

**CITY OF SOUTH JORDAN
CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, DECEMBER 02, 2025 at 6:30 p.m.**



Notice is hereby given that the South Jordan City Council will hold a City Council meeting at 6:30 p.m. on Tuesday, December 2, 2025. The meeting will be conducted 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, the City intends to provide virtual access via Zoom for phone and video conferencing; however, virtual access is not guaranteed and may be limited by technical issues or connectivity constraints. Individuals may join via phone or video, using Zoom. 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 any other action deemed inappropriate.

Please note that attendees joining virtually or by phone may not comment during public comment or a public hearing; to comment, individuals must attend in person or submit written comments prior to the meeting. To ensure comments are received, please submit them in writing to City Recorder Anna Crookston at acrookston@sjc.utah.gov by 3:00 p.m. on the day of the meeting.

The ability to participate virtually depends on the individual's internet connection. Instructions on how to join virtually are provided 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, Kathie Johnson
- C. Pledge of Allegiance:** By Assistant City Manager, Don Tingey
- D. Minute Approval:**
 - [D.1.](#) October 7, 2025 City Council Study Meeting
 - [D.2.](#) October 7, 2025 City Council Meeting
 - [D.3.](#) October 21, 2025 City Council Study Meeting
 - [D.4.](#) October 21, 2025 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, and giving their name and address for the record. Note, to participate in public comment 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.

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

G.1. Victim Advocate Service Bi-Annual Report. *(By Police Chief, Jeff Carr)*

H. Action Items: 7:15 p.m.

H.1. **Resolution R2025-53**, Adopting the International Utah Wildland-Urban Interface Code. *(By Fire Chief, Chris Dawson)*

H.2. **Resolution R2025-54**, Adopting a Wildland-Urban Interface (WUI) Map. *(By Fire Chief, Chris Dawson)*

I. Horizon Development Land Use Public Hearing Items: 7:30 p.m.

I.1. Presentation on Resolution R2025-57 and Zoning Ordinance 2025-02-Z, all related to the Horizon Land Use Development Project. Fieldstone Construction & Management Services, Inc. (Applicant). *(By Director of Planning & Economic Development, Brian Preece)*

I.2. Resolution R2025-57 Public Hearing.

I.3. Zoning Ordinance 2025-08-Z Public Hearing.

I.4. **Resolution R2025-57**, Authorizing the Mayor to sign a Development Agreement pertaining to the development of property approximately located at 10378 South Jordan Gateway in the City of South Jordan. RCV

I.5. **Zoning Ordinance 2025-08-Z**, Rezoning property generally located at 10378 South Jordan Gateway in the City of South Jordan from C-F (Commercial-Freeway) Zone to R-M (Residential-Multiple) Zone and PD (Planned Development) Floating Zone; Randy Smith/Fieldstone Homes (Applicant). RCV

J. Public Infrastructure Downtown Daybreak Public Hearing Item: 8:00 p.m.

THE PUBLIC HEARING IS REGARDING THE PROPOSED CREATION OF THE DOWNTOWN DAYBREAK PUBLIC INFRASTRUCTURE DISTRICTS NO. 1 (THE “PROPOSED DISTRICT”) AND TO ALLOW FOR PUBLIC INPUT ON (I) WHETHER THE REQUESTED SERVICE

(DESCRIBED BELOW) ARE NEEDED IN THE AREA OF THE PROPOSED DISTRICT, (II) WHETHER THE SERVICE SHOULD BE PROVIDED BY THE CITY OR THE PROPOSED DISTRICT, AND (III) ALL OTHER MATTERS RELATING TO THE PROPOSED DISTRICT.

J.1. **Resolution R2025-64**, Providing for the creation of Downtown Daybreak Public Infrastructure District No. 1 (The “District”) as an independent district; authorizing and approving a Governing Document; appointing a Board of Trustees; authorizing other documents in connection therewith; and related matters. RCV (*By Director of Planning & Economic Development, Brian Preece*)

K. PID Application Acknowledgment: No Vote 8:30 p.m.

K.1. Review Letter of Intent to create the SOJO Marketplace Public Infrastructure District to facilitate construction of the proposed “SOJO Marketplace” Development. (*By Director of Planning & Economic Development, Brian Preece*)

L. Staff Reports and Calendaring Items: 8:40 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 November 29, 2025.

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

OCTOBER 7, 2025

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, City Attorney Ryan Loose, CFO Sunil Naidu, Police Chief Jeff Carr, Deputy Fire Chief Ryan Lessner, Director of Engineering & City Engineer Brad Klavano, Director of Recreation Janell Payne, Associate Director of Public Works Joey Collins, Director of Planning & Economic Development Brian Preece, Director of Administrative Services Melinda Seager, Director of Human Resources Teresa Cook, CTO Matthew Davis, GIS Coordinator Matt Jarman, Communications Manager/PIO Rachael Van Cleave, Deputy City Recorder Ambra Holland, Planning Commissioner Michele Hollist

Absent:

Other (Electronic) Attendance: Candice Randall, Tomas Longholtz

Other (In-Person) Attendance: Jennifer Kiddle, Jennifer Zollinger, Lilly Wong, Grace Wong, Taylor Hollist

4:36 P.M.
REGULAR MEETING

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

Mayor Ramsey welcomed everyone present and introduced the meeting.

B. Invocation – By Council Member, Kathie Johnson

Council Member Johnson offered the invocation.

C. Mayor and Council Coordination

D. Discussion/Review of City Council Meeting

Presentation Items:

- Proclamation Honoring Mason Sauzo - April Play Ball Player of the Month.
- Utah PTA Centennial Celebration Proclamation.

Public Hearing Items:

- Resolution R2025-52, Adopting the City of South Jordan 2025 Water Conservation Plan.
- Resolution R2025-49, Amending Chapter 7 of the South Jordan Plan to comply with new requirements of State Law.
- Ordinance 2025-16, Amending Chapters 17.18 (Uses), 17.30 (Agricultural Zones), 17.40 (Residential Zones), 17.54 (Redwood Road Mixed Use Zones), 17.72 (Planned

Community Zone) of the South Jordan City Municipal Code to comply with changes in State Legislation.

E. Discussion Item:

E.1. Home Occupation/Preschools Requirements. (By City Manager, Dustin Lewis)

City Manager Dustin Lewis provided an overview of the city's ordinance regarding home-based preschools and reviewed handouts (Attachment A) containing a summary spreadsheet with examples from other cities for reference. He explained that this discussion had been requested for the work session three weeks prior to allow the council to review and consider specific questions regarding the ordinance. Staff prepared materials highlighting key issues and parameters for discussion, including comparisons with other cities and states. Key discussion points included whether non-resident employees should be allowed (currently prohibited in South Jordan), vehicle trip limits for student drop-offs and pick-ups (South Jordan allows 12 one-way trips, roughly six round trips per day), class size limits (which vary across municipalities from six to 24 students, with some determined on a case-by-case basis), and whether the licensee's own children count toward the total number of children at the home. He noted that these topics had been flagged by a resident and emphasized as items requiring council clarification.

Council Member McGuire asked whether there is any state regulation requiring a specific adult-to-child ratio for home-based preschools. City Manager Lewis clarified that adult-to-child ratio requirements are generally more applicable to daycare facilities rather than home-based preschools. He explained that the information was provided to give the council context for their discussion.

Council Member Shelton asked whether, on the daycare side, the licensee's own children are counted as part of the total number of children in the home. Deputy City Recorder Ambra Holland explained that on the daycare side, the licensee's own children are counted toward the total, with age considered, for example, a baby versus a seven-year-old may be treated differently when determining the maximum number of children allowed.

City Manager Dustin Lewis clarified that while counting the licensee's own children is primarily a daycare consideration, some city ordinances blur the lines between daycare and preschool. He noted that most ordinances apply to home-based operations, with some cities creating specific provisions for preschools, others for daycares, and some leaving the distinction vague.

Council Member Zander asked for clarification regarding the age at which a licensee's own children count toward the total number of children in a home-based program. Deputy City Recorder Holland responded that age seven was used as an example, but she was unsure of the exact age and would need to check the specific requirement.

City Manager Lewis addressed resident questions regarding the number of sessions allowed per day and per week for home-based preschools. He explained that the current ordinance limits programs to two sessions per day and four sessions per week. He noted that other municipalities vary widely, with some allowing up to four sessions per day, others setting three, some having no

limits, and some handling it on a case-by-case basis. He highlighted that the definition can be unclear, particularly when different age groups have varying schedules, which can result in different total sessions depending on programming. He acknowledged that this complexity has led residents to request council clarification.

Council Member Shelton asked for clarification what a session does. City Manager Lewis clarified that, in this context, a “session” refers to a single class period, such as an morning session with a defined group of children. Two sessions per day would typically mean one morning and one afternoon session. He noted that the weekly limit of four sessions is separate from the daily count, so two sessions per day over multiple days does not automatically exceed the weekly maximum; the total is calculated based on the combined number of sessions held throughout the week.

Council Member McGuire suggested that the session limits should be interpreted more like days of operation rather than individual sessions.

City Manager Lewis stated that the city’s current ordinance limits preschool session length to three hours, but many municipalities do not regulate this detail or address it only on a case-by-case basis. Some cities allow up to four hours per session. He noted that the lack of clarity in South Jordan’s definition has caused confusion and suggested that creating a clearer structure may be beneficial. However, he also questioned whether regulating session length at this level of detail is necessary, encouraging the council to consider whether this requirement should remain in the ordinance.

Council Member Shelton asked whether removing limits on preschool session length could unintentionally allow preschools to function as de facto daycares. He questioned whether that distinction would trigger different considerations or regulatory needs.

City Manager Lewis noted that removing limits on session length could allow preschools to operate similarly to daycares, which may lead providers to use the model to circumvent daycare regulations. He also outlined another key consideration; proximity. While South Jordan’s current ordinance is silent on spacing requirements, several other cities limit preschools or similar home occupations to one within a 300-foot radius, with some adding additional restrictions if more than one exists within a quarter mile. He explained that without proximity rules, multiple preschools could cluster within a small neighborhood or cul-de-sac, potentially resulting in significant traffic congestion during drop-off and pick-up times. Some cities address this by requiring notification to neighbors within 300 feet, allowing them an opportunity to provide input during the application process.

Council Member Zander inquired about how neighbors are notified when a home-based preschool is established. She noted that since these operations fall under the city’s home occupation regulations, the business license process might provide such notification. It was clarified that this notification used to occur but may not be consistently applied currently, and that in Daybreak, it is handled as a specific HOA feature.

City Manager Lewis provided further context on considerations for home-based preschools. He explained that when conditional use permits (CUPs) were used in the past, they helped mitigate impacts on neighbors, particularly related to congestion. He noted that multiple preschools on the same street with overlapping drop-off and pick-up times could create traffic issues, and some cities

address this by requiring breaks between sessions, which South Jordan currently does not regulate. He also highlighted that South Jordan has age restrictions for preschool students (ages three to five), making the city somewhat of an outlier compared to most cities that do not impose such limits. He noted potential concerns with shared driveways, where parking for drop-offs could create conflicts, although the city does not currently regulate this. Additional considerations observed in other municipalities include maintaining a residential appearance, restricting signage and commercial vehicles, limiting outdoor play areas to backyards, and requiring safety checks such as smoke alarms and carbon monoxide detectors, aligning with general home occupation standards.

Council Member McGuire inquired further about the safety check requirements, seeking clarification on what is currently mandated for home-based preschools. City Manager Lewis explained that safety checks for home-based preschools are conducted by the Fire Marshal and are designed to maintain the residential character of neighborhoods. He then introduced the “cheat sheet” handout (Attachment A), which provides comparative examples of how other cities regulate home-based preschools.

City Manager Lewis directed the council’s attention to the South Jordan home occupation ordinance, specifically the section on preschools (Section 5.38.030). He emphasized that this is the section for discussion regarding potential clarifications, modifications, or additions. He referenced the comparative materials from other cities included in the handout, as well as concerns previously raised by a resident, noting that the document also contained examples of Conditional Use Permits (CUPs) and Conditional Education Permits (CEPs) issued in 2004 and 2016 that adjusted student limits to 12 per day. He explained that these examples illustrate potential variability in rules across different preschools. He then opened the discussion for the council to identify key issues, suggest ordinance adjustments, and direct staff on drafting potential revisions, with staff available to answer questions during the deliberation.

Mayor Ramsey shared her personal experience with home-based preschools, noting that all six of her children attended such programs. She described that the oldest two attended a neighborhood preschool near their home, while the remaining four commuted to a different home preschool after the family moved. She explained the scheduling structure, noting that four-year-old classes had morning and afternoon sessions on alternating days (Monday/Wednesday or Tuesday/Thursday), and three-year-old classes met on Fridays with multiple sessions. Class sizes often exceeded six children, sometimes reaching twelve, and were staffed by consistent teachers rather than substitutes. She emphasized the importance of maintaining neighborhood and community character while avoiding overly burdensome government regulation. She noted that it may have been over 16 years since some elements were last reviewed in detail. She emphasized that while the city remains committed to preserving quality of life in neighborhoods, the current context makes it appropriate to revisit the ordinance to determine if further updates are necessary. She concluded by noting that while she does not have all the answers, she is open to council discussion and believes the current ordinance could be improved to better balance community needs with practical flexibility for home preschools.

Council Member Johnson emphasized that the most critical consideration for home-based preschools is the potential traffic impact on neighborhoods. She noted that the effects can vary

significantly depending on street layout, such as whether the preschool is located on a cul-de-sac or a through street, and highlighted the importance of coordinating regulations to address these differences.

Council Member Zander raised a related point regarding the impact of common driveways, noting that this was a concern of hers. She inquired whether common driveways exist in areas of the city beyond Daybreak, emphasizing the need to consider how such shared access points could affect preschool operations and neighborhood traffic. City Attorney Ryan Loose confirmed that there are additional areas in the city with shared driveways outside of Daybreak, where multiple homes use a common access point.

Council Member Zander highlighted that the layout and density in Daybreak, particularly homes facing a Paseo with alley access, could create significant congestion if a preschool or daycare operated there. She suggested considering a requirement that such home-based preschools or daycares have direct curb frontage to better manage drop-offs and reduce neighborhood traffic impacts, noting that shared driveways or alley access could exacerbate congestion.

Council Member McGuire noted a similar scenario on his street with homes on a green court, where children are dropped off for a preschool or daycare. He observed that, in that case, there has not been noticeable traffic congestion, suggesting that location-specific impacts may vary.

Council members discussed the differences between green courts and Paseos, noting that green courts generally have more curb frontage, while Paseos often feature narrow strips of grass with limited access. They acknowledged that the discussion did not fully define regulations for each type of frontage. The conversation included consideration of existing HOA guidelines, recognizing that Daybreak and other HOAs may have application processes or policies affecting home-based preschools. Council members agreed that policies should not rely solely on a single HOA's rules, and emphasized that factors such as curb frontage can influence traffic impact. Examples were shared of preschools with good reputations that operated from homes fronting a curb without causing neighborhood disruption. Overall, the discussion focused on potential ways to mitigate traffic and maintain neighborhood quality of life.

Council Member Shelton emphasized that while traffic and neighborhood impact are important, it is also essential to consider the operational needs of preschool providers. He noted the importance of understanding how many sessions per day and per week providers require to run a viable program. He suggested seeking input from preschool operators to better balance neighborhood concerns with the practical needs of parents and providers, proposing that the council consider whether to invite the providers in attendance for input during this discussion or at a later time.

Mayor Ramsey noted that they had not previously informed preschool providers about the opportunity to engage in the discussion, so some may have participated if given the chance. She suggested that it would not be appropriate to open the conversation to outside input at this moment, as it could create confusion and disrupt the meeting's process. She recommended considering provider input at a later, properly noticed time.

City Manager Lewis added that input from neighborhood residents should also be considered, noting that some neighbors may have strong opinions about home-based preschools. He suggested

that a future, properly noticed meeting could provide a balanced opportunity for both providers and residents to give feedback.

Council Member Shelton asked whether input from providers and residents needed to be gathered in a formal council meeting or if it could be handled through a smaller work group with staff and possibly some council members.

City Manager Lewis suggested that the council could approach this creatively by appointing one or two members to work with staff in a smaller group to gather input from providers and neighbors. He emphasized that while this work could help prepare information, any formal action would still need to occur in a public meeting.

Council Member McGuire suggested that it would be beneficial for the council to first review the prepared materials to clarify their positions, and then meet with the working group to ensure those align with the needs of preschool providers. He noted that prior requests from providers, such as having two sessions per day (morning and afternoon), should be considered, as these factors directly tie into traffic flow and parking concerns.

Council Member Shelton emphasized that the council should consider key operational details for preschools, including the number of sessions per day, the number of sessions per week, and the number of children in each session, as these factors impact both viability for providers and neighborhood traffic. He added that the council currently lacks clarity on the operational needs of preschool providers, including what residents running these businesses require and what the community demand is, noting that understanding these factors is important for informed decision-making.

Mayor Ramsey noted that preschool demand can be very high, citing her own experience where children had to be placed on a waiting list from birth due to the popularity and quality of the program, highlighting the importance of recognizing community need when considering operational guidelines.

Council Member Zander shared her perspective as both a neighbor and a community member, noting that she lived near a home-based preschool for over a decade before the operator relocated to a commercial building in South Jordan. She observed that the preschool ran responsibly and efficiently, with no complaints from neighbors regarding traffic or operations. She emphasized that while there are considerations for regulation, she believes overly prescriptive rules can verge on government overreach and that the city should avoid micromanaging these operators. She suggested setting clear, simple parameters, such as limiting the number of sessions per day, two sessions being reasonable, to give neighbors predictability without imposing excessive controls. She stressed that preschool operators are competent and conscientious, focusing on the well-being of the children, and that the city's role should be to address only the few key points that directly impact neighborhoods, then allow operators to manage their business effectively.

Council Member Johnson suggested addressing traffic concerns by requiring preschool operators to submit a plan for managing drop-off activity. She emphasized that the plan should focus on the flow and coordination of vehicles during drop-off times, rather than the number of parking spaces, recognizing that each site and situation could differ.

City Manager Lewis explained that some cities require preschools to submit a drop-off and parking plan when operating under a CEP, as part of the approval process for this type of home-based business.

Council Member Zander expressed support for requiring preschools to submit a drop-off and parking plan as an exercise in planning, but emphasized that the city should avoid overly prescriptive or micromanaging rules, such as restricting specific turning movements, to ensure the regulations remain practical and reasonable for operators.

Council Member Johnson added that any required drop-off or parking plan must be manageable and effective; if the plan does not work in practice, the preschool should face consequences, including potential loss of its license.

Council Member Zander emphasized the importance of trusting business owners to manage their operations responsibly, citing a friend who runs a successful dance studio without prescriptive regulations like mandatory breaks between sessions. She suggested that, similarly, preschool operators are experienced and capable of managing drop-offs and scheduling efficiently, and cautioned against excessive city oversight that could become micromanaging.

City Manager Lewis noted that certain regulations, such as limiting vehicle trips, could be circumvented depending on the location. For example, a home-based business on a dead-end street could have client's park at a nearby church lot and walk to the residence, effectively bypassing the trip limit. He highlighted that similar situations could occur elsewhere in the community, emphasizing the need for practical and enforceable guidelines.

Mayor Ramsey raised a question regarding how vehicle trips are counted for home-based preschools. She noted that while the current system counts one trip in and one trip out as two trips, from a practical standpoint, a single round trip to a location, like going to a store, feels like one trip. She suggested reconsidering whether the existing method of counting trips accurately reflects real-world traffic impacts.

Council Member Harris commented on vehicle trips and related regulations, noting that many issues, such as class size, are inherently tied to the number of students and their drop-offs. He suggested that if the council sets a clear limit for class size, he referenced 24 students, then other related regulations largely manage themselves, reducing the need for prescriptive rules on every individual aspect. He added that establishing the appropriate class size should be the primary focus, emphasizing that once the class size is set correctly, other considerations related to drop-offs and operations will fall into place, and additional detailed regulations are unnecessary.

Council Member Zander added that home size and available space can vary significantly, noting that a larger home with ample space might safely accommodate more children than a smaller home. She cautioned against over-regulating based on square footage, emphasizing that focusing on class size rather than trying to micromanage individual home layouts is more practical.

City Manager Lewis noted that while the council is asking the right questions, they also need to balance neighborhood character. He emphasized that limits on student numbers should consider how non-business-owning residents might perceive and respond to higher enrollment, as allowing

too many children could generate complaints from neighbors concerned about traffic and neighborhood impact.

Council Member Harris stated that there should be a reasonable cap on the number of children allowed in a home-based preschool. He emphasized that once a business reaches a certain size, it should no longer operate as a home-based business but instead move to a commercial location. He noted that while larger homes might accommodate more children, operating a large preschool in a residential neighborhood could disrupt neighbors, and the city should ensure that any cap aligns with standards in other municipalities.

City Manager Lewis noted that as the council considers updates to home-based preschool regulations, they should also be aware that other cities have addressed similar issues for home-based instructional activities, such as swimming lessons, tennis lessons, and other private instruction. He highlighted that South Jordan has homes with pools, tennis courts, and pickleball courts, and while these are not preschools, the considerations around instruction and neighborhood impact could be relevant when making regulatory changes.

Council Member Harris stated that while he supports being generous in setting limits for home-based preschools, he believes there should be clear boundaries to prevent operators from exceeding reasonable limits. He emphasized the need for regulations that allow flexibility but ensure that operators do not overextend in ways that could negatively impact neighborhoods.

Mayor Ramsey highlighted the benefits of neighborhood preschools, noting that families often appreciate having a preschool within walking distance, which reduces traffic and fosters community engagement. She emphasized that the city currently has no proximity requirements and supports maintaining that flexibility, as market demand generally prevents oversaturation in any one area, such as multiple preschools on a single cul-de-sac. She noted that any potential issues could be addressed if they arise, but such conflicts are unlikely. She stressed the importance of not restricting qualified individuals, such as parents who choose to operate a preschool near their home, based on location or personal circumstances, and affirmed that responsible operators, guided by common sense and market demand, already effectively manage preschool operations.

Council Member McGuire provided his perspective on key aspects of home-based preschools. He supported allowing non-resident employees, noting potential benefits for programs serving children with special needs. He indicated that traffic flow did not require additional regulation and that class sizes of eight students per day largely self-regulate. He agreed that licensee children should not count toward the total and that two sessions per day, five days per week, is reasonable, allowing operators to determine their own hours of operation. He recommended minimal city involvement beyond these points, with the exception of common driveways, which he suggested should be prohibited due to enforcement difficulties.

Council Member Zander clarified the implication of prohibiting the use of common driveways. She noted that on streets where some homes share a driveway, such as one house facing the curb with a shared driveway for four others, residents in the back units would be unable to operate a preschool if the common driveway restriction is applied.

Council Member McGuire clarified that homes with shared driveways could still operate a preschool, but vehicles could not use the shared driveway for drop-offs or pick-ups. Instead, parents and guardians would need to use street parking, similar to standard residential parking practices.

Council Member Zander expressed some hesitation regarding the proposed cap of eight students per class. She noted the need to consult with preschool operators to understand typical class sizes and operational feasibility, suggesting that many could effectively manage 10 to 12 students. She referenced a resident inquiry indicating that the current ordinance allows eight students, but there are families on waiting lists, highlighting the need for clarification in the code and potential adjustment of the cap. Council Member McGuire indicated agreement with potentially adjusting the class size limit, signaling support for revisiting the number to better align with operational needs and demand. Council Member Zander expressed support for maintaining two sessions per day, citing a positive experience with a neighbor who operated a preschool under that schedule. She noted some uncertainty regarding class size limits and suggested considering a cap of 12 students per class while allowing operators to determine what is reasonable based on their individual space and circumstances.

Mayor Ramsey invited public input, noting that while this is not a formal roundtable, anyone wishing to share their perspective on class size, whether 8, 10, or 12 students per session, was welcome to come forward and share their thoughts.

Jennifer Kiddle, owner of Popcorn Pop-In Preschool in South Jordan, addressed the council regarding class size and parking. She explained that she currently operates with 12 students per class, which she finds optimal because it accommodates absences, twins, and overall planning. She noted that her classes are managed with the help of a family member who lives locally and assists daily. Regarding parking and drop-off, she described a streamlined process; parents line up along the street, she retrieves each child in under two minutes, and there is no need for parents to exit their vehicles. She emphasized that their procedure avoids double parking and using neighbors' driveways, and she recommended considering the number of street outlets when evaluating potential preschool locations, as streets with multiple outlets mitigate congestion. She concluded that in her location, parking and traffic have not been an issue.

Council Member Harris indicated agreement with setting the class size at 12 students per class.

Council Member Zander added that having a helper alongside the lead teacher is ideal and should not be restricted, emphasizing that most preschool operators are dedicated individuals who genuinely care for the children in their care.

Council Member Harris suggested limiting class size to 12 students and avoiding overregulation of other aspects, noting that most operational concerns, like traffic flow, are naturally managed. He did emphasize addressing the issue of common driveways but felt additional restrictions were unnecessary.

Council Member Shelton clarified that preschools could have a maximum of 12 students per session, with two sessions per day, operating five days a week, and may have one or two helpers as needed.

Council Member Zander added that non-resident employees are permitted and that the operator's own children do not count toward the maximum class size.

Council members discussed and agreed to not cap number of employees. .

City Manager Lewis summarized the council's approach; the city will not regulate parking or traffic flow, but will set a maximum class size of 12 students per day, not counting the operator's own children. Two sessions per day will be allowed, with no specific limit on the number of sessions per week, effectively leaving that decision to the operator while maintaining the class size cap as the primary limiting factor.

Council Member Zander noted that while theoretically up to 10 sessions could be scheduled, in practice it's unlikely anyone would operate beyond two sessions per day. She asked whether the council wants to set a limit of five days per week or leave it flexible, allowing operators to determine their own schedule within the two-session-per-day framework.

City Manager Lewis summarized that the council could remain silent on several operational details, proximity, breaks between sessions, and age restrictions, allowing these aspects to self-regulate. He noted that common driveways should include guidance emphasizing respect for neighbors to maintain the neighborhood atmosphere. He outlined five key points for the council's consideration and proposed that staff take a first pass at redrafting the ordinance section. He added that fire inspections for preschools will follow the same language and requirements currently applied to daycares, ensuring consistent safety standards across home-based child care operations.

Council Member Johnson emphasized that while the city will not regulate traffic or parking in detail, the code should include a note reminding preschool operators to be considerate and careful with drop-off procedures to minimize impact on neighbors.

City Manager Lewis suggested that the city could provide guidance or best practices to help other preschool operators manage drop-offs and traffic efficiently, using the example provided by Jennifer Kiddle as a model.

Council Member McGuire noted that, based on personal experience with preschools and similar businesses like dance studios, operators typically take the initiative to establish efficient drop-off and operational procedures on their own, without requiring city intervention.

Mayor Ramsey concluded the discussion by emphasizing that updating the preschool policy will result in a more current and effective framework that better serves South Jordan residents. She noted that the city can revisit the policy if any issues arise, though she anticipates few problems. She thanked the participants, including preschool operators, for their input and stressed the city's commitment to maintaining a family-friendly, business-friendly, and neighborhood-focused environment. She noted that the updated policy will return as a formal agenda item for further review and potential code amendments.

Council Member McGuire motioned to recess the City Council Study Meeting and move to Executive Closed Session to discuss the character, professional competence, physical or

mental health of an individual. Council Member Zander seconded the motion. Vote was 5-0, unanimous in favor.

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

F. Executive Closed Sessions:

F.1. Discussion of the purchase, exchange, or lease of real property.

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL STUDY MEETING

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

Council Member Johnson motioned to adjourn the October 7, 2025 City Council Study Meeting. Council Member Shelton seconded the motion. Vote was 5-0, unanimous in favor.

ADJOURNMENT

The October 7, 2025 City Council Study Meeting adjourned at 6:32 p.m.

SOUTH JORDAN CITY
CITY COUNCIL MEETING

OCTOBER 7, 2025

Present: Mayor Dawn R. Ramsey, Council Member Don Shelton, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, City Attorney Ryan Loose, CFO Sunil Naidu, Deputy Fire Chief Ryan Lessner, Director of Engineering & City Engineer Brad Klavano, Director of Recreation Janell Payne, Associate Director of Public Works Joey Collins, Director of Planning & Economic Development Brian Preece, Long-Range Planner Joe Moss, Director of Administrative Services Melinda Seager, Director of Human Resources Teresa Cook, CTO Matthew Davis, GIS Coordinator Matt Jarman, Communications Manager/PIO Rachael Van Cleave, Deputy City Recorder Ambra Holland, Recreation Program Supervisor Chet Wanlass

Absent:

Other (Electronic) Attendance: Adrian Montelongo, Brianna Bigelow

Other (In-Person) Attendance: Utah House Representative Tracy Miller, Billie Lawrence, Sheri Mattle, Susan Moore, Amanda Snow, Ty Rundle, Corey Fairholm, Gaylene Rose, Jeff Rose, Greg Wood, Serese Wood, Ryan Donahue, Rylee Donahue, Emma McCune, Evangeline Utley, Erin Barrow, Nico Suazo, Leslie Schow, Becca Lemmons, Peyton Gehvice, Lexi Clark, Eden Tate, Drew Harris, Amy Wood, Alaina McCarty, Tomas Langholtz, Bryan Gutierrez, Paula Gutierrez, Christy Layne

6:43 P.M.
REGULAR MEETING

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

Mayor Ramsey welcomed everyone present and introduced the meeting.

B. Invocation – By Council Member, Don Shelton

Council Member Shelton offered the invocation.

C. Pledge of Allegiance – By Deputy Fire Chief, Ryan Lessner

Deputy Fire Chief, Ryan Lessner led the audience in the Pledge of Allegiance.

Mayor Ramsey announced that the meeting would begin with a few presentations and noted the attendance of Utah House Representative Tracy Miller, who represents South Jordan in the Utah State Legislature. She explained that it is customary to invite any elected official representing the city at any level of government to share remarks and extended the invitation to Representative Miller to speak if she wished.

Representative Tracy Miller expressed appreciation for the opportunity to address the Council and stated that it is an honor to represent South Jordan, which she is proud to call home. She commended the Mayor, Council, and staff for their effective leadership and strong collaboration with the legislature. She provided an update from the Utah Legislature, noting that a recent special session focused primarily on technical corrections to previous bills and on redistricting. She explained that the redistricting process is under court supervision following Proposition 4, and the legislature recently voted on a proposed map. A final decision is expected after additional court hearings on November 10. She concluded by welcoming questions from the Council or residents on redistricting or other legislative matters, emphasizing her commitment to listening to and representing the people.

Mayor Ramsey thanked Representative Miller for attending and for her remarks. She expressed appreciation for her service and acknowledged the challenges of being a legislator, noting that she likely receives both praise and criticism from constituents. She reiterated her gratitude for her work and ongoing support of the city.

D. Presentation Items:

D.1. Proclamation of the City of South Jordan Honoring Mason Sauzo - April Play Ball Player of the Month. (By Mayor, Dawn R. Ramsey)

Mayor Ramsey read the proclamation (Attachment A) into the record and invited Mason Sauzo to the front to present him with the formal proclamation.

D.2. Utah PTA Centennial Celebration Proclamation. (By Mayor, Dawn R. Ramsey)

Utah PTA President Corey Fairholm thanked Mayor Ramsey and the city council for allowing Utah PTA to be present to celebrate 100 years of advocacy for children in the state. She reviewed prepared presentation (Attachment B). She highlighted the PTA's mission, "to make every child's potential a reality by engaging and empowering families and communities to advocate for all children," noting that it guides decisions and priorities. She provided a brief history, explaining that Utah PTA officially joined the National PTA in 1925, sending three delegates to the national convention, and that by that time, Utah had 14 districts and 230 local units. She outlined key programs supported by Utah PTA, including Reflections, an arts program that started in 1969 allowing students to submit entries in various mediums, Battle of the Bands for high school students, Ribbon Week, School of Excellence, and Teacher Appreciation Week. She highlighted that in the current year, Utah PTA had over 17,000 Reflections entries, producing 20 National PTA winners, the highest number from any state. She also emphasized leadership training provided through workshops, mentoring, and resource sharing, enabling new leaders to understand their

roles and responsibilities. She concluded by noting that Utah PTA not only advocates for children but also develops leaders, citing local examples such as Mayor Dawn R. Ramsey and Representative Tracy Miller who began their involvement with PTA.

Utah PTA Trust Lands Chair Sheri Mattle reviewed prepared presentation (Attachment B). She highlighted key historical contributions of the Utah PTA in advocating for children. She noted that in 1935, the PTA played a pivotal role in establishing school lunch programs. In 1964, they championed the Youth Employment Service and promoted the creation of a Suicide Prevention Center. In 1976, they launched the Safe Sidewalk Program. She also emphasized the PTA's role in school trust lands, referencing a 1990 resolution submitted by Sandra Skulls of Monticello, Utah, which aimed to make trust lands more productive for children; this initiative contributed to the growth of the permanent school fund to over \$4 billion. She underscored that the PTA's success is largely due to the dedication of its volunteers working quietly behind the scenes. She acknowledged several individuals with strong local ties; Corey Fairholm, the immediate past president of Utah PTA and resident of South Jordan; Ileen Mecham, a past president and long-time resident, who was unable to attend due to illness; and Representative Tracy Miller, who devoted years to education advocacy and formerly served as the PTA's trust lands representative. She continued by acknowledging Mayor Ramsey's contributions, noting that the mayor served as a regional director for Utah PTA and was a member of the state board. She emphasized the lasting impact of these leaders on the community and the organization. She shared two slides (Attachment B) showcasing various PTA events in South Jordan, noting that while the images appeared small in the presentation, they represented a range of activities such as Ribbon Weeks and the Senior Sunrise event at Bingham, illustrating the active engagement of the PTA within the local community.

Ms. Fairholm continued reviewing prepared presentation (Attachment B), highlighting the impact of Utah PTA's volunteer efforts. She noted that statewide, Utah PTA volunteers contributed nearly one million hours, and within South Jordan, 15 schools recorded over 11,000 volunteer hours, valued at \$390,309 in savings to the city. Statewide, these contributions totaled approximately \$23 million. She emphasized that these volunteers represent a century-long legacy of advocacy and dedication to children's education and well-being. She encouraged continued support of local schools through PTA membership, stressing that membership goes beyond attending meetings or volunteering, focusing on actively supporting children and their futures. She concluded by inviting PTA members present to stand, recognizing their contributions. She concluded by stating that the PTA has flyers (Attachment C) with QR codes for membership for all 15 South Jordan schools and invited anyone interested to request one. She noted that the PTA's goal for the year is to reach 100,000 members in recognition of the organization's 100th anniversary.

Mayor Ramsey read the proclamation (Attachment D) into the record and invited the PTA to the front to present them with the formal proclamation.

E. Mayor and Council Reports:

Council Member Shelton reported on several activities since the previous council meeting, including attending the Jordan River Commission's annual recognition dinner, where he conducted the meeting in his role as chair. He noted recent opportunities to meet with fire and police personnel

and expressed appreciation for their dedication. He also spoke at the ribbon cutting for the St. Jude Dream Home, where proceeds from the home's sale, minus approximately \$12,000, were donated to St. Jude to support pediatric cancer research and family services. He attended the ribbon cutting for the Kiddie Academy in Daybreak, met with members of the Senior Advisory Committee, and participated in various meetings during the Utah League of Cities and Towns conference.

Council Member Zander reported that she enjoyed attending the city's recent recognition event honoring firefighters and police officers and expressed appreciation to staff for organizing it. She participated in the Utah League of Cities and Towns (ULCT) conference and found value in connecting with officials from other municipalities, noting that many of her most meaningful conversations occurred outside the formal sessions. She also attended the groundbreaking for the St. Jude project, commending Oakwood Homes for their long-standing commitment and generosity. Additionally, she shared that she traveled to Salt Lake City to attend the funeral of Russell M. Nelson, describing it as an honor made possible through tickets provided by her daughter, who works for the Church of Jesus Christ of Latter-day Saints.

Council Member Harris reported attending several of the same events mentioned by other council members, including the city's recognition event for police officers and firefighters and the ULCT Conference. He noted that South Jordan was well represented and commended the mayor for her breakout sessions. He also attended a South Valley Chamber event with Brian Preece. He provided an update on the Jordan Basin Sewer District, stating that operations are running smoothly and that, due to regional growth, planning has begun for a future sewer facility. The district is currently researching new technologies to prepare for that expansion.

Council Member Johnson reported that on October 16 at 7:00 p.m., Salt Lake County Council Representative Carlos Moreno will be speaking to the Youth Council in the council chamber and invited anyone interested to attend.

Council Member McGuire reported attending the South Jordan Quilt Show in conjunction with the Farmers Market, noting the talent of local quilters. He highlighted the upcoming Arts Council production of Forever Plaid in November, which will feature select dinner events with a 1950s theme. He attended the ULCT Conference, where speakers Rick Atkinson and Jenny Taylor emphasized national resilience and leadership development, respectively, and reflected on the strength and depth of city staff. He also attended the MLB Home Run Derby and noted the economic and community benefits of the Daybreak sports and entertainment district, developed without taxpayer dollars.

Mayor Ramsey reported on a variety of recent city and regional activities, emphasizing teamwork and collaborative efforts. She highlighted visiting the Senior Health and Wellness Fair, praising the event's informative offerings, and participating in a Utah Farm Bureau food distribution at the Bastion Center, which provided essential resources to families facing food insecurity. She noted her involvement with the ULCT annual conference, serving on the nominating committee to help select the board and executive committee, and acknowledged the success of a class led by the city's Public Information Officer, Rachel Van Cleave. She also reported on the Transit Fresh Look project, a year-long collaborative effort with local communities, legislators, school districts, business leaders, UTA, and UDOT to evaluate and plan for transit expansion, including extending

the Red Line and developing bus rapid transit routes. She emphasized the significance of coalescing multiple stakeholders around a shared vision for transit, highlighting that consensus among the communities had historically been a barrier to progress. The effort now provides a unified plan for advocacy, funding, land use, and long-term regional planning. She provided additional updates, emphasizing long-term regional planning and community engagement. She described the preferred transit route extending south from South Jordan along the Bangerter Highway corridor, connecting to the Point project, with supplemental bus rapid transit extending further north and south between Salt Lake County and Utah County. She noted that the plan is a long-term vision intended to be realized within residents' lifetimes. She also highlighted her participation in Constitution Month in September, reading the Constitution at a local school and at the state capitol through the "Why I Love America" program. She reported meetings with Jordan Valley Water Conservancy District, a ribbon-cutting for her alma mater, Cypress High School, and discussions with the Salt Lake International Airport director and Utah Transit Authority executive director regarding infrastructure, growth, and the intersection of land use and economic development. Additionally, she shared attending the funeral of President Russell M. Nelson of the Church of Jesus Christ of Latter-day Saints, representing South Jordan alongside other city representatives and legislators.

F. Public Comment:

Mayor Dawn R. Ramsey opened the public comment portion of the meeting.

Susan Moore (Resident) - I just have a concern. My home is by Merit Medical. In fact, I border the empty lot that is just south of their main building, and the Holts are on the corner of Redwood and Reunion Avenue. Kay Holt is still alive, but her neighbor to the south passed away. Merit Medical has already bought that property, so you have the Holt property right in the middle there, which Merit Medical is just biding their time to buy. I'm concerned about what is going to go on that property. I've always known that a building will probably go there, but with that huge warehouse that is built on the corner of 98th and Redwood, I am scared to death about what they're going to put on the property right next to me. I don't know what it's zoned right now, but it's a big concern as far as traffic. That warehouse is huge, and if they put something there, it blocks the sun, it blots the mountains, and so I'm just kind of concerned about what's going to happen to that property. Thank you.

Bryan Gutierrez (Taylorsville Resident) - Hello. My name is Bryan. Some of you know me. For those at home listening or watching who don't, I am here because my brother is not. I am here because my brother is dead, and he's six feet under the ground, and I have this police department to thank for that. Before I start, I want to remind you this is my time. Some of you like to interrupt me, and I just remind you, this is my time. I'm going to ask some rhetorical questions, and I ask that you please respect that. It was really nice to see the ceremony today about the young boy, the athlete. Baseball is a beautiful sport. As you can see, I'm wearing my Bees hat. I love the Bees. I love this sport. I grew up playing it. My family grew up playing it. My brother, who was killed by this police department, played it. In fact, he was an all-star player, a very talented young man. He went on trips, went to California, was an all-star player. He was our first baseman, and now he is our dead first baseman. Thank you to this police department. It's really hard to sit in this audience and listen to you speak. Some things that stood out to me, is you Dawn, you say you're proud of

the way you do things here. And as that rings through my head, I cannot not think about how you took down your website, hid your profiles, hid your phone numbers, and hid your emails from the entire community, not just me. It went down hours after I called you. You go on the news, or your attorney does, and say things like, "We're committed to transparency." Yet you take down your website and hide from the community. That is not transparency. This young man over here, Jason McGuire, will say, "We have great employees here." Do these great employees hang up on community members when they call for help? Are these elected community members great when they take down their website? Is this police department great, when they kill and shoot my brother, specifically 18 times, 14 bullets in him and through him? We're talking about funerals. I remember the last time I saw my brother. He was on a tray and being slid into a furnace. We kissed his dead body goodbye. You cannot be further from the truth if you say this is great service. These are not great employees. Zero empathy on your end. I cannot believe this. I just have to ask, what would you do if they shot your kid 14 times and killed him? Deputy Lessner, what would you do? I'm not trying to make this personal, but Joey, Ambra, what would you do if they put 14 bullets in your kids and they were dead? Sunil, Teresa, Melinda, what would you do if they killed your children, the man sitting next to you? Who would you call? And when you call the people for help, the leaders in this community, they hang up on you. They take down their contact information. That's the world we live in. Thank you.

Gaylene Rose (Resident) - Mayor Ramsey, members of the City Council, good evening. My name is Gayleen Rose. I do not usually attend these meetings, not because I am uninterested, but because my husband and I have a standing Tuesday night commitment volunteering with some of our elderly neighbors here in South Jordan. Service to others is something we value deeply and strive to practice consistently. Most often, my husband and I divide and conquer so that one of us can attend meetings while the other fulfills our volunteer responsibilities. However, over the past few weeks, my heart has felt heavy after hearing about events at the last meeting. That is why tonight, I have set aside my usual routine to attend alongside my husband, volunteering and giving back to our community. Our values, central to who we are as a family, include service, integrity, and accountability. We have worked hard to instill these values in our children and have watched them carry these lessons into their schools, friendships, and their own acts of community service. Integrity, to us, means doing the right thing, not only when it is easy or convenient, but especially when it is hard. We strive to live with honesty, integrity, and consistency, and to hold ourselves accountable in both word and action. Mayor Ramsey, although I have observed you primarily from afar, it is evident in the way you conduct yourself and represent our city that you value these principles. Your leadership is deeply appreciated. You lead with grace and strength, and integrity clearly guides your decisions. It is an honor to have you representing South Jordan. To the members of the City Council, while your work is often collective and less individually visible, I hope that you too uphold these values. The way our city functions reflects your commitment to serving with purpose and responsibility. I sincerely thank you for your efforts, your time, and your willingness to lead. I also want to acknowledge those whose roles may be less visible, city employees, staff, and others who serve behind the scenes. While your work may not always be in the public eye, I trust that you too are guided by the high standards of integrity set by this council and Mayor Ramsey. It is through consistent and principled service that we build trust within our community. Every person entrusted with a role in city government must be held to the highest standard of integrity. My time is almost up, but I want to offer my heartfelt thanks for your sacrifices, dedication, and commitment to making South Jordan a place of unity, peace, and

prosperity. My family and I are committed to these things as well and will continue to strive to uphold them in our home, neighborhood, and community. Thank you again for all that you do for our city.

Abby Gomez (Kearns Resident) - My name is Abby Gomez. I'm a friend of the Gutierrez family. This one is going to start off as a rhetorical question too. I wanted to start off by asking, do any of you have a family member with a disability, a mental health disability? Well, if you do, then maybe you have a little bit of an idea how scary it is, especially for a person of color, a brown person in Utah, to exist in Utah with a mental health disability, to navigate a state that often misunderstands, stigmatizes, or ignores mental health issues for people of color. It is dangerous. That is something that neither one of you up here, and some of you all looking down right now writing notes, I don't know for what, will never, ever go through, and the way the City Council of South Jordan has responded, or lack thereof, to the murder of Marcelo Gutierrez really shows that Marcelo needed help, but yet he was murdered by Officer Jace Tanaka and Officer Aaron Bass. And I repeat, he was murdered by Jace Tanaka and Aaron Bass. Marcelo Gutierrez was not just failed by the state, but he was executed. And although Sim Gill won't call it that, we will. This isn't just one incident. This isn't an isolated incident. This is a recurring pattern that has been happening in Utah and across the United States. The police are not social workers, they are not therapists, they are not healers. Marcelo was not a threat to anybody, and Marcelo would be alive today if the South Jordan Police Department hadn't escalated the situation. So shame on all of you, every single one of you. Shame on the South Jordan Police Department, and shame on Sim Gill. And although you probably won't remember me, you won't remember this comment period. I'll talk to the audience right now unless you want to share that blood on your hands with the police, especially in the case of a mental health crisis. I honestly recommend, don't call the police. Try other methods first. Thank you.

Paula Gutierrez (Riverton Resident) - Good evening. My name is Paola Gutierrez. I am the sister of Marcelo Gutierrez. After having seen the body cam footage of what happened, 13 months after it occurred, it has changed me. There are triggers, there are memories. I see somebody who is overweight, and I just start crying. I just want to hug my brother, but I can't. In South Jordan, since 2009, there have been five fatal shootings by law enforcement. In 2009, the suspect was shot twice after a police chase. In 2010, someone was acting erratically outside the LDS temple at Oquirrh Mountain. He pulled out a shotgun and started running toward a group of three people. Shots were fired once at him. In 2011, someone looked suspicious, swung around, and fired a gun. The police fired back and killed him. In 2014, a family called to report somebody trespassing, and that person shot at the police. The police shot back. The fifth one, my brother, Marcelo Gutierrez. His car was parked at the baseball field where he was. He suffered from schizophrenia. This is a selfie I got off his phone once we finally received the evidence back. He weighed 521 pounds and could not run because of a bad ankle and his weight. He wasn't a criminal. He didn't shoot at anybody. There were no other people around but the police. But for some reason, he was shot 14 times. I asked the police department about this because he had no criminal record, nothing. He was just a person at a park suffering from schizophrenia. He was sworn at, yelled at, and nobody talked to him. Nobody tried to understand why he was there or what he was doing. The situation escalated, and my brother was shot 14 times through and in him, 18 total shots fired, 14 of which hit him. What have you learned from this as the City of South Jordan? What will you change? Some of you are up for re-election. Don Shelton, this happened in your district. I've seen your re-election signs every time I go to that park. Upholding the law should not mean killing individuals who have no

criminal record and are suffering from mental health issues. This is not right. Unfortunately, it has happened here. My brother died on June 15, 2024. In Riverton, Ryan Ludeman died on July 4, 2024, 19 days after my brother, but his gunshot was to the back of the head. There is more to these stories, of course. You are in these positions to make a change, to serve the community. Great things happen here. You talk about some things, but don't leave out the things that need to be talked about, because you change a family's whole life. Eight siblings, two parents, we are all completely different. This will stay with us forever. This pain will be with us forever. Thank you.

Tomas Langholtz (Resident) - Hi. My name is Thomas Langholtz. I would like to start out by saying I was able to see your time in the study session, and I really appreciated how you guys wanted to step up and provide access to childcare facilities for mothers. I think that's a great value to uphold. But I've been kind of moved by the speeches of the Gutierrez family, and I think that's a major issue, especially knowing how little training goes into our police officers, and how many of them are entrusted with weapons of ultimate violence. I think that's something that weighs not only on my conscience, but also on the officers who serve us. If they're supposed to serve, why is one out of every ten SWAT raids at the wrong house? Who's going to hold the ultimate force of violence responsible for the damage they do, for the houses they destroy, or in this case, for the people they murder? In reality, I know that probably the death weighs on the officer's mind and head as well. At least, I hope so. In my heart, I hope at least he has the empathy to feel that guilt, and if so, I hope that he finds a sort of salvation in the future. But until then, what justice is there for the families who suffer from violence when the state is supposed to represent the people, and yet the state becomes an arbiter of death? What are we supposed to do with ourselves? I understand that each one of you is in a very tough position, but we have to start thinking about why we are giving our officers guns at every traffic stop, at every spot along the road, and every call. Why are they always armed? People talk about self-defense, but a lot of times holding a weapon is the ultimate cause for violence. It's calling for violence. It's not defending yourself; it's wishing for death. I imagine many of you are very tired of hearing the same story from people, but it's true. When the voice of people who are not in power has to die, who is going to answer? I really hope that at the very least, maybe guns are restricted for our officers, or at the very, very least, that we have additional training, really, anything. It's really sad that people have to beg their cities for so long just to get any sort of change. But I do want to thank you guys for your work with the community, and I hope that you're able to move forward and produce less death and casualty. Thank you.

Mayor Dawn R. Ramsey closed the public comment portion of the meeting.

G. Public Hearing Items:

- G.1. Resolution R2025-52, Adopting the City of South Jordan 2025 Water Conservation Plan. (By Associate Director of Public Works, Joey Collins)

Associate Director of Public Works Joey Collins reviewed prepared presentation (Attachment E). He provided an update on the city's water conservation plan. He noted that the plan, last reviewed in 2020, is submitted to the Division of Water Resources and updated every five years to meet regulatory requirements. The update includes water conservation goals, supply information, billing systems, water loss tracking, usage measurement, and ongoing conservation programs. He

highlighted that the plan is continuously monitored beyond the five-year cycle to account for population growth, climate considerations, new technologies, and regulatory requirements. Key updates in the plan include corrected population figures in one table, an updated, more user-friendly water bill format showing residents' current usage compared to the prior year, and letters sent to metered connections reflecting their usage. The city's lead-to-taste program and leak detection program have seen significant improvements; over the past four months, more than 700 residents were notified of leaks, compared to 500 over the previous 12 months. Collaboration with other departments was emphasized as a factor in these improvements. The city is also working with homeowners associations to manage large irrigation areas and also advancing the Pure SoJo project. He concluded by noting that further details would be presented by the water conservation coordinator later in the year and invited questions from the council.

Mayor Ramsey opened the public hearing for Resolution R2025-52.

Ryan Donahue (Resident) - Expressed appreciation for the city's water conservation plan, noting that he has taken advantage of it and thanked the city for the program.

Mayor Ramsey closed the public hearing.

Mayor Ramsey emphasized that the city's water conservation plan is an ongoing, living document that is updated annually to comply with state requirements. She noted that South Jordan exceeds the minimum standards, implementing some of the most comprehensive conservation measures in the state, surpassing even other cities in Washington County.

Council Member Johnson asked how many HOAs have joined the city's water conservation program. Associate Director Collins responded that he did not have the exact number of HOAs participating in the program at that time but offered to provide the information. Council Member Johnson noted her curiosity about the program's growth and acknowledged that she was aware of a few participating HOAs, but suspected there were more.

Council Member McGuire inquired about the appropriate contact for HOAs seeking assistance with the water conservation program. Associate Director Collins responded that inquiries should be directed to Water Conservation Coordinator, Connor Oswald.

Council Member Shelton asked about Table 2 on page 12 of the water conservation plan, noting that both the supply and demand numbers appeared to exceed South Jordan's allocated shares. He requested clarification on how it is possible for the city to have access to more water than its officially allocated shares. Associate Director Collins explained that the shares listed in Table 2 specifically refer to the city's secondary water shares, while Jordan Valley supplies the city's regular culinary water. He confirmed that the overall supply figures include culinary water. Additionally, he clarified that the correction on page 22 concerns the gallons per capita per day graph, which previously used outdated population data and has now been updated.

Council Member Shelton noted that his understanding of the gallons per capita per day graph shows a recent increase following a period of decline, and he asked for any insights into what might be driving that uptick. Associate Director Collins responded that the recent increase may be

due to a shift in public behavior; with water availability less constrained for a period, residents may have been less stringent about conservation, even though the city continued to promote water-saving practices. Council Member Shelton confirmed that the city has not experienced an intensive drought recently, though there has been slightly higher water usage. He added that initiatives like flipping your strip would contribute to conservation efforts. Associate Director Collins added that the city aims to reach a target of 187 gallons per capita per day, but the current usage is approximately 251 gallons per capita per day. He noted that methods for calculating this metric vary between cities and states, and efforts are underway to standardize the calculation.

Mayor Ramsey noted that the recent increase in water usage is part of a statewide trend. She explained that after a period of water scarcity, a season with slightly higher water availability led residents to relax their conservation efforts, contributing to the uptick in usage.

Council Member Zander motioned to approve Resolution R2025-52, Adopting the City of South Jordan 2025 Water Conservation Plan. Council Member Harris seconded the motion.

Roll Call Vote

Council Member Zander- Yes

Council Member Harris - Yes

Council Member Johnson - Yes

Council Member Shelton - Yes

Council Member McGuire - Yes

The motion passed with a vote of 5-0.

- G.2. Resolution R2025-49, Amending Chapter 7 of the South Jordan General Plan to comply with new requirements of State Law. (By Long-Range Planner, Joe Moss)

Long-Range Planner Joe Moss reviewed prepared presentation (Attachment F). He reported that South Jordan has conducted extensive proactive water planning. Recent state legislation, adopted after the city's general plan, required adjustments to ensure compliance. The general plan now incorporates elements from the Drinking Water Supply Master Plan and the Water Conservation Plan, addressing permitted development patterns, methods to reduce per capita water demand, and opportunities to eliminate waste and consumption. These updates are included in Chapter Seven, "How We Grow," which covers natural resources, water conservation, and water ordinances. He highlighted that the city is ahead of state requirements in many areas, such as reducing turf grass in certain locations, and that updates to the plan clarify links between land use and future water demand models. Recommendations from the Division of Natural Resources and a favorable review from the Planning Commission support the proposed updates. Staff requested that the council approve the resolution.

Mayor Ramsey opened the public hearing for Resolution R2025-49. There were no comments. Mayor Ramsey closed the public hearing.

Council Member McGuire motioned to approve Resolution R2025-49, Amending Chapter 7 of the South Jordan General Plan to comply with new requirements of State Law. Council Member Johnson seconded the motion.

Roll Call Vote

Council Member McGuire - Yes

Council Member Johnson - Yes

Council Member Harris - Yes

Council Member Shelton - Yes

Council Member Zander - Yes

The motion passed with a vote of 5-0.

- G.3. Ordinance 2025-16, Amending Chapters 17.18 (Uses), 17.30 (Agricultural Zones), 17.40 (Residential Zones), 17.54 (Redwood Road Mixed Use Zones), 17.72 (Planned Community Zone) of the South Jordan City Municipal Code to comply with changes in State Legislation. (By Long-Range Planner, Joe Moss)

Long-Range Planner Joe Moss reviewed prepared presentation (Attachment G). He explained that the proposed updates address compliance with recent state legislation. Under SB 181, the city removed the garage requirement for owner-occupied, affordable single-family housing and modified garage size and parking space standards in agricultural, residential, and the Redwood Road Mixed-Use zones. Additionally, the minimum dwelling size in the Redwood Road Mixed-Use zone was updated to align with prior legislation affecting agricultural and residential zones. He also discussed changes related to SB 179, which establishes a formal process for classifying uses not clearly listed in the city's zoning chart. This allows applicants to request a zoning compliance letter to determine whether a use aligns with existing categories or qualifies as a new, unlisted use, including defined timelines and requirements. He noted that the Redwood Road Mixed-Use zone's uses have now been integrated into the unified uses chapter to ensure consistent terminology and definitions across all zones, including the Planned Community zone. He stated that the Planning Commission recommended approval of these updates, and staff also supports the ordinance.

Mayor Ramsey opened the public hearing for Ordinance 2025-16. There were no comments. Mayor Ramsey closed the public hearing.

Council Member Harris motioned to approve Ordinance 2025-16, Amending Chapters 17.18 (Uses), 17.30 (Agricultural Zones), 17.40 (Residential Zones), 17.54 (Redwood Road Mixed Use Zones), 17.72 (Planned Community Zone) of the South Jordan City Municipal Code to comply with changes in State Legislation. Council Member Shelton seconded the motion.

Roll Call Vote

Council Member Harris - Yes

Council Member Shelton - Yes

Council Member Johnson - Yes

Council Member Zander - Yes
Council Member McGuire - Yes

The motion passed with a vote of 5-0.

H. Minute Approval:

- H.1. September 2, 2025 City Council Study Meeting
- H.2. September 2, 2025 City Council Meeting

Council Member Shelton motioned to approve the September 2, 2025 City Council Study Meeting and the September 2, 2025 City Council Meeting Minutes as published. Council Member Harris seconded the motion; vote was 5-0, unanimous in favor.

I. Staff Reports and Calendaring Items:

Director of Engineering & City Engineer Brad Klavano provided updates on three ongoing projects. First, the Enbridge gas project at the 1300 West/Temple Drive and 9800 South intersection, which involves full repaving, has been delayed due to expected rain. The closure originally planned for this Sunday will likely occur the following Sunday, November 19th. Second, the contractor is overlaying the two roundabouts on South Jordan Parkway. The pavement was milled down to two inches last Sunday, and weather permitting, paving is scheduled for this Sunday. One lane will remain open east and west, while north and south lanes will be closed. If weather prevents work, it will be postponed to the following Sunday. Finally, he reported on the Bangerter Highway/9800 South interchange. UDOT anticipates opening the ramps and main lanes for east-west traffic next weekend, October 18–19, though some landscaping and finishing work will continue, with substantial completion expected by November 17th. He added that once these projects are completed, 13400 and 2700 South will have near-freeway flow. He noted that traffic may still back up significantly at 4100 South, but the improvements will facilitate better access to the freeways. Council Member Zander asked for clarification on the South Jordan Parkway roundabouts, confirming that they are the two located in Daybreak. She also noted that while other projects were being delayed due to rain, the roundabout work was proceeding as scheduled. City Engineer Klavano explained that the Enbridge project requires preparatory work on Friday to be ready for a full paving operation on Sunday. Due to the forecasted rain, this prep work may not be possible, necessitating a delay. In contrast, the South Jordan Parkway roundabout work is ready for a one-day overlay since the milling has already been completed. He noted that if the milled surface cannot properly drain or dry, the overlay may be postponed to the following Sunday.

Director of Recreation Janell Payne reported upcoming community events, including the Halloween Fun Run on October 18 at 10:00 a.m. at Bingham Creek Regional Park starting at 10:00 a.m. She also highlighted the Pumpkin Promenade scheduled for October 24 from 5:00 to 8:00 p.m. and October 25 from 1:00 to 8:00 p.m. Information regarding free pumpkin pickup and participation is available on the city's website. Council members were invited to participate or volunteer as judges for the event. Council Member Zander asked if the Halloween Fun Run on October 18 conflicts with the BYU vs. Utah football game, noting that the city typically hosts a separate fun run around that time. Director Payne responded that the city has hosted a Rivalry Run

in the past, but it has not been held in the last few years due to lower attendance, making it impractical to continue.

Mayor Ramsey shared that a young South Jordan resident won second place in the state “Why I Love My City” essay contest through the Utah League of Cities and Towns. She highlighted that the student particularly enjoys participating in the city’s Pumpkin Promenade each year and noted that the city will have an opportunity to formally recognize her.

Council Member Johnson motioned to adjourn the October 7, 2025 City Council Meeting. Council Member Harris seconded the motion; vote was 5-0 unanimous in favor.

ADJOURNMENT

The October 7, 2025 City Council Meeting adjourned at 8:20 p.m.

UNAPPROVED

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

October 21, 2025

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Don Tingey, City Attorney Ryan Loose, Fire Chief Chris Dawson, Police Chief Jeff Carr, Deputy City Engineer Jeremy Nielson, CFO Sunil Naidu, Director of Human Resources Teresa Cook, Director of Planning & Economic Development Brian Preece, Associate Director of Public Works Colby Hill, Community Center Manager Jamie Anderson, Systems Administrator Ken Roberts, IS Specialist Ashley Pope, Communications Specialist Joshua Timothy, City Planner Greg Schindler, GIS Coordinator Matt Jarman, Planner III Damir Drozdek, City Recorder Anna Crookston

Absent:

Other (Electronic) Attendance: Matt Ence (SJ&R)

Other (In-Person) Attendance: Jared Payne

4:37 P.M.
REGULAR MEETING

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

Mayor Ramsey welcomed everyone present and introduced the meeting.

B. Invocation – By Director of Planning & Economic Development, Brian Preece

Director Preece offered the invocation.

C. Mayor and Council Coordination

Council Member Shelton reported receiving a call from a resident concerned about potential changes to state fuel tax policy. The resident noted that the Speaker of the House had discussed raising taxes on gas exported from Utah, currently exempt, as a way to reduce the gas tax for in-state consumers. The resident's primary concern was how this proposed adjustment might affect the city's B and C road funds.

Mayor Ramsey stated that she had also seen the social media post regarding the Speaker's comments but clarified that potential impacts to B and C road funds have not been discussed with the city, the Legislative Policy Committee (LPC), or other relevant groups. She noted that the conversation has not progressed beyond the Speaker's indication that the goal may be to close a

funding gap and reduce gas prices for Utah residents by shifting more of the burden to exported fuel. She emphasized that this is the extent of the information available at this time.

D. Discussion/Review of City Council Meeting

Presentation Item:

- Notice of Proposed Tax Increase for South Salt Lake Valley Mosquito Abatement District.

Appeal Item:

- Village at High Ridge Appeal.

Action Item:

- Resolution R2025-56, Authorizing the City of South Jordan Mayor to sign a Franchise Agreement with XO Communications Services, LLC.

Public Hearing Items:

- Ordinance 2025-18, Adopting an amended updated Storm Water Facilities IFFP and IFA.

- Ordinance 2025-19, Amending Title 5.38.030: Preschools - Additional Requirements.

- Resolution R2025-55, Amending the South Jordan Fee Schedule.

Council Member Jason McGuire joined the meeting.

E. Discussion Item:

E.1. Horizon Fieldstone Homes. (By Director of Planning & Economic Development, Brian Preece)

Director of Planning & Economic Development Brian Preece introduced Jared Payne with Fieldstone Homes.

Jared Payne reviewed prepared presentation (Attachment A). He provide background information on changes made from the last work session meeting after hearing council members input. He noted the revisions made following the council's prior discussion about increasing usable open space. He explained that three residential units near the private drive, previously shown as a grass play area, had been removed to create an expanded play area. He noted that the existing dog park will remain as open space, and additional open space has been added beyond what was originally proposed. The plan now includes relocating the dog park to a lower section of the site, with existing sidewalks providing access for apartment residents and new stairs planned to provide access for residents of the proposed development.

Council Member Jason McGuire asked for clarification regarding the existing dog park, confirming that it is part of the Jordan Station apartments. He then asked whether the applicant planned to partner with Jordan Station, sharing the dog park between both projects. Mr. Payne confirmed that they have an agreement to share the dog park amenity. He explained that the current dog park is not heavily used, so combined use by both properties is not expected to create a burden. He added that a maintenance agreement is included as part of their purchase agreement with Jordan Station.

Mayor asked for clarification regarding the total number of units proposed, confirming that the number being discussed was 33 now. Mr. Payne confirmed that the development would consist of 33 townhome units and provided details on the site layout and massing. Mr. Payne continued to review prepared presentation (Attachment A). He explained that the buildings would step down the slope to match the grade, using retaining foundations for engineering purposes. This design allows upper floors to maintain views over the units below. He described the unit configurations, the three-story units (shown in white) would have garages on the main level, while the other units (shown in purple) would have mid-level garage access with walkout basements below. Front doors would be positioned next to garages for the wider units, while other units would be rear-loaded with front entrances facing the street. Payne emphasized that the design addresses grading requirements while minimizing visual impact on neighboring properties across the river, ensuring the development is aesthetically compatible with the surrounding area.

Council Member Zander complimented the presentation, stating that the rendering provided a clear and effective way to visualize how the development lays on the land.

Council Member Harris stated that the applicant has addressed the council's prior concerns, particularly regarding open space for residents. He noted that all units are for sale and praised the creative approach to the dog park near the neighboring property. He indicated that he had no objections to the current plan.

Council Member Johnson noted a concern raised in Architectural Review Committee (ARC) previously regarding the limited walkable sidewalks within and around the property. She acknowledged that, given the relatively small number of units, this may not be a significant issue but wanted to bring it up for discussion. She also observed that some sidewalk space was likely reduced to provide more open space.

Mr. Payne explained that the site's slope limits sidewalk and pedestrian connectivity in certain areas. He noted that north-south pedestrian access is feasible in the flatter sections of the site, while the steeper areas make continuous sidewalks challenging. He added that residents entering from the mid-level of rear-loaded units can access some pedestrian paths, but crossing the road is necessary to reach parks on the opposite side, and there is insufficient space to create continuous pedestrian connections throughout the sloped areas.

Council Member Zander asked whether the grass play area would be level, and inquired about the landscaping for the surrounding green areas, asking whether it would consist of natural vegetation and what type of landscaping is planned. Mr. Payne confirmed that the grass play area would be level. Regarding landscaping, he stated that the project will follow all applicable ordinances and requirements for the site's landscaping. Council Member Zander suggested that trees be added to the site. Mr. Payne stated that a development agreement is in progress and confirmed that the project will comply with all applicable landscaping ordinances.

Council Member Zander asked whether the project would return to the council for further review as part of the development agreement process. She suggested that when it does, it would be helpful to show potential tree placement and landscaping to provide a clearer visual of the site, noting that the added green space is appreciated. Mr. Payne confirmed that a landscape plan will be required as part of the development agreement.

Council Member McGuire expressed concern about the lack of sidewalk connectivity in the development. He noted that in other high-density subdivisions in the area, limited sidewalks have led to residents walking in the middle of the street, which poses safety issues. Mr. Payne acknowledged the concern and agreed that sidewalk connectivity should be extended in the flatter section of the site. He confirmed that pedestrian ingress and egress will be provided and that the pathways will be connected around the development to address the concern. Council Member McGuire suggested extending sidewalk connectivity on the other side of the development as well, if feasible, to allow residents to create a continuous loop for pedestrian access, while noting the potential challenge posed by the hillside. Mr. Payne explained that extending connectivity on the hillside would require a significant elevation change, approximately 50 feet, making a continuous pedestrian path impractical. He noted that while straight stairs could be an option, it would result in a very long series of steps, and the slope presents a major challenge for creating a standard pathway.

Council Member McGuire encouraged adding as much pedestrian connectivity as feasible to keep residents out of the roadway, noting that the connections shown are helpful but could be extended. He also asked for clarification on the driveways, confirming that they are stub entryways.

Council Member Johnson noted that during prior discussions in ARC, it was unclear, but it is now confirmed that all units will have two-car garages, whereas previously that may not have been the case.

Council Member Zander asked whether a car could be parked in the driveway in addition to the garage. Mr. Payne confirmed that cars can be parked in the driveways of Units One and Two. He added that the remaining units have driveways approximately six feet. Council Member Zander asked whether parking would be permitted along the north side of the property adjacent to the commercial building, seeking clarification on allowable parking in that area. Mr. Payne explained that the east side of the property is owned by the adjacent commercial building and functions as a fire access lane. The city has striped half of it, and vehicles park on the remaining half, though it remains private property. He noted that the development will use the commercial property's secondary fire access lane for connectivity.

Council Member Shelton noted that he had previously suggested including condos in the development but observed that the applicant decided not to incorporate them. Mr. Payne explained that incorporating condos into the development is challenging due to difficulties with financing for buyers and high insurance costs for developers, citing past lawsuits that have made condo projects less profitable. He noted that while legislation is being considered to ease some of these burdens, the current plan focuses on single-family attached and detached units. He added that although a stacked flat project would be appealing, the high cost of land makes it economically unfeasible at this time.

Mayor Ramsey noted that the legislature is aware of the challenges related to condo development and is working on potential solutions, but some factors are beyond state control due to national regulations and market conditions. Mr. Payne clarified that legislative efforts are primarily focused on assisting with mortgage financing, while high insurance costs continue to deter many developers from pursuing condo projects.

Council Member McGuire asked what the starting price for the units in the development would be. Mr. Payne stated that the units are currently being modeled with a starting price of \$550,000. Council Member McGuire noted the units would qualify for the first-time homebuyer program. Mr. Payne explained that, due to current market demand, he expects unit prices to ultimately reach the mid-\$600,000 range. He noted that buyers are attracted to the location for its proximity to transit, amenities, and freeway access.

Council Member Zander asked what the square footage of the units. Mr. Payne stated that the units will range from approximately 1,700 to 2,100 square feet, with the exact size varying depending on their location on the slope. He added that currently all units are planned as three-bedroom homes. He noted that while this site could be suitable for two-bedroom units, the lot sizes, particularly on the downhill lots, support larger three-bedroom layouts.

Mr. Payne stated that the project will be submitted to staff and then presented to the Planning Commission, with the goal of having the process completed by the end of the year.

Council Member Johnson motioned to recess the City Council Study Meeting and move to Executive Closed Session for the discussion of the purchase, exchange, or lease of real property. Council Member Zander seconded the motion. Vote was 5-0, unanimous in favor.

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

F. Executive Closed Sessions:

F.1. Discussion of the purchase, exchange, or lease of real property.

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL STUDY MEETING

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

Council Member McGuire motioned to adjourn the October 21, 2025 City Council Study Meeting. Council Member Johnson seconded the motion. Vote was 5-0, unanimous in favor.

ADJOURNMENT

The October 21, 2025 City Council Study Meeting adjourned at 6:21 p.m.

SOUTH JORDAN CITY
CITY COUNCIL MEETING

OCTOBER 21, 2025

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Don Tingey, City Attorney Ryan Loose, Fire Chief Chris Dawson, Police Chief Jeff Carr, Deputy City Engineer Jeremy Nielson, CFO Sunil Naidu, Director of Human Resources Teresa Cook, Associate Director of Public Works Colby Hill, Systems Administrator Ken Roberts, IS Specialist Ashley Pope, GIS Coordinator Matt Jarman, Police Lieutenant Adrian Montelongo, Community Center Manager Jamie Anderson, Communications Specialist Joshua Timothy, City Planner Greg Schindler, City Recorder Anna Crookston

Absent:

Other (Electronic) Attendance: Hanu Kavuri, Katie Fletcher, Krista M, Mikhail, Tomas Langholtz, SenthilKumar, Riaz Salt, Bob, Carol Brown

Other (In-Person) Attendance: Adam Price, John Friesen, Lexie Friesen, Rajeev Soud, Luc Nguyen, Jennifer Zollinger, Heather Judd, Akasha Harper, Victor Gabriel Anen, Erin Rigby, Hannah Bechtel, Justin Berg, Natalie Berg, Miley Berg, Todd Anderson, Angela Anderson, Deborah Lin, David Reece

6:31 P.M.
REGULAR MEETING

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

Mayor Ramsey welcomed everyone present and introduced the meeting.

B. Prayer – By Sego Church Co-Lead Pastor, Hannah Bechtel

Co-Lead Pastor Hannah Bechtel offered the prayer.

C. Pledge of Allegiance – By Assistant City Manager, Don Tingey

Assistant City Manager Tingey led the audience in the Pledge of Allegiance.

D. Minute Approval:

- D.1. September 16, 2025 City Council Study Meeting
- D.2. September 16, 2025 City Council Meeting

Council Member Harris motioned to approve the September 16, 2025 City Council Study Meeting and the September 16, 2025 City Council Meeting Minutes as published. Council Member Shelton seconded the motion; vote was 5-0, unanimous in favor.

E. Mayor and Council Reports:

Council Member Jason McGuire reported attending a special announcement regarding the new senior center with affordable senior housing at The District, expressing appreciation to staff and partners, including Ivory Innovations and The Boyer Company. He also met with the Arts Council to discuss broad categories for the upcoming year's budget, with details to be finalized in the coming months. Additionally, he attended the Legislative Policy Committee (LPC) meeting with Council Members Johnson, Council Member Shelton, and Mayor Ramsey (online), where they received updates from the Utah League of Cities and Towns (ULCT) on proposed legislation related to affordable and moderate-income housing, as well as other items anticipated for the upcoming January legislative session.

Council Member Kathie Johnson reported that the Youth Council met on Thursday in the council chambers. She highlighted a presentation by County Representative Carlos Moreno, noting it was engaging and well-received by the youth council members, who expressed interest in having him attend future meetings. She added that the experience was motivating for her personally and reflected positively on the Youth Council's engagement.

Council Member Patrick Harris reported attending the announcement of the new senior center, acknowledging the significant efforts from city staff, council members, and the mayor in its planning and design. He also attended the South Jordan SoJo Race Series Halloween 5K, noting strong community participation, creative costumes, and sponsor giveaways. Additionally, he highlighted ongoing interactions with city staff and residents, assisting with various issues and concerns over the past few weeks.

Council Member Tamara Zander reported the past two weeks were focused on family activities. She shared that she attended a sibling reunion with his seven siblings and their spouses and celebrated the marriage of her youngest child. She noted that her daughter and new son-in-law attended the BYU-Utah football game shortly after their wedding, creating a memorable family experience. She emphasized the importance of family and work-life balance in her report.

Council Member Don Shelton reported attending the announcement of the new senior center, expressing appreciation for the council, mayor, and staff involved. He noted that the location is ideal, offering affordable senior housing and contributing to revitalization of the district. He also attended a Unified Sports event in Sandy, enjoying the enthusiasm of the participants and meeting former Miss America Charlene Wells. Additionally, he participated in LPC meetings focused on affordable housing and ensuring residents' voices are considered in development decisions. He concluded by noting the opening of the interchange at 9800 South and Bangerter Highway, describing it as a positive development for the city.

Mayor Dawn Ramsey reported on several city updates and events. She highlighted the new 17,000-square-foot senior center, noting its dedicated design for seniors and inclusion of approximately

200 affordable housing units. She shared the positive impact on residents, citing gratitude and personal stories, and thanked staff, council members, and community partners for their contributions. She discussed economic and recreational developments, including the city's growing sports tourism initiatives such as the ballpark, professional pickleball venue, Fullmer Brothers boxing venue, and the junior PGA golf tournament, emphasizing that these projects are privately funded. She also mentioned meetings with residents and businesses, including filming a new segment of the "Dine with Dawn" series to highlight local restaurants. Regional involvement was noted with the Wasatch Front Regional Council (WFRC) and the regional growth committee, highlighting her role as chair. She also attended Bingham High School's first multicultural fair and emphasized community engagement and youth involvement. Regarding infrastructure, Mayor Ramsey celebrated the opening of the 9800 South and Bangerter interchange, acknowledging the long-term effort with UDOT, the school district, and other partners to improve traffic safety and connectivity. She also noted the state unified soccer championship win by Bingham High School, highlighting local youth achievement.

F. Public Comment:

Mayor Ramsey opened the public comment portion of the meeting.

Deborah Lin (Resident) - I'm here tonight because I'm taking a civics course called the Policy Circle. One of the requirements is to attend a meeting, so as long as I'm here, I thought I might as well take some time to introduce myself. It's been awesome, and I learned today that Council Member Tamara Zander is my representative, that I live in District 4, right on the boundary. I just want to thank you, first of all, for your service and for all that you do. It's a huge commitment and a lot of time, and we've lived here in South Jordan for five years. It's a wonderful place to live, and you do a fantastic job of running the city. During my last two and a half minutes, I wanted to mention that I work for the Utah Women in Leadership Project. Some of you may have heard of Dr. Susan Madsen. She's a world-renowned researcher and faculty member at Utah State University, and she has focused her work on girls, women, and families because of what she's observed here in Utah. My job is local outreach and curriculum manager. Part of what I do right now is work with cities in Utah that are passing what's called a Bolder Way Forward resolutions. Her research has found, it's actually quite heartbreaking, that many girls and women struggle in Utah in ways not seen in other states. She has focused her energy and started a statewide movement called a Bolder Way Forward, which includes 18 different focus areas. It can be a little overwhelming but also really inspiring to see that Utah is taking action that no other state has done. What we see is that girls and women in Utah face a lot of violence. Our domestic violence rates are above the national average. Child sexual abuse is also an issue, and it's heartbreaking that many children who are abused never disclose it until adulthood. But there are things we can do about it. The state legislature has approved curriculum that can be implemented in our schools. Our goal is to close gaps, decrease violence, and increase opportunities for girls, women, and families. This is not at the expense of boys and men. In the last couple of months, I've been to Salt Lake County, West Valley City, Millcreek City, and the city of Midvale. Men and women elected officials are supporting this initiative. I would like to invite you to pass a Bolder Way Forward resolution. I will share that opportunity with you so you can discuss it. Acknowledging these issues and letting our residents know that there are problems, but also solutions, is an important step. Thank you for your time.

David Reece (Resident) - I wanted to talk about a couple of things, a couple of concerns that I've heard from some of my neighbors, especially regarding parking and traffic. I'd like to share some ideas with you. I'm sure you've come across them before, but I'd like to put my voice in support of these ideas. One idea is for Daybreak, which has a lot of new amenities. I would love to see the city look into, along with Daybreak, some sort of shuttle that could circulate around Oquirrh Lake, connecting to new Harmon's stores, the ballpark, the hospital, the train stations, the temple, and the SoDa Row area. There's a nice little circle around Oquirrh Lake that I think would be a great opportunity. For example, when my girls are older and want to go to the library, I could put them on the shuttle instead of driving and dealing with traffic. It would also help during games and events at the new downtown Daybreak, allowing people in the north area of Daybreak to take the shuttle without clogging streets or causing parking issues in the neighborhoods. Another idea I've heard is offering free transit, similar to what Salt Lake City does, between the three train stations in South Jordan. This would allow people to park at any of the stations and take the train to the ballpark, again reducing congestion and parking impacts in nearby neighborhoods. Regarding the Senior Center, I'm aware that its location is in the middle of several parking lots. I'm curious about how accessible it will be for seniors who may not drive as much as in the past. I don't know what amenities are already planned to assist those residents, so that might be something to consider. Finally, I'd like to suggest an idea and get feedback if possible. I serve as a precinct chair for one of the political parties in this state, and I distribute a neighborhood newsletter to inform residents about precinct events, such as Halloween parties, Easter egg hunts, and candidate meet-and-greets. I'm curious what resources might be available to help precinct chairs connect with their neighborhoods for community purposes, not political purposes. South Jordan is within the top 10 cities in Utah in terms of population, and its size is comparable to Manhattan. I'd love to see opportunities for precinct chairs to help neighbors engage and grow as a community. Thank you for your time and consideration. I appreciate it.

Mayor Ramsey acknowledged the ideas presented, noting that some of them fall outside the city's direct authority but that they would be passed along to the appropriate entities. She also clarified that transportation services are available for seniors who do not drive.

Angela Anderson (Resident) - I live right across from the beautiful new intersection. In fact, we face the land where nine homes were removed, and now we face the Bangerter wall with the beautiful mountains in the background. Every time we talk to construction workers, we get different stories about what will be built there. We thought we'd come tonight to ask a question. I don't know if this is the right place, but we would love for that land to become a small park near the drainage pond. We're unsure if there are future plans for homes, but we would prefer a park across the street from us instead of tiny homes on tiny lots. I'm not sure who to contact about this, should we reach out to our District 2 representative, individually, or someone else?

City Manager Dustin Lewis responded that he can coordinate with Deputy City Engineer Jeremy Nielsen, and Planning and Economic Development Director Brian Preece, to provide more information to Ms. Anderson. He noted that the city does not currently own the property and has not seen any proposed plans for it, as the land belongs to the State of Utah.

Mayor Ramsey closed the public comment portion of the meeting.

G. Presentation Item:

G.1. Notice of Proposed Tax Increase for South Salt Lake Valley Mosquito Abatement District. (By South Salt Lake Valley Mosquito Abatement District Manager, Dan McBride)

SSLVMA District Manager, Dan McBride addressed the council regarding the district's proposed tax increase (Attachment A). He noted they are a special district that operates within South Jordan City boundaries, as well as 20 other municipalities in Salt Lake County. We are here as part of the truth-in-taxation process required by Utah Code 17B-1-1003 to announce and report our proposed tax increase to the council. To give a brief introduction, not many people are aware of our agency. We are responsible for monitoring, assessing, and controlling mosquitoes and mosquito-borne diseases within Salt Lake County. Our district was established in 1952. We are a small agency with five full-time staff and 30 seasonal staff during the mosquito season, which runs from April through October 1. Our focus is public health, public concern, and public nuisance management. There are several dangerous diseases present in the mosquito population, including West Nile virus and St. Louis encephalitis. As a special district, it is our responsibility to monitor and control these risks. We are seeking a tax increase to support our operations. Our last tax increase was in 2012 to build a building, and two years later, we reduced the tax rate. The last effective change to our rate was in 2002. We take fiscal responsibility seriously and aim to use all tools at our disposal before requesting additional funds. We are proposing an increase that would raise the district's total property tax revenue to approximately \$1,420,000 for the 2026 calendar year, an increase of about \$320,000 or roughly 29%. In context, this equates to about 77 cents per year for a property valued at \$600,000. The increase will allow us to stabilize costs of essential services, address rising operational expenses due to inflation, and implement operational enhancements. We plan to adopt more ecologically sound mosquito control methods, particularly in large areas such as Oquirrh Lake, Daybreak, and along the river. We hope to utilize drones and data processing tools to improve efficiency and environmental outcomes. Additionally, we aim to ensure our capital budget is ready for future needs without requiring additional tax increases. Finally, the public hearing for this proposed increase will be held on December 8 at 6:00 p.m. at our district offices near the airport. The notice, which was included with property tax statements, provides the address, date, time, and a virtual link for those unable to attend in person. South Jordan has always been a strong partner with mosquito control, and I've had the pleasure of working with several council members in the past. They are diligent, fair, and reflective of the city's commitment to service. I am happy to answer any questions the council may have.

Mayor Ramsey summarized that the South Salt Lake Valley Mosquito Abatement District will hold a public hearing on December 8 at 6:00 p.m. at the district offices near Airport Two in West Jordan. A virtual link will also be available. The hearing concerns a proposed property tax increase, which would result in an average annual increase of approximately .77 cents per property. Mr. McBride clarified that the proposed tax increase would equate to .77 cents per year for a home valued at approximately \$600,000. He noted that, given South Jordan's median home prices are slightly higher, the actual impact for local residents would likely be closer to \$1 per year.

Council Member Zander expressed appreciation for the Mosquito Abatement District's work, noting her experience serving on the board for eight years. She highlighted the district's efforts around the perimeter of Oquirrh Lake to prevent mosquito breeding and acknowledged their broader work along the Jordan River Parkway. She also inquired whether the water course on the west side of South Jordan is being monitored by the district. Mr. McBride responded that the district has been actively coordinating with developers to ensure access to the west side of the Mountain View Corridor and to monitor the new waterways being constructed in that area.

Council Member Shelton inquired about the district's fiscal management, noting that he was not familiar with their budget or operations. He observed that the proposed budget for the next fiscal year is approximately \$1.4 million, with an increase of \$60,000 for capital improvements, and asked how much the district normally keeps in reserve. Mr. McBride responded that the district typically maintains a capital reserve of approximately \$500,000 to \$650,000. He noted that their older building requires ongoing capital improvements, and the reserve serves as a permanent account to address these needs. Council Member Shelton commented that although the proposed increase appears significant percentage-wise, the actual dollar amount is minimal. He shared that his oldest son contracted West Nile virus while living in New York and nearly died, emphasizing the seriousness of mosquito-borne diseases. He expressed appreciation for the district's work and stated he was glad the community could support the agency for roughly an additional dollar per year. Mr. McBride added that, in terms of overall tax rate percentage, the South Salt Lake Valley Mosquito Abatement District is the third lowest in the state of Utah, with only one other entity, a cemetery district, having a lower rate.

Mayor Ramsey noted the importance of the mosquito abatement district's work and reminded the public that, as required by state law, the district presents this information to each municipality within its boundaries. She encouraged anyone wishing to provide input to attend the public hearing on December 8 at the district office.

H. Appeal Item:

H.1. Village at High Ridge Appeal. (By Board Member of the Village at High Ridge HOA, John Friesen)

Deputy City Engineer Jeremy Nielson provided background on the petition submitted by the Village at High Ridge HOA requesting that the City assume maintenance of the park strip along their frontage and the green space containing the detention basin at the southeast corner of the subdivision. He showed a map showing the parcel (Attachment B). He explained that staff reviewed the request after it was submitted in August and ultimately denied it. He outlined the primary reasons for the denial; the Parks Master Plan indicates the City will have a surplus of park space and the addition would not improve the City's level of service; the City's established practice is to avoid developing parks smaller than five acres; and taking on the area would further strain an already stretched Parks Division. Under City policy, HOAs may appeal such decisions to the City Council, which is why the item was before the Council. He noted that if the Council chose to approve the request, despite staff's recommendation, there are repairs and modifications that should be addressed prior to the City assuming responsibility.

Council Member Johnson asked what property abuts the subdivision to the south, referring to the large green area shown on the map. Deputy City Engineer Jeremy Nielson stated that the property to the south is Paradigm High School. He added that there is a chain-link fence separating the school property from the HOA's green space.

Council Member Shelton asked about the size of the green space. Deputy City Engineer Nielson responded that the area is approximately 0.7 acres, consisting of the detention basin green space as shown on the map, along with the adjacent park strip along 3600 West. Council Member Shelton asked whether the additional green space near 3600 West is a vacant lot or part of another property. Deputy City Engineer Nielson clarified that it is not part of the HOA's request area. It is a separate parcel under different ownership, not included in the petition before the council.

Council Member Zander clarified that the space near 3600 West used to house the Vision Dance Studio, which was recently purchased by Paradigm High School, so their campus will now extend over that building. The vacant lot to the north is privately owned and undeveloped.

John Friesen, a board member of the Village at High Ridge HOA, addressed the council regarding the HOA's request to dissolve city maintenance responsibilities for certain private green spaces. He noted that the majority of the community does not see a benefit in maintaining these areas. He provided handouts (Attachment C & D) including the city engineering findings and his letter to the city summarizing their position. He reviewed prepared presentation (Attachment E), explaining that the HOA consists of 37 homes, most of which are first-time homeowners, and that the community has struggled with HOA management since its development in 2017–2018. Earlier this year, the HOA collected signatures representing at least 70% of residents (excluding rental or investment properties) in support of the appeal. He outlined the agenda for his presentation, covering the background and challenges, the impact on the community, HOA maintenance responsibilities, the city engineer's assessment, and the HOA's proposal to make it easier for the council to approve the dissolution while addressing any necessary improvements to the green spaces. He continued his presentation on behalf of the Village at High Ridge HOA, detailing the history and challenges faced by the community. He explained that the builder and the first management company failed to deliver promised amenities, such as street signs for children at play and a park, leaving the green spaces as undeveloped areas with little value. He emphasized that unclear communication regarding the HOA's purpose and fees created confusion and dissatisfaction among homeowners. He outlined governance challenges, noting that of 37 homes, only 23 are eligible to serve on the HOA board. Since 2020, only six individuals have served as board members, with three resigning due to personal reasons or lack of understanding of the HOA's purpose. Currently, three board members remain, serving reluctantly because no other residents are willing to participate. He noted that the monthly HOA fee of \$50 per household primarily goes toward maintaining park strips and the green space, with minimal benefit to homeowners. He raised safety and liability concerns, explaining that the green space borders homes that do not pay HOA fees but have gate access to the area, leading to unauthorized use by neighbors, pets, and teenagers. He provided examples of vandalism, garbage, and trespassing, and noted issues with infrastructure, including broken vinyl fences, sprinkler system problems, dying trees, and a buried valve box. He proposed that if the city assumes maintenance responsibility, the HOA is willing to collaborate financially and logistically to address all existing issues, ensuring the green space meets city standards. Benefits to the city include centralized ownership, consistent

maintenance standards, improved environmental compliance, and enhanced community harmony and safety. City ownership would also eliminate tension within the HOA and between neighboring properties while generating public goodwill. In summary, the Village at High Ridge HOA requests that the City of South Jordan dissolve the HOA and take over maintenance of the green space and park strip. This would reduce administrative burdens and community conflict, while allowing homeowners to support a smooth transition through financial and logistical cooperation. The HOA expressed willingness to continue ongoing dialogue with the city during the transition.

Mayor Ramsey acknowledged the presentation and turned the discussion to the City Council for questions. She asked if the HOA had considered speaking with Paradigm High School about purchasing the 0.7-acre parcel or if they had explored the possibility of selling it. Mr. Friesen responded that he had not discussed purchasing the parcel with Paradigm High School.

Mayor Ramsey asked if the HOA currently has a management company handling the association's finances. Mr. Friesen explained that the HOA does have a management company they pay, but it does not provide substantial service due to the small size of the community and limited urgency. He also noted that if Paradigm High School were to purchase the parcel, it could create additional fencing issues with neighboring properties.

Council Member Johnson noted that if Paradigm High School were to purchase the parcel, any fencing or property boundary issues would be the responsibility of Paradigm, relieving the HOA of that concern.

Mayor Ramsey acknowledged the location's proximity to Paradigm High School and suggested that the school might be interested in the 0.7-acre parcel, especially since it is adjacent to the recently purchased dance studio parcel.

Council Member Zander noted that her friend previously owned the dance studio, which Paradigm High School purchased to expand its student body and building space. She agreed that the school's adjacent property would be a more logical option for the parcel since city residents have limited access to the park due to surrounding homes. She recommended that the HOA first approach Paradigm High School to discuss a potential purchase, as it would better serve accessibility and use considerations.

Mayor Ramsey added that given the parcel's location on a cul-de-sac with limited frontage, turning it into a city park might not be ideal. She noted that neighbors could be opposed to increased traffic or parking in front of their homes, even if the space remained as green space without playgrounds.

Mr. Friesen responded that the community's sentiment toward the HOA is strongly negative, emphasizing that residents are frustrated with its existence and management. Mayor Ramsey noted that if the 0.7-acre parcel were converted to a city park, residents might be frustrated by other people using it, parking in the cul-de-sac, and potentially interfering with their homes, highlighting concerns about lack of designated parking and control over access.

Council Member McGuire added that the parcel has no city infrastructure, such as restrooms, and raised concerns that if it became a city park, neighbors could face issues similar to those in other communities, including visitors from outside the HOA requesting access to private amenities.

Lexie Friesen noted that, regarding the idea of Paradigm High School purchasing the parcel, the ownership status may need to be fact-checked. She mentioned that a board member was previously told by someone in the city that the city actually owns the property, but the HOA was responsible for maintaining it per an agreement made when the builder developed the homes.

Mayor Ramsey clarified that staff reviewing the property have indicated that the city does not own it, and that the parcel is owned by the Village at High Ridge HOA. She asked if all homeowners were informed about the HOA and associated fees at the time of purchase, and that this disclosure was likely a legal requirement.

Council Member Shelton suggested exploring the possibility of having the high school take over the parcel, noting that the HOA could negotiate an arrangement where the school assumes responsibility for the park strip maintenance and fencing, potentially without a large financial exchange, while acknowledging there may be legal considerations regarding dividing proceeds among homeowners.

Ms. Friesen asked if Paradigm High School were interested in purchasing the retention space, would it be possible to return to the city a request that the city assume maintenance responsibilities for the separate park strips that are not directly connected to that space. Council Member Johnson suggested that if the property were sold to Paradigm High School, the HOA could have the park strips converted to low-maintenance landscaping, such as rocks, which would make ongoing upkeep more manageable for the HOA or whoever assumes responsibility. Ms. Friesen clarified that the intent is to dissolve the HOA entirely, and the goal is not to shift maintenance responsibilities to the homeowners who live adjacent to the park strips. The purpose of the proposal is to remove the HOA's administrative and financial burden from the community. Council Member Johnson suggested that if the HOA is dissolved, the park strips could potentially be deeded to the adjacent homeowners, making them part of their private property. She noted that this would be a decision for the homeowners to discuss as a group and acknowledged that the city would likely not want to assume responsibility for this property, given its size and location.

Mayor Ramsey noted that it is not feasible or realistic for the city to take on the 0.7-acre parcel. She explained that the city's parks master plan and resource allocations do not support adding this space. Additionally, she expressed concern that opening the space to the public could create problems for residents, as events or general use could fill the cul-de-sac and street parking, negatively impacting the neighborhood.

Council Member Harris suggested exploring the option of deeding the green space to the adjacent homeowners. He shared an example from another state where an HOA dissolved and distributed common areas to neighboring property owners. He recommended the Village at High Ridge HOA discuss with the homeowners next to the green space whether they would be interested in taking ownership and maintenance responsibility, potentially increasing their lot size.

Ms. Friesen responded that the green space is a detention pond, not a level or usable piece of land, making it less appealing for adjacent homeowners to take ownership. She noted that one of the neighboring homes is a rental property, and she personally does not see a benefit in owning any portion of the retention area.

Mr. Friesen explained that dividing the detention pond among adjacent homeowners would result in uneven, mostly sloped parcels, making the land impractical and undesirable for them to own.

Council Member Harris noted that if he were an adjacent homeowner with young children, he might value receiving the land for private use, assuming it was usable and maintained as grass, providing a safe play area for his family. Mr. Friesen responded that the land is generally usable, but dividing it among adjacent homeowners would be complicated due to its shape and slope, which could limit practical use for each individual lot. Council Member Harris suggested the possibility of transferring the retention pond land to a single adjacent homeowner, with the condition that its engineered drainage function is maintained and no construction occurs. He asked if the HOA had explored whether any neighbors would be interested in taking on ownership and maintenance under those conditions. Mr. Friesen responded that no neighbors have approached the HOA about taking ownership of the retention pond land, and none have expressed interest in doing so. Council Member Harris suggested that the HOA could consider deeding the retention pond land to the adjacent homeowners, making it part of their property. He noted that the new owners would need to maintain the space, keep the drainage functional, and agree to its ongoing use, but it might be an appealing option for residents who want additional usable space.

Council Member McGuire asked staff, whether the retention pond is part of the city's stormwater system and if the city would need access to maintain it, given its function as a detention pond. Deputy City Engineer Nielson confirmed that the city would need access to maintain the retention pond's infrastructure, including the pipes, as it is part of the public stormwater system. Council Member McGuire clarified that while the retention pond is privately owned by the HOA, there is effectively an easement allowing the city access for maintenance. Deputy City Engineer Nielson noted that the plat likely includes access easements for public works, ensuring they can enter and maintain the stormwater pipes within the retention pond.

Council Member McGuire added that, despite the detention pond's constraints, some homeowners might be interested in taking over portions of the land to expand their lots for personal use, noting that people often find creative ways to utilize such spaces.

Council Member Johnson recommended that the HOA first approach the school district regarding the retention pond parcel before pursuing other options.

Mayor Ramsey suggested that the HOA consider deeding the retention pond parcel to the school district, allowing the HOA to dissolve and end the \$50 monthly fees. The school district would assume ongoing maintenance responsibilities, with the city retaining necessary access for stormwater infrastructure. She also noted that the adjacent park strips could be deeded to the neighboring homeowners, who could take advantage of the city's "Flip Your Strip" program to convert them to low-maintenance landscaping, reducing water use and upkeep while maintaining aesthetics.

City Planner Greg Schindler clarified that the park strips are city-owned property, so they cannot be deeded to homeowners. Any responsibility for them would remain as a maintenance agreement, not a transfer of ownership, even though the HOA or residents may perform upkeep.

Council Member Johnson noted that the main focus should be resolving the detention pond issue. She suggested that if the charter school is willing to take responsibility for that parcel, the other aspects of the HOA dissolution and property transition would likely be easier to address.

Mayor Ramsey suggested that the HOA could potentially offer the detention pond property to Paradigm High School, with the understanding that Paradigm would invest in new fencing to separate it from the HOA homes and agree to maintain the park strips. She explained that if such an agreement were formalized in a signed document, the HOA could dissolve, transfer responsibilities, and avoid future maintenance obligations, effectively removing themselves from ongoing management. She noted this approach seemed logical, though she deferred to City Attorney Ryan Loose for confirmation.

City Attorney Loose explained that without reviewing all of the HOA's bylaws, it's difficult to determine exactly how easily the HOA could dissolve and transfer property. However, he noted that it is generally feasible to sell or transfer land that has encumbrances, such as the city's easement, and indicated that the HOA likely understands the steps required for dissolution and property disposition. He acknowledged that HOAs can be complex and variable.

Mayor Ramsey expressed sympathy for the HOA's situation, acknowledging that they had been put in a difficult position due to prior mismanagement. She noted that having the city take over the property may not be the best solution. Instead, she suggested that offering the land to the adjacent school for expansion, contingent on the school taking over maintenance responsibilities in perpetuity, might be a more practical and legally feasible solution. She emphasized that this was guidance based on opinion, not legal advice, and encouraged the HOA to pursue a solution that aligns with their governing documents.

Council Member Shelton motioned to deny the appeal submitted by the Village at High Ridge HOA. Council Member Zander seconded the motion; vote was 5-0, unanimous in favor.

Council Member Harris noted that while the council cannot accept the HOA's request for the city to take over the property, the city remains willing to be a resource to the community. He noted programs such as the "Flip Your Strip" initiative and offered support to help make potential solutions more manageable for residents.

Council Member Shelton noted that while he made the motion to deny the appeal, he felt it was appropriate to bring it before the council. He acknowledged that some of the alternative suggestions discussed, such as working with Paradigm High School or addressing park strip maintenance, could help the HOA achieve their goals in a more practical way, particularly given the challenges of parking, restrooms, and city park planning requirements.

Council Member Zander noted that while she does not know Paradigm High School's leadership personally, the owner of Vision Dance Studio, recently sold to Paradigm, has been in negotiations for months. She suggested that now would be an ideal time for the HOA to approach Paradigm about expansion.

Mayor Ramsey suggested that if the Village at High Ridge HOA is considering disposing of property, approaching Paradigm High School about it would be the recommended strategy. She wished them good luck with the process.

I. Action Item:

- I.1. Resolution R2025-56, Authorizing the City of South Jordan Mayor to sign a Franchise Agreement with XO Communications Services, LLC. (By Assistant City Manager, Don Tingey)

Assistant City Manager Don Tingey explained that XO Communications Services has had a franchise agreement with the city since 2001. However, they did not exercise the automatic renewal this year. Once it was realized that the agreement had expired, the city restarted the process. The new franchise agreement presented to the council maintains the same terms as the previous agreement, and XO Communications has paid the required fee to submit their application.

Council Member McGuire motioned to approve Resolution R2025-56, Authorizing the City of South Jordan Mayor to sign a Franchise Agreement with XO Communications Services, LLC. Council Member Johnson seconded the motion; vote was 5-0, unanimous in favor.

J. Public Hearing Items:

- J.1. Ordinance 2025-18, Adopting an amended updated Storm Water Facilities Impact Fee Facilities Plan and Impact Fee Analysis; adopting an amended and updated Impact Fee for Storm Water Facilities; establishing service area; and/or other related matters. (By Associate Director of Public Works, Colby Hill)

Associate Director of Public Works Colby Hill reviewed background information and explained that the council is being asked to consider an ordinance to adopt updated impact fees for the city's stormwater system. He noted that the city recently completed a stormwater master plan and, with assistance from Fred Philpot with LRB Public Financial Advisors, completed a Stormwater Impact Fee Facilities Plan and Analysis.

Fred Philpot reviewed prepared presentation (Attachment F), explaining that the city recently completed a stormwater master plan, which included an evaluation of the system and a review of growth-related infrastructure needs. The analysis showed that there is little to no new infrastructure required to support growth, leading to a shift from a future facility-based impact fee to a buy-in component. This approach calculates fees based on the proportionate share of the existing system costs in relation to projected growth over a ten-year period. As a result, the proposed impact fee for new construction is \$804 per equivalent residential unit (ERU), representing a 33% decrease from the current fee of \$1,201. The decrease reflects the use of the original cost of existing

improvements rather than future projected costs. The fee applies only to new construction. The next steps include holding a public hearing, after which the city council may adopt, modify, or reject the proposed fee. Decreases to the fee generally take effect immediately, while any increases require a 90-day waiting period.

Mayor Ramsey opened the public hearing for Ordinance 2025-18. There were no comments. Mayor Ramsey closed the public hearing.

Council Member Shelton asked for clarification on the calculation of impact fees presented in the slide, noting that he was able to understand the 6.2% figure but was unclear on how the 56.1% value was derived. Mr. Philpot explained that they reviewed the inventory and depreciation schedule to distinguish system improvements from project-specific improvements. They identified the assets that qualify as system improvements within the service area to isolate the portion relevant for the impact fee calculation. Council Member Shelton noted that of the roughly \$45 million in assets, just over half were included in the impact fee calculation. He asked if only those assets expected to depreciate and that qualify as system improvements within the service area were included. Mr. Philpot clarified that the calculation uses the original value of assets, but excludes neighborhood-scale or project-specific improvements. Only assets that qualify as system-wide improvements are included, as these meet the definition of a system improvement within the service area. Council Member Shelton confirmed the calculation is not based on new or anticipated projects and does not include areas such as Daybreak or the newly annexed territory. Only existing system-wide assets within the current service area are considered. Mr. Philpot confirmed that is correct, the analysis is based solely on the service areas defined in the Impact Fee Analysis (IFA) and the ordinance.

Council Member Shelton asked for clarification on whether the collected impact fees must be used within a specific period of time. Mr. Philpot clarified that the impact fees must be used within a relatively short period, typically six years from the date of collection. For the buy-in component, the funds are essentially expended immediately, as they are used to reimburse the city for existing infrastructure. Mr. Philpot added that the fees typically remain within the defined service area, but are expended as they are collected to reimburse the city for infrastructure already in place. He noted that the system has excess capacity, and the buy-in component helps cover those existing costs, so the six-year expenditure window is not expected to pose an issue. He added that if pipe replacements or other infrastructure needs arise, the funds collected through the impact fee are used for those purposes as part of the buy-in component. Once expended, the money leaves the impact fee fund, which aligns with the intended use and compliance requirements of the fee.

CFO Sunil Naidu explained that the fees go back into the storm drain fund, where they remain eligible for capital projects. He noted that since the city previously used the storm drain fund to carry out impact fee-qualified system improvements, the incoming fees essentially reimburse the fund for those expenditures. Council Member Shelton confirmed that the fund builds a reserve, and the capital can be used for necessary infrastructure repairs, such as pipe replacements, as needed. CFO Sunil Naidu clarified that the fund balance was initially drawn down to complete the projects, and the impact fee collections are now being used to replenish the fund. Mr. Philpot added that impact fees are not used for repair or replacement. Instead, they are expended as a buy-in, leaving the impact fee fund and going into the storm fund. This process effectively reimburses the

city for previously constructed infrastructure, after which the funds become unencumbered within the storm fund.

Mayor Ramsey confirmed that the \$804 impact fee for new development is intended to reimburse the city for existing stormwater infrastructure. The fee ensures that new users contribute to the cost of drainage systems that are already in place and maintained by the city. Mr. Philpot explained that while the current impact fee reimburses the city for existing stormwater infrastructure, future redevelopment or density changes could require new infrastructure. This underscores the importance of continually updating master plans, as communities may shift from having no impact fees to needing fees to fund new system improvements. Mayor Ramsey emphasized the importance of regularly updating impact fees, noting that the city conducts thorough analyses to ensure fees align with actual costs. She highlighted that this process ensures the city is reimbursed for the true cost of providing stormwater services without overcharging developers or residents.

Council Member Shelton clarified that the \$804 impact fee applies only to new residential construction and is a one-time charge, not an ongoing tax or recurring fee for homeowners.

Council Member Harris motioned to approve Ordinance 2025-18, Adopting an amended updated Storm Water Facilities Impact Fee Facilities Plan and Impact Fee Analysis; adopting an amended and updated Impact Fee for Storm Water Facilities; establishing service area; and/or other related matters. Council Member McGuire seconded the motion.

Roll Call Vote

Council Member Harris - Yes

Council Member McGuire - Yes

Council Member Johnson - Yes

Council Member Shelton - Yes

Council Member Zander - Yes

The motion passed with a vote of 5-0.

J.2. Ordinance 2025-19, Amending Title 5.38.030: Preschools - Additional Requirements. (By City Manager, Dustin Lewis)

City Manager Dustin Lewis reviewed background information on the proposed update to the city ordinance governing home-based preschools. He noted that following resident concerns and a prior work session, staff reviewed ordinances from neighboring jurisdictions and incorporated Council feedback into a draft ordinance. Key changes include increasing the maximum student count from eight to twelve, removing a confusing “other conditions” clause, and changing the limitation from four sessions per week to a maximum of two sessions per day, Monday through Friday. Age restrictions for students were removed to allow greater flexibility, and applicants are no longer required to submit hours of operation for review. The ordinance now allows additional employees who do not reside in the home to assist with the preschool, creating a special exemption for home-based preschools. Drop-off and pick-up are prohibited on shared driveways, and limitations on trips per day are removed, effectively restricting trips only by the number of students. The ordinance maintains compliance with all life safety codes and applicable state and federal laws.

Mayor Ramsey opened the public hearing for Ordinance 2025-19. There were no comments. Mayor Ramsey closed the public hearing.

Council Member McGuire asked why the ordinance continues to include the provision that preschools are not limited to twelve one-way vehicle trips per day, rather than remaining silent on the matter. City Manager Lewis explained that the exemption is necessary because, in another section of the code, all other home occupations are limited to twelve one-way vehicle trips per day. Including the language for preschools ensures they are not inadvertently subject to that restriction while remaining compliant with the rest of the code.

Council Member Johnson noted that, with the revised preschool ordinance, there could potentially be up to 24 children coming and going. City Manager Lewis clarified that the 12-trip limit in the code continues to apply to all other home occupations, and the exemption specifically applies only to preschools, ensuring they are not subject to that limitation.

Council Member Johnson asked whether, if a preschool's drop-off and pick-up activity creates issues within a neighborhood, another city ordinance exists that could address or mitigate those concerns. City Manager Lewis responded that he would defer to the City Attorney for any specific code citations, but noted that it would depend on the nature of the issue. He explained that if problems arise, such as vehicles parking illegally, blocking fire hydrants, or obstructing driveway access, the City already has enforcement tools and ordinances that could be used to address those concerns. Council Member Johnson noted that, in her own neighborhood, a resident with a large accessory building frequently hosts basketball games with many children, resulting in increased traffic and activity. She shared that while neighbors generally only voice concerns informally to one another, similar situations could become problematic in some areas.

City Attorney Ryan Loose explained that the City has standard regulations in place, and if significant issues arise, the ordinance can be revisited and adjusted. He noted that it is common to make policy changes to address concerns and later refine those changes if unintended consequences occur. He stated that the draft ordinance reflects the Council's direction to support and incentivize preschools, as they contribute to broader goals. If problems emerge, staff would likely recommend addressing them through measures such as limiting operating times. He emphasized the intent to encourage these businesses while planning to resolve any issues that may surface in the future. Council Member Johnson commented that the approach described sounded similar to legislative processes, where ordinances are adjusted over time and each legislative session often involves refining or correcting prior actions. City Attorney Loose clarified that while ordinances cannot always ensure people act rationally, existing policies allow the city to respond to issues as they arise. In emergencies, the chief can close roads, and the city can exercise emergency powers. For ongoing issues like traffic, the city would monitor the situation and could rely on recommendations from the traffic committee, bringing any necessary legislative changes back to the council.

Council Member Zander motioned to approve Ordinance 2025-19, Amending Title 5.38.030: Preschools - Additional Requirements. Council Member Shelton seconded the motion.

Roll Call Vote

Council Member Zander - Yes

Council Member Shelton - Yes

Council Member Harris - Yes

Council Member Johnson - Yes

Council Member McGuire - Yes

The motion passed with a vote of 5-0.

Mayor Ramsey expressed appreciation for the residents and preschool providers, including Ms. Zollinger and several colleagues, who raised concerns about the city's preschool ordinance six weeks prior. She noted that their input prompted staff to review and update the ordinance, resulting in clearer, more practical regulations that will benefit both preschool providers and families seeking affordable options in South Jordan.

J.3. Resolution R2025-55, Amending the South Jordan Fee Schedule. (By CFO, Sunil Naidu)

CFO Sunil Naidu explained that with the city's passport office opening in less than a month, there is a need to update the fee schedule to reflect the fees the office can charge. He outlined that the application fee is set by the U.S. Department of State and collected by the city, while additional optional fees cover services such as passport photos, money orders, or expedited processing. The fee schedule amendment will enable the city to collect these fees as applications are processed.

Mayor Ramsey expressed excitement about the upcoming opening of the city's passport office, noting it will provide a convenient service for residents who need passports. She emphasized that, by law, the city must establish fees to cover the cost of providing the service, which are not currently included in the fee schedule.

Mayor Ramsey opened the public hearing for Resolution R2025-55. There were no comments. Mayor Ramsey closed the public hearing.

Council Member Zander commented that the passport office will be a valuable service and noted its potential as a revenue generator, expressing appreciation to all involved in making it a reality.

City Manager Lewis praised staff for their work getting the passport office assembled and offered council members an early tour of the highly secure office, emphasizing that even he would not be allowed unescorted once it is operational, and encouraged anyone interested to see the setup before it opens.

Council Member Johnson motioned to approve Resolution R2025-55, Amending the South Jordan Fee Schedule. Council Member McGuire seconded the motion.

Roll Call Vote

Council Member Johnson - Yes

Council Member McGuire - Yes

Council Member Harris - Yes
Council Member Shelton - Yes
Council Member Zander - Yes

The motion passed with a vote of 5-0.

K. Staff Reports and Calendaring Items:

City Manager Dustin Lewis acknowledged the presence of several staff members attending the meeting to cover for directors. He noted that some of the attendees were experiencing a city council meeting for the first time. He emphasized that their participation provides valuable experience and highlights the depth of talent within the city's leadership team.

Mayor Ramsey noted that there will not be a city council meeting two weeks from tonight due to Election Day on November 4. She reminded council members of upcoming events, including the Veterans Day breakfast on November 1 and the Wasatch Choice Vision Workshop with the Wasatch Front Regional Council on November 6 at the Public Safety Building, which will focus on regional transportation planning and long-range development and provide an opportunity for input from South Jordan and neighboring cities. She also highlighted the Pumpkin Promenade at Bingham Creek Regional Park and the city's upcoming production of Forever Plaid in collaboration with the Arts Council and Sandbox Theater Company at the Community Center.

Council Member Harris motioned to adjourn the October 21, 2025 City Council Meeting. Council Member Shelton seconded the motion; vote was 5-0 unanimous in favor.

ADJOURNMENT

The October 21, 2025 City Council Meeting adjourned at 8:21 p.m.

SOUTH JORDAN CITY
BOARD OF CANVASSERS MEETING

November 18, 2025

Present: Board Chair Dawn R. Ramsey, Board Member Kathie Johnson, Board Member Don Shelton, Board Member Tamara Zander, Board Member Jason McGuire, City Manager Dustin Lewis, Assistance City Manager Jason Rasmussen, Assistant City Manager Don Tingey, City Attorney Ryan Loose, Fire Chief Chris Dawson, Police Chief Jeff Carr, CFO Sunil Naidu, Director of Human Resources Teresa Cook, Director of Public Works Raymond Garrison, Director of Recreation Janell Payne, PIO/Communication Manager Rachael Van Cleave, Director of Planning & Economic Development Brian Preece, GIS Coordinator Matt Jarman, City Recorder Anna Crookston

Absent:

Other (Electronic) Attendance: Board Member Patrick Harris

Other (In-Person) Attendance: Robyn Shelton

4:07 P.M.
BOARD MEETING

Canvass of 2025 Municipal General Election Votes

A. Call to Order

Chair Ramsey welcomed everyone present and introduced the meeting. She stated that the purpose of the meeting was to convene as the Board of Canvassers to review the tabulation of election returns for the November 4, 2025 Municipal General Election, as provided by the Salt Lake County Election Division. Chair Ramsey confirmed that the board had received the official results, identified as Exhibit A (Attachment A). She then turned the time to the City Recorder for any additional information or presentation related to the election returns.

B. Business Items:

B.1. Convene as the Board of Canvassers and review the attached tabulation of election returns, identified as “Exhibit A”, of the November 4, 2025 Municipal General Election provided by the Salt Lake County Election Division.

City Recorder Anna Crookston reported that the official election results had been received earlier that afternoon from the Salt Lake County Election Division and displayed them for public review (Attachment A). She summarized the vote totals for each contest in the November 4, 2025 Municipal General Election. For the Mayor’s seat, Dawn R. Ramsey received 13,125 votes and Noah Barrett received 2,900 votes, for a total of 16,025 ballots cast. In Council District 3, Don

Shelton received 1,753 votes and Rachel Lewis received 1,708 votes, totaling 3,461 ballots. In Council District 5, Jason Timothy McGuire received 1,335 votes and Stacey Hughes received 1,189 votes, for a total of 2,524 ballots. Recorder Crookston noted that detailed precinct-by-precinct results had been provided to the board, with the summary sheet clipped in front and individual breakdowns by seat located behind it. She explained that the precinct information shows how many voters in each precinct cast ballots for each candidate and invited questions from the board regarding the results.

B.2. Resolution R2025-62, Adopting the 2025 General Election Canvass of Votes.
(By Deputy City Recorder, Ambra Holland)

Board Member Johnson motioned to approve Resolution R2025-62, Adopting the 2025 General Election Canvass of Votes. Board Member Zander seconded the motion.

Roll Call Vote

Board Member Johnson - Yes

Board Member Zander - Yes

Board Member Harris - Yes

Board Member Shelton - Yes

Board Member McGuire - Yes

The motion passed with a vote of 5-0.

C. Council Remarks

Board Member Shelton expressed appreciation for the opportunity to continue serving on the City Council following a challenging election. He acknowledged the hard work involved in the campaign and thanked his spouse and supporters, including the mayor, for their assistance. He also commended his opponent, Rachel Lewis, for maintaining an issues-focused and respectful campaign. He briefly shared a personal reflection on the uncertainty and intensity of the election process and concluded by expressing gratitude for the chance to continue representing his district.

Board Member McGuire stated that he was grateful for the opportunity to serve another four-year term on the City Council. He reflected on the value of living in a country where residents can freely vote and choose their representatives, noting that this right is not universal. He commented that although campaigning can be challenging, it also provides meaningful opportunities to reconnect with residents. He expressed appreciation that each council seat had an opponent in the recent election, emphasizing that contested races demonstrate healthy civic engagement and support a functioning democracy. He concluded by thanking all who participated in the South Jordan elections.

Board Member Zander expressed appreciation to the council members who participated in the recent election. Although she did not run this cycle, she acknowledged the significant effort required to campaign and noted that most people never experience that process. She encouraged residents to recognize and thank those who run for office, emphasizing that campaigning involves

both rewarding interactions with the community and difficult moments. She stated that the willingness of candidates to step forward and serve is commendable and thanked Council Members Shelton and McGuire for their continued commitment to the city.

Board Member Harris congratulated Council Members McGuire and Shelton, as well as Mayor Ramsey, on their election results. He also recognized the other candidates who ran, noting the close races and the significant effort involved in campaigning. He expressed appreciation for the work each candidate put into communicating with voters and acknowledged the difficulty of running for office. He stated that he looked forward to the continued service of the council and the mayor, expressing optimism about the work ahead.

Chair Ramsey reflected on the significance of the election results and expressed gratitude for the opportunity to continue serving as mayor. She acknowledged the responsibility and weight that comes with public service and emphasized the city's good fortune in having dedicated individuals willing to run for office and participate in clean, issue-focused campaigns. She thanked all candidates for their willingness to serve and expressed appreciation to the residents for placing their trust in their elected officials. She noted broader trends of declining trust in government and stated her hope that South Jordan residents feel confidence in their local leaders, who live in the community and are invested in its success. She described this period as one of the most dynamic in the city's history and praised the collective efforts of staff, council members, and others working to improve the city for current and future generations. She concluded by thanking everyone who contributes to making South Jordan a strong community, affirming the council's commitment to serve fully during their terms, and expressing hope that future leaders will continue this work.

Board Member Johnson motioned to adjourn the November 18, 2025 Board of Canvassers Meeting. Board Member McGuire seconded the motion. Vote was 5-0, unanimous in favor.

ADJOURNMENT

The November 18, 2025 Board of Canvassers Meeting adjourned at 4:24 p.m.

RESOLUTION R2025 - 53**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ADOPTING THE INTERNATIONAL UTAH WILDLAND-URBAN INTERFACE CODE.**

WHEREAS, the City of South Jordan (the “City”) recognizes the unique threat of fires where wildland and urban areas interface; and

WHEREAS, the State has adopted the 2006 Utah Wildland-Urban Interface Code, issued by the International Code Council; and

WHEREAS, the State has required that the City adopt the Utah Wildland-Urban Interface Code by legislation; and

WHEREAS, the Utah Wildland-Urban Interface Code assists in the regulation and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures, and prevention of structure fires from spreading to and from wildland fuels, and providing the issuance of permits and the collections of fees therefore; and

WHEREAS, the South Jordan City Council finds it in the best interest of the health and safety of the City of South Jordan to adopt the Utah-Wildland Urban Interface Code.

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

SECTION 1. Adoption. The Utah Wildland-Urban Interface Code, attached hereto, is hereby adopted.

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

<<Signatures on Following Page>>

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS _____ DAY OF _____, 2025 BY THE FOLLOWING VOTE:**

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

Mayor: _____
Dawn R. Ramsey

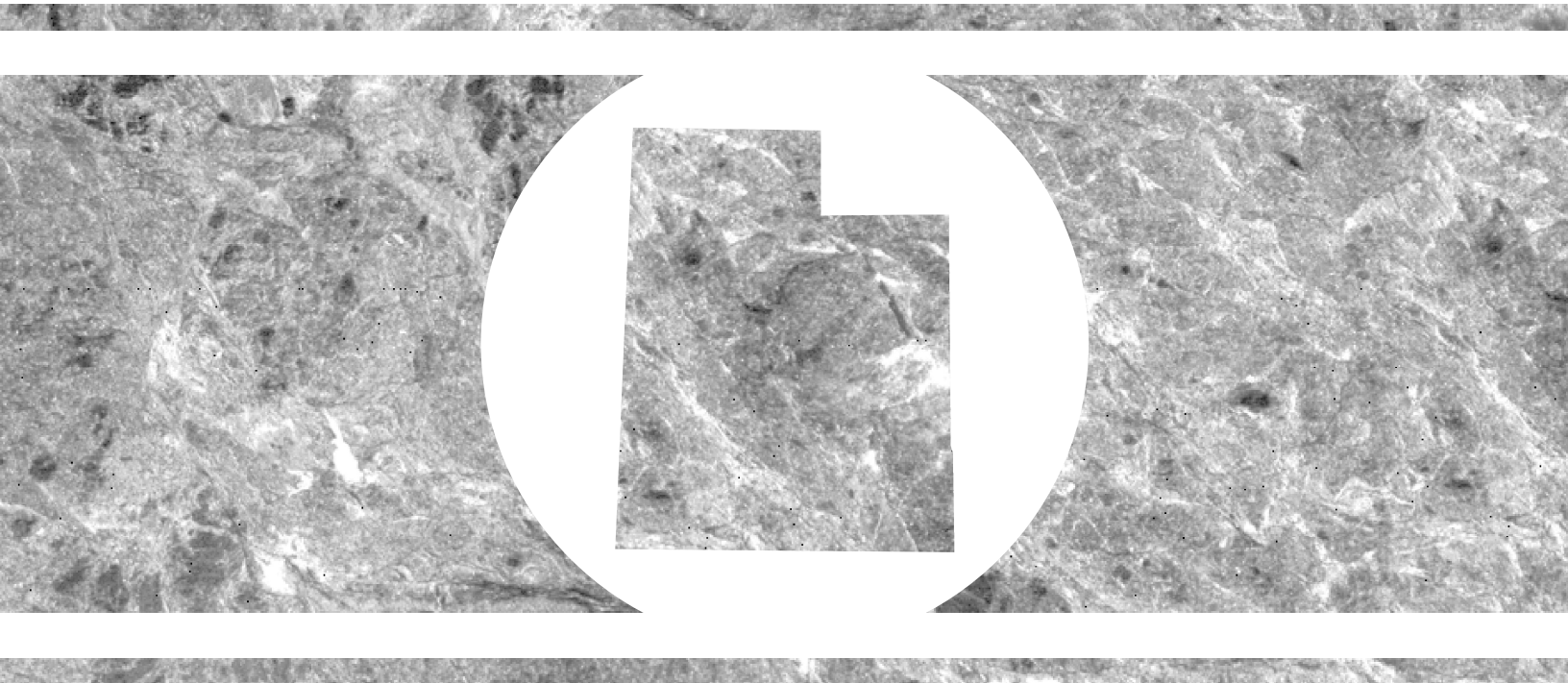
Attest: _____
Anna Crookston, City Recorder

Approved as to form:



Office of the City Attorney

2006 UTAH WILDLAND-URBAN INTERFACE CODE



2006 Utah Wildland-Urban Interface Code

First Printing: July 2006
Second Printing: October 2006
Third Printing: March 2007
Fourth Printing: February 2008
Fifth Printing: June 2008

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PREFACE

Introduction

Internationally, code officials recognize the need for a modern, up-to-date code addressing the mitigation of fire in the urban-wildland interface. The *International Wildland-Urban Interface Code*™, in this 2003 edition, is designed to bridge the gap between enforcement of the *International Building Code*® and *International Fire Code*® by mitigating the hazard of wildfires through model code regulations, which safeguard the public health and safety in all communities, large and small.

This comprehensive urban-wildland interface code establishes minimum regulations for land use and the built environment in designated urban-wildland interface areas using prescriptive and performance-related provisions. It is founded on data collected from tests and fire incidents, technical reports and mitigation strategies from around the world. This 2003 edition is fully compatible with all the *International Codes*™ (“I-Codes”™) published by the International Code Council® (ICC®), including the *International Building Code*®, *ICC Electrical Code*™, *International Energy Conservation Code*®, *International Existing Building Code*®, *International Fire Code*®, *International Fuel Gas Code*®, *International Mechanical Code*®, *ICC Performance Code*™, *International Plumbing Code*®, *International Private Sewage Disposal Code*®, *International Property Maintenance Code*®, *International Residential Code*® and *International Zoning Code*®.

The *International Wildland-Urban Interface Code* provisions provide many benefits, including the model code development process, which offers an international forum for fire safety professionals to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

Development

This is the first edition of the *International Wildland-Urban Interface Code* (2003) and is the culmination of an effort initiated in 2001 by the ICC and the three statutory members of the International Code Council: Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International (SBCCI). The intent was to draft a comprehensive set of regulations for mitigating the hazard to life and property from the intrusion of fire from wildland exposures and fire from adjacent structures, and preventing structure fires from spreading to wildland fuels. Technical content of the 2000 *Wildland-Urban Interface Code*, published by the International Fire Code Institute, was utilized as the basis for the development, followed by the publication of the 2001 Final Draft. This 2003 edition is based on the Final Draft, with changes approved in the 2002 ICC Code Development Process. A new edition such as this is promulgated every three years.

With the development and publication of the family of *International Codes* in 2000, the continued development and maintenance of the model codes individually promulgated by BOCA (“BOCA National Codes”), ICBO (“Uniform Codes”) and SBCCI (“Standard Codes”) was discontinued. The 2003 *International Codes*, as well as their predecessors—the 2000 *International Codes*—are intended to be the successor set of codes to those codes previously developed by BOCA, ICBO and SBCCI.

The development of a single family of comprehensive and coordinated *International Codes* was a significant milestone in the development of regulations for the built environment. The timing of this publication mirrors a milestone in the change in structure of the model codes, namely, the pending consolidation of BOCA, ICBO and SBCCI into the ICC. The activities and services previously provided by the individual model code organizations will be the responsibility of the consolidated ICC.

This code is founded on principles intended to mitigate the hazard from fires through the development of provisions that adequately protect public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Adoption

The *International Wildland-Urban Interface Code* is available for adoption and use by jurisdictions internationally. Its use within a governmental jurisdiction is intended to be accomplished through adoption by reference in accordance with proceedings establishing the jurisdiction’s laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction. These locations are shown in bracketed words in small capital letters in the code and in the sample ordinance. The sample adoption ordinance on page v addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

Maintenance

The *International Wildland-Urban Interface Code* is kept up-to-date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The contents of this work are subject to change both through the Code Development Cycles and the governmental body that enacts the code into law. For more information regarding the code development process, contact the Code and Standard Development Department of the International Code Council.

Although the development procedure of the *International Wildland-Urban Interface Code* assures the highest degree of care, ICC and the founding members of ICC—BOCA, ICBO and SBCCI—their members and those participating in the development of this code do not accept any liability resulting from compliance or noncompliance with the provisions, because ICC and its founding members do not have the power or authority to police or enforce compliance with the contents of this code. Only the governmental body that enacts the code into law has such authority.

Authority

The Division is required to establish minimum standards for a wildland fire ordinance and specify minimum standards for wildland fire training, certification and wildland fire suppression equipment in accordance with subsections 65A-8-6(3)(a) and 65A-8-6(3)(b). This requirement is promulgated under general rule-making authority of subsection 65A-1-4(2).

ORDINANCE

The *International Codes* are designed and promulgated to be adopted by reference by ordinance. Jurisdictions wishing to adopt the 2003 *International Wildland-Urban Interface Code* as an enforceable regulation for the mitigation of fire in the urban-wildland interface should ensure that certain factual information is included in the adopting ordinance at the time adoption is being considered by the appropriate governmental body. The following sample adoption ordinance addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

Minimum Standards for Wildland Fire Ordinance

The division uses the *International Wildland-Urban Interface Code* as a basis for establishing the minimum standards discussed in this document. A county ordinance that at least meets the minimum standards should be in place by September 2006.

The Division incorporates by reference the 2003 *International Code Council Wildland-Urban Interface Code* as the minimum standard for wildland fire ordinance in conjunction with Utah requirements.

SAMPLE ORDINANCE FOR ADOPTION OF THE *INTERNATIONAL WILDLAND-URBAN INTERFACE CODE*

ORDINANCE NO. _____

An ordinance of the [JURISDICTION] adopting the 2003 edition of the *International Wildland-Urban Interface Code* as currently amended by the division of Forestry, Fire and State Lands, regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels in the [JURISDICTION]; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. _____ of the [JURISDICTION] and all other ordinances and parts of the ordinances in conflict therewith.

The [GOVERNING BODY] of the [JURISDICTION] does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the [TITLE OF JURISDICTION'S KEEPER OF RECORDS] of [NAME OF JURISDICTION], being marked and designated as the *International Wildland-Urban Interface Code*, 2003 edition, including Appendix Chapters [FILL IN THE APPENDIX CHAPTERS BEING ADOPTED], as published by the International Code Council, be and is hereby adopted as the Urban-Wildland Interface Code of the [JURISDICTION], in the State of [STATE NAME] for regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Urban-Wildland Interface Code on file in the office of the [JURISDICTION] are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: [NAME OF JURISDICTION]

Section 3. That Ordinance No. _____ of [JURISDICTION] entitled [FILL IN HERE THE COMPLETE TITLE OF THE ORDINANCE OR ORDINANCES IN EFFECT AT THE PRESENT TIME SO THAT THEY WILL BE REPEALED BY DEFINITE MENTION] and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The [GOVERNING BODY] hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the *Wildland-Urban Interface Code* hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the [JURISDICTION'S KEEPER OF RECORDS] is hereby ordered and directed to cause this ordinance to be published. (An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect [TIME PERIOD] from and after the date of its final passage and adoption.

Section 8. Specific boundaries of natural or man-made features of wildland-urban interface areas shall be as shown on the wildland area interface map. The legal description of such areas is as described as follows: [INSERT LEGAL DESCRIPTION]

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CHAPTER 1

ADMINISTRATION

SECTION 101 GENERAL

101.1 Scope. The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises within the urban-wildland interface areas in this jurisdiction.

Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

101.2 Objective. The objective of this code is to establish minimum regulations consistent with nationally recognized good practice for the safeguarding of life and property. Regulations in this code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels.

The development and use of property in wildland-urban interface areas is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire in wildland-urban interface areas shall be in accordance with this code.

This code shall supplement the jurisdiction's building and fire codes, if such codes have been adopted, to provide for special regulations to mitigate the fire- and life-safety hazards of the wildland-urban interface areas.

101.3 Retroactivity. The provisions of the code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this code, to conditions which, in the opinion of the code official, constitute a distinct hazard to life or property.

101.4 Additions or alterations. Additions or alterations may be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this code, provided the addition or alteration conforms to that required for a new building or structure.

Exception: Provisions of this code that specifically apply to existing conditions are retroactive. See Section 601.1 and Appendix A.

Additions or alterations shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally

unsafe or overloaded; will not provide adequate access in compliance with the provisions of this code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.

101.5 Maintenance. All buildings, structures, landscape materials, vegetation, defensible space or other devices or safeguards required by this code shall be maintained in conformance to the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures, landscape materials and vegetation.

SECTION 102 AUTHORITY OF THE CODE OFFICIAL

102.1 Powers and duties of the code official. The code official is hereby authorized to administer and enforce this code, or designated sections thereof, and all ordinances of the jurisdiction pertaining to designated wildland-urban interface areas. For such purposes, the code official shall have the powers of a law enforcement officer.

102.2 Interpretations, rules and regulations. The code official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance to the intent and purpose of this code.

A copy of such rules and regulations shall be filed with the clerk of the jurisdiction and shall be in effect immediately thereafter. Additional copies shall be available for distribution to the public.

102.3 Liability of the code official. The code official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the code official or employee because of such act or omission performed by the code official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction. The code enforcement agency or its parent jurisdiction shall not be held as assuming any liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

102.4 Other agencies. When requested to do so by the code official, other officials of this jurisdiction shall assist and coop-

erate with the code official in the discharge of the duties required by this code.

SECTION 103 COMPLIANCE ALTERNATIVES

103.1 Practical difficulties. When there are practical difficulties involved in carrying out the provisions of this code, the code official is authorized to grant modifications for individual cases on application in writing by the owner or a duly authorized representative. The code official shall first find that a special individual reason makes enforcement of the strict letter of this code impractical, the modification is in conformance to the intent and purpose of this code, and the modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered into the files of the code enforcement agency.

If the code official determines that difficult terrain, danger of erosion or other unusual circumstances make strict compliance with the vegetation control provisions of the code detrimental to safety or impractical, enforcement thereof may be suspended, provided that reasonable alternative measures are taken.

103.2 Technical assistance. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the code official, the code official is authorized to require the owner or the person in possession or control of the building or premises to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the code official and the owner and shall analyze the fire safety of the design, operation or use of the building or premises, the facilities and appurtenances situated thereon and fuel management for purposes of establishing fire hazard severity to recommend necessary changes.

103.3 Alternative materials or methods. The code official, in concurrence with approval from the building official and fire chief, is authorized to approve alternative materials or methods, provided that the code official finds that the proposed design, use or operation satisfactorily complies with the intent of this code and that the alternative is, for the purpose intended, at least equivalent to the level of quality, strength, effectiveness, fire resistance, durability and safety prescribed by this code. Approvals under the authority herein contained shall be subject to the approval of the building official whenever the alternate material or method involves matters regulated by the *International Building Code*.

The code official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

SECTION 104 APPEALS

104.1 General. To determine the suitability of alternative materials and methods and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals consisting of five members who are qualified by experience and training to pass judgment on pertinent matters. The code official, building official and fire chief shall be ex officio members, and the code official shall act as secretary of the board. The board of appeals shall be appointed by the legislative body and shall hold office at their discretion. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing to the code official, with a duplicate copy to the applicant.

104.2 Limitations of authority. The board of appeals shall not have authority relative to interpretation of the administrative provisions of this code and shall not have authority to waive requirements of this code.

SECTION 105 PERMITS

105.1 General. When not otherwise provided in the requirements of the building or fire code, permits are required in accordance with Section 105.

105.2 Permits required. Unless otherwise exempted, no building or structure regulated by this code shall be erected, constructed, altered, repaired, moved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the code official.

When required by the code official, a permit shall be obtained for the following activities, operations, practices or functions within an wildland-urban interface area:

1. Automobile wrecking yard;
2. Candles and open flames in assembly areas;
3. Explosives or blasting agents;
4. Fireworks;
5. Flammable or combustible liquids;
6. Hazardous materials;
7. Liquefied petroleum gases;
8. Lumberyards;
9. Motor vehicle fuel-dispensing stations;
10. Open burning;
11. Pyrotechnical special effects material;
12. Tents, canopies and temporary membrane structures;
13. Tire storage;
14. Welding and cutting operations; or
15. Other activities as determined by the code official.

105.3 Work exempt from permit. Unless otherwise provided in the requirements of the building or fire code, a permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²) and

the structure is located more than 50 feet (15 240 mm) from the nearest adjacent structure.

2. Fences not over 6 feet (1829 mm) high.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

The code official is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the code official.

105.4 Permit application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work, activity, operation, practice or function to be covered by the permit for which application is made.
2. Describe the land on which the proposed work, activity, operation, practice or function is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building, work, activity, operation, practice or function.
3. Indicate the use or occupancy for which the proposed work, activity, operation, practice or function is intended.
4. Be accompanied by plans, diagrams, computation and specifications and other data as required in Section 106 of this code.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as may be required by the code official.

105.5 Permit approval. Before a permit is issued, the code official, or an authorized representative, shall review and approve all permitted uses, occupancies or structures. Where laws or regulations are enforceable by other agencies or departments, a joint approval shall be obtained from all agencies or departments concerned.

105.6 Permit issuance. The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the code official. If the code official finds that the work described in an application for a permit and the plan, specifications and other data filed therewith conform to the requirements of this code, the code official is allowed to issue a permit to the applicant.

When the code official issues the permit, the code official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the code official, and all work regulated by this code shall be done in accordance with the approved plans.

105.7 Validity of permit. The issuance or granting of a permit or approval of plans, specifications and computations shall

not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or conceal the provisions of this code or other ordinances of the jurisdiction shall not be valid.

105.8 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the building, use or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building, use or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The code official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

105.9 Retention of permits. Permits shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the code official or other authorized representative.

105.10 Revocation of permits. Permits issued under this code may be suspended or revoked when it is determined by the code official that:

1. It is used by a person other than the person to whom the permit was issued.
2. It is used for a location other than that for which the permit was issued.
3. Any of the conditions or limitations set forth in the permit have been violated.
4. The permittee fails, refuses or neglects to comply with any order or notice duly served on him under the provisions of this code within the time provided therein.
5. There has been any false statement or misrepresentation as to material fact in the application or plans on which the permit or application was made.
6. When the permit is issued in error or in violation of any other ordinance, regulations or provisions of this code.

The code official is allowed to, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 106 PLANS AND SPECIFICATIONS

106.1 General. Plans, engineering calculations, diagrams and other data shall be submitted in at least two sets with each application for a permit. When such plans are not prepared by an architect or engineer, the code official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a li-

censed architect or engineer. The code official may require plans, computations and specifications to be prepared and designed by an architect or engineer licensed by the state to practice as such even if not required by state law.

Exception: Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

106.2 Information on plans and specifications. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

106.3 Site plan. In addition to the requirements for plans in the *International Building Code*, site plans shall include topography, width and percent of grade of access roads, landscape and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures and their appendages, roof classification of buildings, and site water supply systems.

106.4 Vegetation management plans. When utilized by the permit applicant pursuant to Section 502, vegetation management plans shall be prepared and shall be submitted to the code official for review and approval as part of the plans required for a permit. See Appendix B.

106.5 Fire protection plan. When required by the code official pursuant to Section 405, a fire protection plan shall be prepared and shall be submitted to the code official for review and approved as a part of the plans required for a permit.

106.6 Other data and substantiation. When required by the code official, the plans and specifications shall include classification of fuel loading, fuel model light, medium or heavy, and substantiating data to verify classification of fire-resistive vegetation.

106.7 Vicinity plan. In addition to the requirements for site plans, plans shall include details regarding the vicinity within 300 feet (91 440 mm) of property lines, including other structures, slope, vegetation, fuel breaks, water supply systems and access roads.

106.8 Retention of plans. One set of approved plans, specifications and computations shall be retained by the code official for a period of not less than 90 days from date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building, use or work at all times during which the work authorized thereby is in progress.

SECTION 107 INSPECTION AND ENFORCEMENT

107.1 Inspection.

107.1.1 General. All construction or work for which a permit is required by this code shall be subject to inspection by the code official and all such construction or work shall

remain accessible and exposed for inspection purposes until approved by the code official.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

A survey of the lot may be required by the code official to verify that the mitigation features are provided and the building or structure is located in accordance with the approved plans.

107.1.2 Authority to inspect. The code official shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the code official for the purpose of ascertaining and causing to be corrected any conditions that could reasonably be expected to cause fire or contribute to its spread, or any violation of the purpose of this code and of any other law or standard affecting fire safety.

107.1.3 Reinspections. To determine compliance with this code, the code official may cause a structure to be re-inspected. A fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the code official.

To obtain a reinspection, the applicant shall pay the reinspection fee as set forth in the fee schedule adopted by the jurisdiction. When reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

107.2 Enforcement.

107.2.1 Authorization to issue corrective orders and notices. When the code official finds any building or premises that are in violation of this code, the code official is authorized to issue corrective orders and notices.

107.2.2 Service of orders and notices. Orders and notices authorized or required by this code shall be given or served on the owner, operator, occupant or other person responsible for the condition or violation either by verbal notification, personal service, or delivering the same to, and leaving it with, a person of suitable age and discretion on the premises; or, if no such person is found on the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises and by mailing a copy thereof to such person by registered or certified mail to the person's last known address.

Orders or notices that are given verbally shall be confirmed by service in writing as herein provided.

107.3 Right of entry. Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in any building or on any premises any condition that makes such building or premises unsafe, the code official is authorized to enter such building or premises at all reasonable times to inspect the same or to perform any duty authorized by this code, provided that if such building or premises is occupied, the code official shall first present proper credentials and request entry; and if such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry.

If such entry is refused, the code official shall have recourse to every remedy provided by law to secure entry. Owners, occupants or any other persons having charge, care or control of any building or premises, shall, after proper request is made as herein provided, promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

107.4 Compliance with orders and notices.

107.4.1 General compliance. Orders and notices issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the corrective order or notice pertains.

If the building or premises is not occupied, such corrective orders or notices shall be complied with by the owner.

107.4.2 Compliance with tags. A building or premises shall not be used when in violation of this code as noted on a tag affixed in accordance with Section 107.4.1.

107.4.3 Removal and destruction of signs and tags. A sign or tag posted or affixed by the code official shall not be mutilated, destroyed or removed without authorization by the code official.

107.4.4 Citations. Persons operating or maintaining an occupancy, premises or vehicle subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the code official shall be guilty of a misdemeanor.

107.4.5 Unsafe conditions. Buildings, structures or premises that constitute a fire hazard or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this code or any other ordinance, are unsafe conditions. Unsafe buildings or structures shall not be used. Unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, pursuant to applicable state and local laws and codes.

SECTION 108 CERTIFICATE OF COMPLETION

No building, structure or premises shall be used or occupied, and no change in the existing occupancy classification of a building, structure, premise or portion thereof shall be made until the code official has issued a certificate of completion therefor as provided herein. The certificate of occupancy shall not be issued until the certificate of completion indicating that the project is in compliance with this code has been issued by the code official.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other pertinent laws and ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other laws or ordinances of the jurisdiction shall not be valid.

CHAPTER 2

DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter, and the singular number includes the plural and the plural the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in other *International Codes*, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have their ordinarily accepted meanings such as the context implies.

SECTION 202 DEFINITIONS

ACCESSORY STRUCTURE. A building or structure used to shelter or support any material, equipment, chattel or occupancy other than a habitable building.

APPROVED. Approval by the code official as the result of review, investigation or tests conducted by the code official or by reason of accepted principles or tests by national authorities, or technical or scientific organizations.

BRUSH, SHORT. Low-growing species that reach heights of 1 to 3 feet. Sagebrush, snowberry and rabbitbrush are some varieties.

BRUSH, TALL. Arbor-like varieties of brush species and/or short varieties of broad-leaf trees that grow in compact groups or clumps. These groups or clumps reach heights of 4 to 20 feet. In Utah, this includes primary varieties of oak, maples, chokecherry, serviceberry and mahogany, but may also include other species.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of the *International Building Code*, or the building official's duly authorized representative.

CERTIFICATE OF COMPLETION. Written documentation that the project or work for which a permit was issued has been completed in conformance with requirements of this code.

CODE OFFICIAL. The official designated by the jurisdiction to interpret and enforce this code, or the code official's authorized representative.

DEFENSIBLE SPACE. An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.

DRIVEWAY. A vehicular ingress and egress route that serves no more than two buildings or structures, not including accessory structures, or more than five dwelling units.

FIRE AREA. The floor area, in square feet (square meters), used to determine the adequate water supply.

FIRE CHIEF. The chief officer or the chief officer's authorized representative of the fire department serving the jurisdiction.

FIRE PROTECTION PLAN. A document prepared for a specific project or development proposed for the wildland-urban interface area. It describes ways to minimize and mitigate the fire problems created by the project or development, with the purpose of reducing impact on the community's fire protection delivery system.

FIRE WEATHER. Weather conditions favorable to the ignition and rapid spread of fire. In wildfires, this generally includes high temperatures combined with strong winds and low humidity.

FIRE-RESISTANCE-RATED CONSTRUCTION. The use of materials and systems in the design and construction of a building or structure to safeguard against the spread of fire within a building or structure and the spread of fire to or from buildings or structures to the wildland-urban interface area.

FLAME SPREAD RATING. As used herein refers to rating obtained according to tests conducted as specified by a nationally recognized standard.

FUEL BREAK. An area, strategically located for fighting anticipated fires, where the native vegetation has been permanently modified or replaced so that fires burning into it can be more easily controlled. Fuel breaks divide fire-prone areas into smaller areas for easier fire control and to provide access for fire fighting.

FUEL, HEAVY. Vegetation consisting of round wood 3 inches (76 mm) or larger in diameter. The amount of fuel (vegetation) would be 6 tons per acre or greater.

FUEL, LIGHT. Vegetation consisting of herbaceous and round wood less than 1/4 inch (6.4 mm) in diameter. The amount of fuel (vegetation) would be 1/2 ton to 2 tons per acre.

FUEL, MEDIUM. Vegetation consisting of round wood 1/4 to 3 inches (6.4mm to 76 mm) in diameter. The amount of fuel (vegetation) would be 2 to 6 tons per acre.

FUEL MODIFICATION. A method of modifying fuel load by reducing the amount of nonfire-resistive vegetation or altering the type of vegetation to reduce the fuel load.

FUEL MOSAIC. A fuel modification system that provides for the creation of islands and irregular boundaries to reduce the visual and ecological impact of fuel modification.

FUEL-LOADING. The oven-dry weight of fuels in a given area, usually expressed in pounds per acre (lb/a) (kg/ha). Fuel loading may be referenced to fuel size or timelag categories, and may include surface fuels or total fuels.

GREENBELT. A fuel break designated for a use other than fire protection.

HAZARDOUS MATERIALS. As defined in the *International Fire Code*.

HEAVY TIMBER CONSTRUCTION. As described in the *International Building Code*.

INSURANCE SERVICES OFFICE (ISO). An agency that recommends fire insurance rates based on a grading schedule that incorporates evaluation of fire fighting resources and capabilities.

LEGISLATIVE BODY. The governing body of the political jurisdiction administering this code.

LOG WALL CONSTRUCTION. A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is at least 6 inches (152 mm).

MULTILAYERED GLAZED PANELS. Window or door assemblies that consist of two or more independently glazed panels installed parallel to each other, having a sealed air gap in between, within a frame designed to fill completely the window or door opening in which the assembly is intended to be installed.

NONCOMBUSTIBLE. As applied to building construction material means a material that, in the form in which it is used, is either one of the following:

1. Material of which no part will ignite and burn when subjected to fire. Any material conforming to ASTM E 136 shall be considered noncombustible within the meaning of this section.
2. Material having a structural base of noncombustible material as defined in Item 1 above, with a surfacing material not over $\frac{1}{8}$ inch (3.2 mm) thick, which has a flame-spread rating of 50 or less. Flame-spread rating as used herein refers to rating obtained according to tests conducted as specified in ASTM E 84.

“Noncombustible” does not apply to surface finish materials. Material required to be noncombustible for reduced clearances to flues, heating appliances or other sources of high temperature shall refer to material conforming to Item 1. No material shall be classed as noncombustible that is subject to increase in combustibility or flame-spread rating, beyond the limits herein established, through the effects of age, moisture or other atmospheric condition.

NONCOMBUSTIBLE ROOF COVERING. One of the following:

1. Cement shingles or sheets.
2. Exposed concrete slab roof.
3. Ferrous or copper shingles or sheets.

4. Slate shingles.

5. Clay or concrete roofing tile.

6. Approved roof covering of noncombustible material.

SLOPE. The variation of terrain from the horizontal; the number of feet (meters) rise or fall per 100 feet (30 480 mm) measured horizontally, expressed as a percentage.

STRUCTURE. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some manner.

TREE CROWN. The primary and secondary branches growing out from the main stem, together with twigs and foliage.

UNENCLOSED ACCESSORY STRUCTURE. An accessory structure without a complete exterior wall system enclosing the area under roof or floor above.

WILDFIRE. An uncontrolled fire spreading through vegetative fuels, exposing and possibly consuming structures.

WILDLAND. An area in which development is essentially nonexistent, except for roads, railroads, power lines and similar facilities.

WILDLAND URBAN INTERFACE. The line, area or zone where structures or other human development (including critical infrastructure that if destroyed would result in hardship to communities) meet or intermingle with undeveloped wildland or vegetative fuel.

CHAPTER 3

WILDLAND-URBAN INTERFACE AREAS

SECTION 301

WILDLAND-URBAN INTERFACE AREA DESIGNATIONS

301.1 Declaration. The legislative body shall declare the wildland-urban interface areas within the jurisdiction. The urban-wildland interface areas shall be based on the maps created in accordance with Section 301.

301.2 Mapping. In cooperation, the code official and the Division of Forestry, Fire and State Lands (FFSL) wildfire representative (per participating agreement between county and FFSL) will create or review Wildland-Urban Interface Area maps, to be recorded and filed with the clerk of the jurisdiction. These areas shall become effective immediately thereafter.

301.3 Review of wildland-urban interface areas. The code official and the FFSL wildfire representative shall reevaluate and recommend modification to the wildland-urban interface areas in accordance with Section 301.1 on a three-year basis or more frequently as deemed necessary by the legislative body.

CHAPTER 4

WILDLAND-URBAN INTERFACE AREA REQUIREMENTS

SECTION 401 GENERAL

401.1 Scope. Wildland-urban interface areas shall be provided with emergency vehicle access and water supply in accordance with this chapter.

401.2 Objective. The objective of this chapter is to establish the minimum requirements for emergency vehicle access and water supply for buildings and structures located in the wildland-urban interface areas.

401.3 General safety precautions. General safety precautions shall be in accordance with this chapter. See also Appendix A.

SECTION 402 APPLICABILITY

402.1 Subdivisions.

402.1.1 Access. New subdivisions, as determined by this jurisdiction, shall be provided with fire apparatus access roads in accordance with the *International Fire Code* and access requirements in accordance with Section 403.

402.1.2 Water supply. New subdivisions as determined by this jurisdiction shall be provided with water supply in accordance with Section 404.

402.2 Individual structures.

402.2.1 Access. Individual structures hereafter constructed or relocated into or within wildland-urban interface areas shall be provided with fire apparatus access in accordance with the *International Fire Code* and driveways in accordance with Section 403.2. Marking of fire protection equipment shall be provided in accordance with Section 403.5 and address markers shall be provided in accordance with Section 403.6.

402.2.2 Water supply. Individual structures hereafter constructed or relocated into or within wildland-urban interface areas shall be provided with a conforming water supply in accordance with Section 404.

Exceptions:

1. Structures constructed to meet the requirements for the class of ignition-resistant construction specified in Table 503.1 for a nonconforming water supply.
2. Buildings containing only private garages, carports, sheds and agricultural buildings with a floor area of not more than 600 square feet (56 m²).

SECTION 403 ACCESS

403.1 Restricted access. Where emergency vehicle access is restricted because of secured access roads or driveways or where immediate access is necessary for life-saving or fire-fighting purposes, the code official is authorized to require a key box to be installed in an accessible location. The key box shall be of a type approved by the code official and shall contain keys to gain necessary access as required by the code official.

403.2 Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet (45 720 mm) from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet (3658 mm) and a minimum unobstructed height of 13 feet 6 inches (4115 mm). Driveways in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds. Driveways in excess of 200 feet (60 960 mm) in length and less than 20 feet (6096 mm) in width shall be provided with turnouts in addition to turnarounds.

A driveway shall not serve in excess of five dwelling units.

Driveway turnarounds shall have inside turning radii of not less than 30 feet (9144 mm) and outside turning radii of not less than 45 feet (13 716 mm). Driveways that connect with a road or roads at more than one point may be considered as having a turnaround if all changes of direction meet the radii requirements for driveway turnarounds.

Driveway turnouts shall be an all-weather road surface at least 10 feet (3048 mm) wide and 30 feet (9144 mm) long. Driveway turnouts shall be located as required by the code official.

Vehicle load limits shall be posted at both entrances to bridges on driveways and private roads. Design loads for bridges shall be established by the code official.

403.3 Fire apparatus access road. When required, fire apparatus access roads shall be all-weather roads with a minimum width of 20 feet (6096 mm) and a clear height of 13 feet 6 inches (4115 mm); shall be designed to accommodate the loads and turning radii for fire apparatus; and have a gradient negotiable by the specific fire apparatus normally used at that location within the jurisdiction. Dead-end roads in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds as approved by the code official. An all-weather road surface shall be any surface material acceptable to the code official that would normally allow the passage of emergency service vehicles to protect structures and wildlands within the jurisdiction.

403.4 Marking of roads. Approved signs or other approved notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof or both.

All road identification signs and supports shall be of noncombustible materials. Signs shall have minimum 4-inch-high (102 mm) reflective letters with $\frac{1}{2}$ inch (12.7 mm) stroke on a contrasting 6-inch-high (152 mm) sign. Road identification signage shall be mounted at a height of 7 feet (2134 mm) from the road surface to the bottom of the sign.

403.5 Marking of fire protection equipment. Fire protection equipment and fire hydrants shall be clearly identified in a manner approved by the code official to prevent obstruction.

403.6 Address markers. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

Where multiple addresses are required at a single driveway, they shall be mounted on a single post, and additional signs shall be posted at locations where driveways divide.

Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

403.7 Grade. The gradient for fire apparatus access roads and driveways shall not exceed the maximum approved by the code official. It will be up to the code official to ascertain the standard based on local fire equipment grade not to exceed 12 percent.

SECTION 404 WATER SUPPLY

404.1 General. When provided in order to qualify as a conforming water supply for the purpose of Table 503.1, an approved water source shall have an adequate water supply for the use of the fire protection service to protect buildings and structures from exterior fire sources or to suppress structure fires within the wildland-urban interface area of the jurisdiction in accordance with this section.

404.2 Water sources. The point at which a water source is available for use shall be located not more than 1,000 feet (305 m) from the building and be approved by the code official. The distance shall be measured along an unobstructed line of travel.

Water sources shall comply with the following:

1. Man-made water sources shall have a minimum usable water volume as determined by the adequate water supply needs in accordance with Section 404.5. This water source shall be equipped with an approved hydrant. The water level of the water source shall be maintained by rainfall, water pumped from a well, water hauled by a tanker, or by seasonal high water of a stream or river. The design, construction, location, water level maintenance, access, and access maintenance of man-made water sources shall be approved by the code official.
2. Natural water sources shall have a minimum annual water level or flow sufficient to meet the adequate water supply needs in accordance with Section 404.5. This wa-

ter level or flow shall not be rendered unusable because of freezing. This water source shall have an approved draft site with an approved hydrant. Adequate water flow and rights for access to the water source shall be ensured in a form acceptable to the code official.

404.3 Draft sites. Approved draft sites shall be provided at all natural water sources intended for use as fire protection for compliance with this code. The design, construction, location, access and access maintenance of draft sites shall be approved by the code official.

The pumper access point shall be either an emergency vehicle access area alongside a conforming access road or an approved driveway no longer than 150 feet (45 720 mm). Pumper access points and access driveways shall be designed and constructed in accordance with all codes and ordinances enforced by this jurisdiction. Pumper access points shall not require the pumper apparatus to obstruct a road or driveway.

404.4 Hydrants. All hydrants shall be designed and constructed in accordance with nationally recognized standards. The location and access shall be approved by the code official.

404.5 Adequate water supply. Adequate water supply shall be determined for purposes of initial attack and flame front control by the local jurisdiction. NFPA 1142 may be used as a reference.

404.6 Fire department. The water system required by this code can only be considered conforming for purposes of determining the level of ignition-resistant construction (see Table 503.1).

404.7 Obstructions. Access to all water sources required by this code shall be unobstructed at all times. The code official shall not be deterred or hindered from gaining immediate access to water source equipment, fire protection equipment or hydrants.

404.8 Identification. Water sources, draft sites, hydrants and fire protection equipment shall be clearly identified in a manner approved by the code official to identify location and to prevent obstruction by parking and other obstructions.

404.9 Testing and maintenance. Water sources, draft sites, hydrants and other fire protection equipment required by this code shall be subject to periodic tests as required by the code official. Code official shall establish a periodic testing schedule. Costs are to be covered by the water provider. All such equipment installed under the provisions of this code shall be maintained in an operative condition at all times and shall be repaired or replaced where defective. Additions, repairs, alterations and servicing of such fire protection equipment and resources shall be in accordance with approved standards. Mains and appurtenances shall be installed in accordance with NFPA 24. Water tanks for private fire protection shall be installed in accordance with NFPA 22. The costs are to be covered by the water provider.

404.10 Reliability.

404.10.1 Objective. The objective of this section is to increase the reliability of water supplies by reducing the exposure of vegetative fuels to electrically powered systems.

404.10.2 Clearance of fuel. Defensible space shall be provided around water tank structures, water supply pumps and pump houses in accordance with Section 603.

404.10.3 Standby power. Stationary water supply facilities within the wildland-urban interface area dependent on electrical power supplied by power grid to meet adequate water supply demands shall provide functional standby power systems in accordance with the ICC *Electrical Code* to ensure that an uninterrupted water supply is maintained. The standby power source shall be capable of providing power for a minimum of two hours.

Exceptions: When approved by the code official, a standby power supply is not required where the primary power service to the stationary water supply facility is underground or there is an on-site generator.

SECTION 405 FIRE PROTECTION PLAN

405.1 Purpose. The plan is to provide a basis to determine overall compliance with this code, for determination of Ignition Resistant Construction (IRC) (see Table 503.1) and for determining the need for alternative materials and methods.

405.2 General. When required by the code official, a fire protection plan shall be prepared and approved prior to the first building permit issuance or subdivision approval.

405.3 Content. The plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

405.4 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

405.5 Plan retention. The fire protection plan shall be retained by the code official.

CHAPTER 5

SPECIAL BUILDING CONSTRUCTION REGULATIONS

SECTION 501 GENERAL

501.1 Scope. Buildings and structures shall be constructed in accordance with the *International Building Code* and this code.

Exceptions:

1. Accessory structures not exceeding 120 square feet (11 m²) in floor area when located at least 50 feet (15 240 mm) from buildings containing habitable spaces.
2. Agricultural buildings at least 50 feet (15 240 mm) from buildings containing habitable spaces.

501.2 Objective. The objective of this chapter is to establish minimum standards to locate, design and construct buildings and structures or portions thereof for the protection of life and property, to resist damage from wildfires, and to mitigate building and structure fires from spreading to wildland fuels. The minimum standards set forth in this chapter vary with the critical fire weather, slope and fuel type to provide increased protection, above the requirements set forth in the *International Building Code*, from the various levels of hazards.

SECTION 502 FIRE HAZARD SEVERITY

The fire hazard severity of building sites for all buildings hereafter constructed, modified or relocated into wildland-urban

interface areas shall be established in accordance with Appendix C.

The fire hazard severity is allowed to be reduced by implementing a vegetation management plan in accordance with Appendix B.

SECTION 503 IGNITION-RESISTANT CONSTRUCTION

503.1 General. Buildings and structures hereafter constructed, modified or relocated into or within wildland-urban interface areas shall meet the construction requirements in accordance with Table 503.1. Class 1, Class 2 or Class 3 ignition-resistant construction shall be in accordance with Sections 504, 505 and 506, respectively.

SECTION 504 CLASS 1 IGNITION-RESISTANT CONSTRUCTION

504.1 General. Class 1 ignition-resistant construction shall be in accordance with Section 504.

504.2 Roof covering. Roofs shall have a Class A roof covering or a Class A roof assembly. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

**TABLE 503.1
IGNITION-RESISTANT CONSTRUCTION^a**

DEFENSIBLE SPACE ^c	FIRE HAZARD SEVERITY					
	Moderate Hazard		High Hazard		Extreme Hazard	
	Water Supply ^b		Water Supply ^b		Water Supply ^b	
	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e
Nonconforming	IR 2	IR 1	IR 1	IR 1 N.C.	IR 1 N.C.	Not Permitted
Conforming	IR 3	IR 2	IR 2	IR 1	IR 1	IR 1 N.C.
1.5 x Conforming	Not Required	IR 3	IR 3	IR 2	IR 2	IR 1

a. Access shall be in accordance with Section 402.

b. Subdivisions shall have a conforming water supply in accordance with Section 402.1.

IR 1 = Ignition-resistant construction in accordance with Section 504.

IR 2 = Ignition-resistant construction in accordance with Section 505.

IR 3 = Ignition-resistant construction in accordance with Section 506.

N.C. = Exterior walls shall have a fire-resistance rating of not less than 1-hour and the exterior surfaces of such walls shall be noncombustible. Usage of log wall construction is allowed.

c. Conformance based on Section 603.

d. Conformance based on Section 404.

e. A nonconforming water supply is any water system or source that does not comply with Section 404, including situations where there is no water supply for structure protection or fire suppression.

504.3 Protection of eaves. Eaves and soffits shall be protected on the exposed underside by materials approved for a minimum of 1-hour fire-resistance-rated construction. Fascias are required and must be protected on the backside by materials approved for a minimum of 1-hour fire-resistance-rated construction or 2-inch (51 mm) nominal dimension lumber.

504.4 Gutters and downspouts. Gutters and downspouts shall be constructed of noncombustible material.

504.5 Exterior walls. Exterior walls of buildings or structures shall be constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction on the exterior side or constructed with approved noncombustible materials.

Exception: Heavy timber or log wall construction.

Such material shall extend from the top of the foundation to the underside of the roof sheathing.

504.6 Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas enclosed to the ground with exterior walls in accordance with Section 504.5.

Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

504.7 Appendages and projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be a minimum of 1-hour fire-resistance-rated construction, heavy timber construction or constructed of approved noncombustible materials.

When the attached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 504.5.

504.8 Exterior glazing. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire protection rating of not less than 20 minutes.

504.9 Exterior doors. Exterior doors shall be approved noncombustible construction, solid core wood not less than 1³/₄ inches thick (45 mm), or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 504.8.

Exception: Vehicle access doors.

504.10 Vents. Attic ventilation openings, foundation or underfloor vents, or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m²) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed 1/4 inch (6.4 mm).

Attic ventilation openings shall not be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located at least 10 feet (3048 mm) from property lines. Underfloor ventilation openings shall be located as close to grade as practical.

504.11 Detached accessory structures. Detached accessory structures located less than 50 feet (15 240 mm) from a building containing habitable space shall have exterior walls constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction, heavy timber, log wall construction or constructed with approved noncombustible materials on the exterior side.

When the detached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 504.5 or underfloor protection in accordance with Section 504.6.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy-timber construction.

See Section 504.2 for roof requirements.

SECTION 505

CLASS 2 IGNITION-RESISTANT CONSTRUCTION

505.1 General. Class 2 ignition-resistant construction shall be in accordance with Section 505.

505.2 Roof covering. Roofs shall have at least a Class A roof covering, Class B roof assembly or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

505.3 Protection of eaves. Combustible eaves, fascias and soffits shall be enclosed with solid materials with a minimum thickness of 3/4 inch (19 mm). No exposed rafter tails shall be permitted unless constructed of heavy timber materials.

505.4 Gutters and downspouts. Gutters and downspouts shall be constructed of noncombustible material.

505.5 Exterior walls. Exterior walls of buildings or structures shall be constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction on the exterior side or constructed with approved noncombustible materials.

Exception: Heavy timber or log wall construction.

Such material shall extend from the top of the foundation to the underside of the roof sheathing.

505.6 Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas enclosed to the ground, with exterior walls in accordance with Section 505.5.

Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

505.7 Appendages and projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be a minimum of 1-hour fire-re-

sistance-rated construction, heavy timber construction or constructed with approved noncombustible materials.

When the attached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 505.5.

505.8 Exterior glazing. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire-protection rating of not less than 20 minutes.

505.9 Exterior doors. Exterior doors shall be approved noncombustible construction, solid core wood not less than 1³/₄-inches thick (45 mm), or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 505.8.

Exception: Vehicle access doors.

505.10 Vents. Attic ventilation openings, foundation or underfloor vents or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m²) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed 1/4 inch (6.4 mm).

Attic ventilation openings shall not be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located at least 10 feet (3048 mm) from property lines. Underfloor ventilation openings shall be located as close to grade as practical.

505.11 Detached accessory structures. Detached accessory structures located less than 50 feet (15 240 mm) from a building containing habitable space shall have exterior walls constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction, heavy timber, log wall construction, or constructed with approved noncombustible material on the exterior side.

When the detached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 505.5 or underfloor protection in accordance with Section 505.6.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy-timber construction.

See Section 505.2 for roof requirements.

SECTION 506

CLASS 3 IGNITION-RESISTANT CONSTRUCTION

506.1 General. Class 3 ignition-resistant construction shall be in accordance with Section 506.

506.2 Roof covering. Roofs shall have at least a Class A roof covering, Class C roof assembly or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

506.3 Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas enclosed to the ground with exterior walls.

Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

506.4 Vents. Attic ventilation openings, soffit vents, foundation or underfloor vents or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m²) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed 1/4 inch (6.4 mm).

SECTION 507

REPLACEMENT OR REPAIR OF ROOF COVERINGS

The roof covering on buildings or structures in existence prior to the adoption of this code that are replaced or have 25 percent or more replaced in a 12-month period shall be replaced with a roof covering required for new construction based on the type of ignition-resistant construction specified in accordance with Section 503.

CHAPTER 6

FIRE PROTECTION REQUIREMENTS

SECTION 601 GENERAL

601.1 Scope. The provisions of this chapter establish general requirements for new and existing buildings, structures and premises located within wildland-urban interface areas.

601.2 Objective. The objective of this chapter is to establish minimum requirements to mitigate the risk to life and property from wildland fire exposures, exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels.

SECTION 602 AUTOMATIC FIRE SPRINKLER SYSTEMS DELETED

SECTION 603 DEFENSIBLE SPACE

603.1 Objective. Provisions of this section are intended to modify the fuel load in areas adjacent to structures to create a defensible space.

603.2 Fuel modification. In order to qualify as a conforming defensible space for individual buildings or structures on a property, fuel modification shall be provided within a distance from buildings or structures as specified in Table 603.2. For all other purposes, the fuel modification distance shall not be less than 30 feet (9144 mm) or to the property line, whichever is less. Distances specified in Table 603.2 shall be measured on a horizontal plane from the perimeter or projection of the building or structure as shown in Figure 603.2. Distances specified in Table 603.2 may be modified by the code official because of a

site-specific analysis based on local conditions and the fire protection plan.

Persons owning, leasing, controlling, operating or maintaining buildings or structures requiring defensible spaces are responsible for modifying or removing nonfire-resistive vegetation on the property owned, leased or controlled by said person.

Trees are allowed within the defensible space, provided the horizontal distance between crowns of adjacent trees and overhead electrical facilities or unmodified fuel is not less than 10 feet (3048 mm). Deadwood and litter shall be regularly removed from trees.

Where ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants are used as ground cover, they are allowed to be within the designated defensible space, provided they do not form a means of transmitting fire from the native growth to any structure.

TABLE 603.2
REQUIRED DEFENSIBLE SPACE

WILDLAND-URBAN INTERFACE AREA	FUEL MODIFICATION DISTANCE (feet)
Moderate hazard	30
High hazard	50
Extreme hazard	100

For SI: 1 foot = 304.8 mm.

603.3 Community fuel modification zones. Fuel modification zones to protect new communities shall be provided when required by the code official in accordance with Section 603, in order to reduce fuel loads adjacent to communities and structures.

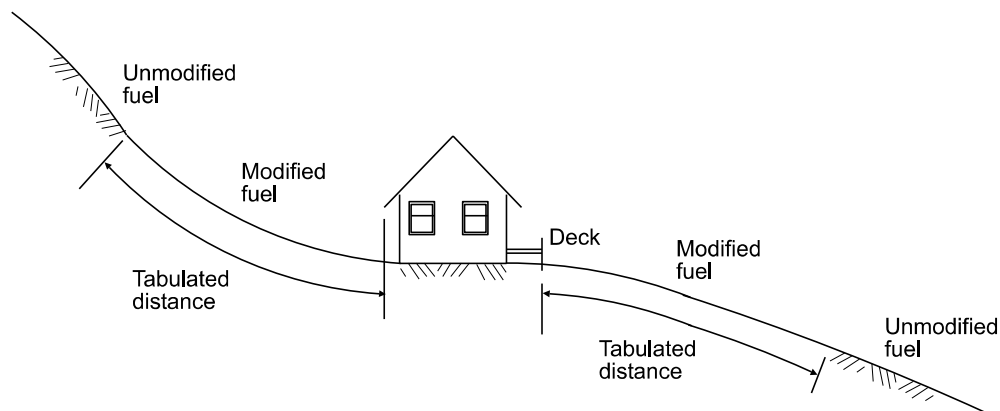


FIGURE 603.2
MEASUREMENTS OF FUEL MODIFICATION DISTANCE

603.3.1 Land ownership. Fuel modification zone land used to protect a community shall be under the control of an association or other common ownership instrument for the life of the community to be protected.

603.3.2 Fuel modification zone plans. Fuel modification zone plans shall be approved prior to fuel modification work and shall be placed on a site grading plan shown in plan view. An elevation plan shall also be provided to indicate the length of the fuel modification zone on the slope. Fuel modification zone plans shall include, but not be limited to the following:

1. Plan showing existing vegetation.
2. Photographs showing natural conditions prior to work being performed.
3. Grading plan showing location of proposed buildings and structures, and set backs from top of slope to all buildings or structures.

SECTION 604 MAINTENANCE OF DEFENSIBLE SPACE

604.1 General. Defensible spaces required by Section 603 shall be maintained annually, or as necessary in accordance with Section 604.

604.2 Modified area. Nonfire-resistive vegetation or growth shall be kept clear of buildings or structures, in accordance with Section 603, in such a manner as to provide a clear area for fire suppression operations.

604.3 Responsibility. Persons owning, leasing, controlling, operating or maintaining buildings or structures are responsible for maintenance of defensible spaces. Maintenance of the defensible space shall include modifying or removing nonfire-resistive vegetation and keeping leaves, needles and other dead vegetative material regularly removed from roofs of buildings and structures.

604.4 Trees. Individual trees and/or small clumps of trees or brush crowns, extending to within 10 feet (3048 mm) of any structure, shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048 mm). Tree crowns within the defensible space shall be pruned to remove limbs located less than 6 feet (1829 mm) above the ground surface adjacent to the trees.

Portions of tree crowns that extend within 10 feet (3048 mm) of the outlet of a chimney shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048 mm).

Deadwood and litter shall be regularly removed from trees.

SECTION 605 SPARK ARRESTERS

Chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid or liquid fuel is used, shall be provided with a spark arrester. Spark arresters shall be constructed of woven or welded wire screening of 12 USA standard gage wire (0.1046 inch) (2.66 mm) having openings not exceeding $\frac{1}{2}$ inch (12.7 mm).

The net free area of the spark arrester shall not be less than four times the net free area of the outlet of the chimney.

SECTION 606 LIQUEFIED PETROLEUM GAS INSTALLATIONS

606.1 General. The storage of LP-gas and the installation and maintenance of pertinent equipment shall be in accordance with the *International Fire Code* or, in the absence thereof, recognized standards.

606.2 Location of containers. LP-gas containers shall be located within the defensible space in accordance with the *International Fire Code*.

SECTION 607 STORAGE OF FIREWOOD AND COMBUSTIBLE MATERIALS

Firewood and combustible material shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. When required by the code official, storage of firewood and combustible material stored in the defensible space shall be located a minimum of 30 feet (9144 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).

Firewood and combustible materials not for consumption on the premises shall be stored so as to not pose a hazard. See Appendix A.

APPENDIX A

GENERAL REQUIREMENTS (optional)

SECTION A101 GENERAL

A101.1 Scope. The provisions of this appendix establish general requirements applicable to new and existing properties located within urban-wildland interface areas.

A101.2 Objective. The objective of this appendix is to provide necessary fire-protection measures to reduce the threat of wild-fire in an urban-wildland interface area and improve the capability of controlling such fires.

SECTION A102 VEGETATION CONTROL

A102.1 General. Vegetation control shall comply with this section.

A102.2 Clearance of brush or vegetative growth from roadways. The code official is authorized to require areas within 10 feet (3048 mm) on each side of portions of fire apparatus access roads and driveways to be cleared of nonfire-resistive vegetation growth.

Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants used as ground cover, provided they do not form a means of readily transmitting fire.

A102.3 Clearance of brush and vegetative growth from electrical transmission and distribution lines.

A102.3.1 General. Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with Section A102.3.

Exception: Section A102.3 does not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.

A102.3.2 Support clearance. Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time as designated by the code official.

Exception: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by a public utility.

A102.3.3 Electrical distribution and transmission line clearances.

A102.3.3.1 General. Clearances between vegetation and electrical lines shall be in accordance with Section A102.3.3.

A102.3.3.2 Trimming clearance. At the time of trimming, clearances not less than those established by Table A102.3.3.2 shall be provided. The radial clearances shown below are minimum clearances that shall be established, at time of trimming, between the vegetation and the energized conductors and associated live parts.

**TABLE A102.3.3.2
MINIMUM CLEARANCES BETWEEN VEGETATION
AND ELECTRICAL LINES AT TIME OF TRIMMING**

LINE VOLTAGE	MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet)
2,400-72,000	4
72,001-110,000	6
110,001-300,000	10
300,001 or more	15

For SI: 1 foot = 304.8 mm.

Exception: The code official is authorized to establish minimum clearances different than those specified by Table A102.3.3.2 when evidence substantiating such other clearances is submitted to and approved by the code official.

A102.3.3.3 Minimum clearance to be maintained. Clearances not less than those established by Table A102.3.3.3 shall be maintained during such periods of time as designated by the code official. The site-specific clearance achieved, at time of pruning, shall vary based on species growth rates, the utility company-specific trim cycle, the potential line sway due to wind, line sag due to electrical loading and ambient temperature and the tree's location in proximity to the high voltage lines.

Exception: The code official is authorized to establish minimum clearances different than those specified by Table A102.3.3.3 when evidence substantiating such other clearances is submitted to and approved by the code official.

**TABLE A102.3.3.3
MINIMUM CLEARANCES BETWEEN VEGETATION AND
ELECTRICAL LINES TO BE MAINTAINED**

LINE VOLTAGE	MINIMUM CLEARANCE (inches)
750-35,000	6
35,001-60,000	12
60,001-115,000	19
115,001-230,000	30.5
230,001-500,000	115

For SI: 1 inch = 25.4 mm.

A102.3.3.4 Electrical power line emergencies. During emergencies, the utility shall perform the required work to the extent necessary to clear the hazard. An emergency

can include situations such as trees falling into power lines, or trees in violation of Table A102.3.3.3.

A102.4 Correction of condition. The code official is authorized to give notice to the owner of the property on which conditions regulated by Section A102 exist to correct such conditions. If the owner fails to correct such conditions, the legislative body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such condition exists.

SECTION A103 ACCESS RESTRICTIONS

A103.1 Restricted entry to public lands. The code official is authorized to determine and publicly announce when urban-wildland interface areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of urban-wildland interface areas, except public roadways, inhabited areas or established trails and campsites that have not been closed during such time when the urban-wildland interface area is closed to entry, is prohibited.

Exceptions:

1. Residents and owners of private property within urban-wildland interface areas and their invitees and guests going to or being on their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the Wildland Firefighting Service.

A103.2 Trespassing on posted private property.

A103.2.1 General. When the code official determines that a specific area within an urban-wildland interface area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be restricted or closed until changed conditions warrant termination of such restriction or closure. Such areas shall be posted in accordance with Section A103.2.2.

A103.2.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to this code shall be placed on every closed area.

A103.2.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas; their guests or invitees; authorized persons engaged in the operation and maintenance of necessary utilities such as electrical power, gas, telephone, water and sewer; and local, state and federal public officers and their authorized agents acting in the course of duty.

A103.3 Use of fire roads and defensible space. Motorcycles, motor scooters and motor vehicles shall not be driven or parked on, and trespassing is prohibited on, fire roads or defensible space beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner that obstructs the entrance to a fire road or defensible space.

Exception: Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or defensible spaces, unless located 16 feet (4877 mm) or more above such fire road or defensible space.

A103.4 Use of motorcycles, motor scooters, ultralight aircraft and motor vehicles. Motorcycles, motor scooters, ultralight aircraft and motor vehicles shall not be operated within urban-wildland interface areas, without a permit by the code official, except on clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

A103.5 Tampering with locks, barricades, signs and address markers. Locks, barricades, seals, cables, signs and address markers installed within urban-wildland interface areas, by or under the control of the code official, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the code official shall not be unlocked.

SECTION A104 IGNITION SOURCE CONTROL

A104.1 General. Ignition sources shall be in accordance with Section A104.

A104.2 Objective. Regulations in this section are intended to provide the minimum requirements to prevent the occurrence of wildfires.

A104.3 Clearance from ignition sources. Clearance between ignition sources and grass, brush or other combustible materials shall be maintained a minimum of 30 feet (9144 mm).

A104.4 Smoking. When required by the code official, signs shall be posted stating NO SMOKING. No person shall smoke within 15 feet (4572 mm) of combustible materials or nonfire-resistant vegetation.

Exception: Places of habitation or in the boundaries of established smoking areas or campsites as designated by the code official.

A104.5 Equipment and devices generating heat, sparks or open flames. Equipment and devices generating heat, sparks or open flames capable of igniting nearby combustibles shall not be used in urban-wildland interface areas without a permit from the code official.

Exception: Use of approved equipment in habited premises or designated campsites that are a minimum of 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

A104.6 Fireworks. Fireworks shall not be used or possessed in urban-wildland interface areas.

Exception: Fireworks allowed by the code official under permit in accordance with the *International Fire Code* when not prohibited by applicable local or state laws, ordinances and regulations.

The code official is authorized to seize, take, remove or cause to be removed fireworks in violation of this section.

A104.7 Outdoor fires.

A104.7.1 General. No person shall build, ignite or maintain any outdoor fire of any kind for any purpose in or on any urban-wildland interface area, except by the authority of a written permit from the code official.

Exception: Outdoor fires within inhabited premises or designated campsites where such fires are in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9144 mm) from any combustible material or nonfire-resistive vegetation.

A104.7.2 Permits. Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or on hazardous fire areas under the following conditions:

1. When high winds are blowing,
2. When a person 17 years old or over is not present at all times to watch and tend such fire, or
3. When a public announcement is made that open burning is prohibited.

A104.7.3 Restrictions. No person shall use a permanent barbecue, portable barbecue, outdoor fireplace or grill for the disposal of rubbish, trash or combustible waste material.

A104.8 Incinerators, outdoor fireplaces, permanent barbecues and grills. Incinerators, outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in urban-wildland interface areas without approval of the code official.

Incinerators, outdoor fireplaces, permanent barbecues and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrestor, screen or door.

Exception: When approved by the code official, unprotected openings in barbecues and grills necessary for proper functioning.

A104.9 Reckless behavior. The code official is authorized to stop any actions of a person or persons if the official determines that the action is reckless and could result in an ignition of fire or spread of fire.

A104.10 Planting vegetation under or adjacent to energized electrical lines. No vegetation shall be planted under or adjacent to energized power lines that, at maturity, shall grow within 10 feet (3048 mm) of the energized conductors.

SECTION A105 CONTROL OF STORAGE

A105.1 General. In addition to the requirements of the *International Fire Code*, storage and use of the materials shall be in accordance with Section A105.

A105.2 Hazardous materials. Hazardous materials in excess of 10 gallons (37.8 L) of liquid, 200 cubic feet (5.66 m³) of gas, or 10 pounds (4.54 kg) of solids require a permit and shall comply with nationally recognized standards for storage and use.

A105.3 Explosives. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within urban-wildland interface areas, except by permit from the code official.

A105.4 Combustible materials.

A105.4.1 General. Outside storage of combustible materials such as, but not limited to, wood, rubber tires, building materials or paper products shall comply with the other applicable sections of this code and this section.

A105.4.2 Individual piles. Individual piles shall not exceed 5,000 square feet (465 m²) of contiguous area. Piles shall not exceed 50,000 cubic feet (1416 m³) in volume or 10 feet (3048 mm) in height.

A105.4.3 Separation. A clear space of at least 40 feet (12192 mm) shall be provided between piles. The clear space shall not contain combustible material or nonfire-resistive vegetation.

SECTION A106 DUMPING

A106.1 Waste material. Waste material shall not be placed, deposited or dumped in urban-wildland interface areas, or in, on or along trails, roadways or highways or against structures in urban-wildland interface areas.

Exception: Approved public and approved private dumping areas.

A106.2 Ashes and coals. Ashes and coals shall not be placed, deposited or dumped in or on urban-wildland interface areas.

Exceptions:

1. In the hearth of an established fire pit, camp stove or fireplace.
2. In a noncombustible container with a tightfitting lid, which is kept or maintained in a safe location not less than 10 feet (3048 mm) from nonfire-resistive vegetation or structures.
3. Where such ashes or coals are buried and covered with 1 foot (305 mm) of mineral earth not less than 25 feet (7620 mm) from nonfire-resistive vegetation or structures.

SECTION A107 PROTECTION OF PUMPS AND WATER STORAGE FACILITIES

A107.1 General. The reliability of the water supply shall be in accordance with Section A107.

A107.2 Objective. The intent of this section is to increase the reliability of water storage and pumping facilities and to protect such systems against loss from intrusion by fire.

A107.3 Fuel modification area. Water storage and pumping facilities shall be provided with a defensible space of not less than 30 feet (9144 mm) clear of nonfire-resistive vegetation or growth around and adjacent to such facilities.

Persons owning, controlling, operating or maintaining water storage and pumping systems requiring this defensible

space are responsible for clearing and removing nonfire-resistive vegetation and maintaining the defensible space on the property owned, leased or controlled by said person.

A107.4 Trees. Portions of trees that extend to within 30 feet (9144 mm) of combustible portions of water storage and pumping facilities shall be removed.

A107.5 Protection of electrical power supplies. When electrical pumps are used to provide the required water supply, such pumps shall be connected to a standby power source to automatically maintain electrical power in the event of power loss. The standby power source shall be capable of providing power for a minimum of two hours in accordance with the ICC *Electrical Code*.

Exception: A standby power source is not required where the primary power service to pumps are underground as approved by the code official.

SECTION A108 LAND USE LIMITATIONS

A108.1 General. Temporary fairs, carnivals, public exhibitions and similar uses must comply with all other provisions of this code in addition to enhanced ingress and egress requirements.

A108.2 Objective. The increased public use of land or structures in urban-wildland interface areas also increases the potential threat to life safety. The provisions of this section are intended to reduce that threat.

A108.3 Permits. Temporary fairs, carnivals, public exhibitions or similar uses shall not be allowed in a designated urban-wildland interface area, except by permit from the code official.

Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property.

A108.4 Access roadways. In addition to the requirements in Section 403, access roadways shall be a minimum of 24 feet (7315 mm) wide and posted NO PARKING. Two access roadways shall be provided to serve the permitted use area.

When required by the code official to facilitate emergency operations, approved emergency vehicle operating areas shall be provided.

APPENDIX B

VEGETATION MANAGEMENT PLAN

Vegetation management plans shall be submitted to the code official for review and approval as part of the plans required for a permit. Vegetation management plans shall describe all actions that will be taken to prevent a fire from being carried toward or away from the building. A vegetation management plan shall include at least the following information:

1. A copy of the site plan.
2. Methods and timetables for controlling, changing or modifying areas on the property. Elements of the plan shall in-

clude removal of slash, snags, vegetation that may grow into overhead electrical lines, other ground fuels, ladder fuels and dead trees, and the thinning of live trees.

3. A plan for maintaining the proposed fuel-reduction measures.

To be considered a fuel modification for purposes of this code, continuous maintenance of the clearance is required.

UTAH FIRE RESISTIVE SPECIES

*Adapted from "Utah Forest Facts: Firewise Plants for Utah Landscapes"
Utah State University Extension, 2002*

Grasses

Agropyron cristatum (Crested Wheatgrass)
Agropyron smithii (Western Wheatgrass)
Buchloe dactyloides (Buffalograss)
Dactylis glomerata (Orchardgrass)
Festuca cinerea and other species (Blue Fescue)
Lolium species (Rye Grass)
Poa pratensis (Kentucky Bluegrass)
Poa secunda (Sandberg Bluegrass)

Herbaceous Perennials

Achillea clavennae (Silvery Yarrow)
Achillea filipendulina (Fernleaf Yarrow)
Achillea - other species & hybrids (Yarrow)*
Aquilegia - species & hybrids (Columbine)
Armeria maritime (Sea Pink, Sea Thrift)
Artemisia stelleriana (Beach Wormwood, Dusty Miller)
Artemisia - other species & hybrids (Various names)*
Bergenia - species & hybrids (Bergenia)
Centranthus ruber (Red Valerian, Jupiter's Beard)
Cerastium tomentosum (Snow-in-summer)
Coreopsis auriculata var. *Nana* (Dwarf Mouse Ear Coreopsis)
Coreopsis - other perennial species (Coreopsis)
Delosperma nubigenum (Hardy Ice Plant)
Dianthus plumarius & others (Pinks)
Erigeron hybrids (Fleabane)*
Gaillardia X grandiflora (Blanket Flower)
Geranium cinereum (Hardy Geranium)
Geranium sanguineum (Bloody Cranesbill, Bloodred Geranium)

Geranium species (Geranium)
Hemerocallis species (Daylily)
Heuchera sanguinea (Coral Bells, Alum Root)
Iberis sempervirens (Evergreen Candytuft)
Iris species & hybrids (Iris)
Kniphofia species & hybrids (Red-hot Poker)
Lavandula species (Lavender)
Leucanthemum X superbum (Shasta Daisy)
Limonium latifolium (Sea-lavender, Statice)
Linum species (Flax)
Liriope spicata (Lily-turf)
Lupinus species & hybrids (Lupine)*
Medicago sativus (Alfalfa)
Oenothera species (Primrose)
Papaver species (Poppy)
Penstemon species & hybrids (Penstemon)
Perovskia atriplicifolia (Russian Sage, Azure Sage)
Potentilla nepalensis (Nepal Cinquefoil)
Potentilla tridentata (Wineleaf Cinquefoil)
Potentilla verna (tabernaemontani) (Spring Cinquefoil; Creeping Potentilla)
Potentilla - other non-shrubby species & hybrids (Cinquefoil, Potentilla)*
Salvia species & hybrids (Salvia, Sage)*
Sedum species (Stonecrop, Sedum)
Sempervivum tectorum (Hen and Chicks)
Stachys byzantina (Lamb's Ear)
Yucca filamentosa (Yucca)

continued

Shrubs and Woody Vines

Atriplex species (Saltbush)
Ceanothus americanus (New Jersey Tea)
Ceanothus ovatus & others (Ceanothus)
Cistus species (Rock-rose)
Cotoneaster dammeri (Bearberry Cotoneaster)
Cotoneaster horizontalis (Rockspray or Rock Cotoneaster)
Cotoneaster – other compact species (Cotoneaster)
Hedera helix (English Ivy)
Lonicera species & hybrids (Honeysuckle)
Mahonia repens (Creeping Oregon Grape)
Parthenocissus quinquefolia (Virginia Creeper)
Prunus besseyi (Sand Cherry)
Purshia tridentata (Bitterbrush, Antelope Bitterbrush)
Pyracantha species (Firethorn, Pyracantha)
Rhamnus species (Buckthorn)
Rhus trilobata (Skunkbush Sumac)
Rhus – other species (Sumac)
Ribes species (Currant, Gooseberry)
Rosa rugosa & other hedge roses (Rugosa Rose)
Shepherdia canadensis (Russet Buffaloberry)
Syringa vulgare (Lilac)
Vinca major (Large Periwinkle)
Vinca minor (Dwarf Periwinkle, Common Periwinkle)

Trees

Acer species (Maple)
Betula species (Birch)
Cercis canadensis (Eastern Redbud)
Populus tremuloides (Quaking Aspen)
Populus – other species (Poplar, Cottonwood)
Salix species (Willow)

*** Plants or groups of plants marked with an asterisk (*) can become weedy in certain circumstances, and may even be noxious weeds with legal restrictions against their planting and cultivation. Check with your local Extension office or State Department of Agriculture for information on noxious weeds in your area.**

Note: Some of the listed plants may not be considered “water-wise” or drought-tolerant for arid climates.

APPENDIX C

FIRE HAZARD SEVERITY FORM

This appendix is to be used to determine the fire hazard severity.

A. Subdivision Design

Points

1. Ingress/Egress

Two or more primary roads

1__

One road

10__

One-lane road in, one-lane road out

15__

2. Width of Primary Road

20 feet or more

1__

Less than 20 feet

5__

3. Accessibility

Road grade 5% or less

1__

Road grade 5-10%

5__

Road grade greater than 10%

10__

4. Secondary Road Terminus

Loop roads, cul-de-sacs with an outside turning radius of 45 feet or greater

1__

Cul-de-sac turnaround

5__

Dead-end roads 200 feet or less in length

8__

Dead-end roads greater than 200 feet in length

10__

5. Street Signs

Present but unapproved

3__

Not present

5__

B. Vegetation (IUIWIC Definitions)

1. Fuel Types

Surface

Lawn/noncombustible

1__

Grass/short brush

5__

Scattered dead/down woody material

10__

Abundant dead/down woody material

15__

Overstory

Deciduous trees (except tall brush)

3__

Mixed deciduous trees and tall brush

10__

Clumped/scattered conifers and/or tall brush

15__

Contiguous conifer and/or tall brush

20__

2. Defensible Space

70% or more of lots completed

1__

30% to 70% of lots completed

10__

Less than 30% of lots completed

20__

C. Topography

Located on flat, base of hill, or setback at crest of hill

1__

On slope with 0-20% grade

5__

On slope with 21-30% grade

10__

On slope with 31% grade or greater

15__

At crest of hill with unmitigated vegetation below

20__

D. Roofing Material

Class A Fire Rated

1__

Class B Fire Rated

5__

Class C Fire Rated

10__

Nonrated

20__

E. Fire Protection—Water Source

500 GPM hydrant within 1,000 feet

1__

Hydrant farther than 1,000 feet or draft site

5__

Water source 20 min. or less, round trip

10__

Water source farther than 20 min., and 45 min. or less, round trip

15__

Water source farther than 45 min., round trip

20__

F. Siding and Decking

Noncombustible siding/deck

1__

Combustible siding/no deck

5__

Noncombustible siding/combustible deck

10__

Combustible siding and deck

15__

G. Utilities (gas and/or electric)

All underground utilities

1__

One underground, one aboveground

3__

All aboveground

5__

Total for Subdivision

Moderate Hazard

50-75

High Hazard

76-100

Extreme Hazard

101+

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RESOLUTION R2025 - 54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ADOPTING A WILDLAND-URBAN INTERFACE (WUI) MAP.

WHEREAS, the City of South Jordan (the “City”) recognizes the unique threat of fires where wildland and urban areas interface; and

WHEREAS, there is a Utah Wildland-Urban Interface Code, issued by the International Code Council; and

WHEREAS, the State has required the City to adopt the 2006 Utah Wildland Urban Interface Code by legislation; and

WHEREAS, in Resolution R2025-53 the City adopts the Utah Wildland Urban Interface Code; and

WHEREAS, the Utah Wildland-Urban Interface Code assists in the regulation and governing of the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures, and prevention of structure fires from spreading to and from wildland fuels, and providing the issuance of permits and the collections of fees therefore; and

WHEREAS, adopting a Wildland Urban Interface (WUI) Map is part of following the Utah Wildland-Urban Interface code; and

WHEREAS, the South Jordan City Council finds it in the best interest of the health and safety of the community to adopt a Wildland-Urban Interface (WUI) Map.

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

SECTION 1. Adoption. The Wildland Urban Interface (WUI) Map, attached hereto, is hereby adopted.

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

<<Signatures on Following Page.>>

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS _____ DAY OF _____, 2025 BY THE FOLLOWING VOTE:**

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

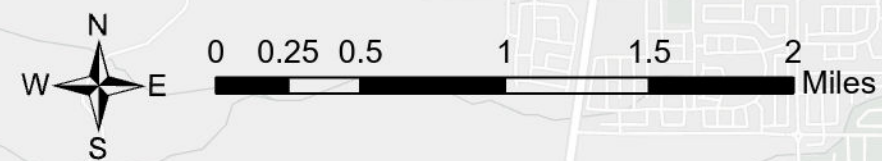
Mayor: _____
Dawn R. Ramsey

Attest: _____
Anna Crookston, City Recorder

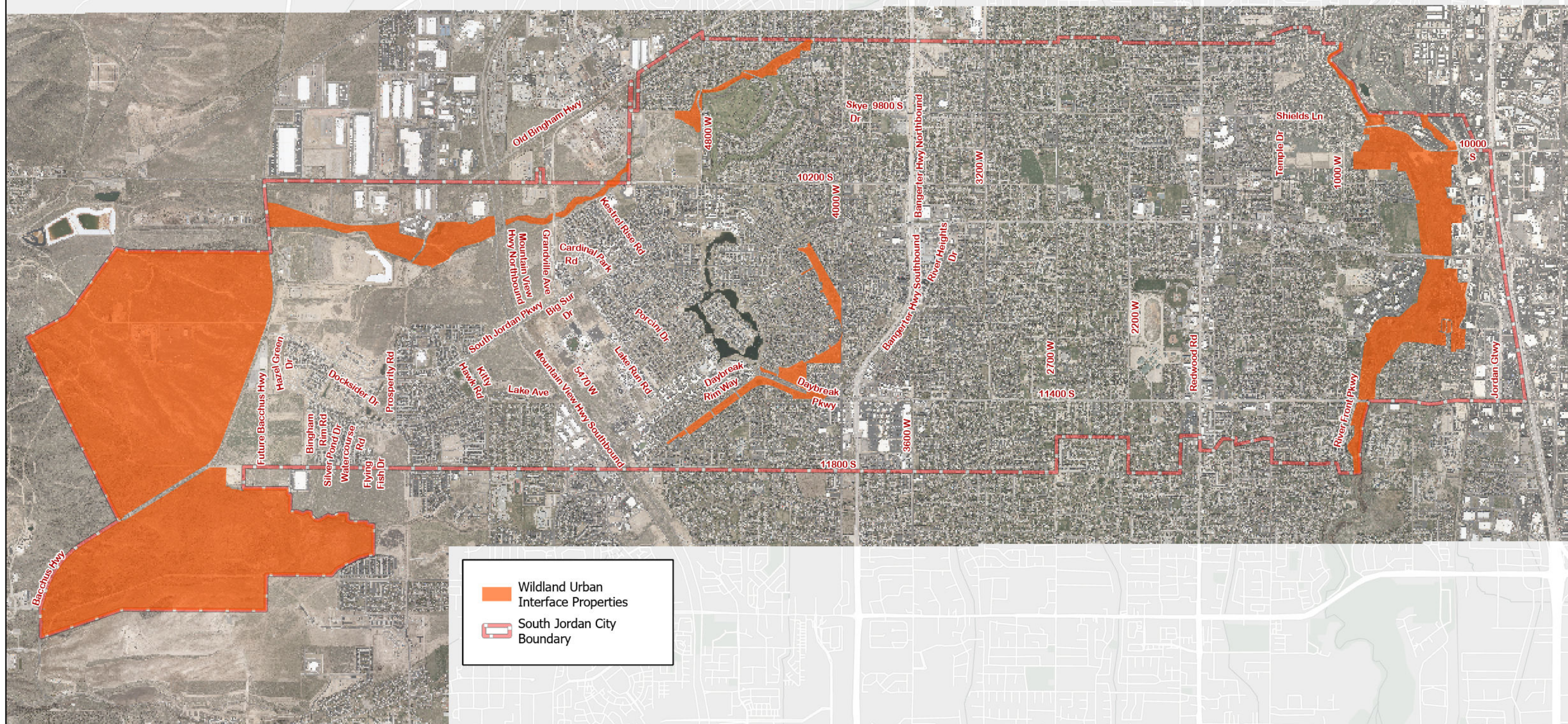
Approved as to form:



Office of the City Attorney



Source: City of South Jordan Fire and GIS
Produced: 25 November 2025
Aerial Imagery: April 2025



SOUTH JORDAN CITY COUNCIL STAFF REPORT

MEETING DATE: December 2, 2025

FILE OVERVIEW

Item Name	Horizon - Rezone with Development Agreement
Address	10378 S. Jordan Gateway
File Number	PLZBA202500153
Applicant	Fieldstone Construction & Management Services, Inc.
Property Owner	SJ UTAH COMMERCIAL LLC
Staff Author	Damir Drozdek, Planner III
Presenter	Brian A. Preece, Director of Planning & Economic Development

PROPERTY OVERVIEW

Acreage	Approximately 2.5 acres		
Recorded Subdivision	N/A		
Current Zone	C-F (Commercial – Freeway)		
Current Land Use	MU-TOD (Mixed Use – Transit Oriented Development)		
Neighboring Properties	<i>Zone</i>		<i>Current Land Use</i>
	<i>North</i>	A-1	Mostly vacant and undeveloped land
	<i>East</i>	I-F	Commercial multi-tenant building
	<i>South</i>	MU-TOD	Jordan Station apartments
	<i>West</i>	A-1	Natural Open Space

ITEM SUMMARY

The applicant is proposing to develop the property into a residential townhome development. The project will offer for-sale housing units. The streets will be privately owned and maintained. Staff is recommending approval of the application.

TIMELINE

- On October 6, 2025, the applicant submitted a complete application to City staff for review.
- As required by the Planned Development (PD) Floating Zone process, the application was discussed at a City Council study session, once on September 2, 2025 and the second time on October 21, 2025.
- On October 15, 2025, the project received Architectural Review Committee's (ARC) favorable recommendation.
- The application went through two documented revisions with staff comments and corrections prior to being scheduled for Planning Commission and City Council.

REPORT ANALYSIS

Application Summary:

The applicant is requesting a zoning change to permit the development of a 33-unit townhome project. The site is located near 10378 S. Jordan Gateway and covers approximately 2.5 acres. The property is currently vacant and undeveloped.

Access to the project will be provided by a private drive connecting to Jordan Gateway near 10415 South. Internal streets will be private and vary in width. A secondary access point, restricted to emergency and fire vehicles, will be located at the north end of the eastern boundary through an easement on the adjacent property. Surface parking will primarily be located near the main entrance, with additional curbside parking along the east-west street, which is slightly wider than the others. In total, about 14 surface parking stalls are planned, and each unit will include a two-car garage.

A six-foot decorative masonry wall is proposed along the east boundary adjacent to the commercial property and along the north boundary, where neighboring land is largely vacant and zoned for agricultural use. A post-and-rail fence will be installed along the west edge, which borders a natural open space area. No fencing is currently proposed along the south boundary next to the apartment complex.

The development will feature two building types—front-load and rear-load garage designs—with structures ranging from two to three stories depending on site slope. The two easternmost buildings, situated on flat terrain, will be three stories tall throughout. Other buildings will appear as two or three stories depending on elevation changes. Exterior materials will include fiber-cement siding, stone, and shingles, with varied colors and patterns to create architectural diversity.

The project will incorporate natural open spaces with native or drought-tolerant landscaping on the east side. A shared dog park will be located in the southeast corner for both townhome and

adjacent apartment residents. A central grass play area will also be included. A detailed landscape plan will be provided with the preliminary subdivision application, and all landscaping will be reviewed for compliance with City standards.

Fiscal impact:

The attached exhibit shows the anticipated fiscal impacts of the request.

Development Agreement:

The proposed land use amendment and rezoning require the applicant to enter into a development agreement approved by the City Council. Approval of the PD Floating Zone and the associated development agreement would allow modifications to the underlying zoning, enabling a project that incorporates enhanced design features and mixed uses representing a higher standard of quality than what the base zone would typically permit.

The development agreement will outline general development standards and include provisions addressing site layout, architecture, amenities, and circulation—some of which may differ from or exceed standard City Code requirements. The applicant has agreed to, and City staff will recommend that the City Council approve, a development agreement including the following key elements:

- The project will be constructed in accordance with the concept plan and elevations attached to the agreement.
- Fencing will be installed as shown on the concept plan, with no fencing along the south boundary.
- Landscaping will feature a grassy open area, a dog park, and a natural open space on the east end.
- Roads, access points, and parking areas will be developed consistent with the concept plan.

The City Council may consider adding or modifying provisions within the development agreement.

Front Runner Station Area Plan

House Bill 462 requires cities with a fixed-guideway public transit station to prepare and adopt a Station Area Plan surrounding those stations. The plan must include at least a half-mile radius around rail stations and a quarter-mile radius around bus rapid transit (BRT) stations. Each plan must support the following objectives:

- Expand housing options and affordability, including moderate-income housing;
- Promote sustainable environmental practices;

- Improve access to employment, education, recreation, and commercial opportunities; and
- Increase transportation choices and connectivity.

The proposed project supports these objectives by adding new housing units and incorporating open space and community amenities. It also partially advances the plan goals by offering pedestrian and bicycle access through the Jordan Station Apartments, connecting to Jordan Gateway and the nearby rail station via existing sidewalks. In addition, the project's proximity to nearby businesses enhances access to jobs and services. By including a natural landscaped area with native vegetation on the west side, the project further contributes to the City's sustainability efforts. The Front Runner station area plan was adopted in 2025.

FINDINGS AND RECOMMENDATION

General Plan Conformance

The application is in conformance with the following goals and strategies from the General Plan:

MOVE GOAL 2: Improve traffic flow and circulation to major activity centers, within and without the City

- MG2.2. Continue to preserve the tranquility of residential neighborhood areas through circulation design that slows traffic flows and encourages safe driving practices such as on street parking, crosswalks, landscaping, etc.

MOVE GOAL 4: Expand and enhance the existing bike path network

- MG4.5. Work with developers and existing developments to implement safe bike/walking paths through parking lots and connect the trails to various buildings and stores

MOVE GOAL 5: Re-assess appropriate street standards, cross-sections, and connectivity throughout the City annually

- MG5.4. Require secondary access for new developments based upon the number of proposed lots and/or length of street
- MG5.6. Promote integrated residential neighborhoods by prohibiting gated communities and by encouraging CPTED (Crime Prevention through Environmental Design) standards

MOVE GOAL 6: Explore and consider new and innovative methods of reducing vehicle trips and improving air quality

- MG6.2. Continue to encourage each new development to create designs that invite people to walk and bicycle as much as possible

LIVE GOAL 2: Promote the development of diverse housing types which provide life-cycle housing for a full spectrum of users

- LG2.2. Encourage multi-family developments with a diversity of unit types with unique building features (building architecture, height, façade, etc.) to avoid a monotonous

visual appearance. Some examples of these development types could be townhomes, condos, and “mansion apartments” or apartments which appear to be one large single-family residence but house multiple housing units

LIVE GOAL 3: Facilitate the growth of new, safe, and well-planned neighborhoods within the City

- LG3.1. Ensure that all new developments include provisions for safe mobility (pedestrian and vehicular) by incorporating street lighting, sidewalks, and proper storm drainage and gutter systems

GROW GOAL 5: Reduce waste and excessive water use within the City

- GrG5.2. Encourage water saving techniques (drip irrigation, rain water harvesting, water recycling, installing low-flow fixtures)
- GrG5.4. Continue to develop and implement Low Impact Development (LID) standards to improve soil permeability and to avoid costly storm drainage systems

Strategic Priorities Conformance:

The application is in conformance with the following directives from the Strategic Direction:

- SC-4. Delivers a safe and reliable public and private infrastructure system
- RPI-1. Plans and coordinates with other stakeholders for quality public infrastructure (e.g. streets, culinary and secondary water, storm water, parks, trails, open space and public facilities)
- BRE-1. Develops effective, well-balanced, and consistently applied ordinances and policies
- BRE-2. Implements ordinances and policies that encourage quality community growth and development
- ED-2. Promotes the community as a safe, attractive, and quality place to live, work, and play
- ED-4. Establishes a predictable and efficient development process that fosters a high degree of collaboration and coordination within the community and with diverse stakeholders
- DAOS-4. Offers a variety of park amenities, recreation and art programs and community events for all ages and abilities.
- SG-2. Creates and supports environmentally sustainable programs including water conservation, recycling, energy conservation, and air quality improvement to ensure the financial well-being and long-term sustainability of the community.

Findings:

- As required by the PD Floating Zone process (see City Code § 17.130.050.020.A.1), the project was reviewed at a City Council study session meeting, on September 2, 2025 and again on October 21, 2025. Based on these discussions, the applicant chose to move forward with the proposal and negotiate development agreement terms with City staff.

- The Planning Commission unanimously voted to recommend approval of the application on November 12, 2025.
- The City Council may approve the application because it meets the rezone standards of approval of the City Code.
- The required development agreement provides predictability for how the property will look and will define the future uses. Any major changes to the agreement will require further approvals and a modification of the development agreement by the City Council.
- According to the applicant, they met with the Jordan River Commission and received positive recommendation on the project.
- The “Mixed Use TOD Opportunity - (MUT)” land use designation is defined in the General Plan as follows: “Mixed Use Transit Oriented Development Opportunity identifies active areas that are within ¼ mile of transit hubs. These areas support a vertical or horizontal mix of commercial, office, and higher density residential uses with entertainment, restaurants, bars, cafes, and businesses that do not require automotive transportation. These areas shall be located adjacent to regional transit hubs and provide accommodation for active transportation such as bike racks.”

Conclusions:

- The application is in conformance with the General Plan, the City’s Strategic Priorities and the Front Runner Station Area Plan.

Planning Staff Recommendation:

Staff recommends approval of the application based on the report analysis, findings, and conclusions listed above.

CITY COUNCIL ACTION

Required Action:

Final decision on development agreement, land use amendment and rezone.

Scope of Decision:

This is a legislative item. The decision should consider prior adopted policies, in addition to the station area plans for this area.

Standard of Approval:

As described in City Code §[17.22.020](#), the following guidelines shall be considered in the rezoning of parcels:

- 1- 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.
- 2- The parcel to be rezoned can accommodate the requirements of the proposed zone.
- 3- The rezoning will not impair the development potential of the parcel or neighboring properties.

Motion Ready:

I move that the City Council approve:

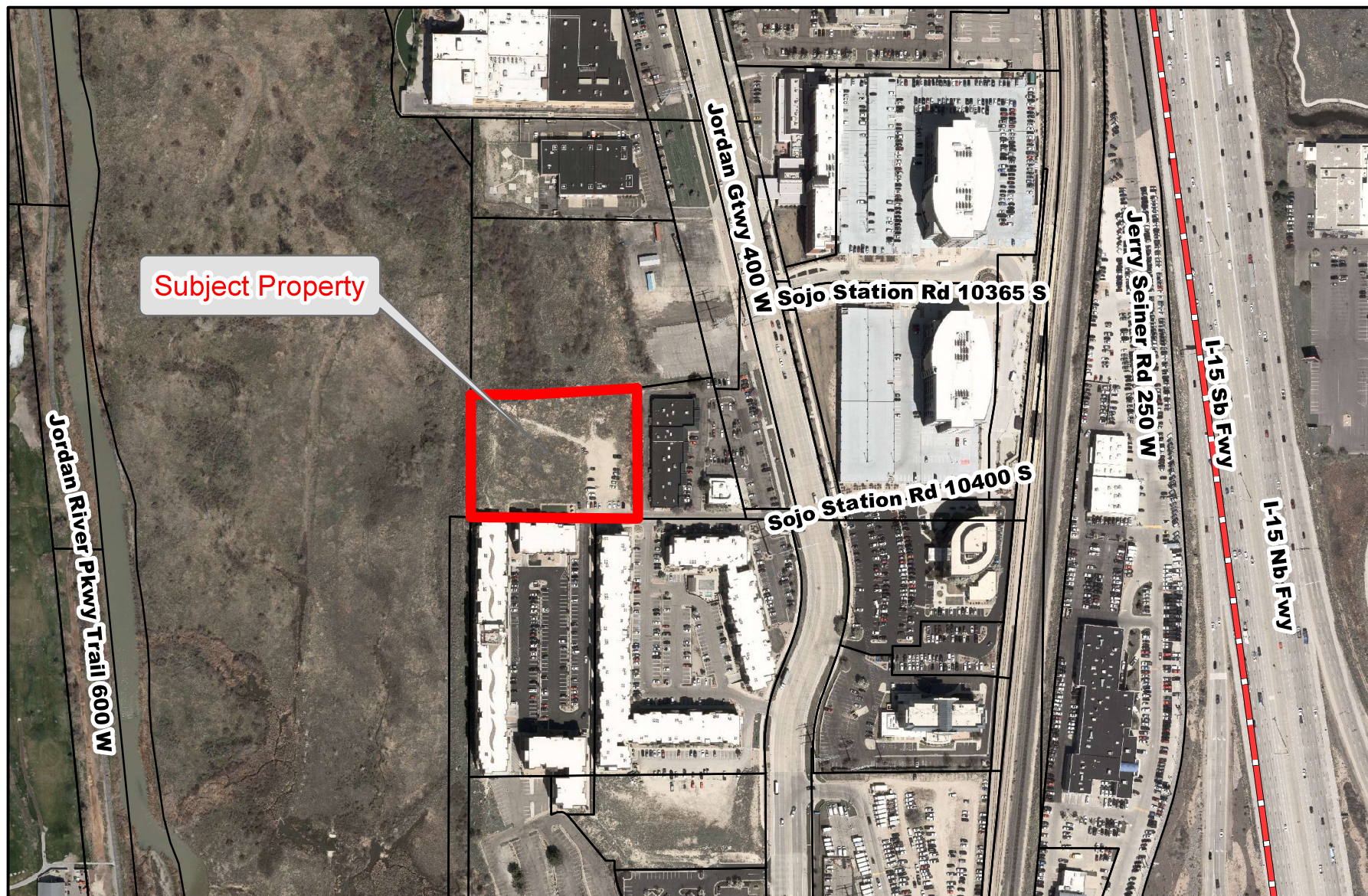
1. Resolution R2025-57 authorizing the Mayor to sign the development agreement; and
2. Ordinance No. 2025-08-Z approving the zone change.

Alternatives:

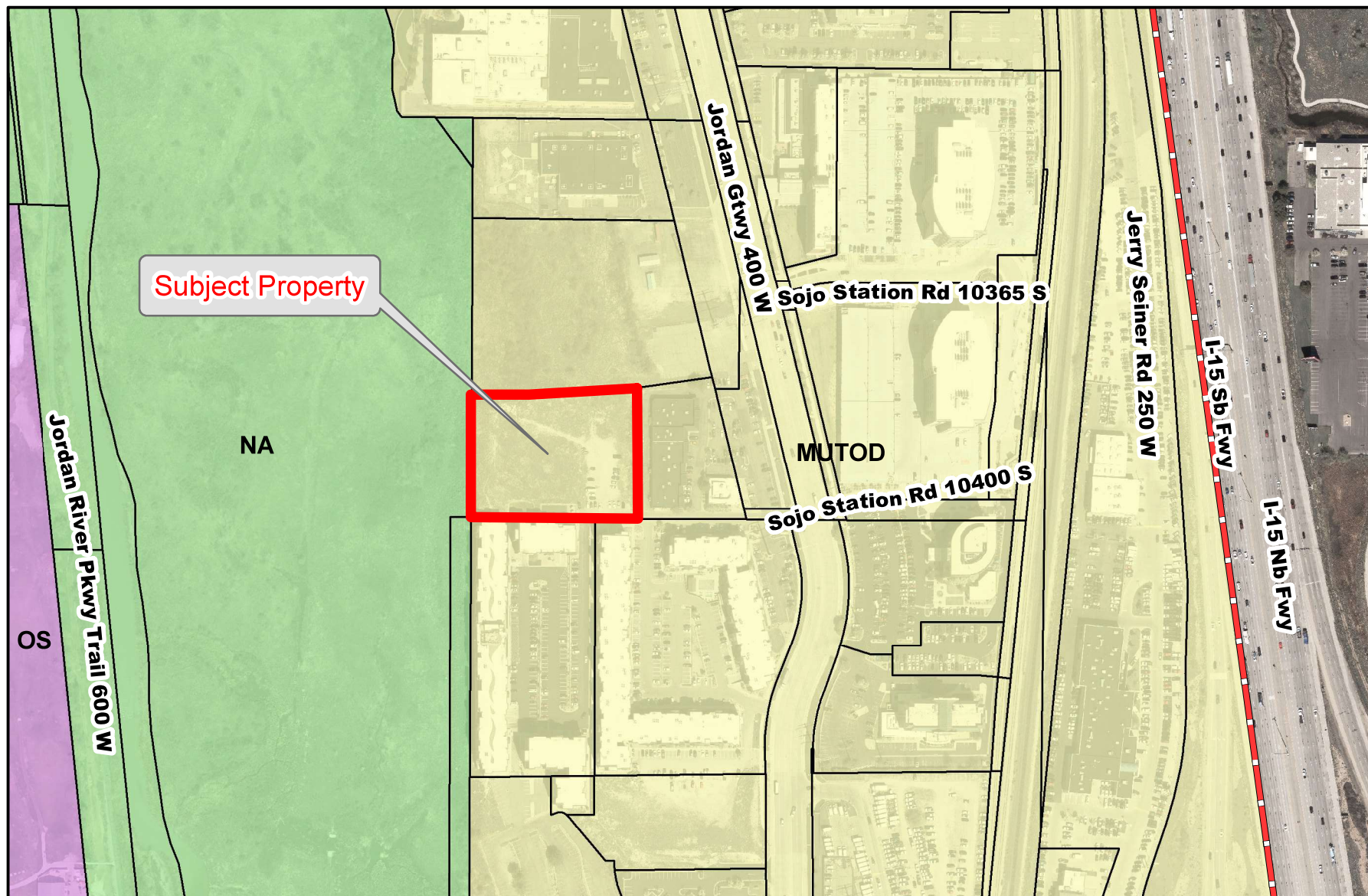
1. Approval with changes.
2. Denial of the application.
3. Schedule the application for a decision at some future date.

SUPPORTING MATERIALS

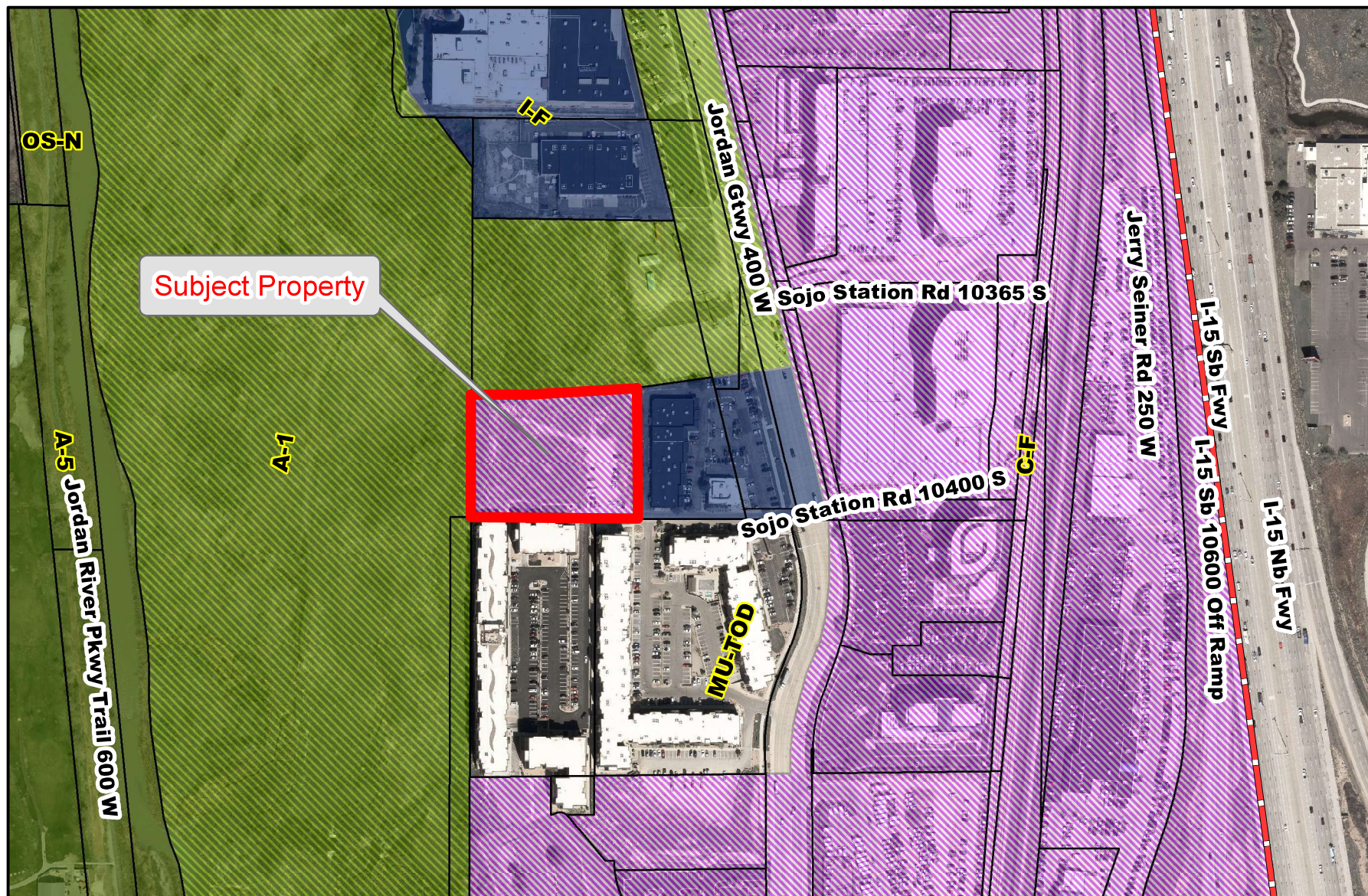
- Attachment A, Aerial Map
- Attachment B, Future Land Use Map
- Attachment C, Zoning Map
- Attachment D, Fiscal Impact Analysis
- Attachment E, Infrastructure Analysis
- Attachment F, Architectural Review Committee Meeting Minutes
- Attachment G, Resolution R2025-57 and the Development Agreement
- Attachment H, Ordinance 2025-08-Z



<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Aerial Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2025</p> <p>N W E S</p>
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<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Future Land Use Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2025</p> <p>W N E S</p>
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<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Zoning Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2025</p> <p>N W E S</p>
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Project Analysis

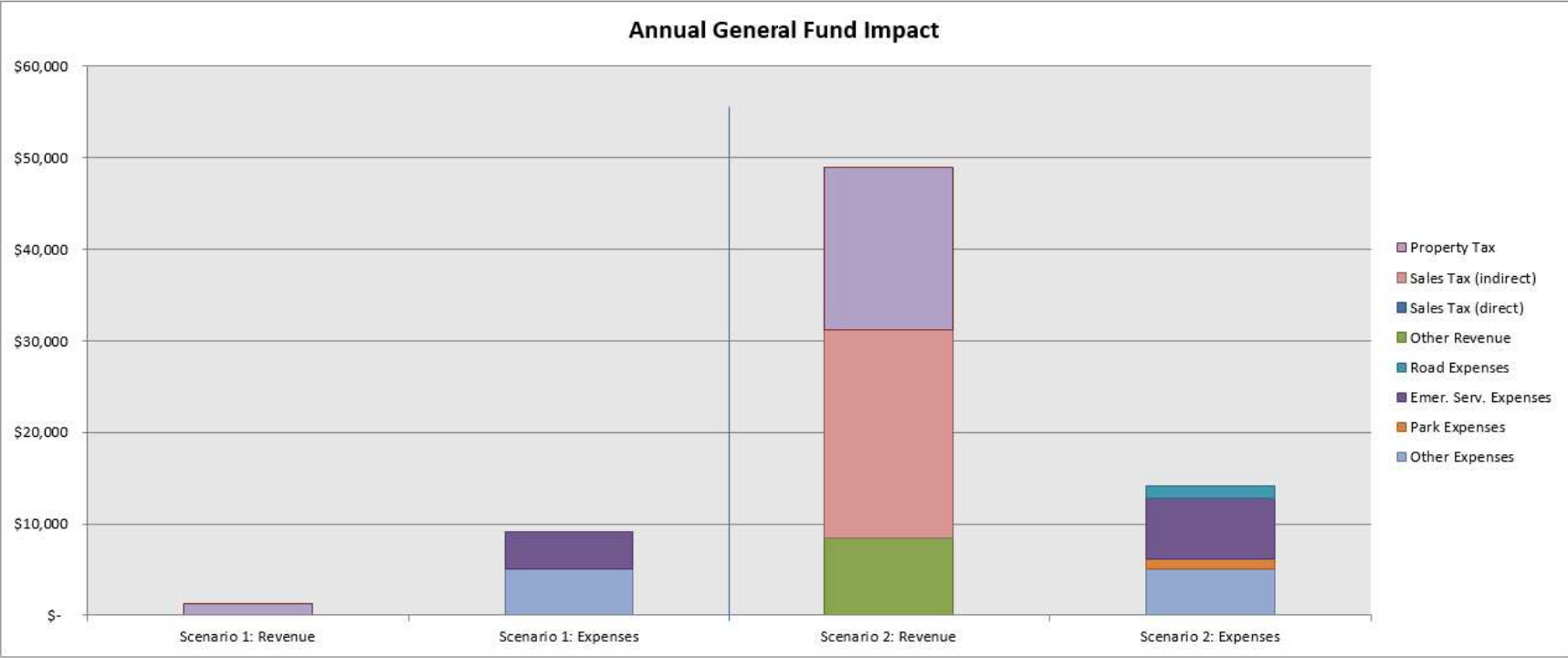
Project: Horizon - 10378 S Jordan Gateway (Fieldstone)

November 3, 2025

Scenario Descriptions		Financial Summary by Scenario	
Scenario 1:	No Change - C-F	Direct Impact (General Fund)	
No Change - C-F (2.49 acres)		No Change - C-F	R-M (PD)
		Revenue	\$ 26,169
		Property Tax	\$ 17,670
		Sales Tax (direct)	\$ -
		Other	\$ 8,499
Scenario 2:	R-M (PD)	Expenses	\$ 14,156
R-M (PD) (2.49 acres)		Roads	\$ 1,312
		Emergency Serv.	\$ 6,674
		Parks	\$ 1,131
		Other	\$ 5,039
		Total	\$ 12,013
		Per Acre	\$ 4,815.31
		Per Unit	\$ 364.03
		Per Person	\$ 123.72
Indirect Impact			
		Potential Retail Sales	\$ 2,301,886
		Sales Tax (indirect)	\$ 22,749

*Other Revenue - Includes Permits, Licenses, Motor Vehicle Tax, Energy Sales & Use Tax, Telecommunications Tax, and Cable Franchise Tax.

** Other Expense - Includes all other General Fund Expenses excluding Roads, Emergency Services, and Parks.



LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

Project Name/Number	Horizon Property Rezone 10378 S Jordan Gateway
Planner Assigned	Damir Drozdek
Engineer Assigned	Jared Francis

The Engineering Department has reviewed this application and has the following comments:

Transportation: *(Provide a brief description of the access, transportation master plan and how this change affects Master Plan, condition/status of existing roadways. Determine whether a Traffic Study should be completed)*

The ingress and egress for the property will be from Jordan Gateway, through 10415 South which is a private drive. All of the interior streets for the proposed development will also be private. The development will be required to provide a minimum 20' wide secondary access for fire and emergency services.

Culinary Water: *(Provide a brief description of the water servicing the area, look into deficiencies, and determine if water modeling needs to be performed at this time, look at Water Master Plan and evaluate the change to the Master Plan)*

There is an existing City-owned 8-inch water main in 10415 South. The future development will be required to provide a looped culinary water system so that there is more than one feed into the subdivision. Fire hydrants will be required on-site in accordance with City standards. A water model must be submitted as part of the preliminary subdivision application.

Secondary Water: *(Provide a brief description of the secondary water servicing the area, briefly look into feasibility)*

There doesn't appear to be a City-owned secondary water system in the vicinity of the property. Upon development, an engineer's cost estimate will be required to assess the feasibility, in accordance with City code, of the project providing a functional secondary water system for the new development.

Sanitary Sewer: *(Attach letter from South Valley Sewer stating that this zone/land use change does not affect service and that any future project can be serviced by the District)*

It is unclear how the property will obtain sewer service since there does not appear to be a sewer main in 10415 South and given the complications of the significant grade change across the property. The closest sewer manhole appears to be located on private property to the northeast of the project. The Jordan Basin Improvement District will determine the final design and connection requirements.

Storm Drainage: *(How will this area be serviced for storm drainage, kept on site, Master Storm Plan, etc. any other issues with drainage)*

To comply with State and City requirements, proposed developments must retain on-site all rainfall events less than or equal to the 80th percentile rainfall event using approved low impact development (LID) measures and best management practices (BMPs). For storm events exceeding the 80th percentile, the excess storm-water must either be retained on-site or discharged into an approved storm drain system. There is an existing City-owned storm drain line near the project's south property line. This system will need to be reviewed to determine if there is excess capacity to receive storm water from the future development.

Other Items: *(Any other items that might be of concern)*

Report Approved:

Jared Francis
Development Engineer

10/30/25
Date

Brad Klavano
Brad Klavano, PE, PLS
Director of Engineering Services/City Engineer

10/30/25
Date

**CITY OF SOUTH JORDAN
ARCHITECTURAL REVIEW COMMITTEE MEETING MINUTES
SOUTH JORDAN CITY HALL – MAPLE CONFERENCE ROOM
WEDNESDAY, OCTOBER 15, 2025,**



Attendance City Staff: *Ty Montavlo, Lori Harding, Kathie Johnson, Damir Drozdek*

Attendance Applicant(s): *Randy Smith, Jared Payne*

Minutes Prepared by: *Alina Aguilera*

ARCHITECTURAL REVIEW COMMITTEE MEETING

THE MEETING STARTED AT 8:30 A.M. AND THE MEETING WENT AS FOLLOWS:

A. GENERAL BUSINESS ITEMS

A.2. HORIZON

Location: 10378 S. Jordan Gateway
Applicant: Randy Smith, Fieldstone Homes
Planner: Damir Drozdek

Project description – Townhome community

What are the required steps to move forward with the project?

The applicants initiated the meeting by proposing a townhome community development.

Applicants initiated the conversation by explaining their development. Applicants have two different unit plans. One of the unit plans is a two-story unit that has a wider front load, but the garage is off-site so this space is considered a walk-out basement.

Applicants initiated a three-story unit with a garage on the basement level. The front door is located on the second floor. The lower level is a garage.

City staff expressed some concerns about whether the yard if it will be private with fencing. City staff also expressed concerns about having enough green space and an enclosed space for kids and pets. City staff had comments on perimeter fencing. Applicants expressed to city staff that they had to adjust to open space. Applicants moved the dog park and moved a building, which helped with grades.

Applicants addressed the city's staff concerns and proposed that some units could have an enclosed space.

The development is being built on a slope. It would be difficult for all units to have an enclosed space.

The city staff also mentioned altitude and having an open fence. Applicants expressed that it wouldn't be a problem. As they proposed not having a visual barrier. Applicants will need to have a masonry by city code along the east and on the north. On the west side of the development, they will need a split rail.

Applicants were asked if they would be to do vinyl. City staff expressed they could propose the idea to the City council and show the materials.

City staff also expressed concern about parking the original plan proposed was originally a one car garage. Applicants addressed that they modified there plans to have a 2 car garage instead of one.

Another concern city staff expressed to applicants was walk ability. City staff explained how in there project there isn't enough walk ways for pedestrians. An example would be people who are living in these units would have to walk out onto a street before reaching the dog park. Applicants addressed that they could contemplate backyards or maybe even a side walk.

The next step would be to come to a city council meeting and present there development with some adjustments and bring in vinyl materials to show council members and see if it is acceptable.

ADJOURNMENT

RESOLUTION R2025 - 57

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 10378 SOUTH JORDAN GATEWAY 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 Developer, Randy Smith / Fieldstone Homes now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property approximately located at 10378 South Jordan Gateway, South Jordan, Utah (the “Property”); and

WHEREAS, the City Council of the City of South Jordan (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. 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 _____, 2025 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:

Greg Simonsen
Greg Simonsen (Nov 26, 2025 09:33:19 MST)

Office of the City Attorney

EXHIBIT 1
(Development Agreement)

WHEN RECORDED RETURN TO:
 City of South Jordan
 Attn: City Recorder
 1600 West Towne Center Drive
 South Jordan, Utah 84095

DEVELOPMENT AGREEMENT (Horizon)

The City of South Jordan, a Utah municipal corporation (“**City**”), and Fieldstone Construction & Management Services, Inc., a Utah corporation (“**Developer**”), enter into this Development Agreement (“**Agreement**”) this _____ day of _____, 20____ (“**Effective Date**”), and agree as set forth below. The City and the Developer are jointly referred to as the “**Parties**”.

RECITALS

WHEREAS, the Developer has submitted to the City an “Owner’s Affidavit” attached as Exhibit A indicating that it is authorized to represent SJ Utah, LLC the owner (“**Owner**”) of certain real property identified as Assessor’s Parcel Number(s) 27-13-100-059 specifically described in attached Exhibit B (“**Property**”) in the entitlement and development of the Property and intends to develop the Property (“**Project**”) consistent with the Concept Plan attached and incorporated hereto as Exhibit C (“**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 Commercial-Freeway C-F zone (“**C-F Zone**”); and

WHEREAS, the Developer desires to act on behalf of Owner making improvements to the Property in conformity with this Agreement and desires a zone change on the Property from C-F to R-M-PD (“**R-M-PD Zone**”). A copy of the provisions of the R-M Zone designation in the South Jordan City Code is attached as Exhibit D, while a copy of the provisions of the PD Zone designation is attached as Exhibit E.

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

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

WHEREAS, this Agreement shall only be valid upon approval of such by the South Jordan City Council, pursuant to resolution R-2025-57 a copy of which is attached as Exhibit F; 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 C-F to a zone designated as R-M-PD.

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 C-F to a zone designated as R-M-PD.

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

D. Developer Obligations:

1. Concept Plan. The Developer agrees to construct the Project substantially consistent with the Concept Plan and the requirements set forth in this Agreement and the City Code. To the extent that circumstances require deviations from the Concept Plan as development proceeds, such deviations may be approved by City staff without modification of this Agreement, unless such deviations materially change the density, open space, or configuration of the Concept Plan.

2. Attached Single Family Housing. The Project will consist of 33 attached single-family townhome units, configured as shown in the Concept Plan.

3. Architecture.

- a. The Concept Plan includes sample building elevation plans, building materials, colors, etc. The final buildings are to be generally modeled after and consistent with these examples.
 - b. Garages will be minimum 19' by 19' in size.
 - c. Maximum height of buildings will be 42' feet.
- 4. Setbacks:
 - a. Private Drive Setback. Units will be setback a minimum of 5' from private alleys/drives.
 - b. Building Separation. Minimum building separation is 10' from face of building to face of building.
 - c. Property Line Setback. Minimum 10' building setback from property line. Measured from outside of foundation wall to property line.
- 5. Streets and Walkways. Streets and walkways shall be private and be configured as shown on the Concept Plan. Streets shall be 26 feet wide from face of curb to face of curb, the structural section shall be constructed to meet City Standards. All streets will be signed and maintained as fire lanes with no parking allowed as designated on the Concept Plan and to follow Fire Department Standards as required in International Fire Code 503.3 and 503.4.
- 6. Secondary Fire/Emergency Access Lane shall be dedicated via easement prior to final plat approval and shall be a minimum 20 feet wide, minimum clear height of 13 feet 6 inches; shall be designed by a licensed engineer and constructed to accommodate the loads and turning radii for fire apparatus, constructed to standards set forth in International Fire Code 503.2. The access, if gated, shall meet the requirements of the South Jordan Fire Department, to include an automatic gate that can be triggered by an emergency device approved by the Fire Department, and shall meet the standards listed in International Fire Code 503.6.
- 7. Waterline shall be looped, so that there is more than one feed into the subdivision as approved by the City Engineer. The waterline will be public and will be in an easement to the satisfaction of the City Engineer.
- 8. Stormwater shall be designed and retained/detained per City Standards as approved by the City Engineer.
- 9. Garbage Collection shall be privately contracted by the development HOA and not collected by the City Contractor.

10. Parking. Shall be configured as shown on the Concept Plan. Each unit will include a private 2-car garage.
11. Fencing. Shall be installed as indicated on the Concept Plan.
12. Open Space. Open space shall be configured as shown on the Concept Plan. The open space provided satisfies the required open space for the Project.
13. Wildland Urban Interface. All areas of the development that fall within the City's adopted Wildland Urban Interface (WUI) area must adhere to the adopted Wildland Urban Interface code as of the Effective Date.
14. Sale and Ownership of Units. The Developer intends that all residential units within the Project shall be offered for individual sale to the general public. It is the intent of the Developer, and a condition of this Agreement, that no single entity shall retain ownership or control of all the residential units for the purpose of leasing such units as rental housing. Notwithstanding the foregoing, nothing in this Agreement shall restrict or prohibit individual purchasers, subsequent owners, or their successors and assigns from leasing or renting their respective units in compliance with applicable laws, covenants, and homeowners' association rules, if any. Enforcement of this provision is an HOA matter, Developer or HOA will not be liable to the City for the acts of individual purchasers.

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.
2. Reimbursement for "Upsizing". The City shall not require the Developer or Owner to "upsized" any public improvements (i.e., to construct the improvements to a size larger than required to service the Project) unless financial arrangements reasonably acceptable to the Developer or Owner are made to compensate the Developer or Owner for the costs of such upsizing.

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) terms of this Agreement; (ii) the R-M-PD zoning designation and; (iii) the City Code in effect as of the Effective Date.
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, 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 communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least 10 days before the date on which the change is to become effective:

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

If to Developer:

Fieldstone Homes
 c/o Randy Smith
 12896 S Pony Express Rd. #400
 Draper, UT 84020

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

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

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

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

6. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by the City for the Property contain the entire agreement of the parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the parties which are not contained in such agreements, regulatory approvals and related conditions.

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

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

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

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

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

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

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

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

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

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

{Signatures follow on next page}

CITY OF SOUTH JORDAN,
a Utah Municipal Corporation

APPROVED AS TO FORM:

By: _____
Dawn R. Ramsey, Mayor

Greg Simonsen
Greg Simonsen (Nov 26, 2025 09:33:19 MST)

Attorney for the City

State of Utah)
:ss
County of Salt Lake)

On this ____ day of _____, 2025, personally appeared before me, whose identity 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 said document was signed by her in behalf of said municipal corporation 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.

Notary Public
My Commission Expires:

DEVELOPER:
Fieldstone Construction & Management Services, Inc.
a Utah Corporation

By: _____

State of Utah)
)
County of Salt Lake)

On this ____ day of _____, 2025, personally appeared before me, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he is the _____ of _____, and he acknowledged to me that said corporation executed the same.

Notary Public
My Commission Expires:

Exhibit A
(Owner's Affidavit)

OWNER'S AFFIDAVIT

This Owner's Affidavit (this "Affidavit") is made by SJ Utah, LLC (the "Owner") who is the legal and right property owner(s) of the following parcel(s): 27131000590000 (the "Property").

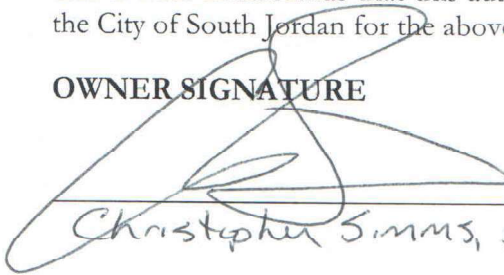
The Owner acknowledges that Fieldstone Homes (the "Representative") is authorized to represent Owner's interests in the Property for the following purposes (check all that apply):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Rezone the Property | <input checked="" type="checkbox"/> Variance Request |
| <input checked="" type="checkbox"/> Change Property's Future Land Use designation | <input type="checkbox"/> Accessory Dwelling Unit |
| <input checked="" type="checkbox"/> Development Agreement | <input type="checkbox"/> Reasonable Accommodation Request |
| <input checked="" type="checkbox"/> Subdivision or Subdivision Amendment | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Site Plan (may include a minor site plan or site plan amendment) | _____ |
| <input type="checkbox"/> Small Residential Development | _____ |
| <input type="checkbox"/> Conditional Use Permit | _____ |

The Owner understands that this authorization allows the Representative to submit applications to the City of South Jordan for the above-checked purposes.

OWNER SIGNATURE

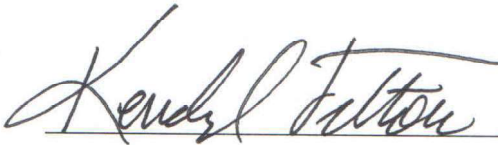
OWNER SIGNATURE


Christopher Simms, Manager

State of NORTH CAROLINA)

County of LINCOLN)

On the 8 day of JULY, 2025, personally appeared before me CHRISTOPHER COLE SIMMS, the signer of the above instrument, who duly subscribed and swore before me that he executed the same.


Kendyl Felton

Notary Public



(seal)

Exhibit B

(Legal Description of the Property)

AS-SURVEYED LEGAL DESCRIPTION

A parcel of land situated in the Northwest Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point on the North line of Lot 1, JORDAN STATION APARTMENTS, said point being South 00°54'50" West 1,338.00 feet along the Quarter Section line and North 89°48'25" West 915.49 feet from the North Quarter Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running;

thence North 89°48'25" West 377.94 feet;
thence North 00°05'54" West 281.47 feet;
thence South 89°27'04" East 122.08 feet;
thence North 86°26'00" East 256.33 feet;
thence South 00°05'54" East 297.52 feet to the point of beginning.

Contains 108,287 square feet or 2.486 acres

Exhibit C

CONCEPT PLAN

(Concept Plan, Building Elevations, Building Materials and Colors)

HORIZON

CONCEPT PLAN













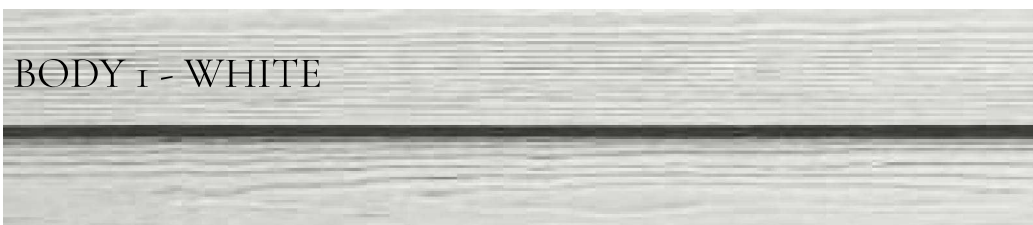
Horizon Front Load Exterior Scheme 1



SHINGLES



STONE



BODY 1 - WHITE



BODY 2 - AGED PEWTER

FSH | FieldStone
HOMES



Horizon Front Load Exterior Scheme 2



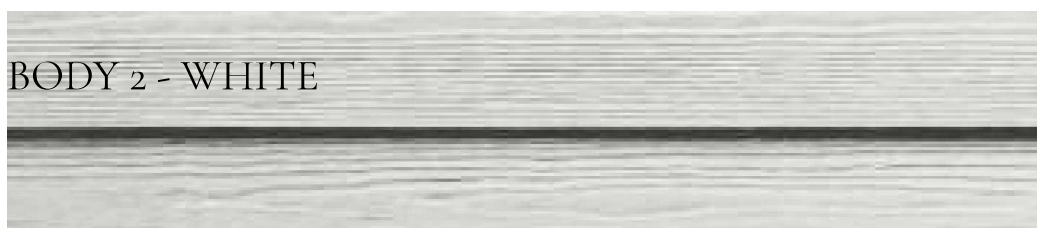
SHINGLES



STONE



BODY 1 - NIGHT GRAY



BODY 2 - WHITE

FSH | FieldStone
HOMES



Horizon Front Load Exterior Scheme 3



BODY 1 - AGED PEWTER

BODY 2 - WHITE

FSH | FieldStone
HOMES

Horizon Rear Load Exterior Scheme 1



SHINGLES



STONE

BODY 1 - NIGHT GRAY

BODY 2 - COBBLESTONE

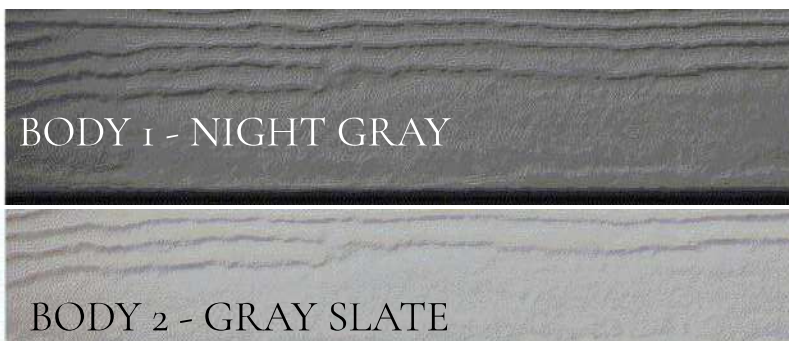
BODY 3 - AGED PEWTER

BODY 3 - WHITE

FSH | FieldStone
HOMES



Horizon Rear Load Exterior Scheme 2



FSH | FieldStone
HOMES

Horizon Rear Load Exterior Scheme 3



FSH | FieldStone
HOMES



Horizon Rear Load Exterior Scheme 4



SHINGLES



STONE



BODY 1 - NIGHT GRAY



BODY 2 - AGED PEWTER



BODY 3 - COBBLESTONE



BODY 3 - WHITE

FSH | FieldStone
HOMES

Exhibit D

R-M ZONE DESIGNATION

CHAPTER 17.40 RESIDENTIAL ZONES

17.40.010: PURPOSE

17.40.020: DEVELOPMENT AND DESIGN STANDARDS

17.40.030: OTHER REQUIREMENTS

17.40.010: PURPOSE

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

HISTORY

Repealed & Replaced by Ord. [2016-05](#) on 5/3/2016

17.40.020: DEVELOPMENT AND DESIGN STANDARDS

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

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

3. **Lot Density:** The maximum gross density (number of lots or primary dwelling units per acre) in any residential development in a residential zone shall not exceed the density shown in the lot density table below. The primary dwelling density of each area zoned R-M shall be determined, according to the densities established in the lot density table, with approval of a rezoning application per chapter 17.22, "Zoning Amendments", of this title and indicated on the official zoning map with a numerical suffix matching the approved density.

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

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

Zone	Minimum Width	Frontage (Standard)	Frontage (Diverged)
R-1.8	90'	90'	50'
R-2.5	90'	90'	50'
R-3	85'	85'	50'
R-4	80'	80'	50'

R-5	75'	75'	50'
R-M-5	65'	65'	40'
R-M-6	60'	60'	40'

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

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

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

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

Zone	Front Yard (Interior And Corner Lots)	Garage 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'

2. Note:

¹The 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.

3. Accessory Buildings: Minimum yard area requirements for accessory buildings are as follows:
1. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.
 2. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings less than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line.
 3. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').
 4. 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.

5. Projections: The following may be erected on or projected into any required yard space in Residential Zones:
 1. Fences and walls in conformance with this Code.
 2. Agricultural crops and landscape elements, including trees, shrubs and other plants.
 3. Utility or irrigation equipment or facilities.
 4. Decks not more than two feet (2') high.
 5. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.
 6. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.
7. 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.
8. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Residential Zones.
 1. Utility Screening: In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.
 2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.
 3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
 4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in Clear Vision Areas, according to Section 16.04.200 (J). A

masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.

5. Clear Vision Area: Landscape materials within a Clear Vision Area shall comply with Section 16.04.200 (J).
6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right-of-way in a Residential Zone shall be constructed according to section 16.04.200 of this Code.
9. Architecture: The following exterior materials and architectural standards are required in Residential Zones:
 1. General Architectural Standards:
 1. All building materials shall be high quality, durable and low maintenance.
 2. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.
 3. 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.
 4. Main buildings shall be no greater than thirty five feet (35') high.
 2. Architectural Standards For Main Buildings:
 1. Residential main buildings shall include a minimum two car garage. Each covered or enclosed parking space shall be a minimum of ten feet (10') wide and twenty feet (20') long.
 2. Single family (attached or detached) owner occupied affordable housing as defined in Utah Code 10-9a-534, do not require a garage but shall at minimum provide two (2) off street parking spaces. Uncovered parking spaces shall be a minimum of nine feet (9') wide and twenty feet (20') long. Covered or enclosed parking spaces shall be a minimum of ten feet (10') wide and twenty feet (20') long.
 3. The minimum total floor area, finished and unfinished, of any residential main building shall be one thousand (1,000) square feet not including a garage.
 4. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.
 3. Architectural Standards For Accessory Buildings:

1. 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.
 2. 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.
 3. 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.
 4. 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.
 5. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.
10. Landscaping: The following landscaping requirements and standards shall apply in Residential Zones. Landscaping in Residential Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.
1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area covered in acceptable live plant material unless otherwise approved with a conditional use permit.

2. All collector street and other public and private park strips in Residential Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.
3. Where an adjacent park strip in a residential right-of-way is a minimum of five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip, except that park strip trees shall not be planted within thirty feet (30') of a stop sign. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.
4. In developments that have a principal use other than single-family, detached, the following landscaping requirements shall apply:
 1. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.
 2. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sports or play areas, is required. At least thirty percent (30%) of all required trees shall be a minimum seven foot (7') evergreen. Deciduous trees shall be a minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.
 3. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.
 4. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.
 5. All landscaped areas shall be curbed.
5. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any area so included and perpetually preserved as open space may be counted toward required open space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.
6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300, "Deferred Improvements", of this Code.

7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public rights-of-way that are not maintained by the City.
8. Required trees may not be topped and required landscape material may not be removed in Residential Zones without City approval.
9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

11. 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.

12. 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.

HISTORY

Repealed & Replaced by Ord. [2016-05](#) on 5/3/2016

Amended by Ord. [2017-22](#) on 7/18/2017

Amended by Ord. [2019-01](#) on 3/5/2019

Amended by Ord. [2019-06](#) on 3/19/2019

Amended by Ord. [2021-06](#) on 2/16/2021

Amended by Ord. [2021-09](#) on 5/4/2021

Amended by Ord. [2021-20](#) on 10/5/2021

Amended by Ord. [2022-16](#) on 12/6/2022

Amended by Ord. [2025-16](#) on 10/7/2025

17.40.030: OTHER REQUIREMENTS

1. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel.
2. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.
3. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.

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

HISTORY

Repealed & Replaced by Ord. [2016-05](#) on 5/3/2016

Amended by Ord. [2019-01](#) on 3/5/2019

Exhibit E

PD ZONE DESIGNATION

17.130.050: PLANNED DEVELOPMENT FLOATING ZONE

17.130.050.010: PURPOSE

17.130.050.020: ESTABLISHMENT

17.130.050.030: AMENDMENTS

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.

HISTORY

Amended by Ord. [2016-05](#) on 5/3/2016

Amended by Ord. [2024-02](#) on 1/16/2024

17.130.050.020: ESTABLISHMENT

1. 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.

2. Development Plan Requirements:

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:
 1. Site plan/conceptual subdivision plan;
 2. Circulation and access plan;
 3. Building elevations, materials, and colors;
 4. Landscape and open space plan;
 5. Signage plan;
 6. Lighting plan; and
 7. Allowed uses.

3. 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 in a PD District shall not exceed 8 units per acre unless one or more of the following conditions are applicable:
 1. The subject property is located entirely within a designated Station Area Plan (SAP).
 2. The subject property is located east of the Frontrunner rail line and the proposed PD District is primarily commercial uses.
 3. The City of South Jordan is the applicant.

4. 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.

5. 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.

HISTORY

Amended by Ord. [2016-05](#) on 5/3/2016

Amended by Ord. [2019-01](#) on 3/5/2019

Amended by Ord. [2023-07](#) on 5/2/2023

Amended by Ord. [2024-02](#) on 1/16/2024

Amended by Ord. [2025-06](#) on 2/4/2025

[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.

HISTORY

Amended by Ord. [2016-05](#) on 5/3/2016

Amended by Ord. [2023-07](#) on 5/2/2023

EXHIBIT F

RESOLUTION R-2025-57

ORDINANCE NO. 2025 – 08 - Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY GENERALLY LOCATED AT 10378 SOUTH JORDAN GATEWAY IN THE CITY OF SOUTH JORDAN FROM C-F (COMMERCIAL - FREEWAY) ZONE TO R-M (RESIDENTIAL - MULTIPLE) ZONE AND PD (PLANNED DEVELOPMENT) FLOATING ZONE; RANDY SMITH / FIELDSTONE HOMES, (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, Applicant, Randy Smith/Fieldstone Homes, proposed that the City Council amend the Zoning Map by rezoning the property described in the attached **Exhibit A**; 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 PLZBA202500153, filed by Randy Smith / Fieldstone Homes and located at approximately 10378 S. Jordan Gateway in the City of South Jordan, Utah, is hereby rezoned from C-F (Commercial - Freeway) Zone to R-M (Residential - Multiple) Zone and PD (Planned Development) Floating 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 _____, 2025 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 (Nov 26, 2025 11:52:08 MST)

Office of the City Attorney

EXHIBIT A
(Property Description)

Parcel: 27-13-100-059

A parcel of land situated in the Northwest Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point on the North line of Lot 1, JORDAN STATION APARTMENTS, said point being South 00°54'50" West 1,338.00 feet along the Quarter Section line and North 89°48'25" West 915.49 feet from the North Quarter Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running;

thence North 89°48'25" West 377.94 feet;
thence North 00°05'54" West 281.47 feet;
thence South 89°27'04" East 122.08 feet;
thence North 86°26'00" East 256.33 feet;
thence South 00°05'54" East 297.52 feet to the point of beginning.

Contains 108,287 square feet or 2.486 acres

South Jordan, Utah

December 2, 2025

The City Council (the “Council”) of South Jordan City, Utah (the “City”), met in regular session (including by electronic means) on December 2, 2025, at its regular meeting place in South Jordan, Utah at 6:30 p.m., with the following members of the Council being present:

Dawn R. Ramsey	Mayor
Patrick Harris	Councilmember
Kathie L Johnson	Councilmember
Donald J. Shelton	Councilmember
Tamara Zander	Councilmember
Jason T. McGuire	Councilmember

Also present:

Dustin Lewis	City Manager
Ryan Loose	City Attorney
Anna Crookston	City Recorder

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, the City Recorder presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this December 2, 2025, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Resolution was introduced in writing, read in full and pursuant to motion duly made by Councilmember _____ and seconded by Councilmember _____ adopted by the following vote:

AYE:

NAY:

The resolution was later signed by the Mayor and recorded by the City Recorder in the official records of the City. The resolution is as follows:

RESOLUTION R2025-64

A RESOLUTION OF THE CITY COUNCIL (THE “COUNCIL”) OF SOUTH JORDAN, UTAH (THE “CITY”), PROVIDING FOR THE CREATION OF DOWNTOWN DAYBREAK PUBLIC INFRASTRUCTURE DISTRICT NO. 1 (THE “DISTRICT”) AS AN INDEPENDENT DISTRICT; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT; APPOINTING A BOARD OF TRUSTEES; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.

WHEREAS, a petition (the “Petition”) was filed with the City requesting adoption by resolution of the creation of a Public Infrastructure District pursuant to the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953, as amended (the “PID Act”) and relevant portions of the Limited Purpose Local Government Entities - Special Districts, Title 17B (together with the PID Act, the “Act”) within the City and the annexation or withdrawal of any portion of the boundaries of the District therefrom without further approval or hearings of the City or the Council, as further described in the Governing Document (as hereinafter defined) for the purpose of financing public infrastructure costs; and

WHEREAS, pursuant to the terms of the Act, the City may create one or more public infrastructure district by adoption of a resolution of the Council and with consent of 100% of all surface property owners proposed to be included in the District (the “Property Owners”); and

WHEREAS, the Petition, containing the consent of such Property Owners has been certified by the Recorder of the City pursuant to the Act and it is in the best interests of the Property Owners that the creation of the District be authorized in the manner and for the purposes hereinafter set forth; and

WHEREAS, the Council, prior to consideration of this Resolution, held a public hearing on December 2, 2025, to receive input from the public regarding the creation of the District and the Property Owners have waived the 60-day protest period pursuant to Section 17D-4-201 of the PID Act; and

WHEREAS, the hearing on the Petition was held at the South Jordan City Hall in the City Council Chambers because there is no reasonable place to hold a public hearing within the District’s boundaries, and the hearing at the South Jordan City Hall was held as close to the proposed District’s boundaries as reasonably possible and as allowed for by the Act; and

WHEREAS, the City properly published notice of the public hearing in compliance with Section 17B-1-211(1) of the Act; and

WHEREAS, none of the Property Owners submitted a withdrawal of consent to the creation of the District before the public hearing on the Petition; and

WHEREAS, according to attestations filed with the City, each board member appointed under this Resolution is registered to vote at their primary residence and is further eligible to serve as a board member of the District under Section 17D-4-202(3)(c) of the PID Act because they are agents of property owners within the District’s boundaries (as further set forth in the Petition); and

WHEREAS, it is necessary to authorize the creation of the District under and in compliance with the laws of the State of Utah and to authorize other actions in connection therewith; and

WHEREAS, the governance of the District shall be in accordance with the PID Act and the terms of a governing document (the “Governing Document”) attached hereto as Exhibit B; and

WHEREAS, pursuant to the requirements of the Act, there shall be signed, authenticated, and submitted to the Office of the Lieutenant Governor of the State of Utah for the District a Notice of Boundary Action attached hereto as Exhibit C (the “Boundary Notice”) and Final Entity Plat attached to each as Boundary Notice Appendix B (or as shall be finalized in accordance with the boundaries approved hereunder) (the “Plat”).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL, AS FOLLOWS:

1. Terms defined in the foregoing recitals shall have the same meaning when used herein. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the Council and by officers of the Council directed towards the creation and establishment of the District, are hereby ratified, approved and confirmed.

2. The District is hereby created as a separate entity from the City in accordance with the Governing Document and the Act. The boundaries of the District shall be as set forth in the Governing Document and the Plat.

3. Pursuant to the terms of the PID Act, the Council does hereby approve the annexation or withdrawal of any area within the Annexation Area (as defined in the Governing Document) into or from the District, as applicable, without any further action, hearings, or resolutions of the Council or the City, upon compliance with the terms of the PID Act and the Governing Document.

4. The Council does hereby authorize the District to provide services relating to the financing and construction of public infrastructure within and without the Annexation Area upon annexation thereof into the District without further request of the District to the City to provide such service under Section 17B-1-407, Utah Code Annotated 1953 or resolutions of the City under Section 17B-1-408, Utah Code Annotated 1953.

5. It is hereby found and determined by the Council that the creation of the District is appropriate to the general welfare, order and security of the City, and the organization of the District pursuant to the PID Act is hereby approved.

6. The Governing Document in the form presented to this meeting and attached hereto as Exhibit B is hereby authorized and approved and the District shall be governed by the terms thereof and applicable law.

7. The Board of Trustee of the District (the “District Board”) shall be initially composed of the same members. The initial Board of the District is hereby appointed as follows:

(a) Trustee 1 – Brad Holmes, for an initial 6-year term;

- (b) Trustee 2 – Eric Carlson, for an initial 4-year term; and
- (c) Trustee 3 – Mike Kunkel, for an initial 6-year term.

(d) Such terms shall commence on the date of issuance of a Certificate of Incorporation by the Office of the Lieutenant Governor of the State of Utah.

8. The Council does hereby authorize its Chair to execute the Boundary Notice in substantially the form attached as Exhibit C, the Plats, and such other documents as shall be required to accomplish the actions contemplated herein on behalf of the Council for submission to the Office of the Lieutenant Governor of the State of Utah.

9. Prior to recordation of the certificate of incorporation for the District, the Council does hereby authorize its Chair, the City Manager, or the City Attorney to make any corrections, deletions, or additions to the Governing Document and the Boundary Notice or any other document herein authorized and approved (including, but not limited to, corrections to the property descriptions therein contained) which may be necessary to conform the same to the intent hereof, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

11. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

12. All acts, orders and resolutions, and parts thereof in conflict with this Resolution be, and the same are hereby, rescinded.

13. This Resolution shall take effect immediately.

APPROVED AND ADOPTED by the City Council of South Jordan, Utah, this 2nd day of December, 2025.

SOUTH JORDAN, UTAH

By: _____
Mayor

ATTEST:

By: _____
City Recorder

Approved as to form:

Office of the City Attorney

(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the meeting of the Council of the City adjourned.

By: _____
Mayor

ATTEST:

By: _____
City Recorder

Approved as to form:

Office of the City Attorney

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

I, Anna Crookston, the undersigned duly qualified and acting City Recorder of South Jordan City, Utah (the “City”), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the City Council (the "Council"), had and taken at a lawful meeting of the Council on December 2, 2025, commencing at the hour of 6:30 p.m., as recorded in the regular official book of the proceedings of the Council kept in my office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

All members of the Council were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City,
this December 2, 2025.

By: _____
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Anna Crookston, the undersigned City Recorder of South Jordan City, Utah (the "City"), do hereby certify that I gave written public notice of the agenda, date, time and place of the regular meeting held by the Council (the "Council") on December 2, 2025, not less than twenty-four (24) hours in advance of the meeting. The public notice was given in compliance with the requirements of the Utah Open and Public Meetings Act, Section 52-4-202, Utah Code Annotated 1953, as amended, by:

(a) causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting; and

(c) causing a copy of such notice, in the form attached hereto as Schedule 1 to be posted on the City's official website at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2025 Annual Meeting Schedule for the Council (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Council of the City to be held during the year, by causing said Notice to be posted at least annually (a) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended, (b) on the City's official website and (c) in a public location within the City that is reasonably likely to be seen by residents of the City.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this December 2, 2025.

By: _____
City Recorder

SCHEDULE 1

NOTICE OF MEETING AND AGENDA

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

EXHIBIT B
GOVERNING DOCUMENT

**GOVERNING DOCUMENT
FOR
DOWNTOWN DAYBREAK
PUBLIC INFRASTRUCTURE DISTRICT NO. 1
SOUTH JORDAN CITY, UTAH**

_____, 2025

Prepared by:
Snow Jensen & Reece, PC
St. George, Utah

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LIST OF EXHIBITS

EXHIBIT A	Legal Descriptions
EXHIBIT B	South Jordan City Vicinity Map
EXHIBIT C	Initial District and Annexation Area Boundary Map

DRAFT

I. INTRODUCTION

A. Purpose and Intent.

The District is an independent unit of local government, separate and distinct from the City, and, except as may otherwise be provided for by the State or local law or this Governing Document, its activities are subject to review by the City only insofar as they may deviate in a material matter from the requirements of the Governing Document. It is intended that the District will provide a part or all of the Public Improvements for the use and benefit of all anticipated inhabitants and taxpayers of the District. The primary purpose of the District will be to finance the construction of these Public Improvements. The District is not being created to provide any ongoing operations and maintenance services.

B. Need for the District.

There are currently no other governmental entities, including the City, located in the immediate vicinity of the District that consider it desirable, feasible or practical to undertake the planning, design, acquisition, construction installation, relocation, redevelopment, and financing of the Public Improvements needed for the Project. Formation of the District is therefore necessary in order for the Public Improvements required for the Project to be provided in the most economic manner possible.

C. Objective of the City Regarding District's Governing Document.

The City's objective in approving this Governing Document for the District is to authorize the District to provide for the planning, design, acquisition, construction, installation, relocation and redevelopment of the Public Improvements from the proceeds of Debt to be issued by the District. All Debt is expected to be repaid by tax increment revenues, Assessments, and other legal revenue sources (excluding taxes levied and collected by the District, which are not permitted). Debt which is issued within these parameters and, as further described in the Financial Plan, will insulate property owners from excessive tax burdens to support the servicing of the Debt and will result in a timely and reasonable discharge of the Debt.

This Governing Document is intended to establish a limited purpose for the District and explicit financial constraints that are not to be violated under any circumstances. The primary purpose is to provide for the Public Improvements associated with development and regional needs. Although the District has authority to directly provide public improvements, the District also has the authority to pledge tax increment revenues to an interlocal entity that provides public improvements.

It is the intent of the District to dissolve upon payment or defeasance of all Debt incurred by such District, or upon a determination that adequate provision has been made for the payment of all Debt by such District.

The District shall be authorized to finance the Public Improvements that can be funded from Debt to be repaid from tax increment, Assessments, or other legal revenue, (excluding

taxes levied and collected by the District, which are not permitted). Generally, the cost of Public Improvements that cannot be funded within these parameters are not costs to be paid by the District.

II. DEFINITIONS

In this Governing Document, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Annexation Area Boundaries: means the boundaries of the area described in the Annexation Area Boundary Map which has been approved by the City for annexation or withdrawal from or into the District upon the meeting of certain requirements.

Annexation Area Boundary Map: means the map attached hereto as **Exhibit C-2**, describing the property proposed for potential future annexation into or withdrawal from the District.

Approved Development Plan: means a Preliminary Development Plan or other process established by the City for identifying, among other things, Public Improvements necessary for facilitating development for property within the District Area as approved by the City pursuant to the City Code and as amended pursuant to the City Code from time to time. For purposes of this Governing Document, the South Station HTRZ & Master Development Agreement for the Kennecott Master Subdivision #1 Project, shall together constitute an Approved Development Plan.

Assessment: means (i) the levy of an assessment secured by a lien on property within a District to pay for the costs of Public Improvements benefitting such property or (2) an assessment by a District levied on private property within such District to cover the costs of an energy efficient upgrade, a renewable energy system, or an electric vehicle charging infrastructure, each as may be levied pursuant to the Assessment Act.

Assessment Act: means collectively, (i) Title 11, Chapter 42, Utah Code as may be amended from time to time, and (ii) the C-PACE Act.

Board: means the boards of trustees of the District.

Bond, Bonds or Debt: means bonds or other obligations, including loans of any property owner, for the payment of which the District has promised to pledge tax increment revenue, collect Assessments or other Fees, or pledged any legally available revenues.

City: means South Jordan City, Utah.

City Code: means the City Code of South Jordan City, Utah.

City Council: means the City Council of South Jordan City, Utah.

C-PACE Act: means Title 11, Chapter 42a of the Utah Code, as amended from time to time and any successor statute thereto.

C-PACE Bonds: means bonds, loans, notes, or other structures and obligations of the District issued pursuant to the C-PACE Act, including refunding C-PACE Bonds.

C-PACE Assessments: means assessments levied under the C-PACE Act.

District: means the Downtown Daybreak Public Infrastructure District No. 1.

District Area: means the property within the Initial District Boundary Map and the Annexation Area Boundary Map.

End User: means any owner, or tenant of any owner, of any improved property within the Districts, other than a developer or builder which developed or improved the property solely for resale to an End User. By way of illustration, an owner or tenant of a property for which a certificate of occupancy has been issued, is an End User, but excluding a developer or builder which developed or constructed a property solely for resale.

Fees: means any fee imposed by a District for administrative services provided by the District.

Financial Plan: means the Financial Plan described in Section VIII which describes (i) the potential means whereby the Public Improvements may be financed; and (ii) how the Debt is expected to be incurred.

Governing Document: means this Governing Document for the District approved by the City Council.

Governing Document Amendment: means an amendment to the Governing Document approved by the City Council in accordance with the City's ordinance and the applicable state law and approved by the Board in accordance with applicable state law.

Initial District Boundaries: means the boundaries of the area described in the Initial District Boundary Map.

Initial District Boundary Map: means the map attached hereto as **Exhibit C**, describing the District's initial boundaries.

Municipal Advisor: means a consultant that: (i) advises Utah governmental entities on matters relating to the issuance of securities by Utah governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (ii) shall be an individual listed as a public finance advisor in the Bond Buyer's Municipal Market Place; and (iii) is not an officer or employee of the District.

Project: means the development or property commonly referred to as Downtown Daybreak.

PID Act: means Title 17D, Chapter 4 of the Utah Code, as amended from time to time and any successor statute thereto.

Public Improvements: means a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped and financed as generally described in the District Act, except as specifically limited in Section V below to serve the future taxpayers and inhabitants of the District Area as determined by the Board, and includes Public Infrastructure and Improvements as defined in the PID Act. Public Improvements specifically may include water rights acquired by a District for the benefit of the City or other public entity.

Regional Improvements: means Public Improvements and facilities that benefit the District Area and which are to be financed pursuant to Section VII below.

Special District Act: means Title 17B of the Utah Code, as amended from time to time.

State: means the State of Utah.

Trustee: means a member of the Board of a District.

Utah Code: means the Utah Code Annotated 1953, as amended.

III. **BOUNDARIES**

The area of the Initial District Boundaries includes approximately 0.153 acres, and the area of the Annexation Area includes approximately 309.13 acres, which is inclusive of all property within the Initial District Boundaries. A legal description of the Initial District Boundaries is attached hereto as **Exhibit A**. A vicinity map is attached hereto as **Exhibit B**. A map of the Initial District Boundaries and a map and parcel list of the Annexation Area Boundaries is attached hereto as **Exhibit C**. It is anticipated that the District's boundaries may change from time to time as it undergoes annexations and withdrawals pursuant to Section 17B-4-201, Utah Code, subject to Article V below.

IV. **PROPOSED LAND USE/POPULATION PROJECTIONS/ASSESSED VALUATION**

The District Area consists of approximately 309.13 acres that currently exist as commercially developed and undeveloped land. The current assessed valuation of the District Area at build out is expected to be sufficient to reasonably discharge the Debt under the Financial Plan.

Approval of this Governing Document by the City does not imply approval of the development of a specific area within the District, nor does it imply approval of the number of

units or the total site/floor area of commercial or industrial buildings identified in this Governing Document or any of the exhibits attached thereto, unless the same is contained within an Approved Development Plan.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the District and Governing Document Amendment.

The District shall have the power and authority to provide the Public Improvements within and without the boundaries of the District as such power and authority is described in the PID Act, the Special District Act, and other applicable statutes, common law and the Constitution, subject to the limitations set forth herein.

1. **Operations and Maintenance Limitation.** The purpose of the District is to plan for, design, acquire, construct, install, relocate, redevelop and finance the Public Improvements. The District shall dedicate the Public Improvements to the City or other appropriate public or private entity, utility, or owners association in a manner consistent with the Approved Development Plan and other rules and regulations of the City and applicable provisions of the City Code and PID Act. The District shall be authorized, but not obligated, to own, operate, and maintain Public Improvements not otherwise required to be dedicated to the City or other public entity.

2. **Improvements Limitation.** Notwithstanding the foregoing, without written authorization of the City, the District shall not be authorized to finance the costs of any improvements or facilities which are to be ultimately owned by the District.

3. **Construction Standards Limitation.** The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction. The District will require developers to obtain the City's approval of civil engineering plans and to obtain applicable permits for construction and installation of Public Improvements prior to performing such work.

4. **Procurement.** The District shall be subject to the Utah Procurement Code, Title 63G, Chapter 6a. Notwithstanding this requirement, the District may acquire completed or partially completed improvements for fair market value as reasonably determined by a surveyor or engineer that such District employs or engages, consistent with applicable provisions of the PID Act.

5. **Privately Placed Debt Limitation.** Prior to the issuance of any privately placed Debt, the District shall obtain the certification of a Municipal Advisor substantially as follows:

We are [I am] a Municipal Advisor within the meaning of the District's Governing Document.

We [I] certify that (1) the net effective interest rate to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

6. Annexation and Withdrawal.

(a) The District shall not include within any of their boundaries any property outside the District Area without the prior written consent of the City. The City, by resolution and this Governing Document, has consented to the annexation of any area within the Annexation Area Boundaries into the District. Such area may only be annexed upon the District obtaining any consents required under the PID Act and the passage of a resolution of the Board approving such annexation.

(b) The City, by resolution and this Governing Document, has consented to the withdrawal of any area within the District Area from a District. Such area may only be withdrawn upon such District obtaining any consents required under the PID Act and the passage of a resolution of the Board approving such withdrawal.

(c) Any annexation or withdrawal shall be in accordance with the requirements of the PID Act.

(d) Upon any annexation or withdrawal, the District shall provide the City a description of the revised District Boundaries.

(e) Annexation or withdrawal of any area in accordance with V.A.6(a) and (b) shall not constitute an amendment of this Governing Document.

7. Reserved.

8. Initial Debt Limitation. On or before the effective date of approval by the City of an Approved Development Plan, the District shall not: (a) issue any Debt; nor (b) impose a mill levy for the payment of Debt by direct imposition or by transfer of funds from the operating fund to the Debt service funds; nor (c) impose and collect any Assessments used for the purpose of repayment of Debt.

9. Total Debt Issuance Limitation. There shall be no limit on the amount of Debt which may be issued by the District.

10. Bankruptcy Limitation. All of the limitations contained in this Governing Document have been established under the authority of the City to approve a Governing

Document with conditions pursuant to Section 17D-4-201(5), Utah Code. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Governing Document Amendment; and

(b) Are, together with all other requirements of Utah law, included in the “political or governmental powers” reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the “regulatory or electoral approval necessary under applicable nonbankruptcy law” as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

11. Governing Document Amendment Requirement.

(a) This Governing Document has been designed with sufficient flexibility to enable the District to provide required facilities under evolving circumstances without the need for numerous amendments. Actions of the District which violate the limitations set forth in V.A. 1-9 above or in VIII.B-G. shall be deemed to be material modifications to this Governing Document and the City shall be entitled to all remedies available under State and local law to enjoin such actions of the District.

(b) Subject to the limitations and exceptions contained herein, this Governing Document may be amended by passage of resolutions of the City and the District approving such amendment.

B. Preliminary Engineering Survey.

The District shall have authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment, maintenance, and financing of the Public Improvements within and without the boundaries of the District, to be more specifically defined in an Approved Development Plan.

All of the Public Improvements will be designed in such a way as to assure that the Public Improvements standards will be compatible with those of the City and/or any other applicable public entity and shall be in accordance with the requirements of the Approved Development Plan. All construction cost estimates are based on the assumption that construction conforms to applicable local, State or Federal requirements.

VI. THE BOARD OF TRUSTEES

A. Board Composition. The Board shall be composed of three (3) Trustees who shall be initially be appointed by the City Council pursuant to the PID Act. Trustees 1, 2, and 3 shall be at large seats. Trustee terms shall be staggered with initial terms as follows: Trustee 2 shall serve an initial term of four (4) years; Trustees 1 and 3 shall serve an initial term of six (6) years. All terms shall commence on the date of issuance of a certificate of creation by the Office of the

Lieutenant Governor of the State of Utah. In accordance with the PID Act, appointed Trustees shall not be required to be residents of the District.

B. Transition to Elected Board. Because there are not anticipated to be any residents within the District, the Board shall continue to be appointed and comprised of owners of land or agents and officers of an owner of land within the boundaries of the District.

C. Reelection and Reappointment. Upon the expiration of a Trustee's respective term, any seat which has not transitioned to an elected seat shall be appointed by the Board pursuant to 17D-4-202(1)(b) of the PID Act. In the event that no qualified candidate files to be considered for appointment or files a declaration of candidacy for a seat, such seat may be filled in accordance with the Special District Act.

D. Vacancy. Any vacancy on a Board shall be filled pursuant to the PID Act and Special District Act. Pursuant to 17D-4-202(1)(b), the Board may appoint an individual to the Board so long as the individual meets the requirements to serve on a public infrastructure district board as set forth in the PID Act.

E. Compensation. Unless otherwise permitted by the PID Act, only Trustees who are residents of the District may be compensated for services as Trustee. Such compensation shall be in accordance with State Law.

F. Conflicts of Interest. Trustees shall disclose all conflicts of interest. Any Trustee who discloses such conflicts in accordance with 17D-4-202 and 67-16-9, Utah Code, shall be entitled to vote on such matters.

VII. REGIONAL IMPROVEMENTS

The District shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment and a contribution to the funding of the Regional Improvements and fund the administration and overhead costs related to the provisions of the Regional Improvements.

VIII. FINANCIAL PLAN

A. General.

The District shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment of the Public Improvements from its revenues and by and through the proceeds of Debt to be issued by the District. In addition, the District shall be permitted to finance the prepayment of impact fees for the Project. The Financial Plan for the District shall be to issue such Debt as the District can reasonably pay from tax increment revenues, Assessments and other legally available revenues. The District may also pledge any other available revenue to such issuance of Debt. The District shall be permitted to issue Debt on a schedule and in such year or years as the District determines shall meet the needs of the Financial Plan referenced above and phased to serve development as it occurs. All bonds

and other Debt issued by the District may be payable from any and all legally available revenues of the District, including tax increment revenue, and Assessments. The District will also rely upon various other revenue sources authorized by law. These will include the power to assess Fees, penalties, or charges, including as provided in Section 17D-4-304, Utah Code, as amended from time to time.

B. Maximum Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. In the event of a default, the proposed maximum interest rate on any Debt is not expected to exceed fifteen percent (15%). The proposed maximum underwriting discount will be five percent (5%). Debt, when issued, will comply with all relevant requirements of this Governing Document, State law and Federal law as then applicable to the issuance of public securities.

C. Prepayment of Assessments.

All Assessments (other than C-PACE Assessments) imposed by the District on a parcel zoned for residential uses shall be prepaid at or before the time such parcel is conveyed to an End User. In the event a developer or other initial seller of property within the District intends to pass on Assessments to a party that is not a residential End User, the Developer shall obtain, or cause the seller to obtain, a signed acknowledgement of such purchaser stating the amount of Assessments being passed on. Any C-PACE Assessments may be repayable in accordance with the provisions of such act.

D. Debt Repayment Sources.

The District may rely upon various revenue sources authorized by law. At the District's discretion, these may include revenue from tax increment arrangements, or from the power to assess Assessments, penalties, or charges, including as provided in Section 17D-4-304, Utah Code, as amended from time to time. **The District may not impose a mill levy upon taxable property in the District.**

The District shall not be permitted to charge an End User the costs of any portion of a Public Improvement for which such End User has already paid or is presently obligated to pay through any combination of Assessment or impact fee. This provision shall not prohibit the division of costs between Assessments or impact fees, but is intended to prevent double taxation of End Users for the costs of Public Improvements.

E. Debt Instrument Disclosure Requirement.

In the text of each Bond and any other instrument representing and constituting Debt, the District shall set forth a statement in substantially the following form:

By acceptance of this instrument, the owner of this Bond agrees and consents to all of the limitations in respect of the payment of the principal of and interest on this Bond contained herein, in the

resolution of the District authorizing the issuance of this Bond and in the Governing Document for creation of the District.

Similar language describing the limitations in respect of the payment of the principal of and interest on Debt set forth in this Governing Document shall be included in any document used for the offering of the Debt for sale to persons, including, but not limited to, a developer of property within the boundaries of the District.

F. Security for Debt.

The District shall not pledge any revenue or property of the City as security for the indebtedness set forth in this Governing Document. Approval of this Governing Document shall not be construed as a guarantee by the City of payment of any of the District's obligations; nor shall anything in the Governing Document be construed so as to create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.

G. District's Operating Costs.

The estimated cost of acquiring land, engineering services, legal services and administrative services, together with the estimated costs of the District's organization and initial operations, are anticipated to be Seventy-Five Thousand Dollars (\$75,000), which will be eligible for reimbursement from Debt proceeds.

In addition to the capital costs of the Public Improvements, each District will require operating funds for administration and to plan and cause the Public Improvements to be constructed. The first year's operating budget for each District is estimated to be approximately Fifty Thousand Dollars (\$50,000) which is anticipated to be derived from Assessments and other revenues.

H. Bond and Disclosure Counsel.

It is the intent of the City that the District shall use competent and nationally recognized bond and disclosure counsel with respect to District Bonds to ensure proper issuance and compliance with this Governing Document.

IX. DISSOLUTION

Upon an independent determination of the Board that the purposes for which the District was created have been accomplished, the District agrees to file a petition for dissolution, pursuant to the applicable State statutes. In no event shall a dissolution occur until the District has provided for the payment or discharge of all of its outstanding indebtedness and other financial obligations as required pursuant to State statutes.

X. DISCLOSURE TO PURCHASERS

Within thirty (30) days of the City adopting a resolution creating the District, the Board shall record a notice with the recorder of Summit County, Utah. Such notice shall (a) contain a description of the boundaries of the District, (b) state that a copy of this Governing Document is on file at the office of the City, and (c) if applicable, stating that the debt may convert to general obligation debt and outlining the provisions relating to conversion. Such notice shall further be filed with the City.

The applicant and the Board shall ensure that the applicant, homebuilders, commercial developers, and commercial lessors, as applicable, disclose the following information to initial resident homeowners, renters, commercial property owners, and/or commercial tenants:

- (1) All of the information in the first paragraph of this article above.
- (2) Such disclosures shall be contained on a separate-colored page of the applicable closing or lease documents and shall require a signature of such end user acknowledging the foregoing.

XI. ENFORCEMENT

In accordance with Section 17D-4-201(5) of the Utah Code, the City has imposed certain limitations on the powers of the District through this Governing Document. The City shall have the right to enforce any of the provisions, limitations or restrictions in this Governing Document against the District, through any and all legal or equitable means available to the City, including, but not limited to, injunctive relief, specific performance, and/or monetary damages.

EXHIBIT A

Legal Description of Initial District Boundary

(see following pages)

EXHIBIT B

South Jordan City Vicinity Map

(see following page)

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EXHIBIT C

Initial District Boundary Map

(see following page)

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EXHIBIT C-2

Annexation Area Map

(see following page)

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EXHIBIT C
NOTICE OF BOUNDARY ACTION

NOTICE OF IMPENDING BOUNDARY ACTION

(Downtown Daybreak Public Infrastructure District No. 1)

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the City Council of South Jordan, Utah (the “Council”), acting in its capacity as the creating entity for Downtown Daybreak Public Infrastructure District No. 1 (the “District”), at a regular meeting of the Council, duly convened pursuant to notice, on December 2, 2025 adopted a *Resolution Providing for the Creation of a Public Infrastructure District*, a true and correct copy of which is attached as APPENDIX “A” hereto and incorporated by this reference herein (the “Creation Resolution”).

A copy of the Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-73-507, approved as a final local entity plat by the Surveyor of Salt Lake County, Utah, is attached as APPENDIX “B” hereto and incorporated by this reference. The Council hereby certifies that all requirements applicable to the creation of the District, as more particularly described in the Creation Resolution, have been met. The District is not anticipated to result in the employment of personnel.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Incorporation pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-215.

DATED this 2nd day of December, 2025.

**CITY COUNCIL OF SOUTH JORDAN UTAH,
acting in its capacity as the creating authority for
DOWNTOWN DAYBREAK PUBLIC
INFRASTRUCTURE DISTRICT NO. 1**

By: _____
AUTHORIZED REPRESENTATIVE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this ____ day of December, 2025.

City Recorder

APPENDIX A
RESOLUTION PROVIDING FOR THE CREATION OF
A PUBLIC INFRASTRUCTURE DISTRICT

APPENDIX B
FINAL LOCAL ENTITY PLAT

**PETITION REQUESTING THE CREATION OF
DOWNTOWN DAYBREAK PUBLIC INFRASTRUCTURE DISTRICT NO. 1
IN SOUTH JORDAN, UTAH**

November 12, 2025

City of South Jordan
Anna Crookston, City Recorder
1600 W. Towne Center Drive
South Jordan, UT 84095

The undersigned (collectively, the “Petitioners”) hereby requests that the City of South Jordan (“City”) approve the creation of a new public infrastructure district to be known as Downtown Daybreak Public Infrastructure District No. 1 (the “District”) pursuant to the Special District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953 (collectively, the “Act”). The Petitioners request the District in order to assist in the financing of public infrastructure to service and benefit the proposed area of the District and the Annexation Area as described herein.

I. Petitioners

VP Daybreak Operations LLC, a Delaware limited liability company
VP Daybreak DEVCO LLC, a Delaware limited liability company
VP Daybreak DEVCO 2, Inc. a Utah corporation
VP Daybreak Investments LLC, a Delaware limited liability company
VP Daybreak Investco 10 LLC, a Utah limited liability company
VP Daybreak Investco 11 LLC, a Utah limited liability company
DTDB 5, LLC, a Utah limited liability company
DTDB 6, LLC, a Utah limited liability company
DTDB 8, LLC, a Utah limited liability company
DTDB 11, LLC, a Utah limited liability company
DTDB 13, LLC, a Utah limited liability company
DTDB 14, LLC, a Utah limited liability company
LHMRE, LLC, a Utah limited liability company
DTDB 10, LLC, a Utah limited liability company
LHM DEV HLT, LLC, a Utah limited liability company
 9350 S. 150 E., Ste. 800
 Sandy, UT 84070

Petitioners are signing this Petition as to that property which is identified in **Exhibit A** hereto, to which they hold title. The sponsor, and contact sponsor, of this Petition is as follows:

VP Daybreak Operations, LLC
 c/o Matthew J. Ence
 Snow Jensen & Reece, PC
 912 W. 1600 S., Ste. B200
 St. George, UT 84770

(435) 628-3688
mence@snowjensen.com.

II. Proposed District Boundaries

The Petitioners request that the initial boundaries for the proposed District (the “District Boundaries”) include the property described in **Exhibit A** hereto. The proposed District Boundaries, including a proposed annexation area, are also depicted on the maps attached as **Exhibit B** hereto. The proposed Annexation Area includes both the initial District Boundaries, plus the property depicted on the attached annexation area map, which will allow the District to annex properties into and withdraw properties from the District in the Annexation Area, with a petition and consent from affected property owners.

III. Requested Service

The Petitioners request that the District be created for the purpose of financing the construction of public infrastructure relating to the project, as permitted under the Act, and as shall be further described in the governing document proposed for the District.

IV. Board of Trustees

The Petitioners propose that the Board of Trustees for the District be initially composed of three (3) members appointed by the City Council who are property owners, their agents, or officers, as follows:

(a) Brad Holmes

Officer or agent of property owners
 9350 S. 150 E., Suite 800
 Sandy, Utah 84070
Brad.holmes@lhm.com

(b) Eric Carlson

Officer or agent of property owners
 9350 S. 150 E., Suite 800
 Sandy, Utah 84070
Eric.carlson@lhm.com

(c) Mike Kunkel

Officer or agent of property owners
 9350 S. 150 E., Suite 800
 Sandy, Utah 84070
Mike.kunkel@lhm.com

V. Petitioner Representations

The Petitioners hereby represents and warrants that:

- (a) Those signing on behalf of entity owners are authorized to do so;
- (b) The Petitioners are the owners of 100% of the surface real property included within the proposed District Boundaries;
- (c) This Petition is signed by 100% of the surface property owners of real property within the District Boundaries;
- (d) There are no registered voters residing within the any of the proposed District Boundaries; and
- (e) The proposed Trustees listed above are registered voters at their primary residence and are either a property owner or the agent or officer of a property owner.

VI. Petitioner Consent

The Petitioners hereby consents to:

- (a) The creation of a public infrastructure district having the District Boundaries described herein;
- (b) The annexation of any portion of the Annexation Area (if any) into the District upon petition by the owner of such portion and any registered voters residing thereon;
- (c) A waiver of the residency requirement for members of the Board of Trustees of the District as permitted under Section 17D-4-202(3)(a) of the Act;
- (d) A waiver of the entirety of the protest period described in Section 17B-1-213 of the Act, pursuant to Section 17D-4-201(2)(b) of the Act;
- (e) The recording of a notice as required under Section 17B-1-215(2)(a) and 17D-1-209(1)(a) of the Act, which will apply to all real property within the District Boundaries; and
- (f) The issuance by the District of bonds repayable through property taxes, assessments, or other means available by law.

VII. Electronic Means; Counterparts

This Petition may be circulated by electronic means and executed in several counterparts, including by electronic signature, all or any of which may be treated for all purposes as an original and shall constitute and be one and the same document.

IN WITNESS WHEREOF, the Petitioners have executed and consented to this Petition as of the date indicated on the signature pages attached.

(signature pages to follow)

PETITIONERS:

VP Daybreak Operations LLC, a Delaware limited liability company

By: LHMRE, LLC, a Utah limited liability company
Its: Operating Manager

By: Brad Holmes
Name: Brad Holmes
Title: President

VP Daybreak DEVCO LLC, a Delaware limited liability company

By: LHMRE, LLC, a Utah limited liability company
Its: Operating Manager

By: Brad Holmes
Name: Brad Holmes
Title: President

VP Daybreak DEVCO 2, Inc. a Utah corporation

By: Brad Holmes
Name: Brad Holmes
Title: President

VP Daybreak Investments LLC, a Delaware limited liability company

By: LHMRE, LLC, a Utah limited liability company
Its: Operating Manager

By: Brad Holmes
Name: Brad Holmes
Title: President

VP Daybreak Investco 10 LLC, a Utah limited liability company
 By: MRE Investment Management, L.L.C., a Utah limited liability company
 Its: Operating Manger

By: Miller Family Real Estate, L.L.C., a Utah limited liability company
 Its: Operating Manager

By: Brad Holmes
 Name: Brad Holmes
 Title: Operating Manager

VP Daybreak Investco 11 LLC, a Utah limited liability company
 By: MRE Investment Management, L.L.C., a Utah limited liability company
 Its: Operating Manger

By: Miller Family Real Estate, L.L.C., a Utah limited liability company
 Its: Operating Manager

By: Brad Holmes
 Name: Brad Holmes
 Title: Operating Manager

DTDB 5, LLC, a Utah limited liability company

By: LHMRE, LLC, a Utah limited liability company
 Its: Operating Manager

By: Brad Holmes
 Name: Brad Holmes
 Title: President

DTDB 6, LLC, a Utah limited liability company

By: LHMRE, LLC, a Utah limited liability company
 Its: Operating Manager

By: Brad Holmes
 Name: Brad Holmes
 Title: President

DTDB 8, LLC, a Utah limited liability company

By: LHMRE, LLC, a Utah limited liability company
 Its: Operating Manager

By: Brad Holmes
 Name: Brad Holmes
 Title: President

DTDB 11, LLC, a Utah limited liability company

By: LHMRE, LLC, a Utah limited liability company
 Its: Operating Manager

By: Brad Holmes
 Name: Brad Holmes
 Title: President

DTDB 13, LLC, a Utah limited liability company

By: LHMRE, LLC, a Utah limited liability company
 Its: Operating Manager

By: Brad Holmes
 Name: Brad Holmes
 Title: President

DTDB 14, LLC, a Utah limited liability company

By: LHMRE, LLC, a Utah limited liability company
 Its: Operating Manager

By: Brad Holmes
 Name: Brad Holmes
 Title: President

LHMRE, LLC, a Utah limited liability company

By: Brad Holmes
 Name: Brad Holmes
 Title: President

DTDB 10, LLC, a Utah limited liability company

By: LHMSE, LLC, a Utah limited liability company
Its: Operating Manager

By: Michelle Smith
Name: Michelle Smith
Title: President

LHM DEV HLT, LLC, a Utah limited liability company

By: LHMRE, LLC, a Utah limited liability company
Its: Operating Manager

By: Brad Holmes
Name: Brad Holmes
Title: President

EXHIBIT A

Proposed Initial District Boundary Legal Description

(See following pages)

Being all of Lots C-101 through C-116, P-101, and Private Rights-of-Way of the Daybreak Urban Center Plat 1, according to the official plat thereof, recorded as Entry No. 14214053 in Book 2024P at Page 058 in the Office of the Salt Lake County Recorder, being more particularly described as follows:

Beginning at a point on the Northwesterly Right-of-Way Line of Lake Avenue, said point lies South 89°55'30" East 1110.832 feet along the Daybreak Baseline Southeast (Basis of bearings is South 89°55'30" East 10641.888' between Southwest Corner of Section 24, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 3534.278 feet from the Southwest Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 36°32'54" West 173.652 feet; thence North 29°25'24" West 24.187 feet; thence North 36°32'54" West 278.177 feet to a point on a 279.500 foot radius tangent curve to the left, (radius bears South 53°27'06" West, Chord: North 37°34'18" West 9.983 feet); thence along the arc of said curve 9.983 feet through a central angle of 02°02'48" to a point of compound curvature with a 17.000 foot radius tangent curve to the left, (radius bears South 51°24'18" West, Chord: North 84°32'58" West 24.439 feet); thence along the arc of said curve 27.270 feet through a central angle of 91°54'31"; thence South 49°29'47" West 3.710 feet; thence North 40°30'13" West 41.000 feet to a point on a 17.000 foot radius non tangent curve to the left, (radius bears North 40°30'13" West, Chord: North 02°34'37" East 24.833 feet); thence along the arc of said curve 27.843 feet through a central angle of 93°50'20"; thence North 44°20'33" West 883.270 feet to a point on a 25.000 foot radius non tangent curve to the left, (radius bears South 01°29'56" East, Chord: South 67°04'46" West 18.262 feet); thence along the arc of said curve 18.694 feet through a central angle of 42°50'37"; thence South 45°39'27" West 7.929 feet; thence North 44°20'33" West 33.000 feet; thence North 45°39'27" East 325.084 feet to a point on a 520.500 foot radius tangent curve to the right, (radius bears South 44°20'33" East, Chord: North 49°33'16" East 70.750 feet); thence along the arc of said curve 70.804 feet through a central angle of 07°47'38"; thence North 53°27'06" East 283.878 feet to a point on a 279.500 foot radius tangent curve to the left, (radius bears North 36°32'54" West, Chord: North 51°51'26" East 15.554 feet); thence along the arc of said curve 15.556 feet through a central angle of 03°11'20"; thence North 50°15'46" East 1.783 feet to a point on a 17.000 foot radius tangent curve to the left, (radius bears North 39°44'14" West, Chord: North 03°15'46" East 24.866 feet); thence along the arc of said curve 27.890 feet through a central angle of 94°00'00"; thence North 43°44'14" West 12.213 feet; thence North 46°15'46" East 41.000 feet; thence South 43°44'14" East 50.276 feet; thence North 53°27'06" East 236.825 feet to a point on the Southwesterly Right-of-Way Line of Grandville Avenue; thence along said Grandville Avenue the following (54) courses: 1) South 36°32'54" East 2.480 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East

4.210 feet); 2) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 3) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 4) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 5) South 36°32'54" East 30.000 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 14°02'54" East 3.444 feet); 6) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 7) South 08°27'06" West 6.464 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears South 81°32'54" East, Chord: South 14°02'54" East 4.210 feet); 8) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 9) South 36°32'54" East 217.093 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East 4.210 feet); 10) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 11) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 12) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 13) South 36°32'54" East 19.000 feet to a point on a 28.000 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 01°44'24" West 34.699 feet); 14) along the arc of said curve 37.422 feet through a central angle of 76°34'36"; 15) South 36°32'54" East 28.530 feet to a point on a 28.000 foot radius non tangent curve to the right, (radius bears South 23°07'31" East, Chord: South 74°50'13" East 34.699 feet); 16) along the arc of said curve 37.422 feet through a central angle of 76°34'36"; 17) South 36°32'54" East 19.000 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 14°02'54" East 3.444 feet); 18) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 19) South 08°27'06" West 6.464 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears South 81°32'54" East, Chord: South 14°02'54" East 4.210 feet); 20) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 21) South 36°32'54" East 204.513 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East 4.210 feet); 22) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 23) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 24) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 25) South 36°32'54" East 14.584 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 14°02'54" East 3.444 feet); 26) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 27) South 08°27'06" West 6.464 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears South 81°32'54" East, Chord: South 14°02'54" East 4.210 feet); 28) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 29) South 36°32'54" East 193.334 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East 4.210 feet); 30) along the arc of

said curve 4.320 feet through a central angle of 45°00'00"; 31) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 32) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 33) South 36°32'54" East 15.000 feet to a point on a 28.000 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 01°44'24" West 34.699 feet); 34) along the arc of said curve 37.422 feet through a central angle of 76°34'36"; 35) South 36°32'54" East 28.530 feet to a point on a 28.000 foot radius non tangent curve to the right, (radius bears South 23°07'31" East, Chord: South 74°50'13" East 34.699 feet); 36) along the arc of said curve 37.422 feet through a central angle of 76°34'36"; 37) South 36°32'54" East 15.000 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 14°02'54" East 3.444 feet); 38) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 39) South 08°27'06" West 6.464 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears South 81°32'54" East, Chord: South 14°02'54" East 4.210 feet); 40) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 41) South 36°32'54" East 234.635 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East 4.210 feet); 42) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 43) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 44) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 45) South 36°32'54" East 30.000 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 14°02'54" East 3.444 feet); 46) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 47) South 08°27'06" West 6.464 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears South 81°32'54" East, Chord: South 14°02'54" East 4.210 feet); 48) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 49) South 36°32'54" East 195.798 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East 4.210 feet); 50) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 51) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 52) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 53) South 36°32'54" East 18.999 feet to a point on a 28.000 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 30°53'04" East 5.527 feet); 54) along the arc of said curve 5.536 feet through a central angle of 11°19'42"; thence South 53°27'06" West 842.954 feet to the point of beginning.

Property contains 30.629 acres.

EXHIBIT B

Proposed Initial Boundary Map &

Parcels (see following pages)

REFS:



PERIGEE
CONSULTING
CIVIL • STRUCTURAL • SURVEY

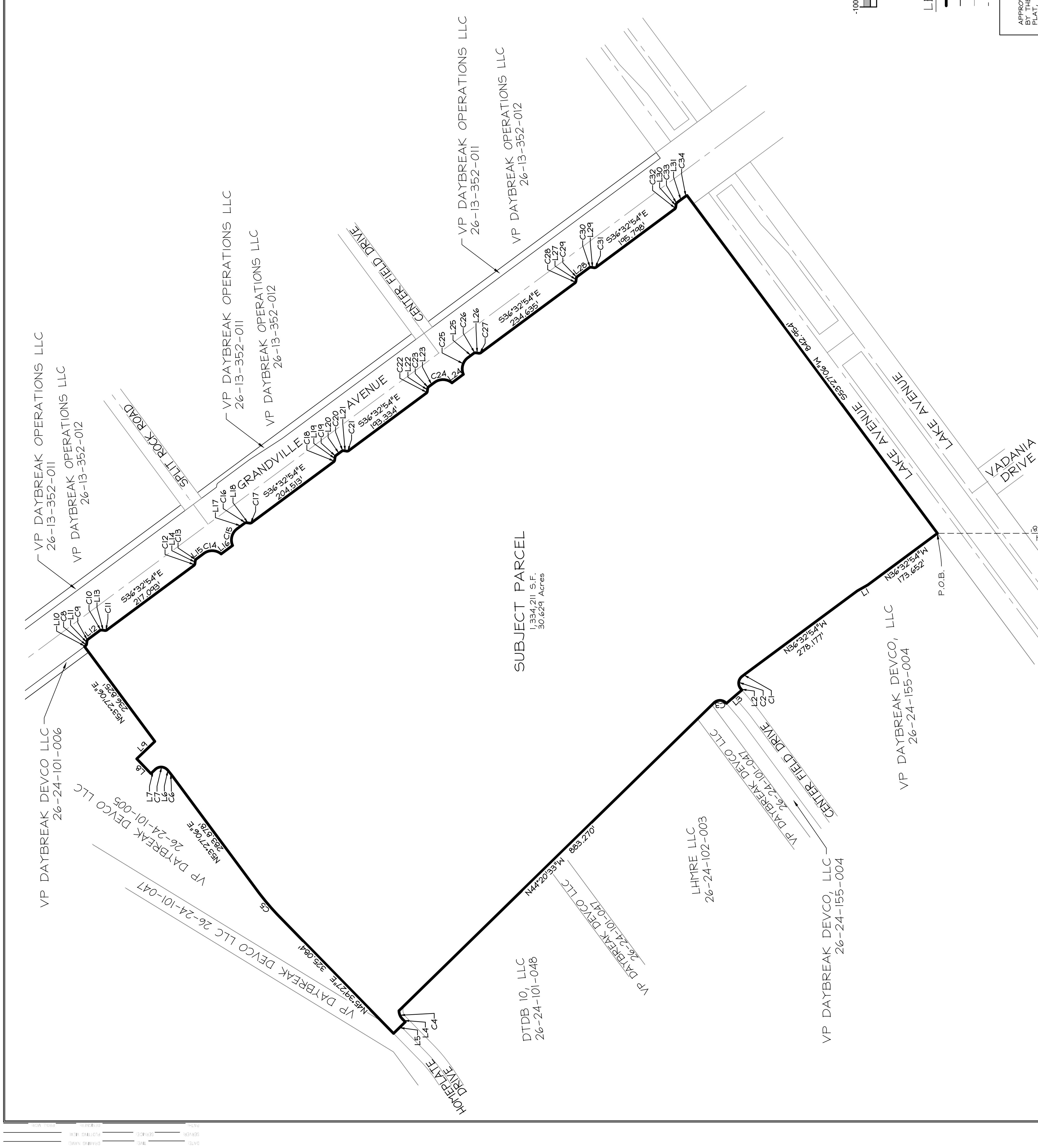
8088 SOUTH 1300 WEST, SUITE 160
801628-6004 TEL 801590-6511 FAX
WEST JORDAN, UT 84088
WWW.PERIGEECIVIL.COM

SOUTHWEST COR. SECTION 24,
T35, R2N, SLB#1
FND BRASS CAP
S.L. CO. MONUMENT

1110.832'
BASIS OF BEARING (DAYBREAK BASELINE SOUTHEAST)
S84°55'30"E 10641.868' (MON TO MON)

SOUTHEAST COR. SECTION 19,
T35, R1N, SLB#1
FND BRASS CAP
S.L. CO. MONUMENT

APPROVED BY THE PLATY,	DATE:
SALT L	Item J.1.



DATE:	TIME:	DRAWING NAME:	SERIES:	REVISION:	SCALE:	PLATTING NAME:	DATE:

DATE: _____ TIME: _____ DRAWING NAME: _____
DRAWN BY: _____ CHECKED BY: _____ PROJECT NO.: _____
SCALE: _____

BOUNDARY DESCRIPTION:

Being all of Lots C-101 through C-116, P-101, and Private Rights-of-Way of the Daybreak Urban Center Plat 1, according to the official plat thereof, recorded as Entry No. 14214053 in Book 2024P at Page 058 in the Office of the Salt Lake County Recorder, being more particularly described as follows:

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thence South 49°29'47" West 3.710 feet; thence North 40°30'13" West 41.000 feet to a point on a 17.000 foot radius non tangent curve to the left, (radius bears North 40°30'13" West, Chord: North 02°34'37" East 24.833 feet); thence along the arc of said curve 27.843 feet through a central angle of 93°50'20", thence North 44°20'33" West 883.270 feet to a point on a 25.000 foot radius non tangent curve to the left, (radius bears South 01°29'56" East, Chord: South 67°04'46" West 18.262 feet); thence along the arc of said curve 18.694 feet through a central angle of 42°50'37"; thence South 45°39'27" West 7.929 feet; thence North 44°20'33" West 33.000 feet; thence North 45°39'27" East 325.084 feet to a point on a 520.500 foot radius tangent curve to the right, (radius bears South 44°20'33" East, Chord: North 49°33'16" East 70.750 feet); thence along the arc of said curve 70.804 feet through a central angle of 07°47'38"; thence North 53°27'06" East 283.878 feet to a point on a 279.500 foot radius tangent curve to the left, (radius bears North 36°32'54" West, Chord: North 51°51'26" East 15.554 feet); thence along the arc of said curve 15.556 feet through a central angle of 03°11'20"; thence North 50°15'46" East 1.783 feet to a point on a 17.000 foot radius tangent curve to the left, (radius bears North 39°44'14" West, Chord: North 03°15'46" East 24.866 feet); thence along the arc of said curve 27.890 feet through a central angle of 94°00'00"; thence North 43°44'14" West 12.213 feet; thence North 46°15'46" East 41.000 feet; thence South 43°44'14" East 50.276 feet; thence North 53°27'06" East 236.825 feet to a point on the Southwesterly Right-of-Way Line of Grandville Avenue; thence along said Grandville Avenue the following (54) courses: 1) South 36°32'54" East 2.480 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East 4.210 feet); 2) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 3) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 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28) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 29) South 36°32'54" East 193.334 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East 4.210 feet); 30) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 31) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 32) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 33) South 36°32'54" East 15.000 feet to a point on a 28.000 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 01°44'24" West 34.699 feet); 34) along the arc of said curve 37.422 feet through a central angle of 76°34'36"; 35) South 36°32'54" East 28.530 feet to a point on a 28.000 foot radius non tangent curve to the right, (radius bears South 23°07'31" East, Chord: South 74°50'13" East 34.699 feet); 36) along the arc of said curve 37.422 feet through a central angle of 76°34'36"; 37) South 36°32'54" East 15.000 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 14°02'54" East 3.444 feet); 38) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 39) South 08°27'06" West 6.464 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears South 81°32'54" East, Chord: South 14°02'54" East 4.210 feet); 40) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 41) South 36°32'54" East 234.635 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East 4.210 feet); 42) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 43) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 44) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 45) South 36°32'54" East 30.000 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 14°02'54" East 3.444 feet); 46) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 47) South 08°27'06" West 6.464 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears South 81°32'54" East, Chord: South 14°02'54" East 4.210 feet); 48) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 49) South 36°32'54" East 195.798 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 53°27'06" East, Chord: South 59°02'54" East 4.210 feet); 50) along the arc of said curve 4.320 feet through a central angle of 45°00'00"; 51) South 81°32'54" East 6.464 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 08°27'06" West, Chord: South 59°02'54" East 3.444 feet); 52) along the arc of said curve 3.534 feet through a central angle of 45°00'00"; 53) South 36°32'54" East 18.999 feet to a point on a 28.000 foot radius tangent curve to the right, (radius bears South 53°27'06" West, Chord: South 30°53'04" East 5.527 feet); 54) along the arc of said curve 5.536 feet through a central angle of 11°19'42"; thence South 53°27'06" West 842.954 feet to the point of beginning.

Property contains 30.629 acres.

Curve Table				
Curve #	Length	Radius	Delta	Chord Bearing
C1	9.983	279.500	002°02'48"	N37°34'18"
C2	27.270	17.000	091°54'31"	N84°32'58"
C3	27.843	17.000	093°50'20"	N02°34'37"
C4	18.694	25.000	042°50'37"	S67°04'46"
C5	70.804	520.500	007°47'38"	N49°33'16"
C6	15.556	279.500	003°11'20"	N51°51'26"
C7	27.890	17.000	094°00'00"	N03°15'46"
C8	4.320	5.500	045°00'00"	S59°02'54"
C9	3.534	4.500	045°00'00"	S59°02'54"
C10	3.534	4.500	045°00'00"	S14°02'54"
C11	4.320	5.500	045°00'00"	S14°02'54"
C12	4.320	5.500	045°00'00"	S59°02'54"
C13	3.534	4.500	045°00'00"	S59°02'54"
C14	37.422	28.000	076°34'36"	S01°44'24"
C15	37.422	28.000	076°34'36"	S74°50'13"
C16	3.534	4.500	045°00'00"	S14°02'54"
C17	4.320	5.500	045°00'00"	S14°02'54"
C18	4.320	5.500	045°00'00"	S59°02'54"
C19	3.534	4.500	045°00'00"	S59°02'54"
C20	3.534	4.500	045°00'00"	S14°02'54"

Line Table		
Line #	Length	Direction
L1	24.187	N29°25'24"W
L2	3.710	S49°29'47"W
L3	41.000	N40°30'13"W
L4	7.929	S45°39'27"W
L5	33.000	N44°20'33"W
L6	1.783	N50°15'46"E
L7	12.213	N43°44'14"W
L8	41.000	N46°15'46"E
L9	50.276	S43°44'14"E
L10	2.480	S36°32'54"E
L11	6.464	S81°32'54"E
L12	30.000	S36°32'54"E
L13	6.464	S08°27'06"W
L14	6.464	S81°32'54"E
L15	19.000	S36°32'54"E
L16	28.530	S36°32'54"E
L17	19.000	S36°32'54"E
L18	6.464	S08°27'06"W
L19	6.464	S81°32'54"E
L20	14.584	S36°32'54"E

Line	
Line #	Length
L21	6.464
L22	6.464
L23	15.000
L24	28.530
L25	15.000
L26	6.464
L27	6.464
L28	30.000
L29	6.464
L30	6.464
L31	18.999



9089 SOUTH 1300 WEST, SUITE 160 WEST JORDAN, UT 84088
801.628.6004 TEL 801.590.6611 FAX WWW.PERIGEECIVIL.COM

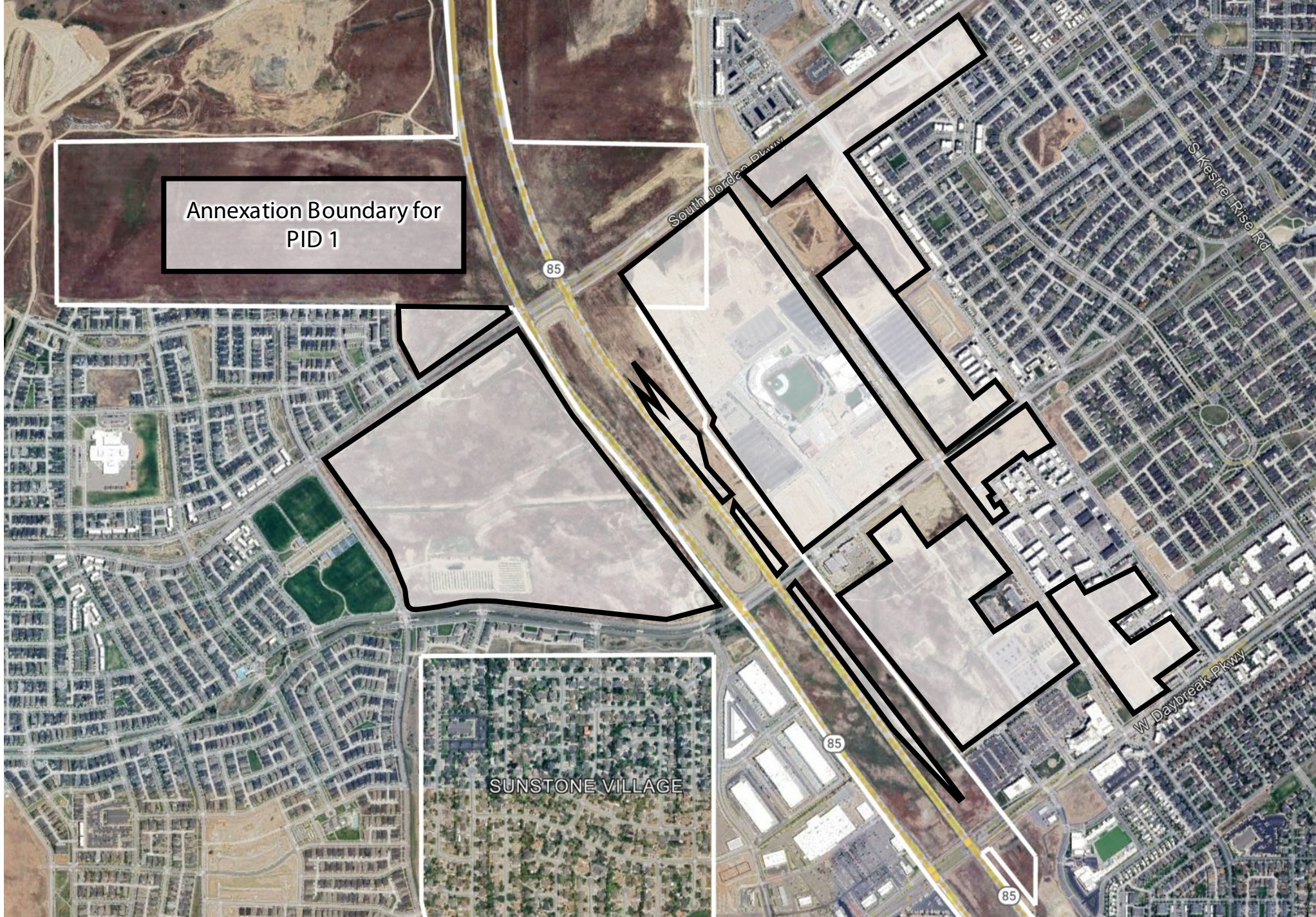
PERIGEE

Parcel ID	Acres	Owner
26241031140000	0.77	VP DAYBREAK DEVCO LLC
26241031130000	8.20	DTDB 10, LLC
26241031120000	2.13	DTDB 8, LLC
26241031110000	2.04	DTDB 11, LLC
26241031100000	0.34	DTDB 5, LLC
26241031090000	0.27	DTDB 14, LLC
26241031080000	0.40	DTDB 13, LLC
26241031070000	2.11	DTDB 6, LLC
26241031020000	2.93	VP Daybreak Devco LLC
26241031010000	2.07	VP Daybreak Devco LLC
26241031060000	0.61	VP Daybreak Devco LLC
26241031050000	1.47	VP Daybreak Devco LLC
26241031030000	0.46	VP Daybreak Devco LLC
26241031040000	1.51	VP Daybreak Devco LLC

EXHIBIT B-1

Proposed Annexation Area Map & Parcels

(see following pages)



DOWNTOWN DAYBREAK PID ANNEXATION AREA -PARCEL ID, ACRES, OWNER

Parcel ID	Acres	Owner
26232010020000	7.43	VP DAYBREAK DEVCO LLC
26232030010000	48.39	VP DAYBREAK DEVCO 2 INC
26232260010000	0.90	VP DAYBREAK INVESTCO 11 LLC
26232760020000	4.89	VP DAYBREAK INVESTCO 10 LLC
26232760030000	43.30	VP DAYBREAK DEVCO 2 INC
26232000150000	0.15	VP DAYBREAK INVESTMENTS LLC
26133370250000	4.18	VP DAYBREAK OPERATIONS, LLC
26133520070000	0.87	VP DAYBREAK OPERATIONS LLC; VP DAYBREAK DEVCO LLC
26133550010000	20.03	VP DAYBREAK DEVCO LLC
26133550030000	0.19	VP DAYBREAK OPERATIONS LLC
26133520120000	46.12	VP DAYBREAK OPERATIONS, LLC
26241380410000	1.00	VP DAYBREAK OPERATIONS, LLC
26133520060000	0.60	VP DAYBREAK OPERATIONS LLC; VP DAYBREAK DEVCO LLC
26133550020000	0.14	VP DAYBREAK OPERATIONS LLC
26144000190000	10.39	LHM DEV HLT LLC
26241010470000	1.92	VP DAYBREAK DEVCO LLC
26241010050000	3.14	VP DAYBREAK DEVCO LLC
26241010080000	3.66	VP DAYBREAK DEVCO LLC
26241031130000	8.20	DTDB 10 LLC
26241031140000	0.77	VP DAYBREAK DEVCO LLC
26241031160000	0.78	VP DAYBREAK DEVCO LLC
26241031070000	2.11	DTDB 6 LLC
26241031100000	0.34	DTDB 5 LLC
26241031020000	2.93	VP DAYBREAK DEVCO LLC
26241031040000	1.51	VP DAYBREAK DEVCO LLC
26241031030000	0.46	VP DAYBREAK DEVCO LLC
26241010340000	0.08	DTDB 11 LLC
26241031120000	2.13	DTDB 8 LLC
26241031110000	1.96	DTDB 11 LLC
26241010060000	0.09	VP DAYBREAK DEVCO LLC
26241010480000	3.30	DTDB 10, LLC
26241031150000	0.83	VP DAYBREAK DEVCO LLC
26241031080000	0.40	DTDB 13 LLC
26241031090000	0.27	DTDB 14 LLC
26241031050000	1.47	VP DAYBREAK DEVCO LLC
26241031060000	0.61	VP DAYBREAK DEVCO LLC
26241031010000	2.07	VP DAYBREAK DEVCO LLC
26241010320000	0.37	VP DAYBREAK DEVCO LLC
26241020030000	3.58	LHMRE LLC
26241550040000	5.75	VP DAYBREAK DEVCO LLC
26243000380000	8.82	VP DAYBREAK OPERATIONS LLC

26241260100000	0.32	VP DAYBREAK OPERATIONS LLC
26241760070000	2.79	VP DAYBREAK DEVCO LLC
26241260020000	1.75	VP DAYBREAK OPERATIONS LLC
26241260050000	3.67	VP DAYBREAK OPERATIONS LLC
26241780010000	1.70	VP DAYBREAK DEVCO, LLC
26241780090000	22.09	VP DAYBREAK DEVCO LLC
26241780100000		VP DAYBREAK DEVCO LLC
26243260140000	16.95	VP DAYBREAK INVESTMENTS, LLC
26244070010000	0.89	VP DAYBREAK OPERATIONS, LLC
26244070090000	1.18	VP DAYBREAK OPERATIONS LLC
26244070100000	0.71	VP DAYBREAK OPERATIONS LLC
26244070130000	1.16	VP DAYBREAK OPERATIONS LLC
26244070140000	0.70	VP DAYBREAK OPERATIONS LLC
26242580020000	0.81	VP DAYBREAK OPERATIONS, LLC
26242580120000	1.11	VP DAYBREAK OPERATIONS LLC
26242580160000	0.59	VP DAYBREAK OPERATIONS LLC
26242580170000	0.59	VP DAYBREAK OPERATIONS LLC
26242580010000	1.48	VP DAYBREAK OPERATIONS, LLC
26242580030000	0.81	VP DAYBREAK OPERATIONS, LLC
26242580130000	0.95	VP DAYBREAK OPERATIONS LLC
26244070020000	0.69	VP DAYBREAK OPERATIONS, LLC
26244070030000	0.99	VP DAYBREAK OPERATIONS, LLC
26241790060000	0.80	VP DAYBREAK OPERATIONS LLC
26241780040000	0.27	VP DAYBREAK DEVCO LLC

RECEIVED

PIPER | SANDLER

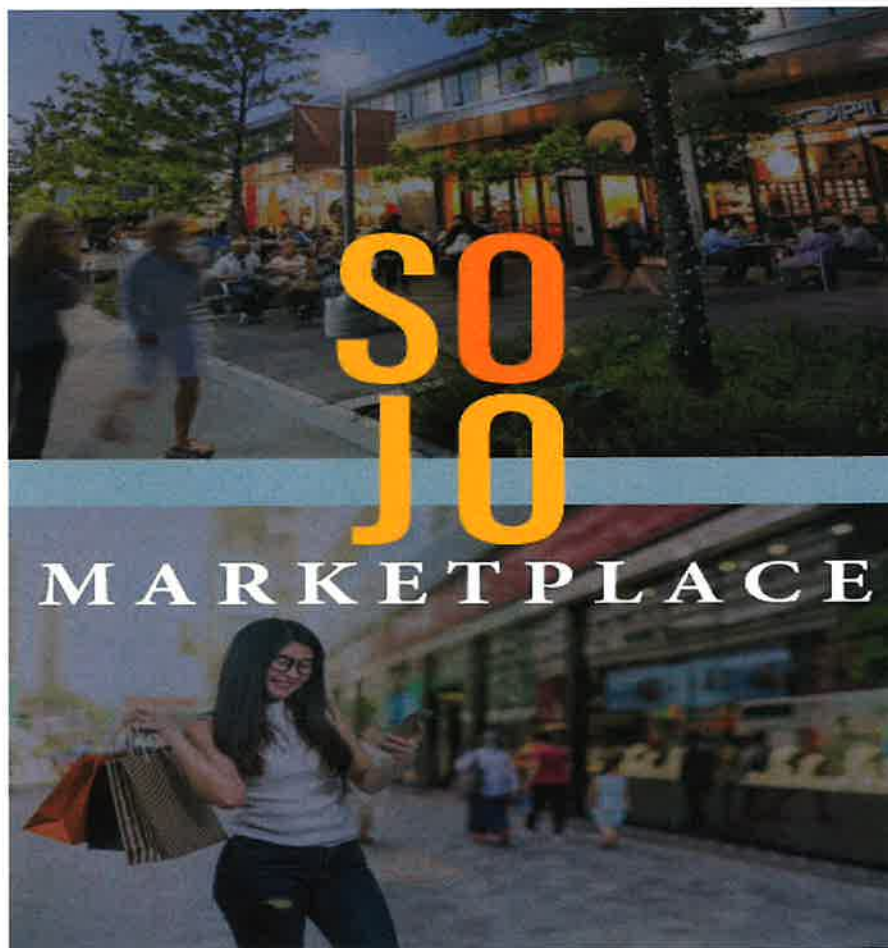
February 24, 2025

FEB 28 2025

CITY OF SOUTH JORDAN
CITY RECORDER'S OFFICE

SOUTH JORDAN COMMERCIAL LLC

Letter of Intent to Create a Public Infrastructure District



Benj Becker
Senior Vice President
Tel: +1 385 282 4071
Email: Benj.Becker@psc.com

Aly Blossom
Assistant Vice President
Tel: +1 385 282 4076
Email: Aly.Blossom@psc.com

February 24, 2025

South Jordan Commercial LLC, South Jordan

John Gust/Doug Young
South Jordan Commercial LLC
10610 South Jordan Gateway #110
South Jordan, Utah 84095

Re: Letter of Intent to Create a Commercial Public Infrastructure District to Facilitate Construction of the Proposed "South Jordan Commercial LLC" Development

To: Mayor Ramsey and Mr. Dustin Lewis:

In accordance with Utah Code 17D, the Public Infrastructure District Act, and South Jordan Policy 500-01 (as amended by Resolution R2025-08), South Jordan Commercial LLC (the "applicant") submits the following letter of intent ("LOI") to South Jordan (the "City") for consideration of creation of a Public Infrastructure District ("PID") to facilitate the construction of the proposed "South Jordan Commercial LLC" development. It is the applicant's understanding, in accord with Utah Code 17D and South Jordan Policy 500-01 (as amended by Resolution R2025-08, that this letter considers the following:

- That this LOI represents an initial step in the creation of a PID, and that a positive recommendation from City staff to this letter represents an option for the applicant to submit governing documents that present district formation and operation in greater detail
- That a positive recommendation to move forward with governing documents does not represent a commitment by the City to approve the eventual formation of the proposed PID
- That the city and applicant will consider this process as iterative and will work towards a solution that meets the City's and applicant's needs
- That the proposed project includes unique enhancements that are beyond what the developer is obligated to provide. These enhancements include improved road design and construction, upgraded intersections, increased setbacks, and upgraded lighting and landscaping finishes

The developer's request to form a Public Infrastructure District is an intent to build a high-quality development that utilizes the lowest cost of financing possible for public infrastructure. By maximizing the tax-exempt bond market, the developer will achieve

cost savings that will help the success of the project and ensure an efficient building process. The overall purpose of PIDs is to provide low-cost financing resources to help combat the notable rise in construction and employment costs.

The purpose of this letter is to summarize project details, the need for a PID, the proposed uses of funds, and the anticipated revenue sources. It is assumed that this letter will be met with a positive recommendation to move forward with the creation of governing documents.

Included with this letter of intent is a slide-deck regarding Public Infrastructure Districts. The information includes details on the creation of PIDs, governance, the allowable uses of PID proceeds, how bonds are structured, and potential impact to tax rates, amongst other topics.

PID Request

The applicant's request is for a positive recommendation to create governing documents for the formation of a Public Infrastructure District for the land highlighted in the attached map. The district will have bonding capacity sufficient to fund infrastructure needs with a maximum mill levy to the PID of six mills (0.006). For more information regarding the impact of tax rates, please see the attached information labeled "Public Infrastructure Districts." Following paragraphs summarize the proposed use and need of funds.

Letter of Intent to Form a Public Infrastructure District

It is the applicant's understanding that the formation and use of the Public Infrastructure District tool is in accord with key components of Utah Code 17D and South Jordan Policy 500-01, First Amendment. The following is presented in an order which corresponds to South Jordan's PID Policy:

1. Description of the District

The South Jordan Commercial LLC development is located in the Daybreak area of South Jordan, Utah. The planned development comprises roughly 17.342 acres and is proposed for roughly 190,000 square feet of commercial space comprised of several standalone buildings.

2. Summary of Public Infrastructure and Publicly Dedicated Amenities

- a. *Currently Expected Development Scenario* – The developer proposes constructing 190,000 square feet of retail and commercial space on approximately 17.342 acres
- b. *Required Local and Regional Improvements for Such Development* – The developer team will provide all necessary local and regional improvements that are required by City Code. The Public Infrastructure District financing tool will allow for "Public Infrastructure and improvements allowed under the Section III A. 2 of the amended PID Policy". These improvements will include:

Required local and regional infrastructure including roadways, sewer, culinary water, secondary water, dry utilities, storm drainage, traffic control, lighting, and public trail systems (if applicable)

Regional and local infrastructure for the proposed District is anticipated to provide a portion of the roadways, sewer, culinary water, secondary water, and storm drain improvements

The public infrastructure improvements are intended to be owned by South Jordan and the respective public agencies. It is intended that maintenance of the public improvements will be undertaken by these same entities. For additional information on what improvements qualify for tax-exempt bonds within a public infrastructure district, please see the attached material labeled "Public Infrastructure Districts."

- c. *Proposed District-Provided Local and Regional Improvements* – the district will install all infrastructure necessary to complete the proposed development. In addition, the district proposes the unique enhancements that are further outlined below in 5a, 5b, and 5c
 - d. *Estimated Construction Costs for the Proposed District Improvements* – The development team anticipates the total cost of proposed district improvements to be approximately \$16,051,020.01, as evidenced by the attached exhibit. Greater detail of the proposed costs and the use of net proceeds from the bonds will be outlined in the governing documents
 - e. *Plan of Ownership and/or Maintenance of the Improvements* – It is the intention of the development team to create a high-quality development that will be well maintained in accord with the desires and requirements of South Jordan City
 - f. *General Description of Phasing of Construction Based on Development Projections* – The development team intends to build all of the improvements within a three-year period
 - g. *Proposal of Net Proceeds from the Issuance of Debt, Debt Term, and Mill Levy* The developer anticipates the PID to issue bonds that will result in upwards of \$5.0 million in net proceeds. It is projected that the tax-exempt bonds will have a length of 30 years and will be financed by the revenues associated with a 0.006 mill levy increase to only the properties within the PID boundaries. For additional information on the impact of taxes, bond structures, and the allowable uses of tax-exempt bond proceeds, please see the attached material labeled "Public Infrastructure Districts." The proposed bond proceeds will cover only a limited portion of the overall infrastructure costs, with the developer to separately fund the remainder costs through a combination of equity and debt instruments
 - h. *A Sample Plan of Finance Depicting the Possible Sources and Uses of Funds for the District* – A sample plan of finance is attached to this letter
3. **Proposed Timeline for District Creation** – It is intended that the district will be created by April 1, 2025

4. **Disclosure of Intent to Overlap Districts** – The proposed district boundaries will not overlap with any existing public infrastructure districts
5. **Summary and Description of Public Infrastructure Improvements** – The South Jordan Commercial LLC development will be a commercial development. Bond proceeds are anticipated to be used for public infrastructure improvements, consistent with the amended South Jordan PID policy (as shown by Resolution R2025-08)
6. **Acknowledgement of Petition** – A signed petition from existing property owners is attached to this letter of intent
7. **Disclosure of Conflicts** – The development team does not have any conflicts of interest with officers and employees of South Jordan
8. **Signed Engagement Letters** – Signed engagement letters for consultants and legal counsel retained by South Jordan for the review of these materials is attached to this letter

Best regards,

South Jordan Commercial LLC



By: John Gust / Manager

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South Jordan - Commercial Development Costs

Back Bone Road Improvements										Cost
Earth Work, Sewer, Culinary Water, Storm Water	\$	6,632,156.75	Contingency & Contractor Overhead							
Asphalt Paving	\$	1,291,319.50	Dry Utility							
Dry Utilities	\$	55,000.00	Landscape							
Site Concrete	\$	1,720,876.00								
General Landscaping	\$	957,110.00								
Stormwater Injection Wells	\$	664,620.00								
Signs & Striping (Extension)	\$	6,300.00								
Signs & Striping	\$	22,060.00								
Signs & Striping	\$	175,000.00								
Traffic Signals	\$	94,500.00								
Street Lights (9)	\$	185,200.00								
Rocky Mtn Power - Bardone	\$	102,240.00								
Etching Gas	\$	46,046.85								
Testing	\$	102,480.00								
Public Street Landscape	\$	602,745.46								
Contingency 5%	\$	1,265,765.46								
General Contractor Overhead 10%	\$	13,913,420.01								
Total	\$									
Public Road - Land Dedicated to City										
Public Right of Way	\$	2,117,600.00								
Total	\$	2,117,600.00								
Grand Total	\$	16,051,020.01								
\$5,000,000.00 PID Bond Financing Eligible Cost										
PID Financed Costs	\$	5,000,000.00								
Total PID Financed Costs	\$	5,000,000.00								
Total										
	\$	5,000,000.00								



15 West South Temple, Suite 1450
Salt Lake City, Utah 84101-1531

(801) 364-5080 / (801) 364-5032 FAX / gilmorebell.com

September 5, 2024

City of South Jordan
1600 West Town Center Drive
South Jordan, Utah 84095

Re: Engagement as Special Counsel for the City of South Jordan, Utah

This will record the terms of our engagement as special counsel for the City of South Jordan, Utah (the "City") in analyzing and exploring the use of one or more public infrastructure districts ("PID") at the discretion of the City to assist South Jordan Commercial LLC, a Utah limited liability company (the "Developer") in the financing and construction of certain public improvements relating to the SoJo Marketplace Project and related facilities within the City (the "Development").

Our services as special counsel will include educating the City and the Developer on PIDs and how they may be utilized in the Development and the preparation, negotiation, and review of any documents required for the formation of a PID. We recommend that the City first adopt a policy that will set general guidelines for evaluating all PID applications, and we anticipate providing such a policy customized to the City's objectives. Our engagement is at the will of the City and will terminate at the end of the review processes described herein.

While it is difficult to predict the complexity and length of such process, our discounted fee for services provided as special counsel is anticipated to be between \$10,000 to \$20,000, based on our experience in similar circumstances, plus reimbursement for out-of-pocket costs. A retainer in the amount of \$5,000 is due at this time. All fees for services provided as special counsel are payable by the Developer on behalf of the City.

Our fees are not contingent upon the formation of any PID. The creation of any PID shall be at the discretion of the City, and the entering into of this agreement in no way guarantees that any PIDs will be formed, or bonds issued for the Developer or the Development. If the review and negotiation process extends over the course of several months, progress payments may be requested and our fee may be increased above the estimates provided herein. In addition, if the review process is abandoned or deferred beyond a reasonable period, such as 3 months, we will negotiate a reasonable fee for the work undertaken to that point with the Developer, based on the circumstances.

The City is our client in this engagement and we are not representing the Developer. The Developer is represented by its own counsel, and we note that such counsel may also serve as general counsel to any PID for the Development. We anticipate that we will serve as bond and disclosure counsel (as applicable) for any PID(s) ultimately created at the City's discretion.

If these terms are acceptable, please sign and return a copy of this letter. We look forward to working with you.

Sincerely,

RANDALL M. LARSEN

AGREED AND ACCEPTED:

CITY OF SOUTH JORDAN, UTAH

By: _____

Title: _____

Date: _____

SOUTH JORDAN COMMERCIAL LLC

By: [Signature]

Title: Manager

Date: 10-4-24

THANK YOU



GILMORE BELL

RANDALL LARSEN

Direct: 801.258.2722 /

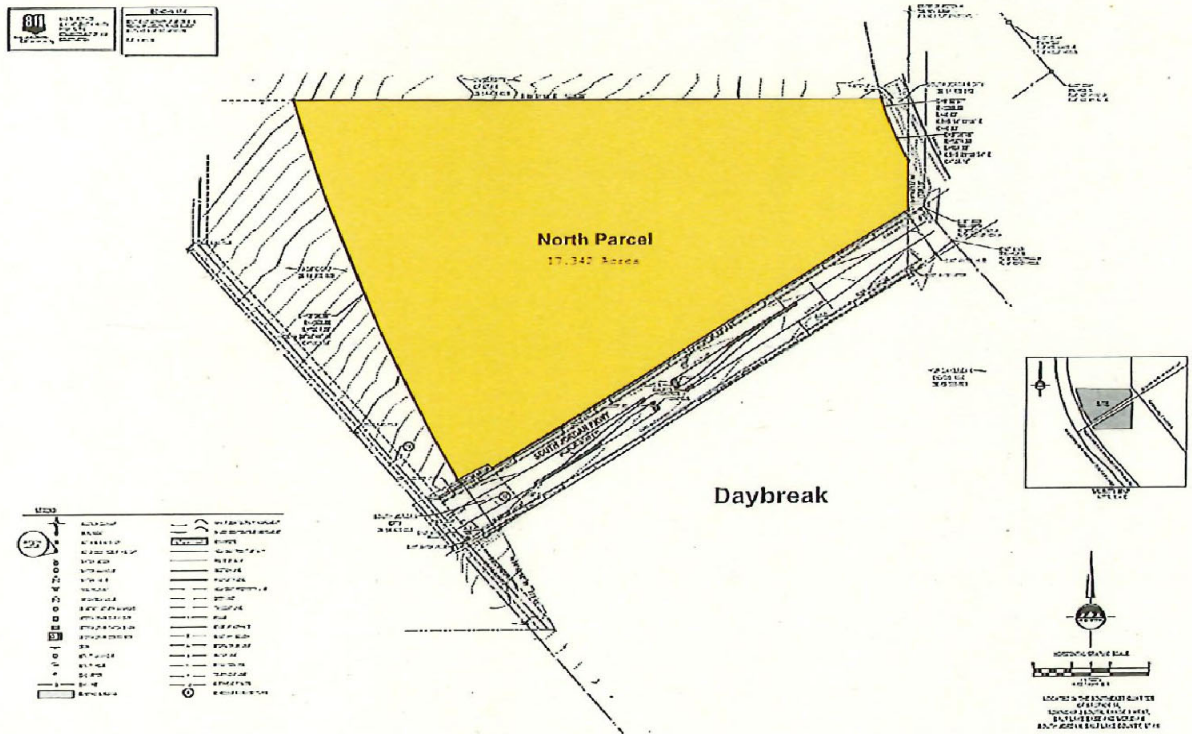
Mobile: 801.541.1108

rlarsen@gilmorebell.com

AARON WADE

Direct: 801.258.2730

awade@gilmorebell.com



ENSTON
SURVEYING & MAPPING

10800 SOUTH COMMERCIAL
ALTA, NEPS LAND TITLE & TOPOGRAPHY SURVEY
10800 SOUTH COMMERCIAL AVENUE
SOUTH JORDAN, UTAH

20 OF 2

North Parcel South Jordan Commercial

A parcel of land situate in the Southeast Quarter of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point South $0^{\circ}02'50''$ West 1309.93 feet along the Section Line and North $89^{\circ}51'12''$ West 56.00 feet from the Center of Section 14, Township 3 South, Range 2 West, Salt Lake Base and Meridian, and running;

thence Southerly 40.83 feet along the arc of a 1,269.00 foot radius curve to the left (center bears North $76^{\circ}42'18''$ East and the chord bears South $14^{\circ}13'00''$ East 40.83 feet with a central angle of $01^{\circ}50'37''$);

thence Southerly 124.23 feet along the arc of a 1,274.50 foot radius curve to the left (center bears North $71^{\circ}07'38''$ East and the chord bears South $21^{\circ}39'54''$ East 124.18 feet with a central angle of $05^{\circ}35'05''$) to the Section line;

thence South $00^{\circ}02'50''$ West 120.35 feet along the Section line to the North Line of South Jordan Parkway;

thence along the North Line of South Jordan Parkway the following (4) four courses: (1) South $53^{\circ}27'06''$ West 918.63 feet along the North Line of South Jordan Parkway; (2) Southwesterly 148.39 feet along the arc of a 2,433.00 foot radius curve to the right (center bears North $36^{\circ}32'55''$ West and the chord bears South $55^{\circ}11'55''$ West 148.37 feet with a central angle of $03^{\circ}29'41''$); (3) North $36^{\circ}46'04''$ West 14.00 feet; (4) South $57^{\circ}58'15''$ West 75.52 feet;

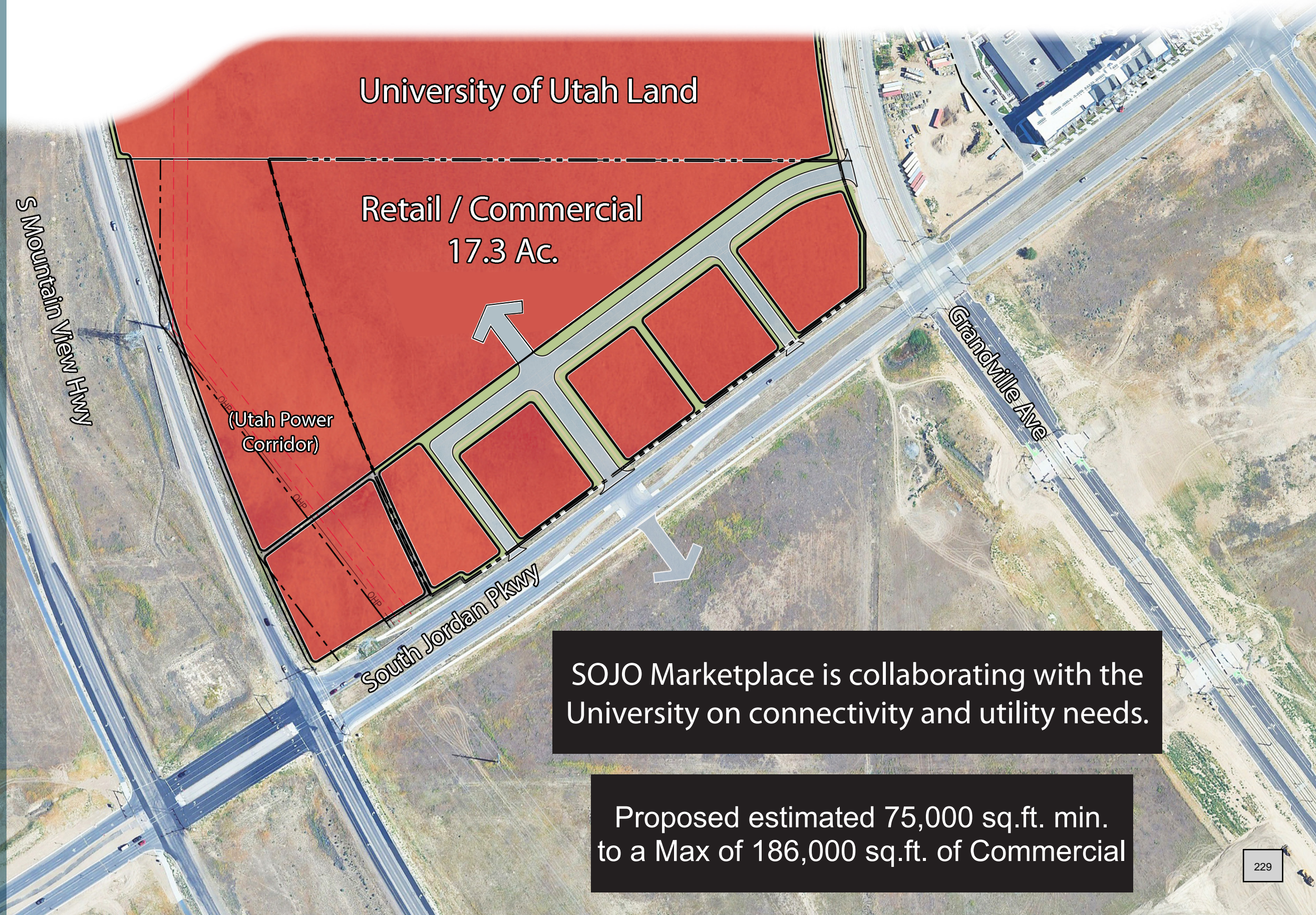
thence Northerly 1,004.09 feet along the arc of a 4,560.00 foot radius curve to the right (center bears North $63^{\circ}15'50''$ East and the chord bears North $20^{\circ}25'41''$ West 1,002.06 feet with a central angle of $12^{\circ}36'58''$);

thence South $89^{\circ}51'12''$ East 1,226.20 feet to the Point of Beginning.

Contains 755,438 Square Feet or 17.342 Acres.

SOJO

MARKETPLACE



SOJO Marketplace is collaborating with the University on connectivity and utility needs.

Proposed estimated 75,000 sq.ft. min. to a Max of 186,000 sq.ft. of Commercial



Item K.1.

OWNER'S AFFIDAVIT

This Owner's Affidavit (this "Affidavit") is made by Last Holdout LLC (the "Owner") who is the legal and right property owner(s) of the following parcel(s): 2614400017 17.342 Ac (the "Property").

The Owner acknowledges that South Jordan Commercial LLC (the "Representative") is authorized to represent Owner's interests in the Property for the following purposes (check all that apply):

- ☐ Rezone the Property
- ☐ Change Property's Future Land Use designation
- ☐ Development Agreement
- ☐ Subdivision or Subdivision Amendment
- ☐ Site Plan (may include a minor site plan or site plan amendment)
- ☐ Small Residential Development
- ☐ Conditional Use Permit

- ☐ Variance Request
- ☐ Accessory Dwelling Unit
- ☐ Reasonable Accommodation Request
- ☐ Other: _____

Application for
P.I.D.
Public Infrastructure District

The Owner understands that this authorization allows the Representative to submit applications to the City of South Jordan for the above-checked purposes.

OWNER SIGNATURE

[Signature]

OWNER SIGNATURE

[Signature]

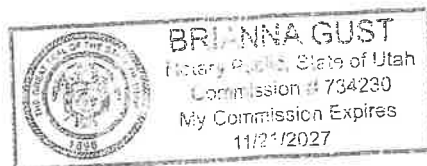
State of Utah

County of Salt Lake

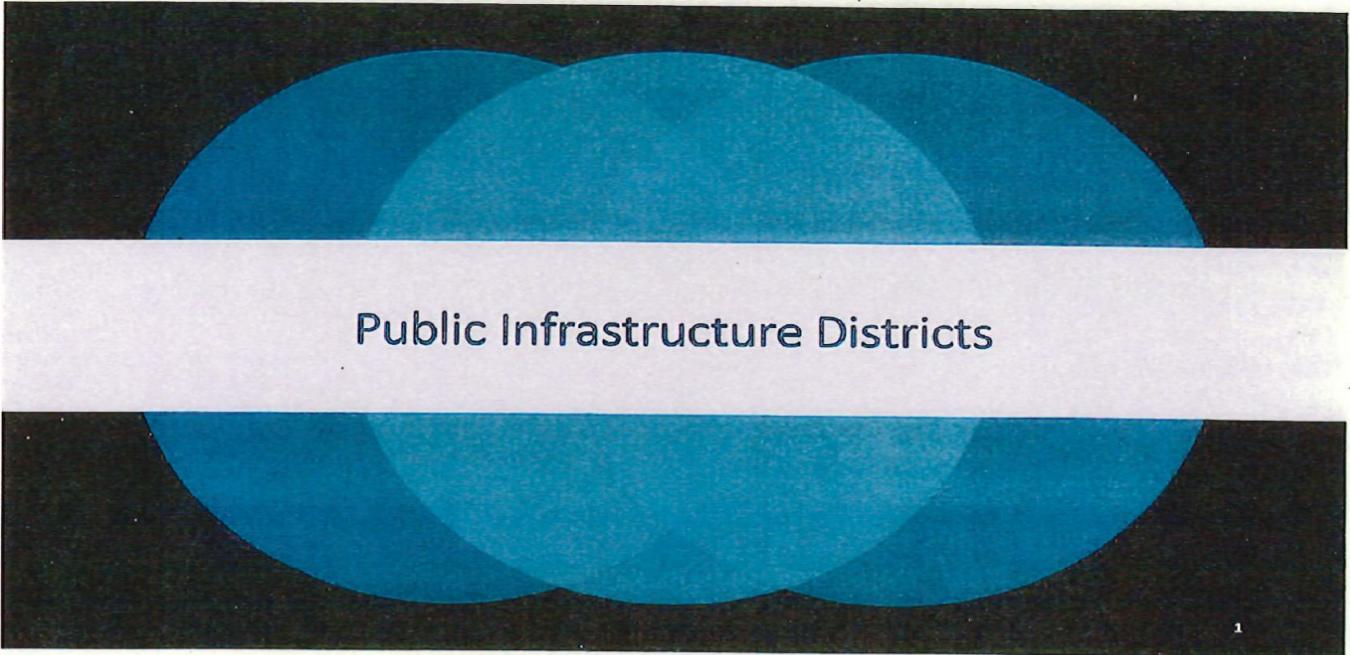
On the 1st day of October, 2024, personally appeared before me Mary Bastian Manager, the signer of the above instrument, who duly subscribed and swore before me that he executed the same.

[Signature]

Notary Public



(seal)



Public Infrastructure Districts

1

Introduction to Senate Bill 228



Codified as Title 17D, Chapter 4



Municipalities will be able to exercise their authority to regulate the use of property within their jurisdiction. The new Title 17D will provide municipalities with the authority to regulate the use of property within their jurisdiction.



PTDs can be used to protect the interests of property owners who are affected by the use of property within their jurisdiction.



PTDs can be an effective tool to the interests of both municipalities and property owners when potentially competing interests are balanced.

Economic Development Tools

- Historically, there have been two key economic development financing tools used by cities and counties:
 - ✓ Tax Increment Financing (TIF)
 - ✓ Assessment Areas & Bonds
- Public Infrastructure Districts are intended to compliment these tools as well as address some of their shortcomings



3



PID Features

- Governed under the Local district Act, Title 17B
- Independent political subdivision
 - PID debt is not a liability or a balance sheet item of the Creating Entity
 - Defaults by PID taxpayers not enforced by municipality
- Governed by own board
- Creates new tax revenue stream rather than reallocation of existing taxes

4

PID Creation and Powers

PID Creation

- At the discretion of the Creating Entity
- Requires consent of 100% of property owners and voters within the PID boundaries
- Costs of Creating Entity counsel in evaluating PID to be paid by the property owner

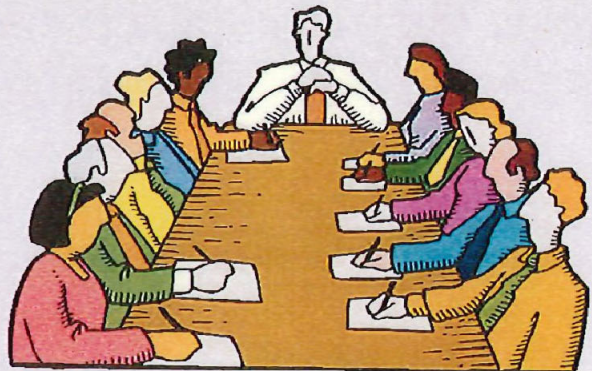
PID Powers

- Broad powers to finance public infrastructure of many types, generally including any improvement that will be owned by a state or local government, including the PID
- Powers may be limited by the Creating Entity in the governing document entered into at creation

5

PID Governance

- PIDs are governed by a board with members initially appointed by the Creating Entity
- Initial board comprised of property owners or their designated representatives
- Board will transition to an elected board as electors reside in the PID, as provided in the Governing Document
- Board authority constrained by the limitations established in the Governing Document





Potential Uses of PIDs

- Incentivize commercial development
- Facilitate master planned communities
- Incentivize multi-family and/or low-income housing
- Enhanced infrastructure, such as increased capacity
- Backbone and regional infrastructure



- PIDs may issue:
 - ✓ Special Assessment Bonds
 - ✓ General Obligation Bonds
 - ✓ Limited Tax Bonds
- In addition, TIF revenues may be pledged to repay PID Bonds

Bonds, PID Bonds

9

- ✓ Fixed rate bonds, generally for 30-year term
- ✓ Not subject to a fair market value ratio prior to issuance
- ✓ Repaid from a limited ad valorem property tax
 - ✓ Tax payment pegged to taxable value of property
 - ✓ Statutorily, this rate may not to exceed 15 mills
 - ✓ A lower limit may be established by the Creating Entity in the Governing Document or in the bond documents
 - ✓ New revenue source, no need to negotiate with school district, RDA, etc.



Limited Tax Bonds, *continued*

- In the event the proceeds of the limited tax are insufficient to meet annual debt service as it comes due:
 - ✓ Not an event of default
 - ✓ Bondholder has no statutory remedy to require additional taxes or fees of the PID
 - ✓ No statutory recourse to the property or the property owner
- Because of these unique features, the statute limits sale of limited tax bonds to qualified institutional buyers or to be sold in denominations of \$500,000



Sample Property Tax Mill Levy – 12.5 Mill Base

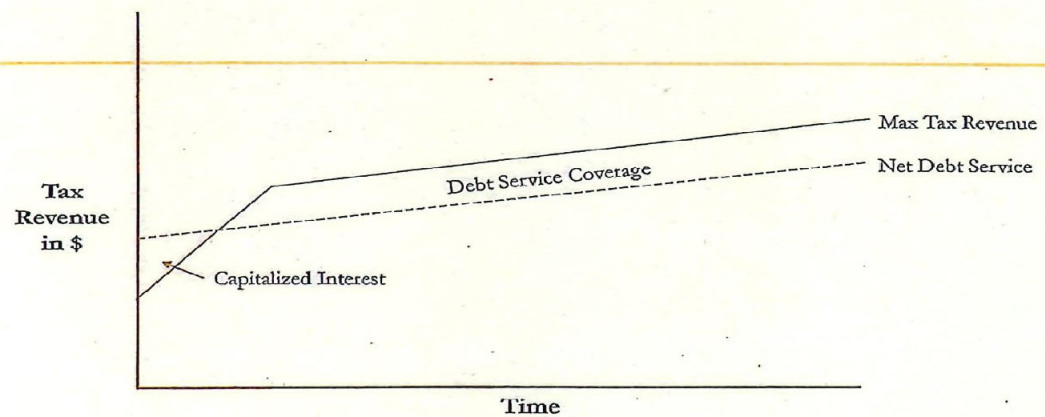
The property tax calculation for a residential owner is:

Market Value \times Taxable Value (@55%, primary home exemption) \times Mill Rate (1/1,000th) = Annual Taxes

Generally, property taxes are deductible from federal income taxes.

Mill Rate	Market Value	Taxable Value with primary home exemption	Mill Rate	Annual Taxes
Base Overlapping Mills	\$400,000	\$220,000	12.5	\$2,750
+ 7 PID mills	\$400,000	\$220,000	19.5	\$4,290
+ 10 PID mills	\$400,000	\$220,000	22.5	\$4,950
+ 15 PID mills	\$400,000	\$220,000	27.5	\$6,050

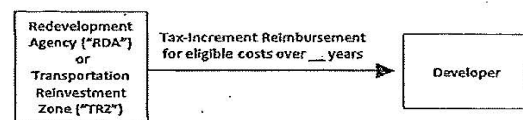
Limited Tax Bonds – Debt Service Coverage



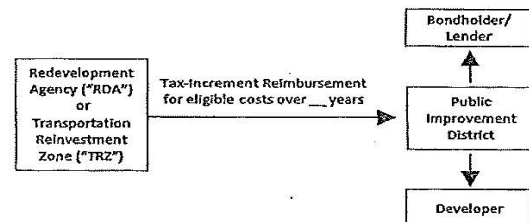
PID Interaction with Tax Increment Finance

- PIDs can act as the counterparty to RDA revenues, thereby creating a tax-exempt borrower to capitalize the increment without having 3rd party debt on RDA balance sheet
- PIDs bring additional revenues to the project from benefitted property owners whereas TIF involves reallocating tax revenue from other entities

Current/Traditional Plan



Public Infrastructure District involvement in Tax-Increment Finance





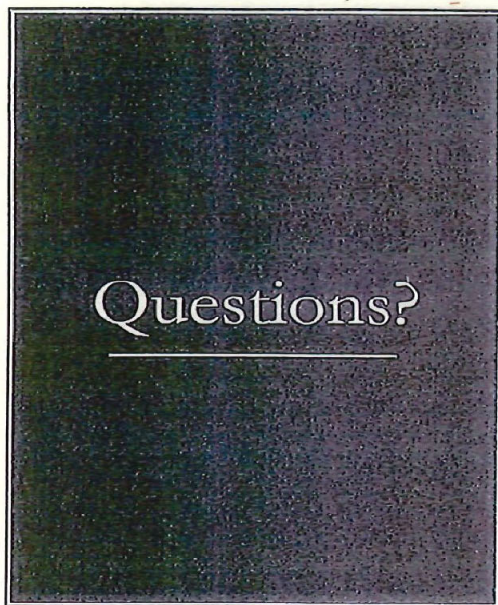
Considerations for the Creating Entity in Drafting the Governing Document

- The statute only establishes the outer limits of what a PID can do, greater limitations or requirements may be imposed by the Creating Entity
- Engage bond counsel to ensure proper legal and tax analysis over negotiations to ensure:
 - ✓ eligibility for tax-exempt financing
 - ✓ that the PID will constitute a "separate political subdivision" for tax purposes
- Creating Entity will want to adopt standard policies for evaluating all PID requests in light of its objectives

Considerations for the Creating Entity in Drafting the Governing Document, *continued*

- Consider what types of infrastructure the Creating Entity wants to allow the PID to finance
- Establish a mill rate limit appropriate to accomplish financing of approved improvements
- Establish Standards for:
 - ✓ Any general obligation bonding
 - ✓ Procurement
 - ✓ Transition to elected Board
 - ✓ PID lifespan and dissolution
 - ✓ Notice to future property owners





17

South Jordan - Commercial
Development Costs

Back Bone Road Improvements	Cost
Earth Work, Sewer, Culinary Water, Storm Water	\$ 6,632,156.75
Asphalt Paving	\$ 1,291,319.50
Dry Utilities	\$ 55,000.00
Site Concrete	\$ 1,720,876.00
General Landscaping	\$ 957,110.00
Stormwater Injection Wells	\$ 664,620.00
Signs & Striping (Extension)	\$ 6,300.00
Signs & Striping	\$ 22,060.00
Traffic Signals	\$ 175,000.00
Street Lights (9)	\$ 94,500.00
Rocky Mtn Power - Backbone	\$ 185,200.00
Enbridge Gas	\$ 102,240.00
Testing	\$ 46,046.85
Public Street Landscape	\$ 102,480.00
Contingency 5%	\$ 602,745.46
General Contractor Overhead 10%	\$ 1,265,765.46
Total	\$ 13,923,420.01

Public Road - Land Dedicated to City	Cost
Public Right of Way	\$ 2,127,600.00
Total	\$ 2,127,600.00

Grand Total	\$ 16,051,020.01
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\$5 mm PID Bond Financing Eligible Cost	Cost
PID Financed Costs	\$ 5,000,000.00
Total PID Financed Costs	\$ 5,000,000.00

Contingency & Contractor Overhead	Dry Utility	Landscape	Street Improvements	Storm Drainage, Detention, and Wells	Mass Earthwork	Culinary Water Improvements	Sewer Improvements	Street Lighting Improvement	Public Directional Signs and Signals	Total
				\$ 2,074,031.75	\$ 1,207,449.50	\$ 1,703,652.50	\$ 1,647,023.00			\$ 6,632,156.75
			\$ 1,291,319.50							\$ 1,291,319.50
	\$ 55,000.00									\$ 55,000.00
			\$ 1,720,876.00							\$ 1,720,876.00
		\$ 957,110.00								\$ 957,110.00
				\$ 664,620.00						\$ 664,620.00
									\$ 6,300.00	\$ 6,300.00
									\$ 22,060.00	\$ 22,060.00
									\$ 175,000.00	\$ 175,000.00
								\$ 94,500.00		\$ 94,500.00
	\$ 185,200.00									\$ 185,200.00
	\$ 102,240.00									\$ 102,240.00
			\$ 12,599.00	\$ 9,520.85	\$ 6,511.00	\$ 8,838.00	\$ 8,578.00			\$ 46,046.85
		\$ 102,480.00								\$ 102,480.00
\$ 602,745.46										\$ 602,745.46
\$ 1,265,765.46										\$ 1,265,765.46
\$ 1,868,510.91	\$ 342,440.00	\$ 1,059,590.00	\$ 3,024,794.50	\$ 2,748,172.60	\$ 1,213,960.50	\$ 1,712,490.50	\$ 1,655,601.00	\$ 94,500.00	\$ 203,360.00	\$ 13,923,420.01

										Total
										\$ 2,127,600.00
										\$ 2,127,600.00

										\$ 16,051,020.01
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										Total
\$ 670,995.67	\$ 122,972.66	\$ 380,506.37	\$ 1,086,225.40	\$ 986,888.49	\$ 435,941.92	\$ 614,967.62	\$ 594,538.19	\$ 33,935.63	\$ 73,028.03	\$ 5,000,000.00
\$ 670,995.67	\$ 122,972.66	\$ 380,506.37	\$ 1,086,225.40	\$ 986,888.49	\$ 435,941.92	\$ 614,967.62	\$ 594,538.19	\$ 33,935.63	\$ 73,028.03	\$ 5,000,000.00