

BD2742

SILVER CREEK INDUSTRIAL REDEVELOPMENT PROJECT AREA

Redevelopment Plan

August 3, 1988

Redevelopment Agency of Summit County, Utah  
P.O. Box 128  
Coalville, Utah 84017

TABLE OF CONTENTS

A.	Introduction	1
B.	Description of the Redevelopment Project Area	1
C.	Statement of Development Objectives	1
D.	General Land Use Plan	2
E.	Techniques to Achieve Plan Objectives	4
F.	Property Acquisition, Disposition, Relocation, and Development	4
G.	Other Provisions to Meet State or Local Law	7
H.	Provisions for Amending Plan	9
I.	Tax Increment Provisions	9
J.	Implementation of Redevelopment Project Program	11
K.	General Design Objectives	11
L.	Specific Design Objectives and Control	12

SILVER CREEK INDUSTRIAL REDEVELOPMENT PROJECT AREA  
PRELIMINARY REDEVELOPMENT PLAN

A. Introduction

The Preliminary Redevelopment Plan (the "Plan") for the Silver Creek Industrial Redevelopment Project Area (the "Project Area") has been prepared in consultation with the Summit County Planning Commission by the Redevelopment Agency of Summit County, Utah ("Agency") pursuant to the Utah Neighborhood Development Act, Chapter 19, Title 11, Utah Code Annotated 1953, as amended (the "Act") and all applicable state and local laws and ordinances.

B. Description of the Redevelopment Project Area

The Project Area, consists of 100 contiguous acres, all of which are privately owned, and is enclosed within the boundaries of the real property described on the attached Exhibit "A" (incorporated herein by reference) and is generally outlined on the map attached as Exhibit "B" (incorporated herein by reference).

C. Statement of Development Objectives

1. Removal of impediments to land disposition and development through assembly of land into reasonably sized and shaped parcels served by improved public utilities and new community facilities.
2. Elimination of environmental deficiencies, including among others, small and irregular lot subdivision, improper drainage, weeds and excessive vegetation, and underutilization of land.
3. Achievement of an environment reflecting a high level of concern for architectural, landscape and design principles, developed through encouragement, guidance, appropriate controls, and professional assistance to owner participants and developers.
4. Implement the tax increment financing provisions of the Act.
5. Promote and market sites to industries that would be complimentary to existing industries or would enhance the economic base through diversification.
6. Provide for the strengthening of the tax base and economic health of Summit County, Utah (the "County") and the State of Utah.

7. Provide improved road access to the area to facilitate better traffic circulation and reduce traffic hazards.
8. Insure compatible relationships among land uses and quality standards for their development, such that the area functions as a unified and viable center of economic activity for the County.

D. General Land Use Plan

1. Land Use Map

A map entitled "Future Land Use", included as Exhibit "C" and made a part of this Plan, indicates the type and location of land uses to be permitted in the Project Area and the major circulation routes serving the Project Area.

2. Description of Land Uses

The Project Area is proposed to be divided generally into different land use/predominant facility areas. Clustering of similar uses and separation of incompatible uses will serve a number of purposes including: aesthetic, environmental enhancement; promotion of more efficient utility systems; and facilitating public convenience and safety.

a. Distribution Area

This area is characterized generally by large complexes (50,000 sq. ft. plus) requiring shipping/receiving facilities and docks. The safe and efficient movement of transport vehicles is a major concern.

b. Light Manufacturing Area

This area is planned for inclusion of non-polluting manufacturing and processing facilities. More labor intensive than distribution functions, these facilities generally require greater parking. Transportation of materials and products to and from these facilities must be considered in overall and individual project site plans. Limited office use is characteristic of the light manufacturing area.

c. Service Commercial Area

This area is intended for limited service and retail activities which contribute to and support the major needs of tenants, businesses and employees in the Project Area. Convenience stores, service stations, eating establishments and similar uses are contemplated.

d. Office/Office Warehouse Area

This area will be planned to accommodate a greater number of employees/floor space than other areas. Parking and pedestrian circulation needs are of significant concern. Small facilities of 10,000 to 30,000 sq. ft. will likely be dominant in this area.

3. Planning Criteria

In order to provide developers maximum flexibility in the development of land and to encourage and obtain the highest in quality development and design, specific development controls for the use districts identified above are not set forth herein. Each development proposal will be considered on its own merits and subject to: appropriate elements of the County's Master Plan; the Development Code of the County, including the Snyderville Basin Development Code; other applicable building codes and ordinances of the County; and a review and recommendation by the Agency. Additionally, it is intended that a comprehensive set of covenants, conveyances and restriction (CCR's) will guide development of individual projects within the Project Area.

A review of redevelopment proposals may also be made by a design review committee established by the Agency. Development proposals shall be accompanied by site plans, development data and other appropriate material that clearly describes the extent of development proposed including land coverage, setbacks, heights and bulk proposed, off-street parking and loading to be provided, and any other data determined necessary or requested by the Summit County Planning Commission or the Agency. The disposition of Project Area land for any of the reuses described under this section shall be made on the basis of the redevelopment proposal determined to be the most appropriate and in conformance with the objectives sought.

E. Techniques to Achieve Plan Objectives

Activities contemplated in carrying out the Plan include the acquisition, clearance and rehabilitation of properties in the Project Area.

1. Acquisition and Clearance

Parcels of real property located in the Project Area may be acquired by purchase or condemnation as more specifically provided in under "Property Acquisition, Disposition, Relocation, and Development" herein.

2. Implementation of Redevelopment Projects

Redevelopment activities may be undertaken and carried out as approved by the Agency and the County Commission.

F. Property Acquisition, Disposition, Relocation, and Development

The objectives of this Plan are to be accomplished by:

1. Acquisition of Real Property

The Agency may, but is not required to, acquire all or any part of the real property located in the Project Area, by gift, devise, exchange, purchase, eminent domain, or any lawful method. The Agency is authorized to acquire fee simple or any other interest in real property less than a fee simple.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless, in the Agency's judgment, (1) such building requires structural alteration, improvement, modernization, or rehabilitation, or (2) the site or lot on which the building is situated requires modification in size, shape, or use, or (3) it is necessary to impose upon such property any of the standards, restrictions and controls of the Plan and the owner fails or refuses to agree to participate in the activities contemplated by the Plan.

2. Acquisition of Personal Property

Generally personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means except eminent domain.

### 3. Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of the Plan. The Agency shall seek the aid and cooperation of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. The Agency shall impose on all public bodies the planning and design controls contained in the Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan.

### 4. Property Management

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition by the Agency.

### 5. Relocation

The Agency has determined that no families, persons or business concerns will be displaced by the Project in that there are no structures within the Project Area. In the event that families, persons or business concerns are ever to be displaced by the Project the Agency will amend the Plan to provide the relocation assistance required by the Act.

### 6. Property Disposition and Development

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. The Agency is authorized to dispose of real property by leases or sales by negotiation with or without public bidding. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in the Plan. Real property may be conveyed by the Agency to the County or any other public body with or without charge. The Agency shall reserve such restrictions and controls in the disposition

and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development is carried out pursuant to this Plan. All purchasers or lessees of property shall be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

## 7. Development

The Agency is authorized to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan. Except as otherwise provided in the Act, the Agency is authorized to install and construct or to cause to be installed and constructed the public improvements, public facilities, and public utilities (within or outside the Project Area) necessary to carry out the Plan. The Agency is authorized to prepare or cause to be prepared as building sites any real property in the Project Area. The Agency is authorized to rehabilitate or to cause to be rehabilitated any building or structure in the Project Area. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation of property in the Project Area not owned by the Agency. In order to induce desired private entities to build facilities and locate within the Project Area, and, in the judgement of the Agency, to make costs of locating private enterprise in the Project Area comparable to costs of locating in alternative locations, the Agency is authorized to construct and develop private buildings, structures and improvements and to the extent costs associated with such construction and development have been paid for initially by private enterprise, the Agency may contract with private enterprise for the reimbursement of all or part of such costs over a period of years.

To the maximum possible extent, the objectives of the Plan are to be accomplished through Agency encouragement of, and assistance to, private enterprise in carrying out development activities control and review. To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of this Plan by leases, deeds, contracts, agreements, declarations of restrictions, provisions of the County ordinances, conditional use permits, or other means. Where appropriate,

as determined by the Agency, such documents or portions thereof shall be recorded in the Office of the County Recorder. The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan. To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any building, facility, structure, or other improvement either within or without the Project Area for itself or for any public body or public entity to the extent that such improvement would be of benefit to the Project Area.

During the period of development in the Project Area, the Agency shall insure that the provisions of this Plan and of other documents formulated pursuant to this Plan are being observed, and that development in the Project Area is proceeding in accordance with development documents and time schedules. Development plans, both public and private, on property acquired or scheduled to be acquired by the Agency as set forth in the annual implementation program, shall be submitted to the Agency for approval and architectural review. All development must conform to this Plan and all applicable federal, state, and local laws. For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, and otherwise dispose of personal property.

To the extent possible, owners of real property who are engaged in business located within the Project Area shall be given a reasonable preference to re-enter in business within the redeveloped area if they otherwise meet the requirements prescribed by the Plan. Owners of real property within the Project Area, which is not intended to be acquired by the Agency, shall be permitted and encouraged to develop or redevelop their property in accordance with the purposes of this Plan.

G. Other Provisions to Meet State or Local Law

1. Streets, Population and Building Standards. The layout of principal streets within the Project Area shall be as shown on the Future Land Use Map attached hereto as Exhibit "C". Under present plans for the redevelopment of the Project Area it is not anticipated that any of the Project Area will be used for residential housing and therefor this Plan does not contain specific population density requirements or standards. Building intensities and standards proposed as the basis for the redevelopment of the Project Area are found in the documents listed on Exhibit

"D", entitled Supporting Documents, which documents are incorporated herein, and made a part hereof, and are specifically set forth in the Snyderville Basin Development Code listed in Exhibit "D" of this Plan.

2. Condemnation. In the event that the Agency acquires by condemnation real property which constitutes only part of a larger parcel, the Agency shall pay damages to the owner as provided by Section 78-34-10, Utah Code Annotated 1953, as amended, based upon the loss which will accrue to the portion not sought to be condemned by reason of its severance from the portion of real property sought to be condemned.

3. Time Limits. The following limitation shall apply to this Plan:

- (a) after 7 years from the date of the approval of this Plan the Agency may not commence acquisition of property through eminent domain;
- (b) after 15 years from the date of the approval of this Plan no bonds may be issued for redevelopment projects; and
- (c) after 32 years from the date of the approval of this Plan no tax increment from the Project Area may be allocated to or used by the Agency.

4. Assessed Valuation Limits. At present this Plan is the only redevelopment plan adopted by the Agency or the County. As shown on the last equalized assessment role as certified by the County Assessor, the assessed value of the Project Area was equal to \$150,316.48 and the total locally assessed value of the unincorporated area of the County, exclusive of personal property, was equal to \$342,260,305. Based upon the foregoing it has been determined that, as of the date of its adoption, this Plan complies with the provisions of Section 11-19-9.5(1) of the Act.

5. Attaining Purposes of Act. The purposes of the Act will be attained through the redevelopment of the Project Area in areas which are otherwise stagnant and improperly utilized because of inadequate street layout, faulty lot layout (in relation to size, shape, accessibility and usefulness) and other causes and areas which require replanning and land assembly for reclamation and development, in the interest of the general welfare, through the replanning, redesign and redevelopment of such undeveloped areas as contemplated under the definition of

redevelopment" set forth in Section 11-19-2(a)(c) of the Act.

6. Conformity with Master Plan. This Plan and the redevelopment proposed hereby conforms to the Master plan of the County as shown on the attached letter from the Summit County Planning Commission in Exhibit "D".

H. Provision for Amending Plan

This Plan may be modified or amended at any time by the County and the Agency in the same manner as if the modification or amendment constituted a redevelopment plan being originally proposed in accordance with the Act.

I. Tax Increment Provisions

This Plan specifically incorporates the provisions of tax increment financing permitted by Section 11-19-29 of the Act which provides, in relevant part, as follows:

1. Any redevelopment plan may contain a provision that taxes, if any, levied upon taxable property in a redevelopment project each year by or for the benefit of the State, any city, county, city and county, district, or other public corporation (hereinafter sometimes called 'taxing agencies') after the effective date of the ordinance approving the redevelopment plan, shall be divided as follows:

(a) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the taxable value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of the property by the taxing agency, last equalized prior to the effective date of the ordinance, shall be allocated to and when collected, shall be paid into the funds of the respective taxing agencies as taxes by or for the taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of the ordinance but to which the territory has been annexed or otherwise included after the effective date, the assessment roll of the county last equalized on the effective date of the ordinance shall be used in determining

the taxable value of the taxable property in the project on the effective date);

(b) That portion of the levied taxes each year in excess of the amount allocated to and when collected paid into the funds of the respective taxing agencies under (a) above shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency according to the limits established in (c) to pay the principal of and interest on loans, moneys advance to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the redevelopment agency, after April 1, 1983, to finance or refinance, in whole or part, the redevelopment project. Payment of tax revenues to the redevelopment agency shall be subject to and shall except uncollected or delinquent taxes in the same manner as payments of taxes to other taxing agency are subject to collection. Unless and until the total taxable value of the taxable property in a redevelopment project exceeds the total taxable value of the taxable property in the project as shown by the last equalized assessment roll referred to in subsection (1)(a) all of the taxes levied and collected upon the taxable property in the redevelopment project shall be paid into the funds of the respective taxing agencies. When the loans, advances, and indebtedness, if any, and any interest have been paid, all moneys received from taxes upon the taxable property in the redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid; and

(c) For purposes of Subsections (1) (b) the maximum amounts which shall be allocated to and when collected shall be paid into the special fund of the redevelopment agency may not exceed the following percentages:

(i) for a period of the first five tax years commencing from the first tax year a redevelopment agency accepts an amount allocated to and when collected paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) which loans, advances, or indebtedness are incurred by the redevelopment agency after April 1, 1983, 100% of that portion

of the levied taxes each year in excess of the amount allocated to and when collected paid into the funds of the respective taxing agencies under Subsection (1)(a);

(ii) for a period of the next five tax years 80% of that portion of the levied taxes each year in excess of the amount allocated to and when collected paid into the funds of the respective taxing agencies under Subsection (1)(a);

(iii) for a period of the next five tax years 75% of that portion of the levied taxes each year in excess of the amount allocated to and when collected paid into the funds of the respective taxing agencies under Subsection (1)(a);

(iv) for a period of the next five tax years 70% of that portion of the levied taxes each year in excess of the amount allocated to and when collected paid into the funds of the respective taxing agencies under Subsection (1)(a); and

(v) for a period of the next five tax years 60% of that portion of the levied taxes each year in excess of the amount allocated to and when collected paid into the funds of the respective taxing agencies under Subsection (1)(a).

- (d) Nothing contained in Subsections (1)(b) and (c) shall prevent an agency from receiving a greater percentage than those established in Subsection (1)(c) of the levied taxes of any local taxing agency each year in excess of the amount allocated to and when collected paid into the funds of the respective local taxing agency if the governing body of the local taxing agency consents in writing.

J. Implementation of Redevelopment Project Program

The Plan shall be implemented on a yearly basis as approved by the Agency and the Summit County Commission.

K. General Design Objectives

The design of particular elements should be such that the over-all redevelopment of the Project Area will:

1. Contribute to the accomplishing of a "coordinated, adjusted, and harmonious development of the Snyderville Basin" and promote the "convenience and prosperity or the general welfare" of the inhabitants of the County (Snyderville Basin Development Code, Section 1.1 Purpose.)
2. Conform to the applicable absolute and relative policies for guiding development as listed in the Snyderville Basin Development Code.

L. Specific Design Objectives and Control

Specific design objectives and standards are contained in the Snyderville Basin Development Code listed in the Supporting Documents attached as Exhibit "D". Standards in said Code will apply to signage, landscaped buffers, access/streets, parking and coverage. Additionally, the special requirements of Appendix G of said Code will apply.

EXHIBIT A

DESCRIPTION OF BOUNDARIES  
OF  
SILVER CREEK INDUSTRIAL REDEVELOPMENT  
PROJECT AREA

**RDA DESCRIPTION (REVISED 07-22-88)**

---

BEGINNING AT A POINT WHICH IS SOUTH 89°43'02" EAST ALONG THE SECTION LINE 2987.67 FEET AND SOUTH 488.51 FEET (BASED ON THE UTAH STATE COORDINATE SYSTEM, CENTRAL ZONE) FROM THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THENCE SOUTH 45.55 FEET; THENCE SOUTH 30°00'00" EAST 600.00 FEET; THENCE SOUTH 35°00'00" EAST 1558.00 FEET; THENCE SOUTH 318.10 FEET TO THE QUARTER SECTION LINE; THENCE NORTH 89°56'45" WEST ALONG SAID QUARTER SECTION LINE 350.00 FEET; THENCE NORTH 70°00'00" WEST 900.00 FEET; THENCE NORTH 30°00'00" WEST 450.89 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 773.56 FEET; THENCE SOUTHWESTERLY 442.66 FEET AROUND THE PERIPHERY OF SAID CURVE (CHORD = S50°51'23"W 436.65 FEET); THENCE SOUTH 67°15'00" WEST 4.40 FEET; THENCE SOUTH 30°00'00" EAST 484.80 FEET TO THE CENTER OF SAID SECTION 22; THENCE SOUTH 00°11'30" EAST ALONG THE QUARTER SECTION LINE 414.50 FEET; THENCE SOUTH 59°35'09" WEST 1044.35 FEET TO THE EXISTING RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 40; THENCE ALONG SAID RIGHT-OF-WAY LINE AS FOLLOWS:

NORTH 19°28'27" WEST	605.62 FEET;
NORTH 37°35'09" EAST	100.00 FEET;
NORTH 52°24'51" WEST	100.00 FEET;
SOUTH 37°35'09" WEST	65.00 FEET;
NORTH 41°26'31" WEST	732.01 FEET;

THENCE LEAVING SAID RIGHT-OF-WAY LINE NORTH 48°06'20" EAST 345.73 FEET; THENCE NORTH 15°51'20" EAST 241.81 FEET; THENCE SOUTH 37°00'00" EAST 56.45 FEET; THENCE NORTH 15°51'20" EAST 96.01 FEET; THENCE NORTH 55°36'20" EAST 389.16 FEET; THENCE NORTH 41°51'20" EAST 405.43 FEET; THENCE NORTH 41°35'47" EAST 729.84 FEET; THENCE NORTH 58°25'15" EAST 600.50 FEET TO THE POINT OF BEGINNING.

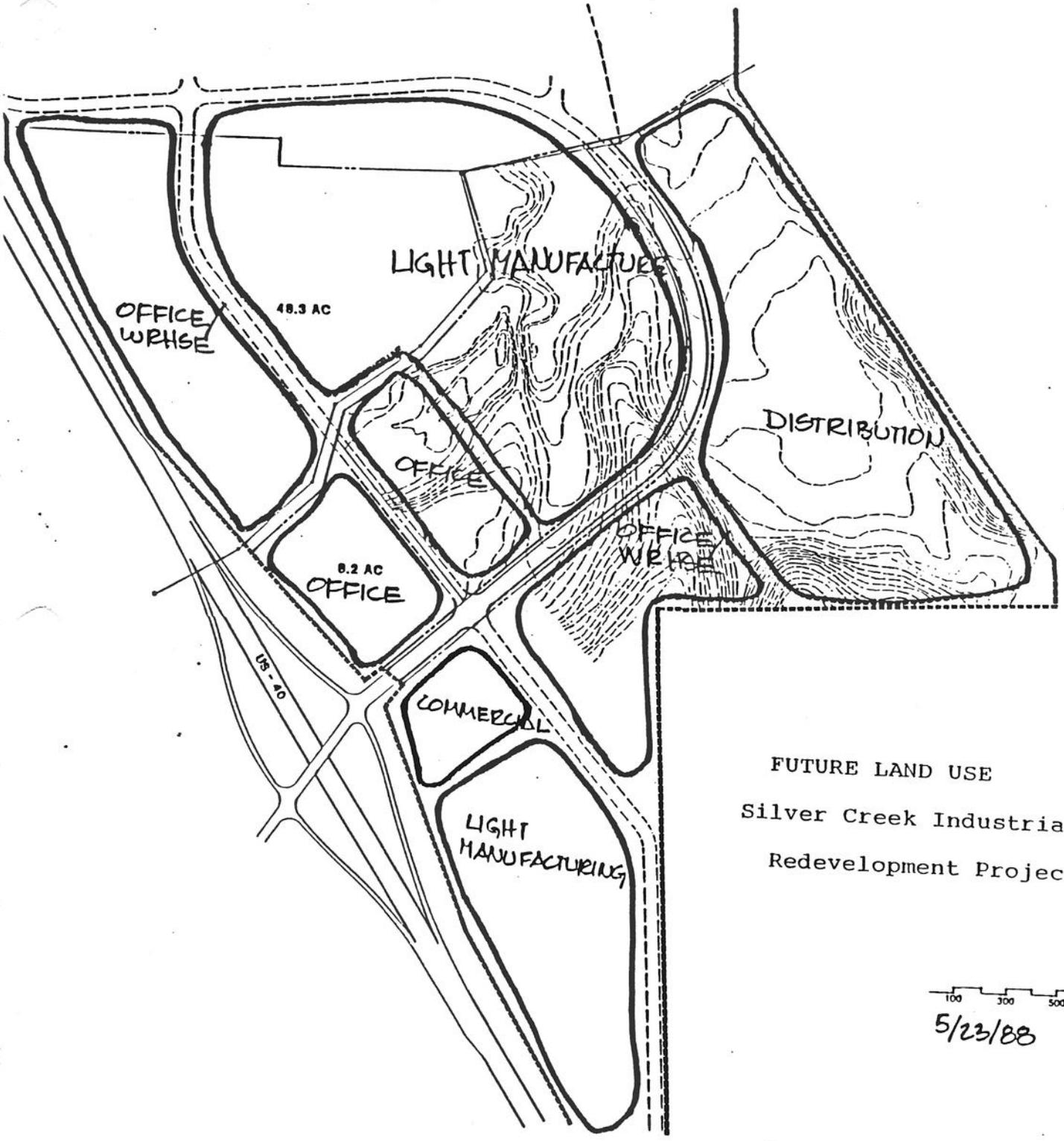
CONTAINING 100.00 ACRES



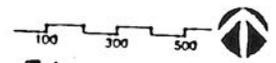








FUTURE LAND USE  
Silver Creek Industrial  
Redevelopment Project



5/23/88