

**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
April 23, 2024**

Present: Chair Michele Hollist, Commissioner Laurel Bevans, Commissioner Steven Catmull, Commissioner Nathan Gedge, Commissioner Ray Wimmer, Commissioner Sam Bishop, City Attorney Ryan Loose, City Planner Greg Schindler, City Recorder Anna Crookston, Deputy City Engineer Jeremy Nielson, IT Director Jon Day, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun

Others: Lauren Eyre's iPad

Absent:

**6:31 P.M.  
REGULAR MEETING**

**A. WELCOME AND ROLL CALL – *Chair Michele Hollist***

Chair Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting.

**B. MOTION TO APPROVE AGENDA**

**Commissioner Bevans motioned to approve tonight's agenda as published. Chair Hollist seconded the motion; vote was 6-0, unanimous in favor.**

**C. APPROVAL OF THE MINUTES**

**C.1. April 9, 2024 - Planning Commission Meeting Minutes**

**Commissioner Catmull motioned to approve the April 9, 2024 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion; vote was 6-0, unanimous in favor.**

**D. STAFF BUSINESS - *None***

**E. COMMENTS FROM PLANNING COMMISSION MEMBERS**

Commissioner Laurel Bevans asked staff to pass along her thanks to Planning Director Steven Schaefermeyer for his clarifying email after the last meeting.

Commissioner Nathan Gedge asked whether the planning commissioners were required to participate in the KnowBe4 cyber security training videos.

City Planner Greg Schindler responded yes, as they are using city emails and an infected email to them could spread to the rest of the city systems and/or servers.

Chair Michele Hollist asked if those trainings would count towards their required hours.

City Attorney Ryan Loose responded that in his view, they would count, since those trainings are relevant to the City's operations.

**F. SUMMARY ACTION – None**

**G. ACTION – None**

**H. ADMINISTRATIVE PUBLIC HEARINGS – None**

**H.1. DAYBREAK VILLAGE 15 PLAT 2 PRELIMINARY SUBDIVISION**

Address: Generally located south and west of the intersection of Lake Avenue and Prosperity Road (11555 S. 6490 W.)

File No.: PLPP202400006

Applicant: Perigree Consulting on behalf of Miller Family Real Estate

City Planner Greg Schindler reviewed background information from the Staff Report.

Chair Michele Hollist invited the applicant to speak but he was not present. She then opened the Public Hearing for comments. There were no comments and the hearing was closed.

**Commissioner Gedge motioned to approve File No. PLPP202400006, Preliminary Subdivision, subject to the following: All South Jordan City requirements are met prior to recording the plat. Chair Hollist seconded the motion.**

**Roll Call Vote**

**Yes – Commissioner Gedge**

**Yes – Chair Hollist**

**Yes – Commissioner Wimmer**

**Yes – Commissioner Catmull**

**Yes – Commissioner Bevans**

**Yes – Commissioner Bishop**

**Motion passes 6-0, unanimous in favor.**

**I. LEGISLATIVE PUBLIC HEARINGS**

**I.1. TEXT AMENDMENT – AMENDING CITY CODE 17.08.010 (DEFINITIONS)  
AND 17.130.030 (ACCESSORY LIVING UNIT FLOATING ZONE)**

Ordinance No.: 2024-10

Applicant: City of South Jordan

City Planner Greg Schindler reviewed background information from the Staff Report.

The commission and staff reviewed the reasons for the proposed change and what the State of Utah has now set as their standards that cities must follow. They also discussed what the city can and cannot regulate in terms of accessory living units and their tenants/owners.

Commissioner Laurel Bevans asked about HOAs with rules restricting ADUs and/or guest houses, does the State Code supercede their rules if the HOA's CC&Rs pre-date changes in State Code.

City Attorney Ryan Loose suggested any HOAs questioning this speak with their attorneys and noted that the reason this state law doesn't apply in Daybreak is because that community is not majority truly residential due to its zoning. The legislature did include in the state law, in regards to ADUs, that the law superceded any previous CC&Rs restricting them. However, there is a Contracts Clause that addresses when state law attempts to supercede a contract, unless it has do with discriminating against a protected class. He does believe there could be a legal dispute as to whether an HOA could claim the Contracts Provision allows them to continue under their current rules, but someone would have to litigate that and since the city doesn't advise HOAs, that would be up to them and their legal teams to navigate.

Commissioner Nathan Gedge asked about any potential conflicts of interest participation in this discussion and vote, as he lives in a zone that would be affected by this change.

Attorney Loose responded that if Commissioner Gedge had an obligation to disclose a potential conflict, he just did by stating his question, so he is okay to continue on in the discussion and vote as normal. He doesn't believe the commissioners have an obligation to disclose anything in regards to this item, and shared that with the additional commissioners questioning their potential conflict.

Chair Michele Hollist opened the Public Hearing for comments; there were no comments and the hearing was closed.

**Commissioner Gedge motioned to forward a positive recommendation of approval to the City Council regarding Ordinance No. 2024-10, Amending City Code, as presented in the Staff Report. Chair Hollist seconded the motion.**

**Roll Call Vote**

**Yes – Commissioner Gedge**

**Yes – Chair Hollist**

**Yes – Commissioner Wimmer**

**Yes – Commissioner Catmull**

**Yes – Commissioner Bevans**

**Yes – Commissioner Bishop**

**Motion passes 6-0, unanimous in favor.**

#### **J. OTHER BUSINESS**

City Planner Greg Schindler reviewed potential items for the next meeting's agenda.

#### **ADJOURNMENT**

**Chair Hollist motioned to adjourn the April 23, 2024 Planning Commission Meeting. Commissioner Bevans seconded the motion; vote was 6-0, unanimous in favor.**

**The April 23, 2024 Planning Commission Meeting adjourned at 7:09 p.m.**

**This is a true and correct copy of the April 23, 2024 Planning Commission minutes, which were approved on May 14, 2024.**