

## EMIGRATION CANYON CITY COUNCIL

**Ordinance No. 2026-O-07**

Date: July 21, 2026

### **AN ORDINANCE ENACTING TITLE 19.03 AND REPEALING SECTION 18.04.040 OF THE EMIGRATION CANYON CODE FOR DEVELOPMENT AGREEMENTS**

#### RECITALS

**WHEREAS**, Emigration Canyon (the “City”) is a municipality and has authority to enact land use ordinances pertaining to Development Agreements pursuant to Utah Code §§ 10-20-101(2) and 10-20-508 of the Municipal Land Use, Development, and Management Act, Title 10, Section 20, Utah Code (“MLUDMA”); and

**WHEREAS**, the Council deems it necessary to amend its land use ordinances to authorize the use of Development Agreements under circumstances the City determines appropriate, consistent with MLUDMA, and for the protection and preservation of public health, safety and general welfare; and

**WHEREAS**, the Emigration Canyon Planning Commission held a public hearing on June 11, 2026, to consider Ordinance 2026-O-07 in accordance with Utah Code §§ 10-20-205 and 10-20-502; and

**WHEREAS**, the Planning Commission has recommended that the Council enact Title 19.03 of the Emigration Canyon Code.

**BE IT ORDAINED BY THE EMIGRATION CANYON COUNCIL** as follows:

1. Title 19.03 is hereby enacted as set forth in Exhibit A, and Section 18.04.040 is hereby repealed.

1. Severability. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

2. Direction to Staff. Staff is authorized and directed to take such steps as may be needed: (a) for this Ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; (b) to finalize and post the Ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors; and (c) to renumber or reorder the enacted Ordinance in Municode as proper organization dictates.

3. Effective Date. This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

**PASSED AND ADOPTED** this 21<sup>st</sup> day of July, 2026.

EMIGRATION CANYON CITY COUNCIL

Signed by:

*David Brems*

By: Mayor Brems

ATTEST

Signed by:

*Diana Baun*

Diana Baun, Recorder

Voting:

|                         |                   |
|-------------------------|-------------------|
| Mayor Brems             | voting <u>AYE</u> |
| Council Member Griffith | voting <u>AYE</u> |
| Council Member Harris   | voting <u>AYE</u> |
| Council Member Hawkes   | voting <u>AYE</u> |
| Council Member Pinon    | voting <u>AYE</u> |

(Complete as Applicable)

Date ordinance summary was posted to the Utah Public Notice website, and in a public place within Emigration Canyon per Utah Code §10-3-711: July 28, 2026

Effective date of ordinance: July 28, 2026

## **EXHIBIT A**

### **TITLE 19.03 DEVELOPMENT AGREEMENTS**

(A) Development Agreements may be negotiated and executed between the City and a property owner to set forth specific requirements for a Development that accomplish the purposes of the Emigration Canyon Code.

(B) Development Agreements are solely and exclusively the legislative action of the City Council and shall only be entered into upon the express legislative judgment that the execution of a Development Agreement by the City would promote the health, safety, and welfare of the residents of the City.

(C) Development Agreements may authorize the amendment of the regulations set forth by the Emigration Canyon Code in order to facilitate the goals set forth herein and the applicable laws of the State of Utah.

(D) Property owners shall have no entitlement or right to a Development Agreement, to the amendment of an existing Development Agreement, or to any particular term or restriction of a Development Agreement. Any execution, termination, amendment, extension, or substitution of a Development Agreement requires the voluntary consent of the property owner and the legislative approval of the City Council.

(E) All Development Agreements shall be recorded with the Salt Lake County Recorder.

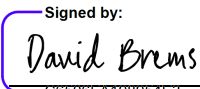
(F) All Development Agreements shall run with the land and shall be binding upon any subsequent property owners, successors, heirs, assigns, or agents of the person or entity entering into the Development Agreement.

(G) Approval of any Development Agreement that varies from existing Emigration Canyon Code regulations shall follow the procedures in Title 19 for land use regulation amendments.

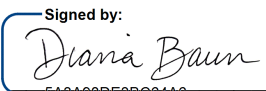
**SUMMARY OF ORDINANCE**

**EMIGRATION CANYON**  
**ORDINANCE NO. 2026-O-07**

On July 21, the Emigration Canyon Council enacted ordinance No. 2026-O-07, an ordinance enacting title 19.03 of the Emigration Canyon code for development agreements.

Signed by:  
  
C65D6FA198954E3...  
By: David Brems, Mayor

ATTEST

Signed by:  
  
5A3A98DE3BC04A6...  
Diana Baun, Recorder

Voting:

|                         |                   |
|-------------------------|-------------------|
| Mayor Brems             | voting <u>AYE</u> |
| Council Member Griffith | voting <u>AYE</u> |
| Council Member Harris   | voting <u>AYE</u> |
| Council Member Hawkes   | voting <u>AYE</u> |
| Council Member Pinon    | voting <u>AYE</u> |

A complete copy of ordinance No. 2026-O-07\_ is available in the office of the Emigration Canyon City Recorder, 860 Levoy Drive, Suite 300, Taylorsville, Utah 84123.