

**SALT LAKE COUNTY
COUNTY-WIDE POLICY
ON
PUBLIC INFRASTRUCTURE DISTRICT
REVIEW CRITERIA**

Purpose

To establish guidelines for the County Council to review Public Infrastructure District Pre-Application and Application Documents to determine whether to issue an Initiating Resolution to proceed with a Governing Document to establish a Public Infrastructure District as allowed under the Utah Public Infrastructure District Act.

1.0 Policy

It is the policy of Salt Lake County (the “County”) to provide standard criteria with which to review and issue an Initiating Resolution to proceed with Governing Documents and to create one or more Public Infrastructure Districts (“PID”).

2.0 Review Criteria:

This section is intended to identify criteria that are consistent with the County’s public policy goals with respect to PIDs.

2.1 Recommended Findings. The County Council may use its discretion to issue an Initiating Resolution and thus proceed with a Governing Document if the Application Documents present satisfactory evidence of each of the following:

- 2.1.1** There is sufficient existing and projected need for infrastructure in the area to be serviced by the proposed PID;
- 2.1.2** The existing infrastructure in the area to be served by the proposed PID is inadequate for present and projected needs;
- 2.1.3** The proposed PID is capable of providing economical and sufficient infrastructure to the area within its proposed boundaries; and
- 2.1.4** The area to be included in the PID has, or will have, the financial ability to discharge the proposed Debt (as such term is defined in Countywide Policy No. 1702) on a reasonable basis.
- 2.1.5** The proposed PID otherwise provides significant public benefit.

2.2 Discretionary Findings. The County Council, at its discretion, should not issue an Initiating Resolution unless satisfactory evidence of the following is present:

- 2.2.1** Adequate infrastructure is not, or will not be, available to the area through the County or other existing district or municipal corporation within a reasonable time and on a basis that is comparable to similar areas or developments;
- 2.2.2** The infrastructure standards of the proposed PID are compatible with the infrastructure standards of the County and each municipality and district which is an interested party;
- 2.2.3** The proposed PID is in compliance with the County's master plans or any regional plan governing the area to be included in the PID;
- 2.2.4** The proposal complies with Title 14 of the Utah Code and the 2015 Integrated Watershed Plan (as applicable); and
- 2.2.5** The creation of the proposed PID will be in the best interests of the area proposed to be included (including any applicable annexation area).
- 2.2.6** The proposed PID only provides System Improvements for one or more of the following infrastructure types: roads, water, sewer, stormwater, parks, and trails. The proposed PID does not include recreation centers, golf courses, or lakes unless a lake is an integral part of and necessary for a stormwater or water system.
 - 2.2.6.1** For purposes of this section, System Improvements means those improvements that are designed to provide infrastructure for services to the community (inside and outside of the PID) at large and that are not merely a part of the development of any particular subdivision or commercial site plan.

2.3 No Obligation to Create. The County Council's discretion to issue an Initiating Resolution and to proceed with a Governing Document is not limited to the Review Criteria indicated in this policy nor does compliance with all of the criteria outlined in this Policy obligate the County Council to issue an Initiating Resolution. This Policy is only intended to provide the Council with minimal recommended criteria for deciding whether the Application Documents are sufficient for a successful District, not necessarily whether the District is in the best long-range interest of the County. An Initiating Resolution does not obligate the Council to issue a resolution formalizing the draft Governing Documents and creating a public infrastructure district.

2.4 Good Faith. As to each application for a PID, the County shall, in good faith, diligently conduct the review, consideration and decision process set forth herein, and shall do so in a reasonably timely manner, considering the scope and complexity of

the requested PID and the County's experience in reviewing the same. This requirement does not obligate the County to proceed with creation of a PID.

APPROVED and PASSED this ____ day of October, 2020

SALT LAKE COUNTY COUNCIL

Max Burdick, Chair

ATTEST:

Sherrie Swensen, County Clerk

APPROVED AS TO FORM:

Zack Shaw 10-7-20

District Attorney's Office Date