proposed annexation areas. She mentioned additional staffing and related costs. Sherrie Pace
299 replied this would be included in the cost benefit analysis.

300
301 Sherrie Pace spoke on additional requests made by the Commission in this meeting and said that
302 during the next presentation and reporting, staff would provide a general review of Areas A, B,
303 and C with a focus on Area D separately.

304
305 Commissioner Ward clarified that he meant distinguishing exactly what area was being
306 referenced. Whether it was just Area D and to look at this in all areas including labeling,
307 reporting, presenting, etc.

308
309 Commissioner Maus said if citizens in Area B were as adamant in annexing as staff had said. She
310 said some conflict may be avoided by separating the areas. Sherrie Pace replied that she was
311 unsure how to separate the areas from the annexation plan. She said the overall plan for all four
312 areas needed to be updated.

313
314 Commissioner Jorgensen said there was some ambiguity in the report as it stated “and/or” at the
315 top of the tables and exhibits. He asked if that meant only one of the criteria items had to be met.
316 Sherrie Pace responded that when a petition was received that any or all of the criteria should be
317 considered. She said the plan is a guide for the City to use when considering an annexation
318 petition, not as a check list for guaranteed annexation. As the City evaluates an annexation
319 request, the criteria provided is designed to provide for data driven decisions on a variety of
320 decisions, such as, responsibility for installing utilities, parks, or other public features.

321
322 Sherrie Pace commented that the City may want to support an annexation meets a specific need
323 or supports a policy priority of the City. For example, if the City wanted to encourage job
324 growth, the City may support or encourage annexation by extending services into the area ahead
325 of annexation, or participate with a developer to extend the services. A fiscal analysis of the
326 costs/benefits an annexation may not provide a positive fiscal impact to the City budget, but
327 because the annexation would support the policy of creating jobs within the City, the City may
328 choose to approve an annexation. The goal is for the decision to be made with the best data
329 available, so that policy makers understand fully the impacts, whether they are fiscal, social, or
330 recreational, and understand the trade-off to achieve one policy goal over another policy goal.
331 She reminded the Commission that with annexation law and the processes allowed, the City
332 Council has the sole discretion to approve or deny any annexation petition for any or no reason
333 and to require/negotiate with the petitioners as to the conditions required for approval. Those

334 conditions are not bound by any limits, other than those that both the City and the property
335 owner(s) agree to.

336

337 Commissioner Van Langeveld suggested changing the wording in the policy regarding the
338 annexation criteria in Exhibit A to say “The City will consider the following criteria and may
339 grant an annexation if ...” so that it did not seem as binding or that the City would grant
340 annexation if the requirements listed were met.

341

342 Commissioner Tucker asked about infrastructure and about current water and sewer services in
343 Area B. Sherrie Pace replied that water and sewer were provided by South Davis Water District
344 and South Davis Sewer District.

345

346 The Commission discussed the school district options for the proposed annexation including
347 remaining in the Granite School District in Salt Lake, a charter school, and attending schools in
348 the Magna area.

349

350 Sherrie Pace also said the other action items from the Commission included removing the name
351 of the specific development from the policy plan.

352

353 Mackenzie Bennett commented that other items on the list for staff to prepare. This included
354 adding pros and cons from annexation to the plan and researching how Area D could be
355 developed if not annexed into the City.

356

357 Sherrie Pace said that the Commission also asked for a population estimate table with the
358 existing boundaries and a separate table estimating the annexation areas.

359

360 Chair Knowlton asked if there were important variations in the characteristics of the land of Area
361 D and if staff could provide those at a later date.

362

363 Commissioner Van Langeveld asked for the study from the consulting firm. She asked for data
364 related to population, income, etc. Sherrie Pace replied that this could be part of the appendix of
365 the plan.

366

367 Commissioner Maus questioned if the next time the Commission viewed the policy plan would
368 be during the public meeting on August 24th. Sherrie Pace responded that she could provide the
369 revised document to the Commission before the meeting for review.

370

371 Commissioner Maus asked if the Planning Commission could hold another meeting to review the
372 information before the public hearing.

373

374 Commissioner Jorgensen commented that he would still like to review the draft policy to make
375 any corrections.

376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417

Chair Knowlton asked about access west of Redwood to Area A. Sherrie Pace replied that the property was landlocked by the freeway and the Jordan River. She said access from North Salt Lake directly could only be provided by constructing a bridge over the Jordan River. Ms. Pace clarified that the property was owned by the State and was currently a motocross park, accessed from Rose Park Lane at 2100 North in Salt Lake City.

The Commission directed staff to remove that portion of Area A which contains the motocross park from the annexation policy plan expansion area.

Commissioner Maus was inclined to include Area C for the elevated stakeholder status that potentially came with having it part of the annexation policy. Commissioner Tucker felt the interest for the land did not vary from the current use by the Forest Service and felt it provided more risk for the City. Commissioner Ward requested more information of the benefits of including the area on the annexation plan.

Commissioner Jorgensen asked to see the pros and cons for Area D. Commissioner Ward felt there were too many gaps in the data to make a decision. Commissioner Larson wanted to see the plan written without the proposed use and just spoke to the land. Commissioner Maus and Van Langeveld were in agreement and asked for more information. Commissioner Tucker said the City was almost at build out so new development proposals required more in depth review. He said the potential for land acquisition was an opportunity for the City. Chair Knowlton repeated that he was undecided regarding the annexation of Area D and wanted to have additional information about the fiscal analysis. He spoke on the difficulties associated with annexing Area D, including that the property was in another county and the Misty River/River Ranch development should not influence the annexation policy update plan.

3. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY PLANNING COMMISSION

Sherrie Pace reported that the City Council approved the preliminary plan and final plat for the Altyn Vista subdivision with the note on the plat related to geological hazards, per the Planning Commission recommended condition.

Chair Knowlton asked about the Form Based Code open house. Sherrie Pace replied that the City's Long Range Planner, Ali Avery, was working on the Form Based Code and would provide an updated copy by the August 24th Commission meeting.

4. APPROVAL OF MINUTES

The Planning Commission meeting minutes of July 27, 2021 were reviewed and approved.

418 **Commissioner Van Langeveld moved that the Planning Commission approve the meeting**
419 **minutes from July 27, 2021 with corrections. Commissioner Jorgensen seconded the**
420 **motion. The motion was approved by Commissioners Jorgensen, Knowlton, Larson, Maus,**
421 **Tucker, Van Langeveld and Ward.**

422

423 5. ADJOURN

424

425 Chair Knowlton adjourned the meeting at 8:54 p.m.

426

427 *The foregoing was approved by the Planning Commission of the City of North Salt Lake on*
428 *Tuesday August 24, 2021 by unanimous vote of all members present.*

429

430

431

432 _____
Linda Horrocks, City Recorder