

HIRSCHI ANNEXATION
CORRECTED ORDINANCE # 16-23

AN ORDINANCE ANNEXING TERRITORY LOCATED IN
THE AREAS NEAR AND AROUND 3319 EAST WASATCH PINES
LANE IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY
20.6 ACRES INTO SANDY CITY; ESTABLISHING ZONING FOR
THE ANNEXED PROPERTIES; ALSO PROVIDING A SEVERANCE
AND EFFECTIVE DATE FOR THE ANNEXATION

The Sandy City Council finds:

1. Section 10-2-418, Utah Code Annotated, authorizes the City to annex contiguous areas within unincorporated county islands without a petition if it satisfies certain statutory requirements.
2. The City has complied with all statutory requirements, in that : (1) the areas proposed to be annexed, located at approximately 3319 East Wasatch Pines Lane in Salt Lake County, and comprising about 20.6 acres (“Areas”), are contiguous areas and are contiguous to the City; (2) the Areas consists of a portion of one or more unincorporated Salt Lake County islands within or unincorporated peninsulas contiguous to the City, which have fewer than 800 residents; (3) for an annexation of one or more unincorporated islands, the entire island or unincorporated area, of which a portion is being annexed, has fewer than 800 residents, (4) the majority of the islands or peninsulas consist of residential or commercial development; (5) the Areas require the delivery of municipal-type services; and (6) the City has provided one or more municipal-type services to the islands or peninsulas and to the Areas for more than one year.
3. On March 15, 2016, the City adopted Resolution 16-20 C, attached hereto as Exhibit “A”, describing the Areas and indicating the City’s intent to annex the Areas. The City determined that not annexing an entire island or peninsula was in its best interest.
4. The City published Notice to hold a public hearing on the proposed annexation of the Areas. The Notice was published at least once a week for three successive weeks in a newspaper of general circulation within the City and within the Areas, and the City sent written notice to the board of each special district whose boundaries contain some or all of the Areas, and to the Salt Lake County legislative body. The Notice, a copy of which is attached hereto as Exhibit “B”, complied with all statutory requirements.
5. On or about April 26, 2016, the City Council held a public hearing on the proposed annexation of the Areas. Section 10-2-418 (5), Utah Code Annotated, authorizes the Council to adopt an ordinance annexing the Areas unless, at or before the public hearing, written protests to the annexation have been filed with the City Recorder by the owners of private real property that is located within the Areas, that covers a majority of the total private land area within the Areas, and that is equal in value to at least ½ the value of all private real property with the Areas.

6. The City Council is authorized to adopt an ordinance annexing the Areas in that, upon conclusion of the public hearing, insufficient written protests to the proposed annexation were filed by owners of private real property that is located within the Areas.

7. The annexation of the Areas is completed and takes effect on the date of the lieutenant governor's issuance of a certificate of annexation as per Section 10-2-425(4), Utah Code Annotated.

8. This Corrected Ordinance 16-23, corrects Sandy City Ordinance 16-18.

NOW, THEREFORE, BE IT ORDAINED by the City Council that it does hereby :

1. Adopt an ordinance annexing the Areas as shown on the plat filed in the office of the Sandy City Recorder.

2. Determine that not annexing the entire island or peninsula is in the City's best interest.

3. Zone the Areas to an R-1-15.

4. Confirm that, pursuant to Section 10-2-425(4), Utah Code Annotated, this annexation is completed and takes effect upon the date of the lieutenant governor's issuance of a certification of annexation.

5. Declare that all parts of this ordinance are severable and that if the annexation of the Areas shall, for any reason, be held to be invalid or unenforceable, this shall not affect the validity of any associated or subsequent or previous annexation.

6. Affirm that this ordinance shall become effective upon publication as provided by law.

PASSED AND APPROVED by vote of the Sandy City Council this ____ day of May 2016.

ATTEST:

Chair, Sandy City Council

City Recorder

Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this ____ day of May 2016.

APPROVED by the Mayor of Sandy City this ____ day of May 2016.