

CITY OF SOUTH JORDAN
CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, JANUARY 16, 2024 at 6:30 PM



Notice is hereby given that the South Jordan City Council will hold a City Council Meeting at 6:30 p.m. on Tuesday, January 16, 2024, in person in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah, and virtually via Zoom phone and video conferencing. Persons with disabilities requesting assistance should contact the City Recorder at least 24 hours prior to the Meeting. The Agenda may be amended and an Executive Session may be held at the end of the Meeting. Times listed are approximate and may be accelerated or delayed.

In addition to in-person attendance, individuals may join via phone or video, using Zoom. Note, attendees joining virtually may comment during public comment, or a public hearing virtually. To comment during public comment, or public hearing virtually, the individual must have their video on and working during their comments. Attendees who wish to present photos or documents to the City Council must attend in person. Those who join via phone may listen, but not participate in public comment or public hearings.

In the event the Meeting is disrupted in any way that the City in its sole discretion deems inappropriate, the City reserves the right to immediately remove the individual(s) from the Meeting and, if needed, end virtual access to the Meeting. Reasons for removing an individual or ending virtual access to the Meeting include but are not limited to the posting of offensive pictures, remarks, or making offensive statements, disrespectful statements or actions, and other any action deemed inappropriate.

Ability to participate virtually is dependent on an individual's internet connection. To ensure comments are received regardless of technical issues, please have them submitted in writing to the City Recorder, Anna Crookston, at acrookston@sjc.utah.gov by 3:00 p.m. on the day of the meeting. Instructions on how to join virtually are below.

Join South Jordan City Council Meeting Virtually:

- Join on any device that has internet capability.
- Zoom link, Meeting ID and Password will be provided 24 hours prior to meeting start time.
- Zoom instructions are posted <https://ut-southjordan.civicplus.com/241/City-Council>.

Regular Meeting Agenda: 6:30 p.m.

- A. Welcome, Roll Call, and Introduction:** By Mayor, Dawn R. Ramsey
- B. Invocation:** By Council Member, Don Shelton
- C. Pledge of Allegiance:** Police Chief, Jeff Carr
- D. Minute Approval:**
 - [D.1.](#) January 2, 2024 City Council Study Meeting
 - [D.2.](#) January 2, 2024 City Council Meeting
- E. Mayor and Council Reports: 6:35 p.m.**

F. Public Comment: 6:50 p.m.

This is the time and place on the agenda for any person who wishes to comment. Any person or group wishing to comment on any item not otherwise scheduled for public hearing on the agenda may address the City Council at this point by stepping to the microphone, or if joining electronically, by raising their hand and giving his or her name for the record. Note, if joining electronically, photos or documents will not be accepted through Zoom and you must attend City Council Meeting in-person. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Chair. Groups wishing to comment will be asked to appoint a spokesperson. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council Meeting. Time taken on non-agenda items, interrupts the process of the noticed agenda. In rare cases where it is determined appropriate to address items raised from public comments, these items will be noted and may be brought back at the conclusion of the printed agenda.

G. Presentation Items: 7:00 p.m.

- [G.1.](#) Proclamation in recognition of Religious Freedom Day. *(By Mayor, Dawn R. Ramsey)*
- [G.2.](#) Utah Department of Transportation update for 9800 South Bangerter project. *(By, UDOT)*
- [G.3.](#) Annual water conservation update. *(By Water Conservation Coordinator, Connor Oswald)*

H. Consent Action Items: 8:00 p.m. RCV

- [H.1.](#) **Resolution R2024-06**, Appointing members to the Art's Council. *(By Director of Recreation, Janell Payne)*
- [H.2.](#) **Resolution R2024-07**, Appointing members to the Senior Advisory Committee. *(By Director of Recreation, Janell Payne)*
- [H.3.](#) **Resolution R2024-09**, Reappointing Nathan Gedge, Michele Hollist, and Steve Catmull to the South Jordan Planning Commission. *(By Director of Planning, Steven Schaefermeyer)*
- [H.4.](#) **Resolution R2024-12**, Approving the appointment of Kathie L. Johnson to the Board of Trustees of the South Salt Lake Valley Mosquito Abatement District. *(By City Manager, Dustin Lewis)*
- [H.5.](#) **Resolution R2024-13**, Authorizing the dissolution of the City of South Jordan Municipal Justice Court. *(By City Attorney, Ryan Loose)*

I. Public Hearing Items: 8:05 p.m.

- [I.1.](#) **Resolution R2024-04**, Authorizing the Mayor to sign the First Amendment to a Development Agreement, dated July 20, 2021, pertaining to Parcel No. 27-14-102-016-000. RCV *(By Director of Planning, Steven Schaefermeyer)*
- [I.2.](#) **Resolution R2024-05**, Amending the Transportation Master Plan for South Jordan City. RCV *(By Director of Engineering/City Engineer, Brad Klavano)*

- I.3. **Zoning Ordinance 2024-01-Z**, Rezoning property, generally located at 2560 West 10950 South, from the A-5 (Agriculture) Zone to the R-1.8 (Residential) Zone; Robbie Pope (applicant). RCV (*By Director of Planning, Steven Schaefermeyer*)
- I.4. **Ordinance 2024-02**, Amending section 17.130.050 (Planned Development Floating Zone) of the South Jordan City Municipal Code to add a limit for residential density. RCV (*By Director of Planning, Steven Schaefermeyer*)
- I.5. **Ordinance 2024-03**, Vacating a segment of Flying Fish Drive between Lake Avenue and Meadow Grass Drive. RCV (*By Director of Planning, Steven Schaefermeyer*)

J. Glenmoor Land Use Items: 9:15 p.m.

- J.1. Presentation on Resolution R2024-02, Resolution R2024-03, and Zoning Ordinance 2024-02-Z, all related to the Glenmoor Golf Club development. Applicant, Kirk Young. (*By Director of Planning, Steven Schaefermeyer*)
- J.2. Resolution R2024-02 Public Hearing.
- J.3. Resolution R2024-03 Public Hearing.
- J.4. Zoning Ordinance 2024-02-Z Public Hearing.
- J.5. **Resolution R2024-02**, Authorizing the Mayor to sign the November 2023 Glenmoor Golf Club Development Agreement pertaining to property located at approximately 9800 South 4800 West with corrected Exhibit A; Kirk Young (applicant). RCV (*By Director of Planning, Steven Schaefermeyer*)
- J.6. **Resolution R2024-03**, Amending the Future Land Use Map of the General Plan of the City of South Jordan from Open Space (OS) (North Parcel) and Stable Neighborhood (SN) (South Parcel) to Economic Center (EC) on properties located at approximately 9800 South 4800 West; Kirk Young (applicant). RCV (*By Director of Planning, Steven Schaefermeyer*)
- J.7. **Zoning Ordinance 2024-02-Z**, Rezoning property located at approximately 9800 South 4800 West from the Open Space-Parks (OS-P) Zone (North Parcel) and the Residential-Multiple-6 Planned Development (R-M-6 (PD)) Zone (South Parcel) to the Commercial-Community Planned Development (C-C (PD)) Zone, Kirk Young (applicant). RCV (*By Director of Planning, Steven Schaefermeyer*)

K. Staff Reports and Calendaring Items: 9:30 p.m.

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

COUNTY OF SALT LAKE)

I, Anna Crookston, the duly appointed City Recorder of South Jordan City, Utah, certify that the foregoing City Council Agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body and also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on South Jordan City's website at www.sjc.utah.gov. Published and posted January 12, 2024.

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

January 2, 2024

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, Council Member Kathie Johnson, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Commerce Brian Preece, Director of Strategy & Budget Don Tingey, Fire Chief Chris Dawson, Director of Administrative Services Melinda Seager, Director of Public Works Raymond Garrison, Director of Recreation Janell Payne, CFO Sunil Naidu, Director of Planning Steven Schaefermeyer, City Engineer Brad Klavano, Police Chief Jeff Carr, Communications Manager Rachael Van Cleave, GIS Coordinator Matt Jarman, Senior Systems Administrator Phill Brown, IT Director Jon Day, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun, Parks & Rec Administrative Assistant Kaitlin Youd, Arts Program Coordinator Tiffany Parker

Absent:

Others: A. Elizabeth Davis, Midge Treglown, Shan Lloyd, iPad

4:52 P.M.
STUDY MEETING

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

Mayor Ramsey welcomed everyone present and introduced the meeting.

B. Invocation: *By Mayor, Dawn Ramsey*

Mayor Ramsey offered the invocation.

C. Mayor and Council Coordination

Mayor Ramsey reminded everyone that the legislative session begins in two weeks, and there are some great proposals in the works they will want to get behind.

D. Discussion/Review of Regular Council Meeting

- Oath of Office Ceremony
- Resolution R2024-01, Religious Freedom Day
- Ordinance 2024-01, Amendment to section 17.04.240, 17.18.030, and 17.18.060 of the Municipal Code

Director Schaefermeyer gave a brief summary of the changes proposed in Ordinance 2024-01.

Mayor Ramsey shared that some of Council Member Zander's family will be coming later than the scheduled time for the Oaths of Office and suggested to amend the regular meeting agenda to move her swearing in to the end of the meeting, when her whole family can be there. The amendment to the agenda has already been analyzed by the necessary staff to ensure that would still allow Council Member Zander to legally participate and vote during the meeting, before her official swearing in.

E. Discussion Items

E.1. South Jordan Senior Advisory Member appointment

Director Payne introduced appointee Midge Treglown.

Midge Treglown – shared that she moved here about eight years ago from Holladay, where she lives for 50 years. She had a late career start with the Granite School District as a School Secretary for 28 years, then moving to the district to work for the Granite Education Foundation for seven years where she finished her career. She shared her love of working for the Education Foundation and serving the students and teachers. She moved to South Jordan, was invited to the Senior Center, and spent a few years enjoying the company there. A member of the committee encouraged her to put her name in for the Senior Advisory Committee, and the more she thought about it the more she realized she would like to spend her remaining years in service. She has been impressed with the offerings for seniors in the area, and it's always fun to go and be with the people there, but it's also nice to be able to serve.

E.2. South Jordan Art's Council Member appointment

Director Payne introduced Elizabeth Davis and Shan Lloyd.

Elizabeth Davis – is thrilled to be considered for this appointment, especially since she is not a native to Utah and comes from Georgia. She has lived here for two years and finally feels settled in. They lived in a smaller rural community previously where her husband was in law enforcement, so they knew everyone and she was deeply involved in the community, working in nonprofit arts. She has been involved with Community Theater as an actor and as a musician with community orchestras. With the nonprofit arts organization they did everything from literary arts to dance companies, with a wide range of acts. She also teaches the heritage art of basket weaving and is very artistically inclined, along with just enjoying the arts. She was so involved before that she wanted to start that again once she felt settled here, and she is ready to be involved again and have that connection to her community. She is very passionate about the arts and what they can do in communities as far as tying communities together, providing opportunities to young people and families, and she believes there is so much the arts can do and be for people in the community. She does some work with the Red Cross and communications. She works for Salt Lake County in the Recorder's Office and through her connections there she

has been involved with being a Code Blue Volunteer. She hopes to be a great asset to the team, especially being from somewhere different and bringing a different perspective.

Shan Lloyd was born and raised in South Jordan. He has been doing community theater plays since he was a kid, played in the Bingham High Marching band, and plays many different musical instruments in the pits of several shows. He has done over 200 shows as a community theater actor, including the inaugural running of Over Jordan and Under the Hill, which was a musical about the early years of South Jordan. The musical was written by Jeannie Wallace, portraying the founding and settling of the City of South Jordan. In his spare time he is a pencil and ink artist, does some digital artwork, as well as some welding. For fun he is a HAM Operator, and part of the Off Road Rescue Radio Relay. He graduated from Bingham High School and would like to get involved in the Art's Council because it's a way to give back and be a part of it. He acts in productions in many different parts of the valley, and has noticed that South Jordan needs to do more in comparison to other municipalities to share in part of that. With the Bees Stadium being built there is also a theater component involved and he thinks having a solid Art's Council to help fulfill events at that venue would be important as well.

Council Member McGuire thanked the applicants for their willingness to serve and for being here tonight to talk with the council.

E.3. Boards and Committee Assignments. *(By City Manager, Dustin Lewis)*

Manager Lewis recommended moving this discussion to the closed session, since many of the appointments revolve around specific individuals and their capabilities, qualities and competencies. After that discussion they will bring back the required resolutions at the next Council Meeting.

Council Member McGuire motioned to recess the City Council Study Meeting and move to Executive Closed Session. Council Member Zander seconded the motion; vote was unanimous in favor.

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

F. Executive Closed Session

F.1. Discussion of the character, professional competence, or physical or mental health of an individual.

Council Member Shelton motioned to recess the Executive Closed Session and return to the City Council Study Meeting. Council Member Zander seconded the motion; vote was unanimous in favor.

RECESS EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL STUDY MEETING

ADJOURNMENT

Council Member Zander motioned to adjourn the January 2, 2024 City Council Study Meeting. Council Member McGuire seconded the motion; vote was unanimous in favor.

The January 2, 2024 City Council Study meeting adjourned at 6:32 p.m.

UNAPPROVED

SOUTH JORDAN CITY
CITY COUNCIL MEETING

January 2, 2024

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, Council Member Kathie Johnson, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Commerce Brian Preece, Director of Strategy & Budget Don Tingey, Fire Chief Chris Dawson, Director of Administrative Services Melinda Seager, Director of Public Works Raymond Garrison, Director of Recreation Janell Payne, CFO Sunil Naidu, Director of Planning Steven Schaefermeyer, City Engineer Brad Klavano, Police Chief Jeff Carr, Communications Manager Rachael Van Cleave, GIS Coordinator Matt Jarman, Senior Systems Administrator Phill Brown, IT Director Jon Day, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun, Parks & Rec Administrative Assistant Kaitlin Youd, Arts Program Coordinator Tiffany Parker

Absent:

Others: Shari, Liam & Kensie Harris; Daniel Johnson, Larry Short, Michele Hollist, Ruth Ann White, Michael Johnson, David Nielson, Lori Nielson, Abigail Robinson, Agden Besson, Brian Butters, Nanette Short, Suzanne Harrison, Luann Simonsen, David Fleming, Ted Fraughton, Kim & Sandi Burgon, Zach Jacob, Jay Frances, Kelsey Berg, Sheldon Stewart, Tracy Miller, Cameron Diehl, Corey Zander, Kate Zander, David Alvord; Tiffy, Chris, James & Lili Johnson; Karli Ashlee, Karyl Baun, Susan Pulsipher

6:44 P.M.
REGULAR MEETING

A. Welcome, Roll Call, and Introduction to Electronic Meeting - By Mayor, Dawn Ramsey

Mayor Ramsey welcomed everyone and introduced the meeting. She specifically welcomed all the elected officials and other leaders from our community who were in attendance tonight.

B. Invocation – By Council Member, Patrick Harris

Council Member Harris offered the invocation.

C. Pledge of Allegiance – By Assistant City Manager, Jason Rasmussen

Manager Rasmussen led the audience in the Pledge of Allegiance.

Council Member Zander motioned to move Item D.3., Oath of Office for Tamara Zander, to the end of the meeting's agenda, after Item J. Council Member Harris seconded the motion; vote was unanimous in favor.

D. Presentation Items

D.1. Oath of Office of City Council Member, Patrick Harris. *(By City Recorder, Anna Crookston)*

Council Member Harris expressed the following:

“We have such wonderful people who live in the city. It is a pleasure to serve every day, seeing what we can do to help everyone in the city live their best potential is really what my desire is; trying to make the city the greatest we can. Our city has grown over the years and it is going to continue to grow. My desire, as it continues to grow, is to look at what is the absolute best we can make our city, and I will continue to put forth my best efforts to make that happen.”

D.2. Oath of Office of City Council Member, Kathie L. Johnson. *(By City Recorder, Anna Crookston)*

Council Member Johnson expressed the following:

“I would just like to say thank you to everyone, especially my family, all of my friends and neighbors who have come; I can't do anything without you. You are the backbone of everything that I do and I am so appreciative of having you in my life and as role models. I hope we can work together and build a strong and great community for all of us to live and enjoy together. Thank you for everyone who is here, I appreciate it, and I look forward to serving and getting to be reacquainted with our community and do my very best. I am ready to dig in, thank you.”

D.3. Oath of Office of City Council Member, Tamara Zander. *(By City Recorder, Anna Crookston)*

****Moved to the end of the meeting****

E. Minute Approval

E.1. December 5, 2023 City Council Study Meeting

E.2. December 5, 2023 City Council Board of Canvassers Meeting

E.3. December 5, 2023 City Council Meeting

Council Member Harris motioned to approve the December 5, 2023 City Council Study Meeting minutes, December 5, 2023 City Council Board of Canvassers Meeting minutes, and December 5, 2023 City Council Meeting minutes as published. Council Member Council Member McGuire seconded the motion; vote was 5-0 unanimous in favor.

F. Mayor and Council Reports

Council Member Don Shelton:

- He and his family were able to visit one of our local fire stations and he discussed Christmas with his family, sharing that his son was in the hospital but is home today.
- Attended LPC (Legislative Policy Committee Meeting).
- Visited with a candidate for a House Seat that is in part over South Jordan.

Council Member Tamara Zander:

- She and her daughter were able to meet Dr. Susan Madsen at the Common Good Awards, put on by Envision Utah.
- Attended the Santa Sprint, the last SoJo Race of the year, and shared about the next race coming up titled "Break the Freeze," on January 20. She talked about the Santa Sprint and some of the fun experiences she had there.

Council Member Patrick Harris

- Discussed what was going on with the South Valley Sewer Board, sharing that the Board Chair will be changing and that everything is going well there. They had their Christmas Party as well which was attended by many of our representatives who were able to speak with the board members.
- There were some issues with residents that came up and city staff were quick to help resolve those problems, he thanked them for that, specifically Assistant City Manager Jason Rasmussen.

Council Member Jason McGuire

- Attended LPC Meeting.
- Attended the Art's Council's December meeting, where after they concluded business they had a Christmas celebration to thank all the residents who have helped build up the arts in South Jordan.

Mayor Dawn Ramsey

- Attended the Envision Utah Common Good Awards, where one of the recipients of the award was Ivory Innovations. She was able to introduce that award to them, celebrating the 501c3 nonprofit started by the owners of Ivory Homes.
- Invited to attend and help judge the We the People annual competition at South Jordan Elementary.
- Recent DARE Graduations at Daybreak Elementary and Golden Fields Elementary. She talked about how this is a program the city has chosen to continue and how proud she is of all the hard work these fifth graders do.
- Attended LPC Meeting.
- Attended the Utah League of Cities and Towns Board Meeting in December.

- Met with Governor Cox and Andrew Gruber, the Executive Director of the Wasatch Front Regional Council, to walk through the newly updated Wasatch Choice Vision.
- Met with Beth Holbrook of the Utah Transit Authority here at City Hall to talk about the new TRAX stop planned in Daybreak, and to ensure it gets put in before the ballpark opens.
- Multiple visits with legislative leadership. She thinks they are in a good place going into this next session. The League is working as great partners and really leading out on many innovative solutions that State Leadership is appreciative of.
- Attended the monthly Salt Lake County Council of Mayors meeting, which included an update on “Code Blue,” the overflow shelter signal for when the homeless services in the wintertime are full and capacity expansions are needed.
- Attended the Zion’s Bank Housing Summit, a meeting of business professionals and key philanthropy organizations in the state, to discuss housing and affordability.
- Met with several candidates who are running for office this next year to discuss the city’s needs.
- It has been a wonderful month with a lot of family birthdays, the holidays, and her son getting married tomorrow. She also shared her love of the acts of service already done and currently being done this time of year, watching the community care for each other.
- Attended the Jordan Education Foundation Christmas for Kids, with this year being the biggest and best yet. She thanked all those who participated and shared their time to make this such a special event for all involved.

G. Public Comment

Mayor Ramsey opened the public comment portion of the meeting.

Ted Fraughton (Resident) – I want to talk about a group I represent, called Intermountain Silent Flyers. We are a group of people interested in model aviation, particularly gliders, which you can see here. These are Styrofoam airplanes and we teach kids, youth groups, seniors, and about any other group you can imagine. About 10 years ago I worked with Salt Lake County Parks because we approached them for a place to fly primarily gliders and these small electric planes. They said “we have a perfect park for you, it is Bingham Creek Park.” Of course, it was slated to be built within six months, so we have waited for 10 years for this park to be built. We went up there and started flying a bit, and were approached by the police department and a couple of other people saying there is a city ordinance saying we can’t fly there. As a group, we feel this targets people who are interested in aviation and learning aviation. We have several people in our club that are commercial pilots, ex-military pilots, and people who have gone on to fly for the military in their surveillance drone programs. We would like to see this code changed and amended. It would be nice if it was citywide, but at least for Bingham Creek if we could make that exception. I worked for a year with the landscape architects to try and get us a facility there to do these things. They have big competitions, but we are not too interested in that. We fly mostly in the morning and right now nobody is using the park in the morning, we could be training kids at that time. Everybody in our group is a member of a national organization called

AMA, and the AMA insures each pilot for \$2.5 million in liability, so we feel like it's very safe. We have never had an accident and our group has been organized for about 40 years now. I would just hope that the council would consider this so we could be a little more proactive to youth and others. There are very few places for us to fly these slower, glider type airplanes in the valley. Right now, if we have a group of kids from Provo we have to take them to Grantsville, so the logistics just get impossible. We are not asking to take over the park, we just want our fair chance at the use of it and the ability to do that. I hope you will consider that and if there are any questions I am happy to answer them.

H. Action Item

H.1. Resolution R2024-01, Proclaiming January 16, 2024 as Religious Freedom Day in the City of South Jordan. *(By City Manager, Dustin Lewis)*

Mayor Ramsey suggested reading the proclamation on January 16, 2024 at the Council Meeting that night, since the date happens to land on a meeting night.

Council Member McGuire motioned to approve Resolution R2024-01, Proclaiming January 16, 2024 as Religious Freedom Day in the City of South Jordan. Council Member Johnson seconded the motion.

Roll Call Vote

**Yes – Council Member McGuire
Yes – Council Member Johnson
Yes – Council Member Harris
Yes – Council Member Shelton
Yes – Council Member Zander**

Motion passes by 5-0 vote in favor.

I. Public Hearing Item

I.1. Ordinance 2024-01, Amending Sections 17.04.240 (Public Utilities), 17.18.030 (Use Regulations), and 17.18.060 (Use Definitions) of the South Jordan City Municipal Code to change Public Utility and Restaurant Uses from Conditional Uses to Permitted Uses. *(By Director of Planning, Steven Schaefermeyer)*

Planning Director Steven Schaefermeyer reviewed background information from the Council Report.

Mayor Ramsey opened the public hearing for comments; there were no comments and the hearing was closed.

Council Member Shelton pointed out a few specific utilities in the city and asked staff how this change might impact residents in regards to future work or upgrades.

Director Schaefermeyer responded that all utilities will still have to come to the city for permits. He referenced work recently done by Questar on 1300 W, noting that they were required to come to the city with a site plan because of the larger changes to their site. There will still be a public hearing process allowing residents to come and hear what's going on. Even in the Rocky Mountain Power case referenced in the Council Report, they had public service requirements through Utah and Federal requirements that required them to reach out to those affected by the transmission line upgrade; he assumes it is a similar situation with a gas line or other utilities. He discussed easements, noting that property owners are noticed there is an easement on their property; particularly in the case of buried utilities that may not be seen. The Rocky Mountain Power case was interesting because people had actual poles in their front yard, which means they were aware of the utility placement when moving in. Health concerns are brought up many times during these types of public hearings, but Federal Regulations have preempted the city entirely from considering many of those concerns. He gave examples related to wireless communication utilities and the health concerns commonly expressed, noting that the FCC has preempted the city from taking those kinds of concerns into consideration. The main thing for the public to know is that the place to challenge those sorts of things is not at the local level, it would be at the federal level.

Council Member Shelton asked about a utility owner wanting to increase the height of something like a tower, would this change in code affect that process.

Director Schaefermeyer responded that wireless communications are really their own issue due to complicated FCC regulations. There is even a provision in the code that allows them to increase the height without having to go through the city's process for a site plan amendment. Other utilities have to come to the city, and that is usually done through the Engineering Department in regards to things like encroachment permits, submitting plans and the timing of their project. However, what they are putting in the ground is much harder to regulate.

Council Member Shelton asked if this would affect the process for sewer line changes.

Director Schaefermeyer responded no, not unless they had an actual facility like a treatment plant or pump station.

Council Member Shelton asked if this would affect how the city deals with companies like Google Fiber.

Director Schaefermeyer responded no, not unless they built an actual facility. Otherwise, there are franchise agreements that regulate companies like that.

Council Member Harris appreciated staff putting this change forward. He talked about the previous issues discussed with the power lines in the past and how many members of the public see these kinds of things on an agenda and think this body can stop things like power lines going in. This helps clear up that authority significantly, showing that the council does not have the power to stop many of these things.

Council Member Shelton is grateful for the ability to discuss this. Creating efficiencies and clearing things up so they don't have the public thinking they can do things they actually can't is great. Any time they are discussing changing or eliminating a public process, making it a process strictly handled by staff, they really need to think about that and analyze it thoroughly.

Council Member Shelton motioned to approve Ordinance 2024-01, Amending the above listed sections of the South Jordan City Municipal Code. Council Member Zander seconded the motion.

Roll Call Vote

Yes – Council Member Shelton
Yes – Council Member Zander
Yes – Council Member Harris
Yes – Council Member Johnson
Yes – Council Member McGuire

Motion Passes by 5-0 vote in favor.

Mayor Ramsey acknowledged the city's Planning Commission Chair, Michele Hollist, who was in attendance, as well as Representative Susan Pulsipher and School Board President, Tracy Miller. She invited Representative Pulsipher and President Miller up to say a few words.

Representative Susan Pulsipher shared that it is always a pleasure to meet with the city in their council meetings. She loves the work being done and always says with pride, everywhere she goes, that she represents South Jordan. She can see in other people's eyes that they know it's a good thing too, so thank you for making the city we live in such a wonderful city and doing such a great job for the city she lives in.

School Board President Tracy Miller appreciated the opportunity to be here and say a few words. She congratulated Council Members Harris, Zander and Johnson and expressed that she is looking forward to working with them. She is so pleased with the relationship with South Jordan City and the ability for staff and board members to work so well together.

J. Staff Reports and Calendaring Items

Assistant City Manager Jason Rasmussen discussed a meeting scheduled for January 10

with residents of Daybreak to discuss traffic and parking concerns brought up by events this past October due to the lighting and yard displays. They will be attempting to work with residents to come up with some solutions and work with residents to see if they can address that.

City Attorney Ryan Loose gave some quick information on the legislative session that begins Tuesday, January 16 with Local Officials Day being on January 17.

****Item D.3. moved, via amended agenda, to end of agenda****

D.3. Oath of Office of City Council Member, Tamara Zander. *(By City Recorder, Anna Crookston)*

Council Member Harris motioned to adjourn the January 2, 2024 City Council Meeting. Council Member Zander seconded the motion; vote was 5-0 unanimous in favor.

ADJOURNMENT

The January 2, 2024 City Council Meeting adjourned at 7:47 p.m.

Proclamation of the City of South Jordan

In Recognition of Religious Freedom Day

Whereas, the United States Congress in 1992 set aside January 16th as “Religious Freedom Day” to honor the passage of the Virginia Statute for Religious Freedom in 1786; and

Whereas, Religious Freedom Day has been recognized by presidential and State proclamations annually, and

Whereas, many of the first immigrants to our nation came to these shores motivated by their desire for religious liberty so that they could worship according to the dictates of their own consciences and our forefathers saw fit to protect and support freedom of religion by establishing it in the first amendment of the United States Constitution; and

Whereas, those of faith, and those of no faith, have common goals of unity, love, service, mutual civility, and a desire to live true to belief and conscience; and

Whereas, we seek mutual respect and fairness to all;

Whereas, the right to exercise one’s own individual conscience is a critical and essential element in the fabric of American culture and history which serves as a beacon of freedom in the world and we recognize ones faith is core to an individual’s identity and humanity; and

Whereas, we invite others to defend freedom of religion, including the long standing Religious Freedom Restoration Act.

BE IT PROCLAIMED to all that reside within the bounds of the City of South Jordan, Salt Lake County, State of Utah; that for evermore, declare January 16th as “Religious Freedom Day”.

Religious Freedom Day

Signed this 16th Day of January, 2024

Dawn R. Ramsey, Mayor

ATTEST:

Anna Crookston, City Recorder

SOUTH JORDAN CITY CITY COUNCIL REPORT

Council Meeting Date: January 16, 2024

Issue: Resolution Appointing Member to the Arts Council

Submitted By: Janell Payne

Department: Recreation

Staff Recommendation (Motion Ready):

Staff recommends approval of Resolution R2024-06, appointing new members to the Arts Council.


BACKGROUND:

The City Council created the Arts Council to promote the arts in this community and bring arts experiences to City residents.

Ms. Elizabeth Davis and Mr. Shan Lloyd are involved with and passionate about community arts and have expressed interest and desire to serve on the South Jordan Arts Council. The City Council had the opportunity to meet with both Ms. Davis and Mr. Lloyd at the January 2, 2024 City Council study session regarding potential appointments.

Ms. Laura Gaillard and Mr. Aldo Del Bosque have been invited and expressed interest in continuing to serve another term on the South Jordan Arts Council. The City Council had the opportunity to discuss these potential reappointments at the January 2, 2024 City Council study session.

Based on the above, staff recommends approval of Resolution R2024-06, appointing Ms. Davis and Mr. Lloyd as new members and reappointing Ms. Gaillard and Mr. Bosque to the South Jordan Arts Council.

City Council Action Requested: 
Recreation Director

1/8/24
Date

RESOLUTION R2024-06**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
APPOINTING MEMBERS TO THE ARTS COUNCIL.**

WHEREAS, South Jordan City Code Chapter 2.76 allows the City Council to create committees; and

WHEREAS, the City Council created the Arts Council to promote the arts in this community and bring arts experiences to City residents; and

WHEREAS, the Arts Council bylaws permit between 6 and 12 members requiring appointment by resolution of the City Council; and

WHEREAS, the City Council standardized the creation and appointment of all City Council-created boards and committees, and hereby appoints Arts Council members to conform with the terms of the Policy & Procedures Guide; and

WHEREAS, the South Jordan City Council finds it in the best interest of the welfare of the residents of the City to confirm appointment of these members to the Arts Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH:

SECTION 1. Appointment. The Arts Council members and their terms are as follows:

<i>Member name</i>	<i>District</i>	<i>Term expiration date</i>
Janis McClellan	Mayor	January 2026
Vacant	Mayor	January 2026
Aldo del Bosque	1	January 2028
Shan Lloyd	1	January 2028
Vacant	2	January 2028
Laura Gaillard	2	January 2028
Kelly Holtman	3	January 2026
Marlene Teter	3	January 2026
Elizabeth Davis	4	January 2028
Vacant	4	January 2028
Jason Yeaman	5	January 2026

Rachel Nay

5

January 2026

SECTION 2. Effective Date. upon passage.

This Resolution shall become effective immediately

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Charity Brien
Charity Brien (Jan 9, 2024 14:49 MST)

Office of the City Attorney

SOUTH JORDAN CITY CITY COUNCIL REPORT

Council Meeting Date: January 16, 2024

Issue: Resolution Appointing Member to the Senior Advisory Committee

Submitted By: Janell Payne

Department: Recreation

Staff Recommendation (Motion Ready):

Staff recommends approval of Resolution R2024-07, appointing a new member to the Senior Advisory Committee.


BACKGROUND:

The City Council created the Senior Advisory Committee to promote the interests of senior citizens in the community. In particular, this committee plays an important role in supporting the senior programming at the Community Center.

Ms. Midge Treglown is involved with and passionate about senior programs in South Jordan and has expressed an interest and desire to serve on the South Jordan Senior Advisory Committee. The City Council had the opportunity to meet and speak with Ms. Treglown at the January 2, 2024 City Council study session regarding this potential appointment.

Ms. LeeAnn Whitaker has been invited and expressed interest in continuing to serve another term on the South Jordan Senior Advisory Committee. The City Council had the opportunity to discuss Ms. Whitaker's potential reappointment at the January 2, 2024 City Council study session.

Staff recommends approval of Resolution R2024-07, appointing Ms. Treglown as a new member and reappointing Ms. Whitaker to the Senior Advisory Committee.

City Council Action Requested: 
Director of Recreation

1/8/24
Date

RESOLUTION R2024-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, APPOINTING MEMBERS TO THE SENIOR ADVISORY COMMITTEE.

WHEREAS, South Jordan City Code Chapter 2.76 allows the City Council to create committees; and

WHEREAS, The City Council created the Senior Advisory Committee to promote the interests of senior citizens in the community; and

WHEREAS, the Senior Advisory Committee bylaws permit between 6 and 12 members requiring appointment by resolution of the City Council; and

WHEREAS, the City Council standardized the creation and appointment of all City Council-created boards and committees, and hereby appoints Senior Advisory Committee members to conform with the terms of the Policy & Procedures Guide; and

WHEREAS, the South Jordan City Council finds it in the best interest of the welfare of the residents of the City to confirm appointment of these members to the Senior Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH:

SECTION 1. Appointment. The Senior Advisory Committee members and their terms are as follows:

<i>Member name</i>	<i>District</i>	<i>Term expiration date</i>
Vacant	Mayor	January 2026
Vacant	Mayor	January 2026
Vacant	1	January 2028
Vacant	1	January 2028
Midge Treglown	2	January 2028
LeeAnn Whitaker	2	January 2028
Billie Lawrence	3	January 2026
Carrie Jansky	3	January 2026
Vacant	4	January 2028
Vacant	4	January 2028
Vacant	5	January 2026

Guenther Popp

5

January 2026

SECTION 2. Effective Date. upon passage.

This Resolution shall become effective immediately

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Charity Brien
Charity Brien (Jan 9, 2024 14:49 MST)

Office of the City Attorney

RESOLUTION R2024-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REAPPOINTING NATHAN GEDGE, MICHELE HOLLIST AND STEVE CATMULL TO THE SOUTH JORDAN PLANNING COMMISSION.

WHEREAS, South Jordan City Municipal Code § 17.16.010 (“City Code”) requires the Mayor of the City of South Jordan (“Mayor”) and each member of the City Council of the City of South Jordan (“City Council”) to nominate a member of the South Jordan Planning Commission (“Planning Commission”); and

WHEREAS, City Code § 17.16.010 also provides that the City Council appoints each member of the Planning Commission by a majority vote of the City Council; and

WHEREAS, Councilman Patrick Harris has nominated Nathan Gedge to be reappointed as a member of the Planning Commission; and

WHEREAS, Councilwoman Kathie Johnson has nominated Michele Hollist to be reappointed as a member of the Planning Commission; and

WHEREAS, Councilwoman Tamara Zander has nominated Steve Catmull to be reappointed as a member of the Planning Commission; and

WHEREAS, the City Council desires to reappoint Nathan Gedge, Michele Hollist and Steve Catmull to the Planning Commission and to reaffirm the term length for each member of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Reappointment of Planning Commissioners. The City Council hereby reappoints Nathan Gedge, Michele Hollist and Steve Catmull as members of the Planning Commission.

SECTION 2. Planning Commission Term Lengths. The term length for each member of the Planning Commission is set forth as follows:

City Council District & Mayor’s Appointee	Planning Commissioner	Appointment or Reappointment	Term Expiration
District 1 (P. Harris)	Nathan Gedge	January 16, 2024	December 31, 2028
District 2 (K. Johnson)	Michele Hollist	January 16, 2024	December 31, 2028
District 3 (D. Shelton)	vacant		
District 4 (T. Zander)	Steve Catmull	January 16, 2024	December 31, 2028
District 5 (J. McGuire)	Laurel Bevans	January 18, 2022	December 31, 2025
Mayor’s Appointee (D. Ramsey)	vacant		

SECTION 3. Effective Date. This Resolution shall become effective immediately upon passage.

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory Simonsen
Gregory Simonsen (Jan 9, 2024 10:17 MST)
Office of the City Attorney

RESOLUTION R2024-12**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
APPROVING THE APPOINTMENT OF KATHIE L. JOHNSON TO THE BOARD OF
TRUSTEES OF THE SOUTH SALT LAKE VALLEY MOSQUITO ABATEMENT DISTRICT**

WHEREAS, As of December 31, 2023 Council Member Tamara Zander's 4-year term expired as a representative to serve the South Salt Lake Valley Mosquito Abatement Board of Trustees for South Jordan City; and

WHEREAS, Council Member Kathie L. Johnson is qualified and willing to serve as a member of the Board of Trustees of the South Salt Lake Valley Mosquito Abatement District; and

WHEREAS, It is in the best interest of the City to appoint Council Member Kathie L. Johnson to represent South Jordan City on the Board of Trustees of the South Salt Lake Valley Mosquito Abatement District for a four (4) year term from January 1, 2024 to December 31, 2027.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH:

Section 1. **Approval of an Appointment to the Board of Trustees.** Every four (4) years the City of South Jordan has, pursuant to the Utah Code Ann. Section 17B-1-304, the opportunity to appoint a representative for a four (4) year term to the Board of Trustees of the South Salt Lake Valley Mosquito Abatement District.

Section 2. **Nominate the following to the Board of Trustees.** Kathie L. Johnson is hereby appointed to serve a four (4) year term on the Board of Trustees of the South Salt Lake Valley Mosquito Abatement District.

Section 2. **Effective Date.** This resolution will be effective immediately upon passage.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, STATE OF UTAH, ON THIS 16th DAY OF JANUARY, 2024, BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
Anna Crookston, City Recorder

Approved as to form:


Jan W. Loose (Jan 12, 2024 07:53 MST)

Office of the City Attorney

RESOLUTION R2024 - 13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE DISSOLUTION OF THE CITY OF SOUTH JORDAN MUNICIPAL JUSTICE COURT.

WHEREAS, the City of South Jordan currently provides and pays for the South Jordan Justice Court to serve the City's justice court needs; and

WHEREAS, the South Jordan Justice Court is an expense to the City as the money taken in by the City through Court revenues doesn't cover the costs to the City of providing the Justice Court; and

WHEREAS, the Justice Court mainly serves many individuals who live outside of the City and yet is funded solely by the taxpayers of the City of South Jordan; and

WHEREAS, Utah Code Ann. §78A-7-123 sets out the process a City must follow to dissolve a justice court.

WHEREAS, the City Council also has determined that City residents will be better served by dissolving the Justice Court and not incurring those expenses as cases will be handled by the county justice court system and the City can realize cost savings for the City; and

WHEREAS, the City Council find it to be in the best interests of the residents of the City of South Jordan to dissolve the City's Justice Court.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Dissolution. The City shall take the steps required to meet all the statutory conditions outlined in Utah Code Ann. 78A-7-123 which are necessary to dissolve the South Jordan Justice Court. The South Jordan City Mayor is authorized to sign all documents necessary to effect the dissolution.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage. Upon completion of the statutory required process the South Jordan Justice Court shall be dissolved as provided by Statute, or as soon thereafter as the Judicial Council allows the dissolution to take effect.

[SIGNATURES ON FOLLOWING PAGE]

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
Anna Crookston, City Recorder

Approved as to form:

Office of the City Attorney



Memo

TO: City Council
CC: Jared Francis, Senior Engineer
FROM: David Mann, Long Range Planning Analyst
SUBJECT: Hidden Village B Development Agreement Amendment

DATE: 1/16/2024

A development agreement between the City and Ryan Holt was approved and recorded in July of 2021. The agreement outlines the additional requirements for the residential development of 1.58 acres for small lot single family houses similar in design to the adjacent Hidden Village subdivision. Ryan Holt has since sold the property to a development group that will complete the construction of the infrastructure and buildings.

David George, the applicant and general contractor for the project, wishes to amend the agreement as it pertains to the minimum side yard setback. Staff patterned the approved development agreement for this subdivision after the original development agreement for the first phase of Hidden Village, which included a seven foot side yard setback. During the building permit review for the initial lot to be developed, the Applicant brought to Staff's attention that many of the houses in the original subdivision were built with five foot side yard setbacks and they would like to do the same for this project. Staff researched the discrepancy and discovered that two amendments to the development agreement for the original subdivision had been approved and one of the amendments included a reduction in the side yard setback from seven feet to five feet.

Attached to this memorandum are aerial and zoning maps of the project area, the Hidden Village B subdivision plat, the amended development agreement for the original Hidden Village subdivision, Resolution R2024-04, and the proposed development agreement amendment.

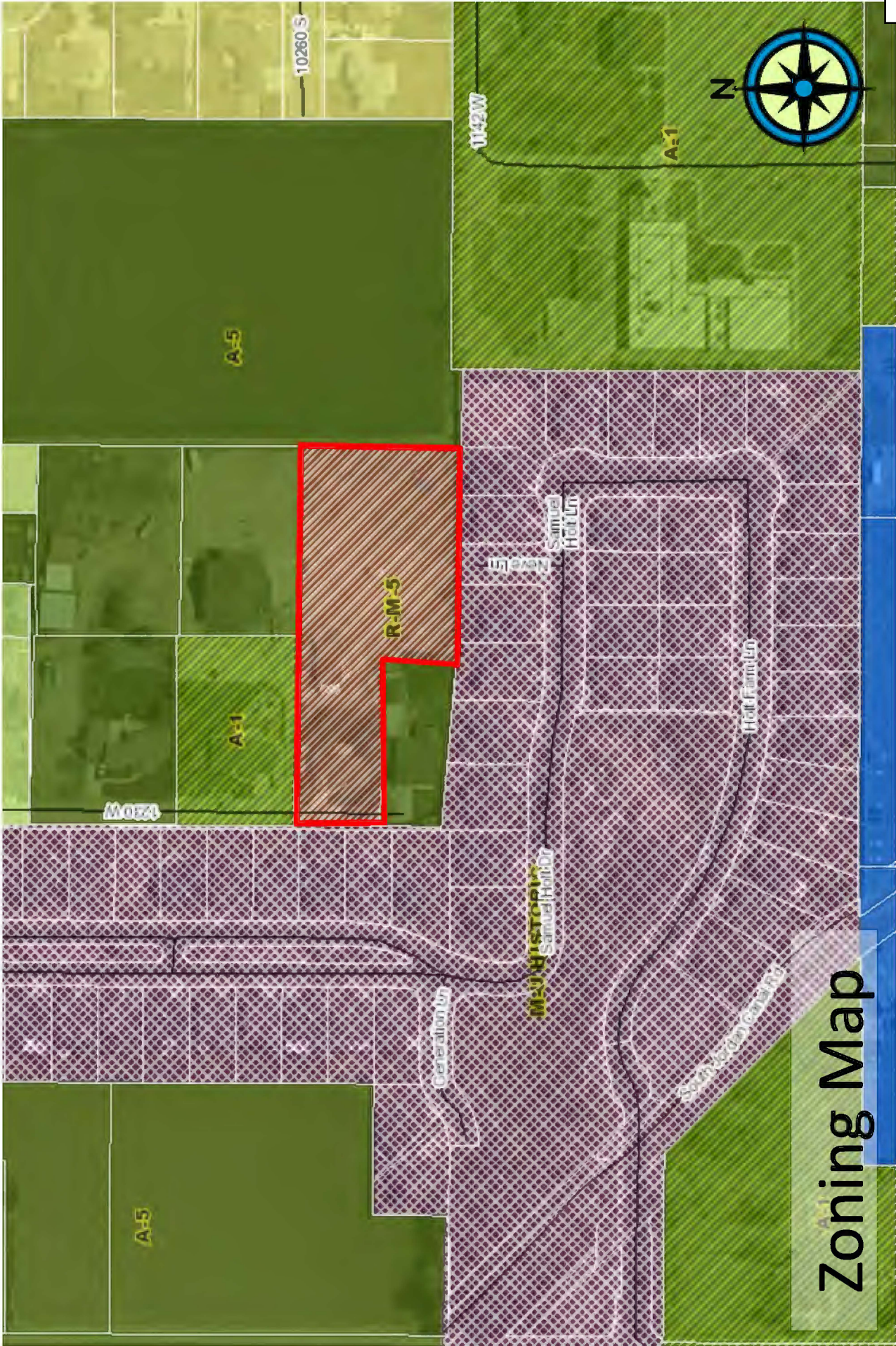
Staff Recommendation (Motion Ready): I move that the City Council approve application PLZBA202300215 to allow for the proposed development agreement amendment.

Department Approval:

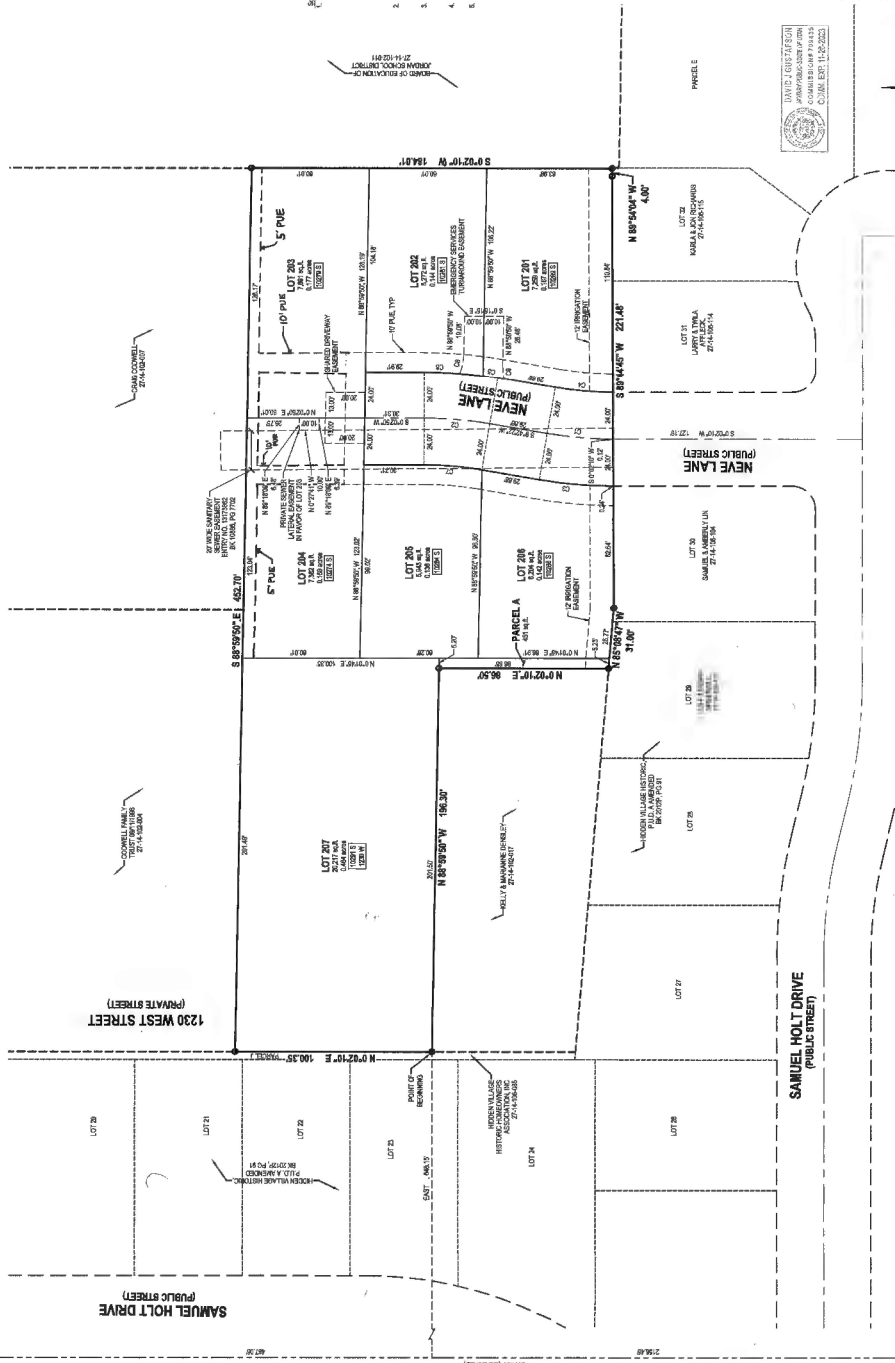
Steven Schaefermeyer
Steven Schaefermeyer (Jan 9, 2024 16:10 MST)

Steven Schaefermeyer
Director of Planning





LOCATED IN THE NORTHEAST QUARTER OF SECTION 14,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH

[illegible][illegible]

ENSIGN

SALT LAKE CITY
801.462.5260
1000 W. 2100 S.
UT 84119
Phone 801.265.0520
Fax 801.255.4448
WWW.ENSIGNMFG.COM

LATVON
Pawnee, ND 58454
Phone 701.838.2222
Cell 701.838.2222
Fax 701.838.2222

SHEET 1 OF 1
 JUNE 1960
 SOUTH VALLEY SEWER DISTRICT APPROVAL
 APPROVED THIS 18 DAY OF April
 1962 BY THE SOUTH VALLEY BOARD OF HEALTH
 SOUTH VALLEY SEWER DISTRICT MANAGER
 BOARD OF HEALTH APPROVAL
 APPROVED THIS 19th DAY OF April
 1962 BY THE BOARD OF HEALTH
 SOUTH VALLEY HEALTH DEPARTMENT

CITY PLANNER

APPROVED THE 14th DAY OF NOV 2012 BY THE CITY PLANNER.


Elizabeth J. Schmidt
CITY PLANNER

CITY ENGINEER

I HEREBY CERTIFY THAT THE OFFICE HAS EXAMINED THE PLAT AND IS IN SUBJECT TO ACCORDANCE WITH ORDINANCE 100.01E IN THE CITY OF CHICAGO. THESE PLANS WERE PREPARED BY

B. K. Kwan
SUNIL K. KAWAN DATE 5/24/2012

OFFICE OF THE CITY ATTORNEY

 SOUTH JORDAN CITY MAYOR

FILED AS TO RETURN THIS 27 DAY OF MAY A.D. 2022

CLERK

ATTEST: James Henderson MAYOR

James Henderson MAYOR

ATTEST: James Henderson MAYOR

Fr	Sp	Sc	D	I
----	----	----	---	---

ORDERED: 139.
 COUNTY OF Utah
 DISTRICT OF 1st
5-26-20
18.00
 FEES

SALT LAKE
9040
SALT LAKE RECORD
a Village
THE 12:5
D

COUNTY RECORDS
FILED AT THE
CLERK
JAN 10 1964
SALT LAKE COUNTY

DER
227 p
Depot
RECORDED

	Item	Value
1	Item 1	100
2	Item 2	200
3	Item 3	300
4	Item 4	400
5	Item 5	500
6	Item 6	600
7	Item 7	700
8	Item 8	800
9	Item 9	900
10	Item 10	1000

32

\$568.00

27-14-19
25-14-19

in l.1.

RESOLUTION R2012.26

A RESOLUTION OF THE CITY OF SOUTH JORDAN CITY COUNCIL AUTHORIZING THE MAYOR TO SIGN THE FIRST AMENDMENT TO DEVELOPMENT AGREEMENT FOR THE HIDDEN VILLAGE HISTORIC P.U.D

WHEREAS, the South Jordan City Council authorized the signature of the Development Agreement for the Hidden Village Historic P.U.D. which was executed September 6, 2011; and

WHEREAS, the Developer has requested that the City Council authorize the signature of the First Amendment to the Hidden Village Historic P.U.D. as described in Exhibit A; and

WHEREAS, in accordance with law, public hearings have been held by the City Council in the City of South Jordan to present the First Amendment to Development Agreement for the Hidden Village Historic P.U.D. in which the City Council had the opportunity to receive comments from the public, which comments were considered by the City Council; and

WHEREAS, in accordance with principles of sound municipal planning, the City Staff, the City Council have taken into account the impact the proposed First Amendment to Development Agreement will or may have on existing adjacent development projects, and to the extent legally permissible or practical, the City Staff, and Council have taken reasonable steps to ensure that the proposed First Amendment to Development Agreement is in harmony with density, permitted uses, and other components of existing adjacent development project entitlements; and

WHEREAS, to promote the orderly growth of the City of South Jordan, to preserve property values, and to promote the public health, safety and general welfare of the residents of South Jordan City, the City Council desires to authorize the signature of the First Amendment to Development Agreement for the Hidden Village Historic P.U.D. as proposed within Exhibit A on property, generally located at 10317 S. 1300 W.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH:

Section 1. Amendment and Adoption. The South Jordan City Council hereby adopts the proposed First Amendment to Development Agreement for the Hidden Village Historic P.U.D. as found in Exhibit "A" attached:

Section 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This resolution will be effective immediately upon passage.

11428317
07/12/2012 09:33 AM #257.00
Book - 10035 Pg - 808-899
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SOUTH JORDAN
1600 W TOWNE CENTER DR
SOUTH JORDAN UT 84095-8265
BY: EAP, DEPUTY - WI 92 P.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, STATE OF UTAH,
ON THIS 15 DAY OF May, 2012, BY THE FOLLOWING VOTE:

YES NO ABSTAIN ABSENT

Mark Seethaler
Chuck Newton
Brian C. Butters
Steve Barnes
Larry Short

X
X
X
X
X

Mayor:

Scott L. Osborne
Scott L. Osborne, Mayor

ATTEST:

Anna M. West
City Recorder



Approved as to form:

Rae A. Tate
Assistant City Attorney

EXHIBIT A**FIRST AMENDMENT**

(Hidden Village Historic P.U.D. A
Development Agreement,
First Amendment)

TO**DEVELOPMENT AGREEMENT**

The City of South Jordan, a Utah municipal corporation (the "City"), and HIDDEN VILLAGE HOLDINGS, LLC, a Utah limited liability company ("Developer"), enter into this First Amendment to Development Agreement as of the 12 day of July, 2012 (the "First Amendment").

WHEREAS, the Developer and the City, entered into a Development Agreement dated as of September 6, 2011 (the "Agreement");

WHEREAS, the Developer and the City each desire to clarify and/or amend certain provisions of the Agreement;

NOW THEREFORE, in consideration of the commitments contained herein and other good and valuable consideration, the receipt, sufficiency and delivery of which are hereby acknowledged, the Developer and the City (sometimes referred to together as the "parties") hereby agree to amend the Agreement as follows:

1. The preamble shall be amended to remove "Arbor Gardner L.C." and to add "Castlewood Development, LLC, a Utah limited liability company and Hidden Village Holdings, LLC, a Utah limited liability company (together known as the "Developer.""
2. The following text shall be added to the Development Agreement Recitals, Paragraph G "and amendments to the Development Agreement approved in the Minutes of the City Council meeting and are attached as Exhibit S."
3. The following text shall be added to the Development Agreement Recitals as Paragraph I: "This Development Agreement has been assigned pursuant to the terms of Section 14 of the Development Agreement wherein the Developer provided notice to the City through the recordation of a Special Warranty Deed recorded by the Salt Lake County Recorder Book # 9995 Pg # 6189-6190."
4. As indicated in Section II.C.4, Setbacks of the Development Agreement, the setback requirements for each lot shall be modified indicating the following:
 - a. Side yard setbacks shall be 5 feet
 - b. Corner lot street side setback shall be 15 feet.
 - c. Front yard setback shall be 15' to porch or living space, 18' to front of garage door. (Not applicable to lot25).

- d. Collector Street Side yard setbacks are not applicable to this site and shall be deleted from the Development Agreement.
 - e. Setbacks for lots 13 & 14 are per exhibit H-1. Setbacks for lot 25 shall match the as-built condition of the existing home on this lot.
5. Section II.C.15. Agreement for Project Improvements shall also indicate Pursuant to Exhibit R there are no City bonding requirements for this project.
6. Section II.C.16. Impact Fees shall be amended in its entirety to read: "Impact fees shall be assessed to developer pursuant to City Code.
7. Section II.D.3 City Obligations, strike through 24' of asphalt width and replace with 22' of asphalt width.
8. Section II.G.1. General Provisions, shall be amended to include the following name and address as proper contract for Notice to the Developer:

ATTN: Ryan Peterson
 Hidden Village Holdings, LLC
 299 South Main, Suite 2400
 Salt Lake City, UT 84111
 Telephone: 801.961.1117
 Facsimile: 801.961.1021
 Email: rpeterson@netwasatch.com

9. The following revised Exhibits shall be replace in the Development Agreement:
- a. Exhibit B shall be replaced with Exhibit B-1 revised 04/30/2012, Aerial Photograph.
 - b. Exhibit C shall be replaced with Exhibit C-1 revised 03/16/2012, Site Plan showing revised ROW.
 - c. Exhibit G shall be replaced with Exhibit G-1 revised 04/30/2012, Hidden Village Site Summary.
 - d. Exhibit H shall be replaced with Exhibit H-1 revised 05/08/2012, Typical Setbacks.
 - e. Exhibit I shall be replaced with Exhibit I-1 revised 04/30/2012, Illustrative plan showing typical landscaping...
 - f. Exhibit J shall be replaced with Exhibit J-1 revised 04/30/2012, Elevations, Floor Plans, Streetscape. The original home plan A has been removed. New home plans A, F, and G have been added to the approved plans. Home plans B, C, D, and E remain the same as per the original development agreement.

10. The following new Exhibits shall be added to the Development Agreement:
 - a. Exhibit R - South Jordan City letter dated January 12, 2012 regarding City Bonding.
 - b. Exhibit S - Minutes from City Council meeting held on 15th day of May, 2012 approving the First Amendment to the Development Agreement.
11. Capitalized terms not defined in the First Amendment shall have the definitions provided in the Agreement.
12. To the extent there are any conflicts between the Agreement and the First Amendment, the provisions of the First Amendment shall control.
13. The Agreement, as modified by the First Amendment, is hereby ratified and confirmed and all references to the Development Agreement shall mean the Development Agreement as modified by the First Amendment. The Agreement constitutes the entire agreement and understanding of the parties with regard to the subject matter hereof, and shall supersede and merge all prior and contemporaneous written or oral representations, agreements, communications, undertakings and understandings between the City and the Developer.

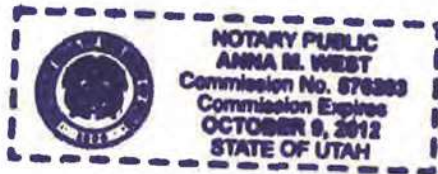
IN WITNESS WHEREOF, the parties have executed this Agreement as of the effective Date.

CITY OF SOUTH JORDAN

By: *Scott L. Osborne*
 Name: Scott L. Osborne
 Its: Mayor

State of Utah)
) SS
 County of Salt Lake)

On this 15 day of MAY, 2012, personally appeared before me Scott L. Osborne, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he is the MAYOR, of the City of South Jordan, a Utah municipal corporation, and who acknowledged that said document was signed by him in behalf of said municipal corporation by authority of the City Council, and he acknowledged to me that said municipal corporation executed the same.



Anna M. West
 Notary Public
 My Commission Expires: 10-9-2012

HIDDEN VILLAGE HOLDINGS, LLC

By: *Ryan Peterson*
 Name: Ryan Peterson
 Its: Manager

State of Utah)
) SS
 County of Salt Lake)

On this 7th day of June, 2012, PERSONALLY APPEARED BEFORE ME RYAN PETERSON, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the Manager, of the Hidden Village Holdings LLC, a Utah Limited Liability Company, and who acknowledged that said document was signed by him in behalf of or by authority of its members or its articles of organization, and he acknowledged to me that said limited liability company executed the same.



Anna M. West
 Notary Public
 My Commission Expires: 10-9-2012

REVISED 4/30/2012

Item I.1.

Hidden Village Historic, P.U.D. A Amended

15-24, 33-37, 41-48, and Parcel F of Hidden Village
 1/4 of Section 14 & Southwest 1/4 of Section 11
 Township 3 South, Range 1 West, Salt Lake Base and Meridian
 South Jordan City, Salt Lake County, Utah

- Legend**
- Parcel Boundary
 - City Right-of-Way
 - Private Right-of-Way
 - Public Right-of-Way
 - Private Lane
 - Public Lane
 - HOA

City Parcels

To South Jordan City

- Parcel A - 5,924 sf
- Parcel B - 100,714 sf
- Parcel C - 2,057 sf
- Parcel D - 12,271 sf

HOA Parcels

To HOA (Common Area)

- Parcel E - 11,708 sf
- Parcel F - 5,429 sf
- Parcel G - 8,730 sf
- Parcel H - 5,044 sf
- Parcel I - 2,176 sf
- Parcel J - 2,721 sf
- Parcel K - 131,201 sf (Private Streets)

Key Notes

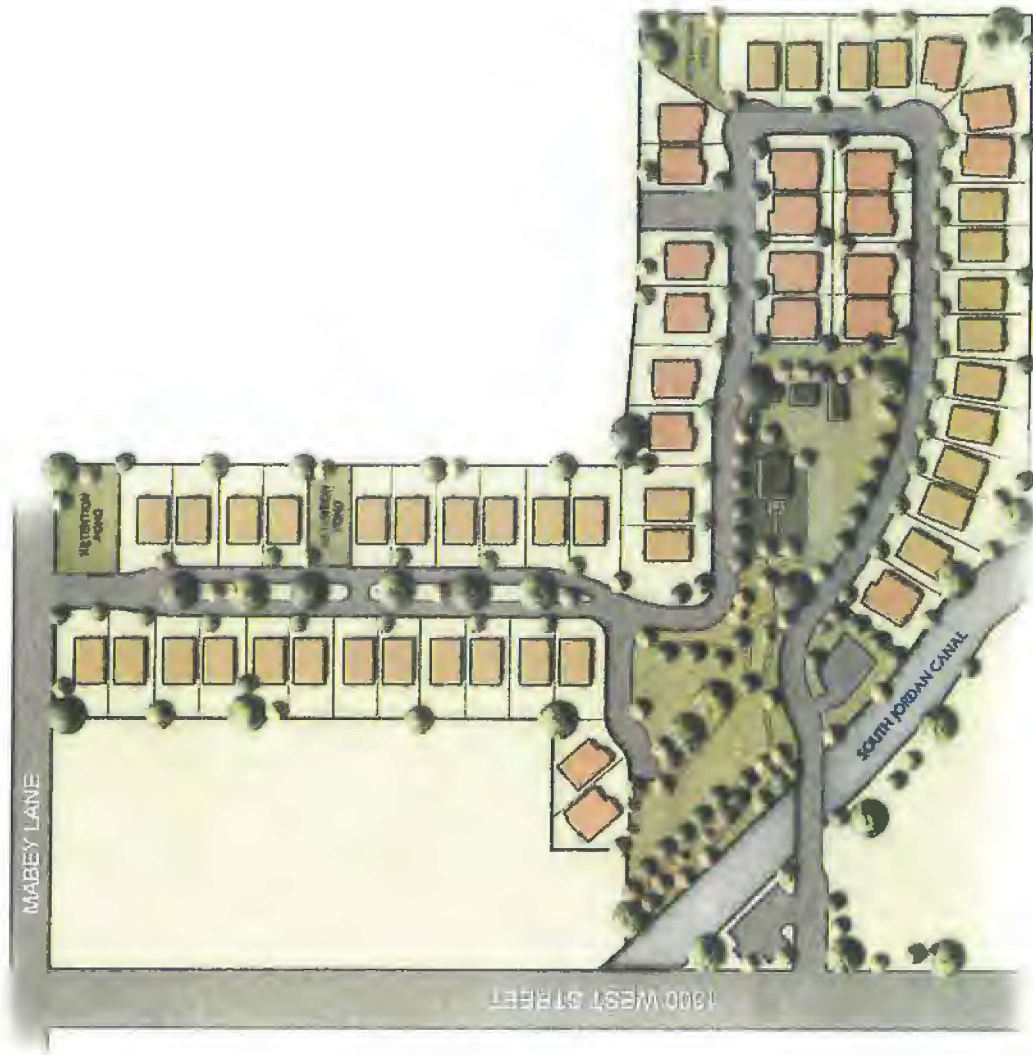
1. Mabey Lane right-of-way dedication
2. Mabey Lane right-of-way
3. City Improvements
4. Public Street Dedication
5. Private Street Right-of-way (Parcel K)
6. Additional Park Property
7. Storm Water Basin
8. Historic Monument Marker



[illegible]

EXHIBIT G-1
REVISED 4/30/2012

 NORTH



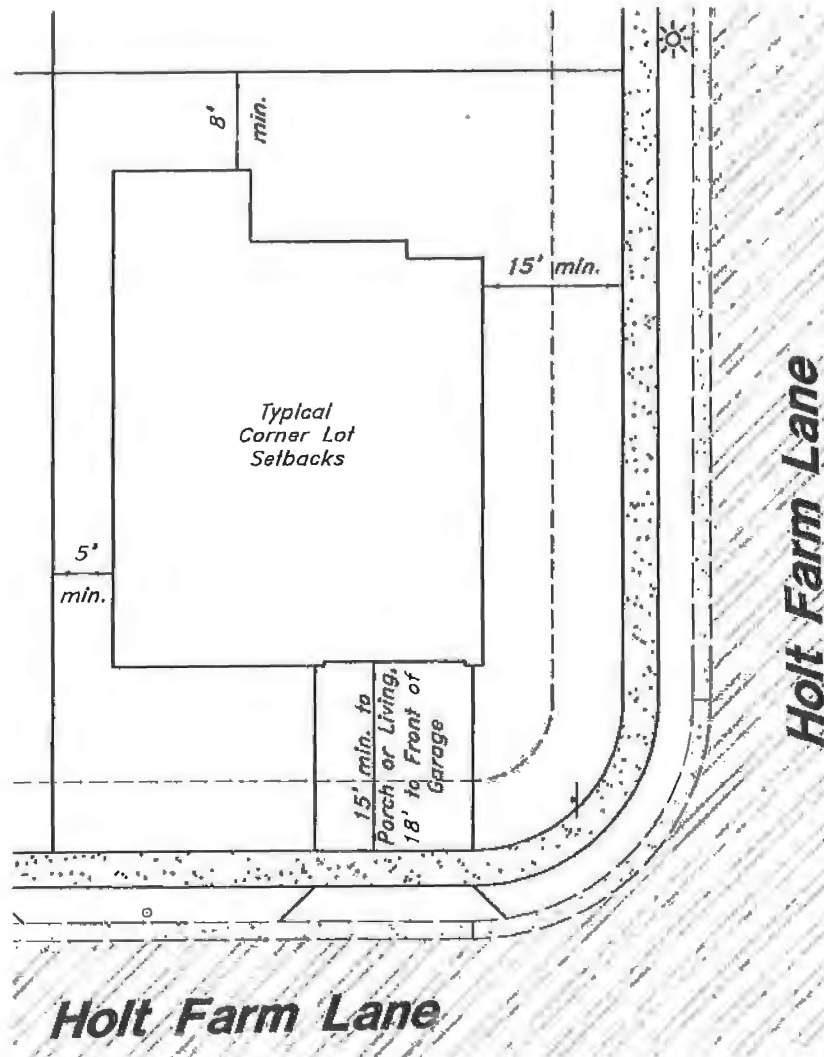
HIDDEN VILLAGE HISTORIC, PUD



Setbacks

Site Setbacks

Front Yard: 15 ft. to Porch or Living Space
 18 ft. to Front of Garage
 Side Yard: 5 ft.
 Rear Yard: 8 ft.
 Corner Lot
 Side Street: 15 ft.

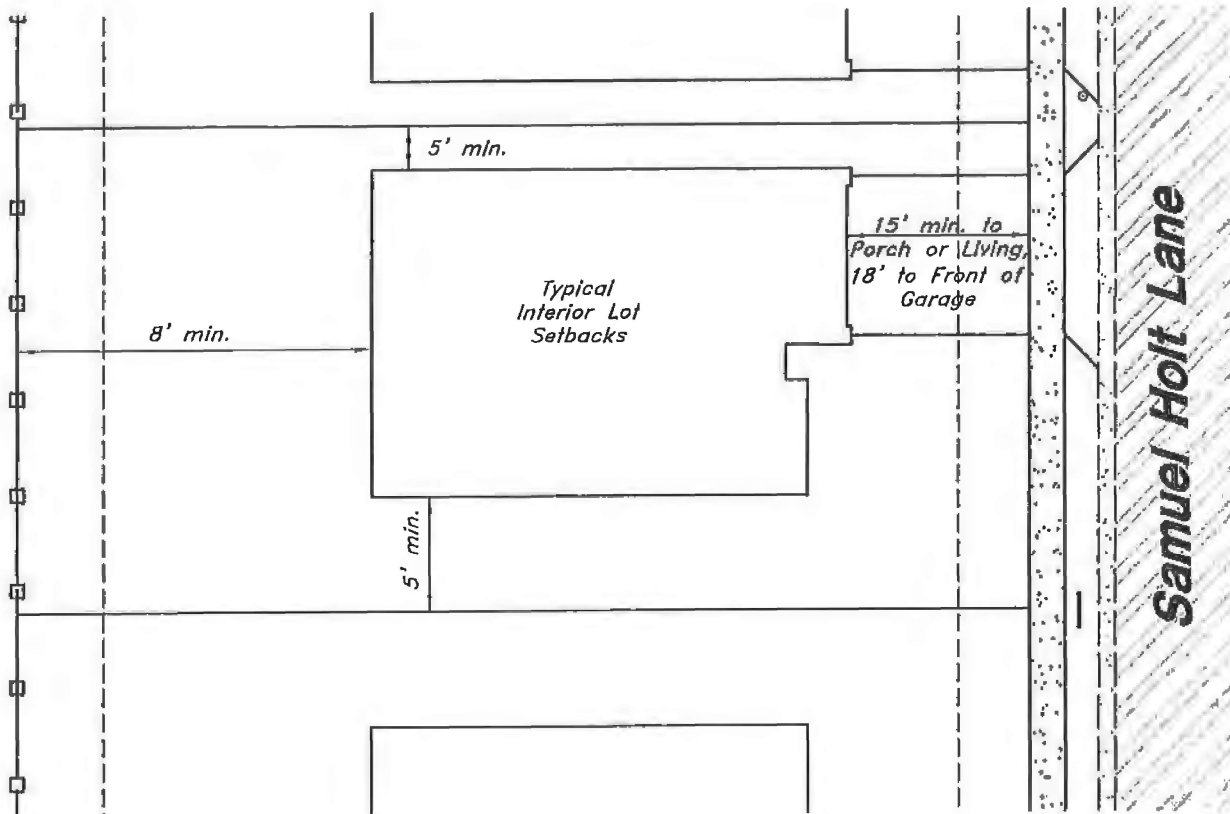


* Measurements are from Property Line to Face of Building Foundation

Setbacks

Site Setbacks

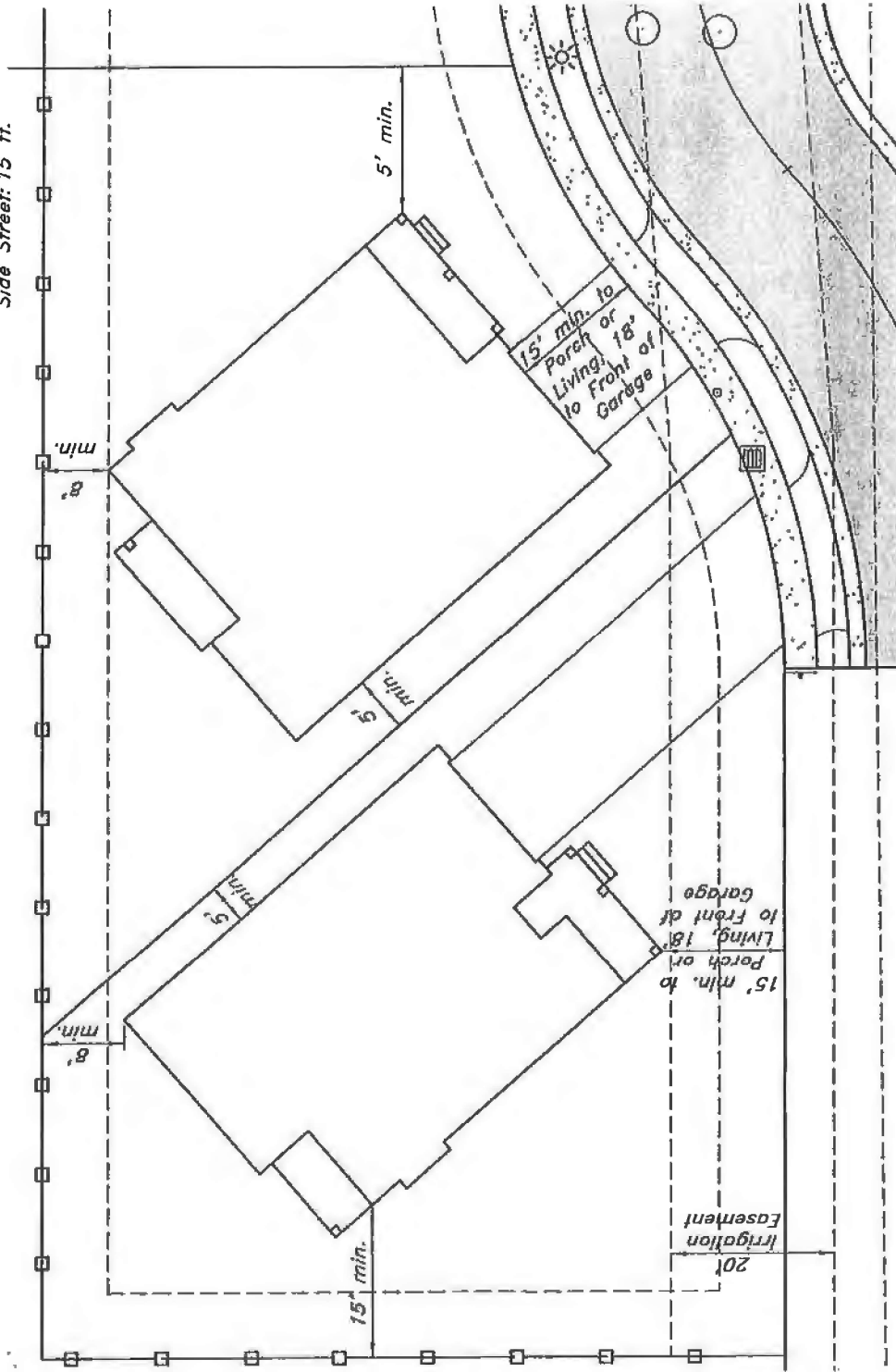
*Front Yard: 15 ft. to Porch or Living Space
18 ft. to Front of Garage
Side Yard: 5 ft.
Rear Yard: 8 ft.
Corner Lot
Side Street: 15 ft.*



* Measurements are from
Property Line to Face of
Building Foundation

Lot #13 & #14 **Setbacks**

Site Setbacks
 Front Yard: 15 ft. to Porch or Living Space
 18 ft. to Front of Garage
 Side Yard: 5 ft.
 Rear Yard: 8 ft.
 Corner Lot
 Side Street: 15 ft.



* Measurements are from Property Line to Face of Building Foundation

RESOLUTION R2024 - 04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR TO SIGN THE FIRST AMENDMENT TO A DEVELOPMENT AGREEMENT, DATED JULY 20, 2021, PERTAINING TO PARCEL NO. 27-14-102-016-000.

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah (the “City”) and is authorized to enter into development agreements that it considers are necessary and appropriate for the use and development of land within the City; and

WHEREAS, on or about July 20, 2021, the City entered into a development agreement with Ryan Holt (the “Development Agreement”); and

WHEREAS, A Better Quality Home, LLC, a Utah limited company (the “Developer”) has purchased the project and the affected property from Ryan Holt and the Developer is thereby the legal successor in interest to all rights and obligations for the Development Agreement; and

WHEREAS, the City and the Developer desire to amend the Development Agreement by changing the minimum side yard setback from 7 feet to 5 feet to make this requirement consistent with the side yard requirements of the adjoining historic Hidden Village Subdivision; and

WHEREAS, the City Council of the City of South Jordan has determined that it is in the best interest of the public health, safety and welfare of the City to authorize the Mayor to sign an amendment to the Agreement, making changes to the side yard requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Authorization to sign First Amendment to Development Agreement. The City Council hereby authorizes the Mayor to sign the First Amendment to the Development Agreement, attached hereto as **Exhibit 1**.

SECTION 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

SECTION 3. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory Simonson
Gregory Simonson (Jan 9, 2024 16:32 MST)
Office of the City Attorney

EXHIBIT 1**(First Amendment to Development Agreement)****FIRST AMENDMENT TO DEVELOPMENT AGREEMENT**

THE CITY OF SOUTH JORDAN, a Utah municipal corporation (the "City") and A BETTER QUALITY HOME, LLC, a Utah limited company (the "Developer") enter into this FIRST AMENDMENT TO DEVELOPMENT AGREEMENT this ____ day of _____, 2024 (the "First Amendment").

WHEREAS, on or about July 20, 2021, the City and Mr. Ryan Holt entered into a Development Agreement affecting Parcel No: 27-14-102-016-0000, a true and correct copy of which is attached hereto as **Exhibit A** (the "Development Agreement"); and

WHEREAS, Mr. Holt subsequently sold the project, including the affected property to the Developer and the Developer became the successor in interest to all the rights and obligations of the Development Agreement; and

WHEREAS, the Development Agreement in paragraph D. 5 provides that homes built pursuant to the terms of the Development Agreement shall have a minimum side yard setback of 7 feet; and

WHEREAS, the Developer and the City each desire to amend the side yard setback from 7 feet to 5 feet to make this requirement consistent with the side yard requirements of the adjoining historic Hidden Village Subdivision:

NOW THEREFORE, the City and the Developer agree to the following amendment:

1. Paragraph D. 5 of the Development Agreement is hereby amended from its current content to read "Side Setback, 5ft."
2. All other terms of the Development Agreement shall remain unchanged.
3. The City and Developer acknowledge that Developer has purchased the project and the affected property from Ryan Holt and Developer is thereby the legal successor in interest to all rights and obligations of the Development Agreement.
4. To the extent there are any conflicts between the Amendment and the Development Agreement the terms of the Amendment shall control.

IN WITNESS WHEREOF, the City and Developer have executed this Amendment as of the effective date set forth above.

[SIGNATURE PAGE FOLLOWS]

**CITY OF SOUTH JORDAN,
a Utah Municipal Corporation**

By: _____
Dawn R. Ramsey, Mayor

Date: _____

State of Utah)
 : ss
County of Salt Lake)

APPROVED AS TO FORM:

Gregory Simonson
Gregory Simonson (Jan 9, 2024 16:32 MST)
Attorney for the City

On this _____ day of _____, 20____, personally appeared before me Dawn R. Ramsey, who is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that she is the Mayor of the City of South Jordan, a Utah municipal corporation, and that said instrument was signed by her on behalf of the City of South Jordan by authority of the South Jordan City Code by a Resolution of the South Jordan City Council, and she acknowledged to me that said municipal corporation executed the same. Witness my hand and official seal.

Notary Public

**A BETTER QUALITY HOME, LLC,
a Utah limited company.**

By: _____
David George

Title: _____

Date: _____

State of Utah)
 : ss
County of Salt Lake)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by David George, the _____ of A Better Quality Home, LLC, a Utah Limited Company, on behalf of the company. Witness my hand and official seal.

Notary Public

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THE CITY OF SOUTH JORDAN, a Utah municipal corporation (the “City”) and A BETTER QUALITY HOME, LLC, a Utah limited company (the “Developer”) enter into this FIRST AMENDMENT TO DEVELOPMENT AGREEMENT this ____ day of _____, 2024 (the “First Amendment”).

WHEREAS, on or about July 20, 2021, the City and Mr. Ryan Holt entered into a Development Agreement affecting Parcel No: 27-14-102-016-0000, a true and correct copy of which is attached hereto as **Exhibit A** (the “Development Agreement”); and

WHEREAS, Mr. Holt subsequently sold the project, including the affected property to the Developer and the Developer became the successor in interest to all the rights and obligations of the Development Agreement; and

WHEREAS, the Development Agreement in paragraph D. 5 provides that homes built pursuant to the terms of the Development Agreement shall have a minimum side yard setback of 7 feet; and

WHEREAS, the Developer and the City each desire to amend the side yard setback from 7 feet to 5 feet to make this requirement consistent with the side yard requirements of the adjoining historic Hidden Village Subdivision:

NOW THEREFORE, the City and the Developer agree to the following amendment:

1. Paragraph D. 5 of the Development Agreement is hereby amended from its current content to read “Side Setback. 5ft.”
2. All other terms of the Development Agreement shall remain unchanged.
3. The City and Developer acknowledge that Developer has purchased the project and the affected property from Ryan Holt and Developer is thereby the legal successor in interest to all rights and obligations of the Development Agreement.
4. To the extent there are any conflicts between the Amendment and the Development Agreement the terms of the Amendment shall control.

IN WITNESS WHEREOF, the City and Developer have executed this Amendment as of the effective date set forth above.

[SIGNATURE PAGE FOLLOWS]

**CITY OF SOUTH JORDAN,
a Utah Municipal Corporation**

APPROVED AS TO FORM:

By: _____
Dawn R. Ramsey, Mayor

Gregory Simonson
Gregory Simonson (Jan 9, 2024 16:32 MST)

Attorney for the City

Date: _____

State of Utah)
:SS
County of Salt Lake)

On this _____ day of _____, 20_____, personally appeared before me Dawn R. Ramsey, who is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that she is the Mayor of the City of South Jordan, a Utah municipal corporation, and that said instrument was signed by her on behalf of the City of South Jordan by authority of the South Jordan City Code by a Resolution of the South Jordan City Council, and she acknowledged to me that said municipal corporation executed the same. Witness my hand and official seal.

Notary Public

**A BETTER QUALITY HOME, LLC,
a Utah limited company,**

By: _____
David George

Title: _____

Date: _____

State of Utah)
:SS
County of Salt Lake)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by David George, the _____ of A Better Quality Home, LLC, a Utah Limited Company, on behalf of the company. Witness my hand and official seal.

Notary Public

After recording, please mail to:

City of South Jordan
Attn: City Recorder
1600 Towne Center Drive
South Jordan, Utah 84095

Affected Parcel No(s): 27-14-102-016-0000

DEVELOPMENT AGREEMENT

The **CITY OF SOUTH JORDAN**, a Utah municipal corporation (the "City"), and **RYAN HOLT**, an individual (the "Developer"), enter into this Development Agreement (this "Agreement") this 20 day of July, 20 21 ("Effective Date"), and agree as set forth below. The City and the Developer are jointly referred to as the "Parties" and each may be referred to individually as "Party."

RECITALS

WHEREAS, the Developer is the owner of certain real property identified as Assessor's Parcel Number(s) 27-14-102-016-0000, 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 **Planning** and Land Use Ordinance of South Jordan City and is within the A-5 Agricultural Zone (the "A-5 Zone"). A copy of the provisions of such zone designation in the City Code is attached hereto 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 A-5 Zone to the R-M-5 Residential Zone (the "R-M-5 Zone"). A copy of the provisions of the R-M-5 Zone designation in the City Code is attached hereto 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

Ryan Holt Development Agreement
Page 1 of 6

and maintain the open and sustainable atmosphere desired by the citizens of the City, and 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 R-2021-22, (attached hereto 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 A-5 to a zone designated as R-M-5.

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 Planning and Land Use Ordinance of South Jordan City.

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 A-5 to a zone designated as R-M-5.

C. Conflicting Terms. The Property shall be developed in accordance with the requirements and benefits provided for in relation to an R-M-5 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-M-5 zone, and this Agreement, this Agreement shall control.

D. Developer Obligations:

1. **Concept Plan.** As depicted in **Exhibit B** (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. **Architecture.** Exterior design of the single-family, detached homes shall be consistent with the existing homes in the Hidden Village Historic, P.U.D. subdivision and meet elevations approved by the Architectural Review Committee. Single-family, attached is not a permitted use on the Property. Minor changes to architecture to be reviewed and approved by the Architectural Review Committee.

3. **Front Porch.** Minimum of 80 Square Feet.

4. **Front Setback.** 15 ft.

5. **Side Setback.** 7 ft.

Ryan Holt Development Agreement
Page 2 of 6

6. Rear Setback. 8 ft.
7. Corner Lot, Street Side. 20 ft.
8. Corner Lot, Rear. 8 ft.
9. Landscaping. Street Trees spaced out every 25 ft.

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 including those of the Architectural Review Committee and the Design Review Committee

F. 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-M-5 (**Exhibit 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 B.* 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.

G. 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.

H. General Provisions.

1. Notices. All Notices, filings, consents, approvals, and other

Ryan Holt Development Agreement
Page 3 of 6

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

If to Developer: Ryan Holt
 10291 South 1230 West

 South Jordan, UT 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 of 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.

Ryan Holt Development Agreement
Page 5 of 6

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

CITY OF SOUTH JORDAN,
a Utah Municipal Corporation

By:

Dawn R. Ramsey
Dawn R. Ramsey, Mayor

APPROVED AS TO FORM:

Gregory Simonsen

Gregory Simonsen (Jul 13, 2021 14:44 MDT)

Attorney for the City

State of Utah)

:SS

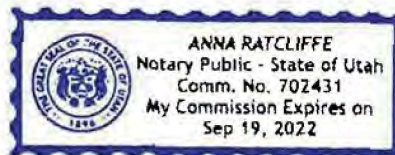
County of Salt Lake)

The foregoing instrument was acknowledged before me on this 20 day of July, 20 21, by Dawn R. Ramsey, whose identity is proved to me on the basis of satisfactory evidence, and who affirmed that she is the Mayor of the City of South Jordan, a Utah municipal corporation, and said document was signed by her in behalf of said municipal corporation by the authority of the South Jordan City Code by a Resolution of the South Jordan City Council, and she acknowledged to me that said municipal corporation executed the same.

Anna Ratcliffe
Notary Public Anna Ratcliffe
My Commission Expires: 09-19-22
Residing at: South Jordan

RYAN HOLT, an individual

Ryan Holt
Ryan Holt
(Print Name and Title)

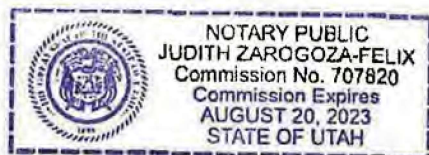


State of)

:SS

County of)

The foregoing instrument was acknowledged before me on this 13 day of July, 20 21, by Ryan Holt, an individual, whose identity is proved to me on the basis of satisfactory evidence.



Judith Zaragoza-Felix
Notary Public
My Commission Expires:
Residing at:

Ryan Holt Development Agreement
Page 6 of 6

EXHIBIT A**(Legal Description of the Property)****Parcel 27-14-102-016**

Beginning at a point on the Easterly boundary line of Parcel J of Hidden Village Historic P.U.D. A Amended, recorded July 12, 2012 as Entry No. 11428318 in Book 2012P at Page 91 in the Office of the Salt Lake County Recorder, said point being South 00°02'10" West 487.06 feet along the section line and East 648.15 feet from the Northwest Corner of Section 14, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 00°02'10" East 100.35 feet along said Easterly boundary line;
 thence South 88°59'50" East 452.70 feet;
 thence South 00°02'10" West 184.01 feet to Northeast Corner of Lot 32 of said Hidden Village Historic P.U.D. A Amended;
 thence along the Northerly boundary line of said Hidden Village Historic P.U.D. A Amended the following three (3) courses:
 (1) North 89°54'04" West 4.00 feet;
 (2) South 89°44'45" West 221.48 feet;
 (3) North 85°08'47" West 31.00 feet;
 thence North 00°02'10" East 86.50 feet;
 thence North 88°59'50" West 196.30 feet to the point of beginning.

Contains 67,542 Square Feet

EXHIBIT B

(Concept Plan)

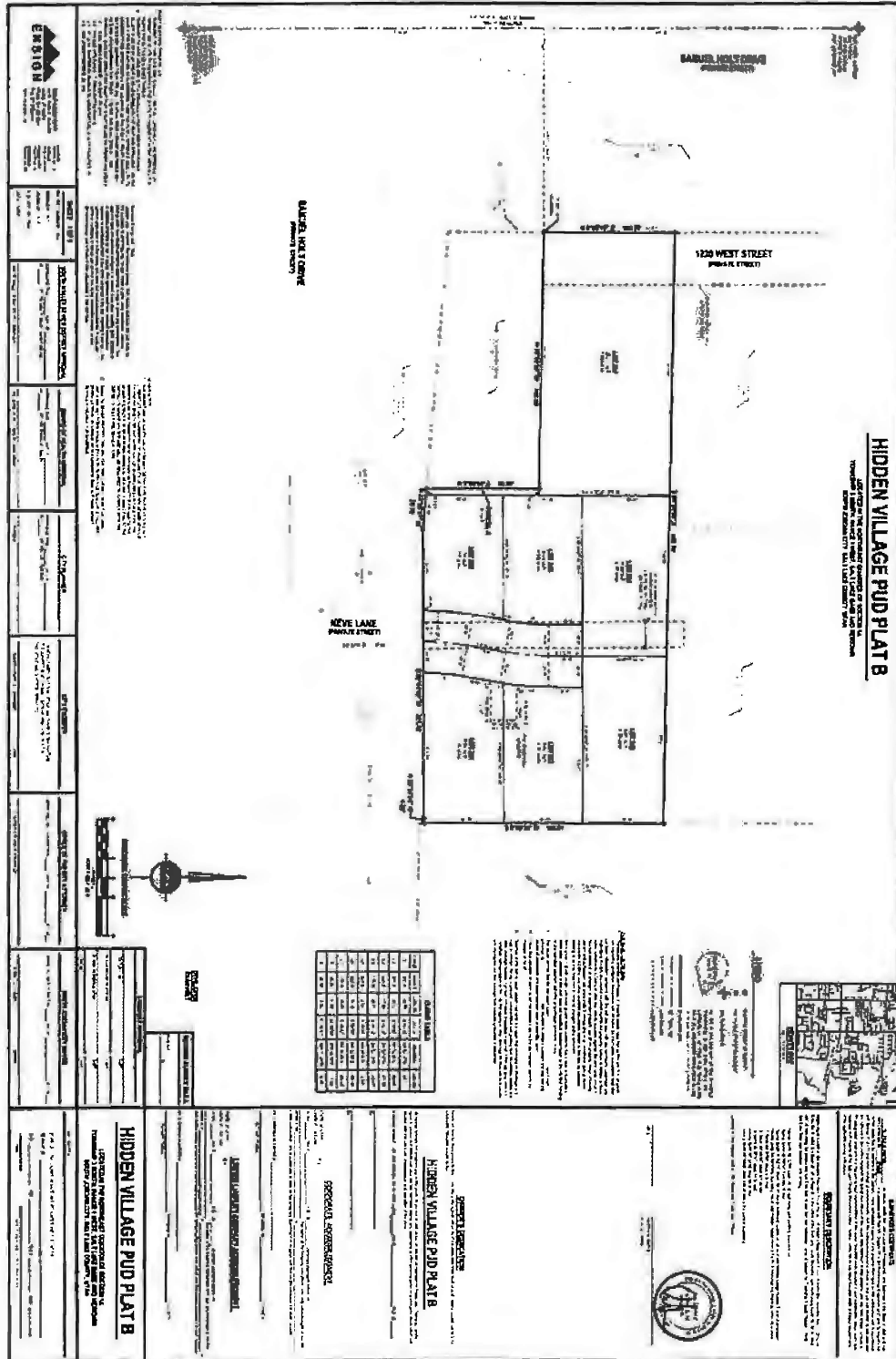


EXHIBIT C

A-5 ZONE City Code Provisions

CHAPTER 17.30

AGRICULTURAL ZONES

SECTION:

17.30.010: Purpose

17.30.020: Development And Design Standards

17.30.030: Other Requirements

17.30.010: 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 agricultural areas in a growing suburban city. This chapter shall apply to the following agricultural zones as established in chapter 17.20, "Zone Establishment", of this title: A-5 and A-1 zones. Uses may only be conducted in agricultural zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and associated use regulations may be found in chapter 17.18, "Uses", of this title. (Ord. 2015-10, 7-7-2015)

17.30.020: DEVELOPMENT AND DESIGN STANDARDS:

Publisher's Note: This Section has been **AMENDED** by new legislation (Ord. 2021-09, adopted 5-4-2021). The text of the amendment will be incorporated below when the ordinance is codified.

A. Development Review. Uses proposed in agricultural 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 agricultural 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.

B. Lot Area: The area of any lot in agricultural 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 (Acres)
A-5	5
A-1	1

C. Lot Density: Only one single-family primary dwelling may be placed on a lot or parcel of land in an agricultural zone.

D. Lot Width And Frontage: Each lot or parcel in an agricultural 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)
A-5	100'	100'	60'
A-1	100'	100'	60'

E. Lot Coverage: The area of lot, parcel or private ownership area in an agricultural 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
A-5	20%
A-1	30%

F. Yard Area: The yard area (setback) requirements below shall apply in all Agricultural 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. Minimum Yard Area Requirements For Main Buildings

Zone	Front Yard (Interior And Corner Lots)	Front Garage	Front Yard (Cul-De-Sac Lots)	Side Yard (Standard)	Side Yard (Corner Lot Street Side)	Rear Yard (Interior Lot)	Rear Yard (Corner Lot)
A-5	30'	30'	25'	10'	25'	25'	10'

A-1	30'	30'	25'	10'	25'	25'	10'
-----	-----	-----	-----	-----	-----	-----	-----

2. Minimum Yard Area Requirements For Accessory Buildings:

- a. **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.
- b. **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 no greater 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 or boundary.
- c. **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').
3. **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.
4. **Projections:** The following may be erected on or projected into any required yard space in Agricultural Zones:
 - a. Fences and walls in conformance with this Code.
 - b. Agricultural crops, landscape or garden elements, including trees, shrubs and other plants.
 - c. Utility or irrigation equipment or facilities.
 - d. Decks not more than two feet (2') high.
 - e. 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.
 - f. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending no 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 Agricultural 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.

H. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Agricultural Zones.

1. **Utility Screening:** In nonresidential and nonagricultural 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. 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:** Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the City Engineer based on traffic speeds, flow, volumes and other traffic related variables.
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 an Agricultural 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 Agricultural Zones:

1. **General Architectural Standards:**
 - a. All building materials shall be high quality, durable and low maintenance.
 - b. The exteriors of buildings in Agricultural Zones shall be properly maintained by the owners or owners' association.
 - c. Signs shall meet the requirements of Title 16, chapter 16.35, "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. Main buildings, excluding main buildings used for agricultural uses, shall be constructed with a minimum amount of brick or stone that

is calculated by multiplying two (2) by the perimeter of the foundation (including garage).

- b. Main buildings shall be constructed with a majority of the roof to be a minimum five to twelve (5:12) pitch, except that roofs of agricultural main buildings may be constructed to be a minimum four to twelve (4:12) roof pitch over the majority of the building.
- c. Residential main buildings shall include a minimum two car garage (minimum 22 feet x 22 feet, or an approved equivalent area).
- d. The minimum total floor area, finished and unfinished, of any residential main building shall be two thousand four hundred (2,400) square feet.
- e. Residential main buildings shall include architectural elements (i.e., main entrance, porch) that distinguish the side of the building oriented toward the front yard as the front of the house. 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 an accessory building in Agricultural Zones shall not exceed the footprint of the main building, including the footprint of an attached garage, except as approved by the Planning Commission as a conditional use permit.
- 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 subject 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 over a majority of the structure.

e. Applications for a conditional use permit under subsections 13a, 13b and 13c 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:

1. The front and street side yards of single-family lots shall be fully improved and properly maintained. Improvements shall include 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 lawn or other acceptable live plant material unless otherwise approved with a conditional use permit.

2. All collector street and other public and private park strips in Agricultural 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 at least 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. 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 residential or agricultural, the following landscaping requirements shall also apply:

a. 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.

b. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sport or play areas, is required. At least thirty percent (30%) of all required trees shall be minimum seven foot (7') evergreens. 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.

c. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.

d. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.

e. 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 right-of-way areas 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.

K. Lighting:

1. A lighting plan shall be submitted with all new developments that have a principal use that is not agricultural or residential.
 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.
- L. **Streets:** Streets in Agricultural Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in Agricultural Zones. (Ord. 2015-10, 7-7-2015; amd. Ord. 2017-22, 7-18-2017; Ord. 2019-01, 3-5-2019; Ord. 2019-06, 3-19-2019)

17.30.030: OTHER REQUIREMENTS:

- A. **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. (Ord. 2015-10, 7-7-2015; amd. Ord. 2016-05, 5-3-2016; Ord. 2019-01, 3-5-2019)
- B. **Maintenance:** All private areas of lots or parcels shall be properly maintained by the owners.
- C. **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.
- D. **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.
- E. **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 an Agricultural Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.
- F. **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.
- G. **Open Space:** Any open space provided within a subdivision to be jointly owned, maintained and preserved by an owners' 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.
- H. **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 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 required by section 17.04.300 of this title. (Ord. 2015-10, 7-7-2015; amd. Ord. 2016-05, 5-3-2016)

EXHIBIT D**R-M-5 ZONE City Code Provisions****CHAPTER 17.40****RESIDENTIAL ZONES****SECTION:****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. (Ord. 2016-05, 5-3-2016)

17.40.020: DEVELOPMENT AND DESIGN STANDARDS:

Publisher's Note: This Section has been **AMENDED** by new legislation (Ord. 2021-09, adopted 5-4-2021). The text of the amendment will be incorporated below when the ordinance is codified.

A. **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.

B. **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

C. **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

D. **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'

E. 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%

F. 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 Opening ¹ (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'

Note:

1. The garage opening minimum yard area requirement shall apply to garages when the garage opening faces the street, otherwise the front yard minimum yard area shall apply. The garage opening minimum yard requirement shall be 25 feet to any street-facing garage opening in a cul-de-sac.

2. Accessory Buildings: Minimum yard area requirements for accessory buildings are as follows:

a. 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.

b. **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.

c. **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').

3. **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.

4. **Projections:** The following may be erected on or projected into any required yard space in Residential Zones:

- a. Fences and walls in conformance with this Code.
- b. Agricultural crops and landscape elements, including trees, shrubs and other plants.
- c. Utility or irrigation equipment or facilities.
- d. Decks not more than two feet (2') high.
- e. 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.
- f. 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.

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. 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:** Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the City Engineer based on traffic speeds, flow, volumes and other traffic related variables.

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.

1. **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. Main buildings shall be constructed with a minimum amount of brick or stone that is calculated by multiplying two (2) by the perimeter length of the foundation (including garage).
- b. Main buildings shall be constructed with a majority of the roof to be a minimum roof pitch of three to twelve (3:12), except that main buildings of a contemporary design with a parapet wall enclosing the roof deck may be constructed with a lower roof pitch when done so in compliance with applicable Building Codes.
- c. Residential main buildings shall include a minimum two car garage (minimum 22 feet by 22 feet, or an approved equivalent area).
- d. The minimum total floor area, finished and unfinished, of any residential main building shall be two thousand four hundred (2,400) square feet.
- e. Residential main buildings shall include architectural elements (i.e., main entrance, porch) that distinguish the side of the building oriented toward the front yard as the front of the house. 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 13a, 13b and 13c 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:

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 lawn or other 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. 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:
 - a. 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.
 - b. 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.
 - c. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.
 - d. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.

e. 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.

K. 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.

L. 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. (Ord. 2016-05, 5-3-2016; amd. Ord. 2017-22, 7-18-2017; Ord. 2019-01, 3-5-2019; Ord. 2019-06, 3-19-2019; Ord. 2021-06, 2-16-2021)

17.40.030: OTHER REQUIREMENTS:

A. 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. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

B. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.

C. 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.

D. 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.

E. 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.

F. 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.

G. 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.

H. 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. (Ord. 2016-05, 5-3-2016)

EXHIBIT E

RESOLUTION R2021-22

(To be inserted once executed)

RESOLUTION R2021 - 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR TO SIGN A DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF PROPERTY APPROXIMATELY LOCATED AT 10291 SOUTH 1230 WEST IN THE CITY OF SOUTH JORDAN.

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah (the "City") and is authorized to enter into development agreements that it considers are necessary or appropriate for the use and development of land within the City pursuant to Utah Code §10-9a-102 *et seq.*; and

WHEREAS, the City has entered into development agreements from time to time as the City has deemed necessary for the orderly development of the City; and

WHEREAS, the Applicant Ryan Holt now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property located at approximately 10291 South 1230 West (the "Property"); and

WHEREAS, the South Jordan City Council (the "City Council") has determined that it is in the best interest of the public health, safety, and welfare of the City to enter into a development agreement for the orderly development of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Authorization to Sign Development Agreement. The City Council hereby authorizes the Mayor to sign the Development Agreement, attached hereto as **Exhibit 1**.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON
THIS 20 DAY OF July, 2021 BY THE FOLLOWING VOTE:

YES NO ABSTAIN ABSENT

Patrick Harris
Bradley Marlor
Donald Shelton
Tamara Zander
Jason McGuire

X	—	—	—
X	—	—	—
X	—	—	—
X	—	—	—
X	—	—	—

Mayor:

Dawn R. Ramsey
Dawn R. Ramsey

Attest:

Asma Crawford
City Recorder

Approved as to form:

Gregory Simonsen

Gregory Simonsen (Jul 13, 2021 14:44 MDT)

Office of the City Attorney



SOUTH JORDAN CITY CITY COUNCIL REPORT

Council Meeting Date: January 16, 2024

Issue: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE TRANSPORTATION MASTER PLAN FOR THE CITY OF SOUTH JORDAN

Submitted By: Brad Klavano
Presented By: Brad Klavano

Department: Engineering

Staff Recommendation (Motion Ready): Approve Resolution 2024-05 amending the Transportation Master Plan for the City of South Jordan

BACKGROUND: The Transportation Master Plan was adopted in 2019 and is in the process of being updated. UDOT is currently planning and designing U111, between South Jordan Parkway & Herriman Blvd, and they're planning for a grade separated trail crossing at Midas Creek. The project area for U111 was not included in the 2019 Transportation Master Plan. Rio Tinto and the City would like an additional grade-separated trail crossing at Copper Creek. UDOT will only add the crossing at Copper Creek to the project if it is included in the City's Transportation Master Plan. The purpose of this amendment is to add the trail crossing at Copper Creek to the Transportation Master Plan so that UDOT will include it in their plans for U111.

TEAM FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

FINDINGS: The amendment to the Transportation Master Plan will provide direction to UDOT regarding the future need for trail crossings on U111.

CONCLUSIONS: The amendment to the Transportation Master Plan will enable UDOT to construct the grade-separated trail crossings with the U111 project and will provide for safe and efficient active transportation in the future.

RECOMMENDATIONS: Staff recommends that the City Council approve Resolution 2024-05, amending the Transportation Master Plan for the City of South Jordan.

FISCAL IMPACT: No impact – improvements should be done by UDOT.

ALTERNATIVES:

1. Adopt Resolution 2024-05
2. Deny Resolution 2024-05

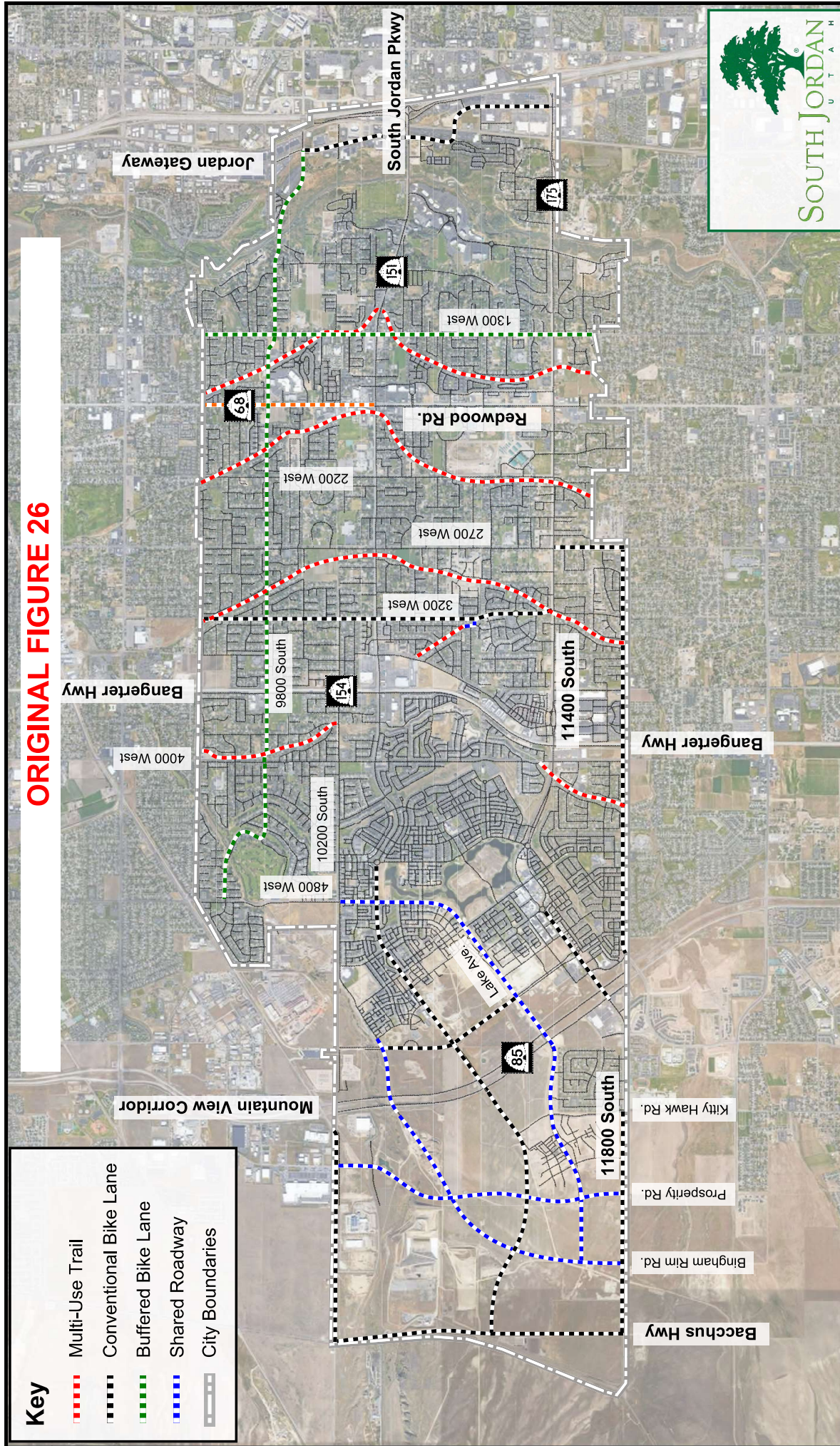
SUPPORT MATERIALS:

1. Resolution 2024-05

2. Original Future Bike Routes and Trails - Figure 26 prepared by Hales Engineering, dated 09/17/2019.
3. New Future Bike Routes and Trails - Figure 26 prepared by Wall Consulting Group, dated 12/19/2023.

City Council Action Requested: *Brad Klavano* 1/8/2024
Brad Klavano (Jan 8, 2024 11:29 MST)
Department Head Date

ORIGINAL FIGURE 26



DATE 09/17/2019
PROJECT UT18-1282
PAGE 26

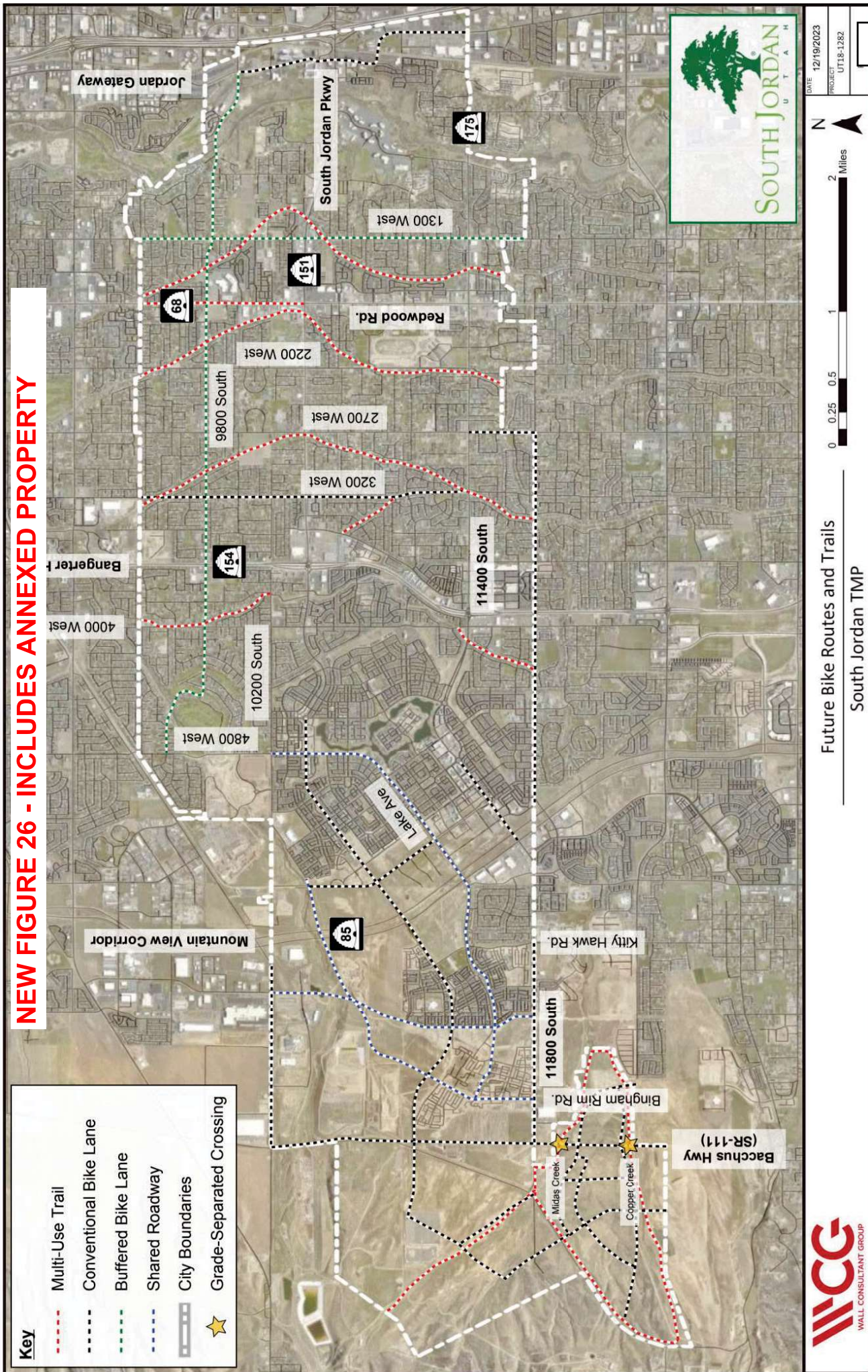


Future Bike Routes and Trails
South Jordan TMP

HALES ENGINEERING
innovative transportation solutions

Item I.2.

NEW FIGURE 26 - INCLUDES ANNEXED PROPERTY



RESOLUTION NO. 2024-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE TRANSPORTATION MASTER PLAN FOR SOUTH JORDAN CITY

WHEREAS, recorded and prospective growth in the City of South Jordan has created the need for transportation improvements to the City which are not identified in the City's current Transportation Master Plan, adopted in 2019; and

WHEREAS, the City is needing to provide UDOT with an updated Transportation Master Plan to support the planning and design of the U111 project; and

WHEREAS, the City has coordinated with Rio Tinto on their future plans for transportation and trail connections, which were not considered in the current Transportation Master Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH that the document entitled Future Bike Routes and Trails - Figure 26 prepared by Wall Consultant Group, dated 12/19/2023, a copy of which is attached, is hereby incorporated into the Master Transportation Plan and replaces Figure 26 in the previous version of the Transportation Master Plan.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, STATE OF UTAH, ON THIS _____ DAY OF _____, 2024, BY THE FOLLOWING VOTE:

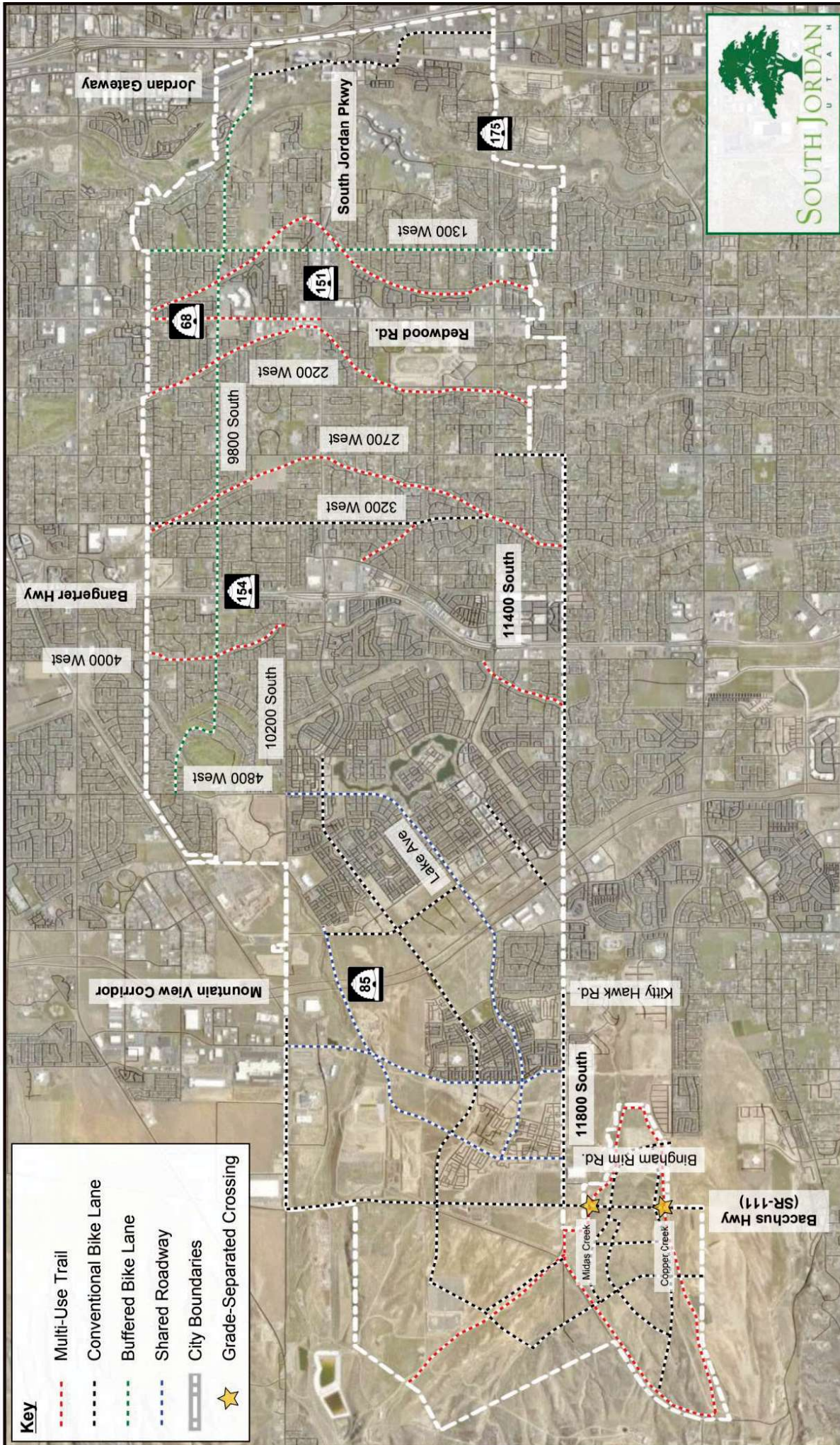
	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory Simonson
Gregory Simonson (Jan 8, 2024 12:08 MST)
Office of the City Attorney



0 0.25 0.5 1 2 Miles

DATE 12/19/2023
PROJECT UT18-1282

Future Bike Routes and Trails

South Jordan TMP

Item I.2.

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 01/16/2024

Issue: **DEVUAL REZONE**
Rezone from Agricultural (A-5) to Residential (R-1.8)

Address: **2530 W. 10950 S.**
File No: **PLZBA202300197**
Applicant: **Robbie Pope**

Submitted by: **Andrew McDonald, Planner I**
Shane Greenwood, Supervising Senior Engineer
Presented by: **Steven Schaefermeyer, Director of Planning**

Staff Recommendation (Motion Ready): I move that the City Council approve Ordinance No. 2024-01-Z, approving the proposed zone change.

ACREAGE:	Approximately .92 (acres)
CURRENT ZONE:	A-5
FUTURE LAND USE PLAN:	SN (Stable Neighborhood)
NEIGHBORING ZONES:	North – R-1.8
	East – A-5
	South – R-1.8
	West – R-1.8

REZONE REVIEW STANDARDS:

The rezoning of property may not be considered if the proposed zoning does not conform to the general plan. The following guidelines shall be considered in the rezoning of parcels:

- A. The parcel to be rezoned meets the minimum area requirements of the proposed zone or if the parcel, when rezoned, will contribute to a zone area which meets the minimum area requirements of the zone.
- B. The parcel to be rezoned can accommodate the requirements of the proposed zone.
- C. The rezoning will not impair the development potential of the parcel or neighboring properties.

City Code § 17.22.020

BACKGROUND:

Robbie Pope (on behalf of the property owner) has submitted an application to rezone the subject property. The property currently is zoned A-5 (Agricultural, minimum 5 acre lot), and the applicant requests a rezone to R-1.8 Zone (Residential, 1.8 units per acre). Adjacent properties to

the north, west, and south are already zoned R-1.8. The property adjacent to the east is currently zoned A-5.

Currently, properties in the A-5 Zone are allowed to have a maximum building coverage (includes the home, and accessory buildings and structures) of 20% of the lot area. This contrasts with the R-1.8 Zone, which allows a maximum of 40% building coverage. The property owner would like to rezone their property to utilize this larger coverage restriction.

The subject property is already developed with a single-family home, which will remain. The subject property does not qualify for flag lot development, and subdividing is not being proposed with this application. No additional home construction will occur. The existing-future-land use is SN (Stable Neighborhood), and will not be amended with this application. There is no development agreement proposed in this application.

STAFF FINDINGS, CONCLUSION & RECOMMENDATION:

Findings:

- The application meets the rezone standards of review.
- The rezone will bring the subject property into compliance with City Code.
- The rezone from A-5 to R-1.8 is consistent with the General Plan and the neighborhood.
- The Planning Commission reviewed the application on December 12, 2023; and voted unanimously to recommend approval to the City Council.

Conclusion: The rezone is consistent with the General Plan, and City Code and should be approved.

Recommendation: Staff recommends that the City Council take comments at the public hearing; and **approve** the application, unless during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended application
- Deny the application
- Schedule the application for a decision at a future date

SUPPORT MATERIALS:

- Location Map
- Ordinance 2024-01-Z
- Public Mailing Notice

Andrew McDonald

Andrew McDonald (Jan 5, 2024 09:24 MST)

Andrew McDonald, AICP Candidate
Planner I, Planning Department

Department Approval

Steven Schaefermeyer

Steven Schaefermeyer (Jan 5, 2024 10:15 MST)

Steven Schaefermeyer
Director of Planning

Current Zoning Map

Item I.3.



ORDINANCE NO. 2024 – 01–Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY, GENERALLY LOCATED AT 2560 WEST 10950 SOUTH, FROM A-5 (AGRICULTURAL) ZONE TO R-1.8 (RESIDENTIAL) ZONE; ROBBIE POPE (APPLICANT)

WHEREAS, the City Council of the City of South Jordan (“City Council”) has adopted the Zoning Ordinance of the City of South Jordan (Title 17 of the Municipal Code) with the accompanying Zoning Map; and

WHEREAS, the Applicant, Robbie Pope, proposed that the City Council amend the Zoning Map by rezoning the property described in the attached **Exhibit A** and located generally at 2560 West 10950 South; and

WHEREAS, the South Jordan Planning Commission reviewed the proposed rezoning and made a recommendation to the City Council; and

WHEREAS, the City Council held a public hearing concerning the proposed rezoning; and

WHEREAS, the City Council finds that the rezoning will enhance the public health, safety and welfare and promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Rezone. The property described in Application PLZBA202300197 filed by Robbie Pope, located at 2560 W. 10950 S. in the City of South Jordan, Utah is hereby reclassified from the A-5 (Agricultural) Zone) to the R-1.8 (Residential) Zone, on property described in the attached **Exhibit A**.

SECTION 2. Filing of Zoning Map. The Official Zoning Map showing such changes shall be filed with the South Jordan City Recorder.

SECTION 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory Simonsen
Gregory Simonsen (Jan 9, 2024 10:51 MST)
Office of the City Attorney

EXHIBIT A

(Property Description)

Parcel ID: 27164510100000

BEG 1452 FT W & 330 FT N FR SE COR SEC 16, T 3S, R 1W, S L M; N 330 FT; W 132 FT; S 330 FT; E 132 FT TO BEG. 1 AC M OR L 4873-741 5668- 1897 6067-2635 7060-820 8227-2134 8263-5392 10469-6066 10469-6068

(Zoning Map)



Dawn R. Ramsey, *Mayor*
 Patrick Harris, *Council Member*
 Bradley G. Marlor, *Council Member*
 Donald J. Shelton, *Council Member*
 Tamara Zander, *Council Member*
 Jason T. McGuire, *Council Member*



PH: 801.446-HELP @SouthJordanUT

NOTICE OF PUBLIC HEARING

December 1st, 2023

Dear Recipient:

Robbie Pope, on behalf of property owner has filed an application (File #**PLZBA202300197**) at **2530 W. 10950 S.** The applicant is requesting that the South Jordan City Planning Commission review and forward a recommendation to the City Council to rezone the subject property from the Agricultural (A-5) Zone to the Residential (R-1.8) Zone; so that the subject property is consistent with the surrounding adjacent properties that are already zoned R-1.8.

You are receiving this notice because Salt Lake County records indicate that you own property that is within 300' (feet) of the subject property; or are listed as an affected entity. A map showing the property location is attached to this notice.

A public hearing regarding this proposal will be held before the South Jordan City Planning Commission **at 6:30 p.m. on Tuesday December 12th, 2023; and at 6:30 p.m. on Tuesday January 16, 2024** for the South Jordan City Council in the South Jordan City Council Chambers (1600 W. Towne Center Drive). All interested parties are invited to attend. Virtual attendance can be done by following instructions provided at: **<http://www.sjc.utah.gov/planning-commission/>**. Virtual attendance is contingent upon on individual's internet connection, not the City.

Public comments may be submitted by in writing by mail or by emailing Andrew McDonald at amcdonald@sjc.utah.gov, **by 12:00 p.m. on December 12th, 2023 for the Planning Commission and by 12:00 p.m. on January 16, 2024 for City Council**. This ensures that any comments received can be reviewed by the Commission, and included in the record prior to the meeting. Any emails or signed letters received will be placed on record. **There is a 10 MB file size limit on emailed comments**. Comments may also be given, and added to the record, during the public comment portion of the hearing.

Should you desire further information, you may contact the South Jordan Planning & Zoning Department: **(801) 446-4357** during regular business hours or by contacting the email provided.

Respectfully,
Andrew McDonald, AICP Candidate
City of South Jordan Planning Department
Location Map of Subject Property



SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 1/16/24

Application: TEXT AMENDMENT - AMENDING SUBSECTION 17.130.050 (PD FLOATING ZONE) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO UPDATE THE LANGUAGE REGARDING THE PURPOSE AND ESTABLISHMENT OF THE PD FLOATING ZONE.

File No: PLZTA202300132

Applicant: South Jordan City

Submitted By: David Mann, Long Range Planning Analyst

Presented By: Steven Schaefermeyer, Director of Planning

Staff Recommendation (Motion Ready): Based on the staff report and other information presented to the City Council during the public hearing, and the Planning commission's positive recommendation, I move that the City Council **approve** Ordinance 2024-02.

BACKGROUND:

South Jordan City has filed an application to amend sections in Title 17 of the South Jordan City Municipal Code (City Code) regarding the Planned Development Floating Zone. In August 2023, the City Council passed Resolution R2023-38, providing notice of a pending land use ordinance for the PD Floating Zone. The pending ordinance limits residential densities to a maximum of 8 units per acre in PD Zone projects unless they are located within a station area (an area that is within a specific distance of the FrontRunner and TRAX stations)¹ and the applicant is the City. The notice of pending ordinance gives Staff 180 days to draft and pass the final ordinance and prevent any applications during that time period to gain vested property rights to develop under the current City Code.

ANALYSIS:

Staff proposes to amend the text in City Code § 17.130.050 based on the review and approval process of previous PD Floating Zone applications. Staff has identified some topics (future land use designations and residential densities) that are consistently brought up and discussed during public hearings for proposed PD Floating Zones. The proposed text amendment adds "the future land use" of a subject property to the list of items the City Council must consider when approving a PD District. Staff also proposes that residential projects cannot exceed densities of 8 units/acre unless located near rail stations in the City. This restriction is consistent with prior City Council decisions on PD projects and the direction the Council has given Staff.

¹ The Utah State Legislature created Station Area Plan (SAP) in state code that are defined as properties within a half mile radius of TRAX and Frontrunner stations where cities should plan for and encourage increased residential densities. Increased traffic impacts are intended to be mitigated through the design and location of high-density residential developments due to the close proximity of mass transit and a mix of commercial uses.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- Utah Code § 10-9a-102 grants the City Council a general land use authority to enact regulations that it considers necessary or appropriate for the use and development of land in the City, including maintaining the aesthetics of the City and protecting the tax base, and the City Council has the power to amend its land use regulations. (See Utah Code § 10-9a-501 et seq.)
- Staff has proposed changes to the municipal code in order to codify processes, restrictions and City Council direction commonly considered during previous PD Floating Zone applications.
- The Planning Commission forwarded a recommendation of approval for the proposed text amendment with a 3-0 vote on January 9, 2024.

Conclusions:

- The proposed text amendment will provide more clarity in the application and approval process of PD Floating Zone applications.

ALTERNATIVES:

- Deny the application.
- Propose modification(s) to the application.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- Ordinance 2024-02
- Resolution R2023-38



David Mann
Long-range Planner

Department Approval:



Gregory Schindler (Jan 10, 2024 11:35 MST)

Greg Schindler
City Planner

ORDINANCE NO. 2024 - 02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTION 17.130.050 (PLANNED DEVELOPMENT FLOATING ZONE) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO ADD A LIMIT FOR RESIDENTIAL DENSITY.

WHEREAS, Utah Code § 10-9a-102 grants the City of South Jordan (the “City”) authority to enact ordinances that the South Jordan City Council (the “City Council”) considers necessary or appropriate for the use and development of land within the City; and

WHEREAS, the City of South Jordan has submitted an application to amend Section 17.130.050 (Planned Development Floating Zone) of the South Jordan City Municipal Code to add a maximum residential density for certain areas of the City; and

WHEREAS, the City Council held a public hearing regarding the amendment; and

WHEREAS, the City Council finds that amending the City’s Code to include a maximum residential density for certain areas of the City will enhance the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Amendment. Section 17.130.050 (Planned Development Floating Zone) of the South Jordan City Municipal Code is hereby amended as shown in the attached **Exhibit A**.

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory Simonson
Gregory Simonson (Jan 10, 2024 11:42 MST)

Office of the City Attorney

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

17.130.050.010: PURPOSE

The purpose of the Planned Development Floating Zone (PD) is to allow for flexibility in the application of zoning regulations and development provisions of this title to advance a public interest through prescriptive requirements of a development plan and development agreement approved by the City Council. The PD may be applied to specific geographical areas ("districts") in circumstances that address a unique situation, confer a substantial benefit to the City, or incorporate design elements or a mixture of uses that represent a significant improvement in quality over what could otherwise be accomplished by standard zoning and development provisions. Such circumstances may include, but are not limited to: improvements in open space and amenities, environmental and resource preservation, tree and vegetation protection, slope accommodations, improved infrastructure efficiency, exceptional and innovative site or building design, increased public benefits, and complementary integrated land uses. The City Council shall consider the purpose of the base zone, **the future land use**, and the impacts on and from surrounding properties when approving a PD District.

17.130.050.020: ESTABLISHMENT

A. Procedure:

1. Concept: A concept plan, that includes a preliminary site layout, basic sketches of proposed buildings, and a general understanding of proposed uses, shall be submitted for City Council review. Applicants are encouraged to work with staff prior to application to achieve an understanding of the surrounding area, the purpose of the base zone, and the goals and policies of the City's general plan. The Council shall provide advisory comments and recommendation regarding the concept plan to assist in the preparation of the development plan according to subsection B of this section. No action will be taken by the Council, and comments and recommendations will not obligate, compel, or constrain future action by the Council.
2. Rezone: A PD District 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, except that the requirement for a conceptual plan in subsection 17.22.030D of this title shall be replaced with a development plan according to subsection B of this section. Except in those instances where the Applicant is the City of South Jordan the development plan shall be approved by development agreement in conjunction with the rezoning approval. If the Applicant is the City of South Jordan the development plan may be approved as part of the rezone without a development agreement.
3. Concurrent Site Plan Or Preliminary Subdivision (Optional): At the applicant's option and with the approval of the Planning Director, the applicant may submit a site plan application and/or preliminary subdivision application to be processed concurrently with a PD rezone. In the case of concurrent applications, Planning Commission approval of a concurrent site plan and/or preliminary subdivision shall be contingent on the City Council's approval of the PD rezone.

B. Development Plan Requirements:

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

1. A written statement shall be provided that explains the intent of the proposal, explains how the PD provisions will be met, and identifies the requested revisions to standard zoning and development provisions.
 2. A map and other textual or graphic materials as necessary to define the geographical boundaries of the area to which the requested PD District would apply.
 3. A development plan shall also include:
 - a. Site plan/conceptual subdivision plan;
 - b. Circulation and access plan;
 - c. Building elevations, materials, and colors;
 - d. Landscape and open space plan;
 - e. Signage plan;
 - f. Lighting plan; and
 - g. Allowed uses.
- C. Prohibited:
1. Sexually oriented businesses shall not be allowed in a PD District where otherwise prohibited by this Code.
 2. A PD District shall not be approved in the P-C Zone or Single-Family Residential Zones (R-1.8, R-2.5, R-3, R-4, R-5).
 - 3. Residential density shall not exceed 8 units per acre on properties outside of designated Station Area Plan (SAP) areas where the City of South Jordan is not the applicant.**
- D. Effect Of Approval:
1. All of the provisions of this Code, including those of the base zone, shall be in full force and effect, unless such provisions are expressly waived or modified by the approved development plan and/or development agreement.
 2. An approved PD District shall be shown on the zoning map by a "-PD" designation after the designation of the base zone district.
 3. No permits for development within an approved PD District shall be issued by the City unless the development complies with the approved development plan.
 4. The Planning Director may authorize minor deviations from an approved development plan to resolve conflicting provisions or when necessary for technical or engineering considerations. Such minor deviations shall not affect the vested rights of the PD District and shall not impose increased impacts on surrounding properties.
- E. Vested Rights:
1. A property right that has been vested through approval of a PD District shall remain vested for a period of three (3) years or upon substantial commencement of the project. A property right may be vested, or an extension of a vested property right may be granted, for a period greater than three (3) years only if approved by the City Council through an approved PD District.
 2. Substantial commencement shall be the installation of infrastructure, a building having started construction, or as determined by the Planning Director based on significant progress otherwise demonstrated by the applicant. A project that has not substantially commenced may, at the discretion of the property owner, develop according to the base zone. A project that has substantially commenced shall not deviate, in whole or in part, from the approved PD District, unless amended per section 17.130.050.030 of this section 17.130.050.

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

17.130.050.030: AMENDMENTS

Any application to amend an approved PD District shall be processed as a zone text amendment, except that an application to extend the district boundaries shall be processed as a rezone. Except in those instances where the Applicant is the City of South Jordan any amendment to an approved PD District requires that the corresponding development agreement also be amended.

RESOLUTION R2023-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, PROVIDING NOTICE OF A PENDING LAND USE ORDINANCE TO AMEND THE PLANNED DEVELOPMENT FLOATING ZONE IN SECTION 17.130.050.

WHEREAS, pursuant to Utah Code § 10-9a-509 (1)(a)(ii), the City Council of the City of South Jordan (the “City Council”) desires to provide notice of a pending land use ordinance regarding proposed changes to Section 17.130.050 of the South Jordan City Municipal Code (“City Code”) that regulates development in the Planned Development Floating Zone (PDFZ); and,

WHEREAS, the City is currently preparing a draft ordinance that will prohibit development of more than 8 residential units per acre in the PDFZ except in PDFZ zones existing within the boundaries of approved Station Area Plans and where the City is the applicant; and

WHEREAS, the City Council finds that studying the issues presented in the PDFZ and potentially adopting restrictions on the number of residential units per acre in the PDFZ is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Notice of Planned Changes to the City Land Use Ordinance. Notice is hereby given that the City Council intends to consider and potentially adopt an ordinance that will prohibit residential unit density of greater than 8 residences per acre in any PDFZ with the exception of PDFZ zones existing within the boundaries of approved Station Area Plans and where the City is the applicant.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS 1 DAY OF August, 2023 BY THE FOLLOWING VOTE:

YES NO ABSTAIN ABSENT

Patrick Harris
Bradley Marlor
Donald Shelton
Tamara Zander
Jason McGuire

X	___	___	___
X	___	___	___
X	___	___	___
X	___	___	___
X	___	___	___

Mayor:

Dawn R. Ramsey
Dawn R. Ramsey

Attest:

Anna Crockett
City Recorder

Approved as to form:

Rae W. Jorke

Office of the City Attorney



SOUTH JORDAN CITY CITY COUNCIL REPORT

Item 1.5.

Meeting Date: 01-16-23

Issue: FLYING FISH DRIVE RIGHT-OF-WAY VACATION
Address: Approx. 11375 South 6750 West
File No: PLPLA202300065
Applicant: LHM Real Estate

Submitted by: Greg Schindler, City Planner
Presented by: Steven Schaefermeyer, Director of Planning

Staff Recommendation (Motion Ready):

- I move to **Approve** Ordinance 2024-03 vacating a segment of Flying Fish Drive between Lake Avenue and Meadow Grass Drive.

CURRENT LU DESIGNATION	Public and Mixed Use
CURRENT ZONING	Planned Community (PC)
CURRENT USE	Public Street
ADJACENT LAND USES	Currently Vacant – Between Future Elementary School and Mixed Use Development

BACKGROUND:

The applicant, Larry H. Miller Real Estate, has petitioned the City to vacate the entire segment of Flying Fish Drive between Lake Avenue and Meadow Grass Drive. The area covered by the proposed right-of-way (ROW) is 1.511 acres. The plat establishing this segment of Flying Fish Drive was the West Villages Roadway Dedication Plat that was recorded in August of 2019. The section of ROW proposed for vacation is located between property owned by the Jordan School District and property owned by LHM Real Estate. The applicant has submitted a subdivision application for Daybreak Village 15 Plat 1 showing the realignment of a portion of Flying Fish Drive, a reconfiguration of the School District lot and a future model home village.

Should the ROW vacation be approved, the property will be deeded equally to the adjacent property owners. The segment of the road that is proposed to be vacated has not yet been constructed. However, there is an existing City water line that is within the existing ROW. The water line will be abandoned by the City and the applicant has agreed to bond for, re-construct and connect the water line within ROW proposed on the Daybreak Village 15 Plat 1 subdivision.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Utah Code § 10-9a-609.5(3) provides standards of approval for vacating a public easement:
The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street, right-of-way, or easement if the legislative body finds that:
 - (a) good cause exists for the vacation; and
 - (b) neither the public interest nor any person will be materially injured by the vacation.
- Staff finds that there is good cause for vacating the right-of-way for the following reason:
 - The proposed location of a new Model Home Village will require the reconfiguration of the future school property, thus changing the street grid in the area.

- No public interest or any person will be materially injured by the vacation of this segment of the right-of-way since it is currently undeveloped and its future development will meet City of South Jordan standards.

Conclusion:

- The proposed vacation of this segment of the right-of-way meets the requirements of Utah Code.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the City Council take comments at the public hearing and **approve** the petition to vacate, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

FISCAL IMPACT:

- There are no significant fiscal impacts.

ALTERNATIVES:

- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Location Map
- Proposed Subdivision Showing Street Re-alignment
- Ordinance 2024-03

Approved by:

Steven Schaefermeyer
Steven Schaefermeyer (Jan 9, 2024 16:11 MST)

Steven Schaefermeyer.
Director of Planning

January 9, 2024

Date

WHEN RECORDED RETURN TO:

CITY OF SOUTH JORDAN
ATTN: PLANNING DEPARTMENT
1600 W TOWNE CENTER DRIVE
SOUTH JORDAN, UT 84095

ORDINANCE 2024-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, VACATING A SEGMENT OF FLYING FISH DRIVE BETWEEN LAKE AVENUE AND MEADOW GRASS DRIVE

WHEREAS, Utah Code §§ 10-9a-608, 609, and 609.5 require that any vacation of some or all of a public street, right-of-way, or easement, including those recorded by subdivision plat, within the City of South Jordan (the “City”) may only be approved by the City Council of the City of South Jordan (the “City Council”); and

WHEREAS, Larry H. Miller Real Estate (the “Applicant”), petitioned the City to vacate the entire segment of Flying Fish Drive (1.511 ac.) between Lake Avenue (11545 S) and Meadow Grass Drive (11695 S); and

WHEREAS, the City Council held a public hearing to consider Applicant’s petition to vacate the portion of ROW; and

WHEREAS, pursuant to Utah Code § 10-9a-609.5(3), the City Council finds that there is good cause to vacate the said ROW and that neither the public interest nor any person will be materially injured by vacating the ROW.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Grant of Petition to Vacate. The City Council hereby grants the Applicant’s petition to vacate the portion of ROW by adopting this Ordinance, more particularly shown on the attached **Exhibit A**.

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective upon recordation of this Ordinance or a subdivision plat showing the vacation of ROW.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

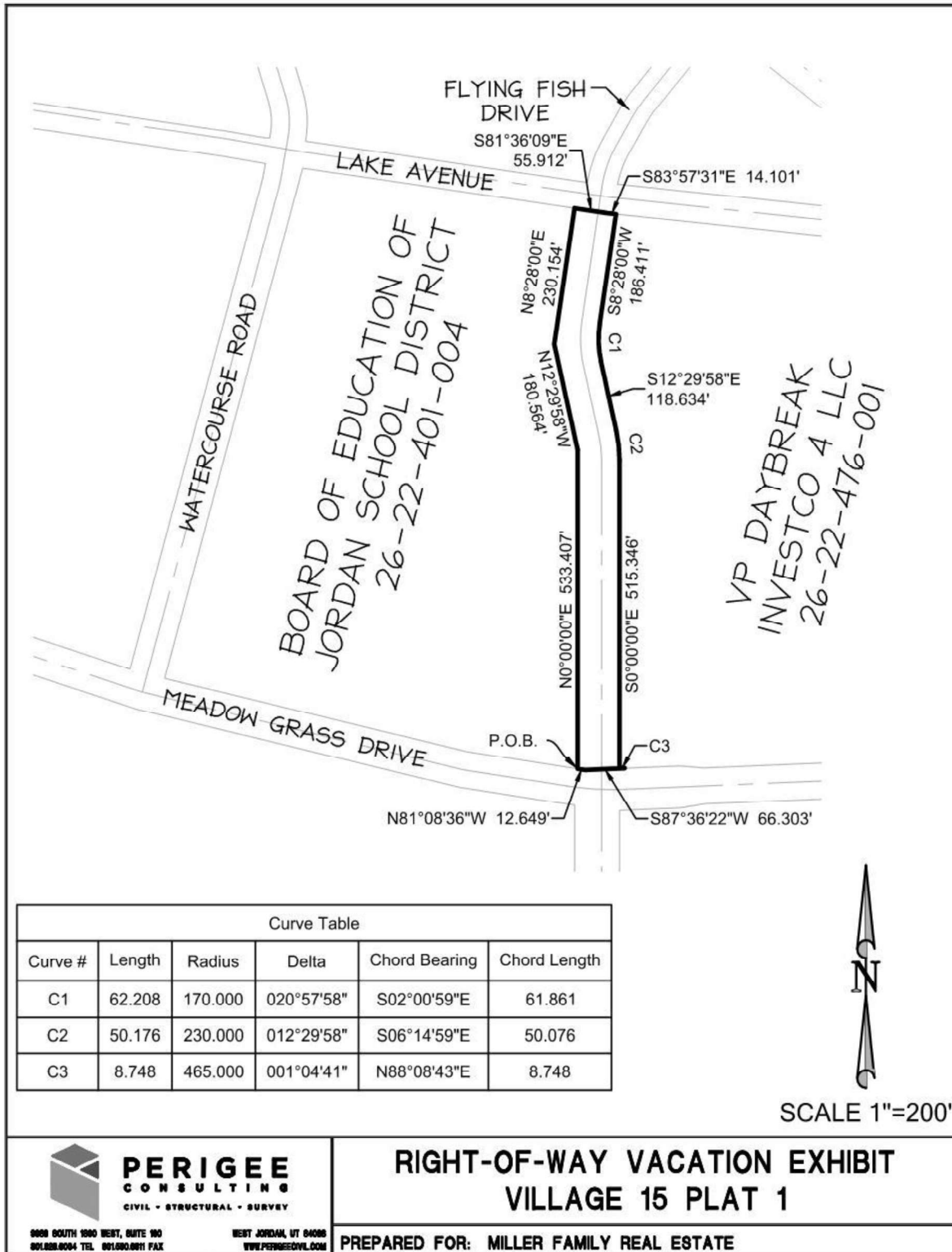
Attest: _____

Approved as to form:

Gregory Simonson
Gregory Simonson (Jan 9, 2024 16:33 MST)

Office of the City Attorney

Exhibit A

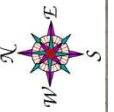
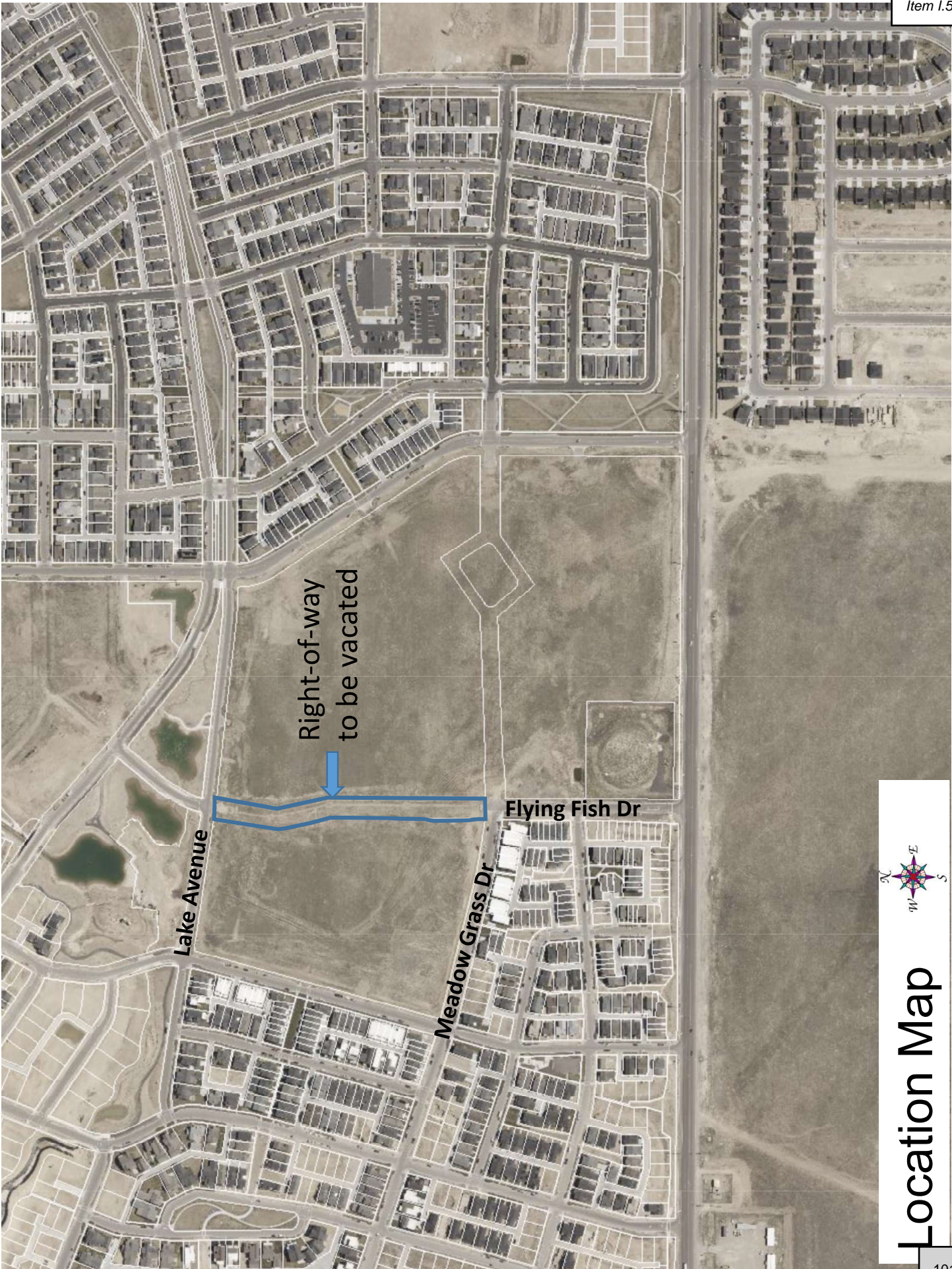


N:\00182 Daybreak\Cadd\Survey\Master\V15P1\Exhibit\2023-10-10 V15P1 ROW Vacation Exhibit.dwg, 11/13/2023 3:28:06 PM, DWG To PDF.pc3

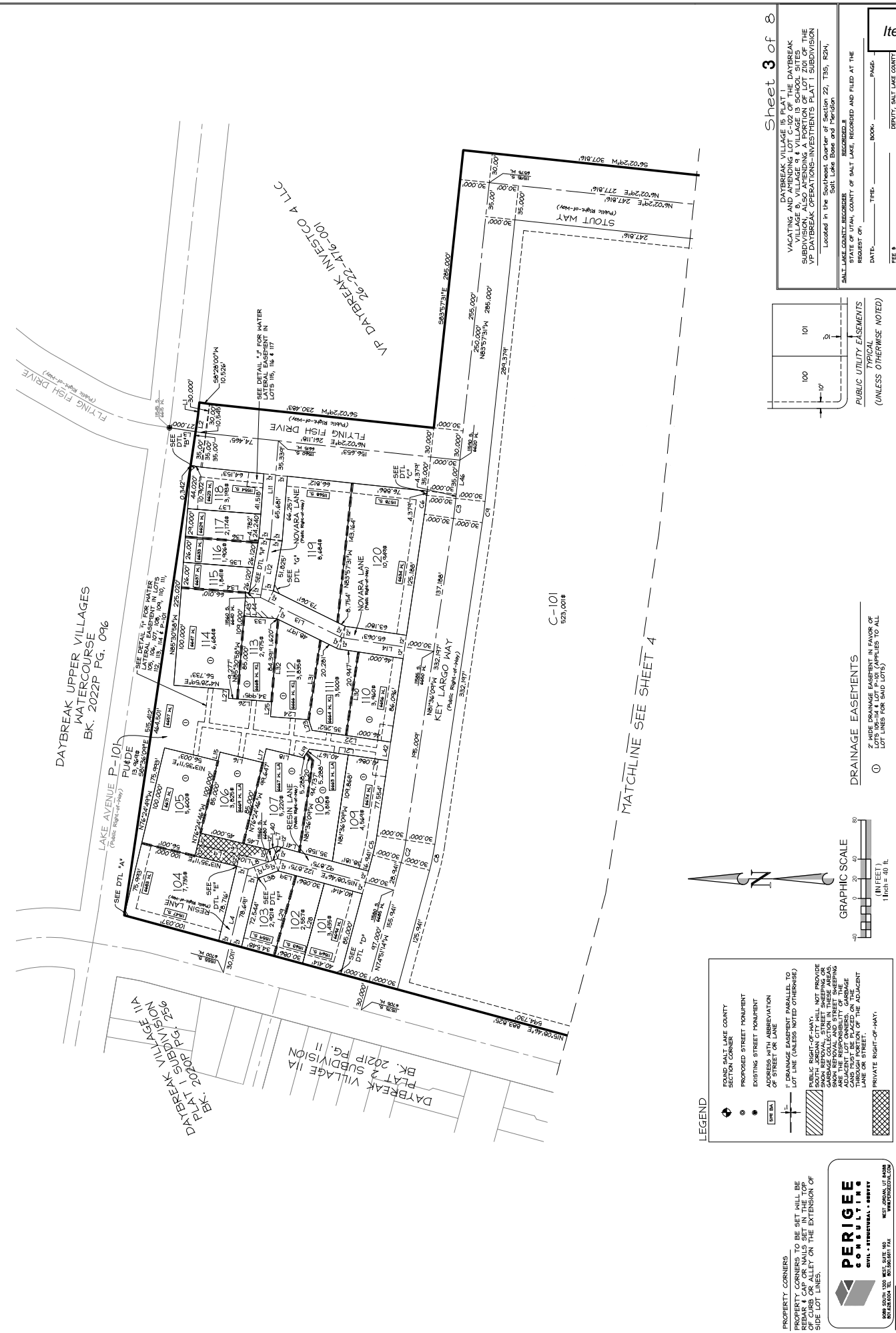
Village 15 Plat 1 Right-of-Way Vacation Description

Beginning at the Southeast Corner of Lot C-102 of the Daybreak Village 8, Village 9 & Village 13 School Sites Subdivision, said point also being the intersection of the Northerly Right-of-Way Line of Meadow Grass Drive and the Westerly Right-of-Way Line of Flying Fish Drive, said point lies South $89^{\circ}56'37''$ East 3901.887 feet along the Daybreak Baseline Southwest (Being South $89^{\circ}56'37''$ East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 712.560 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Flying Fish Drive the following (3) courses: 1) North 533.407 feet; 2) North $12^{\circ}29'58''$ West 180.564 feet; 3) North $08^{\circ}28'00''$ East 230.154 feet to the Southerly Right-of-Way Line of Lake Avenue; thence along Lake Avenue the following (2) courses: 1) South $81^{\circ}36'09''$ East 55.912 feet; 2) South $83^{\circ}57'31''$ East 14.101 feet to the Easterly Right-of-Way Line of said Flying Fish Drive; thence along said Flying Fish Drive the following (5) courses: 1) South $08^{\circ}28'00''$ West 186.411 feet to a point on a 170.000 foot radius tangent curve to the left, (radius bears South $81^{\circ}32'00''$ East, Chord: South $02^{\circ}00'59''$ East 61.861 feet); 2) along the arc of said curve 62.208 feet through a central angle of $20^{\circ}57'58''$; 3) South $12^{\circ}29'58''$ East 118.634 feet to a point on a 230.000 foot radius tangent curve to the right, (radius bears South $77^{\circ}30'02''$ West, Chord: South $06^{\circ}14'59''$ East 50.076 feet); 4) along the arc of said curve 50.176 feet through a central angle of $12^{\circ}29'58''$; 5) South 515.346 feet to the Northerly Right-of-Way Line of said Meadow Grass Drive and a point on a 465.000 foot radius non tangent curve to the left, (radius bears North $01^{\circ}18'57''$ West, Chord: North $88^{\circ}08'43''$ East 8.748 feet); thence along said Meadow Grass Drive and the arc of said curve 8.748 feet through a central angle of $01^{\circ}04'41''$; thence South $87^{\circ}36'22''$ West 66.303 feet; thence North $81^{\circ}08'36''$ West 12.649 feet to the point of beginning.

Property contains 1.511 acres.



Location Map

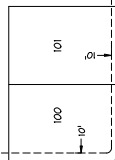


Sheet 3 of 8

DAYBREAK VILLAGE 15 PLAT
VACATING AND RESERVING THE DAYBREAK
VILLAGE 9, VILLAGE 9 4 VILLAGE 13 SCHOOL SITES
SUBDIVISION, ALSO ATTENDING A PORTION OF LOT 201 OF THE
VP DAYBREAK OPERATIONS-INVESTMENTS PLAT 1 SUBDIVISION
Located in the Southwest Quarter of Section 22, T35, R24N,
SALT LAKE COUNTY RECORDS BOOK 2000 PAGE 1000

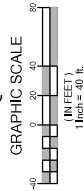
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE
REQUEST OF:
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE \$ _____
DEPUTY, SALT LAKE COUNTY

Item I.5.



PUBLIC UTILITY EASEMENTS
TYPICAL
(UNLESS OTHERWISE NOTED)

DRAINAGE EASEMENTS
① Z-RIDE DRAINAGE EASEMENT IN FAVOR OF
LOT LINES FOR SAID LOTS

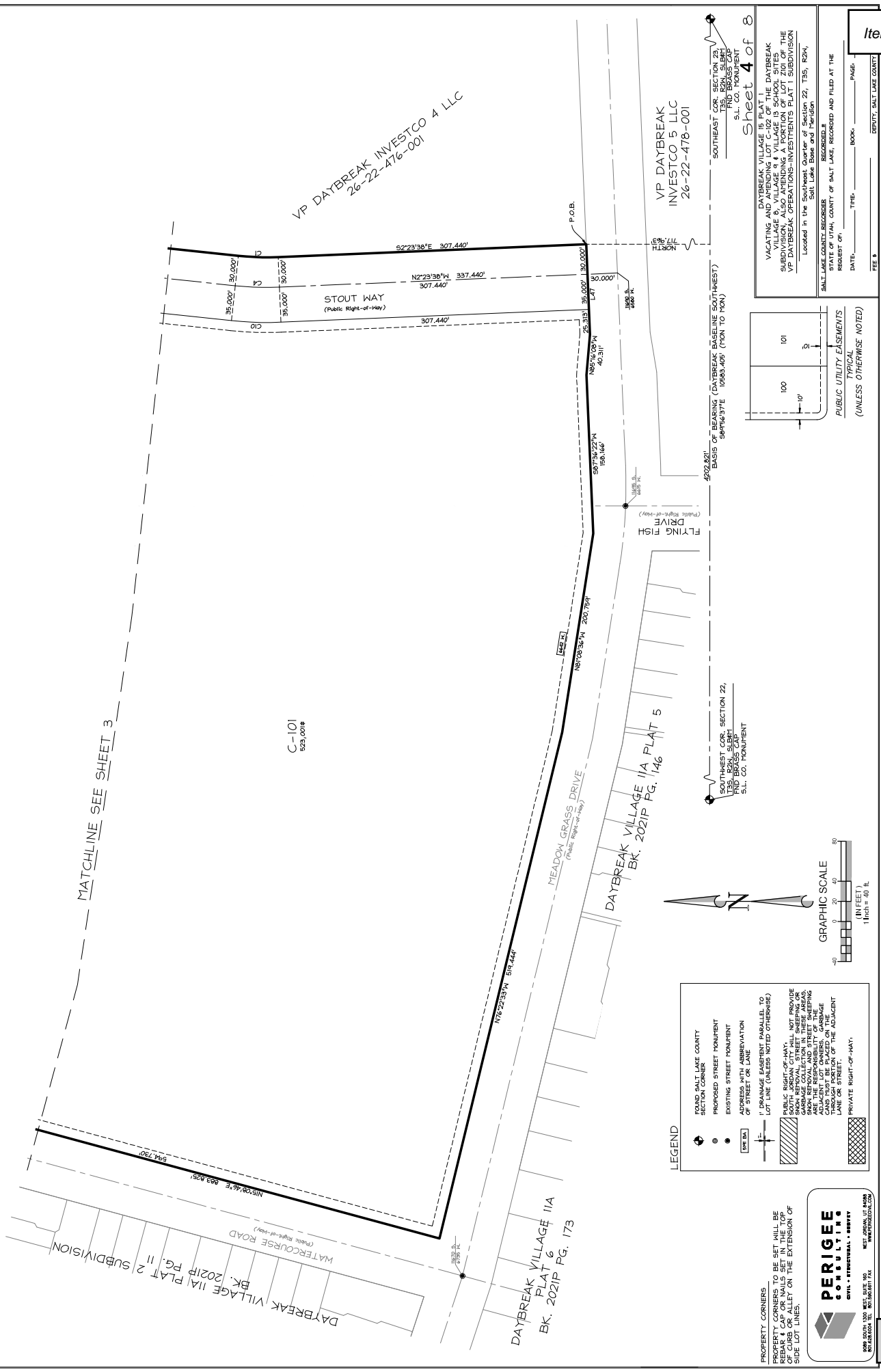


LEGEND

- FOUND SALT LAKE COUNTY SECTION CORNER
- PROPOSED STREET MONUMENT
- EXISTING STREET MONUMENT
- ADDRESS WITH ABBREVIATION OF STREET OR LANE
- 1" DRAINAGE EASEMENT PARALLEL TO LOT LINE (UNLESS NOTED OTHERWISE)
- PUBLIC RIGHT-OF-WAY: SOUTH JORDAN CITY WILL NOT PROVIDE GARBAGE COLLECTION IN THESE AREAS. ARE THE RESPONSIBILITY OF THE ADJACENT LOT OWNER. GARBAGE MUST BE PLACED ON THE THROUGH PORTION OF THE ADJACENT LOT.
- PRIVATE RIGHT-OF-WAY

PROPERTY CORNERS
PROPERTY CORNERS TO BE SET WILL BE REBAR & CAP OR NAILS SET IN THE TOP CORNER OF THE LOT ON THE EXTENSION OF SIDE LOT LINES.

PERIGEE CONSULTING
CIVIL • STRUCTURAL • ENERGY
8000 SOUTH 1200 WEST, SUITE 100
SALT LAKE CITY, UT 84119
WWW.PERIGEECONSULTING.COM

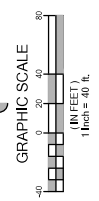


MATCHLINE SEE SHEET 3

C-101
523.0018

VP DAYBREAK INVESTCO 4 LLC
26-22-476-001

VP DAYBREAK
INVESTCO 5 LLC
26-22-478-001



LEGEND

- FOUND SALT LAKE COUNTY SECTION CORNER
- PROPOSED STREET MONUMENT
- EXISTING STREET MONUMENT
- ADDRESS WITH ABBREVIATION OF STREET OR LANE
- 1" DRAINAGE EASEMENT PARALLEL TO LOT LINE (UNLESS NOTED OTHERWISE)
- PUBLIC RIGHT-OF-WAY
- SMOKE REPAIRAL STREET SLEEPING OR SMOKE REPAIRAL STREET SLEEPING
- AND THE RESPONSIBILITY OF THE ADJACENT LAND MUST BE PLACED ON THE ADJACENT LAND OR STREET.
- PRIVATE RIGHT-OF-WAY

PROPERTY CORNERS
PROPERTY CORNERS TO BE SET WILL BE REBAR & CAP OR NAILS SET IN THE TOP CORNER OF THE LOT ON THE EXTENSION OF SIDE LOT LINES.

PERIGEE CONSULTING
CIVIL • STRUCTURAL • GEOTECH

800 SOUTH 1200 WEST, SUITE 100
SALT LAKE CITY, UT 84119
WWW.PERIGEECONSULTING.COM

Sheet 4 of 8

DAYBREAK VILLAGE IS PLAT 1, VACATING AND RESERVING THE DAYBREAK VILLAGE 9, VILLAGE 9 & VILLAGE 13 SCHOOL SITES SUBDIVISION, ALSO ATTENDING A PORTION OF LOT 201 OF THE VP DAYBREAK OPERATIONS-INVESTMENTS PLAT 1 SUBDIVISION Located in the Southeast Quarter of Section 22, T35, R24N, S.1. CO. MONUMENT

SALT LAKE COUNTY RECORDS
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE \$ _____

Item 1.5.

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 1/16/2024

- Issue:** **GLENMOOR GOLF CLUB**
- **CORRECTION TO EXHIBIT A OF GLENMOOR GOLF CLUB DEVELOPMENT AGREEMENT**
 - **NORTH PARCEL: LAND USE AMENDMENT FROM OPEN SPACE (OS) TO ECONOMIC CENTER (EC); REZONE FROM OPEN SPACE-PARKS (OS-P) TO COMMERCIAL-COMMUNITY PLANNED DEVELOPMENT (C-C (PD))**
 - **SOUTH PARCEL: LAND USE AMENDMENT FROM STABLE NEIGHBORHOOD (SN) TO ECONOMIC CENTER (EC); REZONE FROM RESIDENTIAL-MULTIPLE-6 PLANNED DEVELOPMENT (RM-6 (PD)) TO COMMERCIAL-COMMUNITY PLANNED DEVELOPMENT (C-C (PD))**

Address: **9800 S. 4800 W.**

File No: **PLZBA202300207**

Applicant: **Kirk Young, Glenmoor Golf Club**

Submitted by: Steven Schaefermeyer, Director of Planning

Staff Recommendation (motion ready):

1. Development Agreement – I move that the City Council approve Resolution R2024-02, correcting Exhibit A of the Glenmoor Golf Club Development Agreement.
 2. Land Use Amendment – I move that the City Council approve the land use amendment Resolution R2024-03.
 3. Zone Change – I move that the City Council approve the rezone Ordinance No. 2024-02-Z.
-

STANDARD OF APPROVAL:

1. LAND USE AMENDMENT

The general plan may be amended by resolution of the City Council as follows:

- A. The process to amend the general plan and future land use map may be initiated by members of the City Council, by the City Manager or Community Development Director, or by the owner of a subject property or his or her agent. A general plan land use or text amendment which is not initiated by the city may not be reinitiated for an amendment which was considered within the previous year without a majority vote of the City Council. A land use amendment should not impair the development potential of the subject parcel or neighboring properties.
- B. The planning commission shall hold a public hearing, as required by state law, after which the commission may modify the proposed general plan amendment. The planning commission shall then forward the proposed general plan amendment to the city council.

- C. After receiving the recommendation of the planning commission, the City Council shall hold a public hearing, and may accept, accept with modifications, or reject the proposed general plan amendment.

(City Code §17.12.030)

2. REZONE

The rezoning of property may not be considered if the proposed zoning does not conform to the general plan. The following guidelines shall be considered in the rezoning of parcels:

- A. The parcel to be rezoned meets the minimum area requirements of the proposed zone or if the parcel, when rezoned, will contribute to a zone area which meets the minimum area requirements of the zone.
- B. The parcel to be rezoned can accommodate the requirements of the proposed zone.
- C. The rezoning will not impair the development potential of the parcel or neighboring properties.

(City Code §17.22.020)

APPLICATION:

This application proposes to amend the land use and zoning designations on two small parcels—the North Parcel and South Parcel—located on a portion of the Glenmoor Golf Club along 4800 West. The North Parcel contains 8,527 square feet (0.196 acres), and the proposal is to amend the land use from Stable Neighborhood (SN) to Economic Center (EC) and the zone from Open Space-Parks (OS-P) to Commercial-Community Planned Development (C-C (PD)). The South Parcel contains 40,223 square feet (0.923 acres), and the proposal is to amend the land use from Open Space (OS) to Economic Center (EC) and the zone from Residential-Multiple-6 Planned Development (RM-6-PD) to Commercial-Community Planned Development (C-C (PD)).

The application also proposes correcting Exhibit A to the Glenmoor Golf Club Development Agreement to include these parcels. The proposed correction simply adds the property descriptions for the North and South Parcels to the development agreement, which makes them subject to the agreement as originally intended by the Applicant and City.

BACKGROUND:

On October 24, 2023 the Planning Commission recommended approval a development agreement, land use amendment and rezone for a commercial development, including a hotel, located near the main entrance to the Glenmoor Golf Club. On November 7, 2023 the City Council agreed with the Commission’s recommendation and approved the development agreement, land use amendment and rezone. This approval did not include the clubhouse, existing buildings, fairways or the driving range.

Although the illustrations, maps and materials presented to the City Council and included in the development agreement make clear what property was included in the proposed development, the property legal description used for the development agreement, land use amendment and rezone was incorrect. Small portions of property intended to be included were inadvertently excluded from the legal description.

To correct this mistake, the Applicant provided the City legal descriptions for the missing properties. The current application proposes to amend the land use designation and zoning for those properties, and to fix the legal description in the development agreement. The proposal is a technicality that amends the land use and rezones all the missing properties that the Applicant originally intended to be included in the City Council's November 7 approval. The Applicant is not proposing other additions or changes to the approved development agreement.

STAFF FINDINGS, CONCLUSION & RECOMMENDATION:

Findings:

- Correcting Exhibit A to development agreement and approving the land use amendment and rezone is in keeping with the original intent and purpose of the City Council's November 7, 2023 approval.
- The current application is a necessary, simple and technical fix to the already approved commercial development.
- The current application does not propose changing the development that the Applicant presented to Glenmoor's neighbors, the Planning Commission and the City Council.
- The requirements and obligations outlined in the approved development agreement, together with the proposed amendment, will provide greater predictability for the City and the Applicant regarding the future development and preservation of Glenmoor Golf Club.
- The Planning Commission held public hearings regarding the application on December 12, 2023 and recommendation to the City Council to approve the application.

Conclusion: The application meets the standards of review listed in this report and the City Code requirements.

Recommendation: Staff recommends that the City Code take comments at the public hearing; and **approve** the application (File # PLZBA202300207), unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

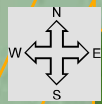
- Deny the application
- Schedule the application for a decision at a future date

SUPPORT MATERIALS:

- Proposed Land Use Map Amendment
- Proposed Zoning Map Amendment
- Resolution R2024-02 (Glenmoor Golf Club Development Agreement Correction)
- Resolution R2024-03 (Land Use Amendment)
- Ordinance No. 2024-02-Z (Zoning Amendment)

Steven Schaefermeyer
Steven Schaefermeyer (Jan 5, 2024 08:01 MST)

Steven Schaefermeyer
 Director of Planning



NA

0 100 200 300 400
Feet

Glenmoor Golf Course Land Use Amendment

Item J.1.

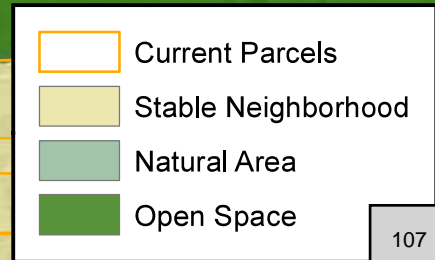
Amend Land Use from OS
to Economic Center (EC)

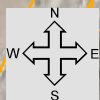
Amend Land Use to Economic Center (EC)
Approved by City Council
7 November 2023

Amend Land Use from SN
to Economic Center (EC)

Bingham Creek Park Rd

Source: City of South Jordan GIS
Produced: 6 December 2023
Aerial Imagery: 2023
Page Size: 8.5x11





Current Parcels

Proposed Rezone to C-C(PD)

Rezone to C-C(PD)
Approved by City Council
7 November 2023

Rezone to OS-P
Approved by City Council
7 November 2023

Proposed Rezone to C-C(PD)

Bingham Creek Park Rd

RESOLUTION R2024-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR TO SIGN THE NOVEMBER 2023 GLENMOOR GOLF CLUB AGREEMENT PERTAINING TO PROPERTY LOCATED AT APPROXIMATELY 9800 SOUTH 4800 WEST WITH A CORRECTED EXHIBIT A; KIRK YOUNG (APPLICANT).

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah (the “City”) and is authorized to enter into development agreements that it considers are necessary and appropriate for the use and development of land within the City; and

WHEREAS, on or about November 7, 2023 the City Council of the City of South Jordan (“City Council”) approved the Mayor of the City of South Jordan (“Mayor”) to sign a development agreement on behalf of the City with Glenmoor DH, LLC and Glenmoor FHC, LLC (the “Developer”) (the “Agreement”); and

WHEREAS, the City and the Developer desire to fix the property legal description in Exhibit A to the Agreement to add small pieces of property that were inadvertently excluded from the legal description and that the parties always intended would be subject to the Agreement; and

WHEREAS, the South Jordan Planning Commission reviewed the proposed corrected Agreement and made a recommendation to the City Council; and

WHEREAS, the City Council held a public hearing concerning the proposed corrected Agreement; and

WHEREAS, the City Council has determined that it is in the best interest of the public health, safety and welfare of the City to authorize the Mayor to sign the Agreement that has a corrected Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Authorization to sign Agreement that has a corrected Exhibit A. The City Council hereby authorizes the Mayor to sign the Agreement that has a corrected Exhibit A that includes the property legal descriptions in the attached **Exhibit 1**.

SECTION 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

SECTION 3. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON
THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory M. Simonsen
Gregory M. Simonsen (Jan 8, 2024 09:49 MST)

Office of the City Attorney

EXHIBIT 1

(Property Descriptions)

North Parcel:

Beginning at a point being South 00°12'56" West 172.34 feet along the section line from the West Quarter Corner of Section 7, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 89°47'04" East 153.07 feet;
thence South 00°12'56" West 55.75 feet;
thence North 89°45'04" West 153.07 feet;
thence North 00°12'56" East 55.66 feet to the point of beginning.

Contains 8,527 Square Feet or 0.196 Acres

South Parcel

Beginning at a point being South 00°12'56" West 960.29 feet along the section line and East 32.96 feet from the West Quarter Corner of Section 7, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 89°46'54" East 361.99 feet;
thence South 00°12'58" West 111.21 feet;
thence North 89°45'05" West 361.99 feet;
thence North 00°12'56" East 111.02 feet to the point of beginning.

Contains 40,223 Square Feet or 0.923 Acres

RESOLUTION R2024-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE FUTURE LAND USE MAP OF THE GENERAL PLAN OF THE CITY OF SOUTH JORDAN FROM OPEN SPACE (OS) (NORTH PARCEL) AND STABLE NEIGHBORHOOD (SN) (SOUTH PARCEL) TO ECONOMIC CENTER (EC) ON PROPERTIES LOCATED AT APPROXIMATELY 9800 SOUTH 4800 WEST; KIRK YOUNG (APPLICANT).

WHEREAS, the City Council of the City of South Jordan (“City Council”) has adopted the Future Land Use Plan Map and the General Plan of the City of South Jordan (“Land Use Map”); and

WHEREAS, the Applicant requested that the City Council amend the Land Use Map by changing the land use designation on two small properties located at 9800 S. 4800 W. from Open Space (OS) (North Parcel) and Stable Neighborhood (SN) (South Parcel) to Economic Center (EC); and

WHEREAS, on November 7, 2023 the City Council approved a similar amendment to adjacent property and this current amendment is in keeping with the original intent and purpose of that approval; and

WHEREAS, the South Jordan Planning Commission reviewed Applicant’s proposed amendment and made a recommendation to the City Council; and

WHEREAS, the City Council held a public hearing concerning the proposed amendment; and

WHEREAS, the City Council finds that amending the Land Use Map as proposed by the Applicant will enhance the public health, safety and general welfare, and promote the goals of the General Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Amendment. The land use designation of the Land Use Map of properties described in Application PLZBA202300207, which is located at approximately 9800 S. 4800 W. in the City of South Jordan, Utah, is hereby changed from Open Space (OS) (North Parcel) and Stable Neighborhood (SN) (South Parcel) to Economic Center (EC), as described in **Exhibit A** and shown on the map attached as **Exhibit B**.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON
THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory M. Simonsen
Gregory M. Simonsen (Jan 8, 2024 09:49 MST)

Office of the City Attorney

EXHIBIT A**(Property Descriptions)****North Parcel:**

Beginning at a point being South 00°12'56" West 172.34 feet along the section line from the West Quarter Corner of Section 7, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 89°47'04" East 153.07 feet;
thence South 00°12'56" West 55.75 feet;
thence North 89°45'04" West 153.07 feet;
thence North 00°12'56" East 55.66 feet to the point of beginning.

Contains 8,527 Square Feet or 0.196 Acres

South Parcel

Beginning at a point being South 00°12'56" West 960.29 feet along the section line and East 32.96 feet from the West Quarter Corner of Section 7, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 89°46'54" East 361.99 feet;
thence South 00°12'58" West 111.21 feet;
thence North 89°45'05" West 361.99 feet;
thence North 00°12'56" East 111.02 feet to the point of beginning.

Contains 40,223 Square Feet or 0.923 Acres

EXHIBIT B

(Property Location Map)



ORDINANCE NO. 2024-02-Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT APPROXIMATELY 9800 SOUTH 4800 WEST FROM THE OPEN SPACE-PARKS (OS-P) ZONE (NORTH PARCEL) AND THE RESIDENTIAL-MULTIPLE-6 PLANNED DEVELOPMENT (R-M-6 (PD)) ZONE (SOUTH PARCEL) TO THE COMMERCIAL-COMMUNITY PLANNED DEVELOPMENT (C-C (PD)) ZONE; KIRK YOUNG (APPLICANT).

WHEREAS, the City Council of the City of South Jordan (“City Council”) has adopted the Planning and Zoning Ordinance of the City of South Jordan (Title 17 of the South Jordan City Municipal Code) with the accompanying Zoning Map; and

WHEREAS, the Applicant requested that the City Council amend the Zoning Map by rezoning properties located at approximately 9800 S. 4800 W. from the Open Space-Parks (OS-P) Zone (North Parcel) and the Residential-Multiple-6 Planned Development (R-M-6 (PD)) Zone (South Parcel) to the Commercial-Community Planned Development (C-C (PD)) Zone; and

WHEREAS, on November 7, 2023 the City Council approved a similar rezoning to adjacent property and this rezone is in keeping with the original intent and purpose of that approval; and

WHEREAS, the South Jordan Planning Commission reviewed Applicant’s proposed rezoning and made a recommendation to the City Council; and

WHEREAS, the City Council held a public hearing concerning the proposed rezoning; and

WHEREAS, the City Council finds that the rezoning as proposed by the Applicant will enhance the public health, safety and general welfare, and promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Rezone of North Parcel. The zone of property described in Application PLZBA202300207 as the “North Parcel,” which is located at approximately 9800 S. 4800 W. in the City of South Jordan, Utah, is hereby changed from the Open Space-Parks (OS-P) Zone to the Commercial-Community Planned Development (C-C (PD)) Zone, as described in **Exhibit A** and shown on the map attached as **Exhibit B**.

SECTION 2. Rezone of South Parcel. The zone of property described in Application PLZBA202300207 as the “North Parcel,” which is located at approximately 9800 S. 4800 W. in the City of South Jordan, Utah, is hereby changed from the Residential-Multiple-6 Planned Development (R-M-6 (PD)) Zone to the Commercial-Community Planned Development (C-C (PD)) Zone, as described in **Exhibit A** and shown on the map attached as **Exhibit B**.

SECTION 3. Filing of Zoning Map. The Official Zoning Map showing such changes shall be filed with the South Jordan City Recorder.

SECTION 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 5. Effective Date. This Ordinance shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory M. Simonsen
Gregory M. Simonsen (Jan 8, 2024 09:49 MST)

Office of the City Attorney

EXHIBIT A**(Property Descriptions)****North Parcel:**

Beginning at a point being South 00°12'56" West 172.34 feet along the section line from the West Quarter Corner of Section 7, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 89°47'04" East 153.07 feet;
thence South 00°12'56" West 55.75 feet;
thence North 89°45'04" West 153.07 feet;
thence North 00°12'56" East 55.66 feet to the point of beginning.

Contains 8,527 Square Feet or 0.196 Acres

South Parcel

Beginning at a point being South 00°12'56" West 960.29 feet along the section line and East 32.96 feet from the West Quarter Corner of Section 7, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 89°46'54" East 361.99 feet;
thence South 00°12'58" West 111.21 feet;
thence North 89°45'05" West 361.99 feet;
thence North 00°12'56" East 111.02 feet to the point of beginning.

Contains 40,223 Square Feet or 0.923 Acres

EXHIBIT B

(Property Location Map)

