

MEMORANDUM TO SALT LAKE CITY COUNCIL

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**TO:** City Council Chair Mano  
City Council Vice Chair Petro

**DATE:** August 2023

**FROM:** Salt Lake City Records Office  
Thais Stewart, Deputy City Recorder – Operations   
Cindy Lou Trishman, City Recorder 

**CC:** Rachel Otto, Chief of Staff  
Blake Thomas, Community & Neighborhood Department Director  
Laura Briefer, Public Utilities Department Director  
Bill Wyatt, Airport Department Director  
Chris Donoghue, City Surveyor  
Nick Norris, Planning Division Director  
Katherine Lewis, City Attorney

**SUBJECT:** City-Initiated Annexation Update

Pursuant to the Legislative Intent outlined in the motion denying the Annexation Petition/Application titled Legacy Business Park (PLNPCM2022-00937), the City Recorder's office has compiled the next steps as outlined in UCA 10-2-418, for a City-Initiated Annexation of the area located near the northwest City boundary lines near 2200 West and 3200 North.

**Proposed Next Steps:**

1. City Council: Consider a resolution for the annexation (a proposed map and resolution have been included as Exhibit A)
2. Optional: Planning Commission input and public hearing on zoning considerations for the area
3. Recorder's Office: Send a letter to North Salt Lake City identifying the area planned for annexation and request determination from their leadership due to the overlapping territory of the Annexation Plans of Salt Lake City and North Salt Lake City
4. City Council: Set the date for the public hearing
5. Recorder's Office: Complete the noticing for the annexation request and subsequent public hearing and protest period (if the resolution is adopted noticing must start 14 days after the adoption and at least 3 weeks before the public hearing)
  - a. Protest period begins when the notice is published and ends the day of the public hearing
6. City Council: Conduct the Public Hearing
7. City Council: Consider adoption of an ordinance identifying the zoning and confirming the desired annexation area
8. Recorder's Office: If adopted, submit documents and ordinance to the Lieutenant Governor's Office and complete other notification steps

**Background:**

The following steps have taken place since the April 3<sup>rd</sup>, 2023, memorandum:

1. The boundary map was updated to include properties within the proposed Northpoint Small Area Plan.
2. Community Open House held on May 11<sup>th</sup> at the Regional Athletic Complex to inform property owners and answer questions regarding the annexation process.
3. Informational letter distributed to property owners
4. Salt Lake County verified requirements of §10-2-418(2) have been met to move forward with a City-led annexation without a petition.

Note: The City Recorder's office has been contacted by a property owner currently working towards the annexation of their properties into North Salt Lake and Davis County. Salt Lake County approved this move prior to the timing of this request and there is no expiration to that approval. The property owner has requested the City consider removing their parcel from the annexation area on behalf of Salt Lake City.

**Exhibits:**

- A. Proposed resolution
- B. Draft of the public hearing notice

# Exhibit A: Proposed Resolution

RESOLUTION NO. \_\_\_\_\_ OF 2023

RESOLUTION OF INTENT TO ANNEX CERTAIN UNINCORPORATED PROPERTIES  
NORTH-NORTHEAST OF THE SALT LAKE CITY INTERNATIONAL AIRPORT AND  
NEAR THE SALT LAKE COUNTY BORDER WITH DAVIS COUNTY  
PURSUANT TO UTAH CODE SECTION 10-2-418

WHEREAS, Utah Code Section 10-2-418 allows a municipality to annex unincorporated areas without an annexation petition under certain circumstances; and

WHEREAS, some owners of real property north of 2100 North Street and adjacent to 2200 West Street in unincorporated Salt Lake County near the Salt Lake County-Davis County border (the “Properties”) have expressed interest in annexing their land into Salt Lake City’s corporate limits; and

WHEREAS, collectively, the Properties are contiguous to the corporate limits of Salt Lake City and are identified within an expansion area described as “Study Area 1 - West Airport” in the city’s annexation policy plan titled, “A MASTER ANNEXATION POLICY DECLARATION for Salt Lake City, Utah” adopted in 1979 and as shown on the map accompanying that plan titled, “SALT LAKE CITY Annexation Policy Declaration Proposed Future Boundaries”; and

WHEREAS, a majority of the area consists of residential or commercial development with fewer than 800 residents; and

WHEREAS, in addition to the privately-owned land in the proposed annexation area, over 200 acres of the Properties are owned by Salt Lake City Corporation, the majority of which was acquired through federal grants for such land to be used for airport purposes; and

WHEREAS, the Properties constitute an unincorporated peninsula, as that term is defined in Utah Code Section 10-2-401; and

WHEREAS, Salt Lake County Council approved an annexation near Rose Park Lane with the contingency that Salt Lake City make efforts to annex all of the unincorporated areas to the west and north of the Property; and

WHEREAS, most of the area in the proposed annexation have received some Salt Lake City municipal-type services for many years and continue to receive those utility services; and

WHEREAS, as part of an effort by private property owners to annex a portion of the Properties into North Salt Lake City in recent years, North Salt Lake City amended its annexation policy plan in 2021 to include some of the proposed annexation areas into that city's proposed expansion area; and

WHEREAS, some owners who sponsored the effort to annex into North Salt Lake City are now supportive of annexing into Salt Lake City's corporate boundaries; and

WHEREAS, Utah Code Subsection 10-2-418(2) requires that unincorporated areas that are within the expansion areas of more than one municipality must receive the consent of all other municipalities whose annexation policy plans include the subject area in their respective expansion areas in order to annex the area; and

WHEREAS, in pursuing its intent to annex the Properties, Salt Lake City acknowledges that it must receive the consent of North Salt Lake City before annexation of the Properties can be completed; and

WHEREAS, because the Properties are within Salt Lake City's expansion area in its 1979 annexation policy plan and because the Properties are collectively congruous to Salt Lake City corporate limits, the Salt Lake City Council finds that adopting this resolution of intent to annex the Properties identified in Exhibit A hereto is in the city's and private property owners' best interests.

NOW, THEREFORE, be it resolved by the City Council of Salt Lake City, Utah:

That Salt Lake City intends to pursue annexation of approximately 463.25 acres into Salt Lake City pursuant to Utah Code Section 10-2-418.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

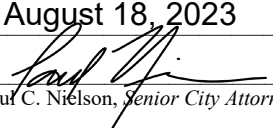
SALT LAKE CITY COUNCIL

By: \_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Resolution intent to annex properties per 10-2-418

<b>APPROVED AS TO FORM</b> Salt Lake City Attorney's Office Date: <b>August 18, 2023</b> By:  Paul C. Nielson, Senior City Attorney
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# Exhibit B: Draft Public Hearing Notice



**SALT LAKE CITY CORPORATION  
SALT LAKE CITY COUNCIL  
NOTICE OF HEARING**

**NOTICE IS HEREBY GIVEN THAT ON** [date resolution gets adopted] the Salt Lake City Council adopted Resolution \_\_\_ of 2023 indicating the intent to annex the unincorporated properties North-Northeast of the Salt Lake City International Airport and near the Salt Lake County border with Davis County pursuant to UCA 10-2-418. A public hearing will be held by the City Council to accept comments regarding the proposed annexation.

**Date:** (notice must be published within 14 days of the adoption of the resolution and give at least a 3-week notice to the public hearing)

**Time:** 7:00 PM

**Location:** 451 South State Street, Room 326, Salt Lake City, Utah

The municipal legislative body will annex the area unless written protests to the annexation are filed in the City Recorder's office by the owners of private real property that:

- (A) is located within the area proposed for annexation;
- (B) covers a majority of the total private land area within the entire area proposed for annexation; and
- (C) is equal in value to at least 1/2 the value of all private real property within the entire area proposed for annexation

All persons interested and present will be given an opportunity to be heard in this matter. This meeting will be held via electronic means, while also providing an in-person opportunity to attend or participate in the hearing at the City and County Building. For more information, including electronic connection information, please visit [www.slc.gov/council/virtual-meetings](http://www.slc.gov/council/virtual-meetings) or call 801-535-7654.

Comments may also be provided by calling the 24-Hour comment line at (801)535-7654 or sending an email to [council.comments@slcgov.com](mailto:council.comments@slcgov.com). All comments received through any source are shared with the Council and added to the public record.

The proposed legislation is available for review through the following methods, using file number **Z [assigned file number]**:

- Electronically: <https://tinyurl.com/proposedleg>
- Physical Copy: Salt Lake City Recorder's Office

Published: [date published], Utah Public Notice Website.

**KEEP POSTED UNTIL [date of hearing]**







# MEMO - City Initiated Annexation August 2023

Final Audit Report

2023-08-21

Created:	2023-08-21
By:	Thais Stewart (thais.stewart@slcgov.com)
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## "MEMO - City Initiated Annexation August 2023" History

-  Document created by Thais Stewart (thais.stewart@slcgov.com)  
2023-08-21 - 6:28:05 PM GMT
-  Document emailed to Cindy Trishman (cindy.trishman@slcgov.com) for signature  
2023-08-21 - 6:29:24 PM GMT
-  Document e-signed by Cindy Trishman (cindy.trishman@slcgov.com)  
E-signature obtained using URL retrieved through the Adobe Acrobat Sign API  
Signature Date: 2023-08-21 - 7:02:58 PM GMT - Time Source: server
-  Agreement completed.  
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