



G R E A T E R S A L T L A K E
**Municipal Services
District**

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File # 30650

General Plan Amendment/Rezone/P-C Zone Plan Summary

Public Body: Salt Lake County Council

Meeting Dates: December 17, 2019 – To be set for hearing

January 7, 2020 – Presentation to County Council Committee of the Whole

January 14, 2020 – Public Hearing

January 28, 2020 – Public Hearing

**Parcel ID's: 26-27-300-001, 26-32-200-004, 26-32-400-001, 26-32-400-002, 26-33-100-001, 26-33-301-001,
26-34-100-001, 26-34-100-002, 26-34-226-001, 26-34-276-015**

Current Zone: A-2 (Agricultural), M-2 (Industrial)

Proposed Zone: PC (Planned Community)

Property Address: approximately 6300-8500 W. and 12400-13100 South

Request: Rezone, General Plan Amendment, Approval of the Planned Community Zone Plan and the associated Development Agreement

Planner: Todd A. Draper, AICP

Planning Commission Recommendation: Approval (with recommended changes)

Planning Staff Recommendation: Approval

Applicant Name: Doug Young on behalf of Olympia Development LLC

PROJECT DESCRIPTION

This application is to rezone approximately 933 acres from A-2 (Agricultural) and M-2 (Industrial) to P-C (Planned Community) in the Southwest community of Salt Lake County. The application was proposed and approved at County Council in May 2018 but ultimately the three ordinances accompanying the application were vetoed by the County Mayor in June 2018. In May 2019 the County Council passed Resolution 5577 establishing parameters of how a revised application would be processed and considered. Revised application materials were provided to the County July 2, 2019 and the revised application was complete when associated review fees were paid on November 13, 2019.

In conjunction with the rezone request, a general plan amendment is required which clarifies the densities, uses and transportation network for the subject property. Chapter 19.69, Planned Community Zone, also requires that applicants submit a P-C zone plan with the rezone application. The P-C Zone plan proposes land uses, residential densities, major infrastructure systems and proposed non-residential space for the property, as well as studies and reports needed to justify the density, commercial space, and overall infrastructure design. The revised P-C zone plan proposal, together with the associated Master Development Agreement (MDA), Transportation Impact Study (TIS), Design Standards, and general plan amendment, were provided to the Council and released to the public for review on December 19, 2019. County's contracted planning and engineering staff and Developer shall each provide a presentation on the revised proposal and associated materials to the Council on January 7, 2020. Public hearings to obtain public comment on the revised proposal and associated materials shall take place on January 14 and 28, 2020.

EXECUTIVE SUMMARY

See attached summary document.

SITE & VICINITY DESCRIPTION (see attached map)

The site is bounded by Kennecott and Suburban Land Reserve to the north, residential subdivisions in Herriman City to the east and northeast, the soon to be developed Dansie property to the south, and Herriman Hwy/Bacchus Hwy to the west and southwest. Addresses range from approximately 6300 to 8500 West and approximately 12400 to 13100 South.

GENERAL PLAN CONSIDERATIONS

As mentioned above, the P-C zone requires a rezone and general plan amendment concurrently when a zone change is requested. The 2008 Southwest Community Plan amendment indicated the subject property should be developed as a planned community, only a minor amendment to that plan is required to accommodate the request—that of the maximum allowable density. The proposed maximum density would be 6.8 units per acre. The plan anticipated over a 5 unit per acre average in the planned community area but did not set a maximum limit. Based on state law requirements, adopted general plans are required to have a transportation and traffic circulation element which is included as part of the general plan amendment.

ISSUES OF CONCERN/PROPOSED MITIGATION

The main issue for County staff is ensuring that the pace of development on the site does not outpace required system improvements to accommodate that development—particularly those improvements that are outside the boundaries of the project, such as roadway improvements across or through adjacent lands and jurisdictions. As part of the revised application the applicant provided an updated Transportation Impact Study (TIS) that was reviewed by an independent consultant for the County. This study identified impacts to the surrounding transportation network and proposed solutions to mitigate or resolve those impacts. As part of the Master Development Agreement (MDA), the Developer is required to provide an updated TIS when each subsequent Community Structure Plan (CSP) is filed with the County, and to pay the proportional cost of off-site roadway infrastructure improvements that are not yet in place.

Design Standards (DS) are also included as an attachment to the MDA. These were developed during the review and approval process rather than at the CSP level to address the concerns of the County Council as stated in

Resolution 5577. These standards set specific requirements for place types and land uses, street network, street types and design, parks, trails, opens space, site design, buildings and architecture, landscape, and sustainability.

One of the concerns addressed in the MDA is parks and open space. Salt Lake County has a standard of 5 acres of park area for each 1,000 residents. The MDA and DS address this issue by requiring a minimum of 20% of the acreage be dedicated to open space and parks. The requirements include a minimum 50-acre regional park, four 10-acre community parks, and many smaller parks and trails. An additional requirement is that a park be located a ¼ mile from every doorstep. Open space will also include stream corridors, trails, and park connectivity.

Another concern is long-term provision of municipal services. Salt Lake County does not intend to be the long-term service provider for the area. The MDA includes provisions that will require municipal incorporation or annexation into a surrounding community. The provisions call for an incorporation/annexation petition to begin by at least 1,500 residential units and the diligent pursuance of the petitions(s). The MDA will also address shortfalls that occur between tax revenue and service provision, with the developer covering the additional costs incurred by the Greater Salt Lake Municipal Services District (MSD) in excess of generated revenues.

NEIGHBORHOOD RESPONSE

Citizen and agency inputs have been received as part of the original proposal, subsequent Open Houses hosted by the Developer, and two Growth Summit series facilitated by the County Council. Input from these sources prior to the resubmittal of the applicant materials is noted and utilized in general as a basis for reviewing the revised application but is not included in detail as part of this report. Any additional public input provided directly to the MSD regarding the revised application will be compiled when received and will be presented to the Council at the Public Hearings in January.

PLANNING COMMISSION RESCOMMENDATION

Regarding the general plan amendment: The planning commission recommended approval as drafted and proposed by the planning staff.

Regarding the proposed rezone and P-C zone Plan: The planning commission recommended approval of the rezone and P-C zone plan, subject to the following:

1. The building height limits in the Town Center and Institutional districts should be changed from "N/A" to "To be determined through the Community Structure Plan or Project Plan approval process."
2. The development agreement entered into between the County and the developer should place the responsibility on the developer to ensure that infrastructure system upgrades, including transportation, storm drainage, water, and sewer (both on and off-site) are constructed.
3. The development agreement should require that the timing of critical infrastructure improvements is such that development does not outpace the installation of the needed improvements, meaning that improvements are installed concurrently with the phase(s) of development causing the need for said improvements.
4. The development agreement should also address the need for municipal service provision to the properties as agreed upon by the Municipal Services District.
5. The development agreement should require that a plan be in place regarding the future governance of the property through either annexation or incorporation.
6. The water availability should be confirmed by the Jordan Valley Water Conservancy District before the County Council takes action on the rezone.

REVIEWING AGENCIES RESPONSE

Jordan Valley Water Conservancy District reviewed the original development plans. It is our understanding that they have the capacity to provide water to the development, but have not committed to an approval in writing, because that commitment is generally based on specific plans rather than at the rezoning stage. (See attached letters)

South Valley Sewer District states that they can provide service to the site, but that their system would need some upgrades and the western portion of the property would need to be annexed into their service district. (See attached letter)

The County Engineer reviewed initial plans, and recommended approval of the rezone, with the recommendation that detailed storm drainage plans need to be reviewed and compared to the master storm drain plans as each phase of development is proposed. This would be completed as part of the CSP review and approval prior to reviewing and approving of individual subdivision plats.

The developer's TIS provides off-site mitigation resulting from traffic impacts related to the development. The TIS was reviewed by Avenue Consultants for the County, and proposed mitigation was acceptable to County staff. The MDA indicates that mitigation is the responsibility of the developer for all on-site transportation improvements and its proportionate share of off-site transportation improvements.

Other County agencies that reviewed the plan indicated that their concerns are addressed as part of the MDA or will be addressed in whole or in part at later stages of the development process when specific designs of projects and subdivisions are submitted for review.

PLANNING STAFF ANALYSIS

There are three components of this application: the general plan amendment, the rezone, and the P-C zone Plan/associated MDA. The general plan amendment basically accommodates the P-C zone plan process by removing reference to a specific density (allowing the county council to set the density through the rezone process) and by updating the general plan to include a section on transportation.

The rezone decision is based on whether the Council is satisfied that the reports and studies submitted by the applicant sufficiently show that the requested amount of development can be accommodated on the property in line with the intents and purposes of the General Plan. Based on the materials submitted, it appears that the amount of proposed development can be accommodated if the report recommendations are followed. It is important that the development agreement approved by the Council and the subsequent Community Structure Plan(s) ensure that the required improvements are provided for the infrastructure to service the property and to avoid negative impacts on neighboring communities.

The third element that requires approval is the Master Development Agreement (MDA). The MDA has been negotiated through a collaborative process with the Developer, expert Consultants, the County, and the Municipal Services District. Staff is comfortable that the agreement provides adequate provisions to ensure that development is orderly and will adequately address impacts to the surrounding community through steps that are tied and timed directly to the increase in development activities on the property. Furthermore, the MDA provides detailed standards that address the quality of the development on the site including; roadway connectivity, building and architectural design, site layout, parking, landscaping, and the provision of parks, trails and open space.

PLANNING RECOMMENDATION

Regarding the general plan amendment: The planning commission recommended approval as drafted and proposed by the planning staff.

Regarding the proposed rezone: The planning commission recommended approval of the rezone and P-C zone plan, subject to the following:

1. The building height limits in the Town Center and Institutional districts should be changed from "N/A" to "To be determined through the Community Structure Plan or Project Plan approval process."
2. The development agreement entered into between the County, the developer, and the MSD should place the responsibility on the developer to ensure that infrastructure system upgrades, including transportation, storm drainage, water, and sewer (both on and off-site) are constructed.
3. The development agreement should require that the timing of critical infrastructure improvements is such that development does not outpace the installation of the needed improvements, meaning that improvements are installed concurrently with the phase(s) of development causing the need for said improvements.
4. The development agreement should also address the need for municipal service provision to the properties as agreed upon by the Municipal Services District (MSD).
5. The development agreement should require that a plan be in place regarding the future governance of the property through either annexation or incorporation.
6. The water availability should be confirmed by the Jordan Valley Water Conservancy District before the County Council takes action on the rezone.

Regarding the proposed Master Development Agreement (MDA): Planning Staff recommends approval as drafted, inclusive of all attached exhibits.