

**SALT LAKE COUNTY
ORDINANCE**

ORDINANCE NO. _____, 2020

AN ORDINANCE APPROVING A PLANNED COMMUNITY ZONE PLAN, TOGETHER WITH AN ASSOCIATED MASTER DEVELOPMENT AGREEMENT BETWEEN SALT LAKE COUNTY, THE GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT, THE LAST HOLDOUT, L.L.C., OLYMPIA LAND, L.L.C., AND JORDAN SCHOOL DISTRICT, IMPLEMENTING A PLANNED COMMUNITY ZONE FOR CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY.

The County Council of Salt Lake County, State of Utah (“County Council”), ordains as follows:

Section 1: Findings. The County Council, acting in its legislative capacity, makes the following determinations, including all findings of fact and conclusions of law as are necessary to make each of the following determinations:

- A. The County Council has rezoned from A-2 and M-2 to P-C approximately nine hundred and thirty-three (933) acres of real property located in the south-west portion of unincorporated Salt Lake County, which is more particularly described in Exhibit 1 attached hereto (the “Property”).
- B. As part of its revised rezone application, Last Holdout, L.L.C. (“Owner”) submitted a revised Planned Community Zone Plan (“PC Zone Plan”), which is on file with the Greater Salt Lake Municipal Services District Planning and Development Services Division.
- C. Salt Lake County (“County”), the Greater Salt Lake Municipal Services District (“MSD”), Olympia Land, L.L.C. (“Master Developer”), Owner, and Jordan School District (together “the Parties”) have negotiated a Master Development Agreement (“MDA”), which is attached hereto as Exhibit 2 and incorporated herein as if fully set forth.
- D. County has provided proper notice for and conducted the following in conjunction with the PC Zone Plan and/or MDA: County Planning Commission public hearing on the Owner’s Application to Amend the General Plan, to rezone the Property to the Planned Community Zone, and to approve a PC Zone Plan, which public hearing took place on May 16, 2018; and Council public hearings on Owner’s revised Application to Amend the General Plan, to rezone the Property to the Planned Community Zone, to approve the PC Zone Plan, and to approve the

proposed MDA, which public hearings took place on January 14 and 28, 2020.

- E. The MDA and PC Zone Plan are consistent with the County Land Use Development and Management Act, the Southwest Community General Plan, the County Zoning Ordinance, and the Zoning of the Property. The MDA and PC Zone Plan will enable the County or its successor to control the development of the area and will serve the best interests of the County or its successor.
- F. Development of the Property pursuant to the MDA and PC Zone Plan will result in significant planning and economic benefits to the MSD, the County and its residents by, among other things, requiring orderly development of the Property as a master planned community and increasing sales tax and other revenues to the County and the MSD based on improvements to be constructed on the Property by the Master Developer.
- G. Development of the Property pursuant to the MDA and PC Zone Plan will also result in significant benefits to Owner and Master Developer by providing assurances to Owner and Master Developer that Master Developer will have the ability to develop the Property in accordance with the MDA and PC Zone Plan.
- H. The MDA is a “development agreement” within the meaning of, and is entered into pursuant to, the terms of Utah Code Ann., §17-27a-102 (2019).
- I. The MDA and PC Zone Plan implement the Planned Community zoning for the Property.
- J. The MDA and PC Zone Plan shall govern the development and improvement of the Planned Community from and after the MDA’s Effective Date.

Section 2: Ordinance Approving MDA and PC Zone Plan. Based on its above findings, the County Council of Salt Lake County, Utah, acting in its legislative capacity, hereby enacts this ordinance, approving the Master Development Agreement and PC Zone Plan referenced herein.

Section 3: Effective Date of Ordinance. This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this _____ day of _____, 2020.

SALT LAKE COUNTY COUNCIL

MAX BURDICK, Chair

ATTESTED:

Sherrie Swensen, County Clerk

APPROVED AS TO FORM

By Zachary D. Shaw
Zachary D. Shaw
Deputy District Attorney

Date: 2-25-20

Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member Burdick voting _____
Council Member DeBry voting _____
Council Member Ghorbani voting _____
Council Member Jensen voting _____
Council Member Snelgrove voting _____
Council Member Winder Newton voting _____
Council Member Granato voting _____

Vetoed and dated this _____ day of _____, 2020.

By _____
Mayor Jennifer Wilson or Designee

(Complete As Applicable)

Veto override: Yes__ No__ Date_____

Ordinance published in newspaper: Date_____

Effective date of ordinance:_____

SUMMARY OF
SALT LAKE COUNTY ORDINANCE NO. _____

On the ____ day of _____, 2020, the County Council of Salt Lake County adopted Ordinance No. _____, which approves a Planned Community Zone Plan, together with an associated Master Development Agreement between Salt Lake County, the Greater Salt Lake Municipal Services District, The Last Holdout, LLC., Olympia Land, LLC, and Jordan School District, implementing a Planned Community Zone for certain property located in Salt Lake County.


SALT LAKE COUNTY COUNCIL

By: _____
Max Burdick, Chair
Salt Lake County Council

ATTESTED:

Sherrie Swensen, County Clerk

Approved as to Form:



Zachary Shaw
Deputy District Attorney
Date: 2-20-20

ORDINANCE HISTORY

Council Member Bradley	_____
Council Member Bradshaw	_____
Council Member Burdick	_____
Council Member DeBry	_____
Council Member Jensen	_____
Council Member Winder Newton	_____
Council Member Snelgrove	_____
Council Member Ghorbani	_____
Council Member Granato	_____

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk,
2001 South State Street, N2100A, Salt Lake City, Utah.

EXHIBIT "1"

Legal Description of Property (not including the School District Property)

A parcel of land, situate in parts of Sections 27, 32, 33 and 34, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, more particularly described as follows:

Beginning at the Northeast Corner of Section 33, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running

thence North 00°41'26" East 1,324.02 feet along the section line to the Northeast Corner of the Southwest Quarter of the Southwest Quarter of Section 27, Township 3 South, Range 2 West, Salt Lake Base and Meridian;

thence South 89°30'42" East 2,657.98 feet along the 1/16 section line to the Northeast Corner of the Southeast Quarter of the Southwest Quarter of said Section 27;

thence South 00°28'09" West 1,324.47 feet along the quarter section line to the South Quarter Corner of said Section 27;

thence South 89°30'06" East 2,664.00 feet along the section line to the Southeast Corner of said Section 27;

thence South 89°48'53" East 641.53 feet along the section line;

thence South 00°30'22" East 1,043.85 feet;

thence South 89°21'31" West 820.60 feet;

thence Southeasterly 484.77 feet along the arc of a 960.00 foot radius curve to the right (center bears South 67°06'42" West and the chord bears South 08°25'19" East 479.63 feet with a central angle of 28°55'57");

thence South 06°02'39" West 47.82 feet;

thence West 1,231.28 feet to the 1/16 section line;

thence North 00°10'31" East 263.60 feet along the 1/16 section line to the Southeast Corner of the Northwest Quarter of the Northeast Quarter of said Section 34, monumented with a rebar and cap stamped "5251295";

thence North 89°31'41" West 2,661.50 feet along the 1/16 section line to the Southwest Corner of the Northeast Quarter of the Northwest Quarter of said Section 34, monumented with a Salt Lake County monument;

thence South 00°02'54" West 1,325.66 feet along the 1/16 section line to the quarter section line;

thence North 89°35'51" West 1,329.44 feet along the quarter section line to the East Quarter Corner of said Section 33, monumented with a Salt Lake County monument;

thence North 89°38'37" West 3,990.98 feet along the quarter section line to the Southwest Corner of the Southeast Quarter of the Northwest Quarter, monumented with a rebar and cap stamped "5251295";

thence South 00°20'42" East 1,323.10 feet along the 1/16 section line to the Southeast Corner of the Northwest Quarter of the Southwest Quarter of said Section 33, monumented with a rebar and cap stamped "5251295";

thence North 89°38'31" West 1,327.74 feet along the 1/16 section line to the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 32, Township 3 South, Range 2 West, Salt Lake Base and Meridian;

thence North 89°29'26" West 2,641.53 feet along the 1/16 section line to the Southwest Corner of the Northwest Quarter of the Southeast Quarter of said Section 32;

thence North 00°09'01" East 149.81 feet along the 1/16 section line;

thence North 86°15'53" East 292.00 feet;

thence South 88°11'07" East 207.61 feet;

thence North 00°09'01" East 185.12 feet;

thence South 86°15'53" West 500.00 feet to the 1/16 section line;

thence North 00°09'01" East 405.38 feet along the 1/16 section line to the Northeast Right-of-Way Line of State Route-111 (SR-111), also known as Bacchus Highway;

thence Northwesterly 246.50 feet along the arc of a 268.31 foot radius curve to the right (center bears

North 05°49'12" East and the chord bears North 57°51'41" West 237.92 feet with a central angle of 52°38'15") along said Northeast Right-of-Way Line of SR-111;
thence North 31°32'34" West 437.23 feet along said Northeast Right-of-Way Line of SR-111;
thence Northwesterly 288.95 feet along the arc of a 331.97 foot radius curve to the right (center bears North 58°27'27" East and the chord bears North 06°36'27" West 279.91 feet with a central angle of 49°52'13") along said Northeast Right-of-Way Line of SR-111;
thence North 18°19'39" East 201.90 feet along said Northeast Right-of-Way Line of SR-111;
thence Northeasterly 470.16 feet along the arc of a 1,482.39 foot radius curve to the left (center bears North 71°40'21" West and the chord bears North 09°14'30" East 468.19 feet with a central angle of 18°10'19") along said Northeast Right-of-Way Line of SR-111;
thence North 89°50'40" West 17.00 feet along said Northeast Right-of-Way Line of SR-111;
thence North 00°09'20" East 792.30 feet along said Northeast Right-of-Way Line of SR-111;
thence North 71°13'51" East 3,153.48 feet to the Northwest Corner of said Section 33, monumented with a Salt Lake County monument;
thence South 89°35'41" East 5,303.20 feet along the section line to the point of beginning.

Contains 39,172,856 Square Feet or 899.285 Acres

Less and Excepting any portion within Utah State Highway 111, said parcel being more particularly described as follows:

Beginning at a point on the quarter section line, said point being North 00°09'01" East 1,956.63 feet from the South Quarter Corner of Section 32, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running

thence North 00°09'01" East 80.29 feet;
thence Northeasterly 68.69 feet along the arc of a 273.31 foot radius curve to the left (center bears North 05°42'57" East and the chord bears North 88°30'56" East 68.51 feet with a central angle of 14°24'03");
thence North 81°18'54" East 941.63 feet;
thence Southeasterly 405.74 feet along the arc of a 790.00 foot radius curve to the right (center bears South 08°41'06" East and the chord bears South 83°58'18" East 401.29 feet with a central angle of 29°25'36");
thence South 69°15'30" East 849.64 feet;
thence Southeasterly 791.13 feet along the arc of a 1,560.00 foot radius curve to the left (center bears North 20°44'30" East and the chord bears South 83°47'12" East 782.68 feet with a central angle of 29°03'25");
thence North 81°41'05" East 568.85 feet;
thence Northeasterly 430.96 feet along the arc of a 2,040.00 foot radius curve to the right (center bears South 08°18'55" East and the chord bears North 87°44'12" East 430.16 feet with a central angle of 12°06'14");
thence South 00°20'57" East 80.22 feet;
thence Southwesterly 419.85 feet along the arc of a 1,960.00 foot radius curve to the left (center bears South 03°57'29" West and the chord bears South 87°49'17" West 419.04 feet with a central angle of 12°16'23");
thence South 81°41'05" West 568.85 feet;
thence Northwesterly 831.71 feet along the arc of a 1,640.00 foot radius curve to the right (center bears North 08°18'55" West and the chord bears North 83°47'12" West 822.82 feet with a central angle of 29°03'25");
thence North 69°15'30" West 849.64 feet;
thence Northwesterly 364.65 feet along the arc of a 710.00 foot radius curve to the left (center bears South 20°44'30" West and the chord bears North 83°58'18" West 360.66 feet with a central angle of 29°25'36");
thence South 81°18'54" West 941.63 feet;
thence Southwesterly 81.01 feet along the arc of a 353.31 foot radius curve to the right (center bears North 08°41'06" West and the chord bears South 87°53'02" West 80.84 feet with a central angle of 13°08'17") to the point of beginning.

Contains 324,559 Square Feet or 7.451 Acres

Net Acreage Contains 38,848,297 Square Feet or 891.834 Acres

Legal Description of School District Property

A parcel of land, situate in parts of Sections 27, 32, 33 and 34, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, more particularly described as follows:

Beginning at a point being South 89°30'06" East 3,996.04 feet along the section line and South 00°10'31" West 1,588.66 feet along the 1/16 section line from the Northwest Corner of Section 34, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running

thence East 1,231.28 feet;

thence North 06°02'39" East 47.82 feet;

thence Northwesterly 484.77 feet along the arc of a 960.00 foot radius curve to the left (center bears North 83°57'21" West and the chord bears North 08°25'19" West 479.63 feet with a central angle of 28°55'57");

thence North 89°21'31" East 820.60 feet;

thence South 00°30'22" East 615.14 feet to the extension of the Northerly Boundary Line of Blackhawk Estates Plat "C", recorded as Entry No. 11719743 in Book 2013P at Page 178 in the Office of the Salt Lake County Recorder;

thence South 56°51'10" West 333.22 feet along the extension of and said Northerly Boundary Line of Blackhawk Estates Plat "C";

thence South 68°38'27" West 95.94 feet along said Northerly Boundary Line of Blackhawk Estates Plat "C";

thence South 56°30'13" West 98.90 feet along said Northerly Boundary Line of Blackhawk Estates Plat "C";

thence South 51°26'05" West 67.14 feet along said Northerly Boundary Line of Blackhawk Estates Plat "C";

thence South 41°54'31" West 111.54 feet along said Northerly Boundary Line of Blackhawk Estates Plat "C";

thence South 48°31'38" West 142.42 feet along said Northerly Boundary Line of Blackhawk Estates Plat "C";

thence South 54°24'10" West 87.46 feet along said Northerly Boundary Line of Blackhawk Estates Plat "C";

thence South 44°19'04" West 94.58 feet along said Northerly Boundary Line of Blackhawk Estates Plat "C";

thence South 72°52'33" West 99.94 feet along said Northerly Boundary Line of Blackhawk Estates Plat "C" to the Northerly Boundary Line of Blackhawk Estates Plat "B", recorded as Entry No. 11386427 in Book 2012P at Page 53 in the Office of the Salt Lake County Recorder;

thence South 72°52'34" West 12.55 feet along said Northerly Boundary Line of Blackhawk Estates Plat "B";

thence South 82°11'10" West 94.89 feet along said Northerly Boundary Line of Blackhawk Estates Plat "B";

thence South 86°16'00" West 83.86 feet along said Northerly Boundary Line of Blackhawk Estates Plat "B";

thence South 66°09'21" West 95.83 feet along said Northerly Boundary Line of Blackhawk Estates Plat "B";

thence South 58°13'58" West 137.09 feet along said Northerly Boundary Line of Blackhawk Estates Plat "B";

thence South 78°13'01" West 40.13 feet along said Northerly Boundary Line of Blackhawk Estates Plat "B" to the Northwest Corner of said Blackhawk Estates Plat "B";

thence South 12°44'34" East 10.64 feet along said Westerly Boundary Line of Blackhawk Estates Plat "B" to the Northerly Boundary Line of Western Creek PUD Plat A, recorded as Entry No. 10946923 in Book 2010P at Page 76 in the Office of the Salt Lake County Recorder;

thence South 78°07'21" West 16.66 feet along said Northerly Boundary Line of Western Creek PUD Plat A;

thence South 57°11'41" West 95.42 feet along said Northerly Boundary Line of Western Creek PUD Plat A;

thence South 73°50'10" West 172.86 feet along said Northerly Boundary Line of Western Creek PUD Plat A to the Northerly Boundary Line of Western Creek Plat B, recorded as Entry No. 11429199 in Book 2012P at Page 92 in the Office of the Salt Lake County Recorder;

thence South 73°27'12" West 291.53 feet along said Northerly Boundary Line of Western Creek Plat;

thence South 80°15'09" West 106.84 feet along said Northerly Boundary Line of Western Creek Plat to the 1/16 section line;

thence North 00°10'31" East 1,078.74 feet along the 1/16 section line the point of beginning.

Contains 1,742,312 Square Feet or 40.00 Acres

EXHIBIT "2"
Master Development Agreement

