



## MEMORANDUM

TO: AVENUE CONSULTANTS  
Thomas McMurtry  
Kirby Snideman

FROM: INFRASTRUCTURE RESEARCH, LLC  
Spencer Guthrie  
Maile Rogers

DATE: December 31, 2025

SUBJECT: Cost Estimates to Support Millcreek Transportation Utility Fee Calculation

This memorandum provides cost estimates to support an initial Millcreek transportation utility fee (TUF) calculation. The cost estimates are based on prices for pavement maintenance and snow removal provided by Millcreek personnel, a discount rate of 2.3 percent (corresponding to the 30-year real discount rate published by the Office of Management and Budget in 2024), an assumed baseline pavement deterioration curve, assumed pavement life extensions for specific treatments based on the pavement condition at the time of treatment application, an analysis period of 60 years to include at least two pavement performance periods, and consideration of pavement grades below and above 6 percent for collectors and local roads.

Although Millcreek personnel originally requested evaluations of costs for maintaining average network pavement condition indices (PCIs) of 65 (similar to the reported current average network PCI), 70, and 75, initial analyses indicated that lower costs would be achieved by maintaining an average network PCI of 70 rather than 65 (pavements in better condition are eligible for more cost-efficient treatments). Values of 70 and 75 were therefore evaluated as shown in Table 1. Escalators (to account for potential increases in the price of asphalt over time, for example) are not included in these cost estimates.

Table 1. Estimates of Annual Costs for Pavement Maintenance

Target Average PCI Value	Grade	Street Class	Estimated Pavement Surface Area (SF)	Estimated Annual Cost (\$/SF)	Estimated Annual Total Cost (\$)	Estimated Annual Grand Total Cost (\$)
70	<6%	Collector	4,875,732	\$ 0.17	\$ 828,874	\$ 4,164,761
		Local	17,991,270	\$ 0.15	\$ 2,698,691	
	>=6%	Collector	513,927	\$ 0.25	\$ 128,482	
		Local	2,422,449	\$ 0.21	\$ 508,714	
75	<6%	Collector	4,875,732	\$ 0.18	\$ 877,632	\$ 4,687,069
		Local	17,991,270	\$ 0.16	\$ 2,878,603	
	>=6%	Collector	513,927	\$ 0.35	\$ 179,874	
		Local	2,422,449	\$ 0.31	\$ 750,959	

The estimated cost of snow removal is presented in Table 2. This cost may vary by year depending on the amount of snowfall that occurs.

Table 2. Estimates of Annual Costs for Snow Removal

Estimated Pavement Surface Area (SF)	Estimated Annual Cost (\$/SF)	Estimated Annual Total Cost (\$)
25,803,378	\$ 0.08	\$ 2,064,270

Based on the average PCI value of 64 reported for Millcreek in 2025, a maintenance backlog exists. Indeed, achieving a target average network PCI value of 70 or 75 would require the equivalent of reconstructing 16.7 percent or 30.6 percent, respectively, of the pavement network. However, as highlighted by earlier analyses performed by Avenue Consultants, the reported average PCI value may not be reliable. Furthermore, the prices for pavement maintenance provided by Millcreek personnel appear to be conservative, suggesting that less funding than that listed in Table 1 may actually be required. Finally, the estimated costs associated with pavement maintenance and snow removal may already require a maximum tolerable TUF. For these reasons, use of the cost estimates provided in Tables 1 and 2 is recommended to support an initial Millcreek TUF calculation.



**A PROCLAMATION OF THE MILLCREEK COUNCIL RECOGNIZING  
MILLCREEK'S FIRST DECADE AS A CITY**

**WHEREAS**, Millcreek was inhabited for centuries by Ute, Goshute, and Northern Shoshone indigenous peoples, became home to Mormon pioneers beginning in 1848 who constructed lumber and grist mills to harness the energy of Mill Creek, and grew to include diverse peoples from all around the world, including the largest early settlement of African-American pioneers in Utah; and

**WHEREAS**, this area was governed as unincorporated Salt Lake County from 1850-2016, and supported by the Millcreek Community Council, East Mill Creek Community Council, Canyon Rim Citizens Association, and Mt. Olympus Community Council; and

**WHEREAS**, on November 3, 2015, 66% of area residents voted to incorporate as a city; and

**WHEREAS**, on December 28, 2016, at 9:30 AM, first Mayor Jeff Silvestrini had the Articles of Incorporation certified by Utah Lt. Governor Spencer Cox's office to officially create Millcreek, a Utah Municipal Corporation; and

**WHEREAS**, the newly incorporated city has grown and prospered in its first decade, master-planned and built a city center; improved roads; launched a Promise Program; and added parks, trails, and open space, including Millcreek Common; and

**WHEREAS**, the City Council desires to celebrate the achievements of the City's first decade.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Council, on behalf of the people of Millcreek, officially recognizes the City's first ten years and proclaims the year 2026 to be a celebratory year marking the Millcreek Decennial. May this milestone year be a special time to strengthen the City we love, improve what we can, and imagine what comes next.

**ADOPTED** on this the 12<sup>th</sup> day of January, 2026.

By: \_\_\_\_\_  
**Cheri Jackson, Mayor**

Attest: \_\_\_\_\_  
**Elyse Sullivan, City Recorder**

## Millcreek City Council

Cheri Jackson, Mayor  
Silvia Catten, District 1  
Thom DeSirant, District 2  
Nicole Handy, District 3  
Bev Uipi, District 4



## Millcreek City Hall

1330 East Chambers Avenue  
Millcreek, Utah 84106  
801-214-2700  
millcreekut.gov

### STAFF MEMORANDUM

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**Date:** January 12, 2026

**Re:** Subdivision Vacation -The Woods at Rosecrest P.U.D.  
Subdivision

**Property Address:** 2477 East 3225 South (approx.)

**Zone:** R-1-6

**Applicant:** Woods at Rosecrest Homeowner's Association

**Prepared By:** Brad Sanderson, Current Planning Manager

**Scope of Decision:** This is a legislative matter, to be decided by Millcreek City Council. Your Decision should consider "good cause" as well as those who may be directly impacted by the outcome of your decision.

### REQUEST AND SYNOPSIS:

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Nan Bassett, on behalf of The Woods at Rosecrest Homeowner's Association, along with several other property owners, have filed an application, or ("Petition"), seeking approval vacate and remove the "Planned Unit Development (P.U.D.)" & "Open Space" designations and vacate and remove lots 1, 2, & 10 from "The Woods at Rosecrest P.U.D. Subdivision, the as follows:

### BACKGROUND:

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The Woods at Rosecrest P.U.D. Subdivision was originally approved in 2014 as a Planned Unit Development by means of a Subdivision and Conditional Use Permit application, by the Millcreek Township Planning Commission; the approval was done prior to Millcreek's incorporation as a city.

The Subdivision (less and excepting Lot 10) was recently rezoned in September 2025, from the R-1-8 Zone to the R-1-6 Zone which allows the zoning and actual lot sizes (7,000 +) to better coincide with each other. The purpose for the rezone was to eventually amend the subdivision as stated above.

Following the rezone approval, a second public meeting was held in November 2025, whereupon the Planning Director, acting as the Land Use Authority with respect to the subdivision amendment,



considered public comment and found good cause to approve the proposed amendments to the subdivision.

## FINDINGS:

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1. As of a recent 2025 Millcreek Code update, “The Planning Director can now review, and approve Subdivision Amendment for Minor Plat Adjustments. The Planning Director shall allow such modifications according to the criteria listed within this Section [MKZ 18.15.020.D.4]”.
2. Utah Code Section 10-20-812.(1) provides in part, that the Land Use Authority may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the Land Use Authority finds that a.) there is good cause for the vacation or amendment and b.) no public street or municipal utility easement has been vacated or amended.
3. No public street or municipal utility easement has been vacated or amended.
4. As the Land Use Authority, the Planning Director found good cause to vacate, amend and remove those items, as proposed, based on the following findings:
  - a. Millcreek Code has since been revised and updated, thus removing Planned Unit Developments from the Millcreek Code and,
  - b. The property has since been rezoned whereby all lots within the subdivision now meet the minimum lot size requirements of the newly established underlying zone and,
  - c. The open space as required by the original approval was insufficiently sized and poorly located whereupon the adjacent landowner of Lot 8, with further consensus and approval of the HOA, has agreed to assume ownership and maintenance of said open space area by absorbing through property consolidation, the previously designated open space parcel and,
  - d. All owners have agreed that Lots 1, 2, & 10 do not functionally utilize any of the private infrastructure or facilities and thereby have little to no reason to further participate or remain within or be a part of The Woods at Rosecrest PUD Subdivision and HOA
5. Utah Code Section 10-20-812.(3) provides in part that a legislative body may vacate a subdivision or a portion of a subdivision by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated.

## CONCLUSIONS:

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1. A subdivision, or portion thereof, may be vacated administratively by plat as long no public street or municipal utility easement is being vacated or amended, and good cause exists.
2. A subdivision, or portion thereof, may also be vacated legislatively by ordinance by means of the same standards.
3. Due to some ambiguity or interpretation of Utah Code, it is proposed that the subdivision, or portion thereof, be vacated by both plat and by ordinance by the Land Use Authority and Legislative Body.
4. The Land Use Authority found that no public street or municipal utility easement is being vacated or amended, and good cause exists.

5. All owners of property within the subdivision originally filed an affidavit or “petition” to amend the plat as proposed. Individual owners of Lots 1, 2, & 10 as well as representatives of the HOA, have each filed a separate affidavit for the expressed purpose of removing lots 1,2, & 10 from the Woods at Rosecrest Subdivision as proposed and depicted within the attached plat amendment.
6. Staff has reviewed the proposed plat amendment and vacation and found the proposal to comply with all other applicable requirements of the Millcreek Code, Utah Code Section.

## PLANNING STAFF RECOMMENDATIONS

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### Millcreek Staff:

Based on the findings and conclusions listed above, Staff recommends that the City Council take comments at a public hearing and approve an ordinance vacating and removing the “Planned Unit Development (P.U.D.)” & “Open Space” designations and vacate and remove Lots 1, 2, & 10 from “The Woods at Rosecrest P.U.D. Subdivision, as proposed.

## SUPPORTING DOCUMENTS

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- Zoning/Location Map
- The Woods at Rosecrest PUD Subdivision Plat (recorded 2014)
- The Woods at Rosecrest Subdivision Plat Vacation and Amendment (proposed)
- Ordinance Vacating and Amending portions of The Woods at Rosecrest PUD Subdivision



# Zoning Map



Lambourne Ave

Lambourne Ave

Two-Household Residential (R-2-8)

Single-Household

Subject Area

Walnut Park Cir

Young Haven Cir.

Harmony Cir.

3225 S

3225 South

3225 S

3225 S

Single-Household Residential (R-1-8)

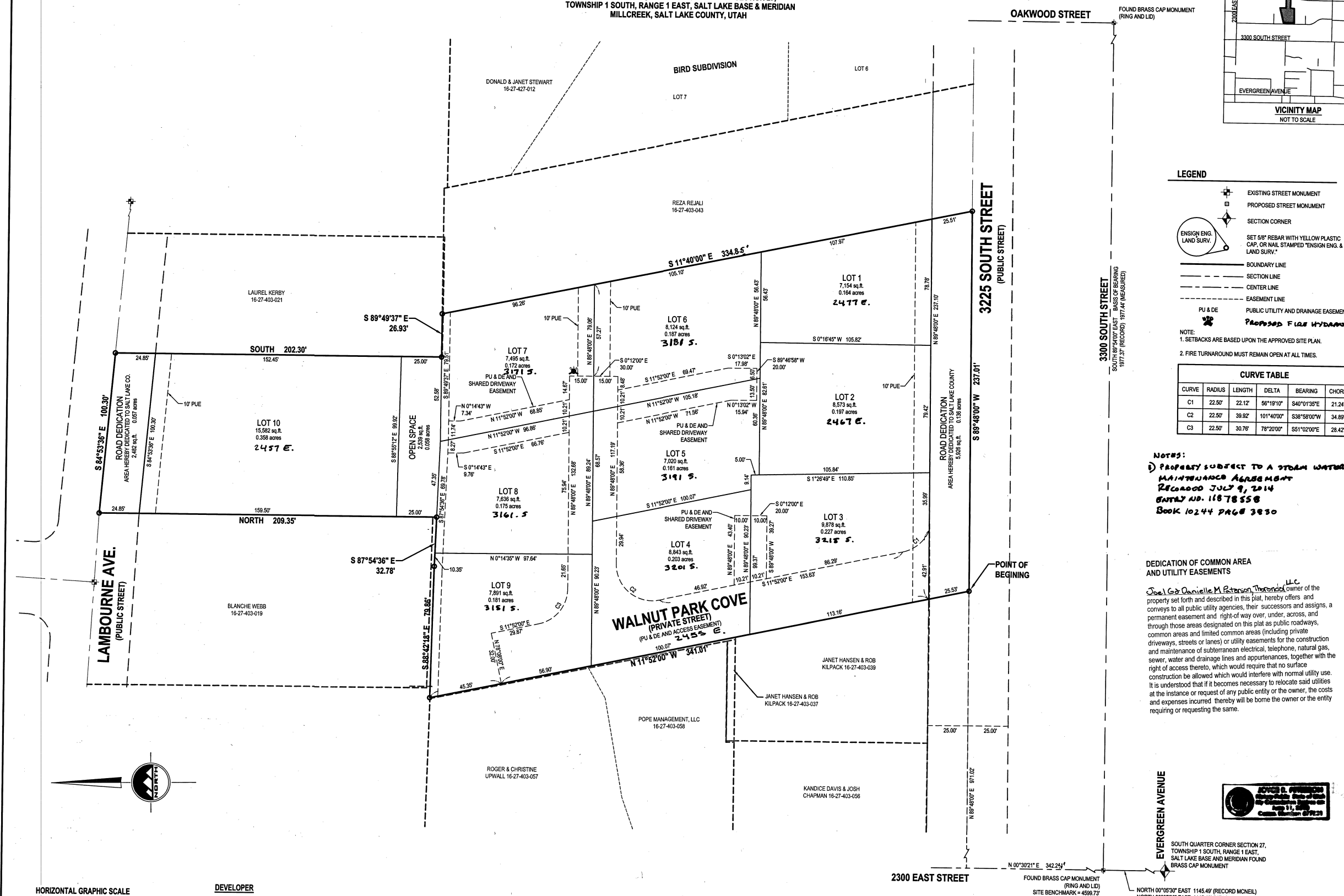
< Tue Apr 22 2025 >





# THE WOODS AT ROSECREST P.U.D. SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27,  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
MILLCREEK, SALT LAKE COUNTY, UTAH



**SURVEYOR'S CERTIFICATE**

I, PATRICK M. HARRIS, do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 286882 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereinafter to be known as THE WOODS AT ROSECREST P.U.D. SUBDIVISION, and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

**BOUNDARY DESCRIPTION**

Beginning at a point said point being North 00°30'21" East 342.24 feet along the center line of 2300 East Street and North 89°48'00" East 971.02 feet from a found street monument at the intersection of 3300 South Street and said 2300 East Street, said street monument being Meridian; and running

thence North 11°52'00" West 341.01 feet to and along the east line to the Northeast Corner of Young Haven Circle Subdivision, Book V, Page 83 of official records on file in the Office of the Salt Lake County Recorder;

thence South 89°42'18" East 79.88 feet;

thence South 87°54'36" East 32.78 feet;

thence North 209.35 feet;

thence South 64°53'38" East 100.30 feet;

thence South 202.30 feet;

thence South 89°49'57" East 26.93 feet;

thence South 11°40'00" East 334.85 feet;

thence South 89°48'00" West 237.01 feet to the point of beginning.

Contains 99,146 square feet or 2.276 acres and 10 Lots

**OWNER'S DEDICATION**

Known all men by these presents that I / we, the undersigned owner (s) of the above described tract of land, having caused same to be subdivided, hereinafter known as the

**THE WOODS AT ROSECREST P.U.D. SUBDIVISION**

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use. Owner(s) hereby agree to warrant and defend and save the City harmless against any easements or other encumbrance on a dedicated street which will interfere with the City's use, maintenance, and operation of the street.

In witness whereof I / we have hereunto set our hand (s) this 27 day of March A.D. 20 14

By: Joel G. Danielle M. Peterson, Thoroader, LLC

By: Russell E. Sorenson, Manager, Thoroader, LLC

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF UTAH, County of Salt Lake, J.S.S.

On the 27 day of March A.D. 20 14, Joel G. Peterson and Danielle Peterson personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication, 2 in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: 6-9-15

Notary Public RESIDING IN Salt Lake COUNTY.

**CORPORATE ACKNOWLEDGMENT**

STATE OF UTAH, County of Salt Lake, J.S.S.

On the 27 day of March A.D. 20 14, Joel G. Peterson and Danielle Peterson personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication, 2 in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: 6-9-15

Notary Public RESIDING IN Salt Lake COUNTY.

**LIMITED LIABILITY COMPANY ACKNOWLEDGMENT**

STATE OF UTAH, County of Salt Lake, J.S.S.

On the 27 day of September A.D. 20 14, Russell E. Sorenson personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication, 2 in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: 6/11/2015

Notary Public RESIDING IN Salt Lake COUNTY.

**DEVELOPER**

**FILE: 28607**

**SHEET 1 OF 1**

**SURVEY RECORDING DATA**

DATE: 03-04-2014  
DRAWING NO. S2014-030127  
CHECKED BY: PMH  
DATE: 3/27/14

**AT FOR APPROVED PLANS CHECKED FOR ZONING COMPLIANCE**

ZONE: R-1B LOT AREA: 2.276  
SIDE YARD: 5 FRONT YARD: 5  
DATE: 3/27/14 SIGNATURE: S.W.B.P.

**PLANNING COMMISSION**

APPROVED THIS 20 DAY OF March 20 14 BY THE SALT LAKE COUNTY PLANNING COMMISSION. Michael J. Sorenson

**HEALTH**

APPROVED THIS 30 DAY OF July 20 14 Ronald D. Lund  
SALT LAKE VALLEY HEALTH DEPARTMENT

**PLAN CHECK**

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.  
DATE: 9-29-14 SIGNATURE: Michael J. Sorenson  
PLANNING SECTION MANAGER

**ADDRESS FRONTAGE APPROVED**

DATE: 9-25-14 SIGNATURE: Michael J. Sorenson

**UNIFIED FIRE AUTHORITY APPROVAL**

DATE: 9-24-14 SIGNATURE: Michael J. Sorenson

**APPROVAL AS TO FORM**

APPROVED THIS 30th DAY OF September 20 14 Michael J. Sorenson  
SALT LAKE COUNTY DISTRICT ATTORNEY

**SALT LAKE COUNTY MAYOR APPROVAL**

PRESENTED TO THE SALT LAKE COUNTY MAYOR THIS 30 DAY OF September A.D. 20 14 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.  
DATE: 9-30-14 TIME: 11:31am BOOK: 2014P PAGE: 253  
FEE: \$42.00 DEPUTY SALT LAKE COUNTY RECORDER: Michael J. Sorenson

**THE WOODS AT ROSECREST P.U.D. SUBDIVISION**

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27,  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
MILLCREEK, SALT LAKE COUNTY, UTAH

RECORDED # 11922733

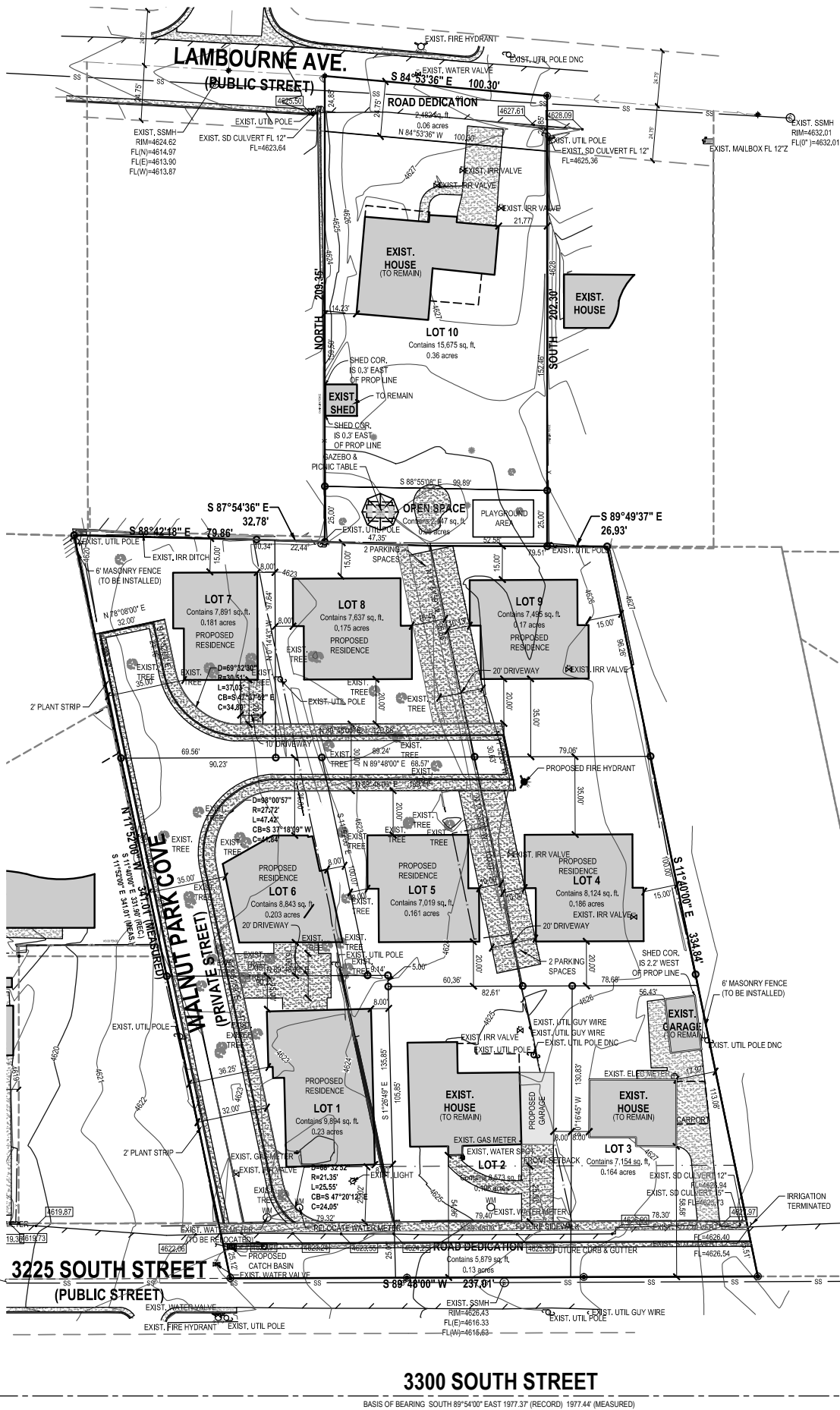
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE  
REQUEST OF: Thoroader LLC  
DATE: 10/11/2014 TIME: 11:31am BOOK: 2014P PAGE: 253  
FEE: \$42.00 DEPUTY SALT LAKE COUNTY RECORDER: Michael J. Sorenson

16-27-403-0403-041;-042;-059;-060 16-27-41 \$42.00

CALL BLUESTAKES  
@ 1-800-662-4111 AT LEAST 48  
HOURS PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.

BENCHMARK

CENTERLINE ROAD MONUMENT AT  
3300 SOUTH & 2300 EAST  
  
ELEVATION = 4599.73'



**SURVEYOR'S NARRATIVE**

I, Patrick M. Harris, do hereby state that I am a Registered Professional Land Surveyor and that I hold certificate no. 286882 as prescribed by the laws of the State of Utah and represent that I have made a survey of the following described property. The Purpose of this survey is to provide a Site Concept Plan to our client. The Basis of Bearing is the line between a found Street Monument at the Intersection of 3300 South Street and 2300 East Street and a found Street Monument at the Intersection of 3300 South Street and Oakwood Street measuring South 89°54'00" East 1977.44 (record) 1977.44 (measured).

**PROPERTY DESCRIPTION**

Beginning at a point said point being North 00°30'21" East 342.24 feet along the center line of 2300 East Street and North 89°48'00" East 971.02 feet from a found Street Monument at the Intersection of 3300 South Street and said 2300 East Street and running:

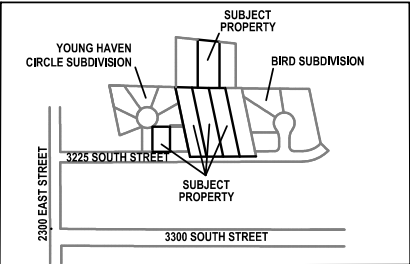
thence North 11°52'00" West 341.01 feet to and along the east line to the Northeast Corner of Young Haven Circle Subdivision, Book V, Page 83 of official records on file in the Office of the Salt Lake County Recorder;

thence South 88°42'18" East 79.86 feet;  
thence South 87°54'36" East 32.78 feet;  
thence North 209.35 feet;  
thence South 84°53'36" East 100.30 feet;  
thence South 202.30 feet;  
thence South 89°49'37" East 26.93 feet;  
thence South 11°40'00" East 334.84 feet;  
thence South 89°48'00" West 237.01 feet to the point of beginning.

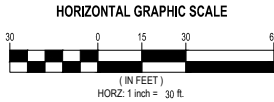
Contains 99,146 square feet or 2.276 acres and 10 Lots.

Date \_\_\_\_\_ Patrick M. Harris  
License No. 286882






































**SITE DATA:**  
HARD SURFACE/BUILDING AREA = 44,572 SQ. FT. (45%)  
OPEN SPACE/LANDSCAPE AREA = 54,574 SQ. FT. (55%)  
TOTAL AREA = 99,146 SQ. FT. (100%)



VICINITY MAP



LOCATED IN SECTION 27  
TOWNSHIP 1 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN  
SALT LAKE CITY, SALT LAKE COUNTY, UTAH  
MILLCREEK TOWNSHIP

LEGEND			
	SECTION CORNER		MINOR CONTOURS 1' INCREMENT
	MONUMENT		MAJOR CONTOURS 5' INCREMENT
	SET NAIL & WASHER		CONCRETE
	SET ENSIGN REBAR AND CAP		ADJACENT RIGHT OF WAY
	WATER METER		RIGHT OF WAY
	WATER MANHOLE		SECTION LINE
	WATER VALVE		PROPERTY LINE
	FIRE HYDRANT		ADJACENT PROPERTY LINE
	IRRIGATION VALVE		DEED LINE
	SANITARY SEWER MANHOLE		TANGENT LINE
	STORM DRAIN CLEAN OUT		FENCE
	STORM DRAIN CATCH BASIN		EDGE OF ASPHALT
	STORM DRAIN COMBO BOX		SANITARY SEWER
	SIGN		STORM DRAIN LINE
	UTILITY MANHOLE		WATER LINE
	UTILITY POLE		IRRIGATION LINE
	GAS METER		TELEPHONE LINE
	GAS LINE		OVERHEAD POWER
	BUILDABLE AREA SHADED		

THE WOODS AT ROSECREST P.U.D.  
PRELIMINARY SUBMITTAL  
2467 EAST 3225 SOUTH  
MILLCREEK TOWNSHIP, SALT LAKE COUNTY, UTAH

PREL. SUBMITTAL 11-4-13

NO.	DATE	REVISION	BY
1			
2			
3			
4			
5			
6			
7			
8			

PRELIMINARY PLAT

PROJECT NUMBER 5725	PRINT DATE 11/4/2013
DRAWN BY B. Greenleaf	CHECKED BY P. HARRIS
PROJECT MANAGER P. Harris	

C-100

SALT LAKE CITY  
45 W. 10000 S., Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.4449

LAYTON  
Phone: 801.547.1100

TOOELE  
Phone: 435.843.3590

CEDAR CITY  
Phone: 435.865.1453

RICHFIELD  
Phone: 435.590.0187  
  
WWW.ENSIGNUTAH.COM

FOR:  
SOAR REALTY GROUP  
3267 EAST 3300 SOUTH #539  
SALT LAKE CITY, UTAH 84109

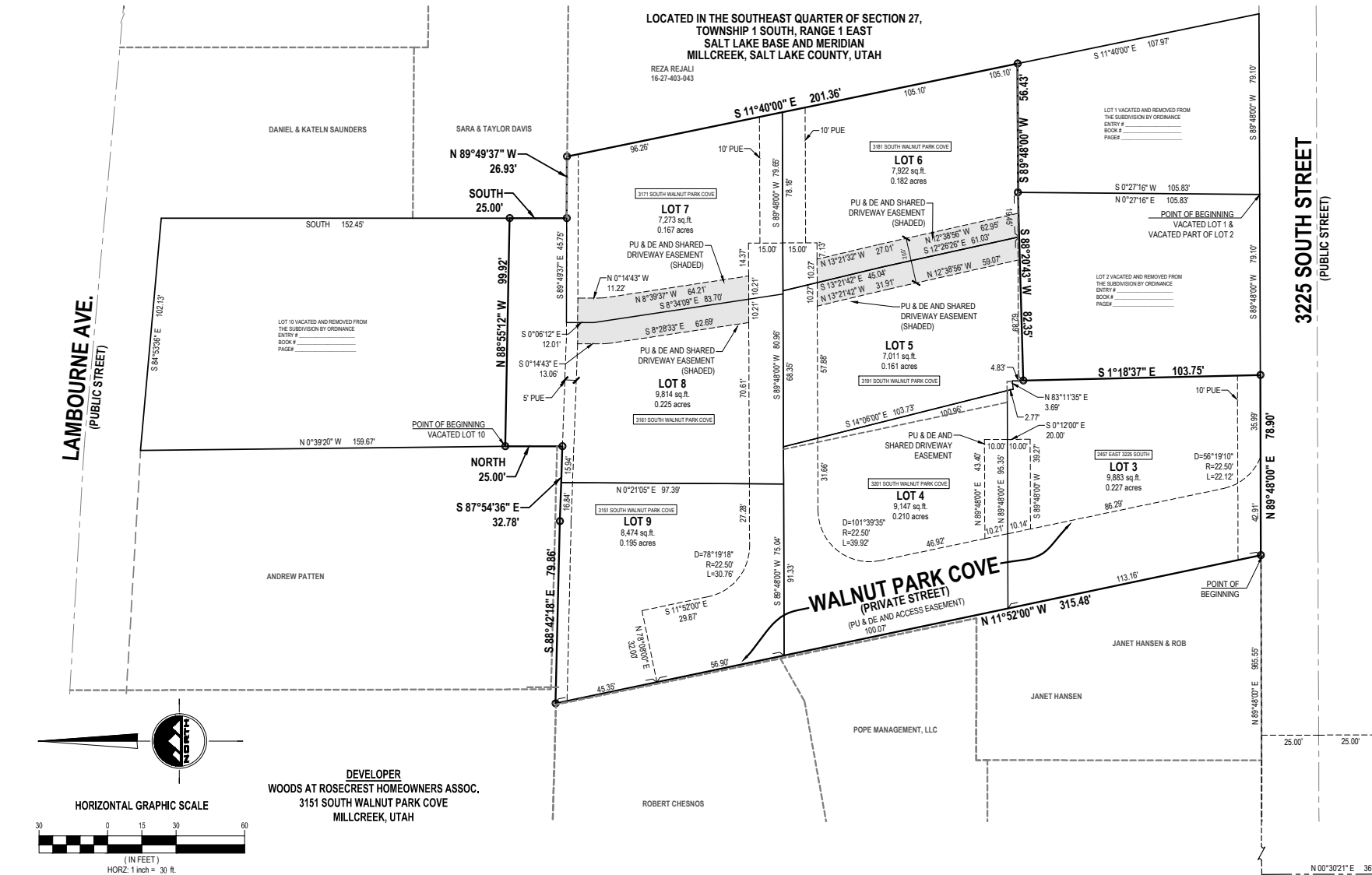
CONTACT:  
RUSS SORENSON  
PHONE: 801-301-4104  
FAX:

# WALNUT PARK COVE SUBDIVISION

AMENDING THE WOODS AT ROSECREST P.U.B. SUBDIVISION, FIRST AMENDMENT

AMENDING AND REMOVING THE P.U.D. & OPEN SPACE DESIGNATIONS AND AMENDING AND ADJUSTING THE SUBDIVISION BOUNDARY BY VACATING AND REMOVING LOTS 1, 2 & 10, AND/OR PORTIONS THEREOF, CREATING THREE INDIVIDUAL METES AND BOUNDS PARCELS.

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN MILLCREEK, SALT LAKE COUNTY, UTAH



## LEGEND

- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT PER SALT LAKE CO. SURVEYOR PERMIT
- SECTION CORNER
- SET 5/8" REBAR AND CAP, OR NAIL STAMPED "ENSGN ENG. & LAND SURV." AT ALL LOT CORNERS. OFFSET PINS TO BE PLACED IN THE BACK OF CURB WHERE APPLICABLE, IN LIEU OF REBAR AND CAP AT FRONT CORNERS.
- BOUNDARY LINE
- SECTION LINE
- CENTER / MONUMENT LINE
- EASEMENTS
- ADJACENT BOUNDARY LINE

## NOTES

- MANY AREAS IN MILLCREEK HAVE GROUNDWATER PROBLEMS DUE TO A FLUCTUATING WATER TABLE. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUNDWATER PROBLEMS, IF ANY.
- OWNERS AND POTENTIAL PURCHASERS OF PROPERTY LEGALLY DESCRIBED BY THIS PLAT (THE "PROPERTY") SHOULD FAMILIARIZE THEMSELVES WITH ALL NOTES, LOT INFORMATION, EASEMENTS, AND OTHER PERTINENT INFORMATION CONTAINED ON THIS PLAT. IN ADDITION TO ANY AGREEMENTS, CONDITIONS, COVENANTS AND RESTRICTIONS (CC&R'S) DOCUMENTS CURRENTLY EXISTING AND AS MAY BE CHANGED OR AMENDED FROM TIME TO TIME, FAILURE TO COMPLY AND ADHERE TO THESE ITEMS COULD RESULT IN FINANCIAL LOSS OR CHANGES IN EXPECTED PROPERTY USE.
- THE SURVEYOR AND/OR ENGINEER LISTED, CERTIFIES THAT LEGAL DESCRIPTION OF THE PROPERTY REFERENCED WITHIN A CERTAIN TITLE REPORT (DATED) October 24, 2025, PREPARED BY Vantage Title Insurance Company, MATCHES THE DESCRIPTION SHOWN ON THIS PLAT AND FURTHER CERTIFIES THAT ALL KNOWN OR RECORDED EASEMENTS, CLAIMS OF EASEMENTS OR ENCUMBRANCES, AS LISTED WITHIN THIS SAME TITLE REPORT, ARE SHOWN OR NOTED ON THIS PLAT.
- NO PARKING FIRE ACCESS & TURN-A-ROUND LOCATED AT WEST END OF WALNUT PARK COVE ON LOT 9.
- SUBDIVISION LOCATED WITHIN FEMA FLOOD ZONE "X" AREA OF MINIMAL FLOOD HAZARD AS PER MAP NO. 49035C0304H, effective 11/19/2021. CITY OF MILLCREEK 490231.

## SURVEYOR'S CERTIFICATE

I, BENJAMIN D. HANEL, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 12986042, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act. I further certify that by authority of the owners I have completed a survey and filed the plat as Record of Survey No. S201430127, of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; and that this plat of THE WOODS AT ROSECREST PUD SUBDIVISION AMENDED in Millcreek, Salt Lake County, Utah has been drawn correctly to the designated scale and is a true and correct representation of the herein described lands included in said subdivision, based upon data compiled from records of the salt lake county recorders office.

## BOUNDARY DESCRIPTION

Beginning at a point being North 00°30'21" East 342.24 feet along the center line of 2300 East Street and North 89°48'00" East 971.02 feet from a found street monument at the intersection of 3300 South Street and said 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running

thence North 11°52'00" West 341.01 feet to and along the east line to the Northeast Corner of Young Haven Circle Subdivision, Book V, Page 83 of official records on file in the Office of the Salt Lake County Recorder; thence South 88°42'18" East 79.86 feet; thence South 87°54'36" East 32.78 feet; thence North 209.35 feet; thence South 84°53'36" East 100.30 feet; thence South 202.30 feet; thence South 88°49'37" East 26.93 feet; thence South 11°40'00" East 334.84 feet; thence South 89°48'00" West 237.01 feet to the point of beginning.

LESS & EXCEPTING the following 3 parcels:

Lot 10, Woods at Rosecrest PUD Subdivision being more particularly described as follows:

Beginning at the Southeast corner of the former Lot 10 of Woods at Rosecrest Subdivision, said point also being North 00°30'21" East 367.24 feet and North 89°48'00" East 965.55 feet and North 11°52'00" West 315.48 feet and South 88°42'18" East 79.86 feet and South 87°54'36" East 32.78 feet and North 25.00 feet from the found street monument at the intersection of 3300 South Street and 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running;

thence North 00°39'20" West 159.67 feet to the Lambourne Avenue right of way; thence South 84°53'36" East 102.13 feet along the Lambourne Avenue right of way; thence South 152.45 feet to the southwest corner of said Lot 10; thence North 88°55'12" West 99.92 feet to the point of beginning.

Lot 1, Woods at Rosecrest PUD Subdivision being more particularly described as follows:

Beginning at the Southeast corner of the former Lot 1 of Woods at Rosecrest Subdivision, said point also being North 00°30'21" East 367.24 feet and North 89°48'00" East 1123.55 from the found street monument at the intersection of 3300 South Street and 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running;

thence North 00°27'16" East 105.83 feet to the southerly line of Lot 6 of the former Woods at Rosecrest PUD Subdivision; thence North 89°48'00" East 56.43 feet along the southerly line of said Lot 6; thence South 11°40'00" East 107.97 feet to the northerly right-of-way line of 3225 South Street; thence South 89°48'00" West 79.10 feet along the northerly right-of-way line of 3225 South Street to the point of beginning.

Portion of Lot 2, Woods at Rosecrest PUD Subdivision being more particularly described as follows:

Beginning at the Southeast corner of the former Lot 1 of Woods at Rosecrest Subdivision, said point also being North 00°30'21" East 367.24 feet and North 89°48'00" East 1123.55 from the found street monument at the intersection of 3300 South Street and 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running;

thence South 89°48'00" West 79.10 feet along the northerly right-of-way line of 3225 South Street; thence North 11°18'37" West 103.75 feet to an existing vinyl fence; thence North 88°20'43" East 82.35 feet along existing vinyl fence; thence South 00°27'16" 105.83 feet to the point of beginning.

12/29/25

Date

BENJAMIN D. HANEL

P.L.S. 12986042

## OWNER'S DEDICATION

KNOW ALL BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNER(S) OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, AND STREETS TO HEREAFTER BE KNOWN AS

## WALNUT PARK COVE SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENT OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENT AS SHOWN FOR HE USE BY ALL SUPPLIERS OF UTILITY OR NECESSARY SERVICES.

IN WITNESS WHEREOF, WE HAVE HERETO SET ASIDE OUR HANDS THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
By: \_\_\_\_\_  
Name: \_\_\_\_\_

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_ day of \_\_\_\_, A.D. 20\_\_, I, \_\_\_\_\_, in said State of Utah, who after being duly sworn, acknowledged to me that: He/She/They signed the Owner's Dedication, \_\_\_\_\_ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## WALNUT PARK COVE SUBDIVISION

AMENDING THE WOODS AT ROSECREST PUB SUBDIVISION AND REMOVING THE PUD & OPEN SPACE DESIGNATIONS VACATING LOTS 1, 10 & A PORTION OF LOT 2

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN MILLCREEK, SALT LAKE COUNTY, UTAH

## SALT LAKE COUNTY RECORDER

RECORDED # \_\_\_\_\_  
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEES \_\_\_\_\_ DEPUTY SALT LAKE COUNTY RECORDER

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_ day of \_\_\_\_, A.D. 20\_\_, I, \_\_\_\_\_, in said State of Utah, who after being duly sworn, acknowledged to me that: He/She/They signed the Owner's Dedication, \_\_\_\_\_ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_ day of \_\_\_\_, A.D. 20\_\_, I, \_\_\_\_\_, in said State of Utah, who after being duly sworn, acknowledged to me that: He/She/They signed the Owner's Dedication, \_\_\_\_\_ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_ day of \_\_\_\_, A.D. 20\_\_, I, \_\_\_\_\_, in said State of Utah, who after being duly sworn, acknowledged to me that: He/She/They signed the Owner's Dedication, \_\_\_\_\_ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_ day of \_\_\_\_, A.D. 20\_\_, I, \_\_\_\_\_, in said State of Utah, who after being duly sworn, acknowledged to me that: He/She/They signed the Owner's Dedication, \_\_\_\_\_ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_ day of \_\_\_\_, A.D. 20\_\_, I, \_\_\_\_\_, in said State of Utah, who after being duly sworn, acknowledged to me that: He/She/They signed the Owner's Dedication, \_\_\_\_\_ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_ day of \_\_\_\_, A.D. 20\_\_, I, \_\_\_\_\_, in said State of Utah, who after being duly sworn, acknowledged to me that: He/She/They signed the Owner's Dedication, \_\_\_\_\_ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_ day of \_\_\_\_, A.D. 20\_\_, I, \_\_\_\_\_, in said State of Utah, who after being duly sworn, acknowledged to me that: He/She/They signed the Owner's Dedication, \_\_\_\_\_ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## ROCKY MOUNTAIN POWER NOTES:

- PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(VI) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
  - A RECORDED EASEMENT OR RIGHT-OF-WAY
  - THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
  - TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
  - ANY OTHER PROVISION OF LAW.

## EAST MILL CREEK WATER COMPANY

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY THE EAST MILL CREEK WATER COMPANY

## UNIFIED FIRE AUTHORITY

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY THE UNIFIED FIRE AUTHORITY

## SALT LAKE COUNTY ADDRESSING APPROVAL

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

## RECORD OF SURVEY

R.O.S. NO. S201430127

COUNTY SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

## UTILITY APPROVAL

DATE: \_\_\_\_\_  
COMMUNICATIONS/CABLE CO. DATE: \_\_\_\_\_  
POWER COMPANY DATE: \_\_\_\_\_  
FUEL/ENERGY COMPANY DATE: \_\_\_\_\_  
OTHER \_\_\_\_\_

## SALT LAKE COUNTY HEALTH DEPARTMENT

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY THE SALT LAKE COUNTY HEALTH DEPARTMENT

DIRECTOR, HEALTH DEPARTMENT

## MOUNT OLYMPUS IMPROVEMENT DISTRICT

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY THE MOUNT OLYMPUS IMPROVEMENT DISTRICT

MOUNT OLYMPUS IMPROVEMENT DISTRICT

## MILLCREEK ENGINEERING

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY THE MILLCREEK ENGINEERING.

MILLCREEK ENGINEERING

## MILLCREEK PLANNING COMMISSION

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY THE MILLCREEK PLANNING COMMISSION.

MILLCREEK PLANNING COMMISSION CHAIR

## MILLCREEK PLANNING AND ZONING DEPARTMENT

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY THE MILLCREEK COMMUNITY DEVELOPMENT DEPARTMENT

MILLCREEK PLANNING AND ZONING DIRECTOR

## APPROVAL AS TO FORM

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY THE MILLCREEK ATTORNEY.

MILLCREEK ATTORNEY

## MILLCREEK MAYOR

PRESENTED TO THE MAYOR AND MILLCREEK COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_, A.D. 20\_\_, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

MAYOR \_\_\_\_\_ ATTEST: CITY RECORDER \_\_\_\_\_ SEAL

**MILLCREEK, UTAH  
ORDINANCE NO. \_\_**

**AN ORDINANCE VACATING AND REMOVING  
THE “PLANNED UNIT DEVELOPMENT (P.U.D.)” & “OPEN SPACE”  
DESIGNATIONS; AND FURTHER VACATING AND REMOVING LOTS 1, 2, & 10  
FROM “THE WOODS AT ROSECREST P.U.D. SUBDIVISION”.**

**WHEREAS**, the Millcreek City Council (“Council”) met in a regular meeting on January 12, 2026, to consider, among other things, vacating and removing the Planned Unit Development (P.U.D.) and Open Space designations and further removing Lots 1, 2, & 10 from The Woods at Rosecrest P.U.D. Subdivision, as depicted in EXHIBIT A, whereby Lots 1, 2, & 10 now being designated as metes and bounds parcels, as described in EXHIBIT B; and

**WHEREAS**, Utah Code Section 10-20-812.(3) provides in part that a legislative body may vacate a subdivision or a portion of a subdivision by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated; and

**WHEREAS**, Utah Code Section 10-20-812.(1) provides in part, that the Land Use Authority may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the Land Use Authority finds that 1) there is good cause for the vacation or amendment and 2) no public street or municipal utility easement has been vacated or amended; and

**WHEREAS**, Utah Code Section 10-20-811, provides that a fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a petition with the land use authority to request a subdivision amendment; and

**WHEREAS**, Millcreek Code Section 18.15.020, in harmony with Utah Code 10-20-81, requires a formal public engagement process in the form of a public meeting, held by Millcreek’s Planning Director, as the Land Use Authority for Minor Subdivision Amendments and/or a public hearing held by the City Council; and

**WHEREAS**, All landowners within the subdivision, including owners of Lots 1, 2, & 10 and authorized representatives of the Home Owner’s Association, have petitioned to amend and vacate portions of the subdivision by providing signed and notarized affidavits, and

**WHEREAS**, on October 29, 2025, the City Staff gave notice of the date, place, and time of the required public meeting held by the Land Use Authority as required by both Utah Code and Millcreek Code; and

**WHEREAS**, on November 18, 2025 a public meeting was held by the Planning Director, as the designated Land Use Authority, to consider among other things, that “good cause exists” to vacate and remove the Planned Unit Development (P.U.D.) and Open Space designations and, further vacate and remove Lots 1, 2, & 10 from The Woods at Rosecrest P.U.D. Subdivision; and

**WHEREAS**, the Planning Director made a positive recommendation to vacate, amend and remove as previously described based on the following findings: **1)** Millcreek Code has since been revised and updated, thus removing Planned Unit Developments from the Millcreek Code and, **2)** the property has since been rezoned whereby all lots within the subdivision now meet the minimum lot size requirements of the newly established underlying zone and, **3)** the open space as required by the original approval was insufficiently sized and poorly located whereupon the adjacent landowner of Lot 8, with further consensus and approval of the HOA, has agreed to assume ownership and maintenance of said open space area by absorbing through property consolidation, the previously designated open space parcel and, **4)** all owners have agreed that Lots 1, 2, & 10 do not functionally utilize any of the private infrastructure or facilities and thereby have little to no reason to further participate in or be a part of the HOA; and

**WHEREAS**, The Planning Director also found that no public street or municipal utility easement is proposed as being vacated or amended; and

**WHEREAS**, on December 30, 2026, City Staff again gave further notice of the date, place, and time of a second public meeting; and

**WHEREAS**, The City Council, acting in their legislative capacity held public hearing on January 12, 2026 to considered among other things, 1) whether there is good cause for the vacation or amendment and 2) to ensure that no public street or municipal utility easement is being vacated or amended; and

**WHEREAS**, based on the same findings made by City Staff and, as recommended by the land use authority, the City Council finds that good cause exists and no public street or municipal easement is being vacated or amended and that no material injury will be caused as a result of vacating and removing the Planned Unit Development (P.U.D.) and Open Space designations removing Lots 1, 2, & 10 from The Woods at Rosecrest P.U.D. Subdivision;

**NOW, THEREFORE, BE IT ORDAINED** by the Council that The “Planned Unit Development (P.U.D.)” & “Open Space” designations are hereby vacated and removed and Lots 1, 2, & 10 are hereby vacated and removed from the The Woods at Rosecrest P.U.D. Subdivision, as depicted in EXHIBIT A whereby Lots 1, 2, & 10 are now designated as metes and bounds parcels, as described in EXHIBIT B. The Mayor and Recorder are hereby directed to record a copy of this ordinance in the Office of the Salt Lake County Recorder.

**PASSED AND APPROVED** on this \_\_\_\_\_ day of January 2026.

**MILLCREEK COUNCIL**

By: \_\_\_\_\_  
Mayor



**ATTEST:**

---

**Elyse Sullivan**, City Recorder

## 4

## WALNUT PARK COVE SUBDIVISION

AMENDING THE WOODS AT ROSECREST P.L.B. SUBDIVISION, FIRST AMENDMENT  
AND REMOVING THE PLD & OPEN SPACE DESIGNATION, FIRST AMENDMENT  
AND ADJUSTING THE SUBDIVISION BOUNDARY BY ACQUIRING AND  
REMOVING LOT 1, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.0, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 7.0, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8.0, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 9.0, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 13.0, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, 14.0, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 15.0, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 16.0, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 16.8, 16.9, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 18.0, 18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7, 18.8, 18.9, 19.0, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 20.0, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 20.9, 21.0, 21.1, 21.2, 21.3, 21.4, 21.5, 21.6, 21.7, 21.8, 21.9, 22.0, 22.1, 22.2, 22.3, 22.4, 22.5, 22.6, 22.7, 22.8, 22.9, 23.0, 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 23.8, 23.9, 24.0, 24.1, 24.2, 24.3, 24.4, 24.5, 24.6, 24.7, 24.8, 24.9, 25.0, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26.0, 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.7, 26.8, 26.9, 27.0, 27.1, 27.2, 27.3, 27.4, 27.5, 27.6, 27.7, 27.8, 27.9, 28.0, 28.1, 28.2, 28.3, 28.4, 28.5, 28.6, 28.7, 28.8, 28.9, 29.0, 29.1, 29.2, 29.3, 29.4, 29.5, 29.6, 29.7, 29.8, 29.9, 30.0, 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 31.0, 31.1, 31.2, 31.3, 31.4, 31.5, 31.6, 31.7, 31.8, 31.9, 32.0, 32.1, 32.2, 32.3, 32.4, 32.5, 32.6, 32.7, 32.8, 32.9, 33.0, 33.1, 33.2, 33.3, 33.4, 33.5, 33.6, 33.7, 33.8, 33.9, 34.0, 34.1, 34.2, 34.3, 34.4, 34.5, 34.6, 34.7, 34.8, 34.9, 35.0, 35.1, 35.2, 35.3, 35.4, 35.5, 35.6, 35.7, 35.8, 35.9, 36.0, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 37.0, 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7, 37.8, 37.9, 38.0, 38.1, 38.2, 38.3, 38.4, 38.5, 38.6, 38.7, 38.8, 38.9, 39.0, 39.1, 39.2, 39.3, 39.4, 39.5, 39.6, 39.7, 39.8, 39.9, 40.0, 40.1, 40.2, 40.3, 40.4, 40.5, 40.6, 40.7, 40.8, 40.9, 41.0, 41.1, 41.2, 41.3, 41.4, 41.5, 41.6, 41.7, 41.8, 41.9, 42.0, 42.1, 42.2, 42.3, 42.4, 42.5, 42.6, 42.7, 42.8, 42.9, 43.0, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7, 43.8, 43.9, 44.0, 44.1, 44.2, 44.3, 44.4, 44.5, 44.6, 44.7, 44.8, 44.9, 45.0, 45.1, 45.2, 45.3, 45.4, 45.5, 45.6, 45.7, 45.8, 45.9, 46.0, 46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 46.7, 46.8, 46.9, 47.0, 47.1, 47.2, 47.3, 47.4, 47.5, 47.6, 47.7, 47.8, 47.9, 48.0, 48.1, 48.2, 48.3, 48.4, 48.5, 48.6, 48.7, 48.8, 48.9, 49.0, 49.1, 49.2, 49.3, 49.4, 49.5, 49.6, 49.7, 49.8, 49.9, 50.0, 50.1, 50.2, 50.3, 50.4, 50.5, 50.6, 50.7, 50.8, 50.9, 51.0, 51.1, 51.2, 51.3, 51.4, 51.5, 51.6, 51.7, 51.8, 51.9, 52.0, 52.1, 52.2, 52.3, 52.4, 52.5, 52.6, 52.7, 52.8, 52.9, 53.0, 53.1, 53.2, 53.3, 53.4, 53.5, 53.6, 53.7, 53.8, 53.9, 54.0, 54.1, 54.2, 54.3, 54.4, 54.5, 54.6, 54.7, 54.8, 54.9, 55.0, 55.1, 55.2, 55.3, 55.4, 55.5, 55.6, 55.7, 55.8, 55.9, 56.0, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8, 56.9, 57.0, 57.1, 57.2, 57.3, 57.4, 57.5, 57.6, 57.7, 57.8, 57.9, 58.0, 58.1, 58.2, 58.3, 58.4, 58.5, 58.6, 58.7, 58.8, 58.9, 59.0, 59.1, 59.2, 59.3, 59.4, 59.5, 59.6, 59.7, 59.8, 59.9, 60.0, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 61.0, 61.1, 61.2, 61.3, 61.4, 61.5, 61.6, 61.7, 61.8, 61.9, 62.0, 62.1, 62.2, 62.3, 62.4, 62.5, 62.6, 62.7, 62.8, 62.9, 63.0, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 64.0, 64.1, 64.2, 64.3, 64.4, 64.5, 64.6, 64.7, 64.8, 64.9, 65.0, 65.1, 65.2, 65.3, 65.4, 65.5, 65.6, 65.7, 65.8, 65.9, 66.0, 66.1, 66.2, 66.3, 66.4, 66.5, 66.6, 66.7, 66.8, 66.9, 67.0, 67.1, 67.2, 67.3, 67.4, 67.5, 67.6, 67.7, 67.8, 67.9, 68.0, 68.1, 68.2

**EXHIBIT B**  
(Legal Description)

**LOT 1**

Lot 1, Woods at Rosecrest PUD Subdivision being more particularly described as follows:

Beginning at the Southeast corner of the former Lot 1 of Woods at Rosecrest Subdivision, said point also being North 00°30'21" East 367.24 feet and North 89°48'00" East 1123.55 from the found street monument at the intersection of 3300 South Street and 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running; thence North 00°27'16" East 105.83 feet to the southerly line of Lot 6 of the former Woods at Rosecrest PUD Subdivision; thence North 89°48'00" East 56.43 feet along the southerly line of said Lot 6; thence South 11°40'00" East 107.97 feet to the northerly right-of-way line of 3225 South Street; thence South 89°48'00" West 79.10 feet along the northerly right-of-way line of 3225 South Street to the point of beginning.

**LOT 2**

Portion of Lot 2, Woods at Rosecrest PUD Subdivision being more particularly described as follows:

Beginning at the Southeast corner of the former Lot 1 of Woods at Rosecrest Subdivision, said point also being North 00°30'21" East 367.24 feet and North 89°48'00" East 1123.55 from the found street monument at the intersection of 3300 South Street and 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running; thence South 89°48'00" West 79.10 feet along the northerly right-of-way line of 3225 South Street; thence North 1°18'37" West 103.75 feet to an existing vinyl fence; thence North 88°20'43" East 82.35 feet along existing vinyl fence; thence South 00°27'16" East 105.83 feet to the point of beginning.

**LOT 10**

Lot 10, Woods at Rosecrest PUD Subdivision being more particularly described as follows:

Beginning at the Southeast corner of the former Lot 10 of Woods at Rosecrest Subdivision, said point also being North 00°30'21" East 367.24 feet and North 89°48'00" East 965.55 feet and North 11°52'00" West 315.48 feet and South 88°42'18" East 79.86 feet and South 87°54'36" East 32.78 feet and North 25.00 feet from the found street monument at the intersection of 3300 South Street and 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running; thence North 00°39'20" West 159.67 feet to the Lambourne Avenue right of way; thence South 84°53'36" East 102.13 feet along the Lambourne Avenue right of way; thence South 152.45 feet to the southwest corner of said Lot 10; thence North 88°55'12" West 99.92 feet to the point of beginning.

**MILLCREEK, UTAH**  
**ORDINANCE NO. 26-01**

**AN ORDINANCE VACATING AND REMOVING THE “PLANNED UNIT DEVELOPMENT (P.U.D.)” AND “OPEN SPACE” DESIGNATIONS; AND FURTHER VACATING AND REMOVING LOTS 1, 2, AND 10 FROM “THE WOODS AT ROSECREST P.U.D. SUBDIVISION”**

**WHEREAS**, the Millcreek City Council (“Council”) met in a regular meeting on January 12, 2026, to consider, among other things, vacating and removing the Planned Unit Development (P.U.D.) and Open Space designations and further removing Lots 1, 2, and 10 from The Woods at Rosecrest P.U.D. Subdivision, as depicted in EXHIBIT A, whereby Lots 1, 2, and 10 now being designated as metes and bounds parcels, as described in EXHIBIT B; and

**WHEREAS**, Utah Code Section 10-20-812.(3) provides in part that a legislative body may vacate a subdivision or a portion of a subdivision by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated; and

**WHEREAS**, Utah Code Section 10-20-812.(1) provides in part, that the Land Use Authority may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the Land Use Authority finds that 1) there is good cause for the vacation or amendment and 2) no public street or municipal utility easement has been vacated or amended; and

**WHEREAS**, Utah Code Section 10-20-811, provides that a fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a petition with the land use authority to request a subdivision amendment; and

**WHEREAS**, Millcreek Code Section 18.15.020, in harmony with Utah Code 10-20-81, requires a formal public engagement process in the form of a public meeting, held by Millcreek’s Planning Director, as the Land Use Authority for Minor Subdivision Amendments and/or a public hearing held by the City Council; and

**WHEREAS**, All landowners within the subdivision, including owners of Lots 1, 2, & 10 and authorized representatives of the Home Owner’s Association, have petitioned to amend and vacate portions of the subdivision by providing signed and notarized affidavits, and

**WHEREAS**, on October 29, 2025, the City Staff gave notice of the date, place, and time of the required public meeting held by the Land Use Authority as required by both Utah Code and Millcreek Code; and

**WHEREAS**, on November 18, 2025, a public meeting was held by the Planning Director, as the designated Land Use Authority, to consider among other things, that “good cause exists” to vacate and remove the Planned Unit Development (P.U.D.) and Open Space designations and, further vacate and remove Lots 1, 2, & 10 from The Woods at Rosecrest P.U.D. Subdivision; and

**WHEREAS**, the Planning Director made a positive recommendation to vacate, amend and remove as previously described based on the following findings: **1)** Millcreek Code has since been revised and updated, thus removing Planned Unit Developments from the Millcreek Code and, **2)** the property has since been rezoned whereby all lots within the subdivision now meet the minimum lot size requirements of the newly established underlying zone and, **3)** the open space as required by the original approval was insufficiently sized and poorly located whereupon the adjacent landowner of Lot 8, with further consensus and approval of the HOA, has agreed to assume ownership and maintenance of said open space area by absorbing through property consolidation, the previously designated open space parcel and, **4)** all owners have agreed that Lots 1, 2, & 10 do not functionally utilize any of the private infrastructure or facilities and thereby have little to no reason to further participate in or be a part of the HOA; and

**WHEREAS**, the Planning Director also found that no public street or municipal utility easement is proposed as being vacated or amended; and

**WHEREAS**, on December 30, 2025, City Staff gave further notice of the date, place, and time of a second public meeting; and

**WHEREAS**, the City Council, acting in their legislative capacity held public hearing on January 12, 2026, to considered among other things, 1) whether there is good cause for the vacation or amendment and 2) to ensure that no public street or municipal utility easement is being vacated or amended; and

**WHEREAS**, based on the same findings made by City Staff and, as recommended by the land use authority, the City Council finds that good cause exists and no public street or municipal easement is being vacated or amended and that no material injury will be caused as a result of vacating and removing the Planned Unit Development (P.U.D.) and Open Space designations removing Lots 1, 2, & 10 from The Woods at Rosecrest P.U.D. Subdivision.

**NOW, THEREFORE, BE IT ORDAINED** by the Council that The “Planned Unit Development (P.U.D.)” & “Open Space” designations are hereby vacated and removed and Lots 1, 2, & 10 are hereby vacated and removed from the The Woods at Rosecrest P.U.D. Subdivision, as depicted in EXHIBIT A whereby Lots 1, 2, & 10 are now designated as metes and bounds parcels, as described in EXHIBIT B. The Mayor and Recorder are hereby directed to record a copy of this ordinance in the Office of the Salt Lake County Recorder.

**PASSED AND APPROVED** on this 12<sup>th</sup> day of January 2026.

**MILLCREEK COUNCIL**

By: \_\_\_\_\_  
Cheri Jackson, Mayor

**ATTEST:**

\_\_\_\_\_  
Elyse Sullivan, City Recorder

Roll Call Vote:

Jackson	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Handy	Yes	No
Uipi	Yes	No

**CERTIFICATE OF POSTING**

I, the duly appointed recorder for Millcreek, hereby certify that:  
ORDINANCE 26-01: AN ORDINANCE VACATING AND REMOVING THE “PLANNED UNIT DEVELOPMENT (P.U.D.)” AND “OPEN SPACE” DESIGNATIONS; AND FURTHER VACATING AND REMOVING LOTS 1, 2, AND 10 FROM “THE WOODS AT ROSECREST P.U.D. SUBDIVISION” was adopted the 12<sup>th</sup> day of January 2026 and that a copy of the foregoing Ordinance 26-01 was posted in accordance with Utah Code 10-3-711 this \_\_\_\_ day of January, 2026.

\_\_\_\_\_  
Elyse Sullivan, City Recorder

## EXHIBIT A

## WALNUT PARK COVE SUBDIVISION

AMENDING AND REMOVING THE 2.10 A OPEN SPACE DESIGNATION AND AMENDING AND ADJUSTING THE SUBDIVISION BOUNDARY BY VACATING AND REMOVING LOTS 1, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.0, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 7.0, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8.0, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 9.0, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 13.0, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, 14.0, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 15.0, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 16.0, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 16.8, 16.9, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 18.0, 18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7, 18.8, 18.9, 19.0, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 20.0, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 20.9, 21.0, 21.1, 21.2, 21.3, 21.4, 21.5, 21.6, 21.7, 21.8, 21.9, 22.0, 22.1, 22.2, 22.3, 22.4, 22.5, 22.6, 22.7, 22.8, 22.9, 23.0, 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 23.8, 23.9, 24.0, 24.1, 24.2, 24.3, 24.4, 24.5, 24.6, 24.7, 24.8, 24.9, 25.0, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26.0, 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.7, 26.8, 26.9, 27.0, 27.1, 27.2, 27.3, 27.4, 27.5, 27.6, 27.7, 27.8, 27.9, 28.0, 28.1, 28.2, 28.3, 28.4, 28.5, 28.6, 28.7, 28.8, 28.9, 29.0, 29.1, 29.2, 29.3, 29.4, 29.5, 29.6, 29.7, 29.8, 29.9, 30.0, 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 31.0, 31.1, 31.2, 31.3, 31.4, 31.5, 31.6, 31.7, 31.8, 31.9, 32.0, 32.1, 32.2, 32.3, 32.4, 32.5, 32.6, 32.7, 32.8, 32.9, 33.0, 33.1, 33.2, 33.3, 33.4, 33.5, 33.6, 33.7, 33.8, 33.9, 34.0, 34.1, 34.2, 34.3, 34.4, 34.5, 34.6, 34.7, 34.8, 34.9, 35.0, 35.1, 35.2, 35.3, 35.4, 35.5, 35.6, 35.7, 35.8, 35.9, 36.0, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 37.0, 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7, 37.8, 37.9, 38.0, 38.1, 38.2, 38.3, 38.4, 38.5, 38.6, 38.7, 38.8, 38.9, 39.0, 39.1, 39.2, 39.3, 39.4, 39.5, 39.6, 39.7, 39.8, 39.9, 40.0, 40.1, 40.2, 40.3, 40.4, 40.5, 40.6, 40.7, 40.8, 40.9, 41.0, 41.1, 41.2, 41.3, 41.4, 41.5, 41.6, 41.7, 41.8, 41.9, 42.0, 42.1, 42.2, 42.3, 42.4, 42.5, 42.6, 42.7, 42.8, 42.9, 43.0, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7, 43.8, 43.9, 44.0, 44.1, 44.2, 44.3, 44.4, 44.5, 44.6, 44.7, 44.8, 44.9, 45.0, 45.1, 45.2, 45.3, 45.4, 45.5, 45.6, 45.7, 45.8, 45.9, 46.0, 46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 46.7, 46.8, 46.9, 47.0, 47.1, 47.2, 47.3, 47.4, 47.5, 47.6, 47.7, 47.8, 47.9, 48.0, 48.1, 48.2, 48.3, 48.4, 48.5, 48.6, 48.7, 48.8, 48.9, 49.0, 49.1, 49.2, 49.3, 49.4, 49.5, 49.6, 49.7, 49.8, 49.9, 50.0, 50.1, 50.2, 50.3, 50.4, 50.5, 50.6, 50.7, 50.8, 50.9, 51.0, 51.1, 51.2, 51.3, 51.4, 51.5, 51.6, 51.7, 51.8, 51.9, 52.0, 52.1, 52.2, 52.3, 52.4, 52.5, 52.6, 52.7, 52.8, 52.9, 53.0, 53.1, 53.2, 53.3, 53.4, 53.5, 53.6, 53.7, 53.8, 53.9, 54.0, 54.1, 54.2, 54.3, 54.4, 54.5, 54.6, 54.7, 54.8, 54.9, 55.0, 55.1, 55.2, 55.3, 55.4, 55.5, 55.6, 55.7, 55.8, 55.9, 56.0, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8, 56.9, 57.0, 57.1, 57.2, 57.3, 57.4, 57.5, 57.6, 57.7, 57.8, 57.9, 58.0, 58.1, 58.2, 58.3, 58.4, 58.5, 58.6, 58.7, 58.8, 58.9, 59.0, 59.1, 59.2, 59.3, 59.4, 59.5, 59.6, 59.7, 59.8, 59.9, 60.0, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 61.0, 61.1, 61.2, 61.3, 61.4, 61.5, 61.6, 61.7, 61.8, 61.9, 62.0, 62.1, 62.2, 62.3, 62.4, 62.5, 62.6, 62.7, 62.8, 62.9, 63.0, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 64.0, 64.1, 64.2, 64.3, 64.4, 64.5, 64.6, 64.7, 64.8, 64.9, 65.0, 65.1, 65.2, 65.3, 65.4, 65.5, 65.6, 65.7, 65.8, 65.9, 66.0, 66.1, 66.2, 66.3, 66.4, 66.5, 66.6, 66.7, 66.8, 66.9, 67.0, 67.1, 67.2, 67.3, 67.4, 67.5, 67.6, 67.7, 67.8, 67.9, 68.0, 68.1, 68.2, 68.3, 68.4, 68.5, 68.6, 6

**EXHIBIT B**  
(Legal Description)

**LOT 1**

Lot 1, Woods at Rosecrest PUD Subdivision being more particularly described as follows:

Beginning at the Southeast corner of the former Lot 1 of Woods at Rosecrest Subdivision, said point also being North 00°30'21" East 367.24 feet and North 89°48'00" East 1123.55 from the found street monument at the intersection of 3300 South Street and 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running; thence North 00°27'16" East 105.83 feet to the southerly line of Lot 6 of the former Woods at Rosecrest PUD Subdivision; thence North 89°48'00" East 56.43 feet along the southerly line of said Lot 6; thence South 11°40'00" East 107.97 feet to the northerly right-of-way line of 3225 South Street; thence South 89°48'00" West 79.10 feet along the northerly right-of-way line of 3225 South Street to the point of beginning.

**LOT 2**

Portion of Lot 2, Woods at Rosecrest PUD Subdivision being more particularly described as follows:

Beginning at the Southeast corner of the former Lot 1 of Woods at Rosecrest Subdivision, said point also being North 00°30'21" East 367.24 feet and North 89°48'00" East 1123.55 from the found street monument at the intersection of 3300 South Street and 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running; thence South 89°48'00" West 79.10 feet along the northerly right-of-way line of 3225 South Street; thence North 1°18'37" West 103.75 feet to an existing vinyl fence; thence North 88°20'43" East 82.35 feet along existing vinyl fence; thence South 00°27'16" East 105.83 feet to the point of beginning.

**LOT 10**

Lot 10, Woods at Rosecrest PUD Subdivision being more particularly described as follows:

Beginning at the Southeast corner of the former Lot 10 of Woods at Rosecrest Subdivision, said point also being North 00°30'21" East 367.24 feet and North 89°48'00" East 965.55 feet and North 11°52'00" West 315.48 feet and South 88°42'18" East 79.86 feet and South 87°54'36" East 32.78 feet and North 25.00 feet from the found street monument at the intersection of 3300 South Street and 2300 East Street, said street monument being North 00°05'30" East 1145.40 feet from the South Quarter Corner of Section 27, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running; thence North 00°39'20" West 159.67 feet to the Lambourne Avenue right of way; thence South 84°53'36" East 102.13 feet along the Lambourne Avenue right of way; thence South 152.45 feet to the southwest corner of said Lot 10; thence North 88°55'12" West 99.92 feet to the point of beginning.





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GP-25-003

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## Executive Summary

**Date:** January 12, 2026

**Applicant:** Millcreek

**Re:** Addition of a Water Preservation Element to the General Plan

**Prepared By:** Sean Murray

## REQUEST AND SYNOPSIS

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Staff presented a draft of the proposed Water Preservation Element to the City Council on December 8<sup>th</sup>, 2025, for a first reading. The item was presented to and considered by the Millcreek Planning Commission on December 17<sup>th</sup>, 2025. During this meeting, Planning Commissioners were presented with an updated draft which included better goals, suggestions from community councils, and changes suggested by the City Council.

Since the December 8<sup>th</sup> meeting, staff have included multiple changes to the Water Preservation Element largely found in the goals and strategies section of the plan. These changes come from comments staff heard in community council meetings, city council members, and from the Utah Division of Wildlife Resources. Organizing the goals into better categories and including more specific strategies will help with implementation of the plan and its contents.

New strategies and goals include consideration of water quality and contamination when discussing Millcreek's future water plans and aspirations. New strategies also include creating a better tree canopy program to help reduce heat island effects around the city and slow evaporation rates. Community council members mentioned the need for Millcreek to get a better understanding of the operations and processes with SLCDPU since they provide a majority of the water to residents. These changes, along with some grammatical and technical changes, can be found in the attached plan found at the end of this report.

A more in-depth staff report is attached to this memo.

## SUPPORTING DOCUMENTS

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- Staff Report
- December 17<sup>th</sup> 2025, Planning Commission Draft Minutes
- Water Preservation Element plan



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GP-25-003

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## Staff Report

**Date:** January 12, 2026

**Applicant:** Millcreek

**Re:** Addition of a Water Preservation Element to the General Plan

**Prepared By:** Sean Murray

**Scope of Decision:** **Discretionary.** This is a legislative matter, to be decided by the Millcreek City Council upon receiving a recommendation from the Community Council(s) and the Millcreek Planning Commission. Your recommendation can be broad in scope, but should consider prior adopted policies, especially the Millcreek General Plan.

## REQUEST AND SYNOPSIS

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In 2022, the Utah legislature adopted [Senate Bill 110](#) which requires all municipalities and counties in Utah to update their general plans to include a Water Preservation Element that outlines water consumption and preservation. The goal of this bill is to gain a better understanding of how water is used within a municipality and what can be done to reduce consumption over the coming decades.

Millcreek partnered with Bowen Collins & Associates, a water focused civil engineering firm, to help gather data and draft elements of the plan. This partnership was essential in collecting data from the multiple water providers within Millcreek. Since Millcreek does not manage its own water utility, staff had to collect data from the numerous providers and extrapolate their data for the Millcreek service area. With this data, staff could estimate how much water is currently used within Millcreek and how much preservation of water usage will be necessary as our population grows. This data, as well as preservation benchmarks and strategies, are outlined in detail in the attached draft preservation element at the end of this memo.

## CURRENT WATER PROFILE

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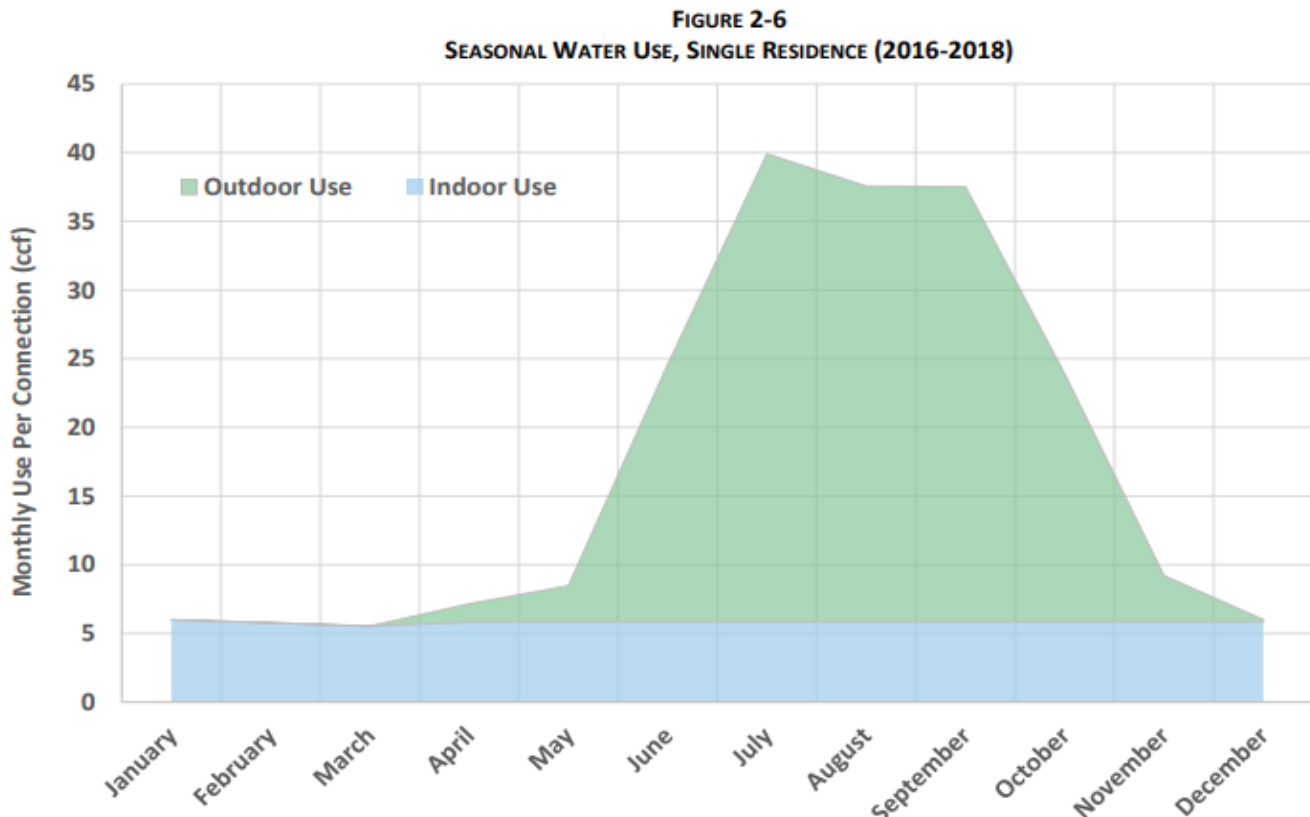
Millcreek is served by five separate culinary water providers, none of which are managed by Millcreek. Due to this, gathering data on usage can be difficult when since there is no one source that can show data for the entire city. Instead, staff and the consultant met with the water providers and collect what data they could pull for their Millcreek service areas. A majority of the culinary water in Millcreek is provided by Salt Lake City Department of Public Utilities (SLCDPU) and Jordan Valley Water Conservancy District (JVWCD).

## USAGE

Data was collected from SLCDPU, JMWCD, and Holliday water. SLCDPU's data was the most detailed and came with a 5-year history. JMWCD only provided water usage numbers for their entire retail service area, not Millcreek specifically. Their retail service area spans a large swath of South Salt Lake City, parts of Murray, Millcreek west of 700 E, and a few disparate areas in southern Salt Lake County. Holliday water provided estimates of water use within the area they serve in Millcreek. Since all the data provided lacks standardized formatting and details, staff relied heavily on the SLCDPU data to generate a city-wide water consumption profile.

Based on data provided from SLCDPU, the average user in the Millcreek service area is 208 gallons per capita per day (gpcd). Multiplying this average by the current Millcreek population, 64,913, produces a daily average usage of 13,501,904 gallons per day. Taking this number and multiplying it by 365, we get an annual consumption of roughly 4,928,194,960 gallons per year. When discussing large amounts of water like this, the usual metric is acre feet per year (AF). An acre foot is the amount of water to cover one acre of land one foot deep which is about 325,851 gallons. In this case, 4,928,194,960 gallons per year, converts to roughly 15,100 AF per year.

Most of Millcreek's water is consumed by residential customers. SLCDPU states that roughly 75 percent of the water provided to Millcreek is for residential uses. SLCDPU only serves part of Millcreek; however, many of the development patterns that exist in their service area are consistent within the service areas of other water providers. The water that is consumed by customers can be broken down into indoor and outdoor usage with indoor usage staying relatively consistent throughout the year and outdoor water spiking in the summer months of May through September. The highest user of outdoor water are single residence households. The graph below from the *2020 Salt Lake City Water Conservation Plan* shows the split between indoor and outdoor water usage for an average single household residence throughout the year.



(Ccf equals one hundred cubic feet or 748 gallons of water.)

## FUTURE WATER REQUIRMENTS

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The plan establishes consumption goals laid out every ten years with data points starting in 2024 and ending in 2060. Staff used current and projected population growth rates established in the 2024 Millcreek Housing Report to determine water consumption rates with and without conservation efforts.

Population growth rates were set at the following rates:

Year	Population	Projected Growth Rate
2024	64,913	6.7%
2030	69,093	6.4%
2040	73,480	6.4%
2050	77,169	5.0%
2060	81,028	5.0%

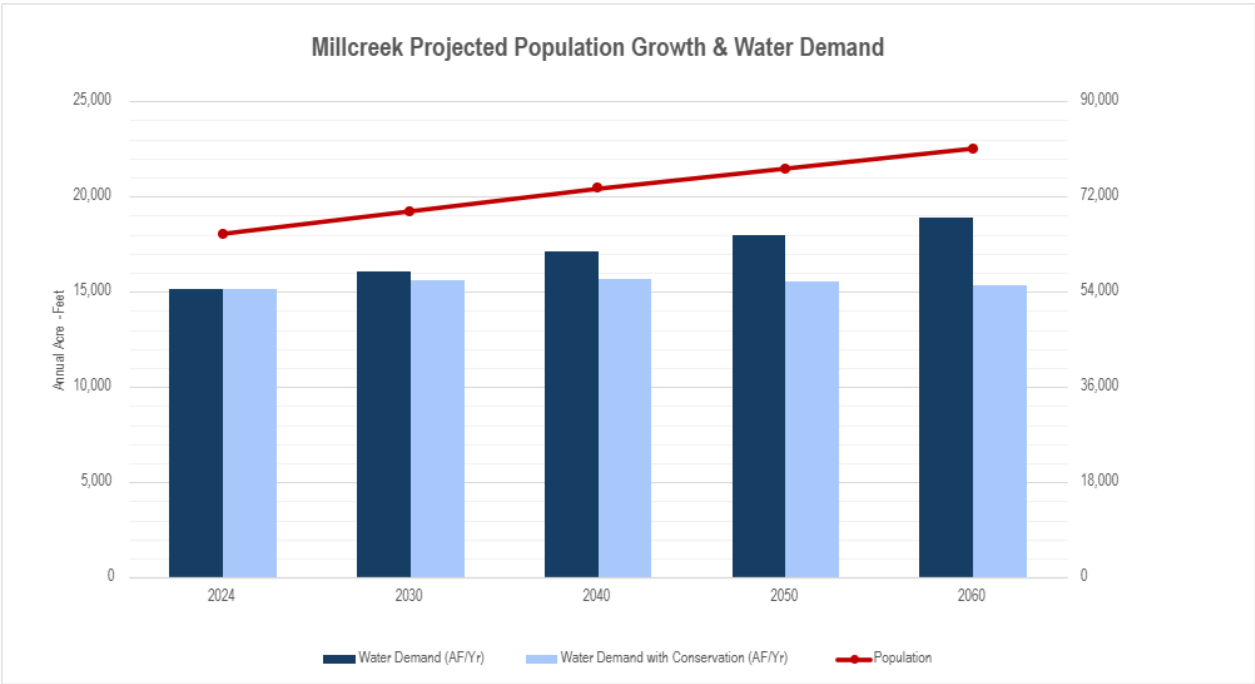
Based on these projected growth rates, water consumption, if maintained at the current rate, would be as follows:

- 16,097 AF/year in 2030,
- 17,119 AF/year in 2040,
- 17,979 AF/year in 2050, and
- 18,878 AF/year in 2060.

The water providers discussed with staff the need to be water conscious now to ensure ample water supplies in the future. Water providers, such as SLCDPU and JWCD, are required to adopt and follow water conservation plans that outline future water consumption and conservation efforts taken by the water providers. These conservation plans outline specific goals and benchmarks the providers plan to meet in order to continue to provide water service decades into the future. These plans help outline the need for preservation on the consumers end as well as the providers need for better conservation. Using the metrics found in these plans, staff and the consultant estimated the amount of water preservation needed to meet the water providers conservation goals outlined in their plan.

Estimating future population growth rates, consumption practices, and unforeseen events makes planning of water consumption 40 years into the future difficult due to all the variables present. Due to this, Millcreek will need to reassess population growth and water usage in coming years to ensure the estimates made in this plan hold up to changing realities on the ground. Updating Millcreek's population data and water consumption data from water providers is imperative for this plan to be effective in years to come.

Below is a graph showing water consumption without conservation, with conservation, and estimated population growth.



To meet the goals outlined in these plans, per capita water usage needs to decrease on average from the current 208 gpcd to 169 gpcd by 2060. While this may seem like a difficult metric to meet, it’s worth noting that per capita water usage has been trending downwards for a number of years already, largely thanks to existing conservation goals, emerging water saving technology, and a better public understanding of the importance of water conservation in an arid climate. In the *2020 Salt Lake City Water Conservation Plan*, water usage in the SLCDPU service area dropped from roughly 280 gpcd in 2000, to 240 gpcd in 2007, to 208 gpcd in 2018. These numbers are based on SLCDPU system wide usage, so they do not necessarily reflect the usage in the Millcreek service area.

**If conservation of water is done diligently and in line with the adopted conservation plans of our water providers, then Millcreek will have reliable water into the future.**

## CONSERVATION

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To meet the goals outlined in the plan, conservation is paramount. Meeting these conservation goals is multi-pronged and must be done by multiple stakeholders, such as residents, governments, and businesses. Since Millcreek does not operate the water systems, only some efforts can be made by the city while others would have to be made by the providers themselves.

### EDUCATION

Education about the importance of water preservation and how to do it is imperative if the goals laid out in this plan are to be met. Millcreek has already been educating residents on water preservation and opportunities to save water. Printed and e-newsletters have outlined water saving strategies and rebate programs available to residents. Ongoing education programs through the newsletters are useful to keep residents up to date on the newest and best practices when it comes to water saving and conservation.

Seminars about water saving and waterwise plants can also be hosted at Millcreek City Hall in the coming years. The Jordan Valley Water Conservation Garden frequently puts on courses open to the public that discuss waterwise landscaping, rebate programs, and other water conservation methods.

## **LANDSCAPING**

One of the largest users of water is outdoor consumption for landscaping. This is especially pronounced in low density, single household neighborhoods, which constitutes the largest use of land acreage in Millcreek. Reducing outdoor water consumption is one of the best ways to reduce overall water consumption in the Millcreek service area.

Millcreek's new landscaping code already has provisions that limit the amount of turfgrass and water intensive plantings that can be allowed on a property. These rules affect new developments but are also applied when properties undergo major alterations. Allowances for turfgrass and other intensive plantings depend on the zoning of the property with manufacturing, commercial, and public properties largely prohibited from installing turfgrass unless under certain circumstances (parks, recreation areas, etc.). Single households are still allowed to install new turfgrass, however it must meet the LocalScapes provisions found in the landscaping code.

Water efficiency standards are also found in the code that outline the types of sprinklers that can be used and their flow rates. New developments must adhere to these standards while existing developments only need to come into compliance if there are major alterations to the property.

Low Impact Development (LID) is required for most new construction as well. LID consists of rain gardens, bioswales, and grassed swales to help reduce water waste and overload on the storm drain systems. LID improvements allow for water to permeate into the soil and back into the aquifer at a faster rate than traditional water runoff infrastructure.

## **LAND USE**

Land use plays a key role in water use and infrastructure improvements. **As residential density increases, water use tends to decrease per capita.** This is largely due to the decreased amount of landscaping that accompanies higher density developments. System loss from leaks and breaks also decrease with density as less infrastructure distance is needed to serve a higher population of residents.

Millcreek has two areas that accommodate high density housing, the Millcreek City Center and the Meadowbrook area on the west side. Additional moderate density housing is supported along certain corridors in Millcreek. These areas allow for higher density residential developments than other areas in the city and have rigorous landscaping standards that focus on water preservation. Each of these areas lie within separate water providers service areas. Each provider indicated to staff that they understood the increased density in these locations and what that would mean for system improvements such as upsizing water lines, new pressure demands on the systems, and the need for installation of new smart water meters.

## **ONGOING COMMUNICATION**

Constant and clear communication with water providers is key to ensuring that water demand and supply remain in balance. Since many of the assumptions and data points in this plan are subject to change over time, communicating those changes is important to ensure Millcreek and the providers are meeting their conservation goals. Currently, Millcreek and SLCDPU meet monthly to discuss new projects, system updates, and share data. Regular meetings like this should be done with all water providers to maintain relationships and up to date information.

## **COMMUNITY COUNCILS**

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Staff took this plan to the community councils during the week of December 5<sup>th</sup> to get comments and suggestions from the various community councils.

The Mount Olympus Community Council met on December 5<sup>th</sup> and discussed the plan with staff. The MOCC recommended that Millcreek staff work closer with Salt Lake City Department of Public Utilities to help influence policy related to water since so many residents rely on their service but have little to no say in policy. The council voted unanimously in favor of the proposed plan with the added goal of closer ties with SLCDPU.

The Millcreek Community Council had concerns about the data found in the plan, private property rights, and the State requiring Millcreek to adopt this preservation plan. Staff talked with members and answered what questions they could and explained why the state requires municipalities to adopt these plans. In the end, the council voted 6 in favor and 4 against adoption of the plan as proposed.

East Mill Creek Community Council voted unanimously in favor of the plan as proposed. Staff and council members discussed water issues in Millcreek and the region as a whole, as well as a few of the goals and strategies mentioned in the plan.

Canyon Rim Citizens Association does not meet in December but were sent the plan and staff memo. The chair of the association outlined some concerns in an email to staff. Concerns were that the plan lacked enough language surrounding tree canopy and how that can affect water use and general cooling. Mentioning in the plan how residents can currently work with the city to enforce bad water practices should be considered too (Report-a-concern). Lastly, concerns on how Millcreek would address getting to a lower water consumption goal were brought up, specifically how to track and ensure Millcreek is growing at the rate estimated in the plan and that water usage will be tracked diligently to ensure the plan is being met.

Comments and suggestions from these meetings are included in the proposed plan as much as possible.

## **CITY COUNCIL**

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The Millcreek City Council had a first reading on this item during their December 8<sup>th</sup> regular meeting. The reason for the item going to City Council before Planning Commission is due to the need to adopt this plan as early in 2026 as possible. Since there is no second City Council meeting in the month of December, staff decided to do a first reading now and then gather comments from the Planning Commission before going back to the City Council for a second reading in early January 2026.

The City Council received the memo sent to the community councils with an added executive summary discussing the adoption timeline and the initial comments from the community councils. The Council was presented the plan and asked questions of staff. One of the main recommendations was that the plan should discuss the importance of water quality when it comes to preservation. Keeping the water that flows into the Jordan River and the Great Salt Lake free of pollutants and detritus will help ensure fewer environmental problems down river.

Council members understood that this plan is a requirement of the state legislature and were happy to hear that the initial review by the Utah Department of Natural Resources stated that the proposed plan met the state's requirements.

## **PLANNING COMMISSION**

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At their regularly scheduled meeting on December 17th, the Millcreek Planning Commission was presented the Water Preservation Element plan and the data within it. Staff relayed comments made by community councils, City Council members, and Utah Division of Wildlife Resources.

Two commissioners had comments about the item, mainly surrounding enforceability of landscape plans and better data collection. Chair LaMar wanted to see if there was a better way of monitoring water usage at a site and ensure that future property owners adhere to a smart approach to water usage. Commissioner Soule wanted to see better cooperation with SLCDPU on infrastructure upgrades and projects due to the aging infrastructure and the overall effect that leaks may have on consumption. She also wanted to see better outreach for rebate programs and water conscious gardening.

The issue of ensuring that waterwise landscaping is upheld and done correctly is more of an issue to be tackled by code enforcement when issues arrive. Including standards for better landscape plan requirements, such as water budgeting, would be better fit in Millcreek's landscaping code so that all future applicants must adhere to those standards. Commissioner Soules' comments fit within the existing goals of better cooperation and communication with SLCDPU found in the plan. Commissioning a study with SLCDPU on water usage, infrastructure, and future plans, would be beneficial to Millcreek and SLCDPU. This is currently a stated goal in the plan and should be pursued when feasible.

The Planning Commission unanimously moved to recommend adoption of the Water Preservation Element to the Millcreek Together General Plan.

## **PLANNING STAFF RECOMMENDATIONS**

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Planning staff recommend reviewing the attached Water Preservation Element and asking staff questions about the plan at the upcoming meeting. The plan includes changes requested by the community councils, City Council, and Utah Division of Wildlife Resources. Planning staff recommend adopting the Water Preservation Element to the Millcreek General Plan

## **SUPPORTING DOCUMENTS**

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- **December 17<sup>th</sup>, 2025, Planning Commission Draft Minutes**
- **Water Preservation Element plan**



approval, even if full fence replacement is not required, consistent with conditions originally imposed in 1995.

Commissioner Reid asked if the problem was the 55+ age not being enforced or that the code is wrong because 0.5 stalls per unit is not enough. Lilly noted this was a legislative approval, so if the commission felt that more parking was needed then they should make a finding as part of their recommendation to the city council. Commissioner Soule felt there was not enough information to make a recommendation. Commissioner Larsen recommended denial until the parking requirements are increased and there be a workable plan to meet those requirements. Chair LaMar would like to know the bedroom count of the facility. Commissioner Richardson said 80% AMI for senior housing was something the commission should care about.

John Brems said the Fair Housing Act prohibits discrimination based upon age. There is an exemption for 55 and older communities that meet specific conditions. Those conditions are called the 80/20 Rule. At least 80% of the occupied units, not just those who signed the lease, are persons at least 55 years of age or older. The 80% requirement must be maintained. He noted this application to remove a zoning condition was legislative, so the commission could solve problems if there were any with the development.

**Commissioner Larsen moved to continue this application to a specified date, so that the parking requirements for 55 plus can be evaluated and increased, a plan can be implemented to meet those requirements and brought again before the Planning Commission, and to include more information on the units, as well as AMI and to provide documentation that 80% of the units are occupied by age 55 or older. Commissioner Reid seconded. Chair LaMar called for the vote. Commissioner Anderson voted yes, Chair LaMar voted yes, Commissioner Larsen voted yes, Commissioner Lofgren voted no, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted no, and Commissioner Wright voted yes. The motion passed.** Commissioner Soule felt the application should be denied. Commissioner Lofgren felt new information would not change the parking issue. Lilly said the application would come back to the commission in January.

## **1.2 Consideration of GP-25-003, Request to Amend the Millcreek Together General Plan to Add a Water Preservation Element**

**Planners: Sean Murray & Francis Lilly**  
Sean Murray presented General Plan Amendment GP-25-003, which adds a required Water Preservation Element to the Millcreek General Plan in response to Utah Senate Bill 110 (2022). He explained that, unlike water conservation plans adopted by water providers, preservation plans guide municipal policies and land use strategies to reduce end-user water demand. Millcreek worked with Bowen Collins, state agencies, and regional water providers—primarily Salt Lake Public Utilities and Jordan Valley Water—to develop the plan using available consumption data, which indicates average use of approximately 208 gallons per capita per day and an annual total of roughly 15,100 acre-feet. Murray noted that most water use fluctuations are seasonal and driven largely by outdoor irrigation, particularly in lower-density single-family neighborhoods. Population growth projections were aligned with water provider conservation plans, showing that per-capita water use is already declining and is expected to continue decreasing with ongoing conservation practices. Since Millcreek does not operate its own water system, the plan focuses on policy tools already in use or proposed, including water-wise landscaping standards, rain barrel subsidies, public education, land use

planning that supports higher density in designated centers and corridors, and coordination with water providers. Murray reported that community councils generally supported the plan, with concerns centered on data precision, private property rights, and state mandates, and that City Council feedback emphasized water quality and downstream impacts. He concluded that the plan positions Millcreek to maintain reliable water supplies into the future, while acknowledging the need for periodic updates, improved data collection, continued coordination with water providers, and expanded public education efforts.

*Chair LaMar opened the public hearing.*

Michael Rush, Canyon Rim Citizens Association, expressed support for the inclusion of policies recognizing and promoting tree canopy preservation and expansion in the final plan, noting that tree canopies help reduce heat island effects, lower cooling demands, decrease evaporation, and ultimately reduce water usage. He emphasized the importance of protecting Millcreek's existing canopy while actively seeking opportunities to expand it in a thoughtful and sustainable manner. Rush also reflected on long-term water demand projections, particularly the estimated acre-foot usage by 2060, and encouraged ongoing consideration of how population growth and increased density may lead to future inflection points requiring difficult policy decisions. He urged city leaders to remain mindful of these long-term implications as they make planning and land use decisions, even within shorter elected terms.

*Chair LaMar closed the public hearing.*

Chair LaMar commended the broader goals of the plan related to protecting water resources and promoting regional cooperation, and suggested an additional refinement focused on quantifying water use in landscape planning. He recommended that landscape plans not only describe plantings and irrigation systems, but also clearly estimate expected water consumption so conservation goals can be measured and managed over time. Chair LaMar emphasized that these metrics should be practical and enforceable, proposing that developments of a given size target specific water-use thresholds, particularly during peak summer months. He further stressed the importance of ensuring that irrigation guidance is not merely documented in plan sets or digital files, but is translated into clear, durable, and accessible on-site instructions, such as posted schedules near irrigation control boxes, so that future maintenance personnel can easily follow appropriate watering practices and avoid over-irrigation.

Murray noted that Salt Lake Public Utilities has suggested potential strategies to improve water-use tracking and efficiency, particularly for larger developments. One option discussed was requiring separate water meters for indoor and outdoor use, which would allow more accurate monitoring of irrigation-related consumption and provide better data for future planning. He also highlighted existing code requirements for efficient irrigation systems, such as limits on drip emitter output, and pointed to emerging technologies like smart sensors that adjust watering based on soil moisture and weather conditions. Murray explained that many water conservation rebate programs already require pre- and post-installation inspections to ensure systems are installed and operated as designed. He concluded that, as technology continues to improve and costs decrease, the city could consider adding more specific requirements, especially for larger projects, to further enhance water efficiency and data collection.

Commissioner Soule raised concerns about improving water-use data collection by accounting for infrastructure losses, noting that aging pipes in parts of Millcreek contribute to water breaks and significant water loss before repairs are made. She suggested the city works more closely with Salt Lake Public Utilities to better understand how much overall water consumption is attributable to system leaks and whether more proactive pipe replacement could reduce these losses. Commissioner Soule also recommended expanding use of the Utah Water Conservation Program, particularly for larger developments, by requiring landscape plans to be reviewed through the program before installation to improve efficiency. Additionally, she emphasized the value of better public outreach and education about available rebates, suggesting that sharing real examples and financial benefits could encourage broader participation in water-wise landscaping programs.

Murray acknowledged that Salt Lake Public Utilities faces ongoing challenges related to aging infrastructure and water loss, noting that the utility is not a taxing entity and relies on Salt Lake City's budget, which complicates system-wide upgrades. He explained that utility reports submitted to the state indicate a significantly higher water loss rate compared to other systems, attributable to a combination of unavoidable system losses and frequent breaks associated with older infrastructure. While recognizing the scale and complexity of these challenges and the competing priorities the utility manages, Murray agreed that conducting a more focused study to better understand infrastructure-related water losses would be valuable and could provide useful data to inform future planning and coordination efforts.

**Commissioner Lofgren moved to recommend GP-25-003, the adoption of a Water Preservation Element to the Millcreek General Plan to the Millcreek City Council, as presented. Commissioner Richardson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Larsen voted yes, Commissioner Lofgren voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright was not present for the vote. The motion passed.**

## **2. New Item**

### **2.1 Consideration of CU-25-009, Request for a Condition Use Permit to Allow a Business Office an Outcall Service Location: 715 E 3900 S Applicant: Brandi Defa Planner: Zack Wendel**

Zack Wendel explained that the applicant is requesting a conditional use permit to operate a business office for an outcall service, within an existing office complex in the Residential Mixed (RM) zone. Under the Millcreek zoning ordinance, outcall service businesses are classified as sexually oriented businesses and may operate in the RM zone with a conditional use permit and business license, subject to legal standards informed by case law. The property is a nearly 1.5-acre office complex with approximately 25,000 square feet of space, though the proposed use would occupy only about 207 square feet for administrative purposes. The office would be staffed by one licensed employee per shift, serve no clients on site, conduct all bookings online or by phone, and display only minimal signage required for emergency identification. Surrounding uses include medical and commercial facilities, and the proposed office-only use is expected to mitigate typical impacts associated with sexually oriented businesses. Staff determined that the application meets all conditional use permit criteria except for one issue: the parking lot is not fully compliant with current off-street parking standards due to faded or missing striping. As a result, staff recommends approval of

## SUBCHAPTER 3.8: **WATER USE & PRESERVATION ELEMENT**

*Utah is home to the incredible Great Salt Lake as well as many freshwater lakes, rivers, and creeks, however, fast population growth and the arid Utah climate create a water scarcity issue that poses a serious threat to Utah's environment and economy. Preserving and protecting water helps ensure long-term sustainability, helps support local ecosystems, and secures reliable water for generations to come.*

### 3.8.1 **THE IMPORTANCE OF WATER PRESERVATION IN MILLCREEK**

In 2022, the Utah State Legislature adopted S.B. 110, which requires that all municipalities, including Millcreek, include a water preservation element in their general plan. This plan intends to formally integrate water use and preservation planning into Millcreek's long-term development and maintenance strategies. Millcreek and its residents have shown year after year they care about preserving water and treating it as a precious resource, and this plan aims to continue those efforts into the near future and beyond.

Required components of the plan include:

- Effect of permitted development on water demand and infrastructure
- Methods for reducing water demand and per capita consumption for future development
- Methods for reducing water demand and per capita consumption for existing development
- Opportunities to modify operations to eliminate or reduce conditions that waste water





## 3.8.2 TRENDS

### Millcreek's Current Water Profile

**Where does Millcreek get its water?** Millcreek does not operate its own water system. Instead, multiple water providers and businesses work together to provide water to residents throughout the city. These water providers manage the infrastructure, deliver water, and charge residents. These providers have an essential role in setting long-term water conservation goals so that Millcreek will have reliable water for years to come. The water providers are shown in the map to the right and are listed below:

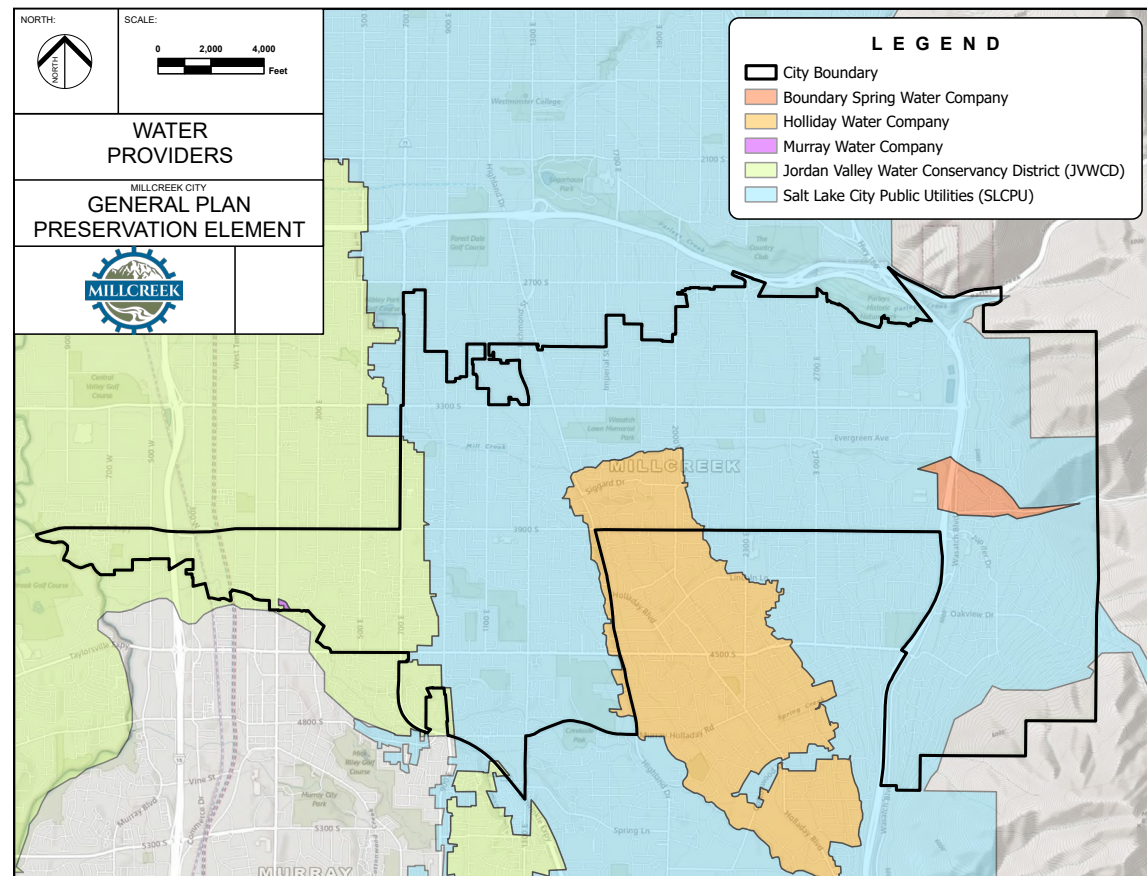
- **Salt Lake City Public Utilities (SLCDPU).** The largest portion of Millcreek residences and businesses receives their water from Salt Lake City Public Utilities. This water provider serves not only Millcreek but also serves Salt Lake City and other municipalities in the area. For more information on SLCDPU, see their conservation plan found on their website.
- **Jordan Valley Water Conservancy District (JVWCD).** The second largest portion of Millcreek residences and businesses receives their water from the Jordan Valley Water Conservancy District. This district serves both wholesale and retail water to a number of communities throughout the Salt Lake Valley. For more information on JVWCD, see their conservation plan found on their website.
- **Holliday Water Company.** A small, but not insignificant, portion of Millcreek is served by Holliday Water Company. This company

mainly serves Holladay City but serves some Millcreek residents as well. Holliday Water Company gets some of its water through SLCDPU, and some of its water from its own sources.

- **Boundary Spring Water Company.** As a small-scale water provider, Boundary Spring

Water Company serves about 150 homes in Millcreek.

- **Murray City Water.** Murray City primarily serves water to its own residents to the southwest of Millcreek. A handful of properties within Millcreek are also served by Murray City Water.





**How is water currently used in Millcreek?**

In 2024, the population in Millcreek was approximately 64,913. Within the SLCDPU service area, the residential population makes up over 75% of annual water use. Other areas in the city may see higher water use from industrial or commercial users, but overall, the majority of water use in Millcreek is from residential customers.

**How much water does Millcreek currently use?**

Residents in Millcreek use water at home, at work, and recreationally. Gallons per capita per day (GPCD) is the standard way to measure water use for an area based on population and is a common practice among water professionals. Current water demand trends from the SLCDPU conservation plan show that water sales in the Millcreek service area are approximately 208 GPCD. This means that in 2024, water sales within Millcreek were approximately 15,100 acre-feet.

Since water is supplied by multiple water service providers, data received about water usage within the Millcreek service area varied in accuracy and specificity. **Due to this, it is likely that the average consumption is lower than 208 GPCD.**

**Besides drinking it, how is water consumed?**

Water usage can be split into indoor and outdoor use. Indoor water consumption stays consistent throughout most of the year, while outdoor water usage increases dramatically in the summer months of May through September. Specific land uses such as residential, industrial, and commercial all have different consumption patterns when looking at indoor and outdoor usage.

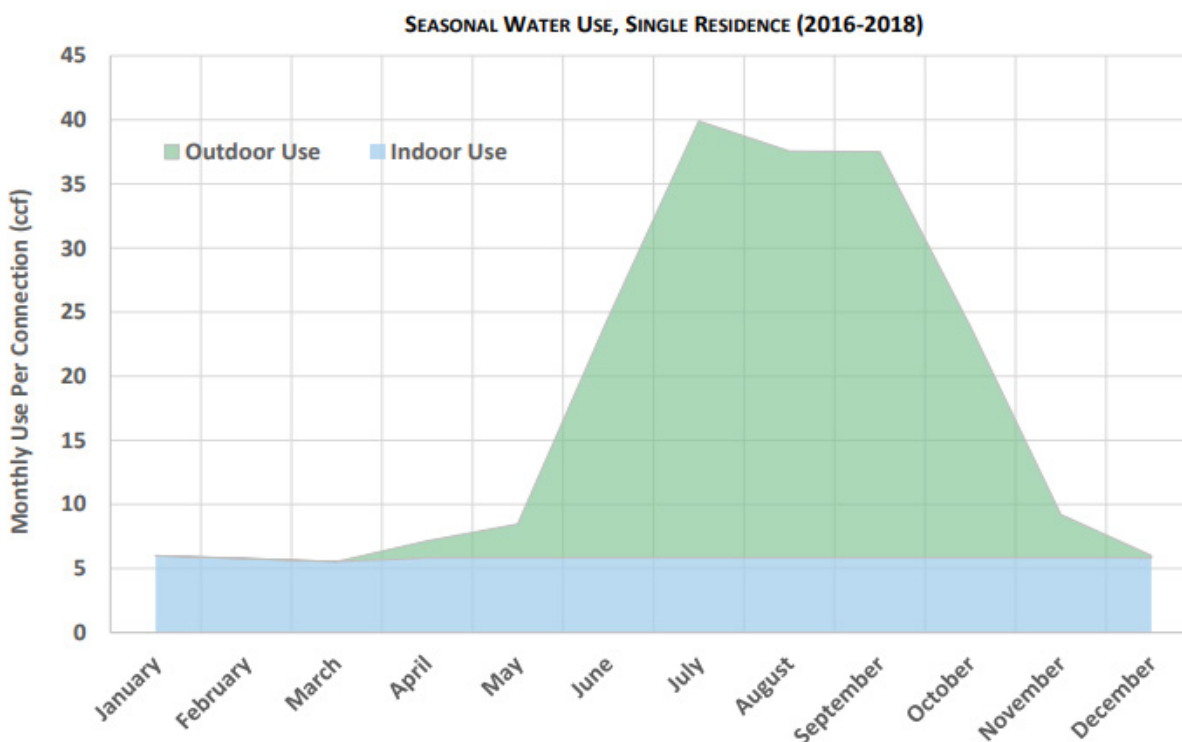
The figure below shows the use of water split between outdoor usage (green) and indoor usage (blue) for an average single family residence in the SLCDPU service area. This figure is taken from the *2020 Salt Lake City Water Conservation Plan*.

Low density single household residences have the highest amount of outdoor water consumption of all land use types. The figure below shows the average household water usage for a single residence. This data is taken from the *2020 Salt Lake City Water Conservation Plan* and gives a general idea of water consumption practices in

the SLCDPU service area.

Uses such as industrial and commercial frequently have higher indoor consumption and significantly lower outdoor consumption due to a frequent lack of significant outdoor landscaping associated with these uses.

Based on data provided by SLCDPU, water consumption within the Millcreek service area between 2020 and 2024 averaged around 78% residential use, 12% commercial use, and 10% industrial use.





**Where does Millcreek's water come from?** As previously discussed, Millcreek relies on multiple water providers for its water. Our water comes from rivers, creeks, wells, and springs, all over the Salt Lake Valley. To find additional details on water sources and infrastructure that serve residents, the first step is to identify the correct water provider by looking at the "Water Providers" figure within this report or by visiting the State of Utah's Department of Environmental Quality's water system search website. After identifying the applicable water provider, the second step is to read the water provider's "Water Conservation Plan" to get the desired details.

### Future Water Requirements in Millcreek

What does Millcreek's future water use look like? Do we have enough water for our community?

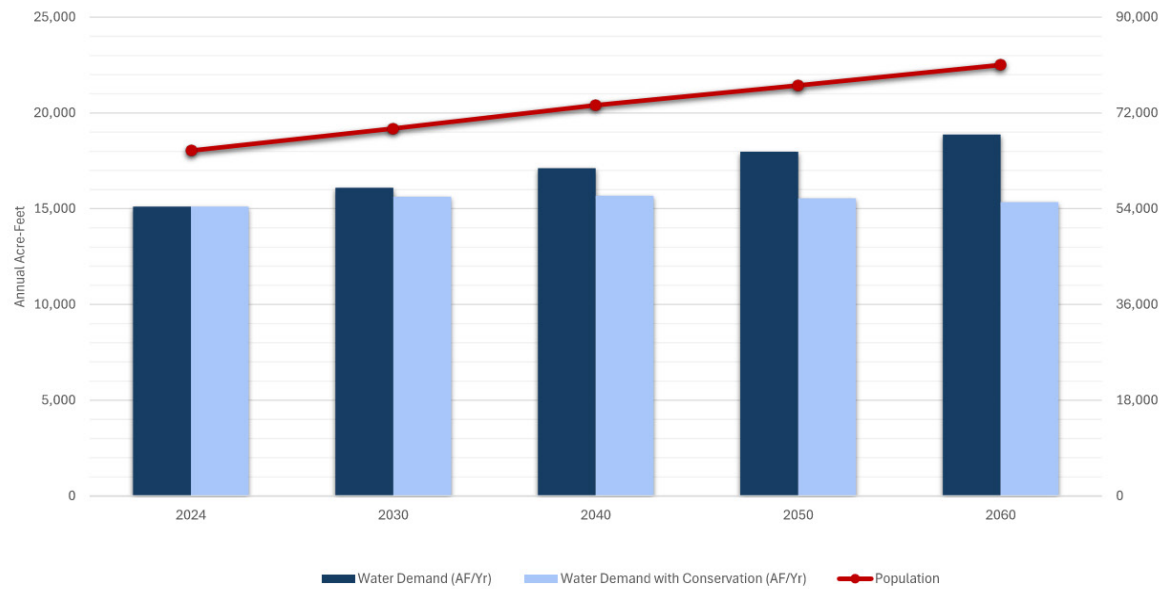
**What is Millcreek's water demand without conservation?** The population of Millcreek is projected to increase relatively steadily, and will be about 77,200 people by 2050. Most of this growth is expected to occur through increasing residential density. Because Millcreek is essentially built out, our projected growth is significantly smaller than other communities in Utah. If water use patterns and per-capita water use remains the same as it is right now, the total annual water sales will increase to about 19,000 acre-feet by 2060.

**What is Millcreek's projected water demand with conservation?** To meet the requirements of Millcreek's water providers, conservation is required. To meet the goals within SLCDPU's conservation plan, Millcreek needs to drop its usage by 2.9%, 8.4%, and 18.7% by 2030, 2040, and 2060 respectively. This equates to a reduction from 208 GPCD to 202 GPCD by 2030 and 169 GPCD by 2060 in order to meet the plan's requirements for conservation. Based on these per-capita water use values, the total annual demand needs to be no more than 15,300 acre-feet by 2060. The figure to the left shows Millcreek's projected population and water use.

**Do we have enough water for our future?** As discussed above, Millcreek does not manage its own water supply but rather supports its water suppliers in meeting their goals and requirements. Subsequently, it is not possible to define an exact supply for Millcreek as growth and conservation in other parts of the water suppliers' service areas will affect overall water availability. To mitigate this uncertainty, Millcreek staff is in constant communication with the two major water suppliers – Salt Lake City Public Utilities and Jordan Valley Water Conservancy District. **Both SLCDPU and JWCD have stated that, as long as Millcreek meets the water conservation goals set and discussed within this planning document, and future growth does not exceed the projections contained here, there will be reliable water for Millcreek into the future.**

The figure illustrates, that while the population steadily increases over time, Millcreek's total annual water use is projected to increase by only 200 acre-feet between 2024 and 2060 as a

**Millcreek Projected Population Growth & Water Demand**



SOURCE: BOWEN COLLINS & ASSOCAITES

result of conservation efforts. In order to meet the requirements of the water providers and secure water for the future, these conservation efforts must be successful in reducing water demands. As detailed below, Millcreek has already been making progress.

### 3.8.3 VISION & PRINCIPLES

Since incorporation, Millcreek has worked with residents and new developments to design water efficient landscaping and watering standards. Because Millcreek is not a water provider, it can be difficult to manage water usage. However, through incentives and landscape reviews, existing homeowners and new developments have been much more focused on landscaping and water practices that reduce overall consumption of water.

#### How is Millcreek Managing Outdoor Water Usage?

Outdoor water consumption is one of the drivers of demand in Millcreek. Reducing outdoor water usage through better landscape standards, smarter infrastructure, and more rigorous efficiency standards is a key way to reduce Millcreek's overall water consumption now and into the future.

#### *Waterwise landscaping for current and new development*

In 2023, Millcreek updated its landscaping standards to align with modern waterwise standards set out by the Central Utah Water

Conservancy District. These standards apply for new development and allow existing developments to be altered in ways that maximize water preservation.

Since adopting these standards, Millcreek has seen businesses and private residences remove high water landscaping and replace it with waterwise plantings that mimic the natural environment in terms of water use, plant selection, and biodiversity. Prior to the ordinance's adoption, Millcreek's landscape standards did not permit modern waterwise standards, so residents could not participate in rebate programs for replacing their water intensive landscaping.

The updated standards follow the best practices to reduce water usage and waste while allowing homeowners and businesses to still have landscaping that fits their needs. All new development must meet these standards and redevelopment over certain sizes must also comply with these standards.

#### *Hydrozones*

Millcreek's landscape standards also include planting standards for plants with similar water needs. This section is broken up into different "hydrozones" based on the frequency of watering. The hydrozone standard ensures that low water plants are used correctly and grouped to prevent over or under watering of plants on a site. As the needed frequency of watering increases, there is a limit outlined that no more than 10 percent of plant material may fall into the highest water use hydrozone.

#### *Water Efficiency*

Millcreek's landscaping code requires water efficient irrigation systems for new landscape projects. These standards outline how and when to use drip emitters versus overhead sprinklers and operational procedures for each. There are also standards for automatic controllers, valves, pressure regulation, and use on slopes above 30 percent. New watering systems must achieve a minimum efficiency of 75 percent for fixed spray systems and 70 percent distribution efficiency for rotor systems.

#### *Turfgrass*

Turfgrass that is allowed to be installed has been significantly reduced for new developments within the city. Commercial, manufacturing, institutional, and public properties are prohibited from installing turfgrass. Mixed use and mixed household developments are prohibited from installing turfgrass for ornamental or aesthetic uses, but are allowed to install turfgrass for recreation facilities and sports fields. Single and two household homes are currently permitted to install turfgrass so long as it meets the LocalScape design standards found in the landscape standards.

HYDROZONE	IRRIGATION FREQUENCY	NOTES
Zone 0	Little or no water needed	Plant material in Zone 0 and 1 with water use requirement, as noted in the Millcreek Plant Species List, shall be used at the interface between urban areas and natural (non-irrigated) open space
Zone 1	Plants require supplemental irrigation once per month	
Zone 2	Plants require supplemental irrigation twice per month	No more than ten percent (10%) of plant material may fall under zone 3 and/or 4 watering frequency
Zone 3	Plants require supplemental irrigation once per week	
Zone 4	Most intensive water-use zone, plants require supplemental irrigation twice per week	





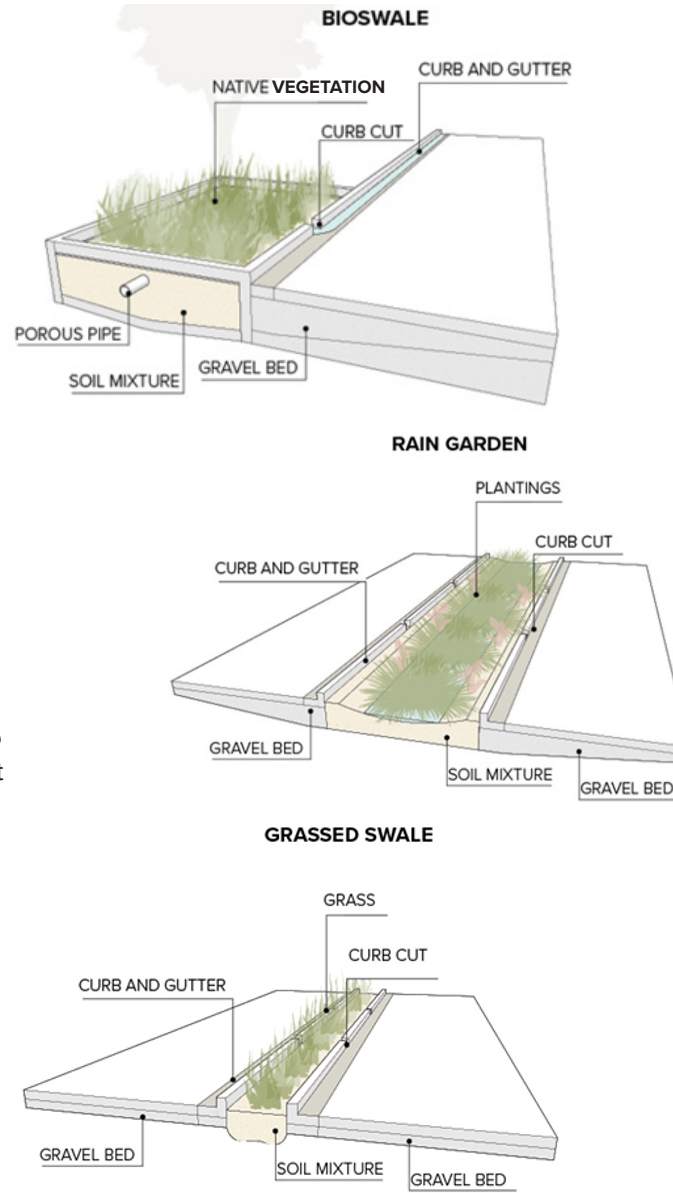
### Low Impact Development (LID):

Low Impact Development is required for new developments in Millcreek, especially when bordering parking lots or areas with impervious surfaces. LID consists of incorporating rain gardens, swales, and bioswales to reduce water waste. These types of infrastructure allow for water to permeate the soil and return to the aquifer. Examples of these can be seen to the right.

**Bioswales.** Bioswales are vegetated swales planted with various plant species that can tolerate occasional water inundation and serve to transport, store, and allow water infiltration.

**Rain Gardens.** Rain gardens are small, shallow, depressions planted with a variety of native or ornamental plants that can treat small amounts of runoff to improve water quality.

**Grassed Swales.** Grassed swales are designed to convey water over the ground's surface to a point of disposal and serve to slow water flow, allowing some particulates to drop out before the water reaches the disposal point.



## How is Millcreek Currently Working to Preserve Water?

Millcreek currently uses multiple strategies to ensure water is preserved for current and future generations. Landscaping standards, land use, and water savings programs are some of the ways Millcreek works to ensure water is used efficiently and that residents can use incentives to better preserve their own water.

### Land Use

Land use is one of the biggest tools when it comes to preserving the future of water in Millcreek. According to the *Utah Growing Water Smart* guidebook, published by Western Resource Advocates, the density of development can play a large role in per capita water consumption. Higher density developments (3-8 units per acre) tend to use less water per capita due to less outdoor landscaping and less water leakage from water delivery systems.

There are two areas in Millcreek where a majority of new higher density development is slated, in the Millcreek City Center, and in the Meadowbrook area near 3900 S and Main Street.

The Millcreek City Center, located near the intersections of 1300 E and 3300 S, and Highland Drive and 3300 S, consists of a mix of higher density residential buildings, civic services, and commercial businesses. The Millcreek City Center Master Plan can be found on the Millcreek website.

The Meadowbrook area, which is located west of State Street, has seen significant new development in the last ten years. A majority of the new development has been high density residential. Newly adopted station area plans that cover this area call for increased density and new infrastructure to help spur more development in the area. The Meadowbrook area is described in more detail through out this document, specifically on page 52.

### **Utah Water Savers**

Millcreek's code allows for residents to participate in rebate programs laid out and operated by the Utah Water Savers program. Waterwise landscape standards and the inclusion of LocalScapes language in code allows for residents to alter their private property, residential or commercial, in line with the requirements outlined by the Utah Water Savers Program.

### **Rain Barrel Sales**

Every year, Millcreek and surrounding communities have participated in Utah River Councils RainHarvest program that helps residents obtain rain barrels at reduced prices. Rain barrels are a great way for residents to practice water preservation on their own property without the need for costly property improvements. Rain harvesting was legalized in Utah in 2010 and residents are allowed to harvest 2,500 gallons of rain water per year. This program allows for residents to purchase rain barrels for \$85 instead of the market rate of \$155 per barrel.

### **Current Landscaping & Water Use Ordinances**

Millcreek's landscape standards were created with waterwise concepts included throughout. In 2023, Millcreek adopted new landscape standards in its zoning code that apply to new development and redevelopment within the city. This chapter of landscape standards was created with help from the Central Utah Water Conservancy District to ensure that the standards balance water savings and plant viability.

Rebates and programs that incentivize waterwise landscaping have helped residents and businesses switch to better landscapes that reduce outdoor water consumption. These rebates and programs help with costs associated with replacing landscaping and explain how and why these waterwise landscapes work. An example of a waterwise park strip can be seen to the right.



SOURCE: JORDAN VALLEY WATER CONSERVATION DISTRICT





### Newsletters & Outreach:

For years, Millcreek has been diligent in getting the word out about water preservation to residents in the city. Through social media, e-newsletters, and print newsletters, Millcreek has been regularly informing property owner and residents on how to reduce their water consumption. Articles discuss the rain barrel program discussed above, waterwise tips and ideas, and classes about reducing water waste in the park strip.

## Why Harvest Rain With A Rain Barrel?

Why should I use a rain barrel?

Stormwater is water that does not infiltrate into the ground; it flows across the ground and impervious surfaces into streams, rivers, lakes, etc. Homeowners can implement Best Management Practices to reduce the amount of stormwater runoff.



## BE IN THE KNOW

POLICIES | ORDINANCES | PROCEDURES

Installing rain barrels under downspouts is a low-cost BMP that can help reduce stormwater runoff. The amount of water purchased from

## Want to Make Your Lawn Water-Wise?

### REBATES FOR HOMEOWNERS

Homeowners may be eligible for rebates of \$2 to \$3 per square foot of lawn. Simply call 313-222-2222 and a landscape plan

### REBATES FOR HOMEOWNERS ASSOCIATIONS AND COMMERCIAL USERS

Homeowners Associations and Commercial users can receive a similar rebate through the Landscape Leadership Grant, which is funded through one of two sources: If you are a

## Waterwise Tips

**THIS WAS AN EXCEPTIONALLY DRY WINTER WITH THE AMOUNT OF WATER IN SNOW ACCUMULATION WELL BELOW AVERAGE. EXPERTS SAY THAT WE ARE IN THE THROES OF A HISTORIC DROUGHT. HERE ARE SOME THINGS YOU CAN DO:**

The Utah Division of Water Resources produces a weekly report of how often residents should water their lawns. You can follow this reliable Weekly Lawn Watering Guide designed exclusively for Salt Lake County to help you determine when and how much to water on the Division of Water Resources website at [conservewater.utah.gov/weekly-lawn-watering-guide/](http://conservewater.utah.gov/weekly-lawn-watering-guide/).

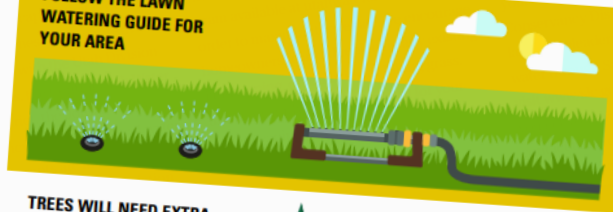
The normal rule of thumb is that one irrigation is equivalent to 20 minutes with pop-up spray heads and 40 minutes with impact rotor sprinklers. The state watering experts estimate that Utah could save more than 20 billion gallons of water in the summer if everyone cut back their water usage by 10% and watered according to the Weekly Lawn Watering Guide.

There are some easy ways to conserve. Tune up and adjust your sprinklers to be sure you are not watering the street, install a smart irrigation controller and bring out the hose to hand water dry spots.

Now that it's extra hot outside, we need be aware of the extreme need for water conservation. That's just the way it is living in the second driest state in the Union during a drought.

So please, do your part, Slow the Flow and be Waterwise!

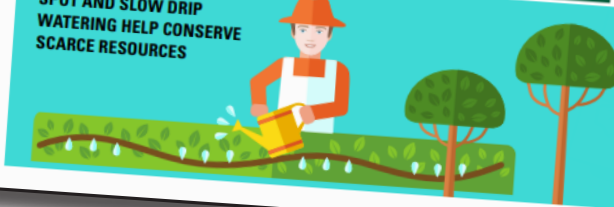
### FOLLOW THE LAWN WATERING GUIDE FOR YOUR AREA



### TREES WILL NEED EXTRA WATERING THIS YEAR TO SURVIVE



### SPOT AND SLOW DRIP WATERING HELP CONSERVE SCARCE RESOURCES



## WATERWISE PARK STRIP LANDSCAPING CLASS

Looking to switch out the lawn in your park strip for something more water-efficient? Led by Central Utah Water Conservancy District, this class will give you the guidance you need to get started. Together, we will learn about the types of plants and maintenance techniques best suited to park strips, as well as the park strip conversion rebate incentive known as "Flip Your Strip." Become eligible for a greater rebate just by attending this class!

DATE: MARCH 8, 2022  
TIME: 7:00 P.M.

HOSTED VIRTUALLY

Please register in advance at:  
[www.cottonwoodheights.utah.gov/sustainability](http://www.cottonwoodheights.utah.gov/sustainability)

### Water Provider Outreach

Since Millcreek has multiple water providers, coordination and cooperation with them is key to ensuring long term water availability for residents. A large majority of the culinary water in Millcreek is provided by SLCDPU, and JVVCD. As part of the creation of this plan, Millcreek staff met with officials representing both providers and discussed future projects, current system demands, and their respective conservation plans.

Millcreek also sent out questionnaires to all culinary and secondary water providers asking what challenges they each face and what Millcreek can do to help their respective conservation goals. In total, Millcreek sent out 11 questionnaires to the culinary water providers and canal companies that serve Millcreek. Of these questionnaires, Millcreek staff only received four back, two from canal companies and two from culinary providers.

The canal companies that responded cited aging infrastructure and new development as their largest concerns going forward. Many of these canal companies have older infrastructure that can leak and create issues getting water to share holders. Upgrading this infrastructure to maintain water deliveries to their existing water share holders was the main goal stated by the two companies that responded.

Holliday Water and JVVCD responded to the questionnaire as well. In JVVCD's response, they outlined their contingency plans, efficiency standards, and their overall confidence that they will be able to continue to serve a growing population in the valley so long as efficiency standards are upheld. Currently, they serve

780,000 residents with the ability to add an additional 420,000 by 2065. Staff also met JVVCD officials at City Hall to discuss further preservation measures that JVVCD are pursuing and how they interface with Millcreek policies and ordinances.

Holliday Water is a much smaller water provider that does not have the same capacity and distribution network of utility providers such as JVVCD and SLCDPU. The area they serve is largely built out and new development that takes place will be more dense than most of the existing development in the area. The increase in density will strain their existing infrastructure as it has been laid out and built for low density land use.

SLCDPU did not respond with a filled out questionnaire, but rather met with staff to discuss their system, issues Millcreek faces, and other considerations to take into account when planning for better water preservation. Ongoing meetings between SLCDPU and Millcreek Planning & Public Works Departments occur monthly. These meetings allow SLCDPU and Millcreek to discuss changes to infrastructure, system upgrades, and preservation measures.

### Creating a Water Education Program

There are many ways for existing and future water users in Millcreek to save water. The *Utah Regional Municipal and Industrial Water Conservation Goals Report* recommends a variety of water conservation practices that both residents and city governments can use. Millcreek also has a water conservation guide accessible to the public on the website that provides direction on good water use practices.

Millcreek educates its residents on many of these practices already, however, there is still room for growth. Millcreek plans to formalize its education program by incorporating the following measures into the City's schedule:

- **Highlight Water Providers in City Newsletters.** Millcreek sends a printed monthly newsletter and a weekly e-newsletter to residents and subscribers. Articles that highlight water providers will be featured twice per year.
- **Hold an Annual Waterwise Seminar.** Millcreek has had immense success with attendance at Millcreek Common and City Hall, in part due to its engaged and active population. Millcreek has created a goal to schedule an annual waterwise seminar at the City Hall with open admission to all residents. Jordan Valley Water Conservancy District Conservation Garden would be an ideal fit to lead the seminar. This will allow residents to learn about the guiding principles discussed above and how they can implement waterwise practices within their communities and at their homes.
- **Have Continued Engagement at Community Events.** When practical, Millcreek staff will continue to set up educational booths at community events. Staff at the booths will be prepared with resources and information for residents that pass by. Staff can also use these booths to gather feedback from residents on how well water preservation is being handled at throughout the city.



### ***Participating in Regional Collaboration:***

Millcreek is already actively participating in regional collaboration with its water providers and canal companies. The landscape code is a major part of this collaboration. Millcreek intends to have its primary water providers, JVWCD & SLCDPU, and the State's Division of Water Resources, review its code periodically and recommend changes as needed.

Another major part of regional collaboration is the endorsement of water rates. Water rates can play a key role in conservation. For example, a tiered water rate charges more per gallon of water the more water is used. This encourages lower water use per customer because the less water is used, the less expensive it is per gallon. Both of Millcreek's primary water providers, JVWCD and SLCDPU, have recently implemented conservation minded rate structures. By endorsing these rates and educating its residents on the importance of conservation minded rates, Millcreek can help explain the need for increasing costs.

### ***Improving Government Facilities:***

As Millcreek grows, government facilities will need to be constructed, retrofitted, and upgraded to respond to the changing needs of residents and the changing environment. Government buildings and facilities need to be water efficient and employees need to understand the importance of water preservation now and into the future.

Currently, the parks in Millcreek are largely managed by Salt Lake County Parks and Recreation. This means that Millcreek does not always have the opportunity to make these changes, however, as new parks are created,

Millcreek can ensure they are built to waterwise standards. Although the County manages many of Millcreek's parks, water efficiency upgrades have already been done by the County on some parks within the county park system.

New city buildings will incorporate waterwise landscaping and use smart meters to help monitor water consumption. Having separate meters for indoor and outdoor consumption may help Millcreek track where and how water is being used for government facilities.

Best indoor water use practices should also be common place in government facilities. To achieve this, there will need to be regular training during city all staff meetings about water usage. The same all staff meetings can discuss waterwise practices for employees personal property as well.

## **How can Millcreek Residents Preserve Water?**

Water preservation takes many forms such as reducing overall water usage, changing habits, and planning smarter outdoor areas. While some actions will have more impact than others, all practices focused on water preservation help reduce demand on our water systems.

Reducing outdoor water consumption is the easiest way for Millcreek residents to reduce their water consumption footprint. Other strategies work as well, however, outdoor water consumption is by far the largest user of water that most residents can change.

## **Indoor & Outdoor Water Use Guidelines**

### ***Indoor water saving strategies:***

- Fix and stop leaks from pipes, sinks, and toilets.
- Only run full laundry loads.
- Only run the dishwasher when full.
- Reduce shower times.
- Turn off water connections when out of town and during winter.
- Do not let the water run when brushing teeth, cleaning dishes, or shaving.
- Install low water usage fixtures (toilets, sinks, appliances, etc.).

### ***Outdoor water saving strategies:***

- Remove high water consumption plants and plantings (grass, non-native species, etc.).
- Install drip emitters and low flow watering devices.
- Water outdoor plants at ideal times to reduce evaporation.
- Use mulch where possible to retain soil moisture.
- Install smart water meters.
- Install smart controllers for sprinklers.
- Cover pools and hot tubs to reduce evaporation.



### 3.8.4 GOALS & STRATEGIES

The Millcreek Together General Plan already outlines multiple goals that pertain to sustainability and preservation. These goals have helped shaped policy, code, and perspectives about water and land usage in Millcreek. Listed below are just a handful of the goals outlined in the existing plan that pertain to water usage and preservation:

- **SUSTAINABILITY. GOAL E-7:** Promote environmentally sustainable efforts and initiatives in the public and private sector.
- **ENVIRONMENTAL SUSTAINABILITY. GOAL HE-5:** Promote sustainable practices in the preservation, development, and maintenance of Millcreek's natural and built environments.
- **AIR AND WATER. GOAL HE-6:** Implement standards, policies, and practices that encourage and support enhanced air and water quality.

These goals, along with others, have helped Millcreek make smart choices when it comes to water preservation before the state legislature required such measures. New goals are also needed to ensure Millcreek can meet its preservation goals outlined in this planning document.

#### **REFINE. GOAL W-1: *Continue to refine and enhance Millcreek's vision for protecting water resources.***

- Strategy 1.1: Develop a portfolio of recommended waterwise standards for new and redevelopment based on State water use recommendations, Water Utility Conservation Plans, and City specific needs.
- Strategy 1.2: Establish a regular review of this plan to ensure Millcreek is meeting its goals and properly implementing the proposed measures. Update the plan in accordance with changes to water providers conservation plans and Millcreek's population growth.
- Strategy 1.3: Improve water quality and reduce water contamination of storm water runoff. Work with the Public Works Department to ensure storm water runoff is free and clear of pollutant and detritus.

#### **COOPERATE. GOAL W-2: *Promote cooperative regional practices for water use and conservation.***

- Strategy 2.1: Endorse the concepts and ideas outlined in the water conservation plans of Jordan Valley Water Conservancy District and Salt Lake City Department of Public Utilities by using the data and goals to create outreach and educational material.
- Strategy 2.2: Engage in regular collaboration with water utilities and Utah DWR to ensure Millcreek is up to date on any water

preservation measures or updates to laws and policies.

- Strategy 2.3: Work closer with SLCDPU to gain better representation and data from Millcreek's largest water provider.

#### **UPDATE. GOAL W-3: *Update and implement water conservation measures that address local needs and minimize unnecessary consumption of water resources.***

- Strategy 3.1: Identify what waterwise policies are working well and identify areas that could be improved by collaborating with various institutions in Millcreek, including applicable water providers, Salt Lake County Parks and Recreation, School Districts, Churches, Canal and Irrigation Companies, etc. Upgrade existing outdoor public water infrastructure to reduce waste and over consumption.
- Strategy 3.2: Gather feedback from Millcreek residents on their perspectives on water use in Millcreek and make changes and improvements to water policies as needed.
- Strategy 3.3: Work to create a tree planting program to help with cooling, evapotranspiration, and heat islands around Millcreek. Educate residents on how to effectively water trees to bolster Millcreek's tree canopy.



**EDUCATE. GOAL W-4: Educate residents and officials on ways to reduce water consumption and increase water preservation awareness.**

- Strategy 4.1: Establish recurring water education programs that are open to the public to inform residents and officials on best practices for waterwise landscaping and maintenance.
- Strategy 4.2: Formalize a water education program in partnership with water providers and the Utah DWR
- Strategy 4.3: Continue to use the Millcreek printed and e-newsletter to pass on information about waterwise programs, rebates, and water preservation.
- Strategy 4.4: Promote the use of the Report-A-Concern feature on Millcreek's website to alert Millcreek to broken water infrastructure, over watering, and water waste.



SOURCE: SEVEN CANYONS TRUST

**MILLCREEK, UTAH**  
**ORDINANCE NO. 26-02**

**AN ORDINANCE ADDING A WATER PRESERVATION ELEMENT TO THE  
GENERAL PLAN PURSUANT TO UTAH CODE ANN. § 10-20-401 AND § 10-20-404**

**WHEREAS**, the Millcreek Council (“Council”) met in regular session on January 12, 2026, to consider among other things, an ordinance adding a Water Preservation Element to the General Plan pursuant to Utah Code Ann. § 10-20-401 and § 10-20-404; and

**WHEREAS**, the Council adopted the Millcreek Together General Plan in February 2019; and

**WHEREAS**, Utah Code Ann. § 10-20-405 provides in part that the Council may make amendments to an adopted general plan; and

**WHEREAS**, Utah Code Ann. § 10-20-405 also provides that the Council may not make any amendment to its general plan unless the amendment was first submitted to the planning commission for its recommendation; and

**WHEREAS**, Utah Code Ann. § 10-20-405 also provides that the Council shall comply with the procedure specified in Utah Code Ann. § 10-20-204 in preparing and adopting an amendment to a general plan; and

**WHEREAS**, Utah Code Ann. § 10-20-405 provides planning commission shall provide notice as required by Subsection 10-20-204(1)(a) and hold a public hearing on the proposed general plan amendment; and

**WHEREAS**, Utah Code Ann. § 10-20-401 and § 10-20-404 require that municipalities include a water preservation element in a general plan that addresses the effect of land use on water demand and infrastructure, methods for reducing water consumption and demand for existing and future development, and outline opportunities for reducing water waste in municipal operations; and

**WHEREAS**, on December 3, 2025, the required notice was published; and

**WHEREAS**, on December 10, 2025, the proposed amendment was submitted to the planning commission for its recommendation; and

**WHEREAS**, on December 17, 2025, the planning commission held the required public hearing with respect to this general plan amendment; and

**WHEREAS**, at the December 17, 2025 planning commission meeting, the Millcreek Planning Commission recommended approval of the proposed general plan amendment; and



**WHEREAS**, the Millcreek Code of Ordinances, provides among other things, that before finally adopting any such general plan amendment, the Council shall consider the application during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act; and

**WHEREAS**, on January 7, 2026, the Council caused the required notice to be given; and

**WHEREAS**, on January 12, 2026, the Council considered the general plan amendment during a public meeting; and

**WHEREAS**, Council finds that it is in the best interest of the residents of Millcreek to adopt a Water Preservation element to the General Plan pursuant to Utah Code Ann. § 10-20-401 and § 10-20-404, and as recommended by the Planning Commission.

**NOW THEREFORE, BE IT ORDAINED** by the Council that the addition of a Water Preservation element to the Millcreek General Plan is hereby amended pursuant to Utah Code Ann. § 10-20-401 and § 10-20-404, as recommended by the Planning Commission, and as shown in Exhibit A to this ordinance.

This Ordinance, assigned Ordinance No. 26-02, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder.

**PASSED AND APPROVED** this 12<sup>th</sup> day of January, 2026.

**MILLCREEK COUNCIL**

By: \_\_\_\_\_  
Cheri Jackson, Mayor

**ATTEST:**

\_\_\_\_\_  
Elyse Sullivan, City Recorder

Roll Call Vote:

Jackson	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Handy	Yes	No
Uipi	Yes	No

## CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:

ORDINANCE 26-02: AN ORDINANCE ADOPTING A WATER PRESERVATION  
ELEMENT TO THE GENERAL PLAN PURSUANT TO UTAH CODE ANN. § 10-20-401  
AND § 10-20-404 was adopted the 12<sup>th</sup> day of January 2026 and that a copy of the foregoing  
Ordinance 26-02 was posted in accordance with Utah Code 10-3-711 this \_\_\_\_ day of January,  
2026.

---

Elyse Sullivan, City Recorder

## EXHIBIT “A”

## SUBCHAPTER 3.8: **WATER USE & PRESERVATION ELEMENT**

*Utah is home to the incredible Great Salt Lake as well as many freshwater lakes, rivers, and creeks, however, fast population growth and the arid Utah climate create a water scarcity issue that poses a serious threat to Utah's environment and economy. Preserving and protecting water helps ensure long-term sustainability, helps support local ecosystems, and secures reliable water for generations to come.*

### 3.8.1 **THE IMPORTANCE OF WATER PRESERVATION IN MILLCREEK**

In 2022, the Utah State Legislature adopted S.B. 110, which requires that all municipalities, including Millcreek, include a water preservation element in their general plan. This plan intends to formally integrate water use and preservation planning into Millcreek's long-term development and maintenance strategies. Millcreek and its residents have shown year after year they care about preserving water and treating it as a precious resource, and this plan aims to continue those efforts into the near future and beyond.

Required components of the plan include:

- Effect of permitted development on water demand and infrastructure
- Methods for reducing water demand and per capita consumption for future development
- Methods for reducing water demand and per capita consumption for existing development
- Opportunities to modify operations to eliminate or reduce conditions that waste water





## 3.8.2 TRENDS

### Millcreek's Current Water Profile

**Where does Millcreek get its water?** Millcreek does not operate its own water system. Instead, multiple water providers and businesses work together to provide water to residents throughout the city. These water providers manage the infrastructure, deliver water, and charge residents. These providers have an essential role in setting long-term water conservation goals so that Millcreek will have reliable water for years to come. The water providers are shown in the map to the right and are listed below:

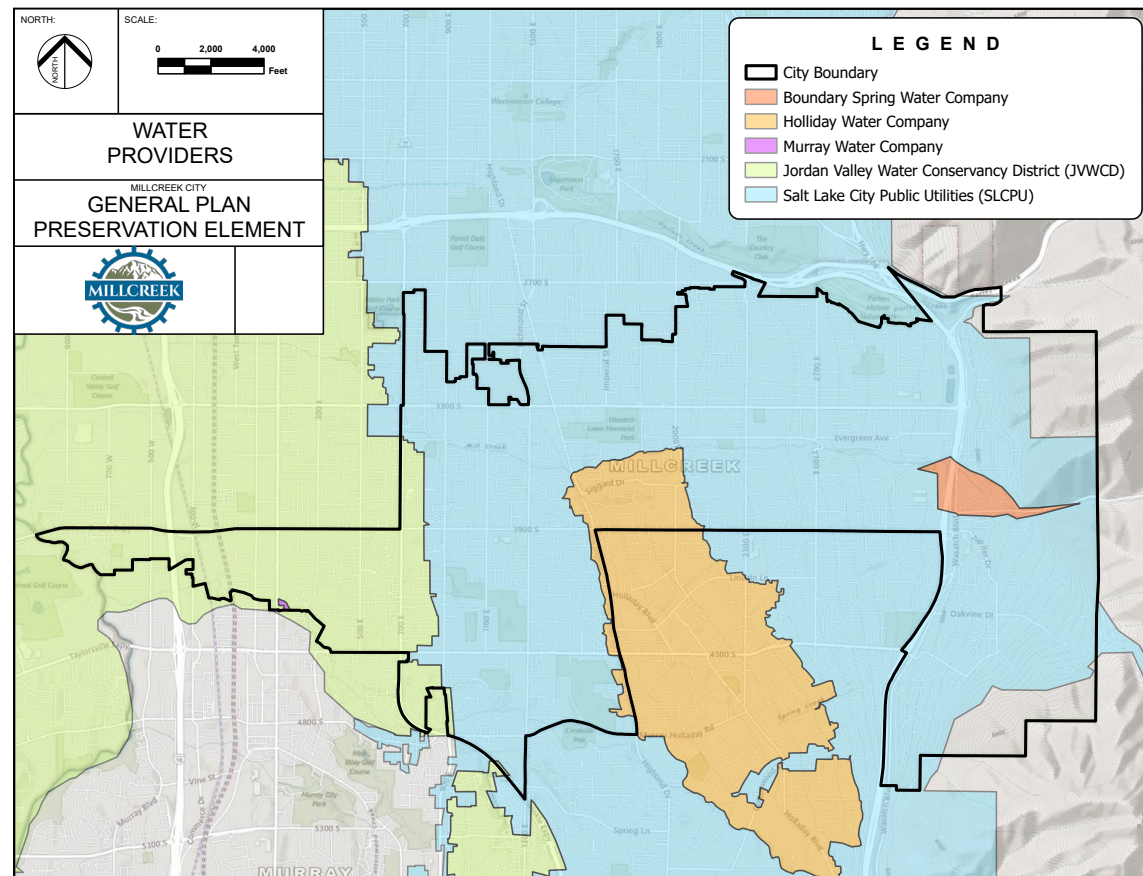
- **Salt Lake City Public Utilities (SLCDPU).** The largest portion of Millcreek residences and businesses receives their water from Salt Lake City Public Utilities. This water provider serves not only Millcreek but also serves Salt Lake City and other municipalities in the area. For more information on SLCDPU, see their conservation plan found on their website.
- **Jordan Valley Water Conservancy District (JVWCD).** The second largest portion of Millcreek residences and businesses receives their water from the Jordan Valley Water Conservancy District. This district serves both wholesale and retail water to a number of communities throughout the Salt Lake Valley. For more information on JVWCD, see their conservation plan found on their website.
- **Holliday Water Company.** A small, but not insignificant, portion of Millcreek is served by Holliday Water Company. This company

mainly serves Holladay City but serves some Millcreek residents as well. Holliday Water Company gets some of its water through SLCDPU, and some of its water from its own sources.

- **Boundary Spring Water Company.** As a small-scale water provider, Boundary Spring

Water Company serves about 150 homes in Millcreek.

- **Murray City Water.** Murray City primarily serves water to its own residents to the southwest of Millcreek. A handful of properties within Millcreek are also served by Murray City Water.



**How is water currently used in Millcreek?**

In 2024, the population in Millcreek was approximately 64,913. Within the SLCDPU service area, the residential population makes up over 75% of annual water use. Other areas in the city may see higher water use from industrial or commercial users, but overall, the majority of water use in Millcreek is from residential customers.

**How much water does Millcreek currently use?**

Residents in Millcreek use water at home, at work, and recreationally. Gallons per capita per day (GPCD) is the standard way to measure water use for an area based on population and is a common practice among water professionals. Current water demand trends from the SLCDPU conservation plan show that water sales in the Millcreek service area are approximately 208 GPCD. This means that in 2024, water sales within Millcreek were approximately 15,100 acre-feet.

Since water is supplied by multiple water service providers, data received about water usage within the Millcreek service area varied in accuracy and specificity. **Due to this, it is likely that the average consumption is lower than 208 GPCD.**

**Besides drinking it, how is water consumed?**

Water usage can be split into indoor and outdoor use. Indoor water consumption stays consistent throughout most of the year, while outdoor water usage increases dramatically in the summer months of May through September. Specific land uses such as residential, industrial, and commercial all have different consumption patterns when looking at indoor and outdoor usage.

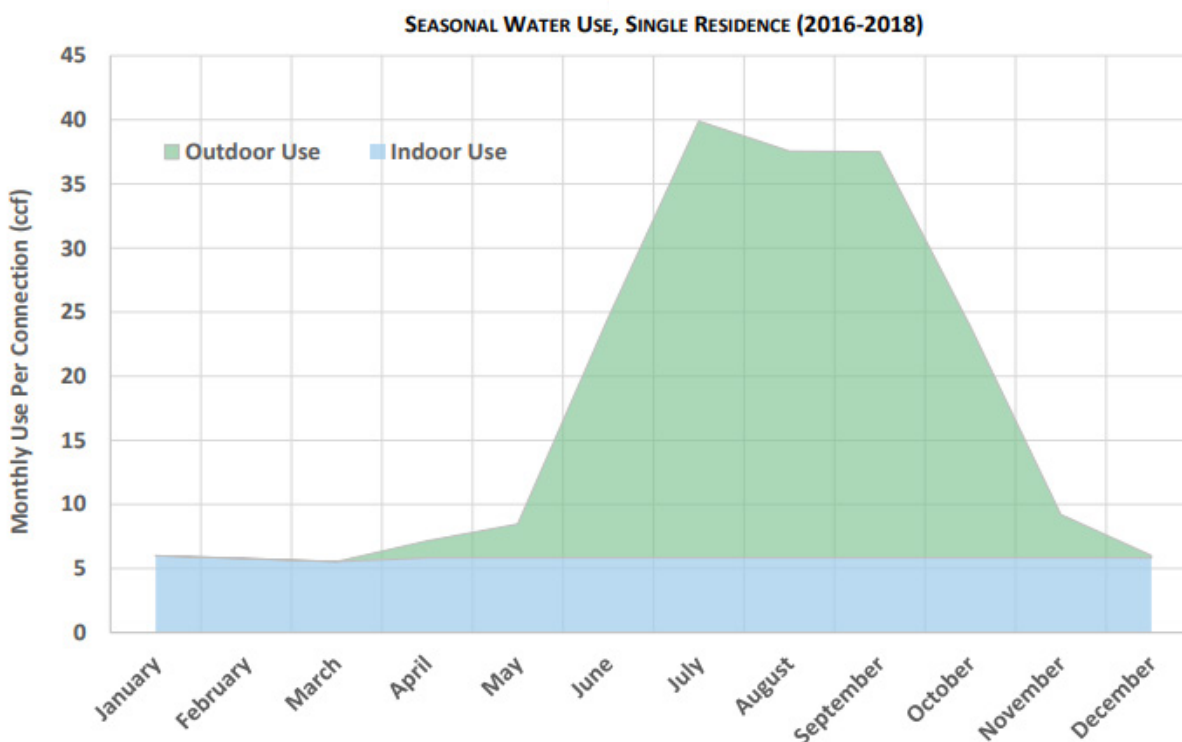
The figure below shows the use of water split between outdoor usage (green) and indoor usage (blue) for an average single family residence in the SLCDPU service area. This figure is taken from the *2020 Salt Lake City Water Conservation Plan*.

Low density single household residences have the highest amount of outdoor water consumption of all land use types. The figure below shows the average household water usage for a single residence. This data is taken from the *2020 Salt Lake City Water Conservation Plan* and gives a general idea of water consumption practices in

the SLCDPU service area.

Uses such as industrial and commercial frequently have higher indoor consumption and significantly lower outdoor consumption due to a frequent lack of significant outdoor landscaping associated with these uses.

Based on data provided by SLCDPU, water consumption within the Millcreek service area between 2020 and 2024 averaged around 78% residential use, 12% commercial use, and 10% industrial use.





**Where does Millcreek's water come from?** As previously discussed, Millcreek relies on multiple water providers for its water. Our water comes from rivers, creeks, wells, and springs, all over the Salt Lake Valley. To find additional details on water sources and infrastructure that serve residents, the first step is to identify the correct water provider by looking at the "Water Providers" figure within this report or by visiting the State of Utah's Department of Environmental Quality's water system search website. After identifying the applicable water provider, the second step is to read the water provider's "Water Conservation Plan" to get the desired details.

### Future Water Requirements in Millcreek

What does Millcreek's future water use look like? Do we have enough water for our community?

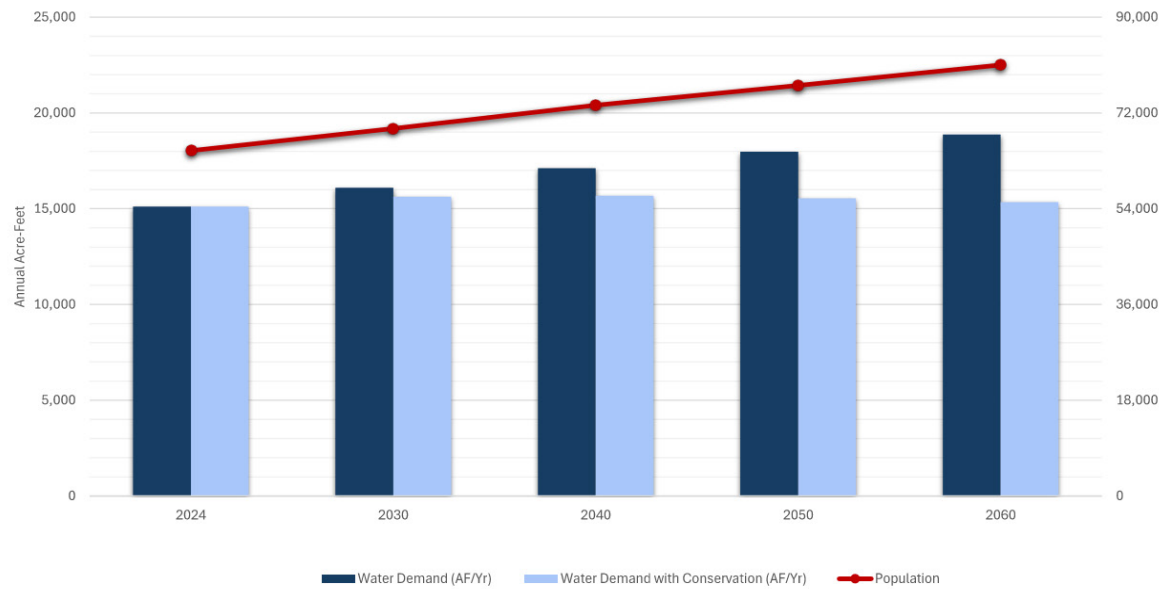
**What is Millcreek's water demand without conservation?** The population of Millcreek is projected to increase relatively steadily, and will be about 77,200 people by 2050. Most of this growth is expected to occur through increasing residential density. Because Millcreek is essentially built out, our projected growth is significantly smaller than other communities in Utah. If water use patterns and per-capita water use remains the same as it is right now, the total annual water sales will increase to about 19,000 acre-feet by 2060.

**What is Millcreek's projected water demand with conservation?** To meet the requirements of Millcreek's water providers, conservation is required. To meet the goals within SLCDPU's conservation plan, Millcreek needs to drop its usage by 2.9%, 8.4%, and 18.7% by 2030, 2040, and 2060 respectively. This equates to a reduction from 208 GPCD to 202 GPCD by 2030 and 169 GPCD by 2060 in order to meet the plan's requirements for conservation. Based on these per-capita water use values, the total annual demand needs to be no more than 15,300 acre-feet by 2060. The figure to the left shows Millcreek's projected population and water use.

**Do we have enough water for our future?** As discussed above, Millcreek does not manage its own water supply but rather supports its water suppliers in meeting their goals and requirements. Subsequently, it is not possible to define an exact supply for Millcreek as growth and conservation in other parts of the water suppliers' service areas will affect overall water availability. To mitigate this uncertainty, Millcreek staff is in constant communication with the two major water suppliers – Salt Lake City Public Utilities and Jordan Valley Water Conservancy District. **Both SLCDPU and JWCD have stated that, as long as Millcreek meets the water conservation goals set and discussed within this planning document, and future growth does not exceed the projections contained here, there will be reliable water for Millcreek into the future.**

The figure illustrates, that while the population steadily increases over time, Millcreek's total annual water use is projected to increase by only 200 acre-feet between 2024 and 2060 as a

Millcreek Projected Population Growth & Water Demand



SOURCE: BOWEN COLLINS & ASSOCAITES



result of conservation efforts. In order to meet the requirements of the water providers and secure water for the future, these conservation efforts must be successful in reducing water demands. As detailed below, Millcreek has already been making progress.

3.8.3 VISION & PRINCIPLES

Since incorporation, Millcreek has worked with residents and new developments to design water efficient landscaping and watering standards. Because Millcreek is not a water provider, it can be difficult to manage water usage. However, through incentives and landscape reviews, existing homeowners and new developments have been much more focused on landscaping and water practices that reduce overall consumption of water.

How is Millcreek Managing Outdoor Water Usage?

Outdoor water consumption is one of the drivers of demand in Millcreek. Reducing outdoor water usage through better landscape standards, smarter infrastructure, and more rigorous efficiency standards is a key way to reduce Millcreek’s overall water consumption now and into the future.

Waterwise landscaping for current and new development

In 2023, Millcreek updated its landscaping standards to align with modern waterwise standards set out by the Central Utah Water

Conservancy District. These standards apply for new development and allow existing developments to be altered in ways that maximize water preservation.

Since adopting these standards, Millcreek has seen businesses and private residences remove high water landscaping and replace it with waterwise plantings that mimic the natural environment in terms of water use, plant selection, and biodiversity. Prior to the ordinance’s adoption, Millcreek’s landscape standards did not permit modern waterwise standards, so residents could not participate in rebate programs for replacing their water intensive landscaping.

The updated standards follow the best practices to reduce water usage and waste while allowing homeowners and businesses to still have landscaping that fits their needs. All new development must meet these standards and redevelopment over certain sizes must also comply with these standards.

Hydrozones

Millcreek’s landscape standards also include planting standards for plants with similar water needs. This section is broken up into different “hydrozones” based on the frequency of watering. The hydrozone standard ensures that low water plants are used correctly and grouped to prevent over or under watering of plants on a site. As the needed frequency of watering increases, there is a limit outlined that no more than 10 percent of plant material may fall into the highest water use hydrozone.

Water Efficiency

Millcreek’s landscaping code requires water efficient irrigation systems for new landscape projects. These standards outline how and when to use drip emitters versus overhead sprinklers and operational procedures for each. There are also standards for automatic controllers, valves, pressure regulation, and use on slopes above 30 percent. New watering systems must achieve a minimum efficiency of 75 percent for fixed spray systems and 70 percent distribution efficiency for rotor systems.

Turfgrass

Turfgrass that is allowed to be installed has been significantly reduced for new developments within the city. Commercial, manufacturing, institutional, and public properties are prohibited from installing turfgrass. Mixed use and mixed household developments are prohibited from installing turfgrass for ornamental or aesthetic uses, but are allowed to install turfgrass for recreation facilities and sports fields. Single and two household homes are currently permitted to install turfgrass so long as it meets the LocalScape design standards found in the landscape standards.

HYDROZONE	IRRIGATION FREQUENCY	NOTES
Zone 0	Little or no water needed	Plant material in Zone 0 and 1 with water use requirement, as noted in the Millcreek Plant Species List, shall be used at the interface between urban areas and natural (non-irrigated) open space
Zone 1	Plants require supplemental irrigation once per month	
Zone 2	Plants require supplemental irrigation twice per month	No more than ten percent (10%) of plant material may fall under zone 3 and/or 4 watering frequency
Zone 3	Plants require supplemental irrigation once per week	
Zone 4	Most intensive water-use zone, plants require supplemental irrigation twice per week	





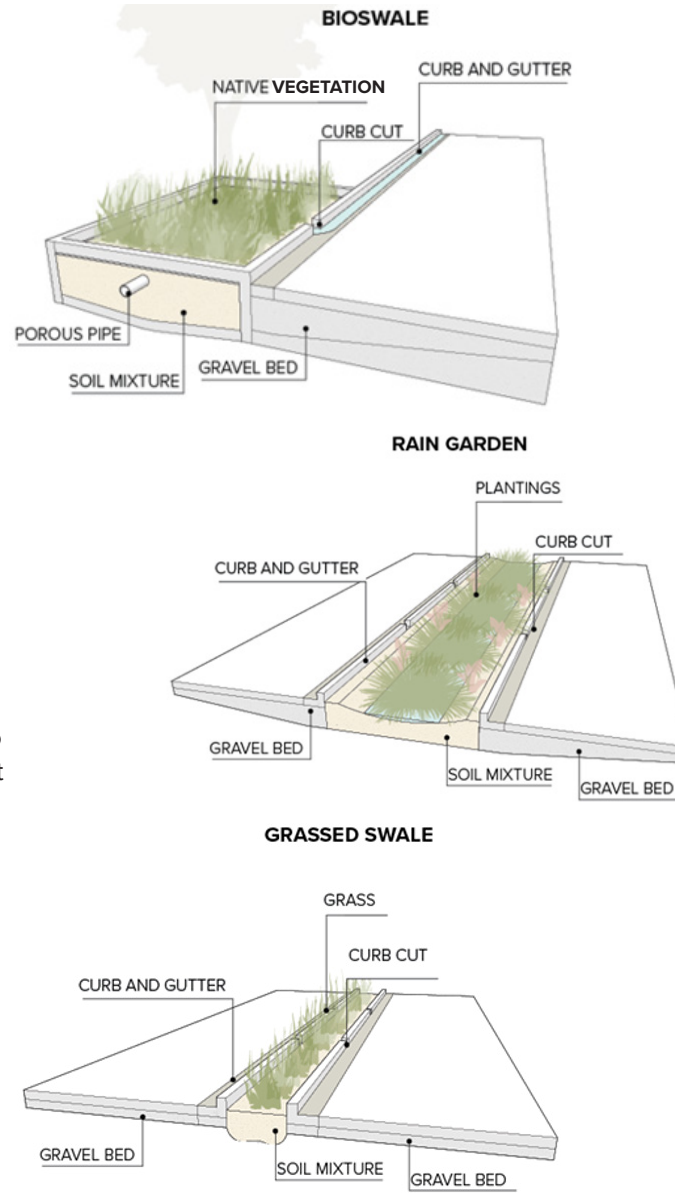
### **Low Impact Development (LID):**

Low Impact Development is required for new developments in Millcreek, especially when bordering parking lots or areas with impervious surfaces. LID consists of incorporating rain gardens, swales, and bioswales to reduce water waste. These types of infrastructure allow for water to permeate the soil and return to the aquifer. Examples of these can be seen to the right.

**Bioswales.** Bioswales are vegetated swales planted with various plant species that can tolerate occasional water inundation and serve to transport, store, and allow water infiltration.

**Rain Gardens.** Rain gardens are small, shallow, depressions planted with a variety of native or ornamental plants that can treat small amounts of runoff to improve water quality.

**Grassed Swales.** Grassed swales are designed to convey water over the ground's surface to a point of disposal and serve to slow water flow, allowing some particulates to drop out before the water reaches the disposal point.



## **How is Millcreek Currently Working to Preserve Water?**

Millcreek currently uses multiple strategies to ensure water is preserved for current and future generations. Landscaping standards, land use, and water savings programs are some of the ways Millcreek works to ensure water is used efficiently and that residents can use incentives to better preserve their own water.

### **Land Use**

Land use is one of the biggest tools when it comes to preserving the future of water in Millcreek. According to the *Utah Growing Water Smart* guidebook, published by Western Resource Advocates, the density of development can play a large role in per capita water consumption. Higher density developments (3-8 units per acre) tend to use less water per capita due to less outdoor landscaping and less water leakage from water delivery systems.

There are two areas in Millcreek where a majority of new higher density development is slated, in the Millcreek City Center, and in the Meadowbrook area near 3900 S and Main Street.

The Millcreek City Center, located near the intersections of 1300 E and 3300 S, and Highland Drive and 3300 S, consists of a mix of higher density residential buildings, civic services, and commercial businesses. The Millcreek City Center Master Plan can be found on the Millcreek website.

The Meadowbrook area, which is located west of State Street, has seen significant new development in the last ten years. A majority of the new development has been high density residential. Newly adopted station area plans that cover this area call for increased density and new infrastructure to help spur more development in the area. The Meadowbrook area is described in more detail through out this document, specifically on page 52.

### **Utah Water Savers**

Millcreek's code allows for residents to participate in rebate programs laid out and operated by the Utah Water Savers program. Waterwise landscape standards and the inclusion of LocalScapes language in code allows for residents to alter their private property, residential or commercial, in line with the requirements outlined by the Utah Water Savers Program.

### **Rain Barrel Sales**

Every year, Millcreek and surrounding communities have participated in Utah River Councils RainHarvest program that helps residents obtain rain barrels at reduced prices. Rain barrels are a great way for residents to practice water preservation on their own property without the need for costly property improvements. Rain harvesting was legalized in Utah in 2010 and residents are allowed to harvest 2,500 gallons of rain water per year. This program allows for residents to purchase rain barrels for \$85 instead of the market rate of \$155 per barrel.

### **Current Landscaping & Water Use Ordinances**

Millcreek's landscape standards were created with waterwise concepts included throughout. In 2023, Millcreek adopted new landscape standards in its zoning code that apply to new development and redevelopment within the city. This chapter of landscape standards was created with help from the Central Utah Water Conservancy District to ensure that the standards balance water savings and plant viability.

Rebates and programs that incentivize waterwise landscaping have helped residents and businesses switch to better landscapes that reduce outdoor water consumption. These rebates and programs help with costs associated with replacing landscaping and explain how and why these waterwise landscapes work. An example of a waterwise park strip can be seen to the right.



SOURCE: JORDAN VALLEY WATER CONSERVATION DISTRICT





### Newsletters & Outreach:

For years, Millcreek has been diligent in getting the word out about water preservation to residents in the city. Through social media, e-newsletters, and print newsletters, Millcreek has been regularly informing property owner and residents on how to reduce their water consumption. Articles discuss the rain barrel program discussed above, waterwise tips and ideas, and classes about reducing water waste in the park strip.

## Why Harvest Rain With A Rain Barrel?

Why should I use a rain barrel?

Stormwater is water that does not infiltrate into the ground; it flows across the ground and impervious surfaces into streams, rivers, lakes, etc. Homeowners can implement Best Management Practices to reduce the amount of stormwater runoff.



## BE IN THE KNOW

POLICIES | ORDINANCES | PROCEDURES

Installing rain barrels under downspouts is a low-cost BMP that can help reduce stormwater runoff. The amount of water purchased from

## Want to Make Your Lawn Water-Wise?

### REBATES FOR HOMEOWNERS

Homeowners may be eligible for rebates of \$2 to \$3 per square foot of lawn. Simply follow the guidelines and a landscape plan

### REBATES FOR HOMEOWNERS ASSOCIATIONS AND COMMERCIAL USERS

Homeowners Associations and Commercial users can receive a similar rebate through the Landscape Leadership Grant, which is funded by the City of Salt Lake County through one of two sources: If

## Waterwise Tips

**THIS WAS AN EXCEPTIONALLY DRY WINTER WITH THE AMOUNT OF WATER IN SNOW ACCUMULATION WELL BELOW AVERAGE. EXPERTS SAY THAT WE ARE IN THE THROES OF A HISTORIC DROUGHT. HERE ARE SOME THINGS YOU CAN DO:**

The Utah Division of Water Resources produces a weekly report of how often residents should water their lawns. You can follow this reliable Weekly Lawn Watering Guide designed exclusively for Salt Lake County to help you determine when and how much to water on the Division of Water Resources website at [conservewater.utah.gov/weekly-lawn-watering-guide/](http://conservewater.utah.gov/weekly-lawn-watering-guide/).

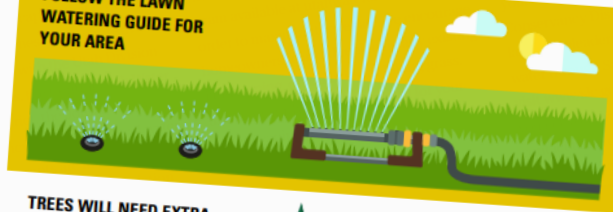
The normal rule of thumb is that one irrigation is equivalent to 20 minutes with pop-up spray heads and 40 minutes with impact rotor sprinklers. The state watering experts estimate that Utah could save more than 20 billion gallons of water in the summer if everyone cut back their water usage by 10% and watered according to the Weekly Lawn Watering Guide.

There are some easy ways to conserve. Tune up and adjust your sprinklers to be sure you are not watering the street, install a smart irrigation controller and bring out the hose to hand water dry spots.

Now that it's extra hot outside, we need be aware of the extreme need for water conservation. That's just the way it is living in the second driest state in the Union during a drought.

So please, do your part, Slow the Flow and be Waterwise!

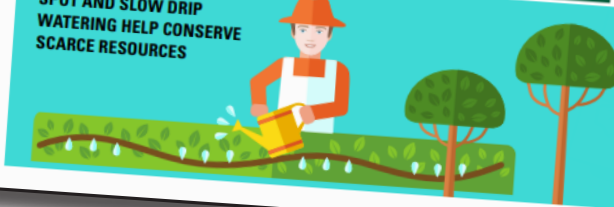
### FOLLOW THE LAWN WATERING GUIDE FOR YOUR AREA



### TREES WILL NEED EXTRA WATERING THIS YEAR TO SURVIVE



### SPOT AND SLOW DRIP WATERING HELP CONSERVE SCARCE RESOURCES



## WATERWISE PARK STRIP LANDSCAPING CLASS

Looking to switch out the lawn in your park strip for something more water-efficient? Led by Central Utah Water Conservancy District, this class will give you the guidance you need to get started. Together, we will learn about the types of plants and maintenance techniques best suited to park strips, as well as the park strip conversion rebate incentive known as "Flip Your Strip." Become eligible for a greater rebate just by attending this class!

DATE: MARCH 8, 2022  
TIME: 7:00 P.M.

HOSTED VIRTUALLY

Please register in advance at:  
[www.cottonwoodheights.utah.gov/sustainability](http://www.cottonwoodheights.utah.gov/sustainability)

### Water Provider Outreach

Since Millcreek has multiple water providers, coordination and cooperation with them is key to ensuring long term water availability for residents. A large majority of the culinary water in Millcreek is provided by SLCDPU, and JVVCD. As part of the creation of this plan, Millcreek staff met with officials representing both providers and discussed future projects, current system demands, and their respective conservation plans.

Millcreek also sent out questionnaires to all culinary and secondary water providers asking what challenges they each face and what Millcreek can do to help their respective conservation goals. In total, Millcreek sent out 11 questionnaires to the culinary water providers and canal companies that serve Millcreek. Of these questionnaires, Millcreek staff only received four back, two from canal companies and two from culinary providers.

The canal companies that responded cited aging infrastructure and new development as their largest concerns going forward. Many of these canal companies have older infrastructure that can leak and create issues getting water to share holders. Upgrading this infrastructure to maintain water deliveries to their existing water share holders was the main goal stated by the two companies that responded.

Holliday Water and JVVCD responded to the questionnaire as well. In JVVCD's response, they outlined their contingency plans, efficiency standards, and their overall confidence that they will be able to continue to serve a growing population in the valley so long as efficiency standards are upheld. Currently, they serve

780,000 residents with the ability to add an additional 420,000 by 2065. Staff also met JVVCD officials at City Hall to discuss further preservation measures that JVVCD are pursuing and how they interface with Millcreek policies and ordinances.

Holliday Water is a much smaller water provider that does not have the same capacity and distribution network of utility providers such as JVVCD and SLCDPU. The area they serve is largely built out and new development that takes place will be more dense than most of the existing development in the area. The increase in density will strain their existing infrastructure as it has been laid out and built for low density land use.

SLCDPU did not respond with a filled out questionnaire, but rather met with staff to discuss their system, issues Millcreek faces, and other considerations to take into account when planning for better water preservation. Ongoing meetings between SLCDPU and Millcreek Planning & Public Works Departments occur monthly. These meetings allow SLCDPU and Millcreek to discuss changes to infrastructure, system upgrades, and preservation measures.

### Creating a Water Education Program

There are many ways for existing and future water users in Millcreek to save water. The *Utah Regional Municipal and Industrial Water Conservation Goals Report* recommends a variety of water conservation practices that both residents and city governments can use. Millcreek also has a water conservation guide accessible to the public on the website that provides direction on good water use practices.

Millcreek educates its residents on many of these practices already, however, there is still room for growth. Millcreek plans to formalize its education program by incorporating the following measures into the City's schedule:

- **Highlight Water Providers in City Newsletters.** Millcreek sends a printed monthly newsletter and a weekly e-newsletter to residents and subscribers. Articles that highlight water providers will be featured twice per year.
- **Hold an Annual Waterwise Seminar.** Millcreek has had immense success with attendance at Millcreek Common and City Hall, in part due to its engaged and active population. Millcreek has created a goal to schedule an annual waterwise seminar at the City Hall with open admission to all residents. Jordan Valley Water Conservancy District Conservation Garden would be an ideal fit to lead the seminar. This will allow residents to learn about the guiding principles discussed above and how they can implement waterwise practices within their communities and at their homes.
- **Have Continued Engagement at Community Events.** When practical, Millcreek staff will continue to set up educational booths at community events. Staff at the booths will be prepared with resources and information for residents that pass by. Staff can also use these booths to gather feedback from residents on how well water preservation is being handled at throughout the city.



### ***Participating in Regional Collaboration:***

Millcreek is already actively participating in regional collaboration with its water providers and canal companies. The landscape code is a major part of this collaboration. Millcreek intends to have its primary water providers, JVWCD & SLCDPU, and the State's Division of Water Resources, review its code periodically and recommend changes as needed.

Another major part of regional collaboration is the endorsement of water rates. Water rates can play a key role in conservation. For example, a tiered water rate charges more per gallon of water the more water is used. This encourages lower water use per customer because the less water is used, the less expensive it is per gallon. Both of Millcreek's primary water providers, JVWCD and SLCDPU, have recently implemented conservation minded rate structures. By endorsing these rates and educating its residents on the importance of conservation minded rates, Millcreek can help explain the need for increasing costs.

### ***Improving Government Facilities:***

As Millcreek grows, government facilities will need to be constructed, retrofitted, and upgraded to respond to the changing needs of residents and the changing environment. Government buildings and facilities need to be water efficient and employees need to understand the importance of water preservation now and into the future.

Currently, the parks in Millcreek are largely managed by Salt Lake County Parks and Recreation. This means that Millcreek does not always have the opportunity to make these changes, however, as new parks are created,

Millcreek can ensure they are built to waterwise standards. Although the County manages many of Millcreek's parks, water efficiency upgrades have already been done by the County on some parks within the county park system.

New city buildings will incorporate waterwise landscaping and use smart meters to help monitor water consumption. Having separate meters for indoor and outdoor consumption may help Millcreek track where and how water is being used for government facilities.

Best indoor water use practices should also be common place in government facilities. To achieve this, there will need to be regular training during city all staff meetings about water usage. The same all staff meetings can discuss waterwise practices for employees personal property as well.

## **How can Millcreek Residents Preserve Water?**

Water preservation takes many forms such as reducing overall water usage, changing habits, and planning smarter outdoor areas. While some actions will have more impact than others, all practices focused on water preservation help reduce demand on our water systems.

Reducing outdoor water consumption is the easiest way for Millcreek residents to reduce their water consumption footprint. Other strategies work as well, however, outdoor water consumption is by far the largest user of water that most residents can change.

## **Indoor & Outdoor Water Use Guidelines**

### ***Indoor water saving strategies:***

- Fix and stop leaks from pipes, sinks, and toilets.
- Only run full laundry loads.
- Only run the dishwasher when full.
- Reduce shower times.
- Turn off water connections when out of town and during winter.
- Do not let the water run when brushing teeth, cleaning dishes, or shaving.
- Install low water usage fixtures (toilets, sinks, appliances, etc.).

### ***Outdoor water saving strategies:***

- Remove high water consumption plants and plantings (grass, non-native species, etc.).
- Install drip emitters and low flow watering devices.
- Water outdoor plants at ideal times to reduce evaporation.
- Use mulch where possible to retain soil moisture.
- Install smart water meters.
- Install smart controllers for sprinklers.
- Cover pools and hot tubs to reduce evaporation.



### 3.8.4 GOALS & STRATEGIES

The Millcreek Together General Plan already outlines multiple goals that pertain to sustainability and preservation. These goals have helped shaped policy, code, and perspectives about water and land usage in Millcreek. Listed below are just a handful of the goals outlined in the existing plan that pertain to water usage and preservation:

- **SUSTAINABILITY. GOAL E-7:** Promote environmentally sustainable efforts and initiatives in the public and private sector.
- **ENVIRONMENTAL SUSTAINABILITY. GOAL HE-5:** Promote sustainable practices in the preservation, development, and maintenance of Millcreek's natural and built environments.
- **AIR AND WATER. GOAL HE-6:** Implement standards, policies, and practices that encourage and support enhanced air and water quality.

These goals, along with others, have helped Millcreek make smart choices when it comes to water preservation before the state legislature required such measures. New goals are also needed to ensure Millcreek can meet its preservation goals outlined in this planning document.

#### **REFINE. GOAL W-1: *Continue to refine and enhance Millcreek's vision for protecting water resources.***

- Strategy 1.1: Develop a portfolio of recommended waterwise standards for new and redevelopment based on State water use recommendations, Water Utility Conservation Plans, and City specific needs.
- Strategy 1.2: Establish a regular review of this plan to ensure Millcreek is meeting its goals and properly implementing the proposed measures. Update the plan in accordance with changes to water providers conservation plans and Millcreek's population growth.
- Strategy 1.3: Improve water quality and reduce water contamination of storm water runoff. Work with the Public Works Department to ensure storm water runoff is free and clear of pollutant and detritus.

#### **COOPERATE. GOAL W-2: *Promote cooperative regional practices for water use and conservation.***

- Strategy 2.1: Endorse the concepts and ideas outlined in the water conservation plans of Jordan Valley Water Conservancy District and Salt Lake City Department of Public Utilities by using the data and goals to create outreach and educational material.
- Strategy 2.2: Engage in regular collaboration with water utilities and Utah DWR to ensure Millcreek is up to date on any water

preservation measures or updates to laws and policies.

- Strategy 2.3: Work closer with SLCDPU to gain better representation and data from Millcreek's largest water provider.

#### **UPDATE. GOAL W-3: *Update and implement water conservation measures that address local needs and minimize unnecessary consumption of water resources.***

- Strategy 3.1: Identify what waterwise policies are working well and identify areas that could be improved by collaborating with various institutions in Millcreek, including applicable water providers, Salt Lake County Parks and Recreation, School Districts, Churches, Canal and Irrigation Companies, etc. Upgrade existing outdoor public water infrastructure to reduce waste and over consumption.
- Strategy 3.2: Gather feedback from Millcreek residents on their perspectives on water use in Millcreek and make changes and improvements to water policies as needed.
- Strategy 3.3: Work to create a tree planting program to help with cooling, evapotranspiration, and heat islands around Millcreek. Educate residents on how to effectively water trees to bolster Millcreek's tree canopy.



**EDUCATE. GOAL W-4: Educate residents and officials on ways to reduce water consumption and increase water preservation awareness.**

- Strategy 4.1: Establish recurring water education programs that are open to the public to inform residents and officials on best practices for waterwise landscaping and maintenance.
- Strategy 4.2: Formalize a water education program in partnership with water providers and the Utah DWR
- Strategy 4.3: Continue to use the Millcreek printed and e-newsletter to pass on information about waterwise programs, rebates, and water preservation.
- Strategy 4.4: Promote the use of the Report-A-Concern feature on Millcreek's website to alert Millcreek to broken water infrastructure, over watering, and water waste.



SOURCE: SEVEN CANYONS TRUST



**MILLCREEK, UTAH**  
**ORDINANCE NO. 26-03**

**AN ORDINANCE REPEALING CHAPTER 2.56 OF THE MILLCREEK CODE OF  
ORDINANCES REGARDING COMMUNITY DISTRICTS AND  
COMMUNITY COUNCILS**

**WHEREAS**, the Millcreek Council (“Council”) met in regular session on January 12, 2026, to consider, among other things, repealing Chapter 2.56 of the Millcreek Code of Ordinances regarding Community Districts and Community Councils; and

**WHEREAS**, the Council adopted Chapter 2.26 of the Millcreek Code of Ordinance to, among other things, provide a process for public input in land use matters; and

**WHEREAS**, staff has informed the Council that Chapter 2.56 of the Millcreek Code of Ordinances establishes an obligation on the City to comply with the Utah Open and Public Meeting Act, which has been affirmed by an informal opinion issued by the Lead Attorney of the Office of the Property Rights Ombudsman, a copy of which is attached; and

**WHEREAS**, the Council finds that it is in the best interest of the inhabitants of Millcreek to eliminate the Open Meeting obligation with respect to Chapter 2.56 of the Millcreek Code of Ordinances.

**NOW THEREFORE**, be it ordained by the Council that Chapter 2.56 of the Millcreek Code of Ordinances is hereby repealed.

This Ordinance, assigned no. 26-03, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s recorder.

**PASSED AND APPROVED** this 12<sup>th</sup> day of January 2026.

**MILLCREEK COUNCIL**

By: \_\_\_\_\_  
Cheri Jackson, Mayor

**ATTEST:**

\_\_\_\_\_  
Elyse Sullivan, City Recorder

Roll Call Vote:

Jackson	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Handy	Yes	No
Uipi	Yes	No

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:  
ORDINANCE 26-03: AN ORDINANCE REPEALING CHAPTER 2.56 OF THE MILLCREEK  
CODE OF ORDINANCES REGARDING COMMUNITY DISTRICTS AND  
COMMUNITY COUNCILS was adopted the 12<sup>th</sup> day of January 2026 and that a copy of the  
foregoing Ordinance 26-03 was posted in accordance with Utah Code 10-3-711 this \_\_\_\_ day of  
January, 2026.

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Elyse Sullivan, City Recorder



SPENCER J. COX  
Governor

DEIDRE M. HENDERSON  
Lieutenant Governor

# UTAH DEPARTMENT OF COMMERCE

## Office of the Property Rights Ombudsman

MARGARET W. BUSSE  
Executive Director

JORDAN S. CULLIMORE  
Division Director, Office of the Property Rights Ombudsman

September 17, 2024

Mr. John Brems  
Millcreek City  
1330 E Chambers Ave.  
Millcreek, UT 84106  
[via email](#)

RE: Millcreek Community Councils and the Utah Open and Public Meetings Act

Mr. Brems,

You asked me to provide an informal opinion on the question of whether Millcreek community councils, established in Millcreek Municipal Code (MMC) Chapter 2.56, are subject to the requirements of the Utah Open and Public Meetings Act (OPMA), Utah Code Chapter 52-4.

It is my opinion that the councils are subject to OPMA because a community council is a “public body,” as defined in the OPMA. The OPMA’s definition of a public body includes, in relevant part, any advisory body of a municipality that is created by local ordinance, consists of two or more individuals, and is supported in whole or in part by tax revenue, that is vested with authority to “make decisions regarding the public’s business.” *See* Utah Code § 52-4-103(7)(a).

A community council organized in accordance with the MMC meets this definition. The councils are created by local ordinance.<sup>1</sup> The councils also consist of more than one person,<sup>2</sup> and they are supported by the city, as needed. *See* MMC 2.56.110 & 111. Finally, the councils, by ordinance, are tasked with making decisions regarding the public’s business in various ways, including the following:

1. Community councils develop priorities regarding municipal services and facilities in the district. These priorities are annually communicated to the City Council for use in policy development and the budget process. MMC § 2.56.090.

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<sup>1</sup> Of note, the MMC states that “individual community councils are *created* by private citizens as private corporation, association or otherwise, and are not created by the city.” MMC 2.56.020(A). This language appears to attempt to intentionally, and artificially, exclude community councils from the definition of a public body under the State OPMA. Even though the ordinance asserts that *the city* does not create community councils, the city’s *local ordinance* nonetheless, by providing for establishment and recognition of the councils, “creates” community councils for purposes of determining whether the councils are public bodies subject to the OPMA.

<sup>2</sup> “The citizens of each community council district shall have the opportunity to create a community council consisting of *members* elected pursuant to...” MMC § 2.56.050(A) (emphasis added).

2. The councils are encouraged, by ordinance, to make written recommendations to the community development department concerning applications the city receives. *See* MMC § 2.56.100.

Each of these functions serves an advisory role in the public decision-making process. Accordingly, it is my opinion that community councils are properly categorized as public bodies under the Utah Open and Public Meetings Act and are therefore subject to the OPMA rules governing public bodies and the meetings those bodies conduct.

Sincerely,



Jordan Cullimore  
Lead Attorney  
Office of the Property Rights Ombudsman

**MILLCREEK, UTAH**  
**ORDINANCE NO. 26-04**

**AN ORDINANCE PROHIBITING THE REMOVAL OF SNOW AND ICE FROM  
MUNICIPAL PICKLEBALL COURTS**

**WHEREAS**, the Millcreek City Council (the “*Council*”) met in regular session on January 12, 2026, to consider, among other things, an ordinance prohibiting the removal of snow and ice from municipal pickleball courts; and

**WHEREAS**, Utah municipalities are authorized under Utah Code § 10-8-84 and § 10-9a-801 to regulate the use, maintenance, and protection of municipal parks and recreational facilities; and

**WHEREAS**, the municipal outdoor pickleball courts are constructed with specialized surfacing systems that are susceptible to damage from mechanical snow removal, scraping, sweeping, or the application of de-icing chemicals; and

**WHEREAS**, removal of snow or ice from pickleball courts may create unsafe playing conditions and increase the risk of personal injury and premature deterioration of public facilities; and

**WHEREAS**, the City desires to protect public assets, reduce maintenance and replacement costs, and promote public safety during winter conditions.

**NOW, THEREFORE, BE IT ORDAINED** that the following be adopted to the Millcreek Code of Ordinances:

**13.04.300 PROHIBITION OF THE REMOVAL OF SNOW AND ICE FROM  
MUNICIPAL PICKLEBALL COURTS**

13.04.301 Definitions

As used in this Section:

“Pickleball Court” means any outdoor court owned, operated, leased, or maintained by the City that is designated for the sport of pickleball, whether for exclusive or shared recreational use.

“Snow Removal” means any activity intended to remove or mitigate snow or ice, including but not limited to shoveling, plowing, scraping, brushing, sweeping, blowing, or applying salt, sand, chemicals, or de-icing agents.

“Person” means any individual, group, organization, or entity, whether public or private.

### 13.04.302 Prohibition on Snow and Ice Removal

#### A. General Prohibition.

No person shall be allowed to use the Pickleball court when it is locked or signed “closed,” deemed closed, or may remove, attempt to remove, or cause the removal of snow or ice from any City pickleball court.

#### B. Methods Prohibited.

The use of hand tools, mechanical equipment, or chemical de-icing agents on pickleball courts for the purpose of snow or ice removal is prohibited.

#### C. Seasonal Closure.

Pickleball courts shall be deemed closed to public use whenever snow or ice is present on the playing surface, regardless of whether signage is posted or the courts are locked.

#### D. Closure.

Exception of the prohibition set forth above does not apply to:

1. City employees or authorized contractors performing maintenance, inspection, or repair activities expressly approved by the Parks and Recreation Director, Public Works Director, or City Manager; or
2. Emergency actions taken by the City to address an imminent threat to public health or safety.

### 13.04.303 Enforcement

A. The City Employees, Code Enforcement, or Police Department may enforce this Ordinance.

B. Authorized personnel may issue citations, require cessation of prohibited activity, and document damage to City property.

### 13.04.304 Penalties

A. A violation of this Ordinance constitutes an infraction and a penalty for violations of the provisions shall be a fine of one thousand dollars.

B. In addition to any fine, a violator may be held financially responsible for the cost of repairing or resurfacing any damage caused to a pickleball court.

C. Each act of violation constitutes a separate offense.

**PASSED AND APPROVED** this 12<sup>th</sup> day of January 2026.

**MILLCREEK**

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

Cheri Jackson, Mayor

**ATTEST:**

\_\_\_\_\_  
Elyse Sullivan, City Recorder

Roll Call Vote:

Jackson	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Handy	Yes	No
Uipi	Yes	No

**CERTIFICATE OF POSTING**

I, the duly appointed recorder for Millcreek, hereby certify that:  
ORDINANCE 26-04: AN ORDINANCE PROHIBITING THE REMOVAL OF SNOW AND  
ICE FROM MUNICIPAL PICKLEBALL COURTS was adopted the 12<sup>th</sup> day of January 2026  
and that a copy of the foregoing Ordinance 26-04 was posted in accordance with Utah Code 10-  
3-711 this \_\_\_\_ day of January, 2026.

\_\_\_\_\_  
Elyse Sullivan, City Recorder



**MILLCREEK, UTAH**  
**ORDINANCE NO. 26-05**

**AN ORDINANCE OF MILLCREEK AMENDING CHAPTER 5.19 OF THE  
MILLCREEK CODE OF ORDINANCES WITH RESPECT TO SHORT-TERM  
RENTALS**

**WHEREAS**, the Millcreek Council ("*Council*") met in a regular session on January 12, 2026, to consider, among other things, an ordinance amending Chapter 5.19 of the Millcreek Code of Ordinances with respect to Short-Term Rentals; and

**WHEREAS**, City staff and other interested persons have recommended revisions to the current Business License regulations for short-term rentals; and

**WHEREAS**, based on resident concern expressed to staff, and after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the residents of the city to amend Title 5 Chapter 19 of the Millcreek Code of Ordinances entitled Short-Term Rentals; and

**WHEREAS**, these requested amendments will help clarify the regulations governing short-term rentals; and

**WHEREAS**, the Millcreek Code of Ordinances provides, among other things, that before finally adopting any such amendment, the Council shall consider such amendment during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act; and

**NOW, THEREFORE, BE IT ORDAINED** by the Council that the following sections of Chapter 5.19 of the Millcreek Code of Ordinances be amended to read as follows (designated by interlineating the words to be deleted and underlining the words to be added):

## **Chapter 5.19 SHORT-TERM RENTALS**

5.19.010 Purpose

5.19.020 Definitions

5.19.030 License; Required

5.19.040 License; Application; Contents

5.19.050 License; Application; Investigation

5.19.060 License; Fee

5.19.070 Inspections For Compliance And Business License Renewals

5.19.080 Maintenance; Structures And Grounds; Other Requirements And Limitations

5.19.090 Limited Number Of STRs And Minimum Separation Requirements

5.19.100 Noticing And Posting Requirements

5.19.110 Separate Violations

### **5.19.010 Purpose**

The purpose of this chapter is to establish regulations and design standards for residential short-term rentals (STRs) located in single family and multi-family neighborhoods. These standards seek to allow for STRs while also protecting the safety and general welfare of Millcreek residents and preserving the residential character of Millcreek single family and multi-family neighborhoods. In allowing STRs, it provides existing property homeowners economic relief who might otherwise be forced to leave a neighborhood, thus promoting, and preserving affordable housing in Millcreek. This chapter also intends to stabilize neighborhoods by promoting home ownership and preserving long term rental housing in the market.

### **5.19.020 Definitions**

- A. "Short-term rental" or "STR" means a residential unit or any portion of a residential unit that the owner of record of the residential unit offers for occupancy for fewer than 30 consecutive days or a residential unit or any portion of a residential unit or that is actually used for accommodations or lodging of guests for a period of less than thirty consecutive days.
- B. "Primary residence" means the single property where the owner of record's habitation is fixed, and for which the owner of record resides at the property for a minimum of one hundred eighty-three (183) consecutive calendar days during the calendar year.
- C. "Related" means an individual's spouse, grandparent, sibling, child, adopted child, aunt, uncle, niece, or nephew.

### **5.19.030 License; Required**

It is unlawful for any person to engage in or operate a STR short term rental in the city, or to use any property for such business without first obtaining the required STR license from the city, and it is unlawful for a corporation, partnership, LLC, or similar entity to engage in, own, or operate a STR.

### **5.19.040 License; Application; Contents**

A. Applications shall contain the following information:

1. The location of the STR short term rental,
2. The name of the property owner who uses this dwelling unit as their primary residence,
- ~~3. A signed declaration on a form provided by the City identifying the requirement of a short term rental license that the applicant is currently in compliance with all legal requirements regarding short term rentals, has paid all applicable taxes, fees and other charges regarding short term rentals, and agrees to continually comply with all requirements regarding short term.~~
3. A signed affidavit on a form provided by the City and signed under penalty of perjury stating that the proposed property is the primary residence of the owner and that they are owner of the proposed STR.
4. Proof of primary residency in the form of a government-issued identification card or license showing the STR property address is the same as the owner's residence, and documents from at least two of the following categories that show the applicant's name and the address of the property for which a STR license is being applied for:
  - ~~a. Utility bill, dated within the last sixty (60) days;~~
  - ~~b. Correspondence from any government agency that shows the home address, dated within the last sixty (60) days;~~
  - ~~c. A voter registration card dated within the last calendar year;~~
  - ~~d. A social security statement, dated within the last sixty (60) days;~~
  - ~~e. A bank statement dated within the last sixty (60) days;~~
  - ~~f. Automobile registration documentation dated within the last calendar year;~~
  - ~~g. Income tax forms dated from the most recent tax filing period;~~

~~h. Insurance documentation or insurance bill dated within the last calendar year that shows home address;~~

~~i. Current active business license or permit issued by Millcreek or a state or federal agency that shows home address;~~

~~j. College or school correspondence that shows home address, dated within the last sixty (60) days;~~

~~k. W-2 from the most recent tax filing period;~~

~~l. Official payroll documentation that includes home address issued by an employer within the last sixty (60) days, such as a pay stub with home address, a form submitted for tax withholding purposes, or a payroll receipt;~~

a. Automobile registration document dated within the last calendar year;

b. Voter registration card dated within the last calendar year;

c. W-2 or 1099 from the most recent tax filing period, wherein the financial information has been redacted;

5. Proof of ownership in the form of a current year property tax notice issued by Salt Lake County or a closing statement dated within the last calendar year, in which the financial information has been redacted showing fee title in an individual (s) or a trustor of a trust with at least 50% ownership interest in the property for which the STR license is being applied for.

6. 5. A site plan/drawing of the proposed STR short-term rental showing the location of required off-street parking spaces,

7. 6. The number of rooms available for rent,

8. 7. The number of persons the STR short-term rental will accommodate,

9. 8. A sales tax collection and accounting number,

10. 9. The name and telephone number of the property owner or owner's agent who is available by telephone twenty-four hours per day, and

11. 10. Such other information as that the business license official as may be needed needs to assist the license official in issuing the permit or license.

B. The application shall include a statement on a form to be provided by the city and signed by the applicant affirming that the applicant:

1. Is currently in compliance with all legal requirements and has paid all applicable taxes, fees, and other charges; and
2. Agrees to comply with all requirements regarding STRs continuously.

#### **5.19.050 License; Application; Investigation**

~~A. Applications shall be referred by the license official to the local fire agency and Salt Lake County Health Department or such other agency as the license official may deem appropriate to make or cause to be made an investigation of the short-term rental premises, the applicant and other relevant matters. Agency recommendation as to the issuance or denial of the STR license, based on the above inspections, shall then be referred to the Director for approval or to recommend denial in accordance with the provisions of MKC 5.02.010 through MKC 5.02.140.~~

- ~~A.~~ **B.** A STR license that has been granted may be suspended or revoked for any violation of the provisions of this chapter, or for any of the reasons as contained in MKC 5.07.020.
- ~~B.~~ **C.** Any appeal of a decision to deny, suspend or revoke a STR license shall be heard in accordance with those procedures established by MKC 5.02.140 through MKC 5.02.180.

#### **5.19.060 License; Fee**

The aggregate license fee for a STR license under this chapter shall be the annual license fee as set forth in the consolidated fee schedule plus the disproportionate cost fee as set forth in the consolidated fee schedule, as defined in MKC 5.08.040. A license with applicable fee is required for each separate **STR short-term rental** property.

#### **5.19.070 Inspections For Compliance And Business License Renewals**

- A. After a STR license has been granted, the license official may make periodic inspections of a **STR short-term rental** to ensure compliance with this chapter and all other applicable law.
- B. As part of an annual renewal of a business license for a **STR short-term rental**, the applicant shall resubmit the required declaration as set forth in MKC 5.19.040(A)(3).
- C. An STR license or application that has expired or is unpaid for more than 30 days shall be deemed abandoned, closed, and invalid.**
- D. The license holder is responsible for ensuring that they renew on time.**

#### **5.19.080 Maintenance; Structures And Grounds; Other Requirements And Limitations**

- A. The owner of the STR property must live in the primary dwelling in which the STR is located and must reside therein as their primary residence.



- B. Beginning with all new STR licenses and all STR license renewals due after January 1, 2025 the maximum renter occupancy of an STR shall be no more than two adults per bedroom, eight (8) related adults, or four (4) unrelated adults in the area to be used for a STR provided, however this maximum occupancy shall not include the owner or persons related to the owner.
- C. The property shall not be rented to more than one renter at any given time, and the owner shall not divide and rent out portions of the dwelling to multiple renters at the same time.
- D. A **STR short-term rental** shall be maintained to the following minimum standards:
1. Periodic housekeeping service shall be provided by the owner, including removal of trash to the nearest collection point, on at least a weekly basis.
  2. Owner shall ensure that snow is removed from the sidewalks of the property as provided in MKC 14.32.100.
  3. Owner shall ensure that renters adhere to county noise regulations enforced by local law enforcement agencies.
  4. **STRs short-term rentals** may not be used for any of the following:
    - a. Commercial purposes not otherwise permitted in the zone;
    - b. Distribution of retail products or personal services to invitees for marketing or similar purposes; or
    - c. The outdoor display of goods and merchandise for sale.
  5. Required parking areas and access to parking areas shall be maintained and available for use at all times. Parking for this use shall include a minimum of two off street parking spaces for the resident of each dwelling unit and one additional off street parking space per available rented bedroom, shall be contained on the site. The use of a dwelling as a **STR short-term rental** shall not change the appearance of the dwelling or property for residential purposes.
- E. The access to the **STR short-term rental** unit and the layout of the **STR short-term rental** shall be designed so that noise, light, and occupants from the **STR short-term rental** unit are not likely to be a substantial intrusion on adjoining properties. If the **STR short-term rental** unit is a single family home, duplex, condominium or other dwelling unit and shares an access, hallway, common wall, or driveway with another dwelling, written consent of the owner of the contiguous dwelling unit(s) is required.
- F. Responsible Party.
1. The resident owner is personally liable for failure to properly manage the **STR short-term rental**.

2. The resident owner or owner's agent must be available by telephone, or otherwise, twenty-four hours per day and must be able to respond to inquiries within twenty minutes of receipt of an inquiry.
- G. The licensee must have a sales tax collection and sales tax accounting number for the rental operation and the sales tax number must be included on the **STR short-term rental** application. All applicable taxes, charges and fees, including the transient room tax, must be paid in full during the period of licensure.

#### **5.19.090 Limited Number Of STRs And Minimum Separation Requirements**

- A. The total number of STR licenses issued within Millcreek shall be limited as follows:
1. The maximum number of STR licenses shall be limited for each Council District within Millcreek. Each Council District shall have a maximum of thirty (30) **short term rentals STR licenses** within the district boundary.
  2. If a complete application meeting all other requirements for approval is received after the maximum number of approvals has been issued for the Council District the proposed STR unit is located within, the application shall be placed on a waiting list in order of the date of receipt of a completed application. This list shall be reviewed on an annual basis. No fees will be due until a STR license is issued.
- B. For all new STR licenses issued after the effective date of this ordinance, the STR must not be located closer than four hundred feet (400') of another STR, as measured from the nearest property lines. Active licenses for STRs that are in good standing as of the effective date of this ordinance and are within four hundred feet (400') of another STR may be renewed, notwithstanding the separation requirement. A license that is revoked or is not renewed in a timely manner may not be reissued if the STR does not comply with the separation requirement.

**C. No more than one STR may be issued to any person or individual.**

**D. STR licenses are non-transferable.**

#### **5.19.100 Noticing And Posting Requirements**

- A. One nameplate sign shall be permanently attached on the exterior of the building in a conspicuous location near the main entrance of the **STR short-term rental**. The nameplate sign shall:
1. Provide the name and telephone number of the resident owner or owner's agent who can be contacted twenty-four hours a day,
  2. Contain the occupant load of the building as allowed by Millcreek,

3. Be made of durable, weather resistant material,
  4. Not exceed three inches by five inches in dimension, and
  5. Contain no advertising.
- B. Post the city issued STR license on the interior of the building in a conspicuous location near the main entrance of the **STR short-term rental** along with the following information:
1. Parking requirements
  2. County noise regulations
  3. Garbage pick-up dates

#### **5.19.110 Separate Violations**

For purposes of prosecution of violations of this chapter, each day that any violation occurs, or that applicable taxes and fees are unpaid, is deemed to constitute a separate violation.

This Ordinance, assigned Ordinance No. 26-05, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

**PASSED AND APPROVED** this 12<sup>th</sup> day of January 2026.

**MILLCREEK**

By: \_\_\_\_\_  
Cheri Jackson, Mayor

**ATTEST:**

\_\_\_\_\_  
Elyse Sullivan, City Recorder

Roll Call Vote:

Jackson	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Handy	Yes	No
Uipi	Yes	No

## CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:  
ORDINANCE 26-05: AN ORDINANCE OF MILLCREEK AMENDING CHAPTER 5.19 OF  
THE MILLCREEK CODE OF ORDINANCES WITH RESPECT TO SHORT-TERM  
RENTALS was adopted the 12<sup>th</sup> day of January 2026 and that a copy of the foregoing Ordinance  
26-05 was posted in accordance with Utah Code 10-3-711 this \_\_\_\_ day of January, 2026.

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Elyse Sullivan, City Recorder



**Minutes of the  
Millcreek City Council  
December 8, 2025  
5:00 p.m.  
Work Meeting  
7:00 p.m.  
Regular Meeting**

The City Council of Millcreek, Utah, met in a public work meeting and regular meeting on December 8, 2025, at City Hall, located at 1330 E. Chambers Avenue, Millcreek, UT 84106. The meeting was recorded for the City's website and had an option for online public comment.

**PRESENT:**

**Council Members**

Cheri Jackson, Mayor  
Silvia Catten, District 1 (left at 5:53pm, arrived at 8pm)  
Thom DeSirant, District 2  
Nicole Handy, District 3  
Bev Uipi, District 4

**City Staff**

Mike Winder, City Manager  
Elyse Sullivan, City Recorder  
Francis Lilly, Assistant City Manager  
John Brems, City Attorney  
Jim Hardy, Building Services Director  
Carlos Estudillo, Planner  
Lisa Dudley, HR-Finance Director  
Kristy Parajuli, Promise Education Coordinator  
Brian Busch, Senior GIS Analyst  
John Miller, Public Works Director

**Attendees:** Chief Petty-Brown, Logan Loftis (electronic), Matt Wilcox, Chief Jon Wilde, Fred Philpot, Officer Anthony Crawford, Kathy Lemieux, James Alfondray, Jeff Miles

**WORK MEETING – 5:00 p.m.**

**TIME COMMENCED: 5:04 p.m.**

Mayor Jackson called the work meeting to order.

**1. FY25 Audit Presentation; Lisa Dudley, HR-Finance Director**

Lisa Dudley said the audit process this year proceeded smoothly and efficiently. Building on improvements identified at the close of last year's audit, the team implemented year-round audit preparation measures that significantly reduced the time needed for reconciliations, reclassifications, and related tasks. These efforts will continue moving forward. Dudley also highlighted the valuable contributions of Nicole Pack, an accountant who has been with city staff for nearly two years and has become an exceptional asset. This year's audit began with preliminary work ahead of the on-site fieldwork, which took place during the third week of September and involved a team of three auditors on site for several days. Since then, the

process has involved ongoing coordination and exchange of information with Jeff Miles and the audit team to address outstanding items and finalize necessary revisions.

Jeff Miles, HBME, thanked the mayor, council, and finance director and reported that the audit process went smoothly. He noted that the city is transitioning from basic financial statements to a Comprehensive Annual Financial Report, which will include approximately 50 additional pages of statistical information useful to bond issuers and other stakeholders. This expanded report will be submitted to the Government Finance Officers Association for consideration for its Certificate of Excellence in Financial Reporting—one of Dudley's goals as finance director. The auditor confirmed that the city received a clean, unmodified opinion, indicating the financial statements are presented fairly in accordance with generally accepted accounting principles. He highlighted key figures from the management discussion and analysis, including an ending net position of \$228.4 million, largely tied to capital assets, and \$39 million in unrestricted net position available for future use. The city's net position increased by \$5.8 million from FY 2024 to FY 2025, driven primarily by capital improvements, with total capital assets rising from \$242 million to \$249 million. Miles emphasized that detailed questions about these figures could be directed to Dudley. He also reported no deficiencies in internal controls and confirmed full compliance with state requirements in areas such as budgeting, fraud risk assessment, fees, fund balance, restricted taxes, and cash management. Overall, he stated that each audit has become smoother and suggested the city consider implementing capital asset software to further enhance future audit preparation.

## **2. Public Works Feasibility Study Presentation; John Miller, Public Works Director**

John Miller provided background on the city's evaluation of its public works service model, beginning with a 2019 feasibility study conducted when Millcreek was still a newly incorporated city. At that time, the city partnered with Holladay and Taylorsville, other municipalities contracting with the county or MSD for public works, to assess potential cost efficiencies. The study indicated that Millcreek could save approximately \$400,000 annually by bringing public works services in-house, though the partnering cities would incur higher costs, reflecting that Millcreek had been subsidizing certain shared services. The analysis also acknowledged Millcreek's unique needs, including its higher elevation and significant snowplow requirements, which contributed to near break-even conditions overall. Last year, the city initiated a new feasibility study to reassess its position, issuing an RFP that resulted in a contract with LYRB, led by Fred Philpot, to compare Millcreek's situation with that of peer cities. Miller noted that since 2019, the city's public works contract has risen from \$5.2 million for 17.5 full-time equivalent employees to \$6.2 million for 15 FTEs and includes approximately \$500,000 less in pavement preservation services, raising concerns that will be further discussed following the study presentation.

Fred Philpot, LYRB, outlined the updated feasibility study assessing whether Millcreek should self-provide public works and park services rather than continue contracting with the county. The study refreshed assumptions from 2019, expanded the analysis to include parks, and compared Millcreek's costs and service needs to those of Cottonwood Heights and Holladay, which offer similar geography, service demands, and operating models. Using detailed reviews of personnel needs, operating costs, contractual pass-through expenses, facility requirements, equipment costs, and debt service for a potential public works facility, the team built a comprehensive financial model. The results showed that self-provision of



public works would cost roughly the same as the current county contract, essentially a break-even scenario once both savings and new expenses (such as facility construction and equipment acquisition) were factored in. For parks, self-provision appeared slightly more expensive than the county contract, but when combined with public works, the overall cost difference was negligible, approximately \$10,000 on a \$6.6–\$6.7 million budget. The study also noted potential qualitative benefits not quantified in the model, such as increased operational control, potential efficiencies through shared equipment and staff, and greater flexibility to adjust levels of service. He emphasized that future costs would depend heavily on policy decisions and service expectations.

Mayor Jackson asked if partnering with other cities was evaluated. Miller revisited the findings from the 2019 study, noting that many of the same advantages and trade-offs still apply. Self-provision of public works would offer greater control over service levels, the ability to build equity in facilities and equipment, and reduced county overhead costs. Remaining with the county, however, provides benefits such as a larger workforce and economies of scale. He emphasized that Millcreek is essentially “leasing” public works services, but unlike leasing a car that is replaced over time, the city continues to pay higher rates each year for the same level of service. Current budget pressures already require reductions in full-time positions and pavement preservation to keep pace with annual cost increases of three to four percent, which are projected to continue. Miller stressed that the real decision is not about immediate cost savings since the study concludes the cost difference between self-provision and the county contract is essentially break-even, but rather whether the added control and long-term equity make the shift worthwhile. He noted that once a self-funded facility is paid off, the city would no longer carry that debt service, freeing roughly \$1.6 million that could then support road preservation or other priorities. These long-term considerations, he said, are central to the policy decision before the council.

Council Member DeSirant asked about additional staff commitment if the council moved forward with expanding the Public Works Department. Miller noted there would be heavier lifting for the Finance department, but he has been staffing his department as if the change would happen. The shortfall is finding property and getting equipment. Miller wondered about the city having equity in the county equipment or leasing county equipment. Mayor Jackson noted that current staff was organizing snow plowing already.

Miller brought up that the county was considering no longer doing concrete work. Future city staff would be trained to be able to do all sorts of work. The council would like to keep moving toward the proposal of the city’s own operations. Miller noted it would take several years before the city could assume operations.

Council Member Uipi asked about park operations. Miller said there were serious needs in Canyon Rim Park, about \$800,000 for sprinkler line, otherwise services were good. Future staff could assume park operations in the summer and snow plowing in the winter.

### **3. Parking Enforcement Solutions Discussion; Jim Hardy, Building Services Director**

Jim Hardy provided an overview of potential parking enforcement solutions, explaining that he was asked to explore whether the city’s code compliance inspectors could assume some parking enforcement responsibilities. His review was prompted by growing concerns, such as residents occupying business parking stalls on Villa Vista for extended periods, and

anticipated issues in developing areas like Miller Avenue, the Westerly, and the Commons. After meeting with Unified Police Department (UPD), he examined data on parking tickets, vehicle tows, and noted a high number of dismissed citations, often involving vehicles owned by corporations located out of state or overseas. Hardy reported that the city has received approximately 200–250 parking-related complaints over the past 11 months, about five per week, though the exact number is difficult to track due to inconsistent reporting categories. UPD statistics for the same period included 149 abandoned or inoperable vehicles, 1,327 parking tickets, and 1,468 non-moving traffic violations, underscoring the need for stronger and more coordinated parking enforcement within the city.

Chief Petty-Brown said there was a problem on Main Street with auto shops and Meadowbrook Moda residents parking on the streets and by Skyline High School. Chief Petty-Brown said the police pink tag cars notifying notice to move, if they are still there after 24 hours they get tickets, and after 72 hours they can be towed. A civil parking enforcement could do something similar.

Mike Winder highlighted a growing parking challenge in the City Center area, particularly along Villa Vista Drive, where businesses are struggling because their short-term customer parking is being occupied all day by residents of nearby apartment buildings. Although 30-minute parking zones have been posted at the businesses' request, compliance is low, and the city lacks the bandwidth to enforce the restrictions consistently. Relying on police for routine parking enforcement is costly and inefficient, and the problem is expected to worsen as City Center continues to develop and new projects open, potentially pushing even more long-term parking into critical business and civic areas, including City Hall. Winder emphasized the citywide need for a more effective enforcement mechanism and noted that Jim Hardy has proposed promising solutions to address these concerns.

Hardy explained that enhanced parking enforcement is both necessary and increasingly urgent as parking pressures continue to grow. He outlined a proposal for shifting parking violations from criminal to civil penalties, allowing code compliance officers rather than UPD to manage most parking concerns directly. UPD would still retain full authority to issue citations and tow vehicles, but routine enforcement would transition to the city's existing administrative framework. Appeals would be handled through the city's Administrative Law Judge (ALJ), which already conducts monthly hearings for other code cases. Payments would be made directly to Millcreek rather than the Holladay Justice Court.

Hardy emphasized the importance of targeted enforcement in high-demand areas such as Villa Vista and other identified hotspots. To support this effort, he recommended adding a dedicated full-time parking enforcement employee in the next fiscal year, though the current three code inspectors are willing to begin enforcement within their assigned areas in the interim. Implementing the program would require amending the ordinance, purchasing a vehicle and equipment, updating signage to reflect civil penalties, and developing citation tools. Hardy noted that modern scanning technology could replace manual chalking of tires. The city's existing iWorQ code compliance software could be adapted for parking enforcement, as it can be reconfigured from a blank slate to fit the city's needs. He concluded by expressing confidence in both the software and the code enforcement team's readiness to move forward.

Mayor Jackson asked about the expense for the city. Hardy did not have a number as he wanted council feedback first before he looked into it, but it would include a fulltime employee and vehicle. The mayor was in favor of pursuing civil enforcement.

Hardy concluded by presenting several policy questions that will require council direction as the parking enforcement program is developed. These include determining how many citations a vehicle should receive before escalating to stronger actions such as booting, towing, or an alternative approach and deciding whether the city even wants to use boots or rely solely on towing. He also highlighted the need to establish a clear process for handling unpaid citations and guiding staff on how enforcement should proceed when individuals fail to pay. These questions, he noted, are essential to shaping a fair and effective parking enforcement framework.

Council Member Uipi suggested three citations, \$50-200, with a boot after the third citation. Council Member DeSirant wanted to see what other cities do. Hardy said Herriman does 3 citations then a tow with no boot. For consideration of the employee that would have to remove a boot at any time of day/night, the council recommended towing rather than a boot. Hardy said Herriman does \$100 minimum for a ticket and \$200 maximum. The council discussed how to follow up with unpaid citations. The council directed Hardy to keep moving forward with the concept.

#### **4. City Room Rentals Discussion; Mike Winder, City Manager**

Winder provided an overview of how the city's venue-rental fee schedule and discount policies have been functioning over the past year, particularly for community rooms such as the Grand View and the space above the Adventure Hub. He reminded the council that they had committed to reviewing the program after its first year of use to ensure the discount structure was appropriate, compliant with state law, and aligned with council expectations. Under the current policy, verified 501(c)(3) nonprofits receive a 50% discount, while government or city-supported entities receive a 100% discount, consistent with city policy that prioritizes public benefit, community engagement, and cooperative undertakings with the city. Winder explained that the policy has been applied liberally to encourage community use of the facilities and stimulate activity at City Hall. He highlighted key policy definitions—such as what qualifies as a government activity—and provided data showing 203 rentals over the past 12 months across 21 organizations, totaling approximately \$330,500 in discounts. The largest beneficiaries were the Arts Council and its associated groups, followed by community councils and various service organizations. Winder also reviewed specific cases, such as Salt Lake City Public Utilities' use of the room for a resident-focused open house and a trade arrangement with Open Sky Productions that offsets the cost of the city's annual drone show. He requested guidance from the council on whether the current approach is appropriately calibrated and noted that the city attorney would later address legal compliance considerations.

Winder provided further details on the city's nonprofit venue rentals, noting that over the past year there were 55 rentals from 45 organizations, generating \$66,000 in revenue while offering an equal amount in discounts. The organizations benefiting from the 50% nonprofit discount include a wide variety of legitimate groups, such as Christmas Box International, the Utah Turkish American Association, Envision Utah, the Utah Democratic Party, and educational foundations, among others. Winder emphasized that these rentals provide a "halo

effect” for Millcreek, promoting the city through increased visibility and engagement with the public market, skating programs, and future events. While there are some costs associated with staffing, booking, and setup, the overall expense is modest, as utilities are largely covered by existing operations. He posed a key question to the council regarding whether he is applying the nonprofit and government discount policies appropriately or too liberally, seeking guidance on balancing community service with fiscal responsibility.

Council Member Uipi would like to consider priorities for bookings.

John Brems explained that in Utah State Code 10-8-2, there are two primary ways the city can provide support to outside entities. One method is through a formal process outlined in the statute which involves conducting a study and holding a public hearing. The other method is by providing services or waiving fees, which only requires a public hearing and allows the council to decide which entities receive those benefits. He emphasized that it is ultimately the council’s responsibility to determine whether the recipients, both government entities and nonprofits, are appropriate beneficiaries, noting that support for government entities typically falls under interlocal agreements.

Winder suggested a solution to manage nonprofit and government discounts for city facility rentals by creating a formal list of approved groups based on usage over the past two and a half years. This list would be brought to the council for approval through a public hearing, designating which organizations qualify for the 50% nonprofit discount and which qualify for the 100% government rate. This approach would cover the majority of recurring users, while new requests—such as from groups not previously listed—would be reviewed and added to the approved list via a public hearing, likely on an annual basis. This process ensures compliance with state law while maintaining transparency and consistency in granting discounts.

## 5. Staff Reports

Winder noted casual attire for the executive holiday dinner the following evening. He said Millcreek was being honored as one of the 100 companies championing women and asked who on the council wanted to attend. Mayor Jackson and Council Member Uipi volunteered.

## 6. Discussion of Agenda Items, Correspondence, and/or Future Agenda Items

There was none.

**Council Member DeSirant moved to adjourn the work meeting at 6:26 p.m. Council Member Uipi seconded. Mayor Jackson called for the vote. Council Member DeSirant voted yes, Council Member Handy voted yes, Council Member Uipi voted yes, and Mayor Jackson voted yes. The motion passed unanimously.**

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**REGULAR MEETING – 7:00 p.m.**

**TIME COMMENCED: 7:02 p.m.**

## 1. Welcome, Introduction and Preliminary Matters

### 1.1 Pledge of Allegiance

Mayor Jackson called the meeting to order and led the pledge of allegiance. She excused Council Member Catten.

### **1.2 Unified Police Department Millcreek Precinct Officer of the Month for October 2025 and Officer of the Year 2025**

Chief Petty-Brown announced Sgt. Jesse Allen as Officer of the Month for October 2025 for his exceptional dedication, compassion, and persistence in a recent child neglect case. She announced Officer Anothony Crawford as Officer of the Year for 2025. Officer Crawford demonstrates versatility and a willingness to embrace innovation to benefit public safety through being a field training officer and as part of the drone unit.

### **1.3 Volunteer of the Year Recognition - Kathy Lemieux**

Kristy Parajuli said the Millcreek Volunteer of the Year was unable to attend the Volunteer Banquet in November, so she was being recognized in the council meeting. Kathy Lemieux has made exceptional contributions to the child supervision program since its inception three years ago. This program supports parents attending ESL classes at Bud Bailey by providing care for children under five, creating a focused learning environment for the parents. Lemieux has gone above and beyond by donating toys, engaging with the children, managing tantrums, and even teaching lessons, ensuring both the children and their parents benefit from the program. Her dedication has significantly increased parent participation in ESL classes, promoting family stability and success, while also creating a positive and nurturing experience for the children. Her commitment, compassion, and consistent presence have made a lasting impact on the program and the Millcreek community.

Kathy Lemieux expressed heartfelt gratitude for the recognition, emphasizing that her involvement with the child supervision program has been deeply fulfilling and personally meaningful. She described volunteering as an opportunity to temporarily disengage from the pressures of daily life and focus fully on supporting children and parents. She highlighted the collaborative effort involved, praising the dedication of fellow volunteers, caregivers, and program leaders whose innovative ideas keep the program engaging and educational for the children. She also acknowledged the instructors who prepare in advance and provide focused training for parents, making a real difference in their lives. Overall, she conveyed that being part of this program is a rewarding experience that combines personal fulfillment with meaningful community impact.

### **1.4 Public Comment**

There were no comments.

## **2. Planning Matters**

### **2.1 Discussion and Consideration of Ordinance 25-49, Rezoning Certain Property Located at Approximately 1265 East Villa Vista Avenue from the Commercial (C) Zone to the City Center Overlay – Development Agreement (CCOZ-DA) Zone**

Carlos Estudillo presented the application to construct 18 townhomes across three buildings intended for owner occupancy, utilizing CCOZ's flexibility to accommodate design standards not typically allowed under the base zoning. The overlay zone allows for modifications to create public benefits such as open space, parking, or affordable housing while aligning with the city's master plan and preserving neighborhood

character. The 0.68-acre site currently consists of three lots, zoned commercial, surrounded by mixed-use commercial and multi-family residential developments. The proposed townhomes range from three to four bedrooms, with building heights of approximately 46–47 feet, well within the overlay's two- to six-story allowance, and significantly smaller than neighboring large-scale multi-family buildings.

The project includes 36 parking spaces within two-car garages for each unit, with additional on-street spaces for guest parking, meeting code requirements. The site plan provides over 30% open space and access solely via Villa Vista Avenue, with no access from Richmond. The development agreement request primarily seeks modifications to CCOZ design standards that are incompatible with rowhouse-style units, including step-back and first-floor glazing requirements. In lieu of these standards, the applicant has incorporated enhanced design features, such as facade articulation, color variation, rooftop patios, recessed windows and doors, and decorative elements to maintain visual interest and break up building mass.

The project also aligns with planned cross-section improvements for Villa Vista Avenue and Richmond Street, including diagonal on-street parking, sidewalk placement, and tree buffering. Proposed design and parking solutions, combined with potential two-hour parking enforcement, aim to integrate the development into the neighborhood while preventing adverse impacts on traffic, public utilities, or surrounding properties. Overall, the project leverages the CCOZ development agreement mechanism to provide owner-occupied housing, meet city planning goals, and create a thoughtfully designed infill project that complements the existing City Center context.

Estudillo showed the council the proposed site plans, floor plans, and building elevations. He provided final details highlighting additional considerations for the development agreement. An irrigation ditch running along the northern boundary of the property, which has a history of flooding, will be addressed through clean-out boxes and easements included in the agreement. The project also incorporates two live/work units in buildings one and two, as required by commercial zoning standards. A subdivision plan is necessary for owner-occupancy, and the Planning Commission recommended restricting 50% of the units to ensure owner occupancy aligns with city goals.

Estudillo concluded the development qualifies for a CCOZ development agreement because it meets size limitations (less than 150 feet in length and depth) and provides enhanced design features in lieu of step-back and first-floor glazing requirements. Conditional use approval is required due to building heights exceeding 36 feet. A creative deed restriction mechanism was developed to implement the owner-occupancy requirement without creating disparities in unit pricing, allowing eventual release of restrictions for all units under a homeowners' association covenant. Staff and Planning Commission input, along with community feedback, shaped these requirements. Overall, the proposal is deemed compliant with the intent of the CCOZ, balancing design flexibility with public benefits, and staff recommended consideration for approval of the development agreement.

Francis Lilly noted that while a second application reading is typical, these ordinances were ready for consideration due to extensive negotiations between the developer and



staff on the terms of the development agreement. Work on the project had been ongoing since March or April, and despite its complexity, staff viewed the outcome positively. This development represents the first project intended for owner occupancy within the City Center Overlay Zone, aligning with the city's goal of promoting diverse housing options. Staff expressed appreciation to the developer for their diligence, particularly in navigating the project amid a city code update and recommended the ordinances for council consideration.

Mayor Jackson asked about the deed restriction being enforced through the CC&Rs. Lilly said the city will serve as the beneficiary of the deed restriction, which will initially apply to all 18 units, with up to half subject to the restriction at any given time. Buyers may request partial release of the restriction, though hardship exceptions are available for units not included. It is the responsibility of the property owner to communicate such requests to the homeowners' association at closing or in a timely manner, after which the city will process the paperwork according to the procedures outlined in the deed restriction. Mayor Jackson appreciated the variety of housing this would provide for the city center.

Council Member DeSirant expressed strong support for the project, noting that while it does not include certain city center requirements like step backs, its smaller scale provides a desirable variation to the city center skyline. He highlighted that the project's scale complements nearby developments, creating a natural tiering effect. His primary concern was ensuring proper management of the irrigation ditch, emphasizing the need for a finalized solution given the long-standing nature of the issue and including a closed box on the irrigation ditch. Estudillo noted the ditch was owned by the ditch company. Lilly said the city could require a closed irrigation ditch unless the ditch company demands otherwise and has good reason for their demands.

**Council Member DeSirant moved to approve Ordinance 25-49, Rezoning Certain Property Located at Approximately 1265 East Villa Vista Avenue from the Commercial Zone to the City Center Overlay – Development Agreement Zone subject to the approval of the development agreement. Council Member Handy seconded. The Recorder called for the vote. Council Member DeSirant voted yes, Council Member Handy voted yes, Council Member Uipi voted yes, and Mayor Jackson voted yes. The motion passed unanimously.**

**2.2 Discussion and Consideration of Ordinance 25-50, Approving a Development Agreement for an Owner Occupied Eighteen-Unit Townhome Residential Complex with Respect to Approximately 0.68 acres of Real Property Located at Approximately 1265 E Villa Vista Avenue**

**Council Member DeSirant moved to approve Ordinance 25-50, Approving a Development Agreement for an Owner Occupied Eighteen-Unit Townhome Residential Complex with Respect to Approximately 0.68 acres of Real Property Located at Approximately 1265 E Villa Vista Avenue. Council Member Handy seconded. The Recorder called for the vote. Council Member DeSirant voted yes, Council Member Handy voted yes, Council Member Uipi voted yes, and Mayor Jackson voted yes. The motion passed unanimously.**

**2.3 First Reading: GP-25-003, Addition of a Water Preservation Element to the General Plan; Sean Murray, Planner**

Sean Murray presented GP-25-003, which proposes adding a Water Preservation Element to the city's general plan. This addition responds to Utah Senate Bill 110 (2022), requiring municipalities above a certain size to adopt water preservation policies to reduce overall consumption. Millcreek partnered with civil engineering firm Bowen Collins to develop the plan, which has met state requirements despite some minor comments pending from state reviewers. The plan distinguishes between municipal preservation plans and conservation plans typically created by water providers, outlining usage, infrastructure, and policy goals. Millcreek's water is sourced primarily from Salt Lake City Public Utilities, with smaller contributions from Holliday Water Company, Boundary Springs Water Company, Jordan Valley Water, and a few properties connected to Murray Water. Average water use per person in Millcreek is approximately 208 gallons per day, translating to roughly 15,000 acre-feet annually, with residential use, especially single-family homes and outdoor landscaping, representing the largest portion.

The plan incorporates projections for future growth and identifies conservation strategies, including land-use policies encouraging higher-density development in areas with existing infrastructure, water-wise landscaping requirements, and public education programs like newsletters, rain barrel distributions, and rebate initiatives. Historical trends indicate a gradual decrease in per capita water use, driven by improved technology and consumption awareness. Community council feedback has been largely supportive, with Mt. Olympus and East Mill Creek councils unanimously recommending adoption, while the Millcreek Community Council approved it 6-4, citing concerns about data accuracy and state mandates. The next step is review by the Planning Commission, with an aim to adopt the Water Preservation Element early next year, ensuring better data collection, education, and alignment with conservation goals to maintain reliable water resources for the city.

Council Member Catten asked about guidance for entities that do not have their own water or effective representation on the control of its water. Murray said there was no guidance. Lilly the state mandate for water preservation can be viewed as a response to situations where some cities were denying permits, water availability letters, or subdivision approvals by claiming insufficient water, even when water was technically available. The state's intent was to require municipalities to perform a general plan-based analysis of water availability, providing a policy-backed rationale if development were to be restricted due to water constraints. For Millcreek, this process was unusual and challenging, as the city does not control the water supply directly, only contributing as a ratepayer. Despite the awkwardness and the significant staff effort involved, completing the analysis has clarified key questions and established a formal understanding of water resources for future planning purposes. Council Member Catten would like information in the plan for residents on what affects water quality. She would like the city to look at ways to replace systems that waste water, such as sprinklers.

**3. Business Matters****3.1 Discussion and Consideration of Ordinance 25-51, Amending Chapter 9.77 of the Millcreek Code Adopting the Current Edition of the Utah Wildland Urban Interface Code, Issued by the International Code Council, with the Alternatives or**

**Amendments Approved by the Utah Division of Forestry, Fire, and State Lands, as a Construction Code and a Wildland Urban Interface Map**

Jim Hardy said at the start of the year, House Bill 48 was passed, requiring municipalities with wildland-urban interface (WUI) areas, like Millcreek, to take two actions. First, the city must adopt the Utah Wildland-Urban Interface Building Code, officially the 2006 Utah WUI Code, which is based on the 2003 International WUI Code with state-specific amendments. This code is adopted as-is from the state, and the city cannot modify it. Second, the city is required to develop and adopt a map defining the boundaries where the code will apply. Millcreek created this map in coordination with the City Council, the building department, Unified Fire, GIS experts, and the Utah Division of Forestry to ensure accurate and effective application of the code.

Brian Busch noted that following prior council discussions, the city developed updated map proposals for applying the WUI building code, incorporating state recommendations. While the state also uses these data sets to determine high-risk fees and insurance considerations, the focus here is solely on the building code application. This latest, third iteration of the map begins near Wasatch Boulevard and includes all structures with a risk score of seven or higher, as well as roughly 200–250 additional structures with a score of six or above. The map boundaries were carefully drawn along centerlines and subdivision parcel lines to ensure clear delineation, avoiding scenarios where a single property is split by the boundary, which explains the inclusion of the structures with a score of six.

Mayor Jackson noted residents could provide feedback on the map at an open house on January 5<sup>th</sup>. Changes can still be made to the map, but the city had to adopt one by the end of the calendar year per state code.

Busch said it is important to note that inclusion in the Wildland-Urban Interface zone does not mean a blanket assessment applies to an entire property; each property is individually evaluated. Property owners with questions regarding their slope, ingress and egress, subdivision considerations, or the specific building materials required under the code can contact the city for guidance. The city will provide support to ensure residents understand how the code applies to their individual properties. The affected residents would be receiving a mailed letter about the open house. It would also be advertised in city newsletters.

Hardy thanked Busch for creating the maps. Battalion Chief Wilde said the UFA Fire Marshal was using Busch's map as an example for other cities. He said it is important for residents to understand that even if their property does not fall within the mapped Wildland-Urban Interface zone, they still have a personal responsibility to manage their property to reduce fire risk. While the map fully satisfies the requirements of House Bill 48, all residents are encouraged to implement fire-wise landscaping and building practices to enhance safety, as being outside the designated zone does not eliminate the potential for wildfire hazards. Hardy added that the map and information would be online for residents to view.

**Council Member Handy moved to approve Ordinance 25-51, Amending Chapter 9.77 of the Millcreek Code Adopting the Current Edition of the Utah Wildland Urban Interface Code, Issued by the International Code Council, with the Alternatives or Amendments**

**Approved by the Utah Division of Forestry, Fire, and State Lands, as a Construction Code and a Wildland Urban Interface Map. Council Member Uipi seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Handy voted yes, Council Member Uipi voted yes, and Mayor Jackson voted yes. The motion passed unanimously.**

**3.2 Discussion and Consideration of Resolution 25-43, Appointing Various Members of the Council to the Unified Fire Authority Board, Unified Fire Service Area Board, Unified Police Department Board, Community Renewable Energy Agency, Central Wasatch Commission, Wasatch Front Waste and Recycling District, South Salt Lake Valley Mosquito Abatement District, Jordan River Commission, Millcreek Business Council Board of Directors, Promise Executive Council, Utah League of Cities and Towns Legislative Policy Committee, and the Salt Lake County Animal Services Advisory Committee**

Mayor Jackson noted the following appointments would be made to various regional and interagency boards and committees. For the Unified Fire Authority and Unified Fire Service Area, the primary member is the mayor, with Council Member Handy as the alternate. For the Unified Police Department, the mayor serves as primary, with Council Member Uipi as alternate. The Community Renewable Energy Agency has the mayor as primary and Council Member DeSirant as alternate. Council Member Uipi represents the council on the Central Wasatch Commission. Council Member Handy is the council representative for Wasatch Front Waste and Recycling. South Salt Lake Valley Mosquito Abatement is represented by Council Member Catten, who, along with Mike Winder as alternate, serves on the Jordan River Commission. The mayor and Council Member Catten represent the city on the Millcreek Business Council Board of Directors and the Promise Executive Council. The mayor, along with Council Member DeSirant and Mike Winder, represent the city on the Utah League of Cities and Towns Legislative Policy Committee. Finally, Council Member DeSirant serves as primary and Rita Lund as alternate on the Salt Lake County Animal Services Advisory Committee.

**Council Member Uipi moved to approve item 3.2, Resolution 25-43. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Handy voted yes, Council Member Uipi voted yes, and Mayor Jackson voted yes. The motion passed unanimously.**

**3.3 Discussion and Consideration of Ordinance 25-52, Amending Chapter 2.82 of the Millcreek Code of Ordinances Regarding Adding Data Privacy**

John Brems said this ordinance adds a data privacy component, due to recent state legislation, to code by adding Mike Winder as the chief administrative officer and the recorders as records officers.

**Council Member Catten moved to approve Ordinance 25-52, Amending Chapter 2.82 of the Millcreek Code of Ordinances Regarding Adding Data Privacy. Council Member DeSirant seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Handy voted yes, Council Member Uipi voted yes, and Mayor Jackson voted yes. The motion passed unanimously.**

### **3.4 Discussion and Consideration of Ordinance 25-53, Adopting Millcreek's 2026 Regular Meeting Schedule**

Elyse Sullivan noted the schedule was essentially the same from prior years. There would be one Tuesday council meeting after Memorial Day and the second council meeting in December would be on the third rather than the fourth Monday.

**Council Member DeSirant moved to approve Ordinance 25-53, Adopting Millcreek's 2026 Regular Meeting Schedule. Council Member Uipi seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Handy voted yes, Council Member Uipi voted yes, and Mayor Jackson voted yes. The motion passed unanimously.**

## **4. Reports**

### **4.1 Mayor's Report**

Mayor Jackson reported she would be meeting with the community council chairs to discuss recommended changes based on feedback from the Utah Property Rights Ombudsman. Additionally, the pickleball courts have been closed for the season due to snow and winter weather concerns. Last year, snow removal by players caused damage to the court surfaces, and continued play under such conditions accelerates wear, resulting in costly repairs. The city has decided to keep them closed until spring, when weather conditions are more suitable, to protect the surface and prevent further damage.

### **4.2 City Council Member Reports**

Council Member Uipi welcomed Council Member Handy to her first council meeting. Council Member DeSirant reported that on December 16<sup>th</sup> there would be a public hearing with the Public Service Commission regarding the Community Renewable Energy Program. Council Member Catten acknowledged a successful ice show at Millcreek Common.

### **4.3 Treasurer's Report**

Council Member Catten reported that as of December 8, 2025, the city's operating account holds \$3,276,683, while the PTIF account has a balance of \$32,222,936, resulting in a combined virtual shared cash total of \$35,499,629. Current property tax receipts amount to approximately \$2,284,396, general sales tax revenue for three months is \$3,814,715, and building permit revenue totals \$445,611, bringing total general fund revenues to \$11,336,400, which are projected to meet or exceed budget expectations. In November, the city processed 189 checks totaling \$4,769,739 and 19 EFTs totaling \$1,795,941 with no anomalies reported. Total disbursements for the month were \$6,928,204, indicating that the city's finances remain in a healthy position.

### **4.4 Staff Reports**

Mike Winder reminded the council of a legislative huddle the following morning to meet with the city's lobbyists and state legislators. Council Member Uipi brought up HB 280 regarding water.

### **4.5 Unified Police Department Report**

Chief Petty-Brown reviewed the October-November 2025 crime statistics. For the combined period of October and November, the police department reports stable staffing



with no true vacancies, though four patrol positions remain encumbered by academy or field training, with one expected to complete training by month's end. Recruitment efforts by HR since the separation from the sheriff's office have been highly successful. Priority one response times averaged 5.5 minutes, with adjustments made to account for the typical one- to two-minute dispatch delay, resulting in improved reported times. Calls for service decreased from 2,600 in October to 2,300 in November, and police reports dropped from 872 to 732. Mental health and transient calls numbered 91 and 70, respectively. Traffic enforcement showed 415 stops in October and 368 in November, with citations issued at 371 in November, DUI arrests totaling 10 in October and 8 in November and reported accidents decreasing from 100 to 78. The Drug Enforcement Unit was particularly active, handling 114 cases, 65 arrests, 44 search warrants, recovering six stolen vehicles, three firearms, 32 pounds of meth, and 1,800 fentanyl pills. Precinct detectives were assigned 87 cases over the two months, submitting 17 to the Holladay Justice Court, including assaults (67), fraud (46), burglaries (13), sex offenses (19), drug offenses (30), larcenies (117), stolen vehicles (818), robberies (3), and family offenses (125), with no homicides reported. Overall, the department is maintaining strong operational performance despite high workloads.

Council Member Catten asked that the police in Salt Lake County not interfere with the unhoused individuals during the "Point in Time Count" conducted at the end of January so that critical data could be collected from the unhoused and they would not be reluctant to participate with the surveyors.

## 5. Consent Agenda

- 5.1 Approval of November 3, 2025 Special Meeting Minutes
- 5.2 Approval of November 10, 2025 Work Meeting and Regular Meeting Minutes
- 5.3 Approval of November 18, 2025 Emergency Meeting Minutes
- 5.4 Approval of November 24, 2025 Meeting Minutes

**Council Member DeSirant moved to approve items 5.1, 5.2, 5.3, and 5.4. Council Member Uipi seconded. Mayor Jackson called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Handy abstained as she was not present in those meetings, Council Member Uipi voted yes, and Mayor Jackson voted yes. The motion passed.**

## 6. New Items for Subsequent Consideration

There was none.

## 7. Calendar of Upcoming Meetings

- Historic Preservation Commission Mtg., 12/11/25, 6:00 p.m.
- Planning Commission Mtg., 12/17/25, 5:00 p.m.

**ADJOURNED: Council Member Uipi moved to adjourn the meeting at 8:50 p.m. Council Member DeSirant seconded. Mayor Jackson called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Handy voted yes, Council Member Uipi voted yes, and Mayor Jackson voted yes. The motion passed unanimously.**



**APPROVED:** \_\_\_\_\_ **Date**  
Cheri Jackson, Mayor

**Attest:** \_\_\_\_\_  
Elyse Sullivan, City Recorder

DRAFT