

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

February 4, 2025

Present: Mayor Dawn Ramsey, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Planning Steven Schaefermeyer, Director of City Commerce Brian Preece, Director of Strategy & Budget Don Tingey, Director of Public Works Raymond Garrison, CFO Sunil Naidu, City Engineer Brad Klavano, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, Deputy Police Chief Rob Hansen, Fire Chief Chris Dawson, Director of Recreation Janell Payne, Communications Manager Rachael Van Cleave, CTO Matthew Davis, Senior Systems Administrator Phill Brown, GIS Coordinator Matt Jarman, Planner Miguel Aguilera, Long Range Planner Joe Moss, City Recorder Anna Crookston

Absent:

Others: Travis Barton, Laurel Bevans, Dan Milar, Lori Harding

4:36 P.M.
STUDY MEETING

A. Welcome, Roll Call, and Introduction: *By Mayor, Dawn R. Ramsey*

Mayor Ramsey introduced the meeting and welcomed everyone present.

B. Invocation: *By Council Member, Jason McGuire*

Council Member McGuire offered the invocation.

C. Mayor and Council Coordination

Council Member Shelton mentioned he will be appointed this week to serve as the Chair of the Jordan River Commission.

Mayor Ramsey noted that a few potential discussion items may be addressed at the next meeting due to the full agenda for this session. She also provided an update on her upcoming travel, stating that she will be in Washington, D.C., starting Sunday with the Wasatch Front Regional Council (WFRC) to attend the National Association of Regional Councils conference. During the trip, she will meet with the Utah delegation on Wednesday to discuss transportation priorities. She also shared an update regarding her role with the Wasatch Front Regional Council (WFRC). She noted that the full WFRC met last Thursday, during which the nominating committee made its recommendations. That meeting marked the conclusion of her two-year term as chair. However, for the first time in the organization's history, the committee nominated the same person to serve a consecutive second term as chair, making it her first day of a second term. She

emphasized the importance of South Jordan maintaining a strong presence in regional decision-making, ensuring the city remains informed and engaged in key discussions regarding transportation and other priorities.

Attorney Loose asked whether he should plan on voting at the Legislative Policy Committee (LPC) meeting.

Mayor Ramsey said for Attorney Loose to plan on voting in her place as she'll be attending the conference.

D. Discussion/Review of Regular Council Meeting:

Public Hearing Item:

- Ordinance 2025-06, Amending Section 17.130.050 (Planned Development Floating Zone) of the South Jordan Municipal Code to include the area east of the FrontRunner rail line in eligible areas for density greater than eight dwelling units per acre.

E. Presentation Item: 4:35 p.m.

E.1. Planning Commission member appointment. (*By Director of Planning, Steven Schaefermeyer*)

Director Schaefermeyer introduced Lori Harding and mentioned that Ms. Harding has been nominated by Council Member Shelton to fill his current vacancy.

Lori Harding noted she has been a resident of South Jordan City for over 20 years. She currently works as a Welfare and Self-Reliance Manager for The Church of Jesus Christ of Latter-day Saints. In this role, she supports the entire city of South Jordan and its congregations by helping those in need find resources. She also works directly with the city on emergency response efforts to maintain strong communication. She expressed enthusiasm about the opportunity and welcomed any questions.

Council Member Shelton shared that he first met Ms. Harding through her work and church involvement. He noted that as a self-reliance specialist in his stake, he has personally benefited from her support and found her to be very effective and helpful in her role. He also highlighted her extensive experience serving on various boards and commissions, inviting her to share more about her civic service.

Ms. Harding said she considers herself as a recovering banker, sharing that she transitioned to her current role at the Church of Jesus Christ of Latter-day Saints after spending over 20 years with Zions Bank. Her background includes extensive experience in real estate, loans, and business funding. She also highlighted her commitment to civic service, mentioning that she currently serves on the board of the YWCA and is involved with Raise the Future, an organization dedicated to finding homes for older children in foster care, a cause close to her heart, as all three of her children were adopted. Additionally, she has previously been involved in various boards and committees, including the Utah State PTA, reflecting her passion for

education and community engagement. While she has shifted her focus more toward the YWCA in recent years, her broad experience in service and advocacy continues to shape her work.

Mayor Ramsey acknowledged Ms. Harding's extensive contributions to the community through volunteer work and her dedication to important causes. She also noted that Ms. Harding had undergone a thorough interview with Council Member Shelton, where she had the opportunity to sit down and discuss her background and qualifications in depth.

Council Member Shelton acknowledged that he had interviewed both Ms. Harding and another highly qualified candidate for the position. He noted that it was a difficult decision given the talent and experience of both applicants. However, Ms. Harding's extensive background in service, along with her experience on various boards and committees, made her an outstanding choice for the Planning Commission. He expressed gratitude for her willingness to serve and remarked on the difference between participating in discussions as a concerned citizen and taking on the responsibility of decision-making in a leadership role.

Mayor Ramsey outlined the process for appointments, explaining that after discussions among the council, a decision would be communicated to the candidate later that evening. She expressed appreciation to Ms. Harding for coming and meeting the Council.

F. Discussion Items: 4:45 p.m.

**F.1. Wheadon Acres Flag Lot Overlay Zone and Development Agreement. (By
Director of Planning, Steven Schaefermeyer)**

Director Schaefermeyer provided background on the flag lot overlay zone application, noting that it was the first request using this tool. The Planning Commission had given a positive recommendation in September. Since the zone requires a development agreement to be utilized, the applicant presented the request to the City Council in October and again in December. The Council approved the rezone in December with a 3-2 vote but did not approve the development agreement, with a 2-3 vote. Since then, a pending ordinance has been passed to evaluate potential changes to the flag lot overlay zone, including a prohibition on detached accessory dwelling units (ADUs) and a possible shift from a legislative to an administrative approval process. Staff is working on these updates and will seek Council direction after Planning Commission review.

Director Schaefermeyer introduced Miguel Aguilera, the assigned planner, who distributed handouts (Attachment A) outlining the developer's obligations in the agreement, including plat maps. He highlighted a key provision, prohibiting detached ADUs, which was added between the first and second City Council meetings in response to concerns. He stated that the purpose of the discussion was to clarify Council concerns regarding the development agreement. Since the rezone was approved but the agreement was not, staff needed direction on any necessary revisions before bringing it back for a vote. He requested input from the Council to help the applicant understand and address any issues.

Mayor Ramsey clarified that while the rezone has been approved, it cannot take effect or be utilized without an approved development agreement.

Director Schaefermeyer introduced applicant Dan Milar and his consultant Laurel Bevans.

Mayor Ramsey asked the Council if there was a specific issue in the development agreement that led to its failure, despite the rezone being approved. She suggested identifying any concerns and exploring whether adjustments could be made to align with the Council's expectations. She also recalled that the vote on the development agreement was 3-2.

Council Member Shelton noted that the development agreement appeared standard, except for bullet point D3, which prohibits exterior accessory dwelling units (ADUs). He supported this provision because the subdivision's density was already increasing, and allowing detached ADUs could lead to an even greater density increase beyond what was initially planned. He also mentioned wanting to avoid a situation where a future council might take a different approach that significantly alters the subdivision's character. He believed Council Member Zander shared a similar viewpoint.

Council Member Zander sought clarification on the restriction, asking if the prohibition applied only to detached accessory dwelling units (ADUs) in this specific development. She wanted to confirm that internal ADUs would still be allowed and that this restriction was not being applied citywide. She expressed general support for detached ADUs but was comfortable limiting them to internal units in this particular case.

Director Schaefermeyer explained that the flag lot overlay zone was designed with a development agreement requirement to allow the council to evaluate specific situations rather than applying a blanket approval. The intent was to prevent unintended conflicts with neighbors, especially when subdividing an existing lot into a flag lot. He noted that while the tool had been in place for several years, this was the first time it was being used, prompting a reevaluation of its effectiveness. Moving forward, planning staff is working on more defined standards to address concerns like lot size, accessory structures, and placement of buildings to provide greater certainty for both applicants and the city.

Council Member Zander expressed support for the project, emphasizing that it is a thoughtful and respectful use of the land. She noted that the proposed home is well-planned and that an internal ADU is a better fit for the area, as it avoids adding another roofline. She also pointed out that ADUs are already common throughout the city, with many homeowners having unpermitted units. Given that the applicant, Mr. Milar, was transparent about his intentions, she felt the council should not penalize him for his honesty and supported moving the development forward.

Mayor Ramsey invited the three council members who voted against the development agreement to share their concerns and reasoning. She emphasized the importance of understanding whether changes could be made to address their concerns or if their opposition was firm.

Council Member Johnson asked Attorney Loose whether it would be consistent to vote in favor of the development agreement after having voted against the ordinance. She questioned whether the same logic that led to voting against the rezoning should apply to the development agreement as well.

Attorney Loose explained that the consistency of a council member's votes depends on their reasoning. If someone voted against the development agreement but for the rezone, it suggests they support flag lots at this location but had issues with specific terms in the development agreement, such as detached ADUs or other conditions. In that case, once the agreement is revised to their satisfaction, they could vote to approve it. If someone voted against both the rezone and the development agreement, it implies they don't believe this location is appropriate for a flag lot at all, meaning even a revised development agreement wouldn't change their position. If someone voted for the rezone but against the agreement, they are okay with the flag lot but not with the conditions set in the agreement. If someone voted for both, then they're fine with both the zone change and the agreement's terms. Council Member Johnson confirmed that this explanation aligned with how he felt.

Council Member McGuire agreed, stating that he did not see any major issues with the development agreement itself but did not believe the lots in this subdivision should be converted into flag lots.

Council Member Harris shared his perspective, noting that many residents in South Jordan have large lots that can be difficult to maintain, particularly as they age. He acknowledged that some of these lots are not well-kept and, in some cases, may be considered an eyesore by neighbors. At the same time, he recognized the need for new housing and stated that, when done correctly, flag lots can be a sensible solution. However, he expressed concerns about legislating accessory dwelling units (ADUs) through development agreements, emphasizing that such decisions should be handled administratively rather than legislatively. He noted that in the past, the city has not used development agreements to restrict ADUs, and he felt the approach in this case was somewhat arbitrary. This concern influenced his initial vote against the development agreement. Since then, Council discussions have provided more clarity, and he indicated that he would be willing to approve the agreement if it aligns with the broader administrative direction the city is taking regarding ADUs.

Council Member Johnson pointed out that the new administrative direction regarding ADUs would not apply to this particular case, as it was initiated prior to those discussions.

Council Member Shelton clarified that Council Member Harris is saying he would be okay with approving it if the development agreement is consistent with the direction the Council is now giving staff on an administrative basis.

Attorney Loose confirmed that the goal is to amend the development agreement so that it aligns with what was discussed in the notice of the pending ordinance meeting. Council Member Harris said that is what he is comfortable with.

Mayor Ramsey asked whether potential state legislation on ADUs could override the city's current discussions and decisions. Specifically, if the state were to pass a law allowing detached ADUs broadly, would that render the city's development agreement restrictions irrelevant?

Attorney Loose acknowledges that the potential state legislation on ADUs is still in early discussions and hasn't been fully developed. He compared it to a previous bill on internal ADUs, which initially had broad allowances but was later refined with more restrictions. At this point, he hasn't seen a fully formed proposal regarding detached ADUs and isn't sure how far that discussion has progressed. He explained that if state legislation on external ADUs follows the same pattern as the internal ADU law, it would apply broadly and override existing city regulations. However, since the bill is still in negotiation, its final form is uncertain. It could be narrowed to include restrictions such as minimum lot sizes or specific zoning requirements. Without a passed bill, it's difficult to predict its full impact on local ADU policies.

Mayor Ramsey acknowledges the importance of the decision at hand while also recognizing the possibility that state legislation could override it in the near future. She emphasizes the need to move forward based on the city's current authority and decision-making process while remaining aware of potential legislative changes.

Attorney Loose clarifies that while future legislation may impact ADUs, agreements made through development agreements can still impose specific restrictions, even if state law changes. He explained that property owners can voluntarily agree to limit their use of ADUs in exchange for approval of flag lots, which are not currently being considered in legislative discussions. He also points out that without flag lots, the existing two lots could still potentially have ADUs under new state laws, leading to a similar number of living units but with different zoning controls. However, if flag lots are approved and ADUs become more broadly permitted, the total number of units on the properties could increase significantly.

Director Schaefermeyer added that when the internal ADU legislation was passed, it also invalidated HOA restrictions on ADUs.

Attorney Loose added the legislation states that HOA contracts are not enforceable in this regard. No one has challenged this under contract law, but he noted that the person who included that provision in the legislation has a legal interpretation that he personally disagrees with.

Director Schaefermeyer continued, noting that the legislation did not go as far as addressing development agreements and other similar restrictions. He mentioned that this is a frequent point of debate, citing ongoing discussions with individuals like Daybreak. He emphasized the uncertainty surrounding how these regulations interact with existing agreements and the need to navigate these complexities as they arise.

Attorney Loose clarified that development agreements remain enforceable unless legislation explicitly states otherwise. The internal ADU legislation did not address development agreements, similar to how it impacted HOA restrictions. He noted that if the state were to invalidate development agreements, cities would have little incentive to use them, which could significantly impact planning and negotiation processes. He also mentioned that major

developers rely on these agreements to work through project details and generally prefer having them in place.

Mayor Ramsey acknowledged the additional context provided and emphasized the importance of hearing all perspectives in the discussion. She summarized the council's positions, noting that two members feel one way, two feel another, and Council Member Harris has shared his stance. She then asked staff and the applicant whether they have the necessary information to draft a potential proposal for the council's consideration.

Director Schaefermeyer confirmed that Long-Range Planner Joe Moss has already started working on the revisions, ensuring they align with the discussion. He clarified that the council has not committed to any ordinance changes yet but that staff will translate the input received into a proposed ordinance. The likely approach will be an administrative one with specific requirements, including a provision prohibiting ADUs on flag lots. This provision may be included either as a legislative floating zone with restrictions or as an administrative regulation. He stated that staff plans to present this revised agreement (Attachment A) to the council and will coordinate with the applicant to determine an appropriate time for its inclusion on the council agenda.

Mayor Ramsey emphasized that council decisions should never feel arbitrary. While recognizing that some cases may involve unique circumstances, she agreed that broad policies, such as the one under discussion, are best handled with consistency and clear guidelines.

Council Member Harris acknowledged the value of the city staff's research and the in-depth discussion on how other cities handle similar issues. He noted that many councils face emotional pleas from residents when making these decisions, but he prefers a clear administrative approach where guidelines dictate the outcome. Reflecting on the work session, he reiterated that the discussion narrowed down to an either-or decision: properties could either have a flag lot or an ADU, but not both. He expressed confidence in both this conclusion and the overall process.

Attorney Loose clarified that if the city allows flag lots without explicitly prohibiting ADUs in the development agreement, future state legislation could override local regulations. If the state later permits external ADUs under specific conditions, and the flag lot or the original lot meets those conditions, external ADUs would be allowed regardless of the city's initial intent.

Director Schaefermeyer explained that the city can advocate for addressing any legislative concerns as they arise. Meanwhile, there are multiple applications at different stages of the process. One application vested before the pending ordinance and contains similar provisions in its proposed development agreement, though it has yet to go before the Planning Commission. Another application in the same neighborhood was submitted after the pending ordinance, leaving it in limbo until the city finalizes its approach.

Mayor Ramsey emphasized that the city should not delay any ongoing processes or hold up applications while waiting for potential legislative changes. She reaffirmed that the council has the authority to make decisions based on the current situation. If adjustments are needed due to

future legislation, the city can adapt accordingly, but in the meantime, the established schedule should continue as planned.

Director Schaefermeyer clarified that no formal vote was taken during the meeting. Instead, the discussion provided direction on what should be brought back for the council's consideration in a future meeting.

Attorney Loose clarified that the bill being referenced throughout the discussion is HB 88, sponsored by Representative Raymond Ward, with the Senate floor sponsor being Senator Lincoln Fillmore.

Applicant Dan Milar expressed his admiration for the work being done by the council and staff. Though he works in the industry, he noted that he has had limited exposure to this process and appreciates the careful thought and effort put into it. While the matter impacts him directly, he is not in a rush and understands that these things take time. He acknowledged the well-reasoned approach taken by Council Member Harris, Council Member McGuire, and others, as well as the guidance provided by Attorney Loose. He concluded by thanking everyone for their work and for allowing him to participate in the meeting.

Mayor Ramsey expressed appreciation for Dan Milar's comments and noted that she wished more people had the opportunity to see how thoroughly the council vets issues. She emphasized that the council is far from a rubber-stamp body, as each member takes the time to carefully analyze, understand, and articulate the reasoning behind their decisions. She thanked Mr. Milar for attending and for his acknowledgment of their efforts.

F.2. Statistical Trends in Law Enforcement. *(By Chief of Police, Jeff Carr)*

Police Chief Jeff Carr reviewed prepared presentation (Attachment B) noting crime reporting changes, highlighting the shift from the FBI's Uniform Crime Reporting (UCR) system to the National Incident-Based Reporting System (NIBRS) in 2021. He explained that prior to 2021, crime rates were calculated based on only eight major offenses, four crimes against persons (homicide, robbery, rape, aggravated assault) and four crimes against property (burglary, larceny, motor vehicle theft, arson). Under NIBRS, additional crimes are now included in the calculations, making the crime rate more comprehensive but also causing an increase in reported rates across the board. Chief Carr presented 2019 data under the old system, showing a crime rate of 15.26 per 1,000 residents. In contrast, 2021, the first full year under NIBRS showed a rate of 34 crimes per 1,000 residents. He noted that this increase was due to the expanded reporting criteria rather than an actual rise in crime. Similarly, Salt Lake City's crime rate jumped from 63 per 1,000 in 2019 to 152 per 1,000 in 2021, illustrating the broader impact of the reporting change. He also shared that despite searching for updated data, crime reports for 2022 and 2023 have not yet been published. Upon inquiring with the Commissioner of Public Safety, he learned that efforts to create a new crime data dashboard had delayed the release of statewide reports. As a result, there is currently no way to compare recent crime rates across cities in Utah. Chief Carr pointed out that while some key metrics are improving, such as the overall decrease in calls and fewer 911 hang-ups, other areas remain concerning. The rise in arrests over the past four years suggests increased enforcement efforts or potentially more criminal activity requiring

intervention. Similarly, the increase in reckless driving incidents is something the department is monitoring closely. He emphasized that fluctuations in crime data are normal, but the department continues to analyze these trends to determine underlying causes and adjust strategies accordingly. The goal is to maintain a proactive approach to crime prevention while ensuring resources are allocated effectively to address emerging concerns.

Council Member McGuire asked what defines reckless driving.

Chief Carr explained that reckless driving often involves incidents like road rage and typically includes multiple moving violations, usually around three. He noted that laws regarding reckless driving have been strengthened, particularly in relation to road rage incidents over the past year. He then provided an overview of crime trends, highlighting that misdemeanors are up while felonies are down. He expressed a preference for this trend, as felonies generally involve more severe crimes. Additionally, priority one to three calls, such as traffic accidents with injuries or crimes in progress, are decreasing, which is a positive sign. However, he pointed out a concerning trend is an increase in calls requiring three or more officers to respond, which has risen by about 15% from the previous year. These types of calls often involve high-risk situations like active domestic disputes or suspicious vehicle reports.

Deputy Police Chief Rob Hansen added that often, the need for additional officers at a scene is to manage behavior effectively. He explained that in certain situations, one officer may need to actively intervene while another monitors the surroundings or searches for additional concerns.

Chief Carr continued reviewing crime trends, highlighting key statistics from the city's records. He noted that the city's jail bookings have steadily increased over the past few years, rising from 371 in 2022 to 426 in 2024. Among the 43 agencies that booked individuals into jail last year, the city ranked fourteenth. He also pointed out that the average booking process takes approximately 28 minutes, plus travel time, meaning an officer is typically out of the city for at least 90 minutes, sometimes longer, depending on the time of day. In some cases, officers opt for a cite-and-release approach to maintain staffing levels within the city. Moving on to crime trends, he explained that while certain violent crime numbers have increased, the overall figures remain relatively low. For example, kidnapping cases, mostly related to domestic disputes and custodial interferences, rose from three in 2023 to nine in 2024. Reported rapes increased by 24%, while robberies doubled from six to 12. Aggravated assaults were also up, suggesting a slight rise in violent crime, but he cautioned against drawing conclusions from small data sets. On the positive side, some crime categories have seen notable declines. Burglary rates, for instance, have dropped significantly from 148 cases in 2021 to just 54 in 2024. He attributed this to advancements in home security technology, such as smartphones, security cameras, and doorbell cameras, which act as deterrents. He recalled working burglary cases in the late 80s and early 90s, when monthly residential burglary counts were much higher. Regarding shoplifting, he mentioned that the number of reported cases often depends on how actively loss prevention staff at stores like Walmart and Target enforce theft policies. Last year, a noticeable increase in shoplifting incidents at Walmart suggested a change in loss prevention strategies, though the department was not formally informed of any new policies.

Deputy Chief Hansen explained that one of the key concerns was how local crime trends compare to national patterns. He noted that the city's data closely mirrors trends seen across the country, which is largely influenced by shifting demographics. He pointed out that law enforcement traditionally sees higher crime involvement among male's aged 18 to 24, but societal changes have altered their behaviors and living situations. Unlike past generations, when young adults were expected to leave home for college, work, or missions, many now remain at home longer due to financial constraints or personal choices. He highlighted the role of social media in changing youth behavior. In previous years, teens might have attended large gatherings that sometimes led to criminal activity. Now, with digital connectivity, much of their social interaction happens online, reducing incidents like vehicle burglaries and other crimes that were more common in the past. He emphasized that the incentives for certain offenses have diminished, contributing to the downward trend in some categories of crime.

Council Member Harris asked whether data was available on how many of the more serious crimes were committed by residents versus individuals coming into the city.

Deputy Chief Hansen responded that the division of serious crimes between residents and non-residents is approximately 50/50. He explained that in most cases, there is some connection to South Jordan, whether through the victim, the suspect, or other factors. Regarding arrests, he acknowledged that an increase in arrests might raise concerns from a council perspective, but from a law enforcement standpoint, it is a positive indicator. Higher arrest numbers suggest that officers are effectively stopping criminal behavior and addressing issues proactively. He noted that law enforcement efforts in neighboring cities, such as West Jordan, also have a positive impact on South Jordan, as crime prevention and enforcement often extend beyond city boundaries. He emphasized that with officers responding to approximately 40,000 calls per year, the number of arrests and overall crime trends suggest that South Jordan remains in a strong position regarding public safety.

Chief Carr added that even when looking at crime rates from 2021, South Jordan remains in the lower half of the county in terms of overall crime. He noted that as the city continues to grow, and as other areas of the county expand and transition into suburbs, crime trends naturally shift. He explained that crime rates tend to decrease as one moves farther from the center of Salt Lake City, a pattern that has been consistent over time. However, with the rapid development between Ogden and Provo, the entire region is evolving into a larger metropolitan area, which may bring new challenges and considerations for public safety.

Council Member Zander asked how the increased need for mental health support among officers is reflected in the crime data. She acknowledged that while mental health issues may not directly correlate with crimes like robberies, she wondered if there has been an increase in crimes committed between individuals as a result of mental health challenges.

Chief Carr responded that there are not enough mental health resources to meet the growing demand. He mentioned that while initiatives like the 988 crisis line have been beneficial, reportedly resolving 80-90% of calls without police intervention, there is still a significant gap in support. He highlighted the Mobile Crisis Outreach Teams (MCOT), which are intended to assist in mental health emergencies. However, due to limited resources, officers often end up handling

these situations themselves, as wait times for MCOT can stretch to two or three hours. He also discussed the development of receiving centers, which are designed to provide immediate care for individuals in crisis. One such facility is being completed near the jail, operating as a no-refusal center where law enforcement can take individuals who need help, ensuring they receive care rather than being taken to jail. He stressed that this will help in some cases but noted that, nationwide, the availability of mental health resources is still far behind what is needed.

Deputy Chief Hansen added that the department frequently issues what are called pink sheets, a legal process that allows officers to take individuals to a medical facility when they are deemed unable to care for themselves, present a danger to others, or are experiencing suicidal ideation. Officers make many hospital runs, typically to Jordan Valley, the U of U, Riverton, Lone Peak, facilities that are close enough to allow officers to remain available for other calls. He also noted the challenge when individuals refuse treatment. In such cases, officers may not have legal grounds to detain them under a pink sheet, and property owners may instead request that the person be removed. This often results in trespass notices rather than arrests, leaving individuals to continue struggling without immediate intervention. He emphasized that officers do not simply walk away from these situations. In about 90% of cases, if someone is considered a danger, officers will ensure they are taken to the hospital. However, this sometimes results in physical encounters when individuals resist assistance, making it a delicate balance for law enforcement. He highlighted ongoing training efforts to help officers recognize signs of crisis and work effectively with fire and medical personnel, who often assist with transport in these situations.

Council Member Johnson asked whether there is any outreach to the families of individuals in crisis to help connect them with resources.

Chief Carr stated that outreach efforts depend on the type of case. The department's victim advocates assist in certain situations, and officers have information on available programs and resources that they can provide to individuals and families in need. However, access to adequate support systems remains a challenge.

Council Member Johnson noted the importance of providing resources to families of individuals in crisis. She said that while law enforcement may not always have the ability to intervene directly, family members who have ongoing contact with the individual could play a key role in connecting them to available support services.

Deputy Chief Hansen responded that officers do try to connect families with resources when possible, especially in cases where individuals have a history with law enforcement. He explained that family involvement is often the best-case scenario, as it provides a support system for the individual. However, many cases involve people who refuse help or whose families have already exhausted their options, making intervention more challenging. He noted that when individuals haven't committed a crime and refuse assistance, it becomes a difficult balance for law enforcement.

Chief Carr added that as the city continues to grow, ensuring adequate police staffing remains a concern. To address this, the department has implemented several initiatives, including the

Online Reporting System (Case Service), which allows residents to report certain incidents online, reducing officer workload. He also highlighted Draft One, an AI-assisted reporting tool that helps officer's complete reports more efficiently by generating documentation from body camera interactions. Additionally, the department has hired its first Community Services Officer (CSO), who handles parking violations, abandoned vehicles, and other non-emergency issues. This helps free up officers for higher-priority calls and improves response times to community concerns. He emphasized that these efforts enhance efficiency and improve overall service to residents.

Mayor Ramsey expressed appreciation for the data presented, noting that while the city continues to grow, crime rate percentages have remained stable, with several categories showing a decline. She highlighted this as a positive trend, acknowledging that while not perfect, it reflects progress. She reiterated Deputy Chief Hansen's earlier statement that approximately 50% of more serious crimes involve individuals from outside South Jordan who come into the city for various activities. She sought clarification to confirm her understanding of that statistic.

Deputy Chief Hansen confirmed the statistic and acknowledged that as the city grows, law enforcement becomes familiar with new residents over time. He stated that he does not believe the department is behind in addressing crime trends and expressed appreciation for the resources provided. He emphasized the importance of efficiency in policing efforts and noted that proactive enforcement and officer presence play a key role in deterrence. He reiterated that the department's focus is on maintaining efficiency and ensuring officers are available to respond effectively.

Chief Carr emphasized the importance of officer visibility and stated that the department has a program called "On Every Street," which aims to have officers present on every street in the city at least once per quarter. He commended the officers for their efforts in maintaining visibility, noting that their presence serves as an effective deterrent to crime. He concluded by reaffirming the department's commitment to this approach.

Mayor Ramsey expressed gratitude to Chief Carr, Deputy Chief Hansen, and the entire South Jordan Police Department for their dedication and hard work. She asked them to extend the City Council's appreciation to the entire team, recognizing their efforts in keeping the community safe and upholding the law.

F.3. Public Infrastructure District (PID) policy amendments. *(By Director of City Commerce, Brian Preece)*

City Commerce Director Brian Preece provided an overview of Public Infrastructure Districts (PIDs), a financing tool authorized by the state legislature in 2019. PIDs function as special districts, similar to water or sewer districts, and require City Council approval. The city has an established process where a district advisory committee vets applications before they reach the Council to ensure they are viable and complete. He explained that the city has received one application and has been evaluating it while identifying potential improvements to the PID policy. Originally, PIDs were intended for unique enhancements beyond standard infrastructure requirements, such as special features in developments. However, through the current application

process, it became apparent that the policy might need adjustments, particularly for commercial projects. He emphasized that these changes would not apply to residential developments, as he and many Council members believe residential PIDs are problematic due to concerns about inequitable tax burdens among homeowners. He proposed a two-path system, similar to the previous Special Assessment Area (SAA) approach, where commercial properties could continue paying assessments after development, while residential properties would settle obligations before development to prevent disparities in tax rates. For commercial projects, he suggested broadening the scope of eligible infrastructure improvements to include utilities, roads, parking, public transportation, and even potential inland ports. He noted that while an inland port does not currently qualify due to an existing Community Development Area (CDA), it could become viable once the CDA expires in the future, potentially supporting manufacturing growth. He also referenced infrastructure projects related to environmental remediation efforts, such as the shoreline redevelopment, as another possible application for PIDs. He explained that the approval process for PIDs would remain largely unchanged. Applicants would still submit an initial proposal, which the city would vet to ensure it meets established criteria. However, even if a proposal meets the requirements, the city is not obligated to approve it if it is deemed unnecessary or not in the city's best interest. He highlighted how legislative changes, specifically HB 151, have eliminated many of the traditional tools the city previously used for economic development, such as tax increment financing and Redevelopment Agency (RDA) funding. While some of these programs are still active, many are reaching the end of their lifespans. The city can still use certain tools for commercial projects, but retail and sales tax-based developments now have fewer options for financial support. Given the city's limited remaining land for retail development, he suggested that PIDs could help fill financial gaps in projects where some assistance is needed to make them viable. He emphasized that the funding for PIDs comes from self-imposed taxes by the property owners within the district, rather than an additional tax burden on the city. Additionally, financing through PIDs allows developers to access better loan rates without impacting the city's overall tax capacity or credit rating.

Attorney Loose explained that the concept of unique enhancements was a key factor in how PIDs were initially introduced and justified to cities. While the statute itself broadly allows for PIDs, cities were often presented with the idea that these districts would only be used for unique public enhancements, and most cities adopted policies reflecting that approach. When considering PIDs for commercial developments, he pointed out that they offer unique financial advantages compared to residential projects. Unlike residential properties, where the city only receives a portion of property tax revenue, typically around 55%, commercial properties provide the city with the full amount of property tax. Additionally, commercial developments generate sales tax revenue, further benefiting the city. He argued that commercial projects involve sophisticated developers who understand the financial structures they are entering into, unlike residential homeowners who may be confused by varying tax rates. Because of these differences, he suggested that it makes sense to separate the process for commercial PIDs from residential ones, ensuring a more tailored approach that aligns with the distinct financial impacts and benefits of each type of development.

Director Preece explained that whether a commercial property is leased or purchased, potential buyers or tenants will conduct financial analyses, including performance evaluations, before

committing. If the property is part of a PID, those analyses will factor in the associated costs, as the PID creates an encumbrance on the property. This added financial obligation could slightly lower the property's value, as buyers must account for the additional burden when determining whether the investment is viable.

Attorney Loose explained that a previous council used a similar approach with the Special Assessment Area (SAA) for Daybreak, which allowed for the accelerated installation of water and road infrastructure. While the SAA was a different financing tool, it provided access to bond markets. At the time, the council was clear that residential properties should not be impacted long-term. As a result, residential assessments were required to be paid in full at the time of building permit issuance. In contrast, commercial properties continued to pay their assessments over time until the SAA was fully paid off, typically over a 20 to 30 year bond period. He noted that PIDs could follow a similar long-term financing structure.

Council Member Harris commented that it would be interesting to see how the use of PIDs develops in Utah. He noted that the developers utilizing this tool are typically very sophisticated and wondered whether it would primarily be Utah-based developers taking advantage of it or if venture capital groups from outside the state would seek opportunities to maximize their investments in Utah's growing market.

Mayor Ramsey acknowledged that PIDs have been slow to take off, citing Herriman's experience with a few approved PIDs that took time to secure funding. She noted that while some progress has been made, the bond market has not fully opened for these projects. She pointed out that the state of Utah is using PIDs to fund all infrastructure in phase one at The Point and that the statute includes specific language allowing municipalities to use this tool. She recalled a past discussion where the council strongly opposed PIDs in residential areas due to concerns about unequal tax burdens on similar homes. While she remains hesitant about PIDs in general, she recognized their potential as an additional tool for economic development, particularly for infrastructure funding in commercial projects. Given the limited options for economic development financing, she expressed support for adding PIDs to the city's toolbox as a resource that could be considered on a case-by-case basis.

City Manager Lewis emphasized that while the city isn't required to use PIDs, having them as an option allows flexibility. If the right project comes along and a PID is the appropriate tool, it would be beneficial to have it available.

Mayor Ramsey acknowledged the other side of the argument, noting that there are projects where, without a tool like a PID, a developer simply wouldn't have the financial means to install necessary infrastructure. In cases where no existing infrastructure is available, a PID might be the only viable option to move a project forward.

Council Member Harris shared insights from a public sewer board meeting, noting how developers evaluate funding options, including PIDs, reimbursements, and impact fees. He observed that PIDs can provide additional financial leverage, allowing developers to move forward with projects that might otherwise be constrained by existing rules or funding

limitations. This flexibility can help address infrastructure needs while maintaining financial feasibility for developers.

City Manager Lewis compared PIDs to the way the city funds its own projects, by combining various funding sources like general funds, impact fees, federal funds, and state funds. Similarly, developers explore multiple financing options to make projects viable. He emphasized that a PID is just one more tool in that process and reassured the council that they have full discretion over when and how it is used.

Director Preece summarized by comparing PIDs to other economic development tools the city has used in the past. While the city still has tools for office buildings and similar developments, they can no longer be applied to retail. The city has always been selective in granting such incentives, ensuring they meet the city's priorities. He concluded by stating that if the council is comfortable, staff will bring back a resolution to adopt a new or revised policy.

Council Member McGuire motioned to recess the City Council Study Meeting agenda to move to Executive Closed Session to discuss the character, professional competence, or physical or mental health of an individual. Council Member Harris seconded the motion; vote was 5-0 unanimous in favor.

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

G. Executive Closed Session: 6:10 p.m.

- G.1. Discuss the character, professional competence, physical or mental health of an individual.

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL STUDY MEETING

Council Member Zander motioned to adjourn the Executive Closed Session and move back to the City Council Study Meeting. Council Member Johnson seconded the motion; vote was 5-0 unanimous in favor.
vote.

ADJOURNMENT

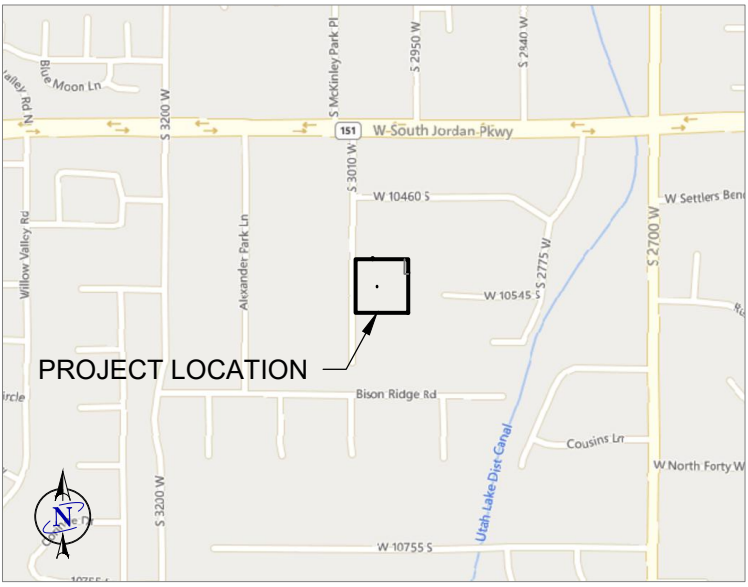
Council Member Zander motioned to adjourn the February 4, 2025 City Council Study Meeting. Council Member McGuire seconded the motion; vote was 5-0 unanimous in favor.

The February 4, 2025 City Council Study meeting adjourned at 6:36 p.m.

This is a true and correct copy of the February 4, 2025 City Council Study Meeting Minutes, which were approved on February 18, 2025.

Anna Crookston

South Jordan City Recorder



VICINITY MAP N.T.S.

WHEADON ACRES LOTS 14 & 15A AMENDED FINAL PLAT

LOCATED IN THE NORTHWEST QUARTER OF
SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE & MERIDIAN,
SOUTH JORDAN, UTAH

SURVEYOR'S CERTIFICATE:

I, JARED ASHTON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NO. 12411560 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREAFTER KNOWN AS:

WHEADON ACRES LOTS 14 & 15A AMENDED

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



JARED ASHTON
UTAH PROFESSIONAL LAND SURVEYOR
LICENSE NO. 12411560

PROPERTY DESCRIPTION DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WEST 1320.04 FEET AND NORTH 00°00'31" EAST 295.94 FEET FROM THE CENTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 14, WHEADON ACRES SUBDIVISION ON RECORD AT THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY #2317193; THENCE ALONG THE SOUTH LOT LINE OF SAID LOT 14 WEST 285.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF 3010 WEST STREET; THENCE ALONG SAID RIGHT OF WAY NORTH 00°00'31" EAST 290.40 FEET TO THE NORTHWEST CORNER OF LOT 15A OF SAID WHEADON ACRES SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID LOT 15A EAST 285.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 15A; THENCE ALONG THE EAST LINE OF SAID LOTS 14 & 15A SOUTH 00°00'31" WEST 290.40 FEET TO THE POINT OF BEGINNING.

CONTAINS 82,764 SF OR 1.90 ACRES MORE OR LESS

OWNER'S DEDICATION AND CONSENT TO RECORD:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS:

WHEADON ACRES LOT 14 & 15A AMENDED

AND DO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20____

OWNER

OWNER'S ACKNOWLEDGEMENT:

STATE OF _____)
COUNTY OF _____) SS.

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____ IN THE STATE OF _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ SIGNING THE FORGOING OWNER'S DEDICATION WHO DULY ACKNOWLEDGED BEFORE ME THAT HE/SHE DID EXECUTE THE SAME FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSION IN UTAH
RESIDING IN _____ COUNTY

MY COMMISSION NO. _____ PRINTED FULL NAME OF NOTARY

WHEADON ACRES LOTS 14 & 15A AMENDED

SITUATED IN THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH

OWNER / DEVELOPER
DANIEL MILAR



10430 South 2700 West, South Jordan, Utah 84095
Phone: (801) 253-0248 Fax: (801) 253-6139

SHEET

PL1

LEGEND

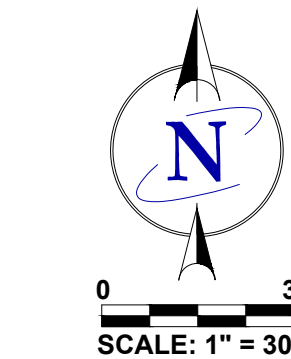
- SECTION CORNER (FOUND)
- STREET MONUMENT (FOUND)
- SECTION LINE
- CENTERLINE
- BOUNDARY LINE
- EASEMENT LINE
- SETBACK LINE
- (M) MEASURED
- (R) RECORD
- SET REBAR AND CAP (PROTERRA)

GENERAL NOTES:

- THIS PLAT IS SUBJECT TO A DEVELOPMENT AGREEMENT WITH SOUTH JORDAN CITY.

WEST QUARTER CORNER OF SECTION 16
TOWNSHIP 3 SOUTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
(FOUND MONUMENT)

BASIS OF BEARINGS
WEST 2640.48'(M)



CENTER OF SECTION 16
TOWNSHIP 3 SOUTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
(FOUND MONUMENT)

PUBLIC UTILITY APPROVAL	
CENTURYLINK: _____	DATE: _____
COMCAST: _____	DATE: _____
DOMINION ENERGY: _____	DATE: _____
ROCKY MTN. POWER: _____	DATE: _____
OTHER: _____	DATE: _____

CITY ENGINEER
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.
_____ SOUTH JORDAN CITY ENGINEER

SOUTH VALLEY SEWER DISTRICT
APPROVED THIS _____ DAY OF _____, A.D., 20____.
_____ SOUTH VALLEY SEWER DISTRICT

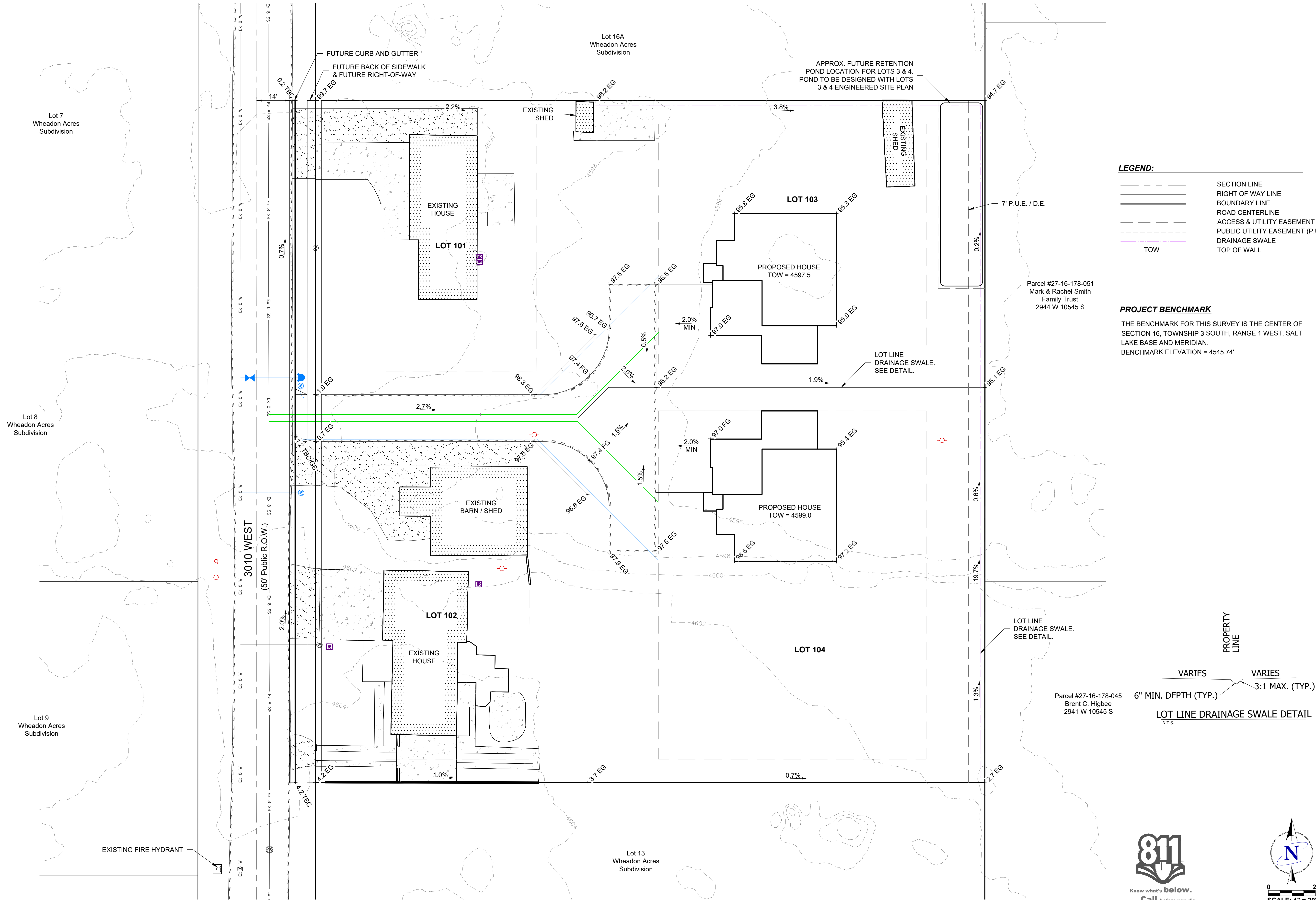
HEALTH DEPARTMENT
APPROVED THIS _____ DAY OF _____, A.D., 20____.
_____ REPRESENTATIVE

OFFICE OF THE CITY ATTORNEY
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D., 20____.
_____ ATTORNEY FOR SOUTH JORDAN CITY

CITY PLANNER
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D., 20____.
_____ CITY PLANNER

SOUTH JORDAN CITY MAYOR
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D., 20____.
_____ MAYOR

SALT LAKE COUNTY RECORDER
RECORDED NO. _____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE \$ _____ DEPUTY SALT LAKE COUNTY RECORDER

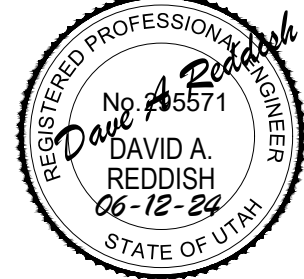


WHEADON ACRES LOTS 14 & 15A AMENDED

GRADING PLAN
CONSTRUCTION DRAWINGS

REVISIONS

DESIGN CHECK:
DRAFTING CHECK:



SHEET:

GP1

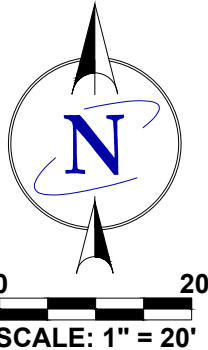
LEGEND:

- SECTION LINE
- RIGHT OF WAY LINE
- BOUNDARY LINE
- ROAD CENTERLINE
- ACCESS & UTILITY EASEMENT
- PUBLIC UTILITY EASEMENT (P.U.E.)
- DRAINAGE SWALE
- TOP OF WALL

PROJECT BENCHMARK
THE BENCHMARK FOR THIS SURVEY IS THE CENTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.
BENCHMARK ELEVATION = 4545.74'

LOT LINE DRAINAGE SWALE DETAIL
N.T.S.

VARIES
6" MIN. DEPTH (TYP.)
VARIES
3:1 MAX. (TYP.)



DEVELOPMENT AGREEMENT

The City of South Jordan, a Utah municipal corporation (the “City”), and Mulberry Cottage LLC and WHDTMR LLC (the “Developer”), enter into this Development Agreement (this “Agreement”) this _____ day of _____, 20____ (“Effective Date”), and agree as set forth below. The City and the Developer are jointly referred to as the “Parties”.

RECITALS

WHEREAS, the Developer is the owner of certain real property identified as Assessor’s Parcel Number(s) 27-16-178-011 and 27-16-178-012 specifically described in attached Exhibit A (the “Property”) and intends to develop the Property consistent with the Concept Plan attached as Exhibit B (the “Concept Plan”); and

WHEREAS, the City, acting pursuant to (1) its authority under Utah Code Annotated 10-9a-102(2) *et seq.*, as amended, and (2) the South Jordan City Municipal Code (the “City Code”), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, the City has made certain determinations with respect to the proposed development of the Property and in exercise of its legislative discretion has elected to enter into this Agreement; and

WHEREAS, the Property is currently subject to the City Code and is within the Single-Family Residential R-1.8 zone (the “R-1.8 Zone”). A copy of the provisions of such zone designation in the City Code is attached as Exhibit C; and

WHEREAS, the Developer desires to make improvements to the Property in conformity with this Agreement and desires a zone change on the Property from R-1.8 to R-1.8 with the Flag Lot Overlay (the “The R-1.8 (FL) Zone”). A copy of the provisions of the Flag Lot Overlay Zone designation in the City Code is attached as Exhibit D; and

WHEREAS, the Developer and the City acknowledge that the development and improvement of the Property pursuant to this Agreement will provide certainty useful to the Developer and to the City in ongoing and future dealings and relations among the Parties; and

WHEREAS, the City has determined that the proposed development contains features which advance the policies goals and objectives of the South Jordan City General Plan, preserve and maintain the open and sustainable atmosphere desired by the citizens of the City, or contribute to capital improvements which substantially benefit the City and will result in planning and economic benefits to the City and its citizens; and

WHEREAS, this Agreement shall only be valid upon approval of such by the South Jordan City Council, pursuant to Resolution R2024-42 a copy of which is attached as Exhibit E; and

WHEREAS, the City and the Developer acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the

South Jordan City Council, in its sole legislative discretion, approves a zone change for the Property currently zoned as R-1.8 to a zone designated as R-1.8 (FL) Zone.

NOW THEREFORE, based upon the foregoing recitals and in consideration of the mutual covenants and promises contained set forth herein, the Parties agree as follows:

TERMS

A. Recitals; Definitions. The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the City Code.

B. Enforceability: The City and the Developer acknowledge that the terms of this Agreement shall be enforceable, and the rights of the Developer relative to the Property shall vest, only if the South Jordan City Council in its sole legislative discretion approves a zone change for the Property currently zoned as R-1.8 to a zone designated as R-1.8 (FL) Zone.

C. Conflicting Terms. The Property shall be developed in accordance with the requirements and benefits provided for in relation to an R-1.8 zone under the City Code as of the Effective Date. In the event of a discrepancy between the requirements of the City Code including the R-1.8 zone, and this Agreement, this Agreement shall control.

D. Developer Obligations:

1. Concept Plan. The Developer agrees to construct the development consistent with the Concept Plan and the requirements set forth in this Agreement and the City Code.
2. Single Family Housing. Only single-family detached housing shall be allowed in the Wheadon Acres Lots 14 and 15A Amended Subdivision.
3. Accessory Dwelling Units. Internal Accessory Dwelling Units (IADUs) are permitted under this agreement. Guesthouses as defined in Section 17.08.010 of the City Code will be prohibited on the property and Developer agrees to execute further documents that may be necessary such as plat restrictions or deed restrictions that will be recorded and run with the land to memorialize and enforce this restriction.
4. Public Right of Way. The Developer will give to the City cash in-lieu of constructing the required future road improvements in the amount of \$32,098.00.
5. Fencing. The Developer agrees that there are no animal rights on the subject properties pursuant to City Code § 17.130.040 in exchange for not being required to erect masonry walls along the property lines between Lots 101 and 102 and Lots 103 and 104 of the Wheadon Acres Lots 14 and 15A Amended Subdivision. The developer agrees and acknowledges this

restriction will be noted on the official recorded amended subdivision plat. Should future property owners of the amended subdivision plat want to restore animal rights under the Farm Animal Floating Zone, they will need to apply to the City to amend the subdivision plat and comply with the City Code as it exists at that time. This agreement does not change the incompatible land use fencing requirements between the properties of the Wheadon Acres 14 and 15A Amended Subdivision and properties outside of said amended subdivision.

6.

E. City Obligations.

1. Development Review. The City shall review development of the Property in a timely manner, consistent with the City's routine development review practices and in accordance with all applicable laws and regulations. .

G. Vested Rights and Reserved Legislative Powers.

1. Vested Rights. Consistent with the terms and conditions of this Agreement, City agrees Developer has the vested right to develop and construct the Property in accordance with: (i) the R-1.8 and Flag Lot Overlay (Exhibits C and D) zoning designation; (ii) the City Code in effect as of the Effective Date and; (iii) the terms of this Agreement.

2. Reserved Legislative Powers. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer under this Agreement and with respect to use under the zoning designations as referenced in *Section III.A.* above under the terms of this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Property shall be of general application to all development activity in the City and Salt Lake County (the "County"); and, unless in good faith the City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine. The notice required by this paragraph shall be that public notice published by the City as required by State statute

H. Term. This Agreement shall be effective as of the date of recordation, shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the parties mutually agree to extend the term, this agreement shall not extend further than a period of 10 years from its date of recordation in the official records of the Salt Lake County Recorder's Office.

I. General Provisions.

1. Notices. All Notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least 10 days before the date on which the change is to become effective:

If to City: ATTN: City Recorder
City of South Jordan
1600 West Towne Center Drive
South Jordan City, Utah 84095
Attention: City Recorder

If to Developer:

Mulberry Cottage LLC & WHDTMR LLC
10696 S Bison View Cv
South Jordan, Utah 84095

2. Mailing Effective. Notices given by mail shall be deemed delivered 72 hours following deposit with the U.S. Postal Service in the manner set forth above.

3. No Waiver. Any party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

4. Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only, and shall not control or affect the meaning or construction of any provision this Agreement.

5. Authority. The parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants it is fully formed and validly existing under the laws of the State of Utah, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Developer and the City warrant to each other that the individuals executing this Agreement on behalf of their respective parties are authorized and empowered to bind the parties on whose behalf each individual is signing. Developer represents to the City that by entering into this Agreement Developer has bound all persons and entities having a legal or equitable interest to the terms of the Agreement as of the Effective Date.

6. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by the City for the Property

contain the entire agreement of the parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the parties which are not contained in such agreements, regulatory approvals and related conditions.

7. Amendment. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the parties to this Agreement or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.

8. Severability. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developer's ability to complete the development of the Property as set forth in the Concept Plan is not defeated by such severance.

9. Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of the Agreement. The parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The Parties hereby expressly waive any right to object to such choice of law or venue.

10. Remedies. If any party to this Agreement breaches any provision of this Agreement, the non-defaulting party shall be entitled to all remedies available at both law and in equity.

11. Attorney's Fee and Costs. If any party brings legal action either because of a breach of the Agreement or to enforce a provision of the Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs.

12. Binding Effect. The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors in interest and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

13. No Third Party Rights. The obligations of the Developer and the City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise provided herein.

14. Assignment. Developer may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement and Developer shall be deemed released of its obligations in connection with this Agreement; provided, however, that Developer shall provide the City with notice of the assignment of this Agreement within a reasonable time after the occurrence of such assignment.

15. No Agency Created. Nothing contained in the Agreement shall create any partnership, joint venture, or agency relationship between the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

{Signatures follow on next page}

APPROVED AS TO FORM:

Attorney for the City

Notary Public

By: _____

Title: President

On the _____ day of September, 2024 personally appeared before me Daniel T. Milar who being by me duly sworn, did say that he, the said Daniel T. Milar is the President of MULBERRY COTTAGE LLC, a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Daniel T. Milar duly acknowledged to me that said corporation executed the same.

Notary Public

By: _____

Name: Daniel T. Milar

Title: President

State of Utah)

:ss

County of Salt Lake)

On the _____ day of September, 2024 personally appeared before me Daniel T. Milar who being by me duly sworn, did say that he, the said Daniel T. Milar is the President of WHDTMR LLC, a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Daniel T. Milar duly acknowledged to me that said corporation executed the same.

Notary Public

Exhibit A

(Legal Description of the Property)

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WEST 1320.04 FEET AND NORTH 00°00'31" EAST 295.95 FEET FROM THE CENTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 14, WHEADON ACRES SUBDIVISION ON RECORD AT THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY #2317193; THENCE ALONG THE SOUTH LOT LINE OF SAID LOT 14 WEST 285.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF 3010 WEST STREET; THENCE ALONG SAID RIGHT OF WAY NORTH 00°00'31" EAST 290.40 FEET TO THE NORTHWEST CORNER OF LOT 15A OF SAID WHEADON ACRES SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID LOT 15A EAST 285.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 15A; THENCE ALONG THE EAST LINE OF SAID LOTS 14 & 15A SOUTH 00°00'31" WEST 290.40 FEET TO THE POINT OF BEGINNING.

CONTAINS 82,764 SF OR 1.90 ACRES MORE OR LESS

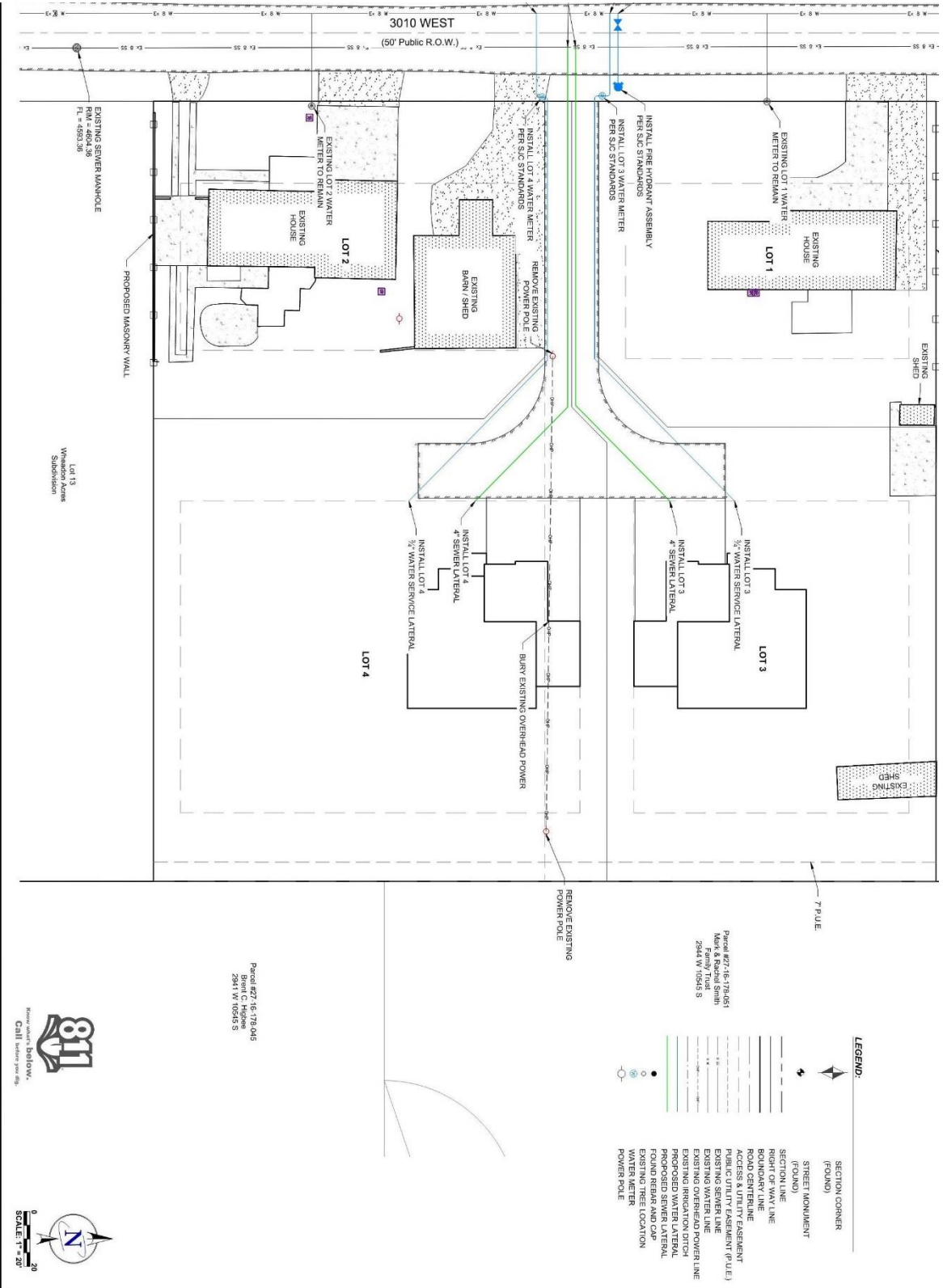


Exhibit C

R - 1.8 ZONE City Code Provisions

CHAPTER 17.40 RESIDENTIAL ZONES

17.40.010: PURPOSE

17.40.020: DEVELOPMENT AND DESIGN STANDARDS

17.40.030: OTHER REQUIREMENTS

17.40.010: PURPOSE

This chapter is established to provide standards and regulations, consistent with the city's general plan and the purposes and provisions of this title, for single-family residential areas in the city. This chapter shall apply to the following residential zones as established in chapter 17.20, "Zone Establishment", of this title: R-1.8, R-2.5, R-3, R-4, R-5, and R-M zones. Uses may only be conducted in residential zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and other associated use regulations may be found in chapter 17.18, "Uses", of this title.

HISTORY

Repealed & Replaced by Ord. 2016-05 on 5/3/2016

17.40.020: DEVELOPMENT AND DESIGN STANDARDS

1. Development Review: Uses proposed in residential zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in residential zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as otherwise allowed under state law.
2. Lot Area: The area of any lot in residential zones shall not be less than the minimum lot area requirement identified in the minimum lot area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

Zone	Minimum Lot Area (Square Feet)
R-1.8	14,520
R-2.5	12,000
R-3	10,000
R-4	8,000
R-5	6,000
R-M	5,000

3. Lot Density: The maximum gross density (number of lots or primary dwelling units per acre) in any residential development in a residential zone shall not exceed the density

shown in the lot density table below. The primary dwelling density of each area zoned R-M shall be determined, according to the densities established in the lot density table, with approval of a rezoning application per chapter 17.22, "Zoning Amendments", of this title and indicated on the official zoning map with a numerical suffix matching the approved density.

Zone	Maximum Gross Density
R-1.8	1.8
R-2.5	2.5
R-3	3
R-4	4
R-5	5
R-M-5	5
R-M-6	6

4. **Lot Width And Frontage:** Each lot or parcel in a residential zone shall have a minimum lot width not less than the dimension in the minimum width column of the lot width and frontage table below. The minimum lot width shall be measured at the minimum front yard requirement (see subsection F of this section) that shall be determined from a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance not less than the dimension in the frontage (standard) column of the lot width and frontage table below, except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right-of-way or landscaped open space a minimum distance not less than the dimension in the frontage (diverged) column.

Zone	Minimum Width	Frontage (Standard)	Frontage (Diverged)
R-1.8	90'	90'	50'
R-2.5	90'	90'	50'
R-3	85'	85'	50'
R-4	80'	80'	50'
R-5	75'	75'	50'
R-M-5	65'	65'	40'
R-M-6	60'	60'	40'

5. Lot Coverage: The area of lot, parcel or private ownership area in a residential zone covered by buildings shall not exceed the percentage identified in the lot coverage table below of the total lot, parcel or private ownership area.

Zone	Maximum Building Coverage
R-1.8	40%
R-2.5	40%
R-3	40%
R-4	40%
R-5	50%
R-M	60%

6. Yard Area: The yard area (setback) requirements below shall apply in all residential zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review.

1. Main Buildings: Minimum yard area requirements for main buildings are as follows:

Zone	Front Yard (Interior And Corner Lots)	Garage Opening¹ (Front Or Street Side)	Front Yard (Cul-De-Sac Lots)	Side Yard (Standard)	Side Yard (Corner Lot Street Side)	Rear Yard (Interior Lot)	Rear Yard (Corner Lot)
R-1.8	30'	30'	25'	10'	30'	25'	10'
R-2.5	25'	30'	20'	10'	25'	25'	10'
R-3	25'	30'	20'	10'	25'	25'	10'
R-4	20'	25'	20'	8'	20'	20'	10'
R-5	20'	25'	20'	8'	20'	20'	10'
R-M-5	20'	25'	20'	8'	10'	20'	10'
R-M-6	20'	25'	20'	8'	10'	20'	10'

- 2.

1. Accessory Buildings: Minimum yard area requirements for accessory buildings

are as follows:

1. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.
2. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings less than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line.
3. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').
2. Buildings Used To Shelter Animals: Buildings used for the housing or shelter of animals shall be located a minimum distance of forty feet (40') from any existing dwelling or neighborhood street right-of-way or, if approved with a conditional use permit, a minimum of twenty feet (20') from any collector street right-of-way line.
3. Projections: The following may be erected on or projected into any required yard space in Residential Zones:
 1. Fences and walls in conformance with this Code.
 2. Agricultural crops and landscape elements, including trees, shrubs and other plants.
 3. Utility or irrigation equipment or facilities.
 4. Decks not more than two feet (2') high.
 5. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.
 6. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

G. Parking And Access: Parking areas and vehicle access in Residential Zones shall meet the requirements of title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title, and title 10 of this Code (Traffic Code). A driveway may only directly access a collector or arterial street with approval of the Utah Department of Transportation ("UDOT") for UDOT streets or with approval of the City Engineer for City streets.

1. H. Fencing, Screening And Clear Vision : The fencing, screening and clear vision requirements of this section shall apply in Residential Zones.
 1. Utility Screening: In nonresidential developments, all mechanical equipment,

antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.

2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.
3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in Clear Vision Areas, according to Section 16.04.200 (J). A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.
5. Clear Vision Area: Landscape materials within a Clear Vision Area shall comply with Section 16.04.200 (J).
6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right-of-way in a Residential Zone shall be constructed according to section 16.04.200 of this Code.

I. Architecture: The following exterior materials and architectural standards are required in Residential Zones:

1. General Architectural Standards:

- a. All building materials shall be high quality, durable and low maintenance.
- b. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.
- c. Signs shall meet requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.
- d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

- a. Residential main buildings shall include a minimum two car garage (minimum twenty-two feet (22') by twenty-two feet (22'), or an approved equivalent area).
- b. The minimum total floor area, finished and unfinished, of any residential main building shall be one thousand (1,000) square feet not including a garage.

- c. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.
- 3. Architectural Standards For Accessory Buildings:
 - a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high.
 - b. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M Zones shall not exceed sixty percent (60%) of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty percent (60%) but in no case shall exceed the footprint of the main building. In the R-1.8 Zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.
 - c. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:
 - 1. Openings (e.g., windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.
 - 2. The average wall height shall not exceed sixteen feet (16') above grade.
 - d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch in the R-1.8 Zone, and a minimum three to twelve (3:12) roof pitch over a majority of the structure in all other Residential Zones.
 - e. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

J. Landscaping: The following landscaping requirements and standards shall apply in Residential Zones. Landscaping in Residential Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.

- 1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area

covered in acceptable live plant material unless otherwise approved with a conditional use permit.

2. All collector street and other public and private park strips in Residential Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.
3. Where an adjacent park strip in a residential right-of-way is a minimum of five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip, except that park strip trees shall not be planted within thirty feet (30') of a stop sign. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.
4. In developments that have a principal use other than single-family, detached, the following landscaping requirements shall apply:
 1. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.
 2. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sports or play areas, is required. At least thirty percent (30%) of all required trees shall be a minimum seven foot (7') evergreen. Deciduous trees shall be a minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.
 3. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.
 4. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.
 5. All landscaped areas shall be curbed.
5. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any area so included and perpetually preserved as open space may be counted toward required open space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300, "Deferred Improvements", of this Code.
 7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public rights-of-way that are not maintained by the City.
 8. Required trees may not be topped and required landscape material may not be removed in Residential Zones without City approval.
 9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.
1. Lighting:
 1. A lighting plan shall be submitted with all new nonresidential developments in Residential Zones.
 2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.
 3. Lighting fixtures in all developments that have a principal use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.
 4. Lighting fixtures on public property shall be approved by the City Engineer.
 2. Streets: Streets in Residential Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in Residential Zones unless otherwise provided for in this chapter.

17.40.030: OTHER REQUIREMENTS

1. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel.
2. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.
3. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.
4. Common Areas: All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually owned and maintained by the property owners of the development or their agents through a special

taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City.

5. Prior Created Lots: Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a Residential Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.
6. Approval: Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this Code and the applicable plat recorded with the Salt Lake County Recorder's Office.
7. Open Space: Any open space provided within a subdivision to be jointly owned, maintained and preserved by a homeowners' association and/or special assessment area acceptable to the City shall be labeled and recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The City may determine the location of open space in a subdivision by considering topography, drainage or other land features. The City may require a cash bond or a letter of credit to guarantee installation of improvements.
8. Developer Requirements: Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants and restrictions ("CC&Rs") to the City for staff review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:
 1. An opinion of legal counsel licensed to practice law in the State that the project meets requirements of State law.
 2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to City conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by City staff and approved by the Planning Commission.
 3. Language consistent with section 17.04.300 of this title.

Exhibit D

Flag Lot Overlay ZONE City Code Provisions

17.130.060.010: PURPOSE

The purpose of the Flag Lot Overlay Zone (FL) is to allow for the creation of a flag lot in an existing subdivision that does not meet the minimum area requirement in subsection 16.04.160D of Title 16. The FL may be applied to an existing lot under unique circumstances as determined by the City Council and its consideration of following provisions.

HISTORY

Adopted by Ord. 2020-03 on 9/15/2020

17.130.060.020: ESTABLISHMENT

1. Procedure:
 1. Concept: Applicants are encouraged to submit a concept plan and work with staff prior to application to understand the surrounding area, the goals and policies of the City's General Plan, and to ensure the minimum requirements of the FL can be met.
 2. Rezone: An FL shall only be established upon approval by the City Council as a rezone according to the provisions of Chapter 17.22, "Zoning Amendments", of this Title and as may be required elsewhere in this Title. City Council rezone approval of the FL shall be by development agreement.
 3. Concurrent Preliminary Subdivision (Optional): At the applicant's option and with the approval of the Planning Director, the applicant may submit a preliminary subdivision application to be processed concurrently with an FL rezone. In the case of concurrent applications, Planning Commission approval of a concurrent preliminary subdivision shall be contingent on the City Council's approval of the FL rezone.
2. Application Requirements:
 1. The subject lot shall have a minimum lot width not less than one hundred twenty-five feet (125') as measured along the property line adjacent to the public right-of-way.
 2. The applicant shall provide a letter that justifies the establishment of the FL and addresses any efforts to limit the impact of development on neighboring properties.
 3. The applicant shall provide a concept plan that shall include a preliminary subdivision layout showing the location, footprint and building elevations of the proposed house.
 4. Notices of the public hearing shall be sent in accordance with the requirements in Subsection 16.04.060 of Title 16 and the Utah Code Annotated, except that:
 1. The area requirement for notices shall include all property owners within the subdivision and adjacent to the subject property.
3. Effect Of Approval:
 1. All of the provisions of this Code, including those of the base zone, shall be in full force and effect (with the exception of the flag lot requirement contained in subsection 16.04.160D1a in Title 16), unless such provisions are expressly waived or modified by the approved development agreement.

2. An approved FL shall be shown on the zoning map by a "-FL" designation after the designation of the base zone district.
3. The city shall not issue permits for development within an approved FL unless the development complies with the approved development agreement.

HISTORY

Adopted by Ord. 2020-03 on 9/15/2020

17.130.060.030: AMENDMENTS

Any application to amend an approved FL shall be processed as a zone text amendment. Any amendment to an approved FL requires that the corresponding development agreement also be amended.

ATTACHMENT B





Uniform Crime Reporting

Summary/Index vs. NIBRS

- USA TODAY December 29,2020
- The FBI has used the Uniform Crime Reporting Summary System, which was created in **1929**, for the past nine decades.
- There are about 18,000 law enforcement agencies in the United States. Only a bit more than 16,000 of them reported monthly crime figures last year in **eight relatively broad categories.**

Homicide, Robbery, Rape, Aggravated Assault
Burglary, Larceny, Motor Vehicle Theft, Arson

Uniform Crime Report 2019

Agency	Population	Index Crimes								Index Crimes Totals	Crime Rate Per 1,000
		Homicide**	Rape*	Robbery	Aggravated Assault	Burglary	Larceny	Motor Vehicle Theft	Arson		
ALTA MARSHAL	383	0	0	0	0	0	17	1	0	18	47.00
BLUFFDALE PD	15,976	0	5	6	10	33	81	13	0	148	9.26
COTTONWOOD HEIGHTS PD	34,183	0	16	10	28	90	690	26	2	862	25.22
DRAPER PD	49,112	0	24	5	37	127	726	50	8	977	19.89
GRANITE SCHOOL DISTRICT PD		0	0	9	33	1	104	7	7	161	
HERRIMAN PD	48,948	0	17	4	27	41	240	33	0	362	7.40
MURRAY PD	49,642	0	43	31	139	375	2,157	304	1	3,050	61.44
RIVERTON PD	45,153	0	10	3	18	33	241	22	0	327	7.24
SALT LAKE CITY PD	202,426	14	195	407	796	1,258	9,051	1,028	30	12,779	63.13
SANDY PD	97,797	4	36	35	102	329	1,843	178	6	2,533	25.90
SOUTH JORDAN PD	77,645	2	10	9	46	162	880	75	1	1,185	15.26
SOUTH SALT LAKE PD	25,599	1	21	49	131	249	1,273	325	4	2,053	80.20
UNIFIED FIRE AUTHORITY INVESTIGATIONS		0	0	0	0	0	0	0	13	13	
UNIFIED POLICE DEPT. OF GREATER SALT LAKE	266,241	8	136	147	425	966	6,087	875	20	8,664	32.54
UNIVERSITY OF UTAH PD		0	1	0	4	20	314	19	0	358	
WEST JORDAN PD	117,644	1	34	35	191	255	2,093	183	7	2,799	23.79
WEST VALLEY CITY PD	137,269	11	112	136	654	630	3,084	615	14	5,256	38.29
SALT LAKE COUNTY TOTAL	1,168,018	41	660	886	2,641	4,569	28,881	3,754	0	41,545	35.57

Crimes Against Persons = 67

Crimes Against Property = 1,118

UCR: Summary/Index vs. NIBRS

- Summary Data: **Crimes Against Persons**
 - Homicide, Rape, Robbery, Aggravated Assault
- NIBRS Data: **Crimes Against Persons**
 - Murder, Negligent Homicide, Kidnapping, Rape, Sodomy, Sexual Assault with an object, Fondling, Incest, Statutory Rape, Aggravated Assault, Simple Assault, Intimidation, Human Trafficking-Commercial Sex Acts, Human Trafficking-Involuntary Servitude

UCR: Summary/Index vs. NIBRS

- Summary Data: **Crimes Against Property**
 - Burglary, Larceny, Motor Vehicle Theft, Arson
- NIBRS Data: **Crimes Against Property**
 - Arson, Bribery, Burglary, Counterfeiting/Forgery, Destruction of Property, Embezzlement, Extortion/Blackmail, False Pretense/Swindle/Confidence Games, Credit Card Fraud, Impersonation, Welfare Fraud, Wire Fraud, Identity Theft, Computer Hacking/Invasion, Pocket-Picking, Purse-Snatching, Shoplifting, Theft from Building, Theft from Coin-Operated Machine, Theft from Motor Vehicle, Theft of Vehicle Parts, All Other Larceny

UCR: NIBRS Adds Crimes Against Society

- NIBRS Data: **Crimes Against Society**
 - Animal Cruelty, Drug Violations, Drug Equipment Violations (Paraphernalia), Operating/Promoting/Assisting Gambling, Betting/Wagering, Gambling Equipment Violations, Sports Tampering, Pornography/Obscene Material, Prostitution, Assisting/Promoting Prostitution, Purchasing Prostitution, and Weapon Law Violations

Uniform Crime Report 2019

Agency	Population	Index Crimes								Index Crimes Totals	Crime Rate Per 1,000
		Homicide**	Rape*	Robbery	Aggravated Assault	Burglary	Larceny	Motor Vehicle Theft	Arson		
ALTA MARSHAL	383	0	0	0	0	0	17	1	0	18	47.00
BLUFFDALE PD	15,976	0	5	6	10	33	81	13	0	148	9.26
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SOUTH JORDAN PD	77,645	2	10	9	46	162	880	75	1	1,185	15.26
SOUTH SALT LAKE PD	25,599	1	21	49	131	249	1,273	325	4	2,053	80.20
UNIFIED FIRE AUTHORITY INVESTIGATIONS		0	0	0	0	0	0	0	13	13	
UNIFIED POLICE DEPT. OF GREATER SALT LAKE	266,241	8	136	147	425	966	6,087	875	20	8,664	32.54
UNIVERSITY OF UTAH PD		0	1	0	4	20	314	19	0	358	
WEST JORDAN PD	117,644	1	34	35	191	255	2,093	183	7	2,799	23.79
WEST VALLEY CITY PD	137,269	11	112	136	654	630	3,084	615	14	5,256	38.29
SALT LAKE COUNTY TOTAL	1,168,018	41	660	886	2,641	4,569	28,881	3,754	0	41,545	35.57

Crimes Against Persons = 67

Crimes Against Property = 1,118

NIBRS Offenses						
Agency Name	Population	Crimes Against Persons Total	Crimes Against Property Total	Crimes Against Society Total	NIBRS Offenses Total	Crime Rate Per 1,000
Millard County Total	13,553	154	239	308	701	51.72
Morgan County Sheriff	12,941	17	77	22	116	8.96
Morgan County Total	12,941	17	77	22	116	8.96
Piute County Sheriff	1,481	No Data Submitted				
Piute County Total	1,481	No Data Submitted				
Rich County Sheriff	2,500	No Data Submitted				
Rich County Total	2,500	No Data Submitted				
Unified Police Dept. of Greater Salt Lake	217,034	2,493	10,927	1,339	14,759	68.00
Murray PD	48,524	710	4,506	475	5,691	117.28
Salt Lake City PD	205,929	6,058	21,944	3,502	31,504	152.98
South Salt Lake PD	25,422	747	3,201	1,420	5,368	211.16
Sandy PD	95,353	1,001	4,228	1,078	6,307	66.14
West Jordan PD	117,862	1,151	4,408	1,263	6,822	57.88
University of Utah PD	-	167	423	73	663	-
Draper PD	49,671	280	1,664	205	2,149	43.26
Riverton PD	44,951	184	889	178	1,251	27.83
South Jordan PD	81,919	402	2,031	365	2,798	34.16
Bluffdale PD	19,428	99	334	166	599	30.83
Alta Marshal	376	0	5	0	5	13.30
West Valley PD	134,329	2,320	6,671	1,964	10,955	81.55
Granite School District PD	-	159	158	187	504	-
Taylorsville PD	59,468	358	1,383	500	2,241	37.68
Cottonwood Heights PD	33,301	204	1,283	306	1,793	53.84
Herriman PD	61,086	325	1,033	156	1,514	24.78
Salt Lake County Total	1,194,653	16,658	65,088	13,177	94,923	79.46

	2021	2022	2023	2024	
CAD Calls	38879	38300	40261	37370	7%
GO	9778	10196	11035	10806	
COR	-	-	-	118	
Arrests	306	368	390	415	6%
Accidents	1113	966	974	947	3%
911 Hangup	388	426	325	246	24%
Reckless Driver	605	596	655	795	21%
Suspicious Person/Vehicle	1666	1603	2050	1927	
Charges - Misdemeanors	886	1131	1013	1296	28%
Charges - Felony	192	229	262	150	43%
Priority Calls 1-3	21419	20396	21923	19395	12%
3+ Officers Dispatched - CAD	3273	3816	4092	4724	15%
2+ Officers Dispatched - CAD	8549	9253	10011	10082	
1 Officer Dispatched - CAD	16358	16715	18436	18872	



Salt Lake County Sheriff's Office
2024 Agency Arrest Statistics

Arresting Agency	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	Avg Bkg Time	2023 Total	2022 Total
Alta Marshal	1	0	0	1	0	0	0	0	0	0	0	0	2	0	0	0
AP&P - Salt Lake	162	136	140	139	151	124	104	110	129	134	128	117	1574	31.22	1615	1676
Bluffdale Police	6	10	10	6	11	15	8	7	11	14	14	12	124	35	133	111
Cottonwood Heights Police	19	25	37	29	39	54	52	43	22	36	45	31	432	29.87	335	325
Draper Police	32	21	34	20	25	27	59	30	49	38	27	22	384	27.45	339	190
Federal ATF	2	1	0	0	0	0	0	0	0	0	0	0	3	0	11	14
Federal Att Gen-Utah	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	1
Federal Bureau of Inv	0	1	1	3	3	1	2	0	6	1	1	0	19	0	24	30
Federal Drug Enforcement	0	0	2	9	4	0	3	1	0	1	0	2	22	24.5	24	33
Federal Immigration and Customs Enf	28	30	39	42	41	31	39	45	36	41	29	44	445	31.3	371	260
Federal VA Medical Center Police	1	1	2	0	1	0	0	1	0	1	0	0	7	0	9	3
Granite School District Police	0	0	0	1	4	0	2	1	0	1	1	0	10	0	10	10
Herriman PD	12	6	10	10	14	12	17	11	15	16	10	22	155	30.86	125	154
Homeland Security	0	3	2	1	0	2	1	0	1	0	3	4	17	35.75	39	129
Metro Narcotics	1	2	1	2	1	1	1	0	0	1	0	0	10	0	4	1
Murray Police	70	85	70	72	73	54	78	73	66	65	68	90	864	31.3	961	1064
Riverton Police	12	19	15	7	10	15	20	6	14	10	12	11	151	26.36	113	105
Salt Lake Area Gang Project	1	3	3	2	8	2	3	2	5	3	3	0	35	0	59	64
Salt Lake Co Dist Attorne	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	3
Salt Lake Community College	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Salt Lake County Bomb / Arson Inves	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	3
Salt Lake County Constable	13	15	4	1	1	0	4	1	7	0	0	2	48	27.5	248	357
Salt Lake County Metro Jail	280	281	247	278	294	252	282	256	288	288	308	266	3320	37.8	2990	2353
Salt Lake County Probation	0	0	0	1	0	1	0	0	0	0	0	0	2	0	4	2
Salt Lake County Sheriff's Office							19	29	49	19	24	22	162	29.48		
Salt Lake Police	641	621	694	702	683	722	811	794	749	762	665	661	8505	33.79	7927	6612
Sandy Police	79	79	51	56	76	55	63	51	46	49	64	47	716	33.57	759	706
Sheriff - Public Safety	0	1	4	1	5	0	3	1	2	1	1	2	21	28	29	16
South Jordan Police	36	28	26	34	35	38	25	40	36	37	46	49	426	28.7	417	371
South Salt Lake Police	75	70	94	82	87	81	89	101	94	81	83	85	1022	32.16	1161	1354
Taylorsville PD	97	80	87	80	90	73	111	133	102	87	106	82	1128	29.81	1160	1266
Unified Police Department	170	179	155	160	159	152	155	154	151	169	154	142	1900	34.34	2279	2367
University of Utah Police	21	9	12	30	8	7	11	10	12	10	18	6	154	39.17	167	115
US Marshal	16	20	11	19	16	20	14	25	11	16	16	13	197	31.54	270	142
Utah Attorney General	5	3	1	3	0	0	3	4	4	2	2	0	27	0	49	49
Utah Bureau of Criminal Investigati	0	0	0	2	2	3	5	6	2	1	1	3	25	44.33	11	12
Utah Bureau of Investigations	8	11	16	7	7	18	24	13	12	13	4	5	138	33.4	73	70
Utah Corrections Investigations	0	0	0	1	1	2	0	0	0	0	0	0	4	0	3	0
Utah Corrections Law Enforcement Bu	5	9	4	2	3	10	5	5	6	3	3	3	58	21.33	4	0
Utah Department of Public Safety Ad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	3
Utah Division of Investigations	4	2	1	2	1	1	1	2	1	1	0	0	16	0	3	2
Utah Highway Patrol	72	70	94	74	84	81	44	50	40	30	57	45	741	32.43	705	401
Utah Highway Patrol Section 4	108	126	135	114	103	119	138	134	145	128	117	98	1465	30.56	1300	1188
Utah Transit Authority Police	70	85	101	117	104	78	77	56	62	84	104	79	1017	32.22	883	649
West Jordan Police	168	137	156	129	128	135	155	144	145	171	128	118	1714	33.32	1579	1419
West Valley Police	193	188	207	189	220	213	221	208	219	205	223	191	2477	30.72	2184	1889
Monthly Total	2408	2357	2466	2428	2493	2399	2649	2547	2537	2519	2465	2270	29538	33.05	28,391	25,519

Criminal Offense	Cases				
	2021	2022	2023	2024	
MURDER AND NONNEGLIGENT MANSLAUGHTER	1	1	0	0	
NEGLIGENT MANSLAUGHTER	0	1	0	0	
KIDNAPING ABDUCTION	3	2	3	9	200%
RAPE	30	19	21	26	24%
SODOMY	1	3	5	7	
FONDLING	63	48	49	48	
ROBBERY	10	10	6	12	100%
AGGRAVATED ASSAULT	34	20	41	54	32%
SIMPLE ASSAULT	157	160	184	166	13%
INTIMIDATION	104	154	89	98	
ARSON	1	3	6	0	
EXTORTION / BLACKMAIL	4	8	22	14	
BURGLARY / BREAKING & ENTERING	148	102	79	54	32%
POCKET-PICKING	2	2	3	0	
PURSE SNATCHING	5	10	7	2	
SHOPLIFTING	165	198	240	201	16%
THEFT FROM BUILDING	30	32	33	35	
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	1	1	0	0	
THEFT FROM MOTOR VEHICLE	427	361	228	129	43%
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	57	44	12	8	
ALL OTHER LARCENY	270	293	288	283	
MOTOR VEHICLE THEFT	130	113	88	50	43%
COUNTERFEITING / FORGERY	41	34	36	20	
FALSE PRETENSES / SWINDLE / CONFIDENCE GAME	209	198	222	201	
CREDIT CARD / AUTOMATIC TELLER MACHINE FRAUD	95	86	66	67	
IMPERSONATION	29	33	27	41	
WELFARE FRAUD	1	0	0	0	
WIRE FRAUD	33	31	47	57	
STOLEN PROPERTY OFFENSES	28	37	44	42	
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	340	279	304	274	10%
DRUG / NARCOTIC VIOLATIONS	190	156	174	140	20%
DRUG EQUIPMENT VIOLATIONS	142	123	106	84	21%
INCEST	2	1	1	0	
STATUTORY RAPE	4	1	0	0	
PORNOGRAPHY / OBSCENE MATERIAL	0	0	0	1	
PROSTITUTION	1	0	1	0	
ASSISTING OR PROMOTING PROSTITUTION	0	0	1	1	
WEAPON LAW VIOLATIONS	40	27	38	34	
HUMAN TRAFFICKING, COMMERCIAL SEX ACTS	0	0	0	0	
Criminal Offense	Cases				
	2021	2022	2023	2024	
NON-NIBRS OFFENSE	63	67	45	51	
BAD CHECKS	4	3	7	8	
CURFEW / LOITERING / VAGRANCY VIOLATIONS	1	0	1	1	
DISORDERLY CONDUCT	85	109	118	128	8%
DRIVING UNDER THE INFLUENCE	152	93	157	136	13%
DRUNKENNESS	74	52	57	65	
FAMILY OFFENSES, NONVIOLENT	504	613	832	719	14%
LIQUOR LAW VIOLATIONS	17	12	9	7	
TRESPASS OF REAL PROPERTY	148	122	148	176	19%
OTHER OFFENSES	694	720	975	1014	4%

Questions

