



# Staff Report

PLANNING DIVISION  
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: John Anderson, 801-535-7214, [john.anderson@slcgov.com](mailto:john.anderson@slcgov.com)

Date: September 27, 2017

Re: PLNPCM2017-00695 Boundary Adjustment with the City of South Salt Lake

## Municipal Boundary Adjustment

**PROPERTY ADDRESS:** 2508 S. 500 E.

**PARCEL ID NUMBERS:** 16-19-407-010

**MASTER PLAN DESIGNATION:** Low Density Residential (Sugar House Master Plan)

**ZONING DISTRICT:** R-1/7,000 (Single Family Residential District)

**REQUEST:** The City of South Salt Lake has requested to adjust the municipal boundaries between Salt Lake City and itself at 2508 S. 500 E. The proposal would remove the subject property from Salt Lake City and would in turn become a part of the City of South Salt Lake. Utah State Code allows this to occur as a municipal boundary adjustment rather than an annexation.

**RECOMMENDATION:** Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding the proposal to amend the boundary between the City and the City of South Salt Lake.

### ATTACHMENTS:

- A. [ANALYSIS OF STANDARDS](#)
- B. [PUBLIC PROCESS AND COMMENTS](#)
- C. [DEPARTMENT REVIEW COMMENTS](#)
- D. [APPLICANT INFORMATION](#)
- E. [SITE PHOTOGRAPHS](#)

**PROJECT DESCRIPTIONS:** The City of South Salt Lake (SSL) owns a 0.61 acre property at 2508 S. 500 E. Currently there is a vacant single-family dwelling on the property. The property is adjacent to the Columbus Community Center which is also owned and operated by SSL. The center has a limited amount of open space it owns in conjunction with the community center. Currently the property in question is located within the boundaries of Salt Lake City (SLC). SSL has proposed to amend the boundaries between the two cities to allow for the subject property to be located within its own boundaries rather than SLC. SSL would then proceed to demolish the home and develop the area as

park space. This park space would be available for use by the citizens of both cities involved but SSL would bear the maintenance costs associated with the park. The rear portions of the lot are already being utilized as park space.

The property is a corner parcel at the intersection of 500 East and Stephe Marie Lane. Properties to the northwest, south and west are all located in SSL and those east and north across 500 East and Stephe Marie Lane are located in SLC. The proposal would have no effect on any other properties in the vicinity.



*The map above highlights the property in question in red. The gray line indicates the current municipal boundary. All properties to the right (east) of the gray line are located within SLC.*

Utah State Municipal Code describes a process for boundary adjustments between two willing municipalities which does not require that a property is deannexed from one community and then annexed into the other. SLC has completed boundary adjustments in the past with the most recent occurring with the City of North Salt Lake. State code does not require that the Planning Commission make a recommendation regarding the request but the City Council has requested that the commission hold a public hearing and include a recommendation to the Council.

**KEY ISSUES:**

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments:

1. Issue 1. Potential Negative Financial Impacts to the City
2. Issue 2. Impacts to the Public Utility System
3. Issue 3. Loss of Development Control

**1. Potential Negative Financial Impacts to the City**

The proposed boundary adjustment would have very limited negative financial impacts to Salt Lake City due to the small size of the parcel and the fact that the property is currently owned by a municipality making it exempt from paying all property taxes. The only revenue the city is receiving from the property at this time is through public utility fees.

A denial to adjust the municipal boundary would likely not mean that the property would become a taxable parcel of property in the future if SSL moves forward with constructing a park on the property. As a park is a permitted use in the R-1/7,000 district a park could be constructed on the property whether the property remains within SLC or not. As long as SSL owns the property it will remain tax exempt.

If the property remains in SLC and SSL moves forward with demolition they will be responsible to pay any required housing mitigation funds that may apply. If the boundary is modified as proposed, SSL would not be required to pay housing mitigation funds for the demolition of the single-family dwelling.

**2. Impacts to the Public Utility System**

The property is currently served by the Salt Lake City Public Utility Department which provides sewer and water to the property. The Public Utilities Department reviewed the request and required that the if the municipal boundary is adjusted that the sewer and water connections must be disconnected from the property. The property would then be required to hook up to utilities provided by SSL. The property can be served from SSL utilities located in adjacent Stephie Marie Ln if necessary.

**3. Loss of Development Control**

Currently land use decisions related to the subject property are dictated by the rules and regulations implemented by SLC. If the boundary is adjusted, SLC would no longer maintain land use authority over what occurs on the property. SSL has stated that they intend to develop the property as an extension of their adjacent park space which staff believes would be a benefit to residents in both municipalities. However once the boundary has been adjusted, SSL will be under no legal obligation to develop the property as park space. Staff believes due to the location of the property adjacent to existing community facilities and the fact that the rear yard of the home is already being utilized as park space that is very likely that SSL will develop the space as they have proposed. It should also be stated that any incompatible use on

the property would potentially negatively affect all surrounding residents whether they are located in SSL or SLC.

**DISCUSSION:** The boundary between SLC and SSL in this neighborhood does not follow a consistent pattern and it's difficult to quickly discern which municipality each property lies within. The property is currently owned by SSL, it's surrounded by existing SSL community facilities and will be developed as expanded park space. For those reasons staff believes that the proposed boundary adjustment will be beneficial to both communities involved with few or no negative impacts to SLC or the surrounding neighborhood.

**NEXT STEPS:**

With a recommendation of approval or denial for the boundary adjustment, the amendment proposal will be sent to the City Council for a final decision by that body.

If the boundary adjustment is approved with the recommended condition, the property could be developed as park space. Without the condition, if the boundary adjustment is approved SSL would make all future land use decisions for the property without a guarantee that the property would be developed as park space.

If the boundary adjustment is denied, the property will remain in SLC. A park could be developed by SSL on the property as it is a permitted use in the R-1/7,000 district. The demolition and development would require the appropriate permitting from the city's Building Services Division.

## **ATTACHMENT A: ANALYSIS OF STANDARDS**

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Salt Lake City does not have codified standards related to a municipal boundary adjustment. In reviewing this request it is being evaluated utilizing, Utah State Municipal Code 10-2-419. Boundary adjustment. This section of state code describes the process which allows for two municipalities to adjust the boundaries between two willing communities. No municipality may force the adjustment of boundaries with another municipality.

The City Council of each municipality must pass a resolution indicating the intent to adjust the boundaries and a public hearing must be held. Following the public hearing each municipality must approve an ordinance approving the boundary adjustment. Any property owners that own property that is being proposed for the adjustment do have the opportunity to protest the request. As there are no property owners other than SSL involved this will not be an issue. A recommendation from the Planning Commission is not required by state code but the City Council has requested that it occur.

## **ATTACHMENT B: PUBLIC PROCESS AND COMMENTS**

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### **Public Notice, Meetings, Comments**

The following is a list of public meetings, notices, and input for the proposed property exchanges:

**Open House** - The project was placed on the agenda for the Planning Division Open House held on September 21, 2017. No comments were received from the public at that open house.

#### **Notice of the public hearing for the proposal included:**

Public hearing notice mailed on September 13, 2017

Public hearing notice posted on September 14, 2017

Public notice posted on City and State websites and Planning Division list serve on September 13, 2017

#### **Public Input:**

No public comments were received at the time this report was published.

## **ATTACHMENT C: DEPARTMENT REVIEW COMMENTS**

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### **Engineering** (Scott Weiler)

No objection to the proposed annexation. Prior to approval, a legal description must be submitted for review by the SLC Surveyor.

### **Zoning** (Greg Mikolash)

No zoning related issues.

### **Transportation**

No comments.

### **Public Utilities** (Jason Draper)

We are not opposed to them changing the boundary. They will need to disconnect their sewer and water at the main from salt lake city public utilities and connect to SSL utilities. It looks like there is sewer and water in Stephi Marie Lane.

### **Fire**

No comments.

### **Sustainability**

No comments.

### **Police**

No comments.

## **ATTACHMENT D: APPLICANT INFORMATION**

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5 September 2017

John Anderson  
Planning Division  
Salt Lake City  
Salt Lake City, Utah

Subj: Boundary Adjustment Proposal

Dear Mr. Anderson,

The City of South Salt Lake seeks an adjustment of the boundary between Salt Lake City and the City of South Salt Lake. This adjustment, if approved, would bring a parcel owned by the City of South Salt Lake wholly within the jurisdiction of South Salt Lake.

The City of South Salt Lake last year purchased the subject property (a former residence) which lies north of our Columbus Community Center. The property and the Columbus Community Center are on the west side of 500 East.

The Columbus Community Center hosts a branch of the County Library and a County Senior Center, and supports activities for many of our community events and programming. A significant limitation of the Columbus Community Center has been the absence of adjacent or nearby open space. In 2012 the City of South Salt Lake leased a portion of the subject property then owned by Mrs. Mabel Todd. With support from Mrs. Todd the City improved and developed the western portion of her property for limited use for Columbus Community Center youth programming.

The 2012 lease with Mrs. Todd included an option to purchase the property if Mrs. Todd moved from her home.

Last year, Mrs. Todd relocated from her property and the City purchased the home. It is the City's intent to eventually demolish the structures on the property and use the entire property as public open space.

Important for Salt Lake City, the subject property (on the border of our cities) would benefit both SLC and SSL residents.

Respectfully,

Lyn Loyd Creswell  
City Attorney

**LYN CRESWELL**  
CITY ATTORNEY

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# Potential Design



OPTION 2: Park and Sports

TODD PROPERTY

Building and site demolition	1	\$	30,000.00	\$	30,000
Sidewalks to Columbus, park area	1620		5.00	\$	8,100
Benches, picnic tables, sign	5		1500.00	\$	7,500
Playground	1		75000.00	\$	75,000
Basketball Court	1		75000.00	\$	75,000
Fencing (move existing east)	115		20.00	\$	2,300
Sod and Irrigation (additional area)	7925		1.50	\$	11,888
				\$	209,788



## **ATTACHMENT E: SITE PHOTOGRAPHS**

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**Photograph looking west at the subject property.**



**Photograph looking west which shows the adjacent Columbus Community Center as well as the subject property.**



**Photograph looking southwest along Stephie Marie Lane. The photo shows the rear yard of the subject property which is currently being used as park space.**