



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 October 12, 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) Public Hearing: Consideration of an amendment to City Code 10-7-8 pertaining to Flag Lots
- 4) Consideration of proposed amendments to the City of North Salt Lake Annexation Policy Plan & Expansion Area Map
- 5) Report on City Council actions on items recommended by Planning Commission
- 6) Approval of minutes:

a. 9/28/2021

Adjourn

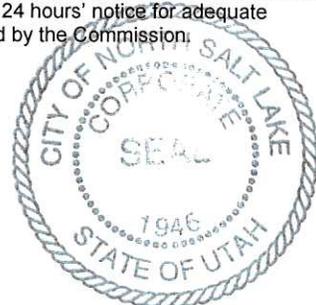
The public is invited to attend all Planning Commission meetings. If you need special accommodations to participate in the Planning Commission meeting, please call the City offices at (801) 335-8700. Please provide at least 24 hours' notice for adequate arrangements to be made. The agenda items may be 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 7 day of Oct., 2021.

Dated this 7 day of Oct., 2021.

Linda D. Horrocks





CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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

TO: Planning Commission
FROM: Sherrie Pace, Community Development Director
DATE: October 12, 2021
SUBJECT: Consideration of code amendments pertaining to flag lots in section 10-7-8

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the proposed code amendments with the following findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the city.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.

BACKGROUND

It was brought to the City's attention that the existing flag lot code contained regulations that exceeded standards required within the International Fire Code (IFC). Current City Code, Section 10-7-8 provides regulations for the approval of flag lots, and requires flag lots to meet all of the following fire protection standards:

1. Access road/driveway:
 - a. Asphalt or concrete and able to support fire apparatus;
 - b. Minimum paved width 20', except 26' adjacent to fire hydrant;
 - c. A turnaround approved by Fire Marshal; and
 - d. Marked with a sign stating "Fire Lane-no parking"
2. Fire hydrant:
 - a. Installation of a fire hydrant and 6" water line;
 - b. Installation of crash protection around hydrant; and
 - c. Be located in a public utility easement of 20'
3. Installation of a pressurized fire sprinkling system

The IFC requirements allow for any combination of 1 or more of the above noted 3 requirements depending on the evaluation by the Fire Marshal of the individual lot and building construction. In essence under the IFC if the home was equipped with pressurized fire suppression, the IFC would not require the 6" water line and fire hydrant. The City Code requires all 3, for every flag lot, which is a

significant cost to homeowners on flag lots. The DRC recommends the code be amended to the standards established in the IFC.

REVIEW

The DRC has reviewed the proposed amendment and has no issue with amending the code to utilize the specialized regulations already in place within the IFC, as those regulations have been written to more adequately address the varied solutions that can be utilized to address fire protection. As part of the amendment the DRC is recommending additional amendments to the language and organization of the code section. Additional proposed amendments:

1. Address identification at the street and format;
2. Fire lane signage;
3. Establishment of the specific fire suppression requirements that may be imposed on a conditional use permit;
4. Establishment of specific conditions that may be imposed to address mitigation of impacts from the flag lot, such as fencing, landscaping, grading limitations, building envelopes, dwelling height, etc.
5. Amendment to the requirement that a home be oriented to the street in favor of orientation to the front property line, as orientation to the street may be difficult and may not be feasible given the topography of some flag lots;
6. Setting the maximum slope of a flag lot driveway to 10%, and providing that the Fire Marshal could recommend to the Commission a reduction to the driveway maximum grade allowed depending on individual lot characteristics; and
7. Establishing the minimum driveway width for shared driveways as well as provisions for cross access easements and maintenance agreements.

POSSIBLE MOTION

I move that the Planning Commission recommend for approval the proposed code amendments with the following findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the city.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.

Attachments

- 1) Draft Amended Ordinance: 10-7-8

10-7-8: FLAG LOTS²:

In older areas of the city, certain properties have evolved over time with irregular shapes and sizes, some with deep rear lots. As the city continues to see these lots subdivided, there may exist a need to develop these deeper lots. Flag lots are one alternative to such development. However, many problems can result from the misuse of flag lots, including increased points of traffic access on busy or narrow streets, large paved areas created to access rear units, a mass of new units incompatible with an existing neighborhood, and the compromising of adequate and safe fire protection to rear units. These problems threaten the character and stability of existing neighborhoods. For these reasons, the following restrictions and prohibitions are established to better control increasing residential density in predominantly single-family neighborhoods through the use of flag lots:

A. Circumstances Permitting: The city discourages and restricts the creation of flag lots. A flag lot should be permitted only under certain limited circumstances. Flag lots are prohibited except:

1. Where necessary to reduce access onto major streets and thoroughfares;
2. To reasonably utilize irregularly shaped land;
3. To reasonably utilize land with severe topography;
4. To provide for the protection of significant natural or environmentally sensitive areas; or
5. To allow a property owner reasonable use and benefit of a parcel of land not otherwise developable.

B. Prohibited Flag Lots: Flag lots are expressly prohibited where:

1. The creation of the flag lot will increase the number of access points onto a major thoroughfare;
2. The density created by the flag lot would exceed the average existing density in the immediately adjacent developed residential area; or
3. The proposed flag lot would resubdivide an existing lot or lots in a recorded subdivision plat.

C. Conditional Use: Flag lots are conditional uses and must receive planning commission approval prior to being taken through a subdivision review and approval process. The applicant proposing a flag lot must have demonstrated to the planning commission that because of topographical features and/or unique situations as set forth in subsection A of this section, creation of a flag lot should be allowed.

D. Design Requirements For Flag Lot:

1. A flag or L-shaped lot shall be comprised of a staff portion contiguous with the flag portion thereof.

Notes

¹ 1. See also subsection [10-7-1B1f](#) of this chapter.

2. The staff portion of said lot shall front on and be contiguous to a dedicated public street. The minimum width of the staff portion of each flag lot shall be thirty feet (30'). Two (2) staffs may be placed side by side and be a minimum width of twenty five feet (25') each. The staff shall not be longer than one hundred fifty feet (150').
3. The flag portion of the lot shall meet the minimum lot size requirement for the zone in which it is located. The staff portion shall not count as part of the land area needed to meet the lot area requirement.
4. Flag lots must be similar in shape of the buildable area (i.e., rectangular or pie shaped if on a cul-de-sac) to the majority of the lots in the immediately adjacent developed residential area.
5. The front side of the flag portion of the lot shall be deemed to be that side nearest to the dedicated public street upon which the staff portion fronts. The staff portion shall be deemed to end and the flag portion shall be deemed to begin at the extension of the front lot line.
6. Flag lot units located away from the street shall ~~maintain a presence to the street,~~ be oriented to the street or front property line, ~~and be visible from the street. A larger building for the flag lot unit in relation to a unit in front of the flag lot unit is not acceptable as a means to meet the street presence requirement.~~ .

7. Identification Signs:

a. Address identification: All new and existing structures shall be provided with approved address identification that is legible and visible from the street fronting the property. Address characters shall be Arabic numbers (shall not be spelled out) or alphabetical letters not less than four (4") high with a minimum stroke width of ½ inch (IFC 505.1).

b. The building address for the structure shall be posted conspicuously at the driveway entrance via sign, monument, mailbox, and be maintained in good condition and in a visible location not obstructed by vegetation, landscaping features, walls, or fences, or other obstruction.

c. Any lighting provided for address identification shall be provided in a manner where the sign is either backlit, illuminated by street light or driveway light or if directly lit shall be in a manner that the lighting will not shine directly into the yard or window of an adjacent residence, and shall not be a hazard for street traffic.

d. A fire lane sign shall be posted near the entrance of all access roadways and driveways reading "No Parking-Fire Department Access RoadFire Lane". The sign shall be a minimum of twelve inches by eighteen inches (12" x 18")with four inch (4") block letter with one-half inch (½") stroke and have red letters on a white reflective ~~on a contrasting background~~ (IFC D103.6).

e. Access driveways and private roadways shall not be named or posted in a manner similar to approved street signs (color or design). All private roadway signs shall be approved by the public works department prior to placement at the intersection of a city street and private driveway.

8. All minimum required setbacks for the zone in which the flag lot is located shall apply. Orientation, setbacks and private yards shall conform to the following criteria:

a. All units shall orient to the street;

b. Each unit shall have both a "front" and "rear" yard on opposite sides of the ~~unit~~lot; ~~and~~ (Ord. 07-12, 6-5-2007)

~~c. To protect the privacy of yard areas on neighboring properties, large windows and decks on the second floor shall not orient to adjacent, surrounding properties. (Ord. 07-12, 6-5-2007; amd. 2012 Code)~~

89. An access driveway with a minimum paved width of twenty feet (20') shall be provided with landscaping on each side and a maximum slope of 10% (IFC D103.2). The access driveway shall be asphalt or concrete with adequate drainage and shall be properly maintained on a continuous basis. Where two (2) flag lots are adjacent to each other, a common driveway for both units is encouraged; multiple driveways are discouraged. Shared driveways shall have a platted cross easement access and maintenance agreement. The minimum width of the shared driveway shall be 20 feet unless additional width is required by the International Fire Code (IFC).

10. The access road or driveway shall be maintained by the property owner or possessor of the premises in good condition and repair and with adequate snow removal so as to provide free and uninhibited access by emergency service vehicles.

11. Emergency Access Easements. The property owner/developer shall grant unto the City an access easement and public utility easement along the full width of the stem portion of the lot, permitting access to the City for emergency and service vehicles as well as inspection personnel.

12. Fire protection for flag lot units. All flag lots must be reviewed by the local fire protection agency for compliance with the International Fire Code (IFC), for emergency vehicle access requirements prior to subdivision approval and the issuance of a building permit. Each proposal to construct a unit on a flag lot more than one hundred fifty feet (150') from a public street must first be reviewed and approved by the fire marshal and all other criteria listed below prior to receiving a building permit. No primary residential structure may be located on a flag lot more than five hundred feet (500') from a public street. All measurements shall be taken from the edge of the public right of way along the centerline of the driveway or private access driveway to the nearest point of the primary structure.

Upon recommendation of the Fire Marshal and in conformance to the International Fire Code, as adopted, the Planning commission may require one or more -All of the following conditions to must be met before as a condition for a building permit may be approved approval:

a. An access road or driveway ~~shall be provided~~ which meets the following standards:

(1) An asphalt or concrete surface capable of supporting the imposed load of fire apparatus ~~weighing up to 75,000 pounds (IFC D102.1) shall be provided and~~ extended to within one hundred fifty feet (150') of all portions of the exterior walls of the first story of any building ~~(IFC 503.1.1)~~. If constructed of asphalt, the access road or driveway shall be a minimum of two and one-half inches (2¹/₂") of asphalt over a minimum of six inches (6") of compacted road base. If constructed of concrete, the access road or driveway shall have a minimum of five inches (5") of concrete over a compacted road base. ~~The access road or driveway shall be maintained by the property owner or possessor of the premises in good condition and repair and with adequate snow removal so as to provide free and uninhibited access by emergency service vehicles.~~

(2) ~~The access road or driveway shall be a minimum of twenty feet (20') wide.~~ Where such ~~access roadway road or driveway~~ is adjacent to required fire hydrants, the width shall be ~~a~~ increased to a minimum of twenty six feet (26') ~~(IFC D103.1) within twenty feet (20') in either direction from the hydrant~~. Such required widths shall be unobstructed, including parking of vehicles, and shall have a minimum vertical clearance of thirteen and one-half feet (13¹/₂') ~~(IFC 503.1.1)~~.

(3) ~~Reduction of the~~ The maximum grade allowed by this section for any access road or driveway ~~shall be fifteen percent (15%) at any point measured along the centerline of the access road or driveway.~~

(34) ~~A~~ The construction of a turnaround approved by the fire marshal ~~shall be provided at a location recommended by the fire marshal (IFC 503.2.4) the end of the access road or driveway.~~

(45) Each access road or driveway shall be identified and marked by the property owner to the satisfaction and approval of the fire marshal ~~(IFC 503.3)~~. ~~Signs shall be posted near the entrances of access roadways and driveways. Signs shall be a minimum of twelve inches by eighteen inches (12" x 18") in two and one-half inch (2¹/₂") block lettering with one-half inch (¹/₂") stroke on a contrasting background. Signs shall read "No Parking – Fire Department Access Road".~~

b. Water Line & Hydrants:

(1) Installation of one or more A fire hydrant(s) ~~shall be installed by the city~~ at the expense of the property owner and ~~shall be~~ connected by a ~~six inch (6")~~ water line from the water main sized to meet the minimum fire flow requirements required by the IFC (IFC 507.1). The hydrant(s) shall be located to the satisfaction and approval of the fire marshal and city engineer. Required Fire hydrant(s) shall be located on all ~~required~~ access roads or driveways ~~and shall be located~~ within five feet (5') of the paved surface. ~~required access road or driveway.~~

(2) If, in the opinion of the fire marshal, fire hydrants are vulnerable to vehicular damage, appropriate ~~crash posts~~impact protection shall be required (IFC 507.5.6). No obstruction shall exist within a three foot (3') working area of each fire hydrant (IFC 507.5.5). ~~Required crash posts shall be four inch (4") concrete filled pipe, having a minimum of three feet (3') in height above grade, with two feet (2') of pipe below grade set in concrete.~~

(3) Hydrant shutoff valves shall be located no closer than five feet (5') from the hydrant and no further than twenty feet (20') as per city spec.

(3) The fire hydrant, water line and access road or driveway shall be located within a public utility easement of at least twenty feet (20') in width such that emergency and utility service vehicles and personnel have unimpeded access to the improvements.

c. ~~The installation All dwelling structures shall have installed~~ at the time of construction, and keep continuously maintained, a pressurized ~~interior fire protection sprinkling fire suppression~~ system that complies with the minimum standards of the ~~international Ffire Ccode~~ and ~~is~~ approved by the fire marshal.

d. Other conditions as warranted and in conformance to the International Fire Code or Urban Wildland Interface, wherever adopted and applicable.

~~d. All of the required improvements shall be installed at the property owner's expense. (Ord. 07-12, 6-5-2007)13.~~ In addition to the above minimum requirements, the Planning commission may, as part of the conditional use permit or preliminary or final subdivision plat approval, impose additional conditions to mitigate impacts of the flag lot(s), such conditions include including the following:

a. Fencing and screening requirements, including location, height, materials, colors, and landscaping;

b. Limitations on lot grading, cuts and fills, drainage, retaining wall construction, including location, materials, vegetation, and height;

c. Building envelope or setback restrictions;

d. Dwelling height; and

e. Vegetation and landscape requirements or restrictions; and

f. Other conditions, as warranted and permitted by law.



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MEMORANDUM

TO: Planning Commission
FROM: Sherrie Pace, Community Development Director
DATE: October 12, 2021
SUBJECT: Consideration of the 2021 Annexation Policy Plan

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. On August 24, 2021 the Planning Commission had a meeting to collect comments from affected public entities. Additional written comments were to be received prior September 3, 2021 and have been included as an attachment to this report along with a two-page summary of the comments. A public hearing was held on September 28, 2021 to receive comments on the plan from the public at large and any additional comments from affected entities.

The attached draft has been amended as directed by the Planning Commission and includes the affected entity comments and responses.

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 28, 2021	Planning Commission Public Hearing Modify draft plan, as warranted
October 12, 2021	Recommendation to the City Council
October 19, 2021	Presentation to the City Council
November 16, 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

UPDATE

Since the public hearing on September 28, 2021 staff has updated the draft plan to eliminate all reference to any specific development proposal. Staff has also amended the draft plan so that proposed Annexation Area D is contained within a separate addendum.

Additionally staff has conducted further research into the required contents of an Annexation Policy Plan. That research indicates that the level of financial analysis previously drafted is not required to be contained within the Plan. Instead the level of detailed financial analysis should be a requirement when reviewing annexation petitions and development applications. For that reason that information has been removed from the Plan. If the Planning Commission chooses to include that information it can be added as an additional addendum.

POSSIBLE MOTION(S)

I move that the Planning Commission recommend to the City Council the proposed draft 2021 Annexation Policy Declaration and Expansion Area Map, subject to the following findings and conditions:

Findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the city;
2. The proposed amendment is in accord with State Statute 10-2-401.5 regarding the preparation of an Annexation Policy Plan;
3. The proposed plan establishes guidelines and criteria for consideration of future annexation petitions; and
4. The proposed plan requires detailed fiscal analysis specific to a proposed development to be considered with future annexation petitions.

Conditions:

1. The proposed amendment (includes or does not include) the proposed Addendum-Annexation Area D.

Attachments

- 1) Draft Annexation Policy Plan
- 2) Draft Addendum-Annexation Area D



NORTH SALT LAKE, UTAH

ANNEXATION POLICY PLAN



DRAFT: OCTOBER 12, 2021

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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. 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

EXPANSION AREA

EXPANSION AREA MAP

Annexation Policy Plans are governed by Utah Code, Section 10-2-401.5, and in accordance the City of North Salt Lake has considered the following points in preparing, considering, and adopting this Annexation Policy Plan:

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 County 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, and C 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. 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 Estimate	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

ANNEXATION POLICY PLAN EXPANSION AREA:

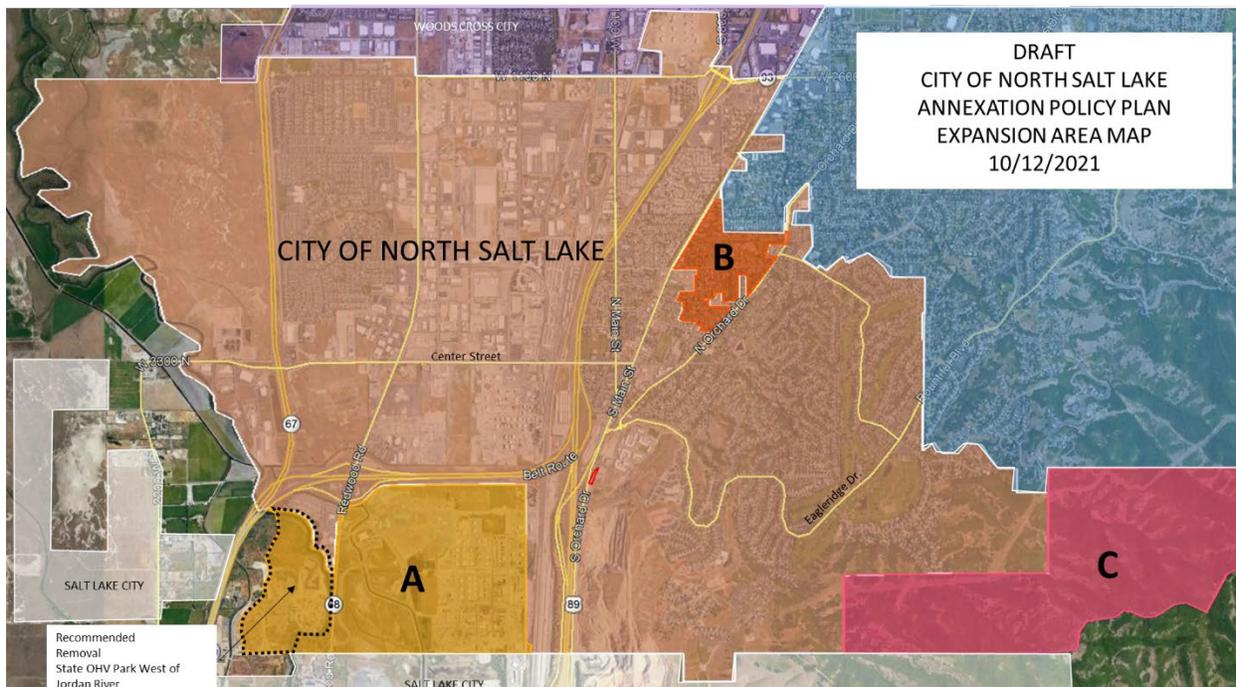
MAP 1 depicts areas which are contiguous to the city boundary and have been designated as future expansion areas.. The areas are designated as A, B and C. . Per the provisions of 10-2-401.5(3)(a), Utah Code Annotated, all municipalities within the State are required to adopt “a map of the expansion area, 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 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. The projected population for 2041 including the annexation of Area B is 30,977.

(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.

MAP 1: ANNEXATION AREAS (A, B, & C)



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.

While some of the City's development patterns are similar to other small, Utah urban communities, the City has always had a balance of residential and industrial lands and uses and a rich history of rich agricultural lands and orchards. The North Salt Lake community has always been about creating and sustaining a community that appreciates its heritage, while providing opportunities for business and industry to thrive. With the success of industry within the city came the need to provide varied housing options for the community within primarily three areas, the Town Center, Eaglewood and Foxboro. Today the community boasts a robust industrial park, attractive and safe neighborhoods, parks, trails and open space amenities throughout the community, excellent access to transportation corridors, and redevelopment of the Highway 89 corridor as a vibrant, walkable town center with access to public transit.

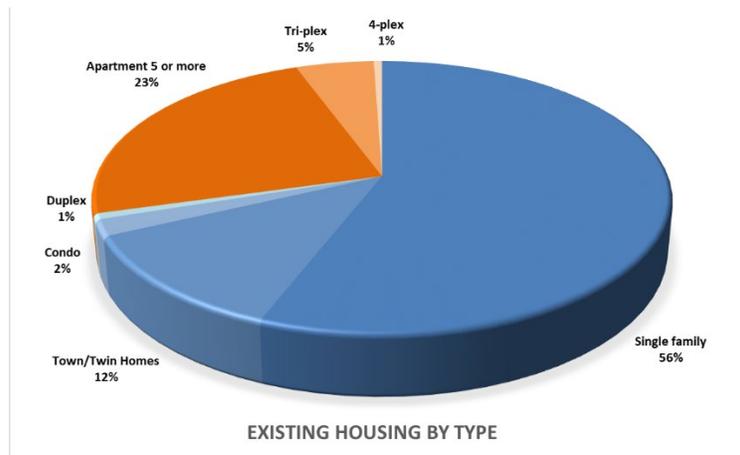
As the City considers future annexations, they must take a long-range view, at least 20 years, of that potential for expansion. The City intends for growth to occur in areas where it can cost efficiently and effectively extend municipal services and to discourage annexations that negatively increases costs, placing place a higher tax burden upon existing and future citizens of North Salt Lake.

NEED FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL LAND

The City of North Salt Lake, in conjunction with its General Plan and Town Center Master Plan, the need over the next 20 years for additional land suitable for residential, commercial, and industrial development. The current land use analysis for the city is demonstrated in the chart below:

[INSERT LAND USE PIE CHART]

Residential: North Salt Lake has a broad range of existing housing options available to the residents. There are approximately 7,507 residences within the current city boundary. Single family homes make up 56% of the existing housing stock. Current inventory of vacant lots and multi-family projects consist of 204 single family lots (37%), 48 townhomes (9%), and 302 apartments (55%) for a total of 554 dwelling units. Based upon anticipated growth it is projected that city will need to add an additional 1,608 dwelling units to the inventory by 2041. Vacant property zoned as single family dwellings is limited to those properties currently on steep hillsides and minimal infill sites in existing neighborhoods. The majority of residential growth will be via redevelopment of properties within in the Town Center Master Plan or by annexing additional developable land.



Commercial: North Salt Lake continues to grow its commercial real estate base by supporting existing business to thrive while encouraging the re-investment within the Town Center and Redwood Road commercial districts. Commercial retail zoning within the city encompasses _____ acres _____% of the city and approximately _____% is either vacant or has potential for redevelopment. The city does not specifically have need to annex additional lands for strictly commercial use. As such the city will focus commercial growth within the established commercial areas of the city and build upon the successes to improve these commercial hubs as neighborhood centers to enhance the City’s identity goals. Smaller commercial centers should be considered as property is annexed and development plans approved.

Industrial: North Salt Lake boasts a successful industrial business park that is always attracting new businesses to locate and grow here. The industrial zones comprise _____ acres ____% of the city and approximately _____% is either vacant, underutilized, or available for redevelopment. The city does not need to annex additional lands for industrial growth and instead will focus on supporting the existing industrial businesses by targeting clean manufacturing, transportation, wholesale trade, professional services and health care businesses to the area.

NEED FOR MUNICIPAL SERVICES

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.

Area 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 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 responds to emergency calls within Area B to assist Davis County. Area is also served by private water company, the South Davis Metro Fire Agency, and the South Davis Sewer District. No new services or infrastructure is anticipated for Area B.

Area C: The area is comprised of forest service property and a watershed protection area owned by Salt Lake City. The area is designated as future Natural Open Space. No municipal services are provided to Area C and there are none anticipated upon annexation.

There are no pending plans to develop within Area A, Area B is fully developed with approximately 300 homes and 924 residents and Area C is designated as future Natural Open Space. Currently the City provides limited police response to these areas to assist Davis County. These areas are serviced by South Davis Metro Fire Agency, and no change in service would be expected upon annexation. Similarly sewer services are provided by South Davis Sewer District, and will continue to be served 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, as is the case of the Chevron property. There are approximately 2.5 miles of existing roadway within Areas A, B, & C The cost of providing municipal services to these areas without new development would be minimal and would have little impact on the existing City infrastructure or organization.

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 time officers and 5 full time support staff. It is projected that additional full time officers will be increase by 3 officers and 1 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 should be reviewed and estimated and provisions for increased revenues, if needed, should be determined as part of an annexation petition. No expansion of the court system within the City is anticipated due to the annexation of Areas A, B, or C.

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 associated with growth and that verify long-term revenue will cover additional operations and maintenance expenses.

Demand from Areas A & C for additional park area is not anticipated. Area B is fully developed as a residential neighborhood. The area does not currently contain any park space, but does contain an elementary school and church building with outdoor recreation spaces. Residents in Area B are currently utilizing existing City parks and trails, thus no additional park improvements in Area B are anticipated.

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. Little impact is anticipated from the annexation of Areas A, B, & C. However, careful documentation of existing land uses within Area B should

be made at the time of annexation to determine the legal non-conforming uses, such as duplexes, to ensure equitable treatment of these future residents and to protect existing property rights.

PUBLIC WORKS

The City Public Works has responsibility for flood control, street, water, irrigation, storm drainage, and street plowing. 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.

Areas A and C are anticipated to have no impact on City Public Works. Area B will have some impact on the public works operations. Water and secondary water is provided to the area from South Davis Water Co. and will continue after annexation. Similarly, sewer services are provided by South Davis Sewer District and will continue after annexation without change. The greatest anticipated impact will be with regard to street maintenance. Annexation of Area B will include approximately 5.4 miles of public right of way. Some costs associated will be offset by the additional funds the City will receive from the State B & C Road Funds. However, some of these existing streets do not have sidewalks, therefore the City should carefully determine where sidewalk is necessary or desired, and estimate the installation costs at the time of annexation. No additional staffing is anticipated.

PLANS FOR EXTENSION OF MUNICIPAL SERVICES

An important component of the extension of municipal services is the ability of the City to effectively serve those areas; therefore, development should be consistent with the General Plan. The Capital Facilities Plan is comprehensive in its analysis of utility needs, extension and financing of those facilities.

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 Capital Facilities 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 areas located with a special service district, the City will rely upon the district to provide sewer, water, and secondary water services. The districts extend services when the services are needed or requested and do so in differing ways. Districts shall have the opportunity to negotiate specific development agreements for the extension of their services to areas annexed, as applicable.

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 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 require a developer to install, upsize, 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, may enter into reimbursement agreements 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 additional new development occurs and utilizes the infrastructure installed by others, these new developments must be required to pay their proportionate share for those extended services. The City has the authority to enter into pay back agreements with 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.

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 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.

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

Area A

Area A contains 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.

Area B

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 Fund, 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.

Area C

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.

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.

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

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

URBAN DEVELOPMENT EXCLUSIONS

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

ESTIMATE OF TAX CONSEQUENCES

It is anticipated that if all or portions of Areas A, B, and C, were annexed into the City, the properties within those areas may increase in value providing additional tax base for the City and Service Districts. 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 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 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

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

INTERESTS OF AFFECTED ENTITIES

The affected entities are municipalities, the school district, special service districts and County government. It is important that the affected entities be involved during the annexation process. As such Affected Entities, as listed, were invited to participate in the preparation of this plan and their comments are outlined here.

The following entities are Affected Entities for by Area A, B or 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

STATEMENTS OF AFFECTED ENTITIES

On August 24, 2021, the North Salt Lake City Planning Commission hosted a public meeting with Affected Entities to receive comments on the proposed amendment to the City's Annexation Policy Plan. Written comment was accepted in addition to comments received at the public meeting through September 3, 2021, as well comments received at the public hearing on September 28, 2021.

Jordan River Commission

Soren Simonsen, representing the Jordan River Commission, was present and explained that the Commission is an interlocal agency of local governments with interests in the preservation and restoration of the Jordan River through their communities. He stated that there were several key areas of interests, preserving and enhancing water quality, enhance and restore wildlife areas, supporting recreation and access, and trail development. He asked the City to consider the Blueprint Jordan River Plan which provides guidelines for development adjacent to the river and includes suggested buffer setbacks. Mr. Simonsen commented that Area C is adjacent to the river and as such the Commission encourages the City to require property owners to maintain buffers of at least 100 to 150 feet, depending on the programming and improvements within the buffer. He suggested another resource, Best Practices for River Front Communities. The Commission has requested that upon annexation petition, they be allowed to provide input on proposed improvements near the river and within the requested buffer area.

Response

North Salt Lake will continue membership with the Jordan River Commission and welcomes additional input from the Commission on development proposals or annexations of Area C. The City will direct land owners who propose development along the Jordan River to meet with the Commission and incorporate best practices for river front development as identified in the Blueprint Jordan River.

South Davis Sewer District

Letter (9/2/2021)

- If the area is annexed it will need to be added to the district's service area map.

Additional Comments

No additional comments were received regarding Expansion Areas A, B, or C. Additional comments regarding the proposed Area D were received and are outlined as an addendum for consideration with adoption of Area D.

CRITERIA TO GUIDE ANNEXATION DECISIONS

Item	The following criteria considerations shall be used in the evaluation of future annexation petitions reviewed by the City.
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.
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. The area will be better serviced by the North Salt Lake Police Department rather than the existing police agency. 5. 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).
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. The extension of utilities corresponds to the City's Capital Improvement Plan.
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, collected from those developments within the area annexed.

<p>Estimate of the tax consequences</p>	<ol style="list-style-type: none"> 1. Any increase in taxes collected, if any, to provide services to the area, above that tax currently collected within the unincorporated county, is recognized by the petitioner. 2. The property certified tax rate for existing parcels within the City limits will not be increased to provide for the annexation of any area.
<p>Interests of all affected entities</p>	<ol style="list-style-type: none"> 1. The annexation will not create boundary alignment problems with elementary or secondary schools. 2. The annexation does not extend beyond the limits of the adopted annexation policy plan. 3. Other services, i.e., sanitary sewer, secondary water, natural gas, electrical power and communications facilities, are available or reasonably available to the site.

INTRODUCTION

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 Area D.

EXPANSION AREA MAP

Annexation Policy Plans are governed by Utah Code, Section 10-2-401.5, and in accordance the City of North Salt Lake has considered the following points in preparing, considering, and adopting this addendum to Annexation Policy Plan:

GAPS AND OVERLAPS

North Salt Lake has attempted to avoid gaps or overlaps with the expansion areas of other municipalities. This contiguous unincorporated area in Salt Lake County has historically not been served by other municipalities, nor do plans exist to serve this area. 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 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 the proposed Area D is projected to add an addition 6,360. All population dates are as of December 31 of each year.

Table: North Salt Lake Year Population Projections-Annexation Area D

Year	NSL Population w/Area B	Annual Growth Rate	Population w/Area D	Area D 6,360*
12/31/2020	23,430	4.73%		
2021	24,241	3.46%		
2022	25,431	1.10%	25,896	465
2023	25,688	1.01%	27,231	1078
2024	25,922	0.91%	28,543	1078
2025	26,179	0.99%	29,878	1078
2026	26,443	1.01%	30,308	166
2027	26,715	1.03%	30,747	166
2028	26,996	1.05%	31,194	166
2029	27,285	1.07%	31,649	166
2030	27,577	1.07%	32,107	166
2031	27,877	1.09%	32,574	166
2032	28,184	1.10%	33,047	166
2033	28,491	1.09%	33,521	166
2034	28,802	1.09%	33,998	166
2035	29,113	1.08%	34,475	166
2036	29,427	1.08%	34,956	166
2037	29,745	1.08%	35,440	166
2038	30,066	1.08%	35,927	166
2039	30,367	1.00%	36,394	166
2040	30,671	1.00%	36,864	166
2041	30,977	1.00%	37,337	166

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
 *Based upon average number of households added per year in annexation areas, assumes immediate development of some portion of Area D.

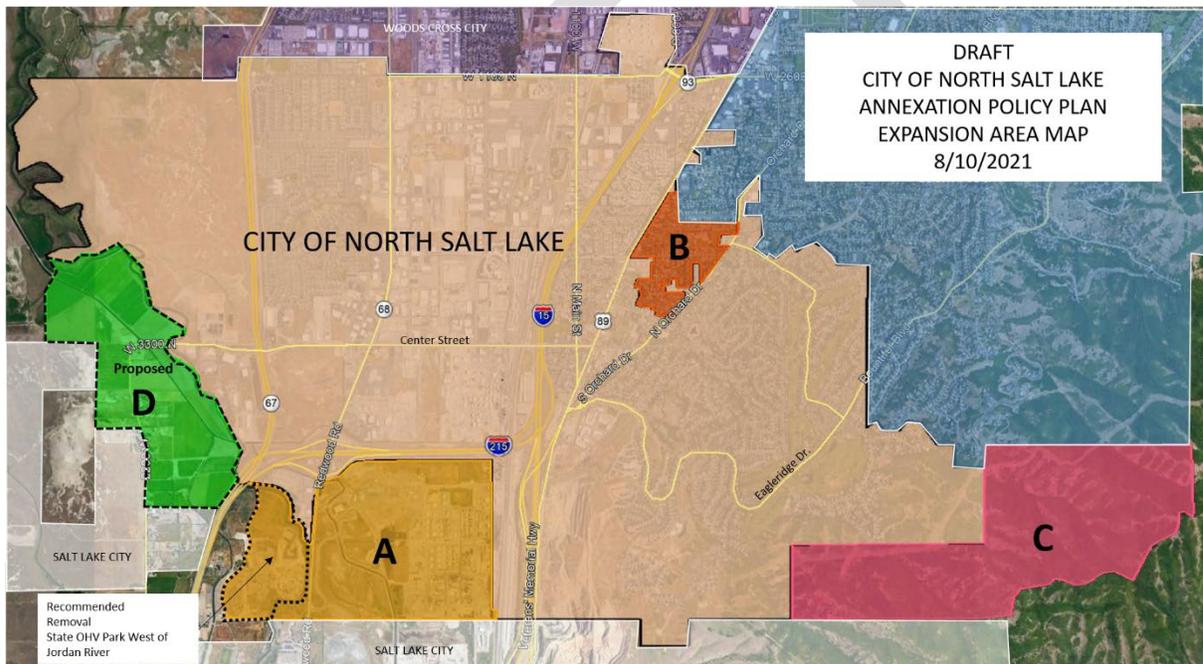
ADDENDUM: AREA D

ANNEXATION POLICY PLAN EXPANSION AREA: MAP 2 depicts areas which are contiguous to the city boundary and have been designated as a future expansion areas. The areas are designated as A, B, C and D. 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 may include territory located outside the county in which the municipality is located.”

DESCRIPTION: Area D

Annexation Area D contains approximately 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). The western boundary is Salt Lake City’s boundary west of 2200 West. Future land use for Area D will include residential, commercial, and agricultural uses. There are existing approximately 22 residences with an estimated population of 67 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 limited residential development and the development of an agri-tourism destination with limited residential development and preservation of agricultural uses.

MAP 2: ANNEXATION AREAS (AREA D)



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.

Annexation Area D contains approximately 413 acres which is currently unincorporated Salt Lake County. This area lies west of the Jordan River at the City's southwest boundary. The area while close to the Wasatch front urban areas has remained a rural island of agricultural lands with limited residential use on large lots and family farms. This rural farming community has remained unchanged in its present state due primarily to the particular geography being bound by the Jordan River and Interstate 215 to its east, the SLC International Airport to the southwest, and the Great Salt Lake to the Northwest. Area D is currently included within the Salt Lake County General Plan, Shoreline Heritage Area with a future land use designation of agriculture, with limited residential on 2-5 acre lots. The remainder of the Shoreline Heritage Area lies farther west and has been designated as Ag & Wildlife habitat, given its location within the airport flight path and the marshy wetlands of the lake.

Residents of the area enjoy the rural nature of the community but many have found the lack of municipal services to be of some concern. Given the relative isolation of the community, its unincorporated status, and distance from Salt Lake City and County urban centers, the residents have reported delayed response times for emergency service responses. Many residents report concerns over the failure of existing septic systems, the ability to replace them, along with well water quality issues and well failures. South and west of Area D, some property owners have annexed to Salt Lake City and have been provided water via a six-inch water main, which does not meet current standards for fire flow protection and due to the stubbed nature of the main also produces pressure and water quality issues for those residents.

A significant portion of Area D contains the Hinkley family farm known as Cross E Ranch. The family in recent years have grown their agricultural and cattle ranching activities to include agri-tourism. The Ranch hosts seasonal festivals and events that have become a wonderful community asset. Events include the Spring Baby Animal Festival where visitors can interact with farm animals or stroll take a stroll through the tulip field. In the fall visitors enjoy the annual corn maze, pumpkin patch, hay rides, and more. Growth of the events however, has been hampered by the absence of culinary water and sewer services.

Salt Lake County and Salt Lake City have been unable to provide adequate municipal services to the area, North Salt Lake has the municipal services that are necessary for residential and commercial/industrial development that the unincorporated area currently lacks. North Salt Lake is willing to examine the feasibility, costs, and benefits of proposed residential development and agri-tourism expansion within Area D's boundary.

NEED FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL LAND

The City of North Salt Lake, in conjunction with its General Plan and Town Center Master Plan, the need over the next 20 years for additional land suitable for residential, commercial, and industrial development. Area D contains land ideal for some residential development, as well as limited commercial and industrial land.

Residential: Area D has some areas that are suitable for residential development. Those areas specifically are east of 2200 West and South of Center Street. Limited low density residential/agricultural lots may be suitable north of Center Street.

Commercial: The opportunities for commercial property development within Area D near the intersection of Center Street and 2200 West. Commercial uses should be carefully considered so to enhance the neighborhood and support the agri-tourism endeavor of Cross E Ranch. The potential for businesses that will draw visitors for complementary experiences with agriculture should be encouraged and supported as part of the annexation of this area.

Industrial: Properties west of 2200 West are adjacent to the Salt Lake City boundary, currently zoned for business park uses. Given the proximity to that future land use and the flight patterns of the Salt Lake Airport, this portion of Area D should be considered for light industrial uses that can provide employment and business opportunities for the community.

NEED FOR MUNICIPAL SERVICES

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.

Area D: The need for municipal services is great within Area D. Municipal services are currently provided by Salt Lake County to this unincorporated island. Annexation of Area D will require the extension of sewer, water, and secondary water. Annexation will also require additional services to be extended to the area, such as road maintenance and emergency services that will replace those services currently provided by Salt Lake County. Careful consideration of annexations within this area should be taken to ensure that burden of such extensions are born by the development and not by the current residents of the city. Extension of services should include other existing residents in the area and not solely those properties which are considered for immediate development.

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 anticipates that growth within the city will require an additional 3 officers and 1 support staff by 2041.

Area D will generate a need for 6 additional full time officers for this area. The specific 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 should be reviewed and estimated and provisions for increased revenues, if needed, should be determined as part of an annexation petition.

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. However, those cases that administered by the City's Justice Court system can be services directly by North Salt Lake. Careful consideration of annexation petitions within this area of Salt Lake County should be made to determine the associated fiscal impacts in administering court operations for this area. Coordination with Salt Lake County using interlocal agreements can provide a solution to offset increases and have been used in other communities in Utah.

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 associated with growth and that verify long-term revenue will cover additional operations and maintenance expenses.

Area D is anticipated for partial residential development creating additional demand for park space. Development proposals should be accompanied by open space and parks as an integral feature of new neighborhoods. Where possible development of neighborhood parks should be accomplished with ownership and maintenance provided within the development by a home owners association. Facilities constructed by the development and dedicated to the City for ownership shall be considered only when those facilities are open to the public and beneficial to all residents of the City.

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. Annexation of Area D and any subsequent development approval may temporarily impact the development review and building inspection services. These impacts will be paid for with review fees and building permit fees which can be used to pay for additional inspection staff by contract with private engineering firms.

PUBLIC WORKS

The City Public Works has responsibility for flood control, street, water, irrigation, storm drainage, and street plowing. 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.

The existing roads in Area D consist of approximately 1 mile that would become solely the City's jurisdiction and another 1 mile that would be shared right of way with Salt Lake City. Those existing streets are reportedly in serious disrepair and do not meet City standards for right of way width or construction. Additionally the existing bridge on Center Street crossing the Jordan River is substandard in width and does not include sidewalk. The City should require as part of an annexation petition a subsurface investigation of the streets construction to evaluate the current condition of the street installation, determine the necessary improvements and ensure the street is repaired, improved, and widened prior to or as part of an annexation agreement. Further interlocal agreements with Salt Lake City and County may be necessary for the maintenance and improvements.

New development projects impacts may be mitigated by design or through the use of private roadways to be maintained and owned as private roads. 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. It is also essential to ensure at the time of development that necessary provisions for the operation and funding for private roads is have been provided and are fiscally sound and sufficient to cover ongoing maintenance and repair as well as long term replacement.

As development occurs in Area D, additional staffing is anticipated to service this area, with street maintenance, snow plowing, as well as water line and meter maintenance. Currently the Public Works Department employs 10 full time staff members. An additional 2 staff members are anticipated to meet the demand form Area D at full build out.

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.

No plans for extension of municipal service to this area have been developed at this time by either North Salt Lake, Salt Lake County or Salt Lake City. Any annexation proposal must include a development plan with specifics pertaining to the extension of necessary services and facilities, a cost analysis, both for installation and on-going ownership and maintenance of those facilities, and proposal for their installation.

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 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 require a developer to install, upsize, 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, may enter into reimbursement agreements 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 additional new development occurs and utilizes the infrastructure installed by others, these new developments must be required to pay their proportionate share for those extended services. The City has the authority to enter into pay back agreements with 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) years after installation.

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 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.

CURRENT & 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 are anticipated to defer the ongoing costs of operation and maintenance.

Annexation within Area D will require a fiscal impact analysis to determine the financial viability of the proposed annexation and development. A positive fiscal impact is not necessarily required for approval, when the City Council determines that the an overriding public policy interest exists which outweighs potentially negative fiscal impacts, implements other key policy goals of the City, or other fiscal offsets are agreed to as part of an annexation agreement.

REASONS FOR INCLUDING SENSITIVE LANDS IN EXPANSION AREA

The City's expansion area includes agricultural lands and the Jordan River runs the length of Area D's eastern boundary. The land proposed for residential development will be removed from agriculture. The agricultural lands in Cross E Ranch Property will be retained until the Ranch owners propose new development. Annexation into North Salt Lake will benefit this agricultural property

along with their plans to expand. Cross E Ranch currently operates without municipal water and sewer. In order to grow its agri-tourism business, it needs municipal water and sewer service to make the expansion feasible.

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 100-150 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.

ESTIMATE OF TAX CONSEQUENCES

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

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 Area D are projected to realize 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	
North Salt Lake	\$ 400,000	0.012699	\$ 220,000.00	\$ 2,793.78	\$ (398.64)

INTERESTS OF AFFECTED ENTITIES

The affected entities are municipalities, the school district, special service districts and County government. It is important that the affected entities be involved during the annexation process. As such Affected Entities, as listed, were invited to participate in the preparation of this plan and their comments are outlined here.

The following public 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
- 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

STATEMENTS OF AFFECTED ENTITIES

On August 24, 2021, the North Salt Lake City Planning Commission hosted a public meeting with Affected Entities to receive comments on the proposed amendment to the City's Annexation Policy Plan. Written comment was accepted in addition to comments received at the public meeting through September 3, 2021, as well comments received at the public hearing on September 28, 2021.

Jordan River Commission

Soren Simonsen, representing the Jordan River Commission, was present and explained that the Commission is an interlocal agency of local governments with interests in the preservation and restoration of the Jordan River through their communities. He stated that there were several key areas of interests, preserving and enhancing water quality, enhance and restore wildlife areas, supporting recreation and access, and trail development. He asked the City to consider the Blueprint Jordan River Plan which provides guidelines for development adjacent to the river and includes suggested buffer setbacks. Mr. Simonsen commented that Area C is adjacent to the river and as such the Commission encourages the City to require property owners to maintain buffers of at least 100 to 150 feet, depending on the programming and improvements within the buffer. He suggested another resource, Best Practices for River Front Communities. The Commission has requested that upon annexation petition, they be allowed to provide input on proposed improvements near the river and within the requested buffer area.

Response

North Salt Lake will continue membership with the Jordan River Commission and welcomes additional input from the Commission on development proposals or annexations of Area C. The City will direct land owners who propose development along the Jordan River to meet with the Commission and incorporate best practices for river front development as identified in the Blueprint Jordan River.

Waterfowl Association

The Utah Waterfowl Association is not an affected entity, but believes that they may be impacted and thus provided the following statement. Jack Ray, Utah Waterfowl Association, was present and commented that his association was committed to preserving waterfowl habitats. He said he was also representing Rudi Reclamation, which owns 1,850 acres located 1.5 miles from Area D. This property is managed for the benefit of wildlife and is an important part of the Great Salt Lake ecosystem. Mr. Ray explained that they had no interest in annexation and have been committed to preserving their property for over 100 years. He suggested that the City become involved with Salt Lake County and Salt Lake City in their efforts to master plan the shoreline area.

Response

North Salt Lake is not proposing to include in the property owned by the Utah Waterfowl Association or Rudi Reclamation within Annexation Area D. North Salt Lake staff will contact Salt Lake County and City to become involved in master planning the shoreline area.

Weber Basin Water Conservancy District

Email (8/19/2021)

- 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.
- 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.
- 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.
- WBWCD would require the assistance of NSL with the annexation of the affected lands into WBWCD's service area.

- Would like to meet with City Staff to discuss the process more fully.

Response

North Salt Lake will coordinate with and assist Weber Basin Water in annexing Area D into their service area at the time of review of specific annexation petitions.

South Davis Sewer District

Letter (9/2/2021)

The existing treatment plan on Center Street is effectively at capacity, and therefore the developer will be required to finance and construct sanitary sewer treatment facility, collection lines and appurtenant structures to provide services to the area, as well as pay impact and inspection fees. The district is requesting that if the area is annexed that the city require as a condition that the property owners in the annexation petition for inclusion in the district's boundary with at least 75% of the owners of private land signing the petition.

Response

North Salt Lake will coordinate with and assist South Davis Sewer in annexing Area D into their service area at the time of review of specific annexation petitions. It is the intent of North Salt Lake that any annexation and development proposal contain an annexation agreement with the District for the installation and financing of any required improvements.

Davis County Flood Control

Email (8/18/2021)

Davis County provided a map of the county boundaries and Jordan River Survey

Response

North Salt Lake will coordinate applicable storm water improvements with Davis County Flood Control.

Wasatch Front Waste and Recycling District

Email/Phone (8/25/2021)

The district contacted staff by phone and asked that if the city annexes any of the area that we contact them so that they can remove residents that were annexed from their service as the City would be then provide the service.

Response

North Salt Lake will ensure that before annexation becomes final the District and any other affected service providers will be notified of the effective date of the annexation and substitution of service providers, unless interlocal agreements obtained.

Salt Lake City

Letter (9/7/2021) Chief Admin Officer for the SLC Mayor's Office

- SLC's preference is that NSL does not amend the annexation area plan to add Area D;
- SLC is concerned about the impacts to SLC roads and infrastructure the development of Area D would have;
- SLC is concerned about placing residences in the SLC Intl Airport flight path and the airports need to protect critical flight path protection zones;
- SLC states that they have not annexed the area as they have not received an annexation petition from the property owners;
- SLC believes new residential development will burden SLC residents by requiring improvements to 2200 West, SLC has undertaken a master plan effort for the area to identify needed roadway improvements;
- SLC stated that the city has infrastructure for water, sewer, and storm water services within or near Area D, but that they cannot support development of the size proposed in Area D and would like NSL to address how water, sewer, and storm water services will be provided;
- If the policy is amended SLC request that the land use approved by compatible with surrounding uses and development be subject to an avigation easements and include aircraft noise mitigation efforts.

Letter (9/7/2021) Office of the Salt Lake City Council

- duplicate to the letter from the Mayor's Office.

Letter (9/10/2021) SLC Mayor's Office follow up and clarification

- The SLC Department of Airports is not opposed to the annexation plan as it relates to the airport operation for the River Ranch Development, because an avigation easement has been recorded in favor of SLC;
- SLC requests similar avigation easements be required for any other properties in Area D that are annexed.

Response

North Salt Lake will:

- Coordinate with Salt Lake City in addressing requested avigation easements as a condition of annexation
- Meet with Salt Lake City regarding the residential impacts on 2200 West, as well as the impacts of the proposed Swaner property business park and its impacts on North Salt Lake City streets from increased heavy truck traffic
- Coordinate land use plans for compatibility and require improvements to mitigate incompatibilities that may exist
- Work to ensure the coordination of roadway and other infrastructure improvements in the area

1 CITY OF NORTH SALT LAKE
2 PLANNING COMMISSION MEETING
3 SEPTEMBER 28, 2021
4

5 **DRAFT**
6

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

10 PRESENT: Commission Chair Ted Knowlton
11 Commissioner Ron Jorgensen
12 Commissioner BreAnna Larson
13 Commissioner Katherine Maus
14 Commissioner 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: Travis Davis, Hughes General Contractors; Bob Springmeyer, Bonneville
22 Research; Matthew Clewett, Kaysville resident; Jack Ray, Utah Waterfowl Association; Dorothy
23 Owen, Patti Jensen, Denise Payne, Dennis Bangerter; Eric Orme, Allison Musser, Heidi Jensen,
24 Terry Murasco, Salt Lake City residents; Angie Keeton, Dee Lalliss, Brian Horrocks, Lisa
25 Baskin, Stan Porter; residents; Soren Simonsen, Jordan River Commission; Paxton Guymon,
26 York Howell & Guymon; Jed Stevenson, One West Construction; Steve McCutchan, Dave
27 Tolman, XCEL Development; Heather Limon, Dalon Hinckley, Zach Hartman, Cross E Ranch.
28
29

30 1. PUBLIC COMMENTS
31

32 There were no public comments.
33

34 2. CONSIDERATION OF SITE PLAN APPROVAL FOR HVAC CONSTRUCTION
35 ADDITION AT 624 WEST 900 NORTH, HUGHES GENERAL CONTRACTORS,
36 GARY TYLER, APPLICANT
37

38 Mackenzie Bennett reported that the property located at 624 West 900 North was in the
39 Manufacturing Distribution (MD) zone. The entire property was approximately three acres
40 (130,680 square feet) but only 25,339 square feet were being used for the existing building and
41 proposed addition. The remaining land would be used for outdoor storage. The application was
42 for a 2,934 square foot addition to the existing 6,247 square foot building. This would increase
43 the building's total square footage to 9,181. The existing building had 13 parking stalls and 1

44 ADA stall, the addition would increase the parking quantity to 20 stalls and maintain the single
45 ADA stall. The additional provided parking would be compliant with City Code 10-6-5. The new
46 addition would be used as office space and indoor storage for contractor services. The remaining
47 redlines on the plan were related to the location of the water lateral located at the front of the
48 property.

49

50 The applicant has proposed 2,861 square feet or 11.3% of landscaping which would exceed the
51 10% minimum required by code. This calculation was completed using the total disturbed area
52 square footage and not the entire lot size. The proposed building addition would meet all the
53 architectural design guidelines related to materials, massing, rooflines, etc. The Development
54 Review Committee (DRC) recommended approval of the site plan for the HVAC Construction
55 addition with the condition for the completion of any engineering redlines.

56

57 Travis Davis, Hughes General Contractors, was present representing the applicant.

58

59 **Commissioner Jorgenson moved that the Planning Commission approve the site plan for**
60 **the HVAC Construction addition located at 624 West 900 North with the following**
61 **conditions:**

62

63 **1) Completion of any engineering redlines.**

64

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

67

68 **3. PUBLIC HEARING: CONSIDERATION OF PROPOSED AMENDMENTS TO THE**
69 **CITY OF NORTH SALT LAKE ANNEXATION POLICY PLAN & EXPANSION**
70 **AREA MAP**

71

72 Chair Knowlton explained that the process tonight would be an overview by Sherrie Pace, a
73 presentation by one of the major landowners that would be affected, and then the public hearing.
74 He explained that no decisions had been made and the adoption of the Annexation Policy Plan
75 was a decision to be made by the City Council with a recommendation from the Planning
76 Commission. The purpose of the Annexation Policy would be to provide guidelines for a
77 potential annexation and not a specific annexation in itself.

78

79 Chair Knowlton said that deliberations had started in regards to the annexation and had all been
80 done within the public eye. He explained that this was the first public hearing regarding the
81 annexation.

82

83 Sherrie Pace explained that the Annexation Policy Plan was a guiding document that would be
84 used when property owner petitioned for annexation into the City. The plan would provide
85 direction to the Planning Commission in making recommendations to the City Council. She

86 explained that City Council would also use the policy as a guide in the decision to approve or
87 deny any annexation proposal. The current City Annexation Policy Plan was adopted in February
88 of 2003.

89
90 She showed a map of the current plan to those present which detailed Area A, consisting of
91 Chevron and the OHV Park, Area B, which was the unincorporated area between the City and
92 Bountiful, and Area C, which was Forest Service property above Eaglewood Cove. Under State
93 code, the City was required to have an Annexation Policy Plan before an annexation petition
94 could be considered. The current Annexation Plan is only two pages in length and does not
95 include many of the details that the State code now requires. She said the City was approached
96 by property owners on 2200 West for consideration of a future annexation petition. This property
97 was located west of the current City boundaries and along the Jordan River but was not part of
98 the 2003 Annexation Plan. It was determined by the City Council that in order to consider the
99 proposed petition that the Annexation Plan must be updated. The request to consider amending
100 the plan to include Area D, provided an opportunity to update areas A, B, & C.

101
102 A consultant was hired to update the Annexation Policy Plan. The consultant interviewed
103 affected entities regarding considerations that should be made in considering annexation and the
104 costs and impacts associated with providing that entities services to the annexation area. Affected
105 entities include service districts, county agencies, and city agencies. The plan is required to
106 include criteria to advise the city's decision on future annexation petitions, criteria such as:
107 character of the community; need for municipal services in that area; plans for the extension of
108 those services; tax consequences to the property owners in the annexation area; and considers the
109 interests of the affected entities. Additionally, the state statute requires that in preparation of an
110 Annexation Policy Plan the City attempt to avoid gaps or overlays of annexation areas with
111 other cities, consider population growth projections for 20 years along with estimating current
112 and projected costs of infrastructure, services, and public facilities to facilitate expansion of
113 services to that area.

114
115 The statute also require the City to consider the City's General Plan and the need for additional
116 residential, commercial, or industrial areas. The plan must also address the justification for
117 including agricultural land, forest, or recreational areas in the expansion areas . Other items to be
118 considered in the plan preparation are drawing boundaries along existing districts where
119 possible, eliminating islands and peninsulas, facilitating the consolidation of overlapping
120 functions of local government, the promotion of efficient delivery of services, and
121 encouragement for the equitable distribution of community resources and obligations.

122
123 Sherrie Pace reviewed the existing Annexation Policy Plan Map and the suggestion to remove
124 the OHV Park from Area A, as there was no access from North Salt Lake as the property was
125 separated entirely by the Jordan River. She said Area D is the proposed annexation area
126 expansion to be added to the plan. She said Area D was west of the Jordan River and
127 approximately 413 acres. Area D includes the proposed annexation for the River Ranch project

128 (owned by XCEL Development) and the Cross E Ranch property. The area also includes
129 additional properties in order to avoid gaps and islands of unincorporated county between North
130 Salt Lake and Salt Lake City. She clarified that this inclusion does not mean that all of those
131 areas would be annexed immediately but could be considered for future annexation petition by
132 property owners. Area B is an unincorporated pocket between Bountiful and the City. Ms. Pace
133 showed the boundaries for Area C, which was the forest service property..

134
135 Sherrie Pace stated that the projected population for the City at the end of last year was 23,430
136 residents. The projection is based on building permits issued along with average household size.
137 She said this would be confirmed when the data from the 2020 census was released. The growth
138 rate for 2021 is based on discussions with builders projections for the number of units that would
139 be completed in the City. Future growth projections are based upon projected Davis County
140 growth rates provided by the Kem C. Gardner Policy Institute. It is estimated the City's
141 population will increase to 29,918 people by 2041 without the inclusion of any annexation. If
142 areas B & D are included in the projection the projected population is 37,337. [estimates
143 corrected]

144
145 Sherrie Pace then provided background on the study and said that originally the consultant
146 provided an analysis of the proposed Misty River (now River Ranch) project instead of a draft
147 update of the Annexation Policy Plan. Staff has worked with the consultant on correcting the
148 draft plan and done considerable work beyond the consultant input. Other considerations
149 included schools, the Salt Lake County Conservation Area, airport mitigation areas and the SLC
150 Airport Master Plan, Salt Lake City plans, and the 434 acre area zoned as a business park on the
151 Swaner property. She said the Swaner property is west of annexation Area D and detailed the
152 uses allowed in this SLC business park zone. Some specifications for that zone include a
153 maximum building height of 60 feet, 15% open space with one third to be vegetative, side yard
154 setbacks of 20 feet with additional standards for greater distances between residential districts
155 than the typical 30 foot buffer, setbacks for buildings of 100 feet from a property line or 50 feet
156 from adjacent property line, and landscape buffers, etc. This essentially is a light manufacturing
157 zone with some commercial uses, warehouse, and recreational uses. Ms. Pace said the City has
158 some concerns about this development in Salt Lake City including the bypass road that would tie
159 into 2200 West and would stub into the Cross E Ranch property and implies a connection
160 through that property to Center Street. The other concern with the bypass road is that it is an 84
161 foot wide right of way along with the proposed increase to a 77 foot on 2200 West, both tying
162 into Center Street which is a 66 foot right of way. Other concerns with the Swaner property
163 development include increased truck traffic on 2200 West and Center Street. She explained that
164 this provides an idea of the uses Salt Lake City was contemplating adjacent to the annexation
165 Area D.

166
167 Sherrie Pace spoke on the fiscal analysis as currently drafted and said there may be some errors
168 in the calculations. This relates to the general revenue and expense table, which shows declining
169 revenues and a negative income after 20 years. This is attributed to the forecast of the City's

170 property tax revenue remaining flat instead of increasing based on appreciation of property
171 values. Additionally it appears that the sales tax revenues estimated did not take advantage of the
172 new law from 2018, which allows the City to collect sales tax on internet sales. Ms. Pace
173 reminded those in attendance that the proposal being considered is the Policy Plan and not the
174 actual annexation petition for Area D. She said if the plan is not amended to include Area D, the
175 City could not receive any annexation petitions in that area. Specific information on the proposed
176 development has not yet been approved in any form, and has been provided as an example as to
177 how the property might be developed. The property owners do have a conceptual idea, which has
178 not yet been reviewed in depth by the City.

179

180 Commissioner Larson asked for clarification on where the County line was located on Area D.
181 Sherrie Pace replied that it followed the Jordan River running north and south.

182

183 Commissioner Larson asked if all of Area D was located outside of Davis County. Sherrie Pace
184 responded affirmatively.

185

186 Steve McCutchan, XCEL Development, commented that both of the major property owners were
187 in attendance and suggested allowing them to speak tonight. He focused on concerns from the
188 Planning Commission including the report from Lewis Young. He said that XCEL had hired
189 Bonneville Research to provide a report on the River Ranch project in 2020, which has been
190 updated to reflect the current 2021 market and has now been compared to the Lewis Young
191 projections and said there are obvious disparities in the analysis. Mr. McCutchan explained that
192 Bob Springmeyer with Bonneville Research is a respected municipal finance consultant who
193 worked on the City's 2013 General Plan.

194

195 Bob Springmeyer, Bonneville Research, commented that Lewis Young is an exceptional firm but
196 felt that their report did not represent their best work. He noted that he updated his analysis from
197 2020 with current market data for River Ranch with approximately 1,000 residential units (a mix
198 of single family and townhomes),

199

200 Chair Knowlton commented that even if the Annexation Policy was adopted as submitted that
201 the detail about the housing mix for the proposed development would not be part of the Policy.
202 He said the reason why it was being discussed was to have a basis or example to make a
203 financial projection.

204

205 Bob Springmeyer said that one of the objectives of the Annexation Policy Plan was to encourage
206 equitable distribution of community resources, and he believes [Area D will provide]. He said
207 this is a hypothetical development but gives a basis to look at. He stated that the Lewis Young
208 analysis shows property values held constant for 20 years as well as discrepancies in sales tax
209 revenue projection related to the point of sale for internet/catalog sales which generates sales tax
210 revenue for a city in locations never previously forecasted. Mr. Springmeyer explained that his
211 conclusions include a substantial increase in sales and use tax with property taxes held flat but

212 adjusted property valuations based on 2021 data, electrical franchise taxes and natural gas tax
213 held flat as well. His analysis shows total revenues from this development jumping up to \$29
214 million. He also said he reviewed the numbers Lewis Young used to generate General Fund
215 expenses and adjusted those based on population projections provided by North Salt Lake and
216 not those from WFRC “City Areas” and the result, in his opinion is that this development should
217 pay for itself.

218
219 Bob Springmeyer said he also studied the potential impact fees and cautioned trusting numbers
220 that did not come from the City’s own planning department. He commented to use his
221 information as a general estimate but that an actual impact fee analysis would be required to
222 determine the fees that would be adopted by the City.

223
224 Commissioner Van Langeveld thanked Mr. Springmeyer for analyzing the revenue and
225 expenses. Bob Springmeyer replied that he did not have access to the City’s finances so he
226 wanted it made clear that the estimates on expenditures were not adjusted other those adjusted
227 based upon the population projections.

228
229 Commissioner Van Langeveld summarized the differences in the projected revenue is that it is
230 based on including point of sales tax for internet sales and figures based partially on the
231 population projections. Bob Springmeyer responded in agreement and said the Lewis Young
232 study is inadequate in how they analyzed it.

233
234 Commissioner Jorgensen asked about the adjustment in population and if it was done on a pro-
235 rata basis versus what Lewis Young did. Bob Springmeyer replied that he used the revenue as
236 distributed by the State Tax Commission based upon the 2010 Census, as the State does not
237 distribute based upon projected population . He said until the census numbers are released and
238 the state adjusts adjustments were made that this was the most reliable data.

239
240 Chair Knowlton clarified that the analysis was a 20 year view and asked about the shift in the
241 decades after that. He asked about the financial implications after the 20 years. Bob Springmeyer
242 stated that forecasts are always wrong even when the analysts do their best to make reasonable
243 guesses. He gave the example of unknown impacts that cannot be anticipated or forecasted, such
244 as COVID, Zoom, increased online sales, etc.

245
246 Chair Knowlton asked about things that could be forecasted such as infrastructure. Bob
247 Springmeyer replied that local government is not in the business of making a profit but the way
248 that capital investment has to be planned by a city, it has to be paid using General Fund revenue,
249 special assessment revenue, and the best estimate those expenses. He explained that property
250 taxes forecasts should not remain flat while forecasts for expenditures consider inflation.

251
252 Steve McCutchan commented that point of sale and internet sales make a big difference in the
253 forecasted revenue. He said one item that has been brought up by the Commission is the

254 immediate effects associated with City services including public safety. Mr. McCutchan stated
255 that the City had development impact fees, which were specifically designed for the purpose of
256 dealing with some of those immediate [infrastructure] needs. He mentioned there are funding
257 mechanisms such as certain fees issued with building permits and estimated that the impact fees
258 would be approximately \$9 million, followed by property taxes on an annual basis.

259
260 Steve McCutchan then responded to the letters from Salt Lake City's Mayor and City Council
261 which expressed opposition to City amending the Plan to include Area D and particularly the
262 proposed project. He expressed embarrassment and said they had previously met with the
263 Mayor's Office and were told that the Salt Lake City's administration would not be opposing the
264 annexation and development project. So the letters had surprised them. Mr. McCutchan
265 explained that their administration [Mayor's Office] and the City Council operated as two
266 separate bodies. He further explained that they have met with SLC since the first letter and have
267 been told that SLC would not oppose the annexation. The second letter from the Mayor's Office
268 did express that the City, nor the airport, would not outright oppose the annexation, but that they
269 still have concerns that need to be addressed and would like to be involved in the process if NSL
270 proceeds with annexation and development of the area. Mr. McCutchan believes that SLC is no
271 longer opposed to the annexation, but that for political reasons the SLC Council and Mayor's
272 office is not willing to send another letter stating that.

273
274 Chair Knowlton explained that the City can only consider what was provided by Salt Lake City
275 for their position on the annexation plan or proposed project. The Commission cannot rely upon
276 XCEL Development's interpretation of Salt Lake City's position on the annexation plan and
277 potential future project if the City is not willing to send a new letter or provide comment at a
278 public meeting.

279
280 Paxton Guymon, York Howell & Guymon, the attorney representing XCEL Development, stated
281 that this effort towards an annexation petition had taken over a year and a half to obtain the
282 resolution approval from the Salt Lake County Council. During that time Mr. Guymon said Salt
283 Lake City had expressed their concerns to the County Council by saying the area was part of
284 their Annexation Plan even though they would not be providing services to the area. He
285 explained that the statute does not preclude more than one city from identifying the same land
286 within their own Annexation Policy Plan. He explained that the property owners efforts to meet
287 with Salt Lake City and the Airport Authority, coupled with the recently updated Airport Master
288 Plan which changed the noise impact forecast (moving the impacted area further west) led the
289 Salt Lake County Council to reconsider the resolution in support of the annexation petition, thus
290 giving approval for the landowner(s) to seek annexation to North Salt Lake. He explained that
291 the main concern from Salt Lake City is protecting the airport. Mr. Guymon stated he negotiated
292 the avigation easement to protect the airspace, which has been recorded and grants an easement
293 for the airport and specifies sound vibration mitigation techniques for residential uses in the area.
294 He said there may be political reasons behind the letters but assured the Commission that XCEL
295 Development has addressed Salt Lake's concerns.

296

297 Chair Knowlton asked how the Commission could accept anything representing Salt Lake City's
298 desire other than what Salt Lake City has provided to NSL in their letters. Paxton Guymon
299 responded that if Salt Lake City opposed the plan or potential annexation of Area D, they had the
300 opportunity to voice it at any of the public meetings and hearings held by North Salt Lake. He
301 said he did a lot of work for developers and participated in annexations, which were always
302 accompanied by a development agreement and the City has tools to ensure that any development
303 matched what was proposed and approved by the City. Mr. Guymon said the process tonight
304 was not about approving an annexation but expanding the plan so in the future the City could
305 consider the annexation.

306

307 Commissioner Van Langeveld spoke on the avigation easement and the letter provided by Salt
308 Lake City. She said the letter specifically stated that the Salt Lake Department of Airports was
309 not opposed to the Annexation Plan and that while Salt Lake City maintained their concerns as
310 outlined in its September 7, 2021 letter and strongly believed those concerns should be
311 addressed, that Salt Lake City's position should not be construed as an absolute objection to
312 annexation of the area already encumbered by an avigation easement.

313

314 Steve McCutchan stated that Area D and the River Ranch, project would ultimately have a
315 positive impact on the businesses located on Redwood Road. He said the average family in River
316 Ranch would spend \$8,300 a year in the City, which would be approximately \$8.8 million per
317 year. Commercial businesses such as the neighborhood's Lee's Marketplace had expressed
318 excitement and support of the approximate 1,000 new homes in the area to XCEL Development.
319 Mr. McCutchan then addressed the issues of schools and how the property was part of the
320 Granite School District. He said they have met with Davis School District, who expressed to
321 them that the District not interested in expanding the boundaries to include this area. Thus the
322 developer is proposing a charter school.

323

324 Jed Stevenson, One West Construction, said that they were working with two of the top
325 performing charter schools in Utah who would have an interest in developing and expanding
326 their schools within the project. He said charter schools are open enrollment public schools. The
327 difference is that Charter schools can pivot more quickly than a school district to meet the needs
328 of an area.

329

330 Commissioner Van Langeveld asked about the timeframe for the completion of the charter
331 school. Steve McCutchan replied that the original plan was to open the charter school during
332 phase one of development. The school itself is planned now be built in three phases and could
333 also include portable buildings.

334

335 Jed Stevenson commented that there were charter schools near this development that had the
336 capacity to accept placement in the meantime. He said that children could attend the new school
337 at the end of phase one of development. The grade levels would be K-6 or K-8 typically unless

338 the LDS Church provided a seminary building or space in a church building nearby for high
339 school students, then expansion to 9-12 could be considered .

340

341 Steve McCutchan summarized that the goal for tonight was to look at whether Area D should be
342 added to the Annexation Policy Plan update or not. He said there is no commitment to annex the
343 property at this time, but just a consideration as to whether the area could be annexed in the
344 future. Mr. McCutchan said Salt Lake City had not and would not provide services to the area,
345 which was why they were seeking to annex into NSL.

346

347 Commissioner Van Langeveld asked if they had requested an annexation into Salt Lake City.
348 Steve McCutchan said they spoke with Salt Lake [staff] several years ago about annexation and
349 have been discouraged to petition.

350

351 Dave Tolman with XCEL Development said he was one of the property owners and that Salt
352 Lake City has expressed the desire in their plans for either commercial uses or 2-5 acre
353 agricultural parcels for this area. He felt that housing is needed and at the urging of Salt Lake
354 County they approached NSL. Sherrie Pace clarified that it was Salt Lake City staff that
355 encouraged the property owners to approach the NSL.

356

357 Steve McCutchan spoke on the issues with Salt Lake City including their refusal to provide
358 services. He said the support the annexation will provide to the business community on Redwood
359 could not be overemphasized.

360

361 **At 8:26 p.m. Chair Knowlton opened the public hearing.**

362

363 Denise Payne, 2848 North 2200 West, commented on how bad the existing traffic along 2200
364 West is and the lack of infrastructure for the proposed annexation area. She said if the area was
365 annexed that they would be North Salt Lake residents while she would remain a Salt Lake City
366 resident and expressed concern over the fine line that creates. Ms. Payne expressed that while
367 she would like Cross E Ranch to have sewer and to continue to flourish that the area is not ready
368 for development.

369

370 Heather Limon, Cross E Ranch, said they would love to have sewer and water access and felt an
371 annexation into the City would be the best solution for them. She explained that “AG
372 entertainment” was the only way to keep the farm operational and financially viable to remain a
373 part of the community. Cross E Ranch’s goal was to keep farming and preserve the agricultural
374 history of the area, which annexation into the City would allow and support.

375

376 Soren Simonsen, Jordan River Commission, said he wanted to amend some of the comments he
377 made during the previous public meeting last month. He referenced the document called
378 Blueprint Jordan River, which contains guidelines for development adjacent to the Jordan River,
379 including buffer setbacks. He said that his previous comments related to setbacks, river oriented

380 development, better river function, and preserving wildlife habitats should be applied to both
381 Areas D and A. Mr. Simonsen said that Murray has done a good job working with development
382 near the river providing extensive wildlife buffers and Saratoga Springs was currently doing
383 something similar. He also referenced the book Best Practices for River Front Communities and
384 suggested the City utilize the principles if the annexation was approved. He noted with respect to
385 the proposed River Ranch project that he believes a buffer of 100-150 feet would reasonable
386 depending on the programing and improvements to the space.

387
388 Dalon Hinckley, Cross E Ranch, commented that the well on his property connected to his home
389 had just dried up that week. He said it is a lot of work and takes significant funding to upkeep the
390 farm and expressed that their farm could not afford to not have sewer and water, but also can in
391 no way afford to install the infrastructure necessary without the assistance of a developer willing
392 to install the improvements. He asked the City to include Area D in the annexation update. Mr.
393 Hinckley also spoke on the difficulty with getting timely emergency response to the Ranch,
394 citing a car burglary incident in which response was over one hour from Unified Police
395 Department. He expressed the desire for Cross E Ranch to annex and become a formal part of
396 the North Salt Lake community.

397
398 Commissioner Van Langeveld asked about water use and how they currently obtained water for
399 agricultural use. Dalon Hinckley replied that they have water rights from Jordan River and the
400 North Pointe canal to water the property but the issue is culinary water sources. He said that the
401 issue was providing culinary and sewer water for the public during their venues onsite. They are
402 required to provide bottled water, free of charge, to their guests because they do not have a
403 municipal water source. The three wells on their property provided water to those whose homes
404 are onsite, but that water is low quality and not used as a drinking source but for other household
405 uses.

406
407 Zack Hartman commented that he represents Cross E Ranch as a land use consultant. He spoke
408 on the Inland Port, which was previously the Northwest Quadrant of Salt Lake County. He stated
409 that every area Master Plan completed for the area to date, that the Cross E property and
410 surrounding area have been forgotten and not planned at all. Mr. Hartman said that at this time
411 they are looking for a body that did not have animosity toward the Ranch or surrounding area
412 and would be fair. He felt that the preserving the operations at Cross E Ranch would be a public
413 benefit to the City.

414
415 Angie Keeton said she lives in Foxboro and is a member of the Westpointe Community Council.
416 She has been involved in educating the community about the annexation process. She said even
417 though the plan should not be hedged on the hypothetical development of River Ranch that it
418 was clear the developers drove the conversation. Ms. Keeton said that Foxboro residents feel
419 separated from the rest of the City due to the industrial park, the train line and the highway. She
420 expressed her concern that this new area is further separated by the Jordan River and Legacy
421 Highway. She felt that this would be a barrier to providing a sense of community between the

422 new area and the existing residential areas.. She spoke on the other inherent separations
423 including county lines, schools, etc., and impacts on new residents such as pollution and noise
424 from the airport. Angie Keeton also said to keep in mind that not all of the residents would
425 frequent the businesses on Redwood such as Lee's and that this should not be the driver for
426 development.

427
428 Dorothy Owen commented that she was the Chair of the Westpointe Community Council and
429 that this issue was brought before the Salt Lake County Council three years and turned down.
430 During the second hearing related to the issue the Salt Lake County Council agreed to allow the
431 annexation to proceed for those property owners that wanted to be annexed into North Salt Lake
432 and removing those that had requested to be not included. She expressed concerns that Area D is
433 larger than the area approved by the Salt Lake County Council in their resolution allowing the
434 property owners to petition for annexation.

435
436 Ms. Owen further stated that there were a number of broad planning issues that need to be
437 resolved. The Westpointe Community Council held a webinar related to the annexation and
438 issues in September of 2020. The webinar included representatives from North Salt Lake, Salt
439 Lake County and Salt Lake City, as well as area residents. Ms. Owen said the Community
440 Council had identified their planning process concerns and had generated questions they would
441 like to have addressed. She said they have waited to see what the City and Salt Lake would do to
442 address those questions.

443
444 Chair Knowlton stated that the Planning Commission would not make any recommendations
445 today. He said it was a reasonable request from the Community Council to answer those
446 questions from the webinar held in 2020.

447
448 Dorothy Owen spoke on the concrete and substantive issues related to this development. She said
449 she believed that it would be helpful to the commission for her to read a letter written to Salt
450 Lake County from Chris Wharton. Ms. Owen paraphrased Mr. Wharton's comments that
451 government has a responsibility to protect future residents from negative impacts that will
452 severely limit their quality of life. This included high density incompatibility with this area,
453 particularly with the proximity to the airport.

454
455 Eric Orme commented that he was a property owner in the proposed Area D and while he had
456 culinary water from Salt Lake City, it was not good quality being at the end of the line. He stated
457 that he also spoke with ems personnel and has been warned that the size of the dead-end line he
458 is connected to would not be adequate to save his home in the event of a fire. He also noted that
459 there are many failing septic systems in the area. Mr. Orme said many of his neighbors are in
460 similar situations and he expressed his support of the proposed annexation so that they could live
461 normally and have the same access to services that residents within the City have.

462

463 Allison Musser said she was a property owner on 2200 West and a member of the Westpointe
464 Community Council. She said that it is hard to separate the proposed River Ranch development
465 from the decision to include Area D in the Annexation Policy Plan. Ms. Musser said one of the
466 main issues is the 2200 West infrastructure, as well as general safety and noise impacts. She said
467 she was in favor of the existing residents and Cross E Ranch obtaining water and sewer but is
468 struggling with the proposed development.

469
470 Patty Jensen commented that she lives on 2200 West and that most of the residents in the area
471 chose to live there in a more rural setting because they want to live there and not because they
472 wanted to buy property to later cash out. She said she wants to clear up some misconceptions that
473 had been stated tonight including comments regarding access to emergency services or fire
474 hydrants. Ms. Jensen said that Salt Lake and North Salt Lake had both assisted with fire services
475 in the past during emergencies and the school issue had been resolved by parents advocating to
476 have students bussed by Granite District to the Salt Lake City District. She said the only thing
477 she is in opposition to is the proposed density of the proposed project based on the current status
478 of infrastructure in the area. Chair Knowlton said that the Commission was not considering
479 density of the proposed development at this time.

480
481 Terry Murasco said he is a Salt Lake City resident and former educator. He spoke on how
482 nationally charter schools are underperforming compared to public schools. Mr. Murasco also
483 spoke about clean water supply availability, air quality impacts on the new residents being
484 located close to I-215 and how development considerations should be made that address those
485 impacts.

486
487 Dennis Bangerter commented that he has lived in the proposed area his entire life. He spoke on
488 issues with Salt Lake City including the cost to install a bigger waterline and septic tanks. Mr.
489 Bangerter said he is not opposed to the annexation but felt a lot of work needed to be done
490 related to infrastructure. He mentioned a few parcels on the west side of 2200 West that would
491 become an island unless they were part of the Swaner Development or the City.

492
493 Jack Ray, Utah Waterfowl Association, representing areas near Area D where wildlife is
494 preserved and protected. Mr. Ray felt it is difficult to separate the proposed development with
495 the Annexation Policy Plan update as the financial justification of one depended on the other. He
496 feels that a less dense housing development that fits the rural and environmental character of the
497 area would make the most sense and wondered what the financial analysis would be if the
498 density were reduced..

499
500 Sherrie Pace responded to the comment from Dorothy Owen related to the size of Area D and the
501 size of the annexation petition if the Annexation Policy Plan was approved. She said the
502 resolution from Salt Lake County showed the Cross E Ranch and River Ranch properties as
503 approved in the resolution to seek annexation from the City. Under State law, as Salt Lake
504 County was a county of the first class, there are additional requirements for annexations across

505 county lines. Annexations across a county line with a county of the first class that property
506 owners must first obtain a resolution from the County allowing the annexation petition to be
507 filed. That requirement is specific to the annexation petition only not the Plan. The proposed
508 Area D includes other properties not part of the development proposal as a matter of good
509 planning, so that at a future date the plan will not have to be amended if other property owners in
510 the area wished to see annexation She also clarified that the draft plan did not include any of the
511 financial numbers presented by Bob Springmeyer. The current draft contains the information
512 provided by the City's consultant Lewis Young, but that the City is currently working to provide
513 data from the City's forecasting model software Municast. She believes that data will be more
514 conservative than Mr. Springmeyer's data and likely more optimistic than the Lewis Young data.
515 .

516
517 Commissioner Jorgensen thanked everyone who attended and shared information with the
518 Commission and City.

519
520 Dave Tolman said they would continue to work with the Westpointe Community Council, the
521 City, Salt Lake County, and the other entities there to address the concerns raised. He said he
522 believes this area has been forgotten and appreciated the comments made by Cross E Ranch. Mr.
523 Tolman said that while it is difficult to separate the Annexation Policy Plan update from the
524 proposed development that services would not be extended to the annexation area without the
525 development. He said it was a costly project at \$4 million to install culinary and secondary water
526 and sewer through a loop system.

527
528 Chair Knowlton commented that during the October 12th meeting the Planning Commission
529 would further review this item and potentially make a recommendation to City Council. He
530 reminded those present that the Commission was not the decision making body on this item.
531 Sherrie Pace said once the Commission made a recommendation she would advertise a public
532 hearing likely to be held during the November 16th City Council meeting.

533
534 Commissioner Tucker requested additional information regarding the revenue and expenditure
535 projections compared to the proportional costs currently incurred within the city boundaries..
536 Commissioner Jorgensen clarified that it would be helpful to see the scaling and what the
537 numbers might be. Sherrie Pace said that she will provide that comparison for the Commission .

538
539 **Chair Knowlton closed the public hearing at 9:04 p.m.**

540
541 Commissioner Van Langeveld said that the proposed development may not be appropriate to be
542 part of the policy document but could be an addendum to the document. She said there were
543 several ways to utilize this property including agricultural/business, open space, residential but
544 believes the plan should not reference a specific development proposal. Chair Knowlton said that
545 XCEL Development was looking for some indication on whether it made sense to pursue
546 development.

547

548 Dave Tolman stated that the proposed project could change as part of the annexation process and
549 general development plan review. He commented that at this time the Commission has not had
550 the opportunity to review and comment on the specifics to the development plan. He would like
551 to get an idea of the direction from the City. Chair Knowlton said that the City may not even
552 incorporate Area D into the Annexation Policy Plan. He commented that it makes sense that a
553 certain level of density will be necessary for the developer to go proceed financially with the
554 project especially based on the significant cost of installing infrastructure.

555

556 4. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY
557 PLANNING COMMISSION

558

559 Sherrie Pace reported that at the last City Council meeting the Williamsburg Apartments final
560 plat and site plan were approved. She said they would break ground in the spring.

561

562 5. APPROVAL OF MINUTES

563

564 The Planning Commission meeting minutes of September 14, 2021 were reviewed and approved.

565

566 **Commissioner Jorgensen moved to approve the September 14, 2021 Planning Commission**
567 **minutes as amended. Commissioner Van Langeveld seconded the motion. The motion was**
568 **approved by Commissioners Jorgensen, Knowlton, Larson, Maus, Tucker, Van Langeveld**
569 **and Ward.**

570

571 6. ADJOURN

572

573 Chair Knowlton adjourned the meeting at 9:12 p.m.

574

575 *The foregoing was approved by the Planning Commission of the City of North Salt Lake on*
576 *Tuesday October 12, 2021 by unanimous vote of all members present.*

577

578

579

580

Linda Horrocks, City Recorder