

ORDINANCE NO. 1030

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DRAPER,
STATE OF UTAH, ADOPTING THE R. C. WILLEY COMMUNITY
DEVELOPMENT AREA PLAN DATED SEPTEMBER 17, 2012.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRAPER, STATE OF UTAH,
AS FOLLOWS:**

SECTION I. This Ordinance pertaining to the "R.C. Willey Community Development Area" is hereby enacted to read as follows:

R. C. WILLEY COMMUNITY DEVELOPMENT AREA PLAN

Sections:

1. Adoption of Area Plan.
2. Project Area Boundaries.
3. Purposes of the Area Plan.
4. Area Plan Incorporated by Reference.
5. Findings.
6. Acquisition of Property.
7. Funding.
8. Effective Date.

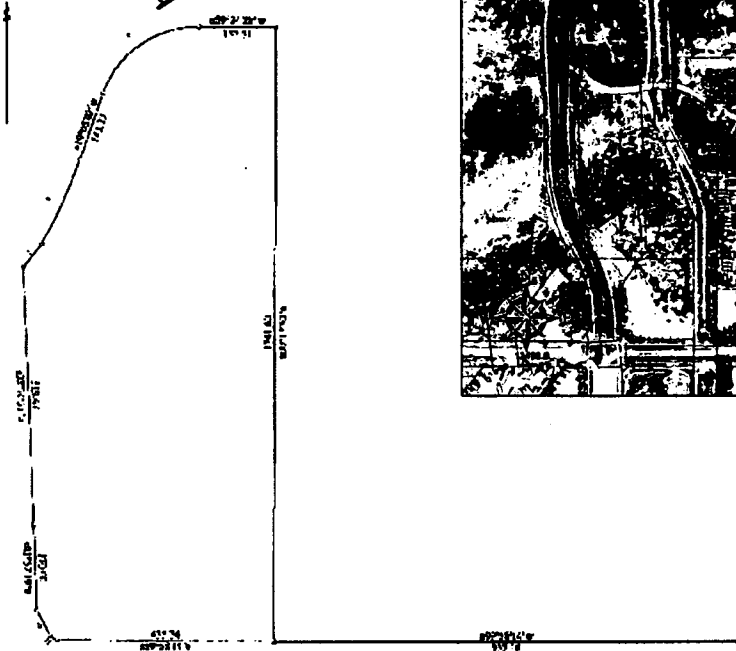
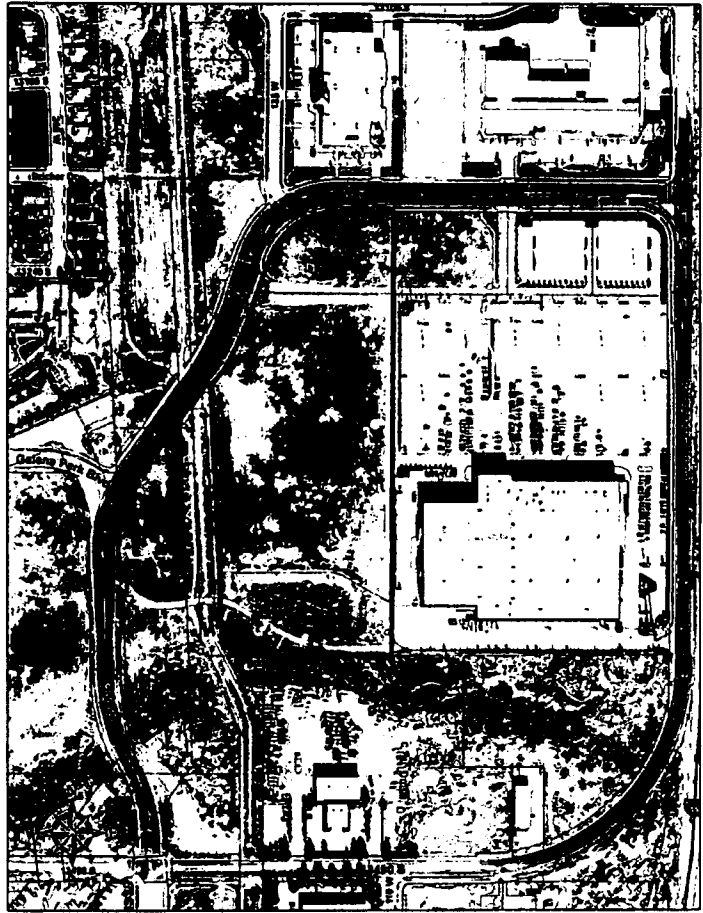
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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
CITY OF DRAPER
1020 E PIONEER RD
DRAPER UT 84020
BY: SLR, DEPUTY - WI 7 P.

Section 1. Adoption of Area Plan. The Redevelopment Agency of Draper City (the "Agency") has adopted the R.C. Willey Community Development Area Plan dated September 27, 2012 (the "Area Plan"). The Area Plan is hereby designated as the official Community Development Area Plan of the R. C. Willey Community Development Area (the "Area Plan"). The City, after review of the Agency's findings, as set forth herein, hereby adopts by Ordinance the Area Plan pursuant to Section 17C-4-105 of the Utah Community Development and Renewal Agencies Act.

Section 2. Project Boundaries. The legal description of the boundaries of the Area Plan covered by the Area Plan is as follows, to-wit:

LEGAL DESCRIPTION:

Lots 6, 2, and 8 of the Salt Lake County Recorded Plat - IKEA Retail Subdivision - A part of the southeast Quarter Sec 36, Township 3 South, Range 1 West, Salt Lake Base and Meridian, Draper City, County of Salt Lake, State of Utah
 LOT 2 27-36-476-012
 LOT 6 27-36-476-008
 LOT 8 27-36-476-014
 BY CHY



Title: RC Willey CDA Boundary		Date: 09-13-2012
Scale: 1 inch = 200 feet	File: RC Willey CDA Boundary.dwg	
Total: 3.942 Acres 128145 Sq Feet Closure = 689.4459 937.69 Feet Position = 1/4: Perimeter = 4174 Feet		
011 = 99.5814 = 97.18	012 = 59.5314 = 435.74	
002 = 60.1379 = 1241.60	007 = 71.5302 = 58.77	
013 = 69.3428 = 170.71	008 = 62.1616 = 314.67	
001 = 68.7 = 7.31	009 = 61.2219 = 170.00	
015 = 19.692 = 143.79	010 = 36.3422 = 57.15	

A map of the R. C. Willey Community Development Area is attached and incorporated herein as Exhibit "A."

Section 3. Purposes of the Area Plan. The purposes and intent of the City Council of Draper City with respect to the Project Area are to accomplish the following purposes by adoption of the Project Area Plan:

- A. Promote and market the development of the Area Plan to enhance the economic health of the community by increasing transportation, housing, office and retail opportunities.
- B. Provide utilities, streets, curbs, sidewalks, parking areas, and landscaping to give the area an improved look and to attract and encourage expanded business activity.
- C. Enhance employment and income opportunities for community residents.
- D. Improve access to goods and services for residents.
- E. Increase and diversify the tax base, thus increasing the resources available for performing governmental services while minimizing tax rates.
- F. Encourage infill development in close proximity to existing facilities to promote orderly growth while reducing the cost and extent of public services.
- G. Strengthen the identity of Draper City by encouraging land uses that contribute to the character of the community and sustain a viable economic base.
- H. Support the location of regional land uses, such as major employment and mixed-use centers along regional mobility networks.
- I. Encourage development/ redevelopment that invigorate an area while also respecting the character of adjacent neighborhoods.
- J. Promote Draper City as a diverse shopping and entertainment destination.
- K. Maintain a strong, aggressive position in dealing with bringing new, high quality retail to the community.
- L. Encourage quality development/redevelopment in employment areas to provide new jobs and new retail opportunities in the Draper market.
- M. Encourage and support the renovation and reuse of underutilized or vacant parcels/buildings/shopping centers.

- N. Support and encourage appropriate public and private development and redevelopment efforts in the community.

Section 4. Area Plan Incorporated by Reference. The Area Plan, together with any supporting documents, is incorporated herein by reference and made a part of this Ordinance. Copies of the Area Plan shall be filed and maintained in the office of the City Recorder and the Redevelopment Agency for public inspection.

Section 5. Findings. The Redevelopment Agency has determined and found as follows:

The adoption of the Area Plan will:

- A. Satisfy a public purpose by, among other things, encouraging and accomplishing appropriate development and economic development within the Area Plan;
- B. Provide a public benefit, as shown by the benefit analysis included in the Area Plan as required pursuant to Subsection 17C-4-103(11) of the Act;
- C. Conform to Draper City's general plan; also the Area Plan provides that all development in the Area Plan is to be in accordance with the City's zoning ordinances and requirements;
- E. Promote the public peace, health, safety and welfare of Draper City.

Section 6. Financing.

A. Subject to any limitations required by currently existing law (unless a limitation is subsequently eliminated), this Ordinance hereby specifically incorporates all of the provisions of the Act that authorize or permit the Agency to receive funding for the Project Area and that authorize the various uses of such funding by the Agency, and to the extent greater (or more beneficial to the Agency) authorization for receipt of funding by the Agency or use thereof by the Agency is provided by any amendment of the Act or by any successor provision, law or act, those are also specifically incorporated herein. It is the intent of this Ordinance that the Agency shall have the broadest authorization and permission for receipt of and use of sales tax, tax increment and other funding as is authorized by law, whether by existing or amended provisions of law. This Ordinance also incorporates the specific provisions relating to funding of community development project areas permitted by Title 17C, Chapter 4, Part 2, Utah Code Annotated, 1953, as amended, which provides in part as follows:

"17C-4-201. Consent of a taxing entity or public entity to an agency receiving tax increment or sales tax funds for community development project.

- (1) An agency may negotiate with a taxing entity and public entity for the taxing entity's or public entity's consent to the agency receiving the entity's or public

entity's tax increment or sales tax revenues, or both, for the purpose of providing funds to carry out a proposed or adopted community development area plan.

(2) The consent of a taxing entity or public entity under Subsection (1) may be expressed in:

(a) a resolution adopted by the taxing entity or public entity; or

(b) an interlocal agreement, under Title 11, Chapter 13, Interlocal Cooperation Act, between the taxing entity or public entity and the agency.

(3) A school district may consent to an agency receiving tax increment from the school district's basic levy only to the extent that the school district also consents to the agency receiving tax increment from the school district's local levy.

(4) (a) A resolution or interlocal agreement under this section may be amended from time to time.

(b) Each amendment of a resolution or interlocal agreement shall be subject to and receive the benefits of the provisions of this part to the same extent as if the amendment were an original resolution or interlocal agreement.

(5) A taxing entity's or public entity's consent to an agency receiving funds under this section is not subject to the requirements of Section 10-8-2."

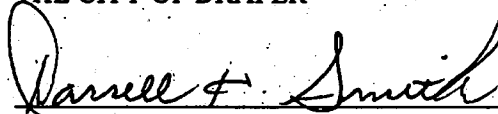
B. Except for grants, the particulars as to the amount and duration of funding for the Project Area shall be as provided for in the Draper City's share of sales tax receipts, unless another method is provided by law that the Agency deems more beneficial to the Agency.

Section 8. Effective Date. This Ordinance shall take effect upon its first publication or posting.

PASSED and **APPROVED** by the City Council of the City of Draper, State of Utah, this

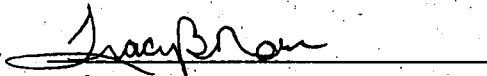
23rd day of October, 2012.

THE CITY COUNCIL OF
THE CITY OF DRAPER



Darrell H. Smith, Mayor

ATTEST:



Tracy B. Narr, City Recorder

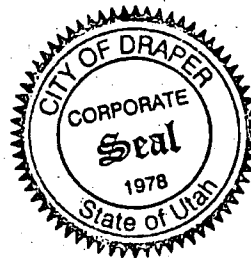
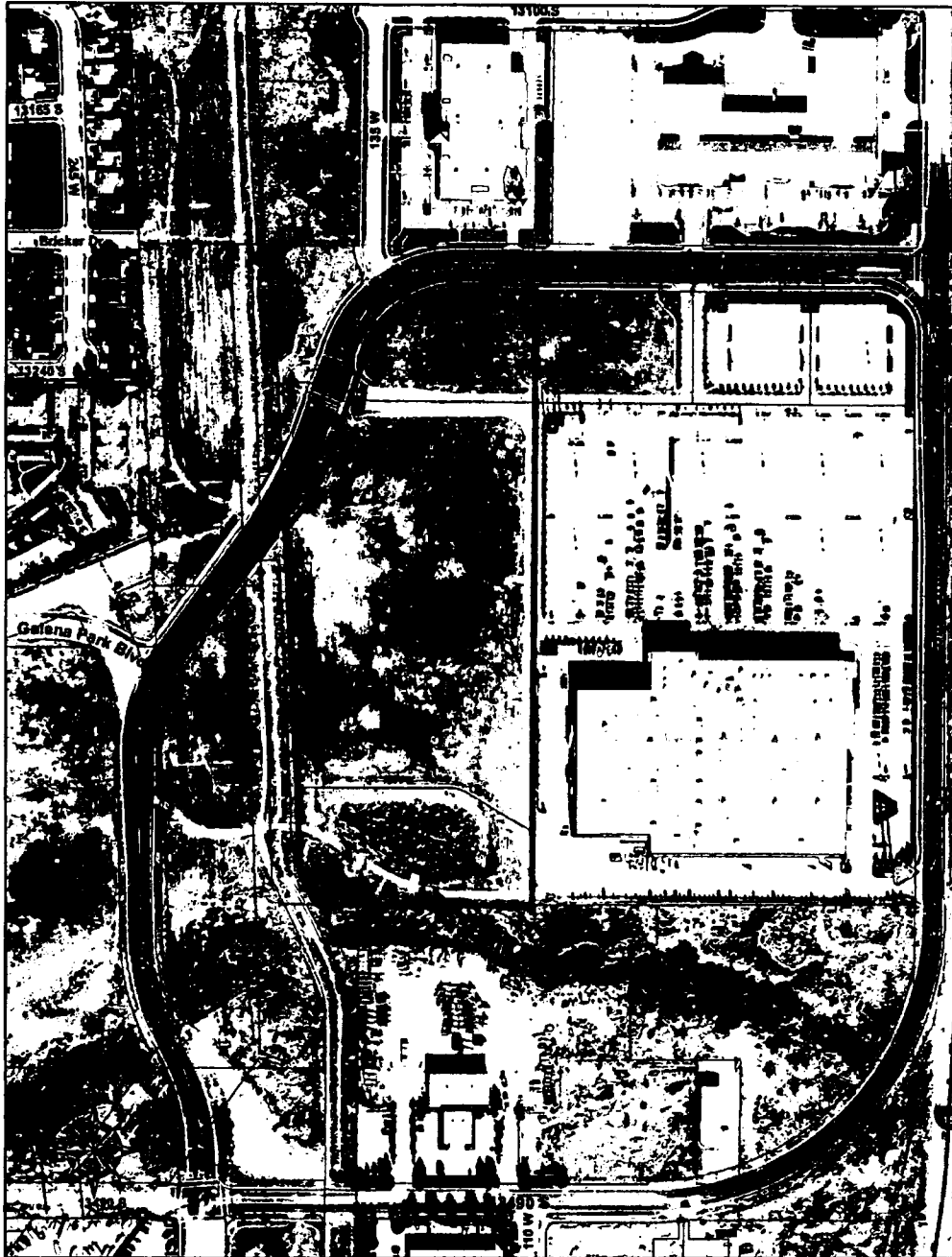


EXHIBIT "A"
MAP OF R.C. WILLEY COMMUNITY DEVELOPMENT AREA



Affidavit of Posting

SALT LAKE COUNTY, STATE OF UTAH

I, the Recorder of Draper City, by my signature below, certify that copies of **Ordinance No. 1030 for the City of Draper, which Passed and Adopted by the City Council of Draper City, State of Utah on the 23rd day of October, 2012** were posted at the following places: Draper City Bulletin Board, Draper Senior Citizens Center, and Draper Library within the municipality.

Posting Period: October 24, 2012 through November 13, 2012

City Seal



Tracy B. Neer, MMC
City Recorder
Draper City, State of Utah