

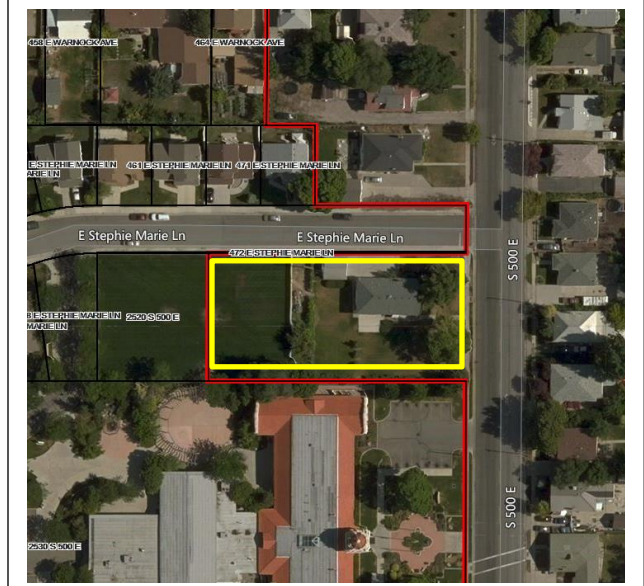


CITY COUNCIL STAFF REPORT

MEETING DATE: October 24, 2018
REQUEST: B-18-001 – Boundary Adjustment with Salt Lake City
APPLICANT: City of South Salt Lake
PREPARED BY: Michael Florence

SYNOPSIS:

The City of South Salt Lake has requested to adjust the municipal boundaries between Salt Lake City and South Salt Lake for the property located at 2508 S. 500 E. The boundary line adjustment would remove the property from Salt Lake City and would become part of South Salt Lake. The City of South Salt Lake is the property owner of the subject property. The home is currently vacant and the property is being maintained by the South Salt Lake Public Assests Department. Utah Code 10-2-419 allows the common boundary adjustment to occur as a municipal boundary adjustment instead of through an annexation. The purpose of the boundary line adjustment is to expand open space in South Salt Lake.



South Salt Lake City Council adopted a resolution on August 22, 2018 expressing its intent to adjust its common boundary with Salt Lake City and set a public hearing date for October 24, 2018. Salt Lake City Council approved the boundary line adjustment ordinance on October 2, 2018.

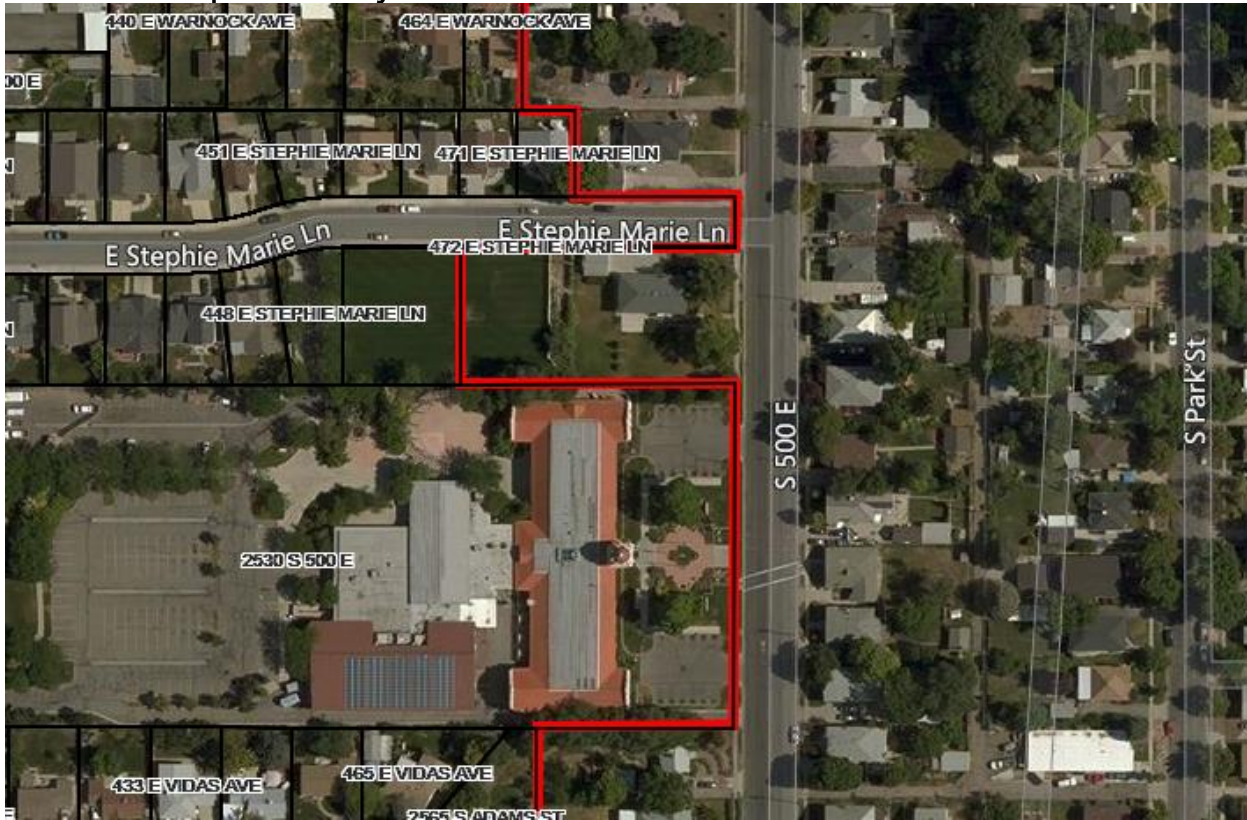
EXISTING USE	SIZE OF PROPOSED PROPERTY	SURROUNDING LAND USES	SURROUNDING ZONING	CURRENT SALT LAKE CITY ZONING
Vacant home	.61 acres	Single Family	R-1/6,000 (SSL) R-1/7,000 (SLC)	R-1/7,000

Project History

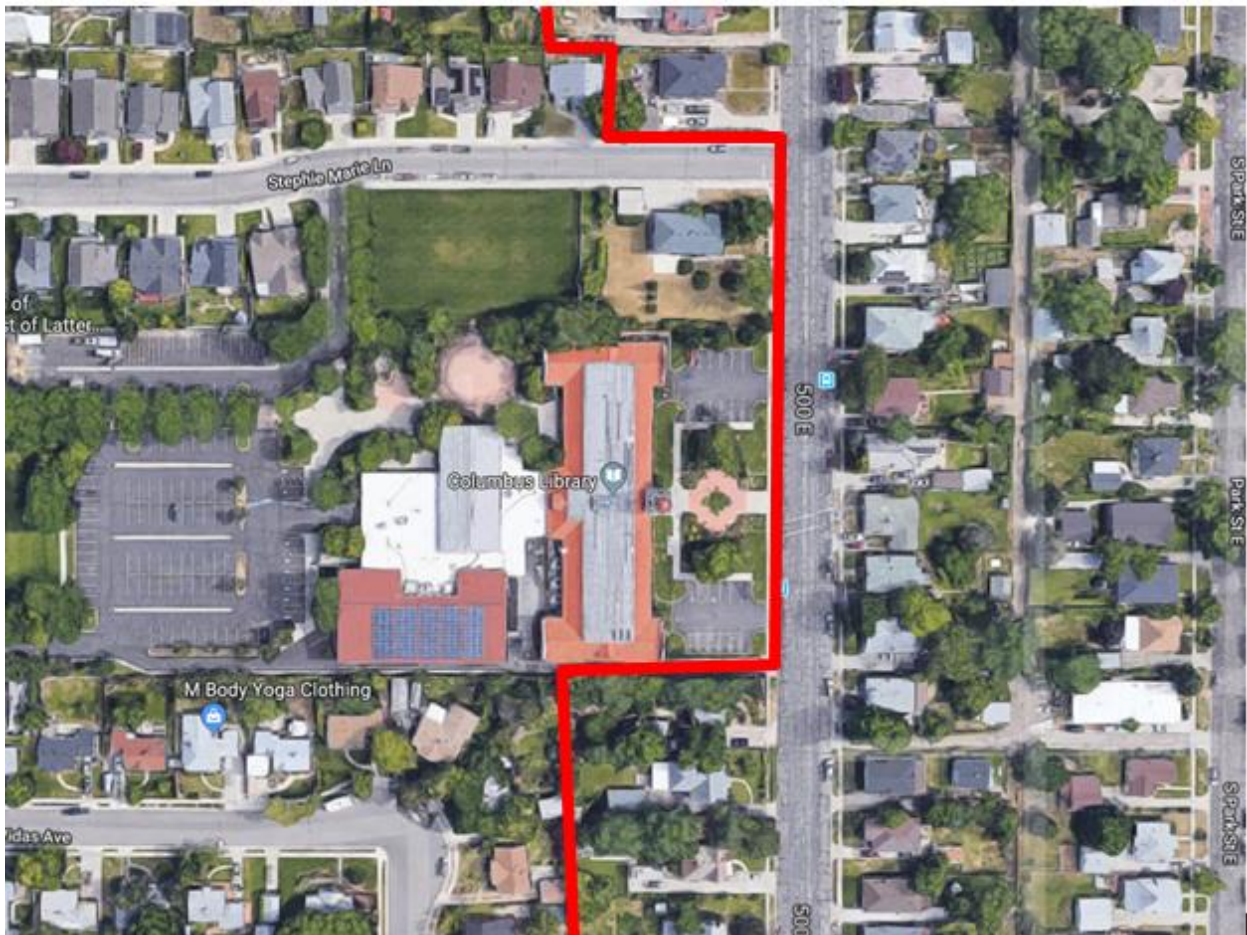
In 2012 the City leased and improved the western most parcel of the Mrs. Todds property for open space. The 2012 lease with Mrs. Todd included an option to purchase the property. In 2016, the City purchased the home from the Todd family. The City’s intent is to demolish the structures on the property and use the property as open space. The property is located adjacent to the Columbus Center which has a limited amount of open space in conjunction with the facility. A number of concept park plans have been developed by the City and those will continue to be refined over the next few months. The subject property was identified in the 2015 Parks, Open Sapce, Trail and Community Centers Master Plan as a potential site for increased open space.

Current and Proposed Municipal Boundaries:

Current Municipal Boundary



Proposed Municipal Boundary



STATE CODE REQUIREMENTS

10-2-419. Boundary adjustment -- Notice and hearing -- Protest.

(1) The legislative bodies of two or more municipalities having common boundaries may adjust their common boundaries as provided in this section.

(2) The legislative body of each municipality intending to adjust a boundary that is common with another municipality shall:

(a) adopt a resolution indicating the intent of the municipal legislative body to adjust a common boundary;

(b) hold a public hearing on the proposed adjustment no less than 60 days after the adoption of the resolution under Subsection (2)(a);

(c) publish notice:

(i)

(A) at least once a week for three successive weeks in a newspaper of general circulation within the municipality; or

(B) if there is no newspaper of general circulation within the municipality, post at least one notice per 1,000 population in places within the municipality that are most likely to give notice to residents of the municipality; and

(ii) on the Utah Public Notice Website created in Section 63F-1-701 for three weeks;

and

(d) if the proposed boundary adjustment may cause any part of real property owned by the state to be within the geographic boundary of a different local governmental entity than before the adjustment, provide written notice, at least 50 days before the public hearing described in Subsection (2)(b), to:

(i) the title holder of any state-owned real property described in this Subsection (2)(d); and

(ii) the Utah State Developmental Center Board, created under Section 62A-5-202, if any state-owned real property described in this Subsection (2)(d) is associated with the Utah State Developmental Center.

(3) The notice required under Subsections (2)(c) and (d) shall:

(a) state that the municipal legislative body has adopted a resolution indicating the municipal legislative body's intent to adjust a boundary that the municipality has in common with another municipality;

(b) describe the area proposed to be adjusted;

(c) state the date, time, and place of the public hearing required under Subsection (2)(b);

(d) state in conspicuous and plain terms that the municipal legislative body will adjust the boundaries unless, at or before the public hearing under Subsection (2)(b), a written protest to the adjustment is filed by:

(i) an owner of private real property that:

(A) is located within the area proposed for adjustment;

(B) covers at least 25% of the total private land area within the area proposed for adjustment; and

(C) is equal in value to at least 15% of the value of all private real property within the area proposed for adjustment; or

(ii) a title holder of state-owned real property described in Subsection (2)(d);

(e) state that the area that is the subject of the boundary adjustment will, because of the boundary adjustment, be automatically annexed to a local district providing fire protection,

paramedic, and emergency services or a local district providing law enforcement service, as the case may be, as provided in Section 17B-1-416, if:

(i) the municipality to which the area is being added because of the boundary adjustment is entirely within the boundaries of a local district:

(A) that provides fire protection, paramedic, and emergency services or law enforcement service, respectively; and

(B) in the creation of which an election was not required because of Subsection 17B-1-214(3)(c); and

(ii) the municipality from which the area is being taken because of the boundary adjustment is not within the boundaries of the local district; and

(f) state that the area proposed for annexation to the municipality will be automatically withdrawn from a local district providing fire protection, paramedic, and emergency services, as provided in Subsection 17B-1-502(2), if:

(i) the municipality to which the area is being added because of the boundary adjustment is not within the boundaries of a local district:

(A) that provides fire protection, paramedic, and emergency services; and

(B) in the creation of which an election was not required because of Subsection 17B-1-214(3)(c); and

(ii) the municipality from which the area is being taken because of the boundary adjustment is entirely within the boundaries of the local district.

(4) The first publication of the notice required under Subsection (2)(c)(i)(A) shall be within 14 days of the municipal legislative body's adoption of a resolution under Subsection (2)(a).

(5) Upon conclusion of the public hearing under Subsection (2)(b), the municipal legislative body may adopt an ordinance approving the adjustment of the common boundary unless, at or before the hearing under Subsection (2)(b), a written protest to the adjustment is filed with the city recorder or town clerk by a person described in Subsection (2)(d)(i) or (ii).

(6) The municipal legislative body shall comply with the requirements of Section 10-2-425 as if the boundary adjustment were an annexation.

(7) (a) An ordinance adopted under Subsection (5) becomes effective when each municipality involved in the boundary adjustment has adopted an ordinance under Subsection (5).

(b) The effective date of a boundary adjustment under this section is governed by Section 10-2-425.

FINDING OF FACT:

1. The City of South Salt Lake is the property owner of 2508 S. 500 E.
2. The 2015 Parks, Open space, Trails and Community Centers Master Plan identified the site for increased open space
3. The subject property is currently within the municipal boundaries of Salt Lake City
4. Salt Lake City Council has agreed to the common boundary line adjustment and adopted an ordinance approving the boundary line adjustment
5. South Salt Lake Council has approved a resolution expressing its intent to adjust its common boundary with Salt Lake City
6. A South Salt Lake public hearing is scheduled for October 24, 2018

STAFF ANALYSIS:

Future open space, at the former Todd Property, will be a benefit to both South Salt Lake and Salt Lake City residents. In addition it will be a valuable asset as part of the Columbus Community Center facility.

Salt Lake Public Utilities has requested that water and sewer utilities are disconnect from Salt Lake City public utilities and connected to South Salt Lake utilities.

Utah State Code 10-2-419 outlines a process for common boundary adjustments between two municipalities. Salt Lake City has completed their public process and approved an ordinance for the common boundary line adjustment. A South Salt Lake public hearing is scheduled for October 24, 2018 and a draft ordinance is ready for adoption. Since South Salt Lake is the only property owner affected by the boundary adjustment so the protest requirements of State code are not applicable. Due to meeting State code filing deadlines with the Lieutenant Governor's Office, staff recommends that the City Council suspend their rules of procedure and adopt the attached ordinance at the October 24th meeting. If the City's application for boundary adjustment is favorably received, the Lieutenant Governor's office will issue a Certificate of Boundary Adjustment. If the Lieutenant Governor's office issues the Certificate on or before October 31st, the boundary adjustment will become effective on January 1, 2019. However, if the certificate is not issued until November 1, the effective date will be July 1, 2019.

ATTACHMENTS

1. Photos of Todd property
2. Plat



View of the Todd property at the corner of 500 E. Stephe Marie Lane



View of the Todd property from Stephe Marie Lane



View showing the adjacent Columbus Center

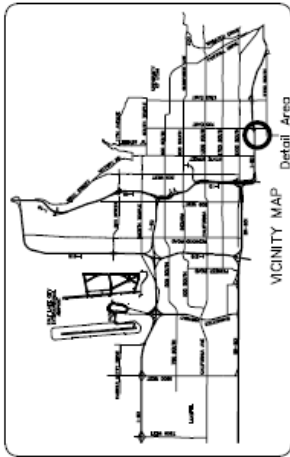
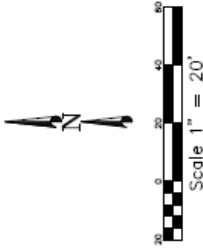


View of the existing open space owned and improved by South Salt Lake

2508 South 500 East

Final Local Entry Plat

Salt Lake City & South Salt Lake City Boundary Adjustment
 Located in the Southeast Quarter of Section 19, T15, R1E S.L.B.&M.



2508 South 500 East City Boundary Adjustment

Description

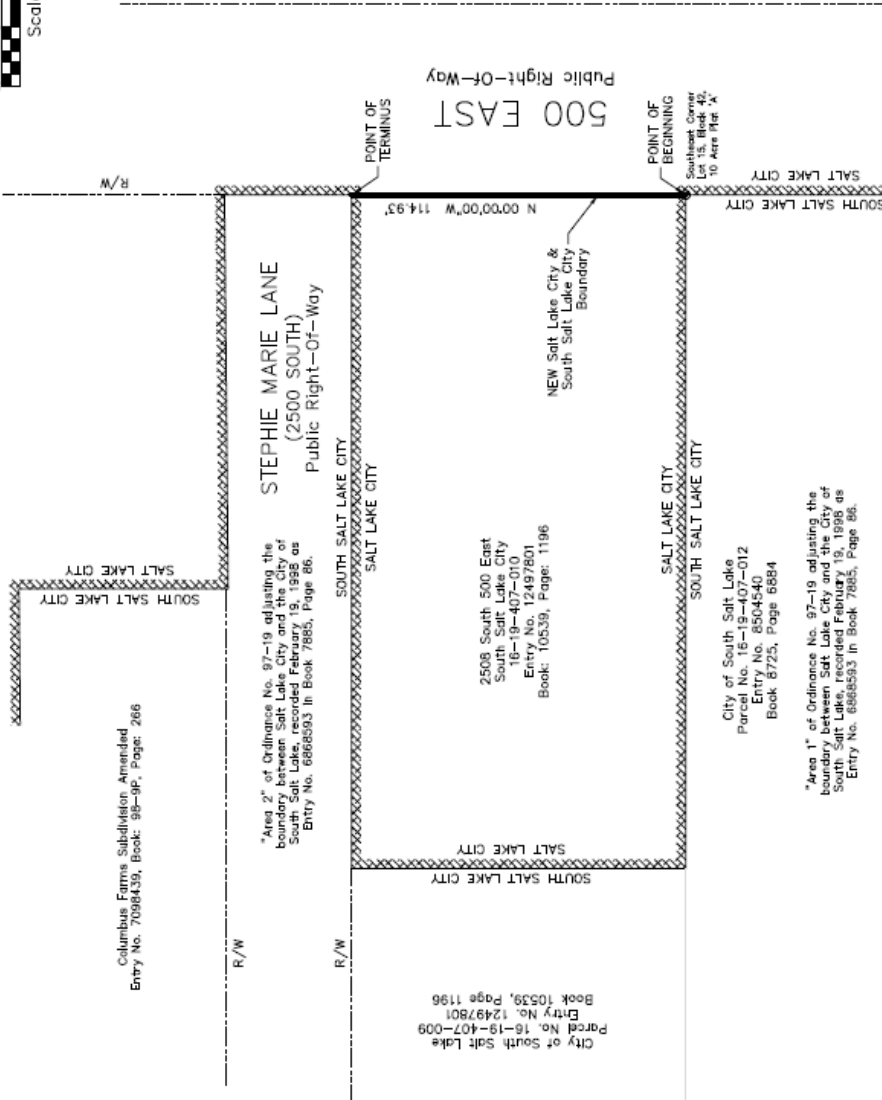
An entire tract of land described in that Warranty Deed recorded March 17, 2017 as Entry No. 12497801, in Book 10539, at Page 1196 in the Office of the Salt Lake County Recorder and located within a portion of Lot 15, Block 42, 10 Acre Plat "A", Big Field Survey in the Southeast Quarter of Section 19, Township 1 South, Range 1 East, Salt Lake Base and Meridian. The new boundary between South Salt Lake City and Salt Lake City is described as follows:
 Beginning at the northeasterly corner of a previous boundary adjustment between South Salt Lake City and Salt Lake City described as "Area 1" in Ordinance No. 97-19 recorded February 13, 1998 as Entry No. 6868593 in Book 7885, Page 86 in the Office of said Recorder, said corner also being the Southeast Corner of Lot 15, Block 42, 10 Acre Plat "A", Big Field Survey; thence N. 00°00'00" W. 114.93 along the westerly right-of-way of 500 East Street to the southeasterly corner of "Area 2" as described in said Ordinance No. 97-19 and the Point of Terminus
 Contains 26,667 square feet, or 0.612 acres, more or less.

Narrative

The purpose of this plat is to provide a visual and written description for the adjustment of land described hereon out of Salt Lake City limits and into South Salt Lake City limits. This plat was prepared relying on record information found at the Salt Lake County recorder's office, and Salt Lake City annexation records. Measurements were verified in the field.
 The effective date of the Parcel Numbers shown hereon is August 20, 2018

Legend

- ADJUSTED BOUNDARY
- CURRENT CITY BOUNDARY
- ROAD RIGHT-OF-WAY
- IMPACTED PARCEL



SALT LAKE CITY SURVEYOR		SALT LAKE CITY ATTORNEY		SALT LAKE CITY APPROVAL		SOUTH SALT LAKE CITY APPROVAL		SOUTH SALT LAKE CITY ATTORNEY		SOUTH SALT LAKE CITY APPROVAL		SOUTH SALT LAKE CITY SURVEYOR		SALT LAKE COUNTY RECORDER	
Approved this _____ day of _____, 20____ as a Final Local Entry Plat.	_____ SALT LAKE CITY SURVEYOR	Approved as to form this _____ day of _____, 20____ and in Termy _____.	_____ SALT LAKE CITY ATTORNEY	Presented to Salt Lake City this _____ day of _____, 20____ and in Termy _____.	_____ SALT LAKE CITY APPROVAL	Approved as to form this _____ day of _____, 20____ and in Termy _____.	_____ SOUTH SALT LAKE CITY APPROVAL	Approved as to form this _____ day of _____, 20____ and in Termy _____.	_____ SOUTH SALT LAKE CITY ATTORNEY	Presented to South Salt Lake City this _____ day of _____, 20____ and in Termy _____.	_____ SOUTH SALT LAKE CITY APPROVAL	Approved this _____ day of _____, 20____ as a Final Local Entry Plat by the Salt Lake County Surveyor.	_____ SALT LAKE COUNTY SURVEYOR	State of Utah, County of Salt Lake, Recorded and Filed at the Request of _____ Date: _____ Book: _____ Page: _____ Entry No. _____	NUMB ACCOU SHEET OF SHEETS