



**WEST VALLEY CITY**  
Unity · Pride · Progress

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GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
WEST VALLEY CITY  
3600 CONSTITUTION BLVD  
WVC UT 84119-3720  
BY: SRP, DEPUTY - MA 39 P.

**CERTIFICATION**

I, Nichole Camac, duly appointed City Recorder for West Valley City, Utah, do hereby certify the attached packet regarding the South Redwood Road Urban Renewal Area Project dated February 24, 2016, to be a true and correct copy of the document as recorded and on file in the City Recorder's Office.

Dated this March 10, 2016.



Nichole Camac  
City Recorder





WEST VALLEY CITY

Unity Pride Progress

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February 24, 2016

RE: South Redwood Road Urban Renewal Area

To Whom it May Concern:

These documents are sent to your agency pursuant to Utah Code Annotated Section 17C-2-109(3). The South Redwood Road Urban Renewal Project Area Plan was adopted by the West Valley City Council on February 23, 2016. Please find attached a legal description of the land included in the project area, a map of the project area, and the ordinance adopting the project area plan.

Sincerely,

  
Pauline Davies

BK 10411 PG 5079

**WEST VALLEY CITY, UTAH**

**ORDINANCE NO. 16-10**

Date Adopted: February 23, 2016  
Date Effective: February 26, 2016

**AN ORDINANCE OF THE CITY COUNCIL OF WEST VALLEY CITY, STATE OF UTAH, ADOPTING THE URBAN RENEWAL PROJECT AREA PLAN ENTITLED "SOUTH REDWOOD ROAD URBAN RENEWAL AREA PROJECT AREA PLAN" AS THE OFFICIAL URBAN RENEWAL PLAN OF THE SOUTH REDWOOD ROAD PROJECT AREA.**

**WHEREAS**, the Redevelopment Agency of West Valley City (the "Agency") was created pursuant to Title 17C of the Utah Code (the "Limited Purpose Local Government Entities – Community Development and Renewal Agencies Act" or the "Act") in order to facilitate urban renewal and redevelopment activities; and

**WHEREAS**, the Agency designated a survey area, which area's legal description is attached and incorporated herein as Exhibit A, and which area is depicted in the map attached and incorporated herein as Exhibit B (the "Area"), to determine whether blight existed in the Area and whether urban renewal projects would be feasible within the Area; and

**WHEREAS**, the Agency caused a blight study to be performed (the "Blight Study"); and

**WHEREAS**, the Blight Study, which is attached as Exhibit C and incorporated herein, revealed the existence of blight within the Area; and

**WHEREAS**, after holding a blight hearing in compliance with the requirements of the Act, the Agency adopted a resolution on March 10, 2015 (attached hereto as Exhibit D and incorporated herein) finding the existence of blight and directing the preparation of a project area plan and budget; and

**WHEREAS**, a draft project area plan (the "Plan", attached hereto as Exhibit E and incorporated herein) and draft project area budget (the "Budget", attached hereto as Exhibit F and incorporated herein) were submitted to the Taxing Entity Committee (the "TEC") of the Agency; and

**WHEREAS**, the TEC adopted a resolution on January 6, 2016 approving the blight finding, the Plan, and the Budget, contingent on a trigger date no later than December 31, 2019; and

**WHEREAS**, the Agency provided notice of a combined plan and budget hearing as required by the Act, to be held on February 23, 2016; and

**WHEREAS**, said plan and budget hearing was held in accordance with the Act, and the

Agency adopted and approved the Plan and Budget as attached hereto; and

**WHEREAS**, the Agency and TEC followed all applicable requirements of the Act in approving the Plan and Budget; and

**WHEREAS**, the West Valley City Council now desires to adopt the Plan as the official urban renewal plan of the Area; and

**WHEREAS**, the West Valley City Council does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to adopt the Plan.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of West Valley City, Utah as follows:

**Section 1. Repealer.** Any provision of the West Valley City Municipal Code or any other ordinance found to be in conflict with this Ordinance is hereby repealed.

**Section 2. Adoption.** The Plan, attached hereto as Exhibit E and as approved by the Agency, is hereby designated as the official urban renewal plan of the Area described in Exhibit A. The Budget is also adopted and approved.

**Section 3. Severability.** If any provision of this Ordinance or the updated General Plan is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** This Ordinance shall take effect immediately upon posting in the manner required by law. The Plan shall take effect immediately upon compliance with the requirements of Utah Code Section 17C-2-108.

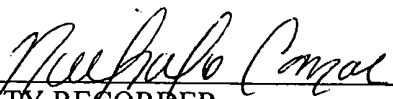
**PASSED and APPROVED** this 23<sup>rd</sup> day of February, 2016.

WEST VALLEY CITY

MAYOR



ATTEST:

  
CITY RECORDER

## WEST VALLEY CITY – URA BOUNDARY DESCRIPTION

A parcel of land situate in Section 34, Township 1 South, Range 1 West, Salt Lake Base and meridian, being more particularly described as follows:

Beginning at a point on the Northerly Boundary Line of 4100 South Street, said point being North 00°01'15" West 55.40 feet along the Section Line and perpendicularly South 89°58'45" West 79.00 feet from the South Quarter Corner of Section 34, Township 1 South, Range 1 West, Salt Lake Base and Meridian,

thence the following seven (7) courses along said Northerly Boundary Line of 4100 South Street:

- 1) thence South 89°38'05" West 7.00 feet;
- 2) thence South 00°26'17" West 4.83 feet;
- 3) thence South 89°45'41" West 19.00 feet;
- 4) thence South 00°14'19" East 10.00 feet;
- 5) thence North 89°53'33" West 720.98 feet;
- 6) thence westerly 119.71 feet along the arc of a 1,152.19 feet radius curve to the right (center bears North 00°06'26" East and the chord bears North 86°54'58" West 119.66 feet with a central angle of 05°57'11");
- 7) thence westerly 38.88 feet along the arc of a 1,258.19 feet radius curve to the left (center bears South 06°03'38" West and the chord bears North 84°49'29" West 38.88 feet with a central angle of 01°46'14");

thence North 20°19'19" West 69.34 feet;

thence North 31°22'22" West 90.41 feet;

thence North 40°22'43" West 89.83 feet;

thence North 38°51'55" West 121.94 feet;

thence North 39°19'09" West 90.39 feet to a point on the Easterly Boundary Line of Briarwood Plat "D";

thence North 00°06'32" West 226.06 feet along said Easterly Boundary Line of Briarwood Plat "D";

thence South 89°57'10" East 1,015.53 feet;

thence North 00°01'15" West 162.38 feet;

thence North 89°58'45" East 153.00 feet to a point on the Westerly Boundary Line of Redwood Road;

thence North 00°01'15" West 325.00 feet along said Westerly Boundary Line of Redwood Road;

thence South 89°58'52" West 211.00 feet;

thence North 00°01'15" West 175.36 feet;

thence South 89°59'18" West 625.73 feet;

thence North 25°00'00" East 732.30 feet;

thence North 89°55'47" East 527.00 feet to a point on said Westerly Boundary Line of Redwood Road;

thence North 00°01'15" West 664.77 feet along said Westerly Boundary Line of Redwood Road to a point

on the Southerly Boundary Line of 3800 South Street;

thence the following five (5) courses along said Southerly Boundary Line of 3800 South Street:

- 1) South 89°52'15" West 91.90 feet;

- 2) thence westerly 89.88 feet along the arc of a 310.00 feet radius curve to the right (center bears North 00°07'45" West and the chord bears North 81°49'25" West 89.56 feet with a central angle of 16°36'41");

- 3) thence westerly 121.93 feet along the arc of a 652.50 feet radius curve to the left (center bears South 16°28'56" West and the chord bears North 78°52'16" West 121.75 feet with a central angle of 10°42'23");

4) thence North 00°01'15" West 3.46 feet;

5) thence South 89°52'15" West 938.90 feet to a point on the Easterly Boundary Line of 1950 West Street;  
 thence North 00°01'15" West 952.44 feet more or less along said Easterly Boundary Line of 1950 West Street to a point on the Southerly Boundary Line of Redwood Village Condominiums;  
 thence North 89°58'45" East 1,344.90 feet along said Southerly Boundary Line of Redwood Village Condominiums extended to a point on the Easterly Boundary Line of Redwood Road;  
 thence the following 3 (three) courses along said Easterly Boundary Line of Redwood Road and the Westerly Boundary Line of Compass Renaissance Condominiums:

- 1) South 00°01'15" East 179.54 feet;
- 2) thence South 89°58'45" West 3.00 feet;
- 3) thence South 00°01'48" East 7.54 feet to a point on the Southerly Boundary Line of Compass Renaissance Condominiums;

thence the following four (4) courses along said Southerly Boundary Line of Compass Renaissance Condominiums

- 1) North 89°58'45" East 86.50 feet;
- 2) thence South 81°15'59" East 114.12 feet;
- 3) thence South 82°53'45" East 202.27 feet;
- 4) thence South 00°01'15" East 149.74 feet more or less;

thence South 89°56'47" West 397.00 feet to a point on said Easterly Boundary Line of Redwood Road;  
 thence South 00°01'15" East 301.85 feet along said Easterly Boundary Line of Redwood Road;  
 thence North 89°57'58" East 564.33 feet;  
 thence South 00°01'15" East 6.21 feet more or less;  
 thence North 89°59'10" East 705.95 feet to a point on the Westerly Boundary Line of Kingspointe Phase 3 Subdivision;

thence South 00°04'30" West 302.94 feet along the Westerly Boundary Line of Kingspointe Phase 3 Subdivision to the Northeast Corner of The Gates at Kingspointe Phase 9 Condominiums;  
 thence South 89°59'57" West 437.77 feet more or less along the Northerly Boundary line of The Gates at Kingspointe Phase 9-12 Condominiums to the Northwest Corner of The Gates at Kingspointe Phase 12 Condominiums;

thence South 00°00'26" East 549.79 feet along the Westerly Boundary Line of The Gates at Kingspointe Phase 12, 2 and 1 Condominiums extended to a point on the Southerly Boundary Line of 3860 South Street;  
 thence South 89°59'10" West 60.05 feet along said Southerly Boundary Line of 3860 South Street;  
 thence South 02°25'00" East 283.28 feet more or less;  
 thence South 89°56'12" West 266.66 feet;  
 thence South 00°01'15" East 741.07 feet to a point on the Northerly Boundary Line of King's Row Manor Subdivision;

thence West 270.00 feet along said Northerly Boundary Line of King's Row Manor Subdivision;  
 thence the following five (5) courses along the Westerly Boundary Line of said King's Row Manor:

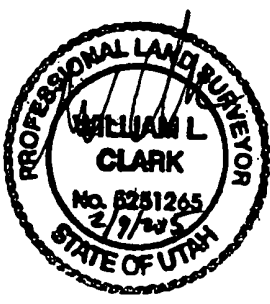
- 1) South 00°01'15" East 90.75 feet;
- 2) thence East 256.00 feet;
- 3) thence South 00°01'15" East 93.75 feet;
- 4) thence West 15.89 feet;
- 5) thence South 02°45'00" West 758.84 feet more or less to a point on said Northerly Boundary Line of 4100 South Street;

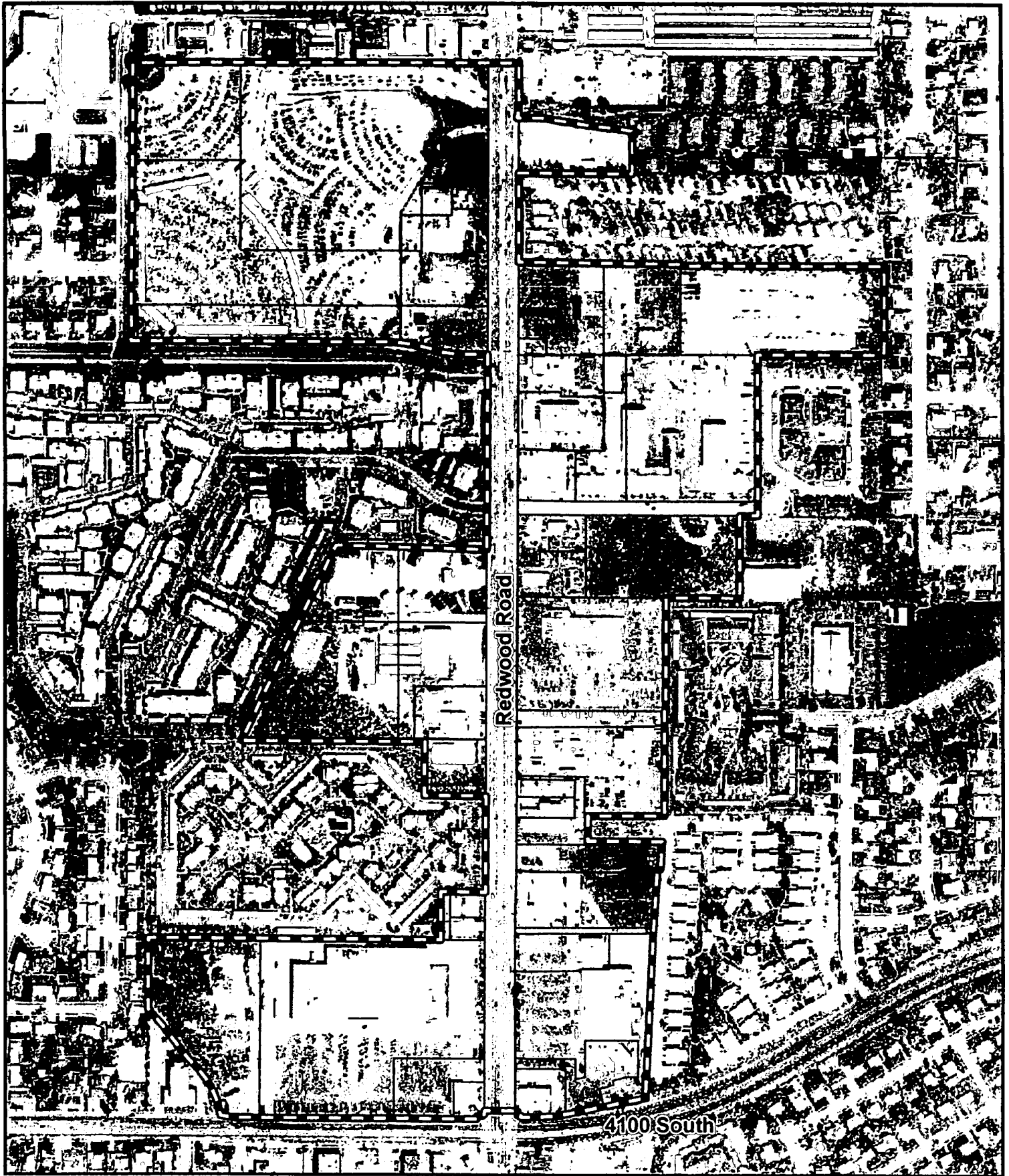
thence the following nine (9) courses along said Northerly Boundary Line of 4100 South Street:

- 1) South 76°14'49" West 284.68 feet more or less;
- 2) thence South 00°01'15" East 4.05 feet;
- 3) thence South 77°45'14" West 31.32 feet;
- 4) thence westerly 119.50 feet along the arc of a 1,808.34 feet radius curve to the right (center bears North 03°59'26" West and the chord bears South 87°54'09" West 119.48 feet with a central angle of 03°47'11");

- 5) thence South 89°47'45" West 5.88 feet;
  - 6) thence North 00°12'15" West 6.00 feet;
  - 7) thence South 89°39'24" West 9.98 feet;
  - 8) thence North 00°01'15" West 15.50 feet;
  - 9) thence South 89°58'45" West 8.00 feet
- thence South 83°42'37" East 106.64 feet to the Point of Beginning.

Contains approximately 4,701,777 square feet or 107.94 acres.





**South Redwood Road Urban Renewal Survey Area**  
Proposed project area is within the dashed line

West Valley City Community and Economic Development - 20 November 2013

BK 10411 PG 5085

EX-B







EX-C

## Bonneville Research

170 South Main Street Suite 775  
Salt Lake City • Utah • 84101  
801-364-5300

September 16, 2014

Mr. Mark Nord  
Economic Development  
West Valley City  
3600 Constitution Blvd  
West Valley City, UT 84119

Re: Blight Study for West Valley City South Redwood Urban Renewal Survey Area and Proposed Project Area

This information is intended to provide the Redevelopment Agency of West Valley City (the "Agency") the information to assist the Agency in making a technically sound determination of whether or not blighted conditions are present in the West Valley City South Redwood Urban Renewal Survey Area ("Survey Area") and the proposed West Valley City South Redwood Urban Renewal Project Area (Project Area).

### **West Valley City South Redwood Urban Renewal Survey Area Findings:**

The proposed West Valley City South Redwood Urban Renewal Project Area contains 94.37 acres +/- of private real property divided into 75 parcels.

The proposed West Valley City South Redwood Urban Renewal Project Area does meet the following tests:

1. The proposed Project Area consists predominantly of non-greenfield parcels;
2. The proposed Project Area is currently zoned for urban purposes and generally served by utilities; zoned for urban purposes - Restricted to certain uses and development, such as industrial, commercial and residential.
3. At least 50% of the parcels within the proposed Project Area contain nonagricultural or non-accessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses.
4. The present condition or use of the proposed Project Area substantially impairs the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic liability or is detrimental to the public health, safety or welfare, as shown by the existence of at least four of the statutory factors of blight, leading to the cumulative conclusion of blighted conditions in the Survey Area and proposed Project Area.

- a. Seventy five (75) of the total of seventy five (75) or 100% of the number of private parcels for a total of 94.37 +/- acres or 100% of the total proposed West Valley City South Redwood Urban Renewal Project Area exhibit at least one of the legislated "blight" factors.
- b. Thirty (30) of the total of seventy five (75) or 40% of the number of private parcels for a total of 64.42 +/- acres or 68% of the total proposed West Valley City South Redwood Urban Renewal Project Area exhibit four or more of the legislated blight factors.

As a result of our survey, and the additional information presented it is our opinion that the proposed West Valley City South Redwood Urban Renewal Project Area is a "blighted area" in conformity with Sections 17C-2-301 and 17C-2-303 Utah Code Annotated 1953, as amended, the renewal of which is necessary to effectuate a public purpose.

We have enjoyed the challenge of this assignment and look forward to a continued working relationship with the Redevelopment Agency of West Valley City.

Sincerely,

Bonneville Research

**Jonathan L. Springmeyer**

## BLIGHT ANALYSIS SURVEY OBJECTIVES AND SUMMARY

The term "blight" describes a wide range of problems ranging from the physical deterioration of buildings to the presence of health and social problems of the survey population. The Utah "**Community Development and Renewal Agencies Act**" requires the collection of technical documentation, which could be considered by the legislative body in supporting a legislative finding of blight. The Redevelopment Agency of West Valley City makes this determination before an Urban Renewal Project Area is established.

To examine this requirement, Bonneville Research undertook the collection of technical documentation which could be considered by the Redevelopment Agency and the legislative body in supporting a finding of blight, as defined and determined by Sections 17C-2-301 and 17C-2-303 Utah Code Annotated 1953, as amended.

For this report the definition of "blight", and the technical process followed to determine the presence of blight, is specific to Sections 17C-2-301 and particularly 17C-2-303 Utah Code Annotated 1953, as amended, which defines the existence of blight and the "factors" which contribute to blight.

### Legislative "Blight" Factors:

- ✓ (a) (i) the proposed project area consists predominantly of non-greenfield parcels;
- (ii) the proposed project area is currently zoned for urban purposes and generally served by utilities;
- (iii) at least 50% of the parcels within the proposed project area contain nonagricultural or non-accessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses;
- (iv) the present condition or use of the proposed project area
  - ✓ substantially impairs the sound growth of the municipality,
  - ✓ retards the provision of housing accommodations, or
  - ✓ constitutes an economic liability or is detrimental to the public health, safety, or welfare, as shown by the existence within the proposed project area of at least four of the following factors:
    1. One of the following, although sometimes interspersed with well maintained buildings and infrastructure:
      - a. substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure; or
      - b. significant noncompliance with current building code, safety code, health code or fire code requirements or local ordinances;
    2. Unsanitary or unsafe conditions in the proposed project area that threaten the health, safety or welfare of the community;
    3. Environmental hazards, as defined in state or federal law, that require remediation as a condition for current or future use and development;
    4. Excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities;
    5. Abandoned or out-dated facilities that pose a threat to public health, safety, or welfare;
    6. Criminal activity in the project area, higher than that of comparable non-blighted areas in the municipality or county;
    7. Defective or unusual conditions of title rendering the title non-marketable;
- (v) (A) at least 50% of the parcels within the proposed project area are affected by at least one of the factors, but not necessarily the same factor, listed in Subsection (1)(a)(iv); and

(B) the affected parcels comprise at least 66% of the acreage of the proposed project area;

**Key Elements of “Community Development and Renewal Agencies Act”:**

The “Community Development and Renewal Agencies Act” requires the assembly of a substantial body of information on a wide range of physical conditions in the Survey Area. The data must exhibit the characteristics of detail and reliability in measuring the characteristics enumerated in the before quoted statutes. Further, the data collected must be supported by a methodologically sound procedure, carried out by experienced professionals.

It is important to note the finding of blight is a cumulative conclusion attributable to the presence of a number of blighting factors.

- ✓ No single factor may be authoritatively cited as a "cause" of blight.
- ✓ It is a function of the presence of several physical or environmental factors, which, in combination produce the phenomenon known as blight.

The goal of the proven Bonneville Research approach has been to formulate a broad range of measurable indices capable of measuring the presence or lack of presence of the physical and environmental factors set forth in the “Community Development and Renewal Agencies Act”, as amended.

**Legislative Criteria - Methodology or Index**

- (a) (i) the proposed project area consists predominantly of non-greenfield parcels;
- (ii) the proposed project area is currently zoned for urban purposes and generally served by utilities;
- (iii) at least 50% of the parcels within the proposed project area contain nonagricultural or nonaccessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses;
- (iv) the present condition or use of the proposed project area substantially impairs the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic liability or is detrimental to the public health, safety, or welfare, as shown by the existence within the proposed project area of at least four of the following factors:

**(A(1)) Substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure**

- Detailed survey of the building conditions, environmental deficiencies, and land use.
  - Needs maintenance
  - Needs rehab
  - Needs major repair
  - Needs removal

- Building, Electrical, Fire, Energy, Seismic, and ADA Codes; Structural deficiencies, significant lack of code compliance, the nature and quality of landscaping, building facade conditions, the condition of paving, street and sidewalk conditions.
- Infrastructure - Aging, obsolete, broken infrastructure.
- Land Use Configurations - The design, layout and use of areas including access, parking, visibility, and other factors which impact on vacant and underutilized buildings. Poor, awkward or now illegal plot plans and property dimensions. Inability to create workable land assemblies or reuses without intervention. Inadequate public r-o-w and public purpose easements.

OR

**(A(2)) Significant noncompliance with current building code, safety code, health code or fire code requirements or local ordinances.**

- Building, Electrical, Fire, Energy, Seismic, and ADA Codes; Structural deficiencies, significant lack of code compliance, the nature and quality of landscaping, building facade conditions, the condition of paving, street and sidewalk conditions.

**(B) Unsanitary or unsafe conditions in the proposed project area that threaten the health, safety or welfare of the community;**

- Detailed survey of public health, social, facilities and economic problems.
- Excessive Fire Danger
- FEMA flood zone
- Geocoding of public health, social, facilities and economic problems.

**(C) Environmental hazards, as defined in state or federal law, that require remediation as a condition for current or future use and development;**

Detailed survey of environmental deficiencies, and land use.

- CERCLIS, LUST & UST computer search of Utah State files.
- Field survey of potential environmental problems, including asbestos construction, petroleum storage, and other hazardous waste problems.

**(D) Excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities;**

- Location of vacant, boarded or empty structures, properties for sale, and non-owner occupied residences and properties.
- Detailed survey of trash and debris, overgrown weeds, vacant and boarded structures.
- Economic trends as indicated by retail sales, number and quality of retail establishments, and employment.
- Declines in property values.

- (E) Abandoned or out-dated facilities that pose a threat to public health, safety, or welfare;**
- Lack of adequate public infrastructure.
  - Building built prior to the state enactment of a Seismic code.
  - Obsolete, vacant, structures, properties for sale, and non-owner occupied residences and properties.
  - Detailed survey of the building conditions, environmental deficiencies, land use, age, incompatibility, and assessed valuation.
  - Geocoding of environmental and economic problems.
  - Detailed survey of trash and debris, overgrown weeds, vacant and boarded structures.
  - Economic trends as indicated by retail sales, number and quality of retail establishments, and employment.
  - Declines in property values.
- (F) Criminal activity in the project area, higher than that of comparable non-blighted areas in the municipality or county;**
- Geocoding of calls for service, criminal activity, social and economic problems.
- (G) Defective or unusual conditions of title rendering the title non-marketable;**
- Ongoing foreclosures, lease defaults, tax defaults, multiple liens
  - Improper, dangerous site access or accessibility.

The finding of blight is a cumulative conclusion attributable to not one, but several physical and environmental factors. No single factor should be cited as a cause of blight. Indeed, blight is attributable to a multiplicity of influences, which, in combination, produce the phenomenon of "Blight".

## SURVEY AREA FINDINGS

Under terms of the contract with the Agency, the Bonneville Research project team performed a field survey and analysis of conditions relating to blight in the South Redwood Urban Renewal Survey Area, as defined by the "Community Development and Renewal Agencies Act", and specifically Sections 17C-2-301 and 17C-2-303 Utah Code Annotated, 1953, as amended. The survey and analysis was performed from November, 2009 to current to collect the physical data pertaining to conditions enumerated in the completed blight study.

The South Redwood Urban Renewal Survey Area comprises the following:

✓ Total Non Public Acreage in the Survey Area:	94.37
✓ Number of Private Parcels in the Survey Area:	75
✓ Total Public Acreage in the Area:	0
✓ Number of Public Parcels in the Area:	0
✓ Privately owned acreage in the Survey Area with Buildings or Improvements	94.37
✓ Number of Private Parcels with Buildings or Improvements:	75

Therefore, as a result of the field survey and analysis of conditions relating to blight in the South Redwood Urban Renewal Survey Area and recommendations by Bonneville Research, the following South Redwood Urban Renewal Project Area is proposed:

### **Proposed West Valley City South Redwood Urban Renewal Project Area:**

Total Non Public Acreage in proposed Project Area:	94.37
Number of Private Parcels in Proposed Project Area:	75
Private Acreage in Proposed Project Area with Buildings or Improvements	94.37
Number of Private Parcels with Buildings or Improvements:	75
% of the number of Private Parcels with Buildings or Improvements:	100%
% of the total Private Acreage with Buildings or Improvements:	100%

## Blight Findings:

### Proposed West Valley City South Redwood Urban Renewal Project Area:

1. The proposed Project Area consists predominantly of non-greenfield parcels.
  - "Greenfield" means land not developed beyond agricultural or forestry use
  - The proposed Project Area contains no greenfield parcels.
2. The proposed Project Area is currently zoned for urban purposes and generally served by utilities; zoned for urban purposes - Restricted to certain uses and development, such as industrial, commercial and residential:
  - The proposed Project Area is served by Electric, Water/Sewer, and Gas utilities, and is served by roads.
  - The proposed Project Area is zoned C-2, C-3, RMH, or A in its entirety.
3. At least 50% of the parcels within the proposed Project Area contain nonagricultural or non-accessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses:
  - 75 of the 75 parcels in the proposed Project Area contain buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes.
  - The parcels containing buildings or improvements represent 100% of the total parcels in the Project Area
  - The parcels containing buildings or improvements represent 100% of the acreage in the Project Area.
4. The present condition or use of the Survey Area:
  - ✓ substantially impairs the sound growth of the municipality,
  - ✓ retards the provision of housing accommodations, or
  - ✓ constitutes an economic liability or is detrimental to the public health, safety, or welfare, as shown by the existence within the proposed Project Area of at least four of the following factors:
    - A. One of the following, although sometimes interspersed with well maintained buildings and infrastructure:
      1. substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure; or  
**Seventy five (75) of the seventy five (75) or one hundred percent (100%) of the parcels met this blight factor. The affected parcels represented one hundred percent (100%) of the total acreage. Some of the conditions exhibited are: substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure.**
      2. Significant noncompliance with current building code, safety code, health code ,or fire code requirements or local ordinances;  
**Seventy five (75) of the seventy five (75) or one hundred percent (100%) of the parcels met this blight factor. The affected parcels represented one hundred percent (100%) of the total acreage. Some of the conditions exhibited are: significant noncompliance with current building code, safety code, health code, or fire code requirements or local ordinances.**



- B. Unsanitary or unsafe conditions in the proposed project area that threaten the health, safety or welfare of the community;

**Forty three (43) of the seventy five (75) or fifty seven percent (57%) of the parcels met this blight factor. The affected parcels represented ninety five percent (95%) of the total acreage. Some of the conditions exhibited are: unsanitary or unsafe conditions in the proposed project area that threaten the health, safety or welfare of the community.**

**Due to the number of affected parcels and the area-wide nature of this blight factor, this blight condition is determined to be an AREA WIDE FINDING.**

- C. Environmental hazards, as defined in state or federal law, that require remediation as a condition for current or future use and development;

**Three (3) of seventy five (75) or four percent (4%) of the parcels met this blight factor. The affected parcels represented two percent (2%) of the total acreage. Some of the conditions exhibited are: environmental hazards, as defined in state or federal law, that require remediation as a condition for current or future use and development.**

- D. Excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities;

**Forty six (46) of the seventy five (75) or sixty one percent (61%) of the parcels met this blight factor. The affected parcels represented fifty two percent (52%) of the total acreage. Some of the conditions exhibited are: excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities.**

**The Retail vacancy rate for this area is 11.0%.**

**Due to the number of affected parcels and the area-wide nature of this blight factor, this blight condition is determined to be an AREA WIDE FINDING.**

- E. Abandoned or out-dated facilities that pose a threat to public health, safety, or welfare;

**Twenty nine (29) of the seventy five (75) or thirty nine percent (39%) of the parcels met this blight factor. The affected parcels represented sixty eight percent (68%) of the total acreage. Some of the conditions exhibited are: abandoned or out-dated facilities that pose a threat to public health, safety, or welfare.**

- F. Criminal activity in the project area, higher than that of comparable non-blighted areas in the municipality or county; and

**Criminal activity in the proposed project area was NOT higher than that of a comparable non-blighted area in the municipality.**

- G. Defective or unusual conditions of title rendering the title non-marketable;

**Zero (0) of the seventy five (75) or zero percent (0%) of the parcels exhibit defective or unusual conditions of title rendering the title non-marketable.**

## **Proposed West Valley City South Redwood Urban Renewal Project Area:**

### **FINDING A.**

1. The Proposed West Valley City South Redwood Urban Renewal Project Area contains 94.37 +/- acres of private real property.
2. The Proposed West Valley City South Redwood Urban Renewal Project Area does meet the following tests:
  - The proposed Project Area consists predominantly of non-greenfield parcels;
  - The proposed Project Area is currently zoned for urban purposes and generally served by utilities.
  - At least 50% of the parcels within the proposed Project Area contain nonagricultural or nonaccessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses
  - At least 50% of the parcels within the proposed Project Area are affected by at least one of the blight factors, but not necessarily the same factor.
  - The affected parcels comprise at least 66% of the acreage of the proposed Project Area

### **FINDING B.**

Seventy five (75) of the total of seventy five (75) or 100% of the number of private parcels for a total of 94.37 +/- acres or 100% of the total proposed West Valley City South Redwood Urban Renewal Project Area exhibit at least one of the legislated "blight" factors.

Thirty (30) of the total of seventy five (75) or 40% of the number of private parcels for a total of 64.42 +/- acres or 68% of the total proposed West Valley City South Redwood Urban Renewal Project Area exhibit four or more of the legislated blight factors.

### **FINDING C.**

The proposed West Valley City South Redwood Urban Renewal Project Area is a blighted area, the renewal of which is necessary to effectuate a public purpose. Evidence of "blight" conditions or indicators was found in the proposed Project Area, sufficient to be determined to be present area wide, and therefore leads to the cumulative conclusion of blighted conditions in the proposed West Valley City South Redwood Urban Renewal Project Area.

EX-1

File # RDA 15-002

Ordin. # \_\_\_\_\_

Resol. # 15-02

Item # \_\_\_\_\_

Other \_\_\_\_\_

**REDEVELOPMENT AGENCY OF WEST VALLEY CITY**

**RESOLUTION NO. 15-02**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY, UTAH, PURSUANT TO UTAH CODE ANNOTATED SECTION 17C-2-303, MAKING A FINDING OF BLIGHT IN THE PROPOSED "SOUTH REDWOOD ROAD URBAN RENEWAL SURVEY AREA".**

**WHEREAS**, the Redevelopment Agency of West Valley City (the "Agency") was created to transact the business and exercise the powers provided for in the former Utah Neighborhood Development Act, former Utah Redevelopment Agencies Act, the current Utah Community Development and Renewal Agencies Act and any successor law or act (the "Act"); and

**WHEREAS**, pursuant to the Act, the Agency is duly authorized to designate by resolution of the governing body of the Agency one or more urban renewal project survey areas; and

**WHEREAS**, the Agency designated the "South Redwood Road Urban Renewal Survey Area" described or shown in Exhibit "A" (the "Survey Area") by Resolutions 13-17 and 15-01; and

**WHEREAS**, pursuant to Utah Code Annotated Section 17C-2-301, as amended, the Agency caused a blight study to be conducted and completed in the Survey Area, the results of which are included as Exhibit "B" (the "Blight Study"); and

**WHEREAS**, pursuant to Utah Code Annotated Section 17C-2-302, as amended, the record property owners located within the Survey Area were allowed the opportunity, for at least 30 days before the blight hearing, to review the evidence of blight compiled by the Agency or by the person or firm that conducted the blight study for the Agency, including any expert report; and

**WHEREAS**, pursuant to Utah Code Annotated Sections 17C-2-501, et.seq., as amended, due notice of the blight hearing by publication and by mail, was given by the Agency to the record property owners, the State Tax Commission, the Salt Lake County Assessor and Auditor and the taxing entities; and

**WHEREAS**, pursuant to Utah Code Annotated Sections 17C-2-102 and 17C-2-302, as amended, the Agency held a public hearing on March 10, 2015 and at the public hearing received and considered evidence regarding whether or not the proposed Survey Area is a blighted area as defined in Utah Code Annotated Section 17C-2-303; and

**WHEREAS**, at the blight hearing, the Agency:

- (a) Permitted all evidence of the existence or nonexistence of blight within the proposed Survey Area presented; and
- (b) Permitted each record owner of property located within the proposed Survey Area or the record owner's representative to:
  - (i) Examine and cross-examine witnesses providing evidence of the existence or nonexistence of blight; and
  - (ii) Present evidence and testimony, including expert testimony, concerning the existence or nonexistence of blight; and
- (c) Considered all written and oral objections regarding the existence or nonexistence of blight received as well as all evidence, documents and comments regarding blight in the Survey Area; and

**WHEREAS**, the Board of Directors of the Redevelopment Agency of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to make a finding as to whether or not blight exists in the proposed Survey Area; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY, UTAH, THAT THE BOARD OF DIRECTORS DOES HEREBY FIND AND DETERMINE AS FOLLOWS:**

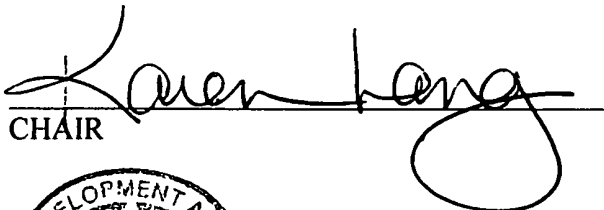
1. The Agency hereby finds that the Survey Area described or shown in Exhibit "A," attached hereto and incorporated herein, consists predominately of nongreenfield parcels and is currently zoned for urban purposes and generally served by utilities.
2. The Agency hereby finds that the Survey Area described or shown in Exhibit "A," attached hereto and incorporated herein, contains more than 50% of parcels that have nonagricultural or non-accessory buildings or improvements used or intended for residential, commercial, industrial or other urban purposes, or any combination of those uses. The Survey Area comprises 94.37 total acres, which includes 75 private parcels.
3. The Agency hereby finds that the Survey Area described or shown in Exhibit "A," attached hereto and incorporated herein, is presently in a condition that substantially impairs the sound growth of the municipality, retards the provision of housing accommodations, constitutes an economic liability, or is detrimental to the public health, safety or welfare, as shown by the existence within the Survey Area of at least four of the following criteria:
  - A. Substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure. All 75 parcels met this criterion. Due to the number of affected parcels and the area-wide nature of this blight factor, this blight condition was found to be an Area Wide Finding.
  - B. Significant noncompliance with current building code, safety code, health code, fire code, or local ordinances. All 75 parcels met this criterion. Due to the number of

affected parcels and the area-wide nature of this blight factor, this blight condition was found to be an Area Wide Finding.

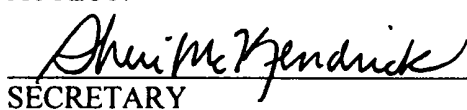
- C. Unsanitary or unsafe conditions in the proposed project area, which threaten the health, safety and welfare of the community. 43 of the 75 parcels, representing 95% of the acreage of the Survey Area, met this criterion. Due to the number of affected parcels and the area-wide nature of this blight factor, this blight condition was found to be an Area Wide Finding.
  - D. Excessive vacancy, abandoned buildings, or vacant lots within the Survey Area. 46 of the 75 parcels, representing 52% of the acreage of the Survey Area, met this criterion. Due to the number of affected parcels and the area-wide nature of this blight factor, this blight condition was found to be an Area Wide Finding.
  - E. Abandoned or out-dated facilities that pose a threat to public health, safety or welfare. 29 of the 75 parcels, representing 68% of the acreage of the Survey Area, met this criterion.
4. Based on the foregoing, the Agency hereby finds that at least fifty percent (50%) of the parcels located in the Survey Area are affected by at least one of the aforementioned blight factors, but not necessarily the same factor; and
5. Based on the foregoing, the Agency hereby finds that the affected parcels comprise at least sixty six percent (66%) of the total acreage in the Survey Area; and
6. The Agency hereby adopts the findings of the Blight Study and finds the existence of blight in the Survey Area.
7. The Agency hereby selects the Survey Area in its entirety as a project area and authorizes Agency staff to prepare a draft project area plan for the Survey Area.

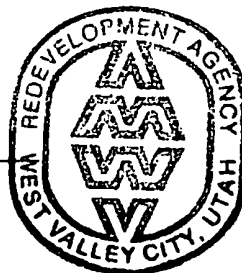
**PASSED, APPROVED, and MADE EFFECTIVE** this 10<sup>th</sup> day of March, 2015.

REDEVELOPMENT AGENCY OF  
WEST VALLEY CITY

  
CHAIR

ATTEST:

  
SECRETARY



EX-E

**URBAN RENEWAL  
PROJECT AREA PLAN  
SOUTH REDWOOD ROAD URBAN RENEWAL AREA**

Redevelopment Agency of West Valley City  
3600 S. Constitution Blvd.  
West Valley City, Utah

## INTRODUCTION

- A. As required by Utah Code Section 17C-2-101, the Redevelopment Agency of West Valley City (the “Agency”) duly adopted a survey area resolution on January 20, 2015, attached hereto and incorporated herein as Exhibit A.
- B. The Agency caused a blight study to be conducted pursuant to the requirements of Utah Code Sections 17C-2-102 and 17C-2-301 (attached hereto and incorporated herein as Exhibit B). The Agency then held a blight hearing pursuant to Section 17C-2-302 and adopted a resolution making a finding of blight in accordance with Sections 17C-2-102 and 17C-2-303 (attached hereto and incorporated herein as Exhibit C).
- C. The proposed project area is located within West Valley City, which has established a planning commission and adopted a general plan, thus fulfilling the requirements of Utah Code Section 17C-2-102(2).

### Section 1. Definitions

As used in this Plan:

- A. The term “**Agency**” shall mean the Redevelopment Agency of West Valley City as designated by the City to act as an urban renewal development agency.
- B. The term “**base taxable value**” shall mean the taxable value of the property within the Project Area from which tax increment is to be collected, as shown upon the assessment roll last equalized before the date of the taxing entity committee’s approval of the first Project Area Budget.
- C. The term “**blight**” or “**blighted**” shall mean the condition of an area that meets the requirements of Utah Code Section 17C-2-303.
- D. The term “**City**” shall mean West Valley City.
- E. The term “**community**” shall mean the community of West Valley City.
- F. The term “**Olene Walker Housing Loan Fund Board**” shall mean the Olene Walker Housing Loan Fund Board, established under Title 9, Chapter 4, Part 7, Olene Walker Housing Loan Fund.
- G. The term “**owner participation**” shall mean the owner participation provided in the owner participation guidelines adopted by the Agency.
- H. The term “**Planning Commission**” shall mean the planning commission of the City established pursuant to law or character.

- I. The term “**Project Area**” shall mean the geographic area described in this Project Area Plan where the redevelopment set forth in this Project Area Plan takes place or is proposed to take place.
- J. The term “**Project Area Budget**” shall mean a multi-year projection of annual or cumulative revenues and expenses and other fiscal matters pertaining to an urban renewal, economic development or education housing development project area that includes:
1. the base taxable value of the property in the project area;
  2. the projected tax increment expected to be generated within the project area;
  3. the amount of tax increment expected to be shared with other taxing entities;
  4. the amount of tax increment expected to be used to implement the project area plan, including the estimated amount of tax increment to be used for land acquisitions, public improvements, infrastructure improvements and loans, grants or other incentives to private and public entities;
  5. the tax increment expected to be used to cover the cost of administering the project area plan;
  6. if the area from which tax increment is to be collected is less than the entire project area, the tax identification numbers of the parcels in the project area from which tax increment will be collected and a legal description of the portion of the project area from which tax increment will be collected; and
  7. for the property that the agency owns and expects to sell, the expected total cost of the property to the agency and the expected selling price; and
  8. the information required under Utah Code Subsection 17C-2-201(1)(b).
- K. The term “**redevelopment**” shall mean urban renewal as defined in Section 17C-1-102(51), the development activities under a project area plan within a project area, including:
- (a) Planning, design, development, demolition, clearance, construction, rehabilitation, or any combination of these, of part or all of a project area;
  - (b) the provision of residential , commercial, industrial, public, or other structures of spaces, including recreational and other facilities incidental or appurtenant to them;
  - (c) altering, improving, modernizing, demolishing, reconstructing, or rehabilitating, or any combination of these, existing structures in a project area;
  - (d) providing open space, including streets and other public grounds and space around buildings;
  - (e) providing public or private buildings, infrastructure, structures , and improvements; and
  - (f) providing improvements of public or private recreation areas and other public grounds.
- L. The term “**Project Area Plan**” shall mean this Plan developed by the Agency and adopted by ordinance of the governing body of the City to guide and control the redevelopment activities within the Project Area.



- M. The terms “**tax**”, “**taxes**”, “**property tax**” or “**property taxes**” include privilege tax and each levy on ad valorem basis on tangible or intangible personal or real property.
- N. The term “**taxing entity**” shall mean a public entity that levies a tax on property within the Project Area or proposed Project Area.
- O. The term “**tax increment**” shall mean the difference between the amount of property tax revenues generated each tax year by all taxing entities from the Project Area designated in this Plan as the area from which tax increment is to be collected, using the current assessed value of the property and the amount of property tax revenues that would be generated from that same area using the base taxable value of property.

**Section 2. Legal Description of the Boundaries of the Project Area**

A legal description of the boundaries of the Project Area is attached hereto and incorporated herein as Exhibit D.

**Section 3. Map of the Project Area**

A map of the Project Area is attached hereto and incorporated herein as Exhibit E.

**Section 4. General Statement of Certain Project Area Characteristics and How They Will Be Affected By Redevelopment**

**A. General Statement of Land Uses in the Project Area**

The permitted land uses within the Project Area shall be those uses permitted by the officially adopted zoning ordinances of the City, as those ordinances may be amended from time to time, subject to limitations imposed by “overlay” restrictions and the controls and guidelines of this Plan. A Land Use Map showing the current permitted uses is attached hereto and incorporated herein as Exhibit F.

Existing land uses in the Project Area are predominantly commercial, with some vacant or partially vacant land available for development. Redwood Road runs through the heart of the Project Area and is a primary focus of development.

It is expected that the currently permitted land uses in the Project Area will not be directly changed for purposes of effecting the redevelopment of the Project Area. However, the City may or may not determine to propose zoning ordinance amendments in order to aid in or promote redevelopment for other reasons.

It is expected that the current uses for the Project Area will be directly affected by redevelopment of the Project Area as follows: It is anticipated that through redevelopment of the Project Area, some existing structures may be demolished or renovated, new buildings will be constructed, and new uses will occur in some of the existing or new buildings. The permitted

uses will likely remain the same. Also, as commercial uses expand, a reduction of public/ quasi-public land may or may not occur. All anticipated new uses, including multi-story and mixed uses, will be compatible with the City General Plan and the goals and objectives of the Project Area.

### **B. Layout of Principal Streets in the Project Area**

The layout of the principal streets in the Project Area is shown on the Project Area map attached as Exhibit E and incorporated herein. It is not expected that redevelopment of the Project Area will affect the existing principal streets except as follows: (a) one or more of the existing streets may be improved as a part of the redevelopment; and (b) one or more new streets may be constructed in the Project Area in order to further redevelopment objectives; and (c) if necessary or desirable for important redevelopment projects, portions of one or more streets might be closed, following the required public process, to further redevelopment objectives.

### **C. Population Densities in the Project Area**

The Project Area is predominantly commercial in character, with very little existing or potential residential development. West Valley City's general plan anticipates mixed use development throughout the Project Area, with a primary focus on commercial development. It is anticipated that additional new employment centers and buildings will be developed and that new job opportunities will be created within the Project Area.

### **D. Building Intensities in the Project Area**

The building intensities within the boundaries of the Project Area were analyzed along with the condition of each structure as described in the blight survey. No unusual evidence of building intensities was found in the Project Area. It is expected that the building intensities within the Project Area will be affected by redevelopment as follows:

1. Some older existing structures, including residential structures, may be renovated or replaced with new commercial or retail mixed uses.
2. Some existing retail buildings may be remodeled or renovated or may be demolished and replaced with new retail or office buildings.
3. Buildings can be constructed in accordance with City zoning ordinances. It is anticipated that building intensities may increase as redevelopment opportunities are maximized within the Project Area.

## **Section 5. Standards That Will Guide the Redevelopment**

### **A. Statement of Development Objectives**

1. Removal of structurally substandard buildings or improvements to permit the return of the Project Area land to economically productive use and new construction.

2. Removal of impediments to land disposition and development through assembly of land into reasonably sized and shaped parcels served by improved public utilities, infrastructure improvements and new community facilities.
3. Rehabilitation of buildings if sound long-term economic activity can be assured thereby.
4. The elimination of environmental deficiencies, including but not limited to irregular lot subdivision, improper drainage, weeds and excessive vegetation, overcrowding of the land and underutilized land.
5. Achievement of an environment reflecting a high level of concern for architectural, landscape and urban design principles, developed through encouragement, guidance, appropriate controls, and professional assistance to owner participants and developers.
6. Promote and market the Project Area for development or redevelopment that would be complimentary to existing businesses and industries or would enhance the economic base of the community through diversification.
7. Provide utilities, streets, curbs, sidewalks, parking areas, landscaping to give the area a new look and to attract business activity.
8. Provide for the strengthening of the tax base and economic health of the entire community and the State of Utah.
9. Provide improved public streets and road access to the area to facilitate better traffic circulation and reduce traffic hazards by assisting in the street alignments and the implementation of City institutional controls and regulations to ensure management of any contaminated materials. The Agency shall work with the City and other stakeholders to recommend ways to improve traffic circulation within and abutting the Project Area.
10. Provide for compatible relationships among land uses and quality standards for development, such that the area functions as a unified and viable center of social and economic activity for the City.
11. Provide improved pedestrian circulation systems.
12. Coordinate with and improve the public transportation system, including streets and public transit services.
13. Promote the implementation of community developed goals applicable to the Project Area.
14. Eliminate the blighting factors and blighting influences in the Project Area.

## **B. General Design Objectives**

Subject to the development objectives and other provisions of this Plan, owners and developers will be allowed flexibility in the redevelopment of land located within the Project Area and are expected to obtain the highest quality design and development. Each redevelopment proposal will be considered subject to: (1) appropriate elements of the City's general plan; (2) the planning and zoning code of the City; (3) other applicable building codes and ordinances of the City; (4) a review and recommendation by the City Planning and Zoning Commission; and (5) approval by the Agency to ensure that the redevelopment is consistent with this Plan.

Each redevelopment proposal by an owner or a developer will be accompanied by site plans, development data and other appropriate material that clearly describes the extent of redevelopment proposed, including land coverage, setbacks, heights and bulk proposed, off-street parking and loading to be provided, use of public transportation, and any other data determined to be necessary or requested by the City or the Agency.

The particular elements of the design should be such that the overall redevelopment of the Project Area will:

1. Provide an attractive urban environment;
2. Blend harmoniously with the adjoining areas;
3. Provide for the optimum amount of open space and well-landscaped areas in relation to new buildings;
4. Provide surface parking areas and structured parking facilities, appropriately designed, screened and landscaped to blend harmoniously with the area;
5. Provide open spaces and pedestrian walks which are oriented to the directions of maximum use and designed to derive benefit from land use relationships and views;
6. Provide for the optimum separation and protection of pedestrian access routes from vehicular traffic arteries;
7. Result in the development of land within the Project Area in such a manner that available off-street parking will be maintained to the maximum degree.
8. Comply with the provisions of this Plan.

### **C. Specific Design Objectives and Controls**

1. Building Design Objectives:
  - a. All new buildings shall be of design and materials which will be in harmony with adjoining areas and other new development and shall be subject to design review and approval by the Agency.
  - b. The design of buildings shall take optimum advantage of available views and topography and shall provide, where appropriate, separate levels of access.
  - c. Buildings within the Project Area should be designed and placed to act as significant landmarks in the Project Area and the City.
2. Open Space Pedestrian Walks and Interior Drive Design Objectives:
  - a. All open spaces, pedestrian walks and interior drives shall be designed as an integral part of an overall site design, properly related to existing and proposed buildings, area topography, views, etc.
  - b. Attractively landscaped open spaces shall be provided, which will offer maximum usability to occupants of the building for which they are developed.
  - c. Landscaped, paved, and comfortably graded pedestrian walks should be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas, and adjacent buildings on the same site.
  - d. The location and design of pedestrian walks should afford maximum safety and separation from vehicular traffic, and should recognize and take into account desirable views of new and existing development in the area and surrounding community and the area topography and views.

- e. Materials and design of paving, retaining walls, fences, curbs, benches, and other accouterments, shall be of good appearance, easily maintained, and indicative of their purpose.
3. Parking Design Objectives:
- a. Parking areas shall be designed with careful regard to orderly arrangement, topography, relationship to view, ease of access, and as an integral part of overall site design.
  - b. Multi-story parking is allowed, in accordance with City ordinances and regulations.
4. Landscape Design Objectives:
- a. A coordinated landscaped design over the entire Project Area incorporating landscaped treatment for open space, roads, paths, and parking areas in to a continuous and integrated design shall be a primary objective.
  - b. Primary landscape treatment shall consist of shrubs, ground cover, and shade trees as appropriate to the character of the Project Area and as determined by the City and the Agency.
5. Project Improvement Design Objectives:
- a. A coordinated landscaped design over the entire Project Area incorporating landscaped treatment for open space, roads, paths, and parking areas into a continuous and integrated design shall be a primary objective.
  - b. Street lighting and signs. Lighting standards and signs of pleasant appearance and modern illumination standards shall be provided as necessary as approved by the City.
  - c. Grading. The applicable portions of the Project Area will be graded in conformance with the final project design determined by the Agency and the City for each specific project.

#### **D. Techniques to Achieve the Plan Objectives**

Possible activities contemplated in carrying out the Plan in the Project Area include, but are not limited to, the acquisition, clearance and rehabilitation of properties in the Project Area.

1. Rehabilitation:

Properties determined to be in substandard condition by the Agency and not otherwise needed for redevelopment may be sufficiently rehabilitated to extend the economic life of the properties.

2. Acquisition and Clearance:

Parcels of real property located in the Project Area may be acquired by purchase, and may be acquired by condemnation by the Agency in accordance with applicable law.

### 3. Implementation of Redevelopment Projects:

The Agency shall have the right to approve the design and construction documents of all redevelopment within the Project Area to ensure that all redevelopment within the Project Area is consistent with this Project Area Plan. The City shall notify the Agency of all requests for: (1) zoning changes; (2) design approval; (3) site plan approval; and (4) building permits within the Project Area. Redevelopment projects within the Project Area shall be implanted as approved by the Agency and the City.

Redevelopment Projects may be undertaken and carried out by any means permitted by applicable law, including but not limited to Title 17C of the Utah Code. Funding for redevelopment projects and activities shall be provided for in the Project Area Budget, the annual budget of the Agency, by private investment, or by any other means permitted by law.

## **E. Property Acquisition, Disposition, Relocation and Development**

The objectives of this Plan are to be accomplished by various means, including but not limited to the following:

### 1. Acquisition of Real Property:

The Agency may acquire, but is not required to acquire, real property located in the Project Area. The Agency may acquire property by negotiation, gift, devise, exchange, purchase, eminent domain (condemnation) or any other lawful method. The Agency is authorized to acquire any other interest in real property less than fee title such as leasehold interests, easements, rights of way, etc., by negotiation, gift, devise, exchange, purchase, eminent domain (condemnation) or other lawful method. 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 a manner acceptable to the Agency.

### 2. Acquisition of Personal Property:

Generally personal property will not be acquired by the Agency. 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.

3. Cooperation with the Community and Public Entities:

The Community and certain public entities are authorized by state law, with or without consideration, to assist and cooperate in the planning, undertaking, construction, or operation of projects within this Project Area. The Agency may seek the aid and cooperation of such public entities 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 a public entity without the consent of the public entity. The Agency, however, will seek the cooperation of all public entities which own or intend to acquire property in the Project Area. To the extent allowed by law, the Agency shall impose on all public entities owning real property in the Project Area the planning and design controls contained in this Plan to the end that uses and any future development by public entities will conform to the requirements of this Plan.

4. Property Management:

During such time that 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 for redevelopment.

5. Property Disposition and Development:

The Agency is also authorized, by lawful means, to provide for and promote the redevelopment of the Project Area as follows:

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. 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 the Project Area, not prohibited by law which are necessary or desirable to carry out this Plan, and, to the extent approved by the taxing entity committee in the approved Project Area Budget or otherwise, access and utilize infrastructure outside the project area that is of benefit to the Project Area. The Agency is authorized to prepare or cause to be prepared as building sites any real property in the Project Area. The Agency is also 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.

For purpose of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, grant or otherwise dispose of any real interest in real property. The Agency is authorized to dispose of real property by gift, grant, leases or sales by negotiation with or without public

bidding. All real property acquired by the Agency in the Project Area may be given, granted, sold or leased to public or private persons or entities for development for the uses permitted in this Plan. Real property may be conveyed by the Agency to the City or any other public entity without charge. The Agency shall reserve such 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 from the Agency 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.

To the maximum possible extent, the objectives of this Plan are to be accomplished through Agency encouragement of, and assistance to, private enterprise in carrying out development activities. 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 City 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 or desirable to carry out this Plan.

To the extent nor or hereafter permitted by law, Agency is authorized to pay for, develop, or construct any building, facility, structure, or other improvement whether within or outside the Project Area for itself or for any public entity to the extent that such improvement would benefit the Project Area. During the period of development in the Project Area, the Agency shall require that the provision 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. Plans for development or redevelopment by owners or developers, both public and private, shall be submitted to the Agency for approval and architectural review. All development or redevelopment must conform to this Plan and all applicable federal, state, and local laws.

For the purpose of this Plan, the Agency is authorized to grant, sell, lease, exchange, transfer, assign, pledge, encumber, and otherwise dispose of personal property.

#### **Section 6. How the Purposes of State Law Will Be Attained By Redevelopment**

It is the intent of the Agency, with the assistance and participation of private owners, to remove, if possible, all blight and blighting influences from the Project Area by the methods



described in this Plan, including, but not limited to the removal or clearance of buildings, structures, or improvements which are blighted, or through the renovation or rehabilitation of buildings, structures or improvements which are blighted. With the clearance of land or the rehabilitation of buildings or structures, private development should be encouraged to undertake new development or redevelopment which will strengthen the tax base of the community in furtherance of the objectives set forth for urban renewal.

**Section 7. Consistency of Redevelopment with the General Plan of the Community in Which the Project Area is Located and Conformance to the Community's General Plan**

This Plan is consistent with, and the proposed redevelopment conforms to, the City's general plan in the following respects:

**A. Zoning Ordinances and General Plan**

The property within the Project Area is predominantly zoned C-2 for commercial use. The City General Plan envisions the Project Area will continue to be predominantly commercial. The proposed redevelopment is in harmony with that vision and is legally permissible under the current zoning classifications of the City. If any zoning changes are required, such changes would be submitted to the City for consideration and approval.

**B. Building Codes**

The construction of all new buildings and improvements and the rehabilitation of any buildings or improvements will be done in accordance with the standards set forth in the general plan of the City and in accordance with the Uniform Building Code adopted by the City. All building permits for construction or rehabilitation will be issued by the City in order to assure that new development or redevelopment is consistent with the general plan of the City.

**Section 8. Reduction or Elimination of Blight in the Project Area**

The governing board of the Agency and the legislative body of the City have found that the area within the boundaries of the Project Area is a blighted area. It is expected, and it is the purpose of this Plan, that the factors of blight in the Project Area will be eliminated and removed by: (1) implementation of the various provisions and standards of this Plan; (2) encouragement and promotion of development in the Project Area, which development will be in compliance with the provisions and standards of this Plan; (3) removal, if possible, of buildings and structures that were found to be blighted, or factors and elements of blight in this Project Area, primarily through private development and also through owner participation; and (4) rehabilitation of buildings and structures to extend their useful life.

The Agency believes that many owners of the real property located within the Project Area would be willing to cooperate with the Agency in working to reduce blight throughout the Project Area through rehabilitation and redevelopment of their property. The Agency also believes that many of the owners of real property located within the Project Area would be

willing to undertake a program or take action which will result in the removal of some of the blighted buildings and structures, the relocation of their businesses or sale of their land, buildings and residences, thereby facilitating construction of new buildings and improvements on the land within the Project Area. Through the process of owner participation, owners of real property located within the Project Area will be given an opportunity to enter into one or more agreements with the Agency which will result in the removal of blight from the Project Area.

**Section 9     Description of Specific Projects that are the Object of the Proposed Redevelopment**

The Agency believes on the basis of public input received by the Agency from owners at a public hearing and in other discussions with owners of real property within the Project Area that a number of redevelopment projects may be undertaken by private owners to accomplish the purposes of this Plan. The intersection of 4100 South and Redwood Road is of particular significance and interest as a site for potential redevelopment.

**Section 10    Selection of Private Developers to Undertake Redevelopment**

**A. Selection of Private Developers**

The Agency contemplates that owners of real property within the Project Area will take advantage of the opportunity to redevelop their property. In the event that owners do not wish to participate in the redevelopment in compliance with the Plan, or in a manner acceptable to the Agency, or are unable or unwilling to appropriately participate, the Agency reserves the right to acquire parcels, to encourage other owners to acquire other property within the Project Area, or to select non-owner developers by private negotiation, public advertisement, bidding or the solicitation of written proposals, or a combination of one or more of the above methods, and by doing so to encourage or accomplish the desired redevelopment of the Project Area.

**B. Identification of Developers Currently Involved in the Redevelopment Process**

The Agency has been contacted by or has been in contact with developers and current property owners within the Project Area. The following persons or business entities have expressed an interest to participate or become a developer of part of the Project Area and are therefore deemed to be potential developers currently involved in the proposed development pursuant to provisions of Section 17C-2-103(1)(h) of the Utah Code: Kimball Investment Company.

**1. Qualified Owners**

The Agency welcomes the participation of qualified owners within the Project Area as developers in the redevelopment of the Project Area.

## 2. Other Parties

Regarding all or any portion of the Project Area, if owners in the Project Area, as described in Subparagraph A above, do not propose redevelopment projects acceptable to the Agency, or do not possess the necessary skill, experience and financial resources, or are not willing or able to appropriately redevelop all or part of the Project Area, the Agency may identify other qualified persons who may be interested in developing all or part of the Project Area. Potential developers may be identified by one or more of the following processes: (1) public solicitation, (2) requests for proposals (RFP), (3) requests for bids (RFB), (4) private negotiation, or (5) some other method of identification approved by the Agency.

## 3. Owner Participation Agreements

The Agency has not entered into nor does it intend to enter into any owner participation agreements or agreements with developers to develop all or part of the Project Area until after the adoption of a Project Area Plan.

### **Section 11     Reasons for the Selection of the Project Area**

The Project Area was selected by the Agency as that area within the City having an immediate opportunity to reduce or eliminate blight from the community and to strengthen the economic base of the community through one or more new projects which would eliminate blighting factors and develop the area in an appropriate manner and broaden the tax base of the community. The Project Area contains a portion of the City that is desirable for redevelopment because of: (1) a general recognition by the owners and the public that the Project Area is blighted and needs assistance if the area is to remain or become economically viable; (2) a recognition and growing support by property owners that this portion of the City needs the reinvestment of private capital to rehabilitate existing buildings or construct new buildings or infrastructure improvements; and (3) the opportunity to commence a public-private partnership to improve this area of the City. Affected stakeholders and other public entities share the Agency's concerns regarding blight in the area and agree that reduction and elimination of this blight is of vital importance to the area's future.

Specific boundaries of the Project Area were arrived at by the Agency after a review of the area by members of the Agency and staff, redevelopment consultants, and other technical and legal consultants. Planned treatment of this area is intended to stimulate development to the degree necessary for sound long-range economic growth in the Project Area and to encourage the further development of real property located within the Project Area.

### **Section 12     Physical, Social, and Economic Conditions Existing in the Project Area**

#### **A. Physical Conditions**

The Project Area consists of approximately 94.37 acres of private real property divided into 75 parcels.

Over fifty percent (50%) of the number of parcels of private real property whose acreage is at least 50% of the acreage of the private real property within the Project Area contains buildings or improvements.

As set forth in the blight study, which is attached hereto and incorporated herein as Exhibit B, the Project Area contains several of the statutory blight factors, including but not limited to dilapidation of buildings, noncompliance with building code, excessive vacancy, and outdated infrastructure.

### **B. Social Conditions**

The Project Area contains predominantly commercial developments with several limitations, including the blight factors set forth above. There is little residential use existing or anticipated in the Project Area. The Project Area is an important potential commercial, social, and recreational opportunity for nearby residents and it is anticipated that redevelopment of the Project Area will make the Project Area a hub for community activity and economic growth.

### **C. Economic Conditions**

The property within the Project Area is predominantly zoned General Commercial (C-2). The lack of infrastructure in the Project Area makes it difficult for private investment to be attracted to the Project Area unless a program is undertaken to provide or assist with infrastructure development. Customarily small acreage parcels such as those in the Project area cannot afford to fund the full infrastructure cost necessary for property development, but the assemblage of separate parcels into larger parcels of land makes this more possible because the costs of needed infrastructure can be spread over more acreage.

The long-term economic deterioration that has existed in the Project Area resulting in underutilized and unused commercial and retail property makes it difficult for any significant private investment to be attracted to the Project Area. Unless incentives are provided to encourage investment in these properties, private investment will be difficult to secure.

## **Section 13. Analysis of the Benefit of Any Financial Assistance or Other Public Subsidy Proposed to be Provided by the Redevelopment Agency**

The proposed project area budget, attached hereto and incorporated herein as Exhibit G, sets forth an estimation of the total tax increment that could be expended and the length of time for which it will be expended for urban renewal purposes.

### **A. Reasonability**

The Agency believes that the proposed expenditures set forth in the project area budget are reasonable for several reasons. First, the expenditures will leverage tax increment to encourage private investment, with the vast majority of investment in the project area coming from private investment rather than from public contributions. Second, the expenditures will

remove existing obstacles to development, which is the most efficient and effective way to expend tax increment in an area such as the Project Area. By removing obstacles to investment and stimulating private activity in the Project Area, the Agency and participating taxing entities can receive an extremely high return on the public's investment, benefiting the Agency, the community, and private and public stakeholders. Third, tax increment will not be expended without assurances that development facilitated by the expenditure of that tax increment will comport with the standards set forth in this Project Area Plan.

### **B. Efforts to Maximize Private Investment**

The Agency sees private investment as the essential driver of urban renewal in the project area. As set forth above, the Agency will use tax increment and other tools to remove obstacles to investment and encourage private activity, which will provide a multiplied rate of return. The Agency will also reach out to developers and stakeholders whose interests align with the goals and standards set forth in this Project Area Plan. Much of the Project Area cannot be developed in an economically feasible manner without public assistance. Rather than simply spending public money on a small project within the Project Area, the Agency intends to leverage the public resources approved by the participating taxing entities to remove barriers to development throughout the Project Area. The Agency anticipates that this effort will generate development and urban renewal throughout the Project Area, with ten private dollars invested for every public dollar spent.

### **C. The Rationale for Tax Increment and Whether Redevelopment Would Occur Solely Through Private Investment**

As the blight study attached hereto demonstrates, current economic, social, and infrastructure conditions within the Project Area do not support an expectation that the envisioned redevelopment will occur without public participation. The cost of demolishing, renovating, or rehabilitating blighted property has consistently been projected to exceed the point at which said costs would be deemed economically feasible. With a proportionally small public investment, however, the Agency believes that urban renewal within the Project Area would be both feasible and highly beneficial to the community and to developers willing to provide a high quality product in the Project Area.

Because of the widespread nature of the blight in the Project Area, this is a critical time to act. When relatively small public investments can generate exponentially more private investment and development, the Agency's role is particularly valuable. Tax increment and Agency support for urban renewal in the Project Area is both urgently needed and indispensable to the establishment of an area that can be an asset to the community for the years to come.

### **D. Beneficial Influences on the Tax Base of the Community**

The attached project area budget sets forth the additional investment expected in the Project Area, with a net increase of over twenty million dollars in assessed value over the life of the Project Area. In addition, it is anticipated that urban renewal efforts will increase the value

of existing properties in the area and create an additional stimulus for rehabilitation and renovation efforts.

**E. Associated Business and Economic Activity to be Stimulated**

The attached project area budget demonstrates the substantial business and economic activity stimulated by urban renewal in the Project Area. In the place of blighted development, vacant or underoccupied properties, and lost opportunities for development, the Agency anticipates that millions of dollars in new or redeveloped retail and commercial space will be developed within the Project Area.

**F. Necessity of the Project Area Plan**

As set forth above, there is no reason to expect that redevelopment will occur within the Project Area without the involvement of the Agency. Blight is existing and getting worse throughout the Project Area as set forth in the blight study. By investing in the Project Area, the Agency believes that the future of this area so vital to the community, the City, and the Agency can be turned around, with blight either substantially reduced or eliminated.

**Section 14. National Register of Historic Places or State Register**

If any of the existing buildings or uses in the Project Area are included in or eligible for inclusion in the National Register of Historic Places or the State Register, with respect to such buildings or uses the Agency shall comply with Subsection 9-8-404 as though it were a state agency.

**Section 15. Provisions For Amending This Proposed Plan**

This Plan may be amended or modified at any time by the Agency in the same manner as if the amendment or modification constituted a redevelopment plan being originally proposed, or pursuant to the procedures provided in Section 17C-2-110 of the Utah Code, and may be amended as allowed by any other provision of this Section or as provided or allowed by any amended or successor provision, law or act.

**Section 16. Housing Plan Required By Utah Code Section 17C-2-204**

As permitted by Utah Code Section 17C-1-412(1)(b), the City intends to pay the tax increment allocated to housing as set forth in the Project Area Budget to the West Valley City Housing Authority for the purpose of providing income targeted housing within the Community.

EX-F

South Redwood Road Urban  
Renewal Project Area - West  
Valley City

REVENUE	YR 1	YR 2	YR 3	YR 4	YR 5	YR 6	YR 7	YR 8	YR 9	YR 10	YR 11	YR 12	YR 13	YR 14	YR 15	NPV @ 5%
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Incremental Property Tax Revenue	\$232,020	\$224,785	\$228,283	\$295,915	\$300,406	\$370,649	\$387,006	\$383,752	\$359,713	\$357,059	\$353,772	\$351,803	\$350,929	\$350,384	\$350,557	\$4,857,015
<b>TOTAL INCREMENTAL REVENUE</b>																\$33,269,992
<b>EXPENDITURE</b>																
Eligible Project Area Expenses	\$134,862	\$130,656	\$132,678	\$172,001	\$174,611	\$215,440	\$213,322	\$211,431	\$209,083	\$207,541	\$205,630	\$204,486	\$203,978	\$203,661	\$203,762	\$2,823,140
RDA Housing	\$34,803	\$33,718	\$34,239	\$44,387	\$45,061	\$55,597	\$55,051	\$54,563	\$53,957	\$53,559	\$53,066	\$52,771	\$52,639	\$52,598	\$52,584	\$728,552
RDA Administration	\$4,350	\$4,215	\$4,260	\$5,548	\$5,633	\$6,950	\$6,881	\$6,820	\$6,745	\$6,695	\$6,633	\$6,596	\$6,580	\$6,570	\$6,573	\$91,069
<b>TOTAL EXPENDITURE</b>	\$174,015	\$168,589	\$171,197	\$221,936	\$225,304	\$277,987	\$275,254	\$272,814	\$269,785	\$267,794	\$265,329	\$263,853	\$263,197	\$262,788	\$262,918	\$3,642,761
<b>TOTAL TAXING AGENCY PASS THROUGH</b>	\$58,005	\$56,196	\$57,066	\$73,979	\$75,101	\$92,662	\$91,751	\$90,938	\$89,928	\$89,265	\$88,443	\$87,951	\$87,732	\$87,596	\$87,639	\$1,214,254
																\$817,498

PUBLIC INFRASTRUCTURE BUDGET:	
Uses of Tax Incremental Funds:	Amount
Private Expenditures	\$ 502,979
Utility Relocation	\$ 225,000
Over Head Power Lines Buried	\$ 365,892
Demo Buildings	\$ 250,000
Asbestos Remediation	
Public Expenditures	\$ 525,970
Sidewalk Removal and Replacement	\$ 585,085
Landscaping	\$ 333,376
Lighting	\$ 288,866
Contingency	\$ 3,077,188
<b>Total Use of Tax Incremental Funds</b>	<b>\$ 3,077,188</b>



