

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 05/17/2022

Application: CITY OF SOUTH JORDAN ANNEXATION POLICY PLAN

Resolution No.: R2022-26

Applicant: City of South Jordan

Submitted By: Steven Schaefermeyer, Director of Planning

Staff Recommendation (Motion Ready): I move that the City Council **approve** Resolution R2022-26 adopting the City of South Jordan Annexation Policy Plan.

BACKGROUND:

Utah Code § 10-2-401.5 requires all municipalities to adopt an annexation policy plan before annexing an unincorporated area into its borders. For many years the City has had a map showing areas that it would be willing to annex, but the City has not adopted the required annexation policy plan. Bringing the City into compliance with Utah Code § 10-2-401.5 by adopting the proposed City of South Jordan Annexation Policy Plan (the “Plan”) is the principle reason that City staff is recommending that the City Council adopt the Plan at this time. Other reasons why the Plan is being presented to the Council at this time include:

- Annexation has been a hot topic at the legislature in recent years and the City should be responsive to legislative mandates and priorities.
- There have been recent legal cases that have spotlighted the need for cities to understand the annexation process and the need to adopt an annexation policy plan.
- Neighboring communities (i.e. Herriman and West Jordan) have recently annexed properties.
- Like most plans and ordinances, it is wise to review them occasionally to make sure they reflect the viewpoint of the current City Council.
- Salt Lake County has recently undertaken various efforts to plan for growth along the west side, including preparing the “West General Plan,” which the County Council will likely adopt on May 17, 2022. (See <https://slco.org/west-plan/>.)
- As development continues to creep west, City staff anticipates that there will be more pressure to develop areas near South Jordan’s current boundaries. How that growth will affect the City and what roll the City will play in influencing the nature of that growth are both important questions the City must answer.
- Well before the annexation of Daybreak, the City had a good relationship with Rio Tinto Kennecott and it has maintained that relationship over the years. The City has had ongoing communication with Rio Tinto Kennecott over the years concerning its mining and business operations in and near the City, as well as its plans. Adopting this plan will help facilitate continuing those discussions and the City’s relationship with Rio Tinto Kennecott.

STAFF FINDINGS & CONCLUSIONS:

Facts & Findings:

- The Plan complies with Utah Code § 10-2-401.5 and will provide necessary guidance if a property owner petitions the City to annex property.
- In 2007 the City Council adopted R2007-033, which amended the City's Annexation Policy Plan Map (the "2007 Map"). This is the last record the City has of the City Council addressing the City's annexation policies.
- The City of South Jordan Expansion Area Map (the "Map"), which is attached to the Plan as Exhibit A, is largely the same as the 2007 Map. Changes included in this Map that are different than the 2007 Map include:
 - removing properties that have already been annexed into South Jordan or neighboring cities;
 - aligning expansion area boundaries with section lines; and
 - aligning expansion area boundaries with property lines, particularly Rio Tinto Kennecott's property along the southern boundary line of the expansion area.
- The City notified affected entities (as defined by State Code) of the Plan and requested their input. Although City staff spoke to a few of the affected entities, no affected entity submitted public comments or requested changes to the Plans.
- The only public comments the City received was from Rio Tinto Kennecott, and City staff amended the Plan to incorporate those comments and requested changes.
- The Planning Commission helped draft the Plan by reviewing and discussing the Plan in detail on April 26, 2022. The Planning Commission also held a public hearing for the Plan on May 10, 2022, and unanimously recommended (3-0) that the City Council adopt the Plan.

Conclusion and Recommendation: Because the Plan brings the City into compliance with State Code and will provide necessary guidance for possible future annexations, City Staff recommends that the City Council approve Resolution R2022-26.

SUPPORT MATERIALS:

- Resolution R2022-26
 - Exhibit "A" – City of South Jordan Annexation Policy Plan

Steven Schaefermeyer

Steven Schaefermeyer (May 11, 2022 12:08 MDT)

Steven Schaefermeyer, Director of Planning

RESOLUTION R2022-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ADOPTING THE CITY OF SOUTH JORDAN ANNEXATION POLICY PLAN.

WHEREAS, Utah Code § 10-2-401.5 requires all municipalities to adopt an annexation policy plan before annexing an unincorporated area; and

WHEREAS, the City of South Jordan (the “City”) has during the past three decades experienced significant growth; and

WHEREAS, the City continues to experience significant growth, especially on the west side of the City where growth and development is fast approaching the City’s border with unincorporated areas; and

WHEREAS, the City Council of the City of South Jordan (the “City Council”) believes that anticipating growth and planning for growth is in the best interest of the community; and

WHEREAS, the City Council respects the rights of property owners to request annexation into the City as well as the City Council’s authority to decide whether or not to grant future annexation requests as guided by an annexation policy plan; and

WHEREAS, the Planning Commission reviewed and discussed in detail a draft of the City of South Jordan Annexation Policy Plan (the “Plan”) during a public meeting on April 26, 2022 and a public hearing on May 10, 2022 in conformance with the requirements of Utah Code § 10-2-401.5 and recommends that the City Council of the City of South Jordan (the “City Council”) adopt the Plan; and

WHEREAS, the City Council desires to adopt the Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Adoption of the City of South Jordan Annexation Policy Plan. The City Council hereby adopts the Plan attached hereto as Exhibit A.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]


APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS _____ DAY OF _____, 2022 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:



Office of the City Attorney

EXHIBIT A

CITY OF SOUTH JORDAN ANNEXATION POLICY PLAN

CITY OF SOUTH JORDAN

ANNEXATION POLICY PLAN

PURPOSE

This Annexation Policy Plan (“Plan”) was prepared in accordance with the requirements of Utah Code § 10-2-401.5, which requires all municipalities to adopt an annexation policy plan before annexing an unincorporated area. The purpose of this Plan is to:

1. Guide decisions regarding future annexations and South Jordan’s long-range planning objective contained in the City’s General Plan.
2. Prepare for orderly expansion of the City into contiguous adjacent unincorporated areas with future development that is characterized by effective delivery of services, efficient connection to existing infrastructure networks and that strives to protect the public health, safety and welfare of the City’s existing and future inhabitants.
3. Identify the areas of potential annexation and establish the specific standards and criteria that will guide the City’s decision whether or not to grant future annexation petitions in those areas.

EXPANSION AREA MAP

This Plan includes the City of South Jordan Expansion Area Map (“Map”) (Exhibit A), which shows the City’s proposed future expansion areas. This Map represents the City’s growth boundaries and includes areas outside, but adjacent to, its incorporated borders that may be annexed into the City. Areas to be annexed must fall within the areas designated as proposed future expansion areas. Although properties may be within an expansion area, this Plan and Map are not a guarantee that the City will approve an annexation request.

The drawing of the Map and its expansion area boundaries was guided by principles set forth in Utah Code § 10-2-403(5). Specifically, the Map was drawn:

1. along the boundaries of existing local districts and special service districts for sewer, water, and other services, along the boundaries of school districts whose boundaries follow city boundaries or school districts adjacent to school districts whose boundaries follow city boundaries, and along the boundaries of other taxing entities;
2. to eliminate islands and peninsulas of territory that is not receiving municipal-type services;
3. to facilitate the consolidation of overlapping functions of local government;
4. to promote the efficient delivery of services; and
5. to encourage the equitable distribution of community resources and obligations.

ANNEXATION CRITERIA

This section of the Plan outlines the specific criteria that will guide the City's decision whether or not to grant future annexation requests. All future requests for annexation will be evaluated against the following criteria:

1. General Criteria

- a. Any annexed area must be a contiguous area.
- b. Any annexed area must be contiguous to the City's corporate limit when the annexation request is submitted to the City.
- c. The City will attempt to avoid gaps between or overlaps with expansion areas of other municipalities.
- d. If the annexation is by petition, the proposed annexation area cannot create an unincorporated island or peninsula.
- e. Annexation requests cannot propose the annexation of all or part of an area proposed for annexation in a previously filed petition that is still pending approval, denial or rejection.
- f. The City encourages existing unincorporated islands and peninsulas located within the City to annex into the City.

2. State Mandated Review Criteria

a. Character of the Community

The City of South Jordan is located in the southwest Salt Lake Valley, about 16 miles from Utah's capital, Salt Lake City. Settled in 1859, South Jordan was a primarily rural farming community, with irrigation ditches stemming off the Jordan River. The City incorporated in 1935 and by 1960, the population was 1,354. By 1990, the population had grown to 13,106, and housing developments began to replace farmland at an even greater pace. Today South Jordan's population is more than 83,000.

South Jordan is now home to many major regional employers and commercial centers, three prominent religious temples, and many community and regional parks, trails and other recreational and entertainment attractions. South Jordan is well connected regionally through public transportation, a major freeway, two highways that will both be converted to freeways and a multi-use trail that connects the Great Salt Lake to Utah Lake and beyond.

The City strives to preserve its unique and diverse character while preparing for the future growth and opportunities to enhance the quality of life for its residents. The eastern portion of South Jordan is known for its larger single-family lots, quiet neighborhoods, and easy access to major commercial and employment centers. About 40% of the City is zoned for single-family residential (including 12% zoned for agricultural and rural residential).

One-third of the City, roughly 4,201 acres on the City's west side, is currently zoned "Planned Community" and is home to a new urbanist, master planned community known as Daybreak. The Daybreak Town Center, currently underway, will provide new employment, dining, retail, entertainment and regional attractions that are connected to the region by the Mountain View Corridor highway and TRAX light rail.

b. Municipal Services

All areas included in the Plan will need municipal services. Annexation will allow residents and developers of annexed property access to culinary water, sewer and electric power services provided they meet all City specifications and comply with all applicable development ordinances.

c. Extension of Municipal Services

Where municipal services are not presently extended, services will be extended on an as-needed basis at the cost of the developer. All extensions of municipal services must comply with all ordinance and policy criteria and the individual developer or property owner will pay for necessary extensions. The plan and time frame for the extension of municipal services will be determined by the interest of the property owners to subdivide and develop their ground.

d. Service Financing

Municipal services in newly annexed areas will be financed by the developer installing the improvements and by impact fees. Property taxes with increased valuation of property and sales tax will also contribute to the general fund to help defray any added expenses the City may incur by annexing new properties.

e. Estimate of Tax Consequences

The annexation area within South Jordan's area is limited to unincorporated Salt Lake County properties. Other taxing entities including but not limited to schools, county, library, sewer, water conservancy, and mosquito abatement already cover the potential annexation area.

South Jordan's combined property tax rate is 0.012040 which includes the City's property tax rate of 0.001628 to provide municipal services such as public safety (i.e. police, animal control and fire), public works (i.e. parks, streets, cemetery, and fleet), development services (i.e. engineering, building and planning), administrative services (i.e. recreation, courts, facilities, and information technology) and other general government functions (city recorder, economic development, human resources, city manager and city attorney).

Salt Lake County's unincorporated areas' combined tax rate is 0.012907 which includes the same taxing entities listed above, except for South Jordan, but includes:

- i. Salt Lake County's municipal service district with a tax rate of 0.000051 and provides services including public works, animal services, planning and development, engineering, parks, justice courts, municipal prosecution and indigent legal services;

- ii. Unified Fire Service Area with a tax rate of 0.001594 to pay for a full-service fire agency that provides fire suppression, advanced life support, first response and transport, rescue, hazardous materials, bomb response, fire investigation, code enforcement, hazardous materials inspections and emergency management; and
- iii. Salt Lake Valley Law Enforcement District with a tax rate of 0.001973 and provides law enforcement services managed by the Salt Lake County Sheriff.

If annexed into South Jordan, residents in an expansion area would recognize a tax rate decrease of 0.001990, and South Jordan residents would maintain their current tax rate.

This information is based on current tax rates of all applicable taxing entities recognizing that tax rates may be adjusted by any of the respective taxing entities.

f. Interests of “Affected” Entities

- i. Adjacent Municipalities—South Jordan shares a common boundary with both Herriman City, Sandy City and West Jordan City, which are within a half mile of the expansion area.
- ii. Jordan School District—it is anticipated that Jordan School District will provide school service to the expansion areas.
- iii. Jordan Valley Water Conservancy District—South Jordan is a wholesale member agency with JWCD and it is anticipated that JWCD will provide water service to the expansion area.
- iv. Salt Lake County—recent updates to Salt Lake County’s general plan anticipates that unincorporated areas on the west side of the county will become planned communities and annex into adjacent municipalities.

ANNEXATION POLICY PLAN CONSIDERATIONS

1. Attempt to avoid gaps between or overlaps with the expansion areas of other municipalities.

The expansion areas shown on the Map that overlap with other municipalities have been included in the City’s past annexation maps for many years, and generally new overlaps are not being created. These overlap areas are also owned by one owner, Kennecott Utah Copper Corporation.

2. Consider population growth projections for the City and adjoining areas for the next 20 years.

Because the vast majority of unincorporated land in Salt Lake County is on the county’s west side, the population growth projections for Salt Lake County’s west-side cities are the most relevant:

City	2020 Census	2030	2040	2050
Herriman ¹	55,144	93,465	108,668	120,037
South Jordan²	77, 487	110,697	143,919	177,141³
West Jordan ⁴	116,961	122,119	129,429	136,077
West Valley	140,230	152,336	158,978	165,982

3. **Consider current and projected costs of infrastructure, urban services, and public facilities necessary to facilitate full development of the area within the City; and to expand the infrastructure, services, and facilities into the area being considered for inclusion in the expansion area.**

The projected backbone infrastructure costs are estimated to be \$100,600,000.00 to service the area identified in the Map for potential annexation with water, roads, and storm drainage.

4. **Consider, in conjunction with the General Plan, the need over the next 20 years for additional land suitable for residential, commercial, and industrial development.**

The City of South Jordan has been among the nation's fastest growing communities for many years, and residential development, particularly on the City's west side, has continued to fuel that growth. Because the entitlement for Daybreak was negotiated in early 2000 and is more dynamic than traditional land entitlements elsewhere in the City, the growth on the City's west side will continue at a rapid pace. The healthy regional economy and the planned expansion of regional transportation networks will also continue to fuel growth on the west side of Salt Lake County.

Based on the City's experience with the master-planned community Daybreak, the City anticipates that land entitlements in potential annexation expansion areas shown on the Map will have similar characteristics to Daybreak's entitlements. Master-planned communities also seem likely because one owner owns most of the land. The entitlement process for a master-planned community will allow the City to easily implement the goals of the General Plan and

¹ Source: Herriman City

² Source: City of South Jordan Planning Department

³ This projection is based on projected growth rates and assumes annexation of additional land areas into South Jordan.

⁴ Source for West Jordan and West Valley: WFRC.org. The WFRC projections seem low and will likely be adjusted as areas are annexed into West Jordan and West Valley.

require a healthy mix of residential, commercial, industrial, recreational and open space development.

5. Consider the reasons for including agricultural lands, forests, recreational areas, and wildlife management areas in the City.

The Map includes mountainous areas traditionally used for or connected to mining activities by Kennecott and Rio Tinto where access is currently limited or restricted. Annexing those properties into the City where there is a willing land owner would allow the City to ensure appropriate development and protect important opportunities and resources the Oquirrh Mountains can provide to the City and its residents.

EXHIBIT A
CITY OF SOUTH JORDAN EXPANSION AREA MAP

