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RESOLUTION NO. 5577 May 21, 2019

A FINDINGS OF FACT RESOLUTION BY THE SALT LAKE COUNTY COUNCIL PROVIDING THAT OLYMPIA LAND LLC MAY SUBMIT A REVISED APPLICATION

WITNESSETH

WHEREAS, Olympia Land LLC ("Developer") filed application number 30650 for general plan amendment and to rezone property to a PC Zone, dated February 5, 2018, for 931.8 acres of property described in the application and owned by The Last Holdout, LLC;

WHEREAS, on May 16, 2018, the Salt Lake County planning commission ("planning commission") recommended approval of the application for general plan amendment, application to rezone property to the PC Zone, and the associated PC Zone plan;

WHEREAS, on June 5, 2018, the Salt Lake County Council ("Council") passed a motion to adopt the following ordinances: 1) ordinance amending the Southwest Community General Plan, 2) ordinance rezoning property described in Application #30650 to the PC Zone, with the associated revised Master Development Agreement, and 3) ordinance approving a PC Zone Plan and the associated revised Master Development Agreement;

WHEREAS, on June 20, 2018, the Salt Lake County Mayor ("Mayor") vetoed all three ordinances referenced in the preceding paragraph;

WHEREAS, the Council did not exercise its right to override the Mayor's veto, as allowed by the Optional Plan for Salt Lake County Government, Section 2.10(9);

WHEREAS, the Mayor vetoed the ordinances pursuant to his executive duties, as outlined in Utah Code Section 17-53-302(12). The veto was not a legislative decision denying the application but an executive decision rejecting the ordinances that the Council adopted.

WHEREAS, the veto was not a final decision of the County on the application; neither County ordinance nor State law allows for an appeal of a veto of County ordinances;

WHEREAS, the Mayor's veto was a veto of three legislative ordinances; it was not a veto of the entire application or a denial of the same;

WHEREAS, the Mayor's veto resulted in the matter returning to the point in time before the Council's motion approving the three ordinances passed; the veto resulted in a failed motion;

WHEREAS, since the planning commission's May 16, 2018 recommendations, the Mayor's veto and residents expressing concerns, the Council committed to ask more questions and gather more information on growth in the greater Salt Lake County ("SLCO"), with added attention to transportation, water, power, sewer and air quality while balancing rapid population growth in SLCO, lack of affordable housing, and planning for parks/trails/open space for projected growth;

WHEREAS, in response to these concerns, the Council sponsored a two-part Growth Summit series. The first installment was held during the summer/fall of 2018 over a 3 month period and invited the following persons to address the following issues (among others): the Kern C. Gardner Policy Institute: Population Growth (July 10, 2018); Housing Gap Coalition: Affordable Housing (July 17, 2018); Wasatch Front Regional Council: Transportation Planning (July 31, 2018); Central Water Conservancy District: Water Infrastructure Planning (August 7, 2018); Utah Department of Transportation: Transportation Planning (August 21, 2018); Rocky Mountain Power: Energy Infrastructure Planning (August 28, 2018); Utah Clean Air Partnership: Air Pollution (September 11, 2018); Utah Transit Authority: Transit Planning (September 18, 2018); South Valley Sewer District: Sewer Infrastructure Planning (September 25, 2018); Salt Lake County Parks & Recreation: Parks, Trails, and Open Space Planning (October 9, 2018); Salt Lake County Regional Transportation, Housing, & Economic Development: Long-Range Regional Planning for Salt Lake County (October 16, 2019); Utah State University: Proposed Agricultural Center for the subject property (October 23, 2018); and Horrocks Engineering: Regional Transportation Study of Impacts of Olympia Project (October 30, 2018);

WHEREAS, the Council held a second installment of the Growth Summit series in April and May of 2019, broadcasting LIVE on Facebook for residents and elected officials to watch and gather the information at their convenience. The following persons addressed the following issues (among others): Salt Lake County Regional Transportation and Development – Oquirrh View Existing Conditions Study (April 23, 2019); Daybreak – Planned Communities and UDOT update on Southwest road infrastructure (April 30, 2019); and Silicon Slopes – The Tech Industry and Planned Communities (May 7, 2019);

WHEREAS, it is not uncommon for a developer, after planning commission hearings where public input is received, to revise its application to address public concerns before going before the legislative body;

WHEREAS, the Mayor is responsible for processing land use applications, including revisions thereto, and to execute a development agreement;

WHEREAS, the Council is responsible for hearing rezone applications, and if there are associated development agreements upon which rezoning property is conditioned, the Council approves such agreements;

WHEREAS, returning to the point in time before the failed motion by the Council, the Council now has the following options under Salt Lake County Ordinance 19.90.030 with respect to the planning commission's May 16, 2018 recommendations: alter planning commission recommendations, deny planning commission recommendations, or remand to planning commission for further review and consideration;

NOW THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Council makes the following findings from the Growth Summit series related to development of SLCO:
  - a. **SLCO Buildable Acres:** SLCO currently has only 33,000 buildable acres.
  - b. **Developable Land in SLCO:** 85% of the available/developable land that's left for future growth in SLCO is on the west side of SLCO.

- c. **2017 SLCO Population:** SLCO population in 2017 was 1.13 million. Population growth included natural increase, which accounted for 10,630 new residents or 55% of growth, while 8,742 residents from net migration accounted for 45% of new residential growth.
- d. **2017 Housing Shortage:** In 2017 along the Wasatch Front, 111,455 housing units were built, while 162,288 new households were created, yielding a housing shortage of 50,833 housing units.
- e. **High Retail Leakage:** Retail leakage occurs when residents travel outside of an area to purchase goods and services. The lack of retail centers/services result in area residents travelling outside of the area for basic services, and therefore adding more traffic, losing sales tax/tax base for cities, and lowering the quality of life for residents.
- f. **SLCO Growth:** 78% of 185,776 new residents in SLCO in 2017 resided west of Bangerter Highway.
- g. **12600 South (from Mountain View Corridor to Bangerter Highway):** This section of 12600 South will not accommodate *current* or future traffic without mitigation. Currently 80,000 cars travel this roadway segment each day.
- h. **UDOT Planned Road Infrastructure for Southwest SLCO:** The following projects will alleviate much of the current east/west congestion in Southwest SLCO, creating 50% more UDOT green-rated travel upon completion of the projects:
  - i. Bangerter Highway Interchanges 6200, 10400 and 12600 South  
Cost: \$184 million. Completion Date: 2021
  - ii. Mountain View Corridor – 4100 South to SR 201  
Cost: \$355 million. Completion Date: 2021
  - iii. 5600 West SR201 to I-80, 2 lane to 5 lane  
Cost: \$71.6 million. Completion Date: 2020
  - iv. Porter Rockwell Bridge – 1-15 Connection to 14600 South  
with connection to Redwood Road and Mountain View Corridor (5 lanes)  
Cost: \$50 million. Completion Date: 2022
  - v. 9000 South Widening – I-15 to Redwood Road (5-7 lanes)  
Cost: \$34 Million. Completion Date: 2022
  - vi. R111; 7600 South Bridge – Widen Five Lanes  
Cost: 5.2 million. Completion Date: 2022
- i. **Link economic development with transportation/housing decisions.** It is important to do the following: Create city centers that are planned well, which make density more acceptable to communities. Create/move jobs closer to home and transit for better air quality and quality of life. Build multi-family housing along mass transit routes, allowing residents access to more jobs closer to home and decreasing need for individual transportation.
- j. **Planned Communities designed for residents to “Live, Work, Play” is a major consideration for businesses looking to locate or expand in SLCO.** Given the current housing gap in SLCO – needed housing versus available housing – it is crucial for the residents of SLCO to have access to housing options that allow them to live in the community where they work.
- k. **Communities can design their Community to attract or detract from transit.** If good transit ridership is a goal for a community then it must plan for it now.

1. **Lack of road connectivity** has funneled traffic to major arterials for the majority of resident trips.
- m. **Density has become a flashpoint for future developments because some Developers have not done it well.**
2. Developer may present a revised proposal to the Salt Lake County Council by filing with the County Planning & Development Services Division a revised application with any revisions to its original application that it requests the County Council to consider;
3. The revised application shall be processed consistent with County Ordinances and State law;
4. To the extent additional agency review is required, additional review fees will be charged to Developer in accordance with the Council approved Planning and Development Services Fee Schedule;
5. The Council requests that the Mayor and Developer renegotiate the master development agreement if Developer chooses to submit a revised application for the Council's review. The Council asks that the following parameters be pursued in the master development agreement:
  - a. Complete streets
  - b. Street Connectivity, with many options beyond collector streets including small streets and smaller blocks, where streets *connect* versus *collect*
  - c. Plans for infrastructure and commitment for transportation, water and sewer
  - d. Minimum Open Space for Development 10%, with minimum Open Space and Common Area (as both are defined in the P-C Zoning Ordinance) totaling 20%
  - e. Mix of housing types within neighborhoods, including for various ages and price points
  - f. Mix of Housing options – with incentives for Affordable Housing and Rent/Buy
  - g. Design standards in the following areas:
    - i. Community wide (place making, centers, parks, trails and street connectivity)
    - ii. Site design (parking, building placement, walks, landscaping, lighting and signs)
    - iii. Architecture (basic massing, not uniform “cookie cutter”, doors, percentage of glass, mixture of architecture in residential and commercial construction)
    - iv. Design that encourages communities - not neighborhoods
    - v. Parking as a supportive element - not the central design
    - vi. Street parking
    - vii. Sustainable and energy-efficient design features
    - viii. Design standards review committee
  - h. Work with UTA and UDOT on future road alignments for long-term population growth
  - i. Multi-family residential areas clustered around Town Centers and Villages
  - j. Place holders for Transit right of ways, trail systems, schools and churches
  - k. Plan road connectivity to adjacent neighborhoods within and outside the planned community.
  - l. Transition edges of development to be compatible with adjoining communities
  - m. Incentives for meeting development standards and/or penalties for not meeting development standards
  - n. Parameters that the Mayor deems necessary before agreeing to execute the master development agreement


APPROVED and ADOPTED this 21 day of May, 2019.

SALT LAKE COUNTY COUNCIL:

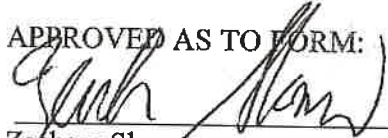
By:   
Richard Snelgrove, Chair

Date: 5/21/19

ATTEST:

  
Sherrie Swensen  
Salt Lake County Clerk

APPROVED AS TO FORM:

  
Zachary Shaw  
Deputy District Attorney

Date: 5-16-19

Council Member Bradley voting	<u>"Aye"</u>
Council Member Bradshaw voting	<u>"Aye"</u>
Council Member Burdick voting	<u>Absent</u>
Council Member DeBry voting	<u>Absent</u>
Council Member Ghorbani voting	<u>"Aye"</u>
Council Member Granato voting	<u>"Aye"</u>
Council Member Jensen voting	<u>"Aye"</u>
Council Member Newton voting	<u>"Aye"</u>
Council Member Snelgrove voting	<u>"Aye"</u>