

**CITY OF SOUTH JORDAN
ELECTRONIC CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, JUNE 06, 2023 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, June 6, 2023, in person in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah, and virtually via Zoom phone and video conferencing. Persons with disabilities requesting assistance should contact the City Recorder at least 24 hours prior to the Meeting. The Agenda may be amended and an Executive Session may be held at the end of the Meeting. Times listed are approximate and may be accelerated or delayed.

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

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

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

Join South Jordan City Council Meeting Virtually:

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

Regular Meeting Agenda: 6:30 p.m.

- A. Welcome, Roll Call, and Introduction:** By Mayor, Dawn R. Ramsey
- B. Invocation:** By Council Member, Brad Marlor
- C. Pledge of Allegiance:** By Council Member, Don Shelton
- D. Minute Approval**
 - [D.1.](#) May 16, 2023 City Council Study Meeting
 - [D.2.](#) May 16, 2023 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 for any person who wishes to comment on the agenda for public hearing. Any person or group wishing to comment on any item not otherwise scheduled for public hearing on the agenda may address the City Council at this point by stepping to the microphone, or if joining electronically, by raising their hand and giving his or her name for the record. Note, if joining electronically, photos or documents will not be accepted through Zoom and you must attend City Council Meeting in-person. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Chair. Groups wishing to comment will be asked to appoint a spokesperson. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council Meeting. Time taken on non-agenda items, interrupts the process of the noticed agenda. In rare cases where it is determined appropriate to address items raised from public comments, these items will be noted and may be brought back at the conclusion of the printed agenda.

G. SJC Townhomes Land Use Items: 7:00 p.m.

G.1. Presentation on Resolution R2023-25 and Zoning Ordinance 2023-03-Z, all related to SJC Townhomes proposed development; Brian Adams on behalf of J.L. Salt Construction, Inc. DBA Dream Home Builders (Applicant). *(By Director of Planning, Steven Schaefermeyer)*

G.2. Resolution R2023-25 public hearing.

G.3. Zoning Ordinance 2023-03-Z public hearing.

[G.4.](#) **Resolution R2023-25**, Authorizing the City and the Developer to enter into a Development Agreement pertaining to the development of the property located at 11147 S. Redwood Road.

[G.5.](#) **Zoning Ordinance 2023-03-Z**, Rezoning property located at 11147 S. Redwood Road from A-5 (Agricultural) and R-2.5 (Single-Family Residential) Zones to R-M-PD (Residential-Multiple-Planned Development Floating) Zone; Brian Adams on behalf of J.L. Salt Construction, Inc. DBA Dream Home Builders (Applicant).

H. Public Hearing Items: 8:00 p.m.

[H.1.](#) **Ordinance 2023-08**, Vacating a portion of Right-of-Way at the Northeast corner of Silver Pond Drive and Dockside Drive (11375 South 6742 West). *(By Director of Planning, Steven Schaefermeyer)*

[H.2.](#) **Ordinance 2023-09**, Amending subsections of the South Jordan Municipal Code 2.28.10 C. and E. pertaining to the Appointment and Term of the Office of the City Manager. *(By City Attorney, Ryan Loose)*

I. Staff Reports and Calendaring Items: 8:30 p.m.

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

COUNTY OF SALT LAKE)

I, Anna Crookston, the duly appointed City Recorder of South Jordan City, Utah, certify that the foregoing City Council Agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body and also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on South Jordan City's website at www.sjc.utah.gov. Published and posted June 2, 2023.

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

May 16, 2023

Present: Council Member Patrick Harris, Council Member Tamara Zander, Council Member Brad Marlor, Council Member Jason McGuire, Deputy City Manager Dustin Lewis, City Attorney Ryan Loose, Director of Recreation Janell Payne, Director of Public Works Jason Rasmussen, Director of Strategy & Budget Don Tingey, City Engineer Brad Klavano, CFO Sunil Naidu, Director of Commerce Brian Preece, GIS Coordinator Matt Jarman, Senior IS Tech Phill Brown, IT Director Jon Day, Director of Administrative Services Melinda Seager, Deputy Fire Chief Ryan Lessner, Police Chief Carr, Director of Planning Steven Schaefermeyer, Communications Manager Rachael Van Cleave, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun, Arts Program Coordinator Tiffany Parker

Absent: Mayor Dawn Ramsey, City Manager Gary Whatcott

Others: Jake McIntire, Kirby Croyle, Dwayne's iPhone

4:48 P.M.
STUDY MEETING

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

Council Member Marlor motioned to nominate Council Member Shelton as Mayor Pro Tempore for tonight's meetings in Mayor Ramsey's absence. Council Member McGuire seconded the motion; vote was unanimous.

Mayor Pro Tempore Don Shelton welcomed everyone present and introduced the meeting, excusing Mayor Dawn Ramsey who was unable to attend tonight.

B. Invocation: *By Director of Strategy & Budget Don Tingey*

Director Don Tingey offered the invocation.

C. Mayor and Council Coordination

Council Member Tamara Zander asked for more details about the Envision Utah Future of Water Event on Thursday.

Deputy City Manager Dustin Lewis responded that he would try to get some more information for her.

Council Member Brad Marlor asked about the playground for Jordan Ridge. He would like to see about having a small ribbon cutting with the local residents for that opening.

Director Jason Rasmussen said he would check into the schedule for the replacement of the playground and get back to Council Member Marlor.

D. Discussion/Review of Regular Council Meeting

Presentation Item:

- Proclamation recognizing National Public Works Week May 21-27, 2023.

Public Hearing Items

- Resolution R2023-19, CTAA legislation.

Deputy City Manager Lewis noted that the swearing in for our Youth Council will be between the two items above. There will need to be an amendment to the council meeting's agenda to add an Executive Closed Session at the end of the meeting for the discussion of city property.

E. Discussion Items

E.1. South Jordan's Art's Council Master Plan (*By Director of Recreation Janell Payne*).

Jake McIntire (Union Creative) – he introduced himself and reviewed Attachment A regarding the future Arts Council Master Plan Proposal.

Council Member Zander asked if the survey being done was specific to the arts, or if was a general survey with a few art-driven questions.

Arts Program Coordinator Tiffany Parker responded that the survey is specific to this project.

Mr. McIntire continued reviewing Attachment A.

Council Member Shelton asked about the utility box wraps and where they land in the proposed master plan.

Mr. McIntire said he believes they are grouped under temporary projects. He continued reviewing the types of projects in Attachment A.

Council Member Shelton asked if there was any evidence that having murals in places previously being vandalized work as a deterrent.

Mr. McIntire responded yes, they have noticed a difference in where graffiti is being done when murals are placed in an area. He then continued reviewing Attachment A regarding the arts master plan proposal.

Council Member Zander asked who makes the final decision on this master plan, is it the Arts Council, the City Council, etc.

Mr. McIntire said it's still to be determined at this point in the process, but generally it is a mix depending on the type of project and the scale. Most communities allow the Arts Council to make a preliminary recommendation to City Council, then City Council makes the final adoption of that.

Deputy City Manager Lewis noted that the council will be the final decision makers for this master plan through the budgeting process. The Arts Council will be bringing this plan back for final approval after getting the city council's recommendations tonight.

Council Member Shelton noted that the budget document doesn't spell out the capital projects, and he's assuming it will be the same way with the arts budget. Just like the Mulligans budget, you won't be able to look at that document and see what's coming, being delayed or removed from the schedule. He'd like to see that level of detail in the future with this Arts Master Plan.

Deputy City Manager Lewis noted that he and CFO Naidu have already had discussions about the same issues Council Member Shelton shared, and he said they are working towards including much more details in the Mulligan's CIP, and they can do the same on the arts side. They should have the plan before the strategic planning starts in the fall, and they can have discussions about funding priorities at that time.

Mr. McIntire noted all communities are different, but he usually recommends some kind of annual update report to the governing body on the plan. He continued reviewing Attachment A in regards to the types of funding.

Council Member Zander asked what the 2023 Public Art Budget will be.

Coordinator Parker responded that the Arts Council budget is \$48,000, of which \$24,000 came from ZAPP, and \$18,000 from Round it Up. The Arts Programming Budget is \$20,000 to pay the teachers with theater programming having a separate budget of \$40,000.

Council Member Zander asked if this master plan will require them to double or triple their budget, or are they trying to work within the current budget amounts.

Deputy City Manager Lewis said they will talk about that in the fall, and whether the council wants to raise or otherwise adjust the funding in those different areas based on their priorities.

Council Member McGuire noted there will be a steering committee meeting in the near future just to discuss funding opportunities available so that can be included in the master plan.

Mr. McIntire continued reviewing Attachment A and the council and staff discussed fundraising options, including an option on city bills to round up the total to donate to the Arts, or including a QR code making it easy to donate.

Mr. McIntire hopes to get a sense of what the council's vision is for the role of Arts in the future of the community during this meeting.

Council Member Shelton loves the utility box wraps, the murals, the community play and wishes it was in a nicer facility. He also loves the classes for all ages available for those interested in art.

Council Member Marlors enjoys going to the art shows. It is a great time for adults and kids to participate, and everyone can celebrate together with the art when they visit. The city doesn't necessarily have a great venue for those shows, but the Gale Center was good enough and even displaying art at City Hall is demonstrable of what's happening in the city and the talent here. He also loves the boxes because they are very visible, and he'd love to see two plays a year.

Mr. McIntire added that from his perspective they are working towards looking at ways in which the city can incubate and cultivate more work happening from the ground up, allowing support without being the active programmer. The city is doing a lot initially, but if the arts are going to grow more it needs to come from the community, and the city can support that in many ways. They are looking into ways to make the growth sustainable if the arts are going to continue growing.

Council Member Zander added that Daybreak has their own Arts Council with a large budget.

Mr. McIntire noted that their budget is similar to many communities around the Wasatch Front like Ogden and Logan.

Council Member Zander doesn't believe any other cities have what we have within South Jordan, having a very organized and arts influenced community. We all know about Daybreak's Council, but she doesn't want to see the city competing with them; she wants to see our council cooperating with Daybreak. She talked about Daybreak's Fizz Fest, noting that it's not a part of our master plan, but it's happening so we shouldn't be ignoring it. We are much better at cooperating with Daybreak, and she doesn't want anyone to ignore the fact that they put on some amazing events. Why can't the city count that as something happening in the city that everyone can attend.

Mr. McIntire said they are already thinking about that, noting the city has a very complex model to work with having both a subgroup in Daybreak and the County Arts Council above them. That creates a huge opportunity, and while the city wouldn't claim Daybreak's work as their own, it is a good model to use for mapping and looking at where we have resources and sharing those. There is a great opportunity for a partnership with Daybreak, and they need to look at how to strengthen those type of partnerships and add them into the plan.

Council Member Zander loved the plan and said that is exactly what she was hoping to hear in regards to utilizing Daybreak and their Arts Council to help boost our programs.

Council Member Marlors asked how the arts council is coordinating with the school system, as that is a great avenue for the different ages to participate in art.

Mr. McIntire responded they haven't done much to this point, and doesn't know that it's outlined in the report, but they can definitely take a look at it.

Council Member McGuire said they have tried to reach out to the schools, especially for the box wraps, but it has been a challenge to get in and get participation. They are continuing to pursue it, but they might need to take a different approach to it, reaching out to the principals first and meeting with them before the teachers. He mentioned the ULCT's annual essay contest to one of his children's teachers and before she could ask students to participate she noted that she had to ask the principal.

Council Member Marlbor thinks if the schools are approached with a project, and the city's thoughts on the school participating, the city would get participation from them.

Council Member McGuire said timing during the school year is also an issue.

Mr. McIntire said those relationships take time to cultivate and recommended trying to have an educator on the arts council whenever possible, as they would be bringing a different dynamic.

Council Member McGuire referred back to the original question about the council members' visions towards the arts in the city. He thinks it can be something South Jordan can build part of its identity on, as we've started to do with the race series. Many people think all the cities here blend together, and he thinks our Arts and Recreation Departments are a great opportunity to brand ourselves and encourage people to do things like come in the morning for a race, but stay for a theater production.

Council Member Zander asked if there is a South Jordan representative on the Live Daybreak council.

Council Member McGuire responded yes, and she has been on that council for years.

Deputy City Manager Lewis added that as the council members are thinking about appointees to the Arts Council, they should start thinking about qualified people to fill the different niches. People that can really get behind and support the vision being created. The appointees also don't have to necessarily live in the city if they have the right expertise.

Mr. McIntire mentioned that they can include in the plan the types of professionals and individuals recommended for the council. One thing the steering committee and stakeholders have been discussing is to what scale the arts should be a part of the city's identity, and wanting to include that in the master plan to help create that vision.

Council Member Zander doesn't see the arts being the biggest hallmark of the city. The city logo is a tree, we have the Jordan River; she personally sees South Jordan more as a healthy, active recreational community, and arts is definitely a part of that.

Council Member Marlor noted that is a great perspective for those who are more into the outdoors and athletics. However, for people that are more into arts, if we build it they will come. If the facilities and programs are available, people will go and bring their families, finding enjoyment in it. He thinks you could put on four productions a year and people would attend them and love them. If they put a little more emphasis on the arts, that might bring a little more of a balance into play for everyone.

Council Member Shelton has family in Loveland, CO and every time they go there he is told it's an "arts community." He doesn't know how that manifests itself, other than he sometimes sees statues while driving around, many times on trails, and utility box wraps; he's not sure what else they have that makes them an "arts community." He wouldn't mind South Jordan being known as an "arts community" if it didn't require large tax increases to do so.

Council Member Marlor noted that you can see things like moose and buffalo art in many cities, and suggested we do something similar with tree art to represent our logo.

Deputy City Manager Lewis asked if the council would like to use the arts to create a sense of place or identity in the community, or should it be more to provide amenities that allow art to occur in the community.

Council Member Marlor noted that if they included tree art throughout the city they could decorate the pieces for holidays and make them something special.

Council Member Zander asked if anyone on the committee has looked into the theater department at Early Light Academy.

Recreation Director Janell Payne noted it has been a few years, but she has spoken with them in the past and at that time their facility and schedule was too full to allow for partnering.

Council Member Zander would love to see some of their Kensington Theater members participate in the city productions, and asked if there is anyone from that theater on the Arts Council.

Mr. McIntire pointed out those kids need somewhere to go after that program, what is the community as a whole doing to help those students grow and support them as they get older.

Council Member Zander noted the Kensington Theater has programs for all ages from kids to teens to adults. We don't support, promote or even advertise for any of their events, but it is an incredible venue. Just like Daybreak is a feather in our cap, Kensington Theater can be the same, and both are operating without any city influence.

Council Member Shelton suggested promoting those types of things.

Mr. McIntire noted that marketing and communications of arts is a pretty common role that arts councils or city arts departments play.

Council Member Zander said that our city has such great assets that we are not using in terms of the arts, and that could be “baked” into this plan.

Council Member Harris said his family attended the arts show display, and he personally thinks there are a number of things the city is doing or could be doing to benefit large numbers of people. He believes that as they are choosing what programs and events to do, they should think about what would potentially impact the most people.

Mr. McIntire continued reviewing Attachment A and asked for the council’s opinion on what success in the arts would look like in South Jordan.

Council Member McGuire said that success for him would be adding to the quality of life for the residents, and as a byproduct possibly the economic development that comes along with it. Arts have a way of uniting people that otherwise might never be in the same room together or have a conversation together. The more opportunities to bring people together in a setting where barriers disappear, the better off we are and the more we improve the quality of life for our residents.

Council Member Zander likes the sense of place. Our residents tend to have a very high regard for the city and she wants that to be enduring. She likes when there are no financial barriers to engaging in the arts, so anyone can access the arts on a semi-equal basis regardless of their financial situation. When her family was in financial trouble she loved being able to participate in things that weren’t cost prohibitive, and they need to be sensitive to that in the city.

Coordinator Parker said they had many comments about that at the art show, both from the artists and those in attendance; they shared their appreciation that the city still doesn’t charge a fee to come and enjoy the art.

Council Member Marlor said last Saturday he attended a soccer game for his four year old granddaughter, and like the arts shows, there was a sense of community. These are things that bring a lot of people together, the kids get great exercise and everyone enjoys time out. The same thing happens with art, where it’s either free or very low cost, and it’s something enjoyable that brings the community together; that’s his objective, it’s a community thing for him and he likes the fact that it’s available to everyone in and around the community.

Council Member Harris said success might look different for each individual, but from the city’s perspective any time they are doing something with city resources, success is really determined by how successful the city is in getting that message out about the event. If they are going to use the time and resources to put those events on, they should make sure they are broadcasted effectively through all channels available.

Council Member Shelton agreed with the other council members. This is about opportunities in the community, more so than notoriety. Opportunities for residents to participate in and enjoy the arts is what it’s about in his mind. He’s not sure how to measure that, possibly additional economic development, more art studios in the city, etc.

Mr. McIntire said that they need the guidance in what they are measuring, not so much how to measure it. The idea that it's really about quality of life gives them a different lens to look at the project, rather than if the question had just been answered by saying notoriety, tourism, business recruitment, etc. As they make site selections, funding recommendations, etc., they know things need to come back to quality of life for residents as the core goal.

Council Member Zander noted the city's Summerfest has evolved over the years. They used to pay high dollar amounts for someone to come sing, but they then realized that the average person sitting there listening to the concert was not a South Jordan resident. She was tired of spending tax payer dollars for everyone to come and watch an expensive performance on the stage. That was removed and they started discussing what the city's residents want to see, and the last Summerfest had reptiles, chalk art, etc., where everyone could walk around at no expense and visit every activity. She had so many parents thanking her for providing things that don't require a ticket purchase. She loves the way Summerfest has evolved, and she would like to see that continue into the arts.

Mr. McIntire discussed differences in art and the different goals/outcomes of those differences.

E.2. Police Services *(By Deputy City Manager Dustin Lewis)*

Deputy City Manager Lewis noted the council members all received an email from Salt Lake Councilwoman Amy Winder-Newton towards the end of April, asking about feedback from the council on police services. He gave a brief overview of the services being discussed and asked how the council would like the city to respond to Councilwoman Winder-Newton.

Police Chief Jeff Carr discussed the history of city police departments in Utah, noting that 50, 60 or 70 years ago there were maybe one to two cities with police departments, and the county sheriff was providing law enforcement for entire counties. During that time, the county sheriff was allowed to use the general fund, which was funded by everyone in the county. As things changed and more cities began their own police services, around 2001 Senate Bill 168 came about which said Salt Lake County and the sheriff's office can't use general fund money to provide investigative services, which included paramedics and a fire component, and charge the entire county to provide services to the unincorporated county and a few contract cities. This created the Municipal Services Fund and \$9 million was cut from general fund tax dollars going to the sheriff. They raised taxes for half of that amount to the unincorporated county citizens and contract cities, and then cut about \$4.5 million from what the sheriff was doing at the time. That situation kept changing, and over time, things started drifting back to the original way. The Salt Lake County Council saw this and started studying it and put together a committee, which Chief Carr was asked to serve on with several others. After examination, it appeared that some of the practices prior to Senate Bill 168 from 2001 had come back. He gave some examples of how that was happening at the time, and noted that there was an interest with the sheriff being involved with both entities that could funnel money to both. On the heels of that, Amy Winder-Newton sent every council and police chief in the county the letter discussed, asking what they felt about the discoveries, and what services they would like to use. Chief Carr feels our city can support things like search and rescue, jail, court security, etc. He does believe there are major questions

with the other countywide services listed. He still believes the cities should support a county collective with gangs and drugs, but it needs to be funded differently and allow individual cities to use those countywide tax dollars to pay for participation in things like the gang unit or drug task force. Right now, South Jordan residents are paying to have a UPD officer on that task force, as are many other neighboring cities, even if they have their own task force. He thinks this legislation may address that to some degree, but he thinks Amy Winder-Newton wants to hear from all the councils about their feelings and what they would like to see done. If the county funded everybody to have a position on the county task force, we would have better communication, better coordination between agencies, etc. In his opinion, those are the things the city should support like the gang and drug initiatives, as long as all the money isn't funneled to one entity and goes through an equitable and transparent process, with those wanting to contribute getting some reimbursement from Salt Lake County. Some other things listed he believes are better served at the local level, as some of the items aren't used in our city because we have our own resources. There are some things he feels the city should consider supporting, and possibly using some of that funneled money for. We are going to need additional jail space with the growth in the county, and that should be looked at. He has spoken with the sheriff and she is starting to talk about that, which is positive. Some of the money could be funneled to additional mental health services through the MCOT teams and things of that nature; those are good things that almost everybody can support in Salt Lake County. That's where he plans to outline his concerns, and he thinks some other chiefs will do the same. He stands ready to help the council if they'd like to send a letter by giving them a little more clarity on the issue if needed. If no input is given, the county will say that they asked but no one answered, and they will do what they think is best at their level.

Council Member Marlor would love to see the chief's comments on what specifically he thinks should be done at a county level versus at a local level, and see if he supports those. He doubts he would have many concerns after the chief puts that together, and he asked if that would be possible.

Chief Carr is pretty close to finishing his letter and he can share that.

Deputy City Manager Lewis said he can send the council members the original paper staff wrote which has some of the background discussed above. He can also send the council some notes compiled by the chief, if they would rather have some bullet points to write their own comments from.

Council Member Shelton is in favor of having a single letter from the council, supporting Chief Carr's letter.

Council Member Zander likes the idea of having one letter from the council, but she also would love to see the bullet points. That way, if they have something they feel strongly about, they can emphasize those points directly with Amy Winder-Newton.

Council Member McGuire agrees with the single letter idea.

Council Member Harris believes most things our city can handle on a local level are done well, but there are certain things that make sense to handle on a county level. He wants that to be a small list with thorough reasons why it doesn't make sense to handle something at a city level. He likes the idea of shared resources that everyone benefits from, but if the money were being allocated in a way that doesn't really benefit our residents then he would like to get away from that. He is also supportive of a collective letter.

E.3. Summerfest Parade 2023 *(By Director of Recreation Janell Payne).*

Recreation Director Janell Payne reviewed the new parade rules posted on the city's website, as well as on the parade entry application, and the reasons behind the changes. A group was created to discuss ways we can prevent the same tragedies from happening in our parade; the new rules put into place were a result of the internal committee formed, as well as alignment with the state and municipalities and the rules they are implementing this year. Our city is the first parade of the season, and the first to see those rules put into action. The main points are that those under eight years old need to be in a seatbelt in the vehicle they are riding in, and anyone over eight can be in the back of a vehicle but they cannot get on and off during the parade, staying seated in the back.

Deputy City Manager Lewis added that no one can approach or leave the vehicles during the parade either, so if someone runs out of candy, Frisbees, etc., no one can leave the vehicle to retrieve more or approach the vehicle to give them more. The city is also going to implement parade marshals, volunteers to ensure rules are being followed by the participants as well as the spectators. Another benefit to having only eight and older in the back is that it should help distribute the candy further away from the vehicle.

The council members discussed their plans for the morning of the parade and the schedule of events, along with volunteers needed for the parade.

Director Payne discussed the parade preview planned for Tuesday night at Highland Park and noted that Wednesday night is the Mulligans events.

ADJOURNMENT

Council Member Marlor motioned to adjourn the May 16, 2023 City Council Study Meeting. Council Member Zander seconded the motion; vote was unanimous in favor.

The May 16, 2023 City Council Study meeting adjourned at 6:26 p.m.

SOUTH JORDAN CITY
CITY COUNCIL MEETING

May 16, 2023

Present: Council Member Patrick Harris, Council Member Tamara Zander, Council Member Brad Marlor, Council Member Jason McGuire, Deputy City Manager Dustin Lewis, City Attorney Ryan Loose, Director of Recreation Janell Payne, Communications Manager Rachael Van Cleave, CFO Sunil Naidu, Director of Strategy & Budget Don Tingey, Director of Commerce Brian Preece, Director of Public Works Jason Rasmussen, Director of Administrative Services Melinda Seager, GIS Coordinator Matt Jarman, Senior IS Tech Phill Brown, IS Technician Michael Erickson, IT Director Jon Day, Director of Planning Steven Schaefermeyer, City Engineer Brad Klavano, Deputy Fire Chief Ryan Lessner, Police Chief Jeff Carr, City Recorder Anna Crookston, Deputy City Recorder Cindy Valdez, Meeting Transcriptionist Diana Baun, Arts & Culture Program Supervisor Emily Stephens

Absent: Mayor Dawn Ramsey, City Manager Gary Whatcott

Others: Guenther Popp, Mitchell Sadowski, Mylee Wong, Grace Sadowski, Varsha Gullikonda, Marcia Ferrer, Madeline Hope, Gavin Beyley, Shaden Colemore, Aditya Narayanan, Narayanan Jayaraman, Bronson Mason, Bridger Mason, Garon Mason, Sarah Mason, Clay Partain, Adam Hinselman, Satish Guttikonda, Siddharth Guttikonda, Antana Nekkanti, Lynette Bagley, Chris Bagley, Kezia Wilson, Karyl Baun, Tami Pyfer, Payton Bullock, Cooper McDermaid, Susanna Bruening, Whitney Dawson, Abby Dawson, Bart Blaisdell

6:38 P.M.
REGULAR MEETING

A. Welcome, Roll Call, and Introduction to Electronic Meeting - *By Mayor Tempore Don Shelton*

Mayor Pro Tempore Shelton welcomed everyone and introduced the meeting. He excused Mayor Dawn Ramsey and City Manager Gary Whatcott who were unable to attend tonight.

Council Member Marlor motioned to amend the agenda, adding an Item K. for an Executive Closed Session to discuss the purchase or sale of real property. Council Member McGuire seconded the motion; vote was unanimous in favor.

B. Invocation – *By Resident Kerrie Branch*

Kerrie Branch was not present and Council Member Zander offered to give the invocation.

C. Pledge of Allegiance – *By Council Member Brad Marlor*

Council Member Marlor led the audience in the Pledge of Allegiance.

D. Minute Approval

D.1. May 2, 2023 City Council Study Meeting Minutes

D.2. May 2, 2023 City Council Meeting Minutes

Council Member McGuire motioned to approve the April 18, 2023 City Council Study Meeting Minutes and the April 18, 2023 City Council Meeting Minutes as published. Council Member Zander seconded the motion; vote was unanimous in favor.

E. Mayor and Council Reports

Council Member Patrick Harris attended the art and quilt shows put on by our city. He enjoyed the idea of voting for the art with fake money, and felt it was a very creative way to generate feedback; we have many amazing artists in our city. He attended a birthday party in the park, and he wanted to share that he feels the city does such a great job with the facilities and allowing residents to rent those out for private functions. He is currently in Austin, TX and he was able to go to the Capitol, where a senate session was in progress. Austin is a growing city in Texas, and it was interesting to hear that they are dealing with many of the same issues we are here.

Council Member Jason McGuire attended the Arts on the Towne events as well, it was nice to have the quilt show back. He had an Art's Council meeting where they reviewed the Arts Master Plan currently being created, and today he had an Art's Master Plan Steering Committee meeting as well. He was able to take a tour of the Zipline facility with the Mayor and Council Member Shelton, which uses drones in the southwest end of the valley to deliver medical supplies. It launches from the Trans Jordan Landfill because there are no obstacles for the drones, and it was a wonderful experience to see in person.

Council Member Tamara Zander met with the South Valley Mosquito Abatement District on May 8 for a board meeting. She saw two of their employees out collecting samples from ponds in the Daybreak area, near Oquirrh Lake. They are in full force due to a very wet season and things are going well there. On May 6 she also attended the Art on the Towne, thoroughly enjoying it. The quilt show was delightful and she was able to actually speak to some of those artists, from whom she learned a lot. Later that day she attended the soapbox derby in Daybreak where people could enter to race their own soapbox cars. Her office built a soapbox to race and they won the Freestyle event. On May 11 she held her second cottage meeting with some different residents in District 4, where they discussed the upcoming annexation potential, and some of the growth going on in the west side of the city. She has had a couple of those cottage meetings in the last month and it has been such a treat to sit down with residents of the community and hear them talk about their concerns and what they love about our city. Today was the South Valley Chamber of Commerce's Business Accelerator Graduation, it is a great service for any other small businesses out there looking for an opportunity to network with other small businesses and learn. On Saturday May 13 she and her husband rode their bikes up Butterfield Canyon. She thanked Salt Lake County for using our tax dollars to finally connect and fix them up.

Council Member Brad Marlor has not had any Architectural Review Committee meetings since the last council meeting. This last Saturday his four year old granddaughter was playing soccer at one of our city parks and he wanted to share how wonderful it was to see families and so many others enjoying themselves there. He thanked the city staff that keeps up those parks and allows the residents to recreate in a safe and beautiful environment. That morning the city also hosted a disposal and shredding event, and he was able to shred many boxes of personal and business material. It was very organized and there were a lot of people there taking advantage of those free services. Last night his youngest son and granddaughter came to his house and planted giant pumpkins in a section of his garden in preparation for the Pumpkin Regatta in the Fall, and he encouraged others to try it.

Mayor Pro Tempore Don Shelton welcomed the Youth Council members, their leaders and families. Since the last meeting he met with the Jordan River Commission Executive Committee and attended an Association of Municipal Councils meeting. Salt Lake County Parks & Rec Staff attended the meeting as well, and they were sharing some of the things they have going on which included a bunch of grant opportunities. He noted those opportunities and while other council members from other cities in attendance were asking questions about those grants, he was thinking to himself that South Jordan Staff were probably already on top of it. Later that day he spoke with Deputy City Manager Dustin Lewis about those grants and he was told the city had already acquired grants of close to \$1 million, and many were the grants discussed at the meeting. He discussed the Zipline facility tour and how much he enjoyed seeing the facility and the process involved in launching a drone, sending it for delivery, and then having it come back to the base and land.

F. Public Comment

Mayor Pro Tempore Shelton opened the public comment portion of the meeting.

Gunther Popp (Senior Advisory Committee Member) – We have a Kennecott tour on Thursday May 18. Everyone is invited for the Memorial Luncheon coming up on May 26 at 11:30 a.m. There will be a Summerfest Bingo Bonanza at 5:30 p.m., over in the pavilion by the Pickleball courts on Friday June 2. Saturday June 3 at 9:00 a.m. we will be throwing out candy to the kids during the parade. June 7 we have a Bees baseball game at noon, and with the ticket you get a hotdog and a drink. On June 15 there is a Saratoga Springs open house at 9:45 a.m. The big event is on Friday, June 23, when we are having a Senior Prom. There is a Father's Day breakfast coming up on Friday June 16, 8:00 a.m. to 10:00 a.m. and we encourage everyone to be there. I want to thank Council Member Don Shelton for always giving us reports. Once a month we meet at the center and we appreciate you being there and telling us what is and isn't happening, even though you can't tell us some things.

Mayor Pro Tempore Shelton closed the public comments portion of the meeting.

G. Presentation Item

G.1. Proclamation in recognition of National Public Works Week May 21-27, 2023
(By Mayor Pro Tempore Don Shelton)

Director of Public Works Jason Rasmussen gave a brief overview of what National Public Works Week means, and shared a video from three years ago titled “The Rhythm of Public Works” that can be found at the following link: <https://youtu.be/gcf51cL9PNk>.

Mayor Pro Tempore Shelton read the Proclamation in recognition of National Public Works Week.

H. Swearing in Ceremony

H.1. Introduction of South Jordan City Youth Council members *(By Director of Recreation Janell Payne)*.

Director of Recreation Janell Payne thanked Arts & Culture Program Supervisor Emily Stephens, who is the advisor for the Youth Council; she has done an amazing job this last year. Participating as an employee, doing some of the trainings this last year and really investing more into the program was a highlight for her year. She has been very impressed with the youths’ knowledge and interest in giving back to the community. She invited the upcoming year’s Youth Council participants to come up front to be sworn in for the 2023-2024 year.

H.2. Swearing in ceremony for the South Jordan Youth City Council *(By Deputy City Recorder Cindy Valdez)*.

Deputy City Recorder Cindy Valdez administered the Oath of Office for the 2023-2024 Youth Council Members.

I. Public Hearing Item

I.1. Resolution R2023-19, Consenting to inclusion in Salt Lake County’s proposed Convention and Tourism Business Assessment Area (CTAA), applicant Salt Lake Sports, Clay Partain *(By Director of City Commerce Brian Preece)*.

Director Preece reviewed background information from the Council Report and mentioned a letter sent by Visit Salt Lake’s CEO, Kaitlin Eskelson (Attachment A).

Public hearing opened then closed, no comments

Clay Partain is the Executive Director of Sports Salt Lake, which is a division underneath Visit Salt Lake. He met with the council at the last study session and they are very excited about this potential CTAA program. He discussed the benefits to joining the CTAA and that South Jordan would be part of a collective called the South Valley Region. Sandy City already voted to join the collective, Draper votes tonight and he believes they are possibly going to vote for it. They are already working with venues and have some great business ideas and concepts for these potential funds. Hotel support is very high, they only needed 60% support as part of the legislation and they are now at 80% overall. They continue to work with the hotels that haven’t responded, and this past week they had a meeting with Extended Stay America who has several locations around the county. In South Jordan they have support from the larger hotels, specifically the Holiday Inn, Embassy Suites, Sleep Inn, and the Springhill Suites.

Council Member Marlor noted that in the letter from Ms. Eskelson (Attachment A) there was a three year presenting sponsorship of approximately \$100,000 in total to the AJGA, and he asked to confirm that this means they are contributing to that effort and that Glenmoor Golf Course benefits from that contribution.

Mr. Partain responded yes, they are very proud and happy about the AJGA Championships being hosted at the Glenmoor Golf Club. It is something they have been working on for a year, and once they found Darcy at Glenmoor Golf Course they have been able to do so much more and she was the one to push the choice to hold the championship here but Sports Salt Lake did step up with some pretty large financial contributions. The \$100,000 total is over the course of three years, and they are excited to support this from their regular TRT (Transient Room Tax) Funds which are being used for this program. That is a great example of something they could actually use the CTAA finds for, as this was a stretch for them to pull this together.

Council Member Zander noted that they are committed to \$100,000 over three years, which works out to about \$33,000 a year, and asked what their budget is for 2023.

Mr. Partain responded that there is a pocket of their budget set aside, called Cooperative Marketing Contribution Funds, and those are the funds used for things like the AJGA. He can only speak from the Sports Salt Lake end, and in Sports Salt Lake they started the year with about \$175,000 in that fund bucket. They have to stretch those funds over all the events they are trying to bring throughout the entire county. Last year they helped to promote or attract just under 60 events to Utah, as well as gave sponsorships. That money gets used up and when divided up between all those events, the average they are able to offer as an incentive to get a group is pretty low. They are up against stiff competition nationally, there are other cities with big indoor spaces and event centers they are competing against for indoor sports. In regards to outdoor sports, they know there are certain cities with large complexes they are competing against. Communities are accustomed to offering financial packages, and that's how the game is played financially. They do bid on a lot of things they don't win, and fairly often there is a financial reason for that. There are also events that they simply aren't capable of bidding on because they would take the entire bucket of money budgeted. They have to pick and choose these business opportunities wisely and they have to look at what it's bringing back to the community, hotels, restaurants and shops.

Council Member Zander appreciated the email sent (Attachment A) and discussed the tax increase of 2%. It is a tax increase, being couched as if our residents aren't the ones paying it; ideally it's visitors paying the tax, but regardless it is an increased tax. With those tax dollars, who is the elected body or who sits on the Visit Salt Lake Board that might be an elected official.

Mr. Partain noted there are some difference with the CTAA assessment versus a tax. It's up to the hotels to pay the fee, and the hotel can choose to pass it on to the guest but ultimately it is up to the hotels to pay. The hotels will also be involved and dictating where those funds are spent, which makes sense since these hotels are very much geared towards finding business that best suits what they need. Those partnerships with the hotels are Visit Salt Lake's blood, along with the venues. They have had many conversations with other municipalities regarding the CTAA, and this isn't the first time they have been asked this question. Draper was also asking similar

questions, and they decided to make a concession that they believe might make it easier for municipalities to agree with. As the governance of this CTAA is set up, there will be an overarching committee comprised of hoteliers, and they will allow a municipality to have a representative on this committee. They can't be a voting representative, but they are invited to sit-in on the meetings. The municipality representative can also dictate whether they want a particular business at a city park if they feel the park is too busy on those days, or it's the wrong kind of opportunity for the park; the city will have sole discretion to pass on the business.

Bart Blaisdell – They also have the overall governance of Visit Salt Lake. Since they receive government funds through the TRT and the CTAA will be collected through the county, the county also oversees them as an entity and they have a contract with them. Part of that contract requires an annual audit. They are nonprofit so they do report to the IRS, and their financial information is available online for everyone to see.

Mr. Partain noted that they commit to not run any leisure or marketing campaigns promoting any of the city venues or assets without the expressed approval of South Jordan.

Council Member Zander asked if the concession to have an elected official in their meetings is new, and hasn't been done before.

Mr. Blaisdell said this is new, but Mayor Wilson or her representative has sat in on meetings in the past.

Council Member McGuire asked if the city was to pass on the CTAA tonight, do they have an opportunity in the future to participate.

Mr. Blaisdell responded that this will be for the first five years, then there will be a review and they could definitely add more municipalities at that time.

Council Member Harris asked how much of these funds can go to paying salaries of the employees within the organization.

Mr. Blaisdell said there is a restriction that only 10% can go to administration.

Mayor Pro Tempore Shelton gave a brief overview of his understanding of this proposal, that the Salt Lake County Council already receives the TRT Funds, and now they are proposing that the Salt Lake County Council receive the CTAA funds and they will continue to have governance over all those funds. Also, that these CTAA funds are dedicated to increasing tourism in Salt Lake County. He then asked the applicants if that was all correct.

Mr. Blaisdell responded yes, but the purpose of the separate areas for the CTAA's is to allow each group to benefit from the money collected in their area. They can't take funds collected from South Jordan Hotels to benefit the Downtown District.

Mayor Pro Tempore Shelton continued, noting that his understanding is that Salt Lake County receives these funds, then they contract with a nonprofit called Visit Salt Lake to implement the

promotion of tourism in Salt Lake. With the CTAA funds they would be marketing tourism in specific cities or areas. He asked if any members of the county council are on their board.

Mr. Blaisdell said there is also a county council member on the board, and that council chooses who that member is.

Mayor Pro Tempore noted that the hoteliers have to agree in a majority to allow this fee/tax to be imposed, and it is up to them whether they pass that on to those staying in their hotels. It was said that 80% of the hotels in Salt Lake County have asked for this be imposed, and he asked if they had those numbers for South Jordan.

Mr. Blaisdell said South Jordan is currently at 63%, which is over the 60% threshold. They have the major hotels, but haven't been able to get responses from La Quinta, Super 8, or Home2.

Mayor Pro Tempore Shelton asked if the CTAA is imposed, does it go on all the hotels.

Mr. Blaisdell responded yes, on all the hotels in the municipality per the state legislation if ratified.

Mayor Pro Tempore Shelton asked to discuss Social Offset and referred to the email from CEO Eskelson (Attachment A), where she noted that the investment was for the purpose of studying the "weaponization of tourism."

Mr. Blaisdell gave the example of the State of California, where a rule was made that they will not allow government officials to come to Utah on government dime. This is also happening with group whose beliefs don't match those of the places they are looking to go, and those groups will choose to stay away from those locations. It is something they have lost groups for and been taking out of the running for groups to come here, so to be able to get groups coming here to spend their money they were looking at different avenues to address those people and concerns; Social Offset was one of those things they looked at. They have never used it, but they were collecting information on the weaponization of travel, and that was something that really interested Visit Salt Lake was to be able to see what they were collecting and what they could do to get around that and maximize potential for the county's economy.

Mayor Pro Tempore asked for the results of the study they helped fund.

Mr. Blaisdell responded that he would have to meet with the CEO to get that information, and even see if they got any results. It was fairly quick when they put the investment in, and the investment of \$5000 into that was maybe .01% of their normal spending. They just felt like it might give them some good information, but he is happy to check on that and see if they have any info.

Council Member McGuire asked how they plan to measure the program's success after the first five years.

Mr. Partain noted they have many metrics that measure their success, whether counting sales conventions booked or other events. They are also starting to, through their marketing programs,

do evaluations of their marketing's impact. They will be reviewing those, and they share them with their members, which would include anybody coming into the CTAA, to be able to see how effective things are. If the hotels don't feel it's effective they can reverse their decision and back off the CTAA with another 60% majority vote.

Council Member McGuire asked if those reports would be detailed enough to see how South Jordan specifically has been affected.

Mr. Partain responded that they can pull reports by municipality, but from a hotel's point of view, they don't see the municipality lines. Between South Jordan and Sandy there are hotels that sit less than ¼ mile apart that are competing for the same business, so it gets a little tricky to try and say which city exclusively is being directly benefitted.

Council Member McGuire noted that he is aware this is not a direct tax on our residents, that it is on those utilizing the hotels; however, those could still be family members coming into visit or residents.

Mr. Partain noted that during the AJGA Championship, it would be nice to just use South Jordan hotels but they have to work collectively together and there might be some hotels in Sandy being used. However, the city gets a lot more of their piece of the pie back because all the events at Mountain America Expo and other venues all spill over into South Jordan. He discussed some upcoming events they are bidding on, and that despite the initial costs in the hundred thousands, the returns would be in the millions.

Council Member McGuire noted that, as with any other tax increases we have done, he weighs the quality of life and how it benefits the residents of South Jordan. In the last meeting they spoke about the arts in South Jordan, noting that it too came down to quality of life.

Mr. Partain is a resident of South Jordan, and he definitely thinks that quality of life is important as well. He feels like the biggest thing they provide is direct economic impact to not just the hotels, but also the businesses around those hotels and the city.

Council Member McGuire shared that over the weekend he was involved in a conversation with someone in the grocery store who was in town for a regional wrestling competition and asked if Sports Salt Lake had anything to do with that.

Mr. Partain said he doesn't believe that was something they were involved in. These youth sports tournaments create opportunities for local money spending as well since the whole family goes and they want to make it special, almost like a vacation.

Council Member Zander asked to clarify that the county collects the money, and the goal is for the money collected from South Jordan City to come back to South Jordan. The applicant did say it was hard to define those values, but she asked how focused they are on that.

Mr. Blaisdell said it's not necessarily specific to South Jordan, but it's specific to the South Valley District and those districts are mostly based on the chamber footprints.

Council Member Marlor motioned to approve Resolution R2023-19, Consenting to inclusion in Salt Lake County's proposed Convention and Tourism Business Assessment Area. Mayor Pro Tempore Shelton seconded the motion.

Council Member Marlor commented that next week he is going to his National Business Brokerage Conference, which is in Orlando, Florida. He can guarantee he is paying a transient fee while there. Every time he travels those fees are present, and he is more than willing to pay those. He doesn't worry about them and feels he is helping that local economy; he thinks the same in reverse when people come here and doesn't have an issue with them paying a transient fee to help us promote and pay for the events taking place. When his parents come and visit him, they stay in the La Quinta and will be paying a transient fee; he has no problem with that.

Council Member Harris noted that there are different types of people looking at hotels, some want to stay at certain types of places regardless of the cost, whereas others look to book a hotel based on the best deal and the total out-the-door price. People stay at hotels for many reasons, tourism is one part, but then there are people coming here for non-tourism reasons like visiting family members or for business. He sees this as a tax increase, an assessment tax, and he takes those things very seriously. When the city raises taxes, a significant amount of time is spent on the budget, they hold Truth in Taxation with a public hearing, and there is a lot more oversight than this CTAA. He realizes that while Visit Salt Lake is willing to make concessions and allow a non-voting member in the committee/board or group, he doesn't feel 100% comfortable with what he's hearing.

Mayor Pro Tempore Shelton said our very conservative legislature created the possibility for this to happen, and if anyone is tax-wise, it is them. They obviously saw the potential for some value in this. The most compelling thing to him is that 80% of the people who will actually be writing the checks to Salt Lake County want it; they see there is value in the marketing expected with this. For him, it would be inappropriate to vote no when 80% of them want it, and he will be supporting this.

Council Member Zander feels she has more clarity tonight than the last time the applicant was here, and she appreciates them being prepared, as well as the letter (Attachment A) sent by the CEO. She has thought a lot about this, and there are pros and cons in her mind. She sees the value of the marketing, and she loves supporting and promoting our local businesses. She is not however comfortable with any sentiment that would be encouraging and prioritizing any business, who wants to disrupt the culture that she holds dear in Utah. Social Offset, even though Visit Salt Lake has tried to distance themselves from them, was involved at one point and that group might as well be called "Disrupt Utah." Whether Visit Salt Lake shares beliefs with Social Offset or they don't, at one point because of their CEO they were tied to them. At some point, it seems to her like they were hired to help figure out ways to bring people in that don't agree or feel comfortable with Utah culture, and that is a shame. She would like to see everyone bring in people that want to be here, as there are plenty who want to be in Utah and appreciate what we have here. As much as she appreciates the good in this, she thinks there is much to be observed and determined. She personally is going to vote no, she would like to see how this plays out. She would love to revisit it and see how the budgeting goes, including the collaboration with the city.

Council Member McGuire thanked the applicants for their clarifications tonight, that there is some sort of oversight from the county and the concession that the cities will have veto power.

Council Member Marlor looked over his Courtyard Marriot bill from St. George and one of the items for every night he stayed was a transient room tax.

Roll Call vote was 2-3, motion failed; Council Members Zander, McGuire and Harris with the no votes.

J. Staff Reports and Calendaring Items

Deputy City Manager Lewis noted that it is Police Week this week and encouraged everyone to stop and show their appreciation. He also discussed one of his art projects coming up that will be displayed at City Hall in June that involves city staff.

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

K. Executive Closed Session

K.1. Executive Closed Session to discuss the purchase, lease or sale of real property.

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

Council Member Marlor motioned to adjourn the City Council meeting. Council Member Harris seconded the motion; vote was unanimous in favor.

ADJOURNMENT

The May 16, 2023 City Council Meeting adjourned at 9:00 p.m.

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 06/06/2023

Issue: SJC TOWNHOMES @ REDWOOD
REZONE AND DEVELOPMENT AGREEMENT
Rezone from A-5 (Agricultural, minimum 5 acre lot) and R-2.5 (Single-family residential, 2.5 lots per acre) to R-M-PD (Residential-Multiple-Planned Development Floating Zone) Zone

Address: 11147 S. Redwood Rd.
File No: PLZBA201900236
Applicant: Brian Adams, Civil Science Inc.

Submitted by: Damir Drozdek, Planner III
Jared Francis, Senior Engineer

Presented by: Steven Schaefermeyer, Director of Planning

Staff Recommendation (Motion Ready):

1. Development Agreement—I move that the City Council **approve** Resolution R2023-25 authorizing the Mayor to sign the development agreement.
2. Zone Change—I move the City Council **approve** Ordinance No. 2023-03-Z approving the proposed zone change.

ACREAGE:	Approximately 2.5 acres
CURRENT ZONE:	A-5 (agricultural, min. 5 acre lot) Zone and R-2.5 (single-family residential, 2.5 lots per acre) Zone
CURRENT USE:	Vacant and unimproved land
FUTURE LAND USE PLAN:	MU (Mixed Use)
NEIGHBORING ZONES/USES:	North – MU-V / Multi-family along Redwood Rd. and single-family homes along Beckstead Ln. South – P-O / Stillwater Academy (Residential treatment center for teens) West – A-5 and R-1.8 / Redwood Rd. East – R-5 / Single-family homes

STANDARD OF APPROVAL

1. REZONE:

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

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

(City Code § 17.22.020)

BACKGROUND:

The applicant is requesting a zone change to develop a mixed-use project on property located at 11147 S. Redwood Rd. The parcel is situated between Redwood Rd. on the west and Beckstead Ln. on the east. The north boundary abuts One Eleven townhomes and Beckstead Ln. PUD single-family subdivision development. Stillwater Academy is located to the south of the property, and there is a ½ acre vacant parcel located to the southeast of the property.

The project proposes two commercial buildings on Redwood Rd. that are 30-feet tall single-story buildings with a mezzanine level. The building exteriors will consist of mostly a thin brick veneer and some stone or faux stone veneer system. Each building will have approximately 6,000 sq. ft. of space. Most of the space will be dedicated to warehouse uses and some will be preserved for office space. Between the two buildings, there will be 12,000 sq. ft. of commercial space.

21 townhomes are proposed for the remainder of the project. The townhomes will be three stories and will be slightly less than 35 feet tall, with some interior units having stairwells that approximately three and one-half feet taller than the roofline (the elevations are attached to this report and the development agreement). The exterior materials on the buildings will include fiber cement siding, stucco and brick veneer. The buildings are not anticipated to have basements. The first floor will consist of mostly garage space, with a main living area and kitchen on the second floor, and bedrooms on the third floor.

There will be access to the project off both Redwood Rd. and Beckstead Ln. All roads and alleys within the project will be private. A main drive and sidewalk through the project will connect the adjacent commercial and residential uses. All fencing, landscaping and public and private improvements will be done per City Code.

Parking for the commercial buildings will be located on the west side of the project. There will be 24 parking stalls located immediately in and near the vicinity of the two buildings. The 21 townhomes in the project will each have a two-car garage and two-car driveway in front of the garage. Based on the number of units and bedrooms in each unit, the City Code mandates at least 52 parking stalls. Between garage space and the driveways, there are 83 parking spaces. This calculation includes a two-car garage space plus a two-car space in each driveway behind the townhomes.

The applicant submitted the application in 2019 but then put it on hold. Since that time there have been many iterations of the project that were discussed with staff, and applicant agreed to lower the density of the project during those discussions. As required by the Planned Development Floating Zone, the applicant first discussed the project with the City Council during its work session in August 2022. In an effort to refine the project further, the applicant returned to the City Council in October 2022 and again in November 2022. During this period the applicant lowered the density of the project further from 8.5 units per acre to 8.1 units per acre, added a tot lot, and changed other aspects of the concept plan. After the November 2022 work session, the applicant began working with an architect to provide the required renderings for both the commercial buildings and the townhomes.

Development Agreement:

The proposed land use change and rezone requires the applicant to enter into a development agreement approved by the City Council. Approval of the proposed PD Floating Zone and development agreement will allow the underlying zone to be modified to accommodate development that may incorporate design elements and a mixture of uses that represent a significant improvement in quality over what could otherwise be accomplished by the underlying zone. The proposed development agreement includes general requirements for the development and terms addressing items such as site layout, architecture, amenities and circulation that are more than what is generally required by City Code for rezone applications. The development agreement is attached to this report and includes terms addressing the following:

- The project will be built according to the concept plan and elevations (attached to this report).
- All roads within the project will be privately owned and maintained.
- The project's fencing, landscaping and all public and private improvements will be constructed per City Code requirements.
- All necessary public right-of-way will be dedicated according to the City Code and City engineering standards.
- There is a shared parking between the commercial and residential uses.
- Commercial buildings will be no taller than 30 feet. Exterior building finishes will consist of a thin brick veneer and some stone or faux stone veneer.
- Townhomes will be three story buildings that will be no taller than 35 feet, except that stairwells to rooftops decks can bring the height of those units up to 40 feet. Exterior building finishes will include fiber cement siding, stucco and brick veneer.
- The applicant must present final architectural elevations and building materials to the Architectural Review Committee for its review and approval.

- The applicant will complete the tot lot before the City issues certificates of occupancy for the two adjacent buildings or the developer provides the City an improvement bond.
- Allowed uses in two commercial buildings will be subject to the regulations of the Commercial-Community Zone, including the addition of “Business Support,” “Office/Warehouse Flexible Space,” and “Wholesale and Warehouse” as permitted uses, with all uses being conducted wholly inside the building and no outside storage. All uses, whether permitted or conditional in the C-C Zone may only be established if they can demonstrate that the available parking is sufficient based on the required parking ratios of City Code § 16.26.

PLANNING COMMISSION RECOMMENDATION:

On May 9, 2023, the Planning Commission voted to recommend approval of the application by a vote of 3-2 (Commission Chair, Michele Hollist and commissioner Bevans, voted against recommending approval to the City Council). The two commissioners that voted against making a positive recommendation of the application were concerned with:

- the project density;
- the townhome building height;
- insufficient pedestrian connections within the project;
- location of the north access road (too close to existing residential properties to the north); and
- lack of parking, more specifically lack of guest parking.

After the Planning Commission meeting the applicant made some changes to the concept plan and clarified a few things in response to the Commission’s concerns, which are listed below.

- Townhome building height – the proposed underlying zone allows buildings to be up to 35 feet tall. The townhomes are under 35 feet high when measured to the roof parapet. The only structure that extends beyond 35 feet are the rooftop access stair enclosures on interior units, which are less than four feet above the 35-foot limit.
- North drive access – the applicant believes this to be the best location for access off Beckstead Ln. and the access meets all City engineering standards, including the “clear vision” standards. The alternative would be to have a straight road with no bend between Redwood Rd. and Beckstead Ln., and to move some of the townhomes to be adjacent to existing detached single-family homes.
- Parking – the parking provided meets the City Code requirements. Additional residential parking will be provided after the regular business hours on the commercial side of the project. If needed, additional parking could be provided along the north private drive in certain areas.
- Pedestrian access – the applicant changes the concept plan to include a sidewalk between Redwood Rd. and Beckstead Ln. on the south side of the private drive.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- As required by the PD Floating Zone process (*see* City Code § 17.130.050.020.A.1), the project was last reviewed at a City Council study session meeting on November 15, 2022. Based on that discussion, the applicant chose to move forward with the proposal and negotiate development agreement terms with City staff and the City Council.
- The application meets the rezone standards of approval of the City Code.
- Currently the applicant is proposing to subdivide the townhome portion of the project so that individual units may be owner-occupied.
- The required development agreement provides predictability for how the property will look and be used. Any major changes to the agreement will require further approvals and a modification of the development agreement by the City Council.
- The “Mixed Use Opportunity - (MU)” land use designation is defined in the General Plan as follows: “Mixed Use Opportunity identifies areas that are currently either undeveloped or underdeveloped and adjacent to Economic Centers. The intent is to elevate these areas from single land uses to an integrated mix of commercial, retail, office, residential, and light industrial land uses. Mixed use opportunity supports both horizontal and vertical mix of uses and shall result in walkable areas that are activated with employees during weekdays and residents, restaurants, and entertainment during evenings and weekends.”
- The project will meet the following strategic priorities:
 - ED-1. Expands, attracts and retains a diverse mix of high quality employers to contribute to the community's economic sustainability and offer opportunities for employment.
 - BRE-2. Implements ordinances and policies that encourage quality community growth and development.

Conclusion:

Based on the findings, the Application is consistent with the goals and policies of the General Plan and the City’s Strategic Priorities.

Recommendation:

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

FISCAL IMPACT:

- A fiscal impact analysis table and graphics are attached to the report.

ALTERNATIVES:

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

SUPPORT MATERIALS:

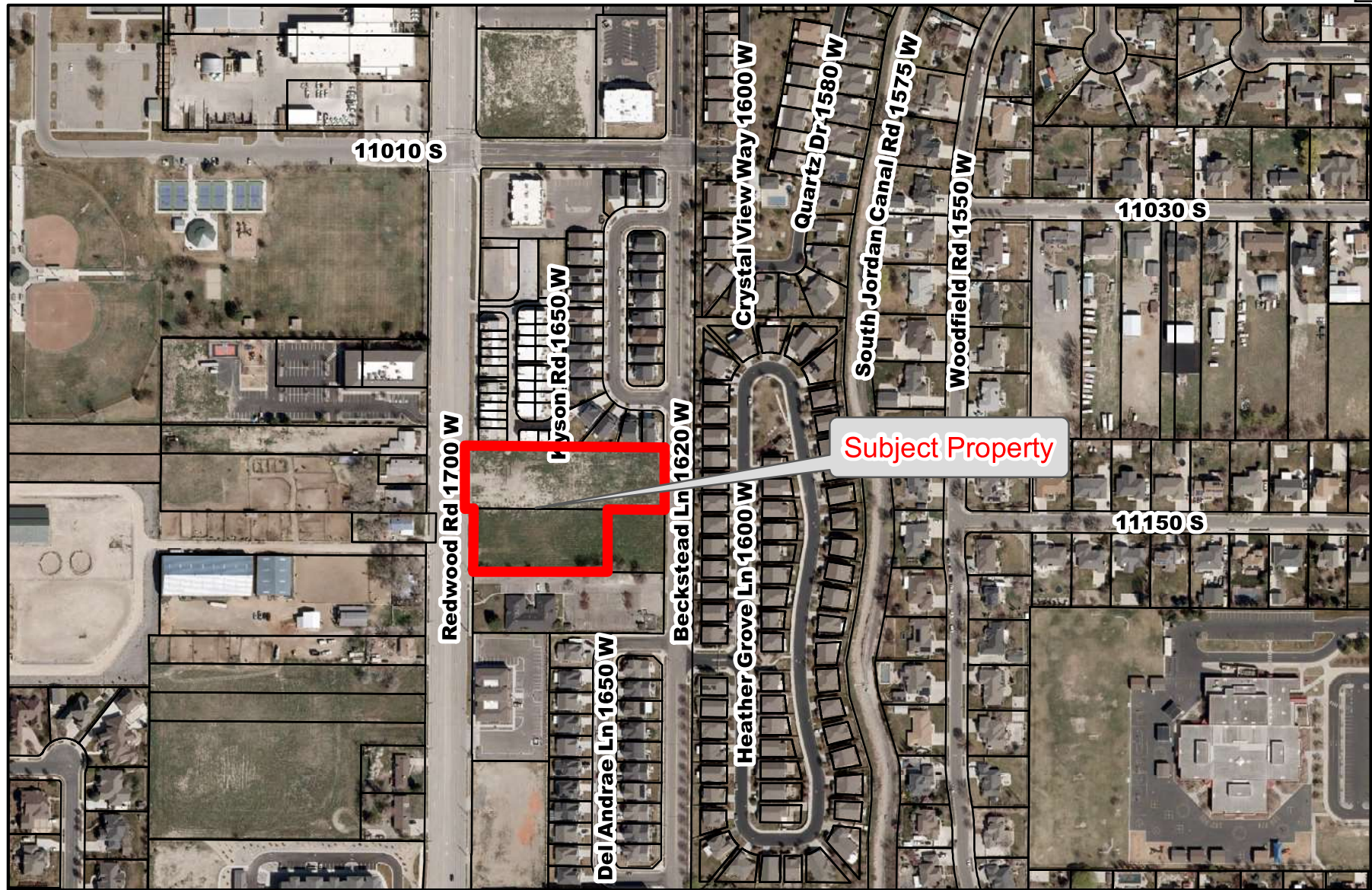
- Aerial Map
- Future Land Use Map
- Zoning Map
- Building Elevations
- Site Plan
- Infrastructure Analysis
- Fiscal Analysis
- Resolution R2023-25 and the Development Agreement
- Ordinance 2023-03-Z
 - Exhibit 'A' – Zoning Map


DEPARTMENT APPROVAL*Damir Drozdek*Damir Drozdek (May 31, 2023 13:05 MDT)

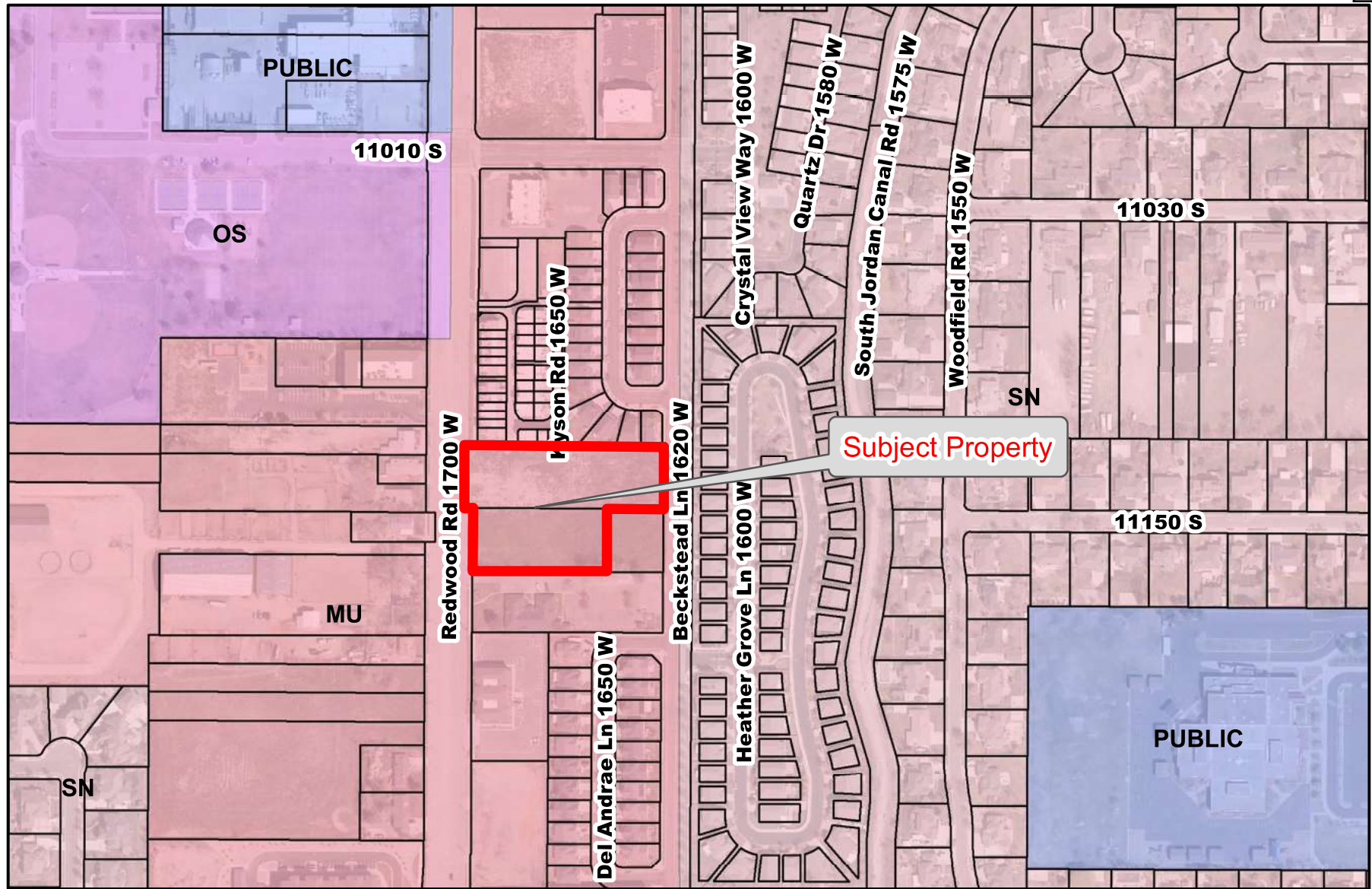
Damir Drozdek, AICP
Planner III, Planning Department

*Steven Schaefermeyer*Steven Schaefermeyer (May 31, 2023 13:17 MDT)

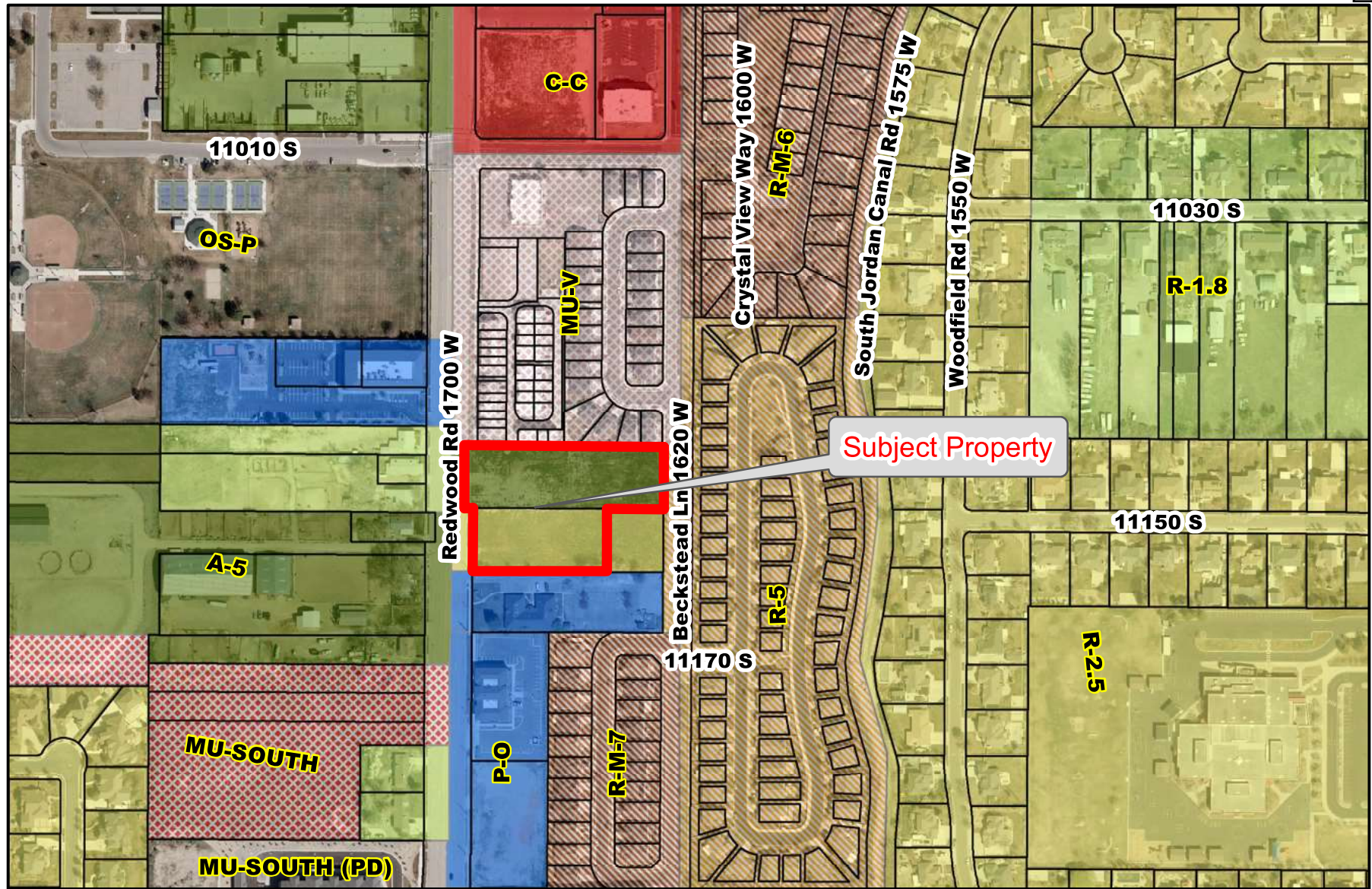
Steven Schaefermeyer
Director of Planning




<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<p>Aerial Map</p> <p><i>City of South Jordan</i></p>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
--	---	--



<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 2021</p> 
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<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2 style="text-align: center;">Zoning Map</h2> <h3 style="text-align: center;">City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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PRINTED DATE
03.24.2023

LAYTON DAVIS
ARCHITECTS

2006 EAST 2000 SOUTH | SUITE 200
SALT LAKE CITY, UTAH 84103
PH: 801.487.0776 | WWW.LAYTONDAVISARCHITECTS.COM

SO. JO. TOWNHOMES
AND FLEX-SPACE
11111 SO. REDWOOD ROAD
South Jordan, Utah

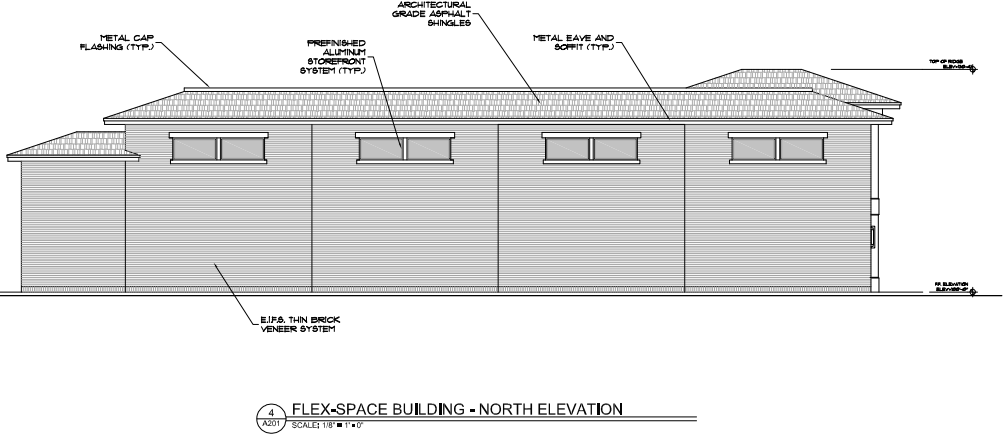
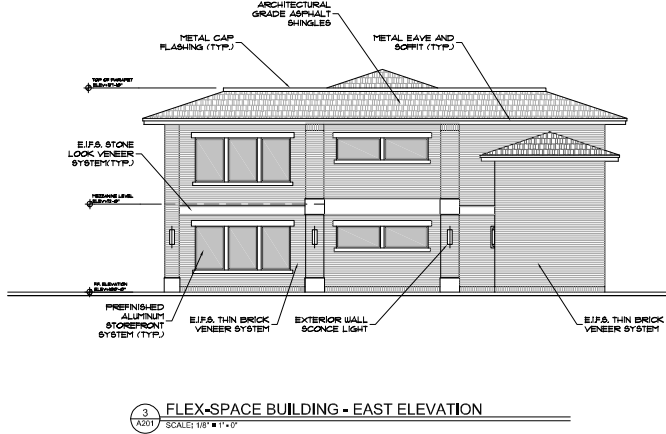
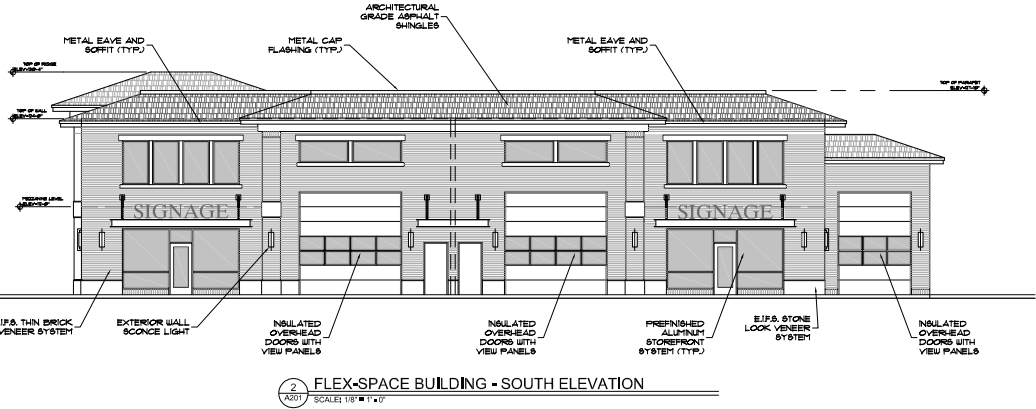
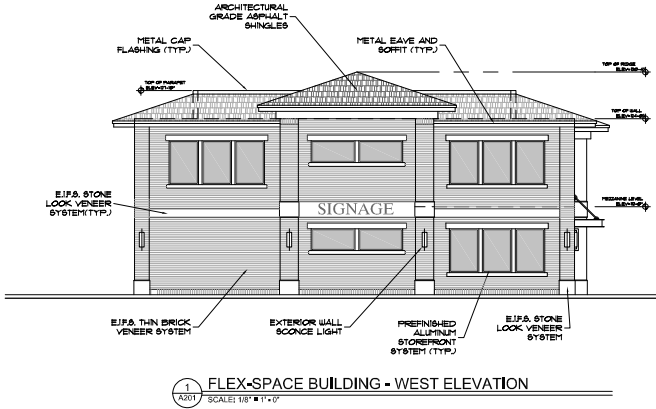
CHRONOLOGY

PROJECT NO
23.036

DWN BY/ CHK BY
CWL

TITLE
CONCEPTUAL
FLEX-SPACE
ELEVATIONS

24X36 SHEET #
A201



1 EAST SIDE ELEVATION
A201 1/4" = 1'-0"

PROPOSED

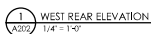
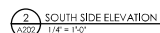
PRINTED DATE
5/18/2023 9:29:02 AM

PROJECT NO.
23.077

DWN BY / CHK BY
Author

TITLE
ELEVATIONS

35





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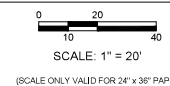
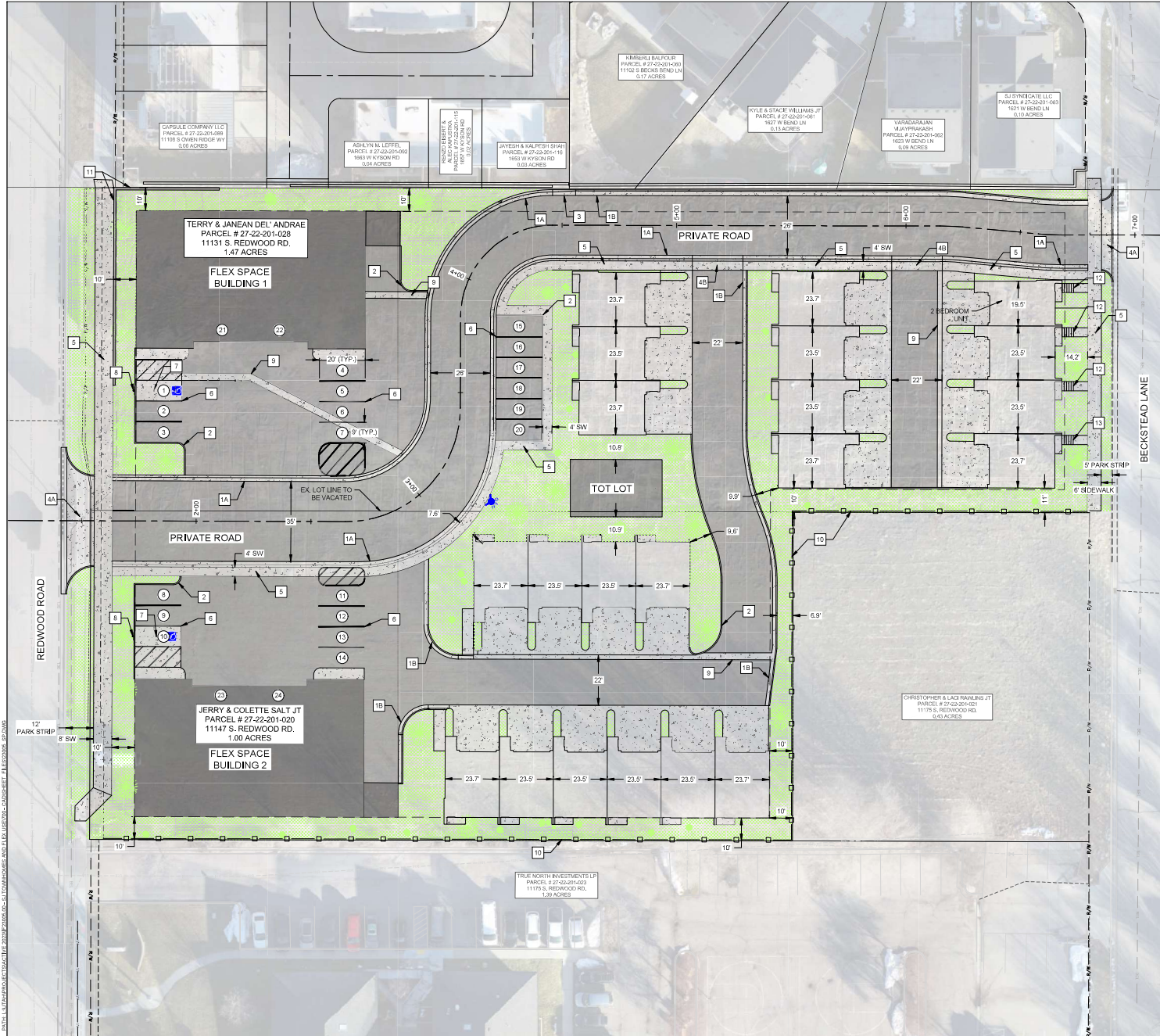


LAYTONDAVIS
ARCHITECTS



LAYTON DAVIS
ARCHITECTS





LEGEND:

- ASPHALT PAVEMENT (SEE DETAIL SHEETS)
AREA: 37,684 SF
- CONCRETE SIDEWALK, CURB & GUTTER,
APRON, OR DRIVEWAY APPROACH
AREA: 19,247 SF
- LANDSCAPING (SEE LANDSCAPE PLANS)
AREA: 23,998 SF
- ① PARKING STALL NUMBER

SITE WORK KEYNOTES:

- ALL IMPROVEMENTS SHALL BE CONSTRUCTED PER APWA STANDARD SPECIFICATION AND PLANS, 2017 EDITION, OR DETAILS AS NOTED BELOW. (SEE APWA PLAN 205.2)
- 1A CONSTRUCT MOUNTABLE 30 INCH CONCRETE CURB & GUTTER (SEE APWA PLAN 205.2)
 - 1B CONSTRUCT 30 INCH CONCRETE CURB & GUTTER (SEE APWA PLAN 205.1)
 - 2 CONSTRUCT 6-INCH BARRIER CURB (SEE DETAIL SHEETS)
 - 3 10' CURB TRANSITION
 - 4A CONSTRUCT OPEN DRIVEWAY APPROACH
 - 4B CONSTRUCT DIP DRIVEWAY APPROACH
 - 5 6-INCH CONCRETE SIDEWALK (SEE DETAIL SHEETS)
 - 6 4-INCH WIDE PARKING STALL STRIPING - WHITE PAINT PER CITY OR UDOT STANDARDS
 - 7 ACCESSIBLE PARKING STALL (SEE DETAIL SHEETS)
 - 8 ACCESSIBLE PARKING SIGN (SEE DETAIL SHEETS)
 - 9 CONSTRUCT 2-FOOT CONCRETE WATERWAY (SEE DETAIL SHEETS)
 - 10 PROPOSED DECORATIVE MASONRY WALL
 - 11 BOULDER RETAINING WALL (SEE DETAIL SHEETS)
 - 12 CONSTRUCT 6 (7") STAIR RISERS.
 - 13 CONSTRUCT 6 (8.5") STAIR RISERS.

PARKING SUMMARY:

TOWNHOMES:
UNIT TYPES: (20) 3 BEDROOM UNITS AND (11) 2 BEDROOM UNIT
PARKING REQUIRED FOR A 2 BEDROOM UNIT = 2
PARKING REQUIRED FOR A 3 BEDROOM UNIT = 2.5
TOTAL STALLS REQUIRED = (1 x 2) + (20 x 2.5) = **52 STALLS REQUIRED**
STALLS PROVIDED =
- 2 BEDROOM UNIT = 2 CAR IN GARAGE AND 1 ON DRIVEWAY = 3 PER UNIT = 1 x 3 = 3 STALLS
- 3 BEDROOM UNIT = 2 CAR IN GARAGE AND 2 ON DRIVEWAY = 4 PER UNIT = 20 x 4 = 80 STALLS
TOWNHOME STALLS PROVIDED = 83
6 ADDITIONAL STALLS WILL BE SHARED WITH FLEX SPACE BUILDINGS (STALLS #15 - #20)
TOTAL TOWNHOME STALLS PROVIDED = 89
FLEX USE BUILDINGS:
EACH FLEX BUILDING HAS 2 INTERNAL UNITS
TOTAL SF PER UNIT = 3,000 SF
- 726 SF OFFICE AND 2,274 SF WAREHOUSE
REQUIRED OFFICE PARKING = 1 STALL PER 300 SF = 2.4 STALLS
REQUIRED WAREHOUSE PARKING = 1 STALL PER 800 SF = 2.8 STALLS
TOTAL REQUIRED = 5.2 STALLS PER UNIT
GRAND TOTAL REQUIRED = 5.2 STALLS x 4 UNITS = **21 STALLS REQUIRED**
TOTAL FLEX USE STALLS PROVIDED = 24 (INCLUDES 1 INTERIOR STALL PER UNIT)

NOT FOR CONSTRUCTION

NO.	REVISION	DATE	BY	DATE

SITE PLAN

THE MIX AT SOUTH JORDAN SUBDIVISION
SOUTH JORDAN, UT

PROJ. # FF 23005
DATE: MAY 2023
DESIGN BY: JTB
CHECKED BY: JTB
SHEET

811
Know what's below.
Call before you dig.

SP01
7 OF 18

LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

Project Name/Number	SJC Townhomes @ Redwood Rd. 11147 S. Redwood Rd.
----------------------------	--

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 subject property will be accessed from Redwood Road on the west and Beckstead Lane on the east. The development will be required to install public right of way improvements along it's frontage on both roads, and dedicate public right of way as necessary.

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" water main on the east side of Beckstead Lane. On Redwood Road there is a City owned 8" water main at the northwest corner of the project and a 6" water main at the southwest corner. The project will be required to loop a water main through the development. Fire hydrants will be required on site as per City standards. A water model will be required as part of the preliminary subdivision submittals.

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

There does not appear to be a City owned secondary water system adjacent to the project. An engineer's cost estimate will be required during the preliminary subdivision review to determine if it's feasible per City code for the new development to provide a functioning secondary water system.

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)*

There is a sewer main in Redwood Road and another one in Beckstead Lane. Based on the general slope of the project there will most likely need to be a sewer main extension from Beckstead Lane. Sewer main design and connection requirements will be determined by the South Valley Sewer District.

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

In order to comply with State and City guidelines, the proposed development must retain on site, through use of approved low impact development devices and best management practices, all rainfall events less than or equal to the 80th percentile rainfall event. For storm events greater than the 80th percentile, the additional storm water must either be retained on site or discharged into an approved storm drain system. There is an existing public storm drain system in Beckstead Lane, however the capacity is very limited. The project may be required to retain all storm water runoff on site. There is a UDOT storm drain system in Redwood Road, but given the existing grade of the project it is unlikely the UDOT system would be an option.

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

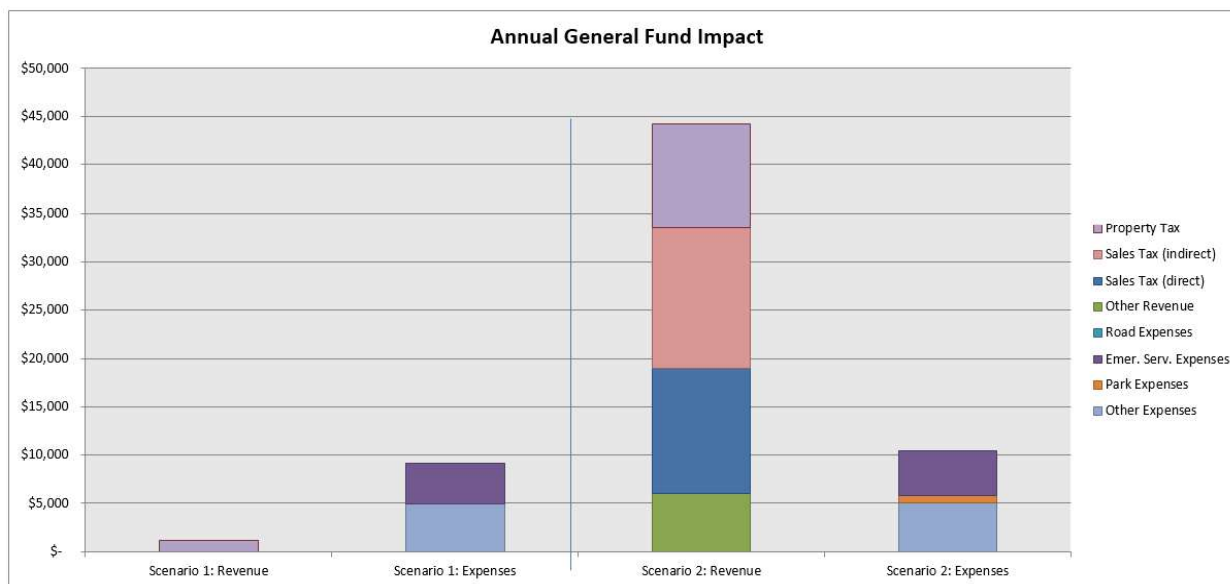
Report Approved:

Jared Francis
Development Engineer

5/2/23
Date

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

5/2/23
Date



Project Analysis

Project: SoJo Flex 11111 S Redwood Rd Townhomes

May 3, 2023

Scenario Descriptions

Scenario 1: No Change - R-2.5 & A-5

No Change - Residential R-2.5 (1 acre)
& Agriculture A-5 (1.47 acres)

Financial Summary by Scenario

Direct Impact (General Fund)	No Change - R- 2.5 & A-5	R-M(PD)
Revenue	\$ 1,245	\$ 29,781
Property Tax	\$ 1,245	\$ 10,784
Sales Tax (direct)	\$ -	\$ 13,000
Other	\$ -	\$ 5,997
Expenses	\$ 9,047	\$ 10,401
Roads	\$ -	\$ -
Emergency Serv.	\$ 4,058	\$ 4,658
Parks	\$ -	\$ 720
Other	\$ 4,989	\$ 505
Total	\$ (7,802)	\$ 19,380
Per Acre	\$ 503.94	\$ 8,160.64
Per Unit	\$ -	\$ 922.85
Per Person	\$ -	\$ 313.64

Indirect Impact

Potential Retail Sales	\$ -	\$ 1,464,837
Sales Tax (indirect)	\$ -	\$ 14,476

*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.

RESOLUTION R2023 - 25**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE CITY AND THE DEVELOPER TO ENTER INTO A DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF THE PROPERTY LOCATED AT 11147 S. REDWOOD ROAD.**

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 now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property generally located at 11147 S. Redwood Road (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 hereby 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 _____, 2023 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:



Gregory Simonsen (May 31, 2023 13:20 MDT)

Office of the City Attorney

EXHIBIT 1
(Development Agreement)

Item G.4.

WHEN RECORDED, RETURN TO:

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

Affecting Parcel Numbers: 27-22-201-020-0000
 27-22-201-028-0000

DEVELOPMENT AGREEMENT

This Development Agreement (this “Agreement”) is between the City of South Jordan, a Utah municipal corporation (“City”) and J.L. Salt Construction, Inc. dba Dream Home Builders (“Developer”). City and Developer are jointly referred to as the “Parties” and each may be referred to individually as “Party.”

RECITALS

A. Developer owns certain real property identified as Salt Lake County Assessor Parcel Numbers 27-22-201-020-0000 and 27-22-201-028-0000, located at 11147 S. Redwood Road which is more specifically described in attached **Exhibit A** (the “Property”).

B. Developer intends to develop the Property consistent with the Concept Plan and elevations attached hereto as **Exhibit B** (the “Concept Plan”). The development of the Property as proposed on the Concept Plan is generally referred to as the “Project.”

C. The City, acting pursuant to its authority under the Land Use Development and Management Act (as codified in Utah Code Ann. § 10-9a-102(2) et seq., hereafter the “Act”) and the South Jordan City Municipal Code (the “City Code”), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, has determined that this Agreement is necessary and appropriate for the use and development of the Property within the City.

D. The Property is currently subject to the Planning and Land Use Ordinance of the City and is within the City’s A-5 (Agricultural, minimum 5 acre lot) Zone and R-2.5 (Single-family residential, 2.5 lots per acre) Zone, as depicted in the attached zoning map attached hereto as **Exhibit C**.

E. The Developer desires to develop the Property in conformity with this Agreement and desires a zone change on the Property from A-5 and R-2.5 to R-M-PD (Residential-Multiple-Planned Development Zone), applicable provisions attached hereto as **Exhibit D**.

F. The Parties acknowledge that the purpose of the PD Zone 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.” (See City Code § 17.130.050.010.)

G. The Parties acknowledge that development in the PD Zone requires a development agreement specific to each area zoned as a PD Zone.

H. The Parties acknowledge that the development and improvement of the Property pursuant to this Agreement will provide certainty useful to the Developer and to City, individually and collectively, in ongoing and future dealings and relations among the Parties pertaining to the development of the Project.

I. The City has determined that the proposed development contains features which advance the policies, goals, and objectives of the City’s General Plan; preserve and maintain the open and sustainable atmosphere desired by the citizens of the City; contribute to capital improvements which substantially benefit the City; and will result in - and economic benefits to the City and its citizens.

J. This Agreement shall only be valid upon approval of such by the City Council and pursuant to Resolution R2023-25 a copy of which is attached as **Exhibit E**.

K. The Parties 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 City Council, in its sole legislative discretion, approves a zoning change from the A-5 and R-2.5 Rezone to the R-M Zone as the base zone and the PD Zone as a zoning overlay for the Property, and approves R2023-25 (see **Exhibit E**).

L. The Parties, having cooperated in the drafting of this Agreement, understand and intend that this Agreement is a “development agreement” within the meaning of, and is entered into pursuant to, the terms of Utah Code Ann. § 10-9a-103(12) (2022).

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

AGREEMENT

1. **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 Act or City Code.

2. **Enforceability.** The Parties acknowledge that the terms of this Agreement shall be enforceable, and the rights of Developer relative to the Property shall vest, only if the City Council in its sole legislative discretion rezones the Property from the A-5 and R-2.5 Zones to the R-M-PD Zone and approves R2023-25 (*see*, **Exhibit E**).

3. **Effective Date.** This Agreement is effective on the date the last party executes this Agreement as indicated by the date stated under that party’s signature line (the “Effective Date”).

4. **Conflicting Terms.** The Property shall be developed in accordance with the requirements and benefits provided for in relation to the R-M-PD Zone under the City Code as of the Effective Date. If there is a discrepancy between the requirements of the City Code, including the R-M-PD Zone, and this Agreement, this Agreement shall control.

5. **Developer Obligations.**

5.1. **Uses.** Developer shall develop and use the Property to develop up to 21 townhomes and two commercial buildings as depicted in the Concept Plan. Allowed uses in the two commercial buildings will be subject to the regulations of the Commercial Community Zone including the addition of “Business Support,” “Office/Warehouse Flexible Space,” and “Wholesale and Warehouse” as permitted uses, with all uses being conducted wholly

inside the building and no outside storage. A copy of the Commercial Community Zone regulations are attached hereto as **Exhibit D** and are incorporated herein by this reference. All uses, whether permitted or conditional in the Commercial Community Zone may only be established if Developer can demonstrate that the available parking is sufficient based on the required parking ratios of City Code Section 16.26.

- 5.2. Amenities. The Developer shall design and construct amenities on the Property as set forth in the Concept Plan. The tot lot will be completed prior to the City issuing all C/Os (certificate of occupancy) for the two adjacent buildings. If the tot lot is not complete due to weather or other inclement circumstance, the City will then obtain an improvement bond for the lot.
- 5.3. Architecture and Building Materials on Commercial Buildings. The Developer shall construct the commercial buildings depicted in the architectural renderings and elevations attached hereto as **Exhibit F**. In addition to any other applicable design standards in the City's Code, Developer shall construct the commercial buildings no taller than 30 feet with the exterior consisting of a thin brick veneer and some stone or faux stone veneer. Each of the two commercial buildings will have approximately 6,000 square feet of space with the aggregate not to exceed 12,000 square feet. Developer agrees to present final architectural elevations and building materials for the commercial buildings to the City's Architectural Review Committee for review and approval.
- 5.4. Architecture and Building Materials on Townhomes. The Developer shall construct the townhomes depicted in the architectural renderings and elevations attached hereto as **Exhibit F**. In addition to any other applicable design standards in the City's Code, Developer shall construct the townhomes no taller than 35 feet with the exterior consisting of fiber cement siding, stucco and brick veneer. Only the rooftop access enclosures for interior units may exceed the 35 feet height limit by bringing the highest point

of those units up to 39 feet at their highest point. The Townhomes will not have basements. Developer agrees to present final architectural elevations and building materials for the Townhomes to the City's Architectural Review Committee for review and approval.

- 5.5. Fences. Fences and all other public and private improvements will be constructed in conformity to City Code requirements.
- 5.6. Landscaping. Developer shall comply with the City's water efficiency standards and other applicable City landscaping requirements.
- 5.7. Parking. Developer shall provide a two-car garage and two-car driveway for each townhome unit as set forth in the Concept Plan and shall otherwise comply with all City requirements. Developer shall record a shared parking agreement between the residential dwellings and commercial buildings for the purpose of allowing the residents to use the commercial parking stalls after hours, on weekends, and on holidays observed by the occupants of the commercial buildings.
- 5.8. Setbacks. Building setbacks shall be as depicted in the Concept Plan.
- 5.9. Project Roads. All roads within the project will be privately constructed, privately owned and privately maintained in full compliance with City standards. Developer will dedicate all necessary public rights of way according to the City Code and City engineering standards.

6. **City Obligations**. City shall review development applications with respect to the Property in a timely manner, consistent with City's routine development review practices and in accordance with all applicable laws and regulations including Utah State Code § 10-6-160 *et seq.*

7. **Plat Language**. The final plat for the Project shall contain the following language in a note:

This plat is subject to that certain Development Agreement dated _____, by and between the City of South Jordan and J.L.Salt

Construction, Inc., dba: Dream Home Builders, including all provisions, covenants, conditions, restrictions, easements, charges, assessments, liens or rights, if any, created therein and recorded on _____ as Entry No. _____, in Book _____, at Page _____ of the Official Records of Salt Lake County.

8. **Minor Changes.** The Planning Department, after conferring with the City Manager, may approve minor modifications to the Developer Obligations which are necessary or advantageous in facilitating more desirable function and aesthetics of the Project.

9. **Vested Rights and Reserved Legislative Powers.**

9.1. **Vested Rights.** Consistent with the terms and conditions of this Agreement, City agrees Developer has the vested right to develop and construct the Project during the term of this Agreement in accordance with: (i) the R-M-PD Zone; (ii) the City Code in effect as of the Effective Date; and (iii) the terms of this Agreement.

9.2. **Reserved Legislative Powers.** Developer acknowledges that 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 City all of its police power that cannot be so limited. Notwithstanding the retained power of City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer under this Agreement and with respect to use under the zoning designations as referenced in 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 City and Salt Lake County; and, unless in good faith 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.

10. **Term.** This Agreement 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 ten (10) years from its date of recordation in the official records of the Salt Lake County Recorder's Office.

11. **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 ten days before the date on which the change is to become effective:

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

If to Developer: J.L. Salt Construction, Inc.
 dba Dream Home Builders
 P.O. Box 970
 West Jordan, Utah 84084

12. **Mailing Effective.** Notices given by mail shall be deemed delivered seventy-two hours following deposit with the U.S. Postal Service in the manner set forth above.

13. **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.

14. **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.

15. **Authority**. The Parties to this Agreement represent 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 City warrant to each other that the individuals executing this Agreement on behalf of their respective Party are authorized and empowered to bind the Party on whose behalf each individual is signing. Developer represents to City that by entering into this Agreement Developer has bound all persons and entities having a legal or equitable interest to the terms of this Agreement as of the Effective Date.

16. **Entire Agreement**. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by 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.

17. **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 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.

18. **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.

19. **Governing Law**. The laws of the State of Utah shall govern the interpretation and enforcement of this 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.

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

21. **Attorney's Fees and Costs.** If either Party brings legal action either because of a breach of this Agreement or to enforce a provision of this Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and court costs.

22. **Binding Effect.** The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the Parties 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.

23. **No Third Party Rights.** The obligations of Developer and 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.

24. **Assignment.** Developer may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement. Developer shall remain obligated for the performance of this Agreement until it receives a written release from the City. The City shall grant a written release upon a showing that the Assignee is financially and otherwise capable of performing the obligations of the Agreement.

25. **No Agency Created.** Nothing contained in this Agreement shall create any partnership, joint venture, or agency relationship between the Parties.

26. **Dispute Resolution.** In the event of a dispute regarding the meaning, administration or implementation of this Development Agreement the parties shall meet and confer and attempt to resolve the dispute. If this is unsuccessful the parties shall engage in formal mediation within thirty days of the unsuccessful meeting. The parties shall mutually agree upon a single mediator and Developer shall pay the fees of the mediator. If the dispute remains unresolved after mediation

the Parties may seek relief in the Third District Court for Salt Lake County, State of Utah.

27. **Table of Exhibits**. The following exhibits attached hereto and referred to herein are hereby incorporated herein and made a part of this Agreement for all purposes as if fully set forth herein:

Exhibit A	Legal Description of Property
Exhibit B	Concept Plan
Exhibit C	Zoning Map
Exhibit D	PD and CC Zoning Provisions
Exhibit E	Resolution R2023-25
Exhibit F	Approved Architecture, Elevations, Materials, and Design

[SIGNATURE PAGE FOLLOWS]

To evidence the Parties' agreement to this Agreement, each Party has executed it on the date stated under that Party's name, with this Agreement being effective on the date stated in Section 3.

CITY OF SOUTH JORDAN

Signature: _____

Print Name: _____

Title: _____

Date: _____

APPROVED AS TO FORM



Gregory Simonsen (May 31, 2023 13:20 MDT)

Office of the City Attorney

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On this ____ day of _____, 2023, personally appeared before me DAWN R. RAMSEY, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that she is the Mayor of the City of South Jordan and that said document was signed by her in behalf of the City of South Jordan by authority of its City Council, and DAWN R. RAMSEY further acknowledged to me that said Corporation executed the same.

NOTARY PUBLIC

DEVELOPER

J.L. SALT CONSTRUCTION, INC.

DBA DREAM HOME BUILDERS

Signature: _____

Print Name: _____

Title: _____

Date: _____

STATE OF UTAH)
)
) :SS
 COUNTY OF SALT LAKE)

On this 31 day of may, 2023, personally appeared before me Jerry Salt, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he is the Manager of J.L. Salt Construction, Inc. dba Dream Home Builders and that said document was signed by him in behalf of J.L. Salt Construction, Inc. dba Dream Home Builders by authority of its governing body, and Jerry Salt further acknowledged to me that he executed the same.

 NOTARY PUBLIC



EXHIBIT A
(Legal Description for the Property)

27-22-201-020

BEG N 1621 FT & E 52.62 FT FR CEN SEC 22, T 3S, R 1W, SLM; E 305.98 FT M OR L; N 0°07'35" E 143.43 FT; W 305.98 FT M OR L; S 143.43 FT TO BEG. 1.0 AC M OR L. 9283-3137 9303-0070 9318-1978 9337-0277

27-22-201-028

BEG S 740 FT FR N 1/4 COR OF SEC 22, T3S, R1W, SLM; E 488.19 FT; S 0°07'35" W 140 FT; W 485.74 FT; N 140 FT TO BEG. LESS ST. 1.47 AC.

EXHIBIT B
(Concept Plan)



EXHIBIT C
(Zoning Map)

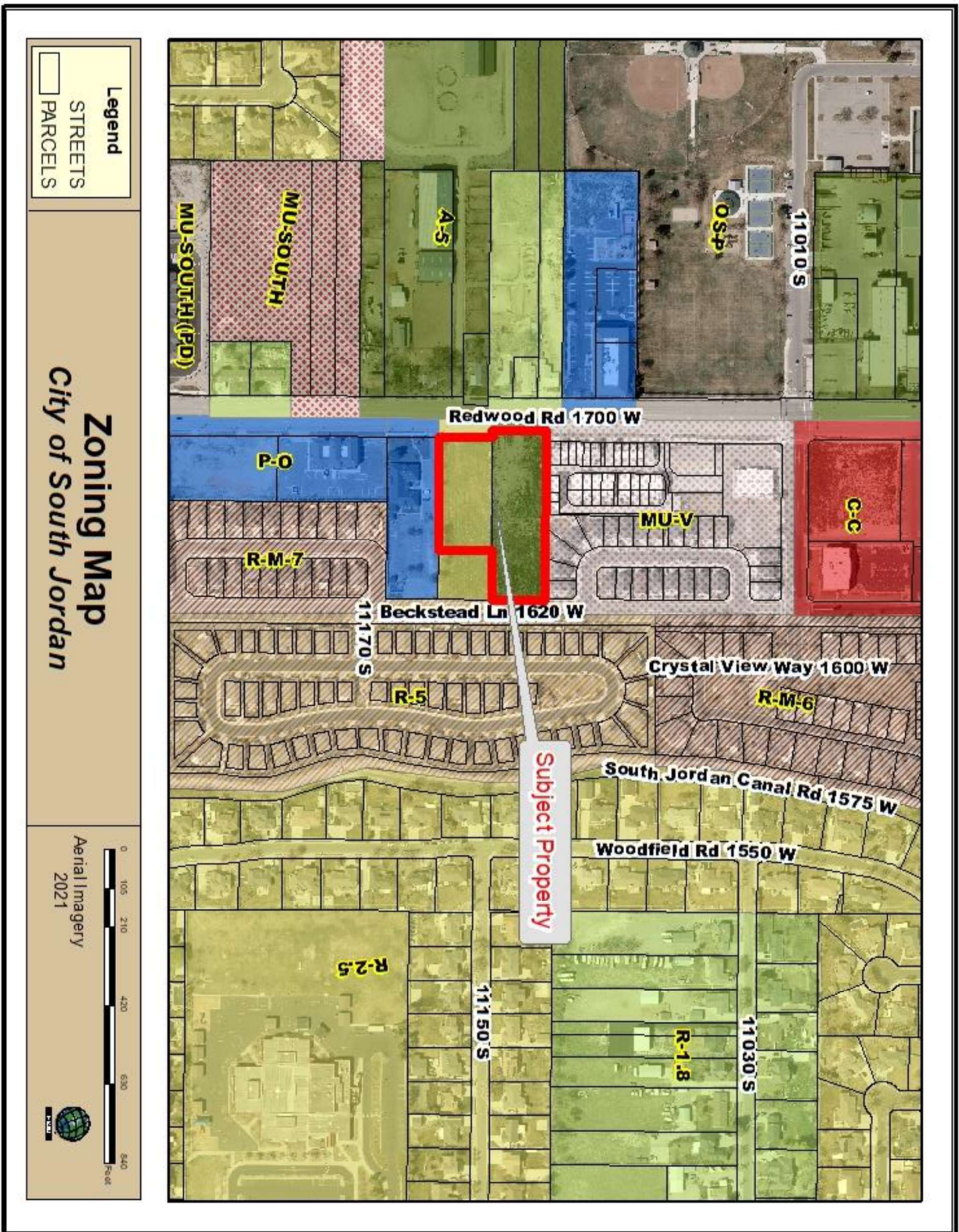


EXHIBIT D
(PD Zone Provisions)

17.130.050: PLANNED DEVELOPMENT FLOATING ZONE

17.130.050.010: PURPOSE

17.130.050.020: ESTABLISHMENT\

7.130.050.030: 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 and the impacts on and from surrounding properties when approving a PD District.

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

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

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).

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

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

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

CHAPTER 17.60 COMMERCIAL ZONES

17.60.010: PURPOSE

17.60.020: DEVELOPMENT AND DESIGN STANDARDS

17.60.030: OTHER REQUIREMENTS

17.60.010: 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 commercial areas in the city. This chapter shall apply to the following commercial zones established in chapter 17.20, "Zone Establishment", of this title: C-N, C-C, and C-F zones. Uses may only be conducted in commercial zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use, and other associated use regulations are found in chapter 17.18, "Uses", of this title.

1. C-N Zone: The purpose of the C-N zone is to provide areas where small scale commercial retail and service uses may be located to accommodate the daily needs of local residents and passing motorists. Uses should be harmoniously integrated with surrounding neighborhoods and impose minimal detriment resulting from traffic, lighting, noise, or other negative effects.
2. C-C Zone: The purpose of the C-C zone is to provide areas for large scale community or regional retail and service uses. These areas will generally be located near major transportation hubs but should be designed to buffer neighboring residential areas. Coordinated circulation, architecture and landscaping and a balance of uses should be incorporated in developments.
3. C-F Zone: The purpose of the C-F zone is to provide areas along the interstate freeway for major commercial uses that are both compatible with and dependent on freeway visibility and access. Developments should be generally upscale with attention given to coordination of traffic circulation and building placement. Developments should provide a pleasing and functional environment that represents the quality of life in the city and also enhances employment opportunities and the retail tax base of the city.

(Ord. 2015-09, 12-1-2015)

17.60.020: DEVELOPMENT AND DESIGN STANDARDS

1. Development Review: Uses proposed in commercial zones may only be established in conformance with the city's development review procedures. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in commercial 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 allowed under state law.
2. Area Requirements: Commercial zones shall comply with the requirements in the area requirements table below. A C-N zone shall not be established when located within one-third (1/3) mile of another commercial zone (C-N, C-C, or C-F).

Zone	Minimum Zone Area (Acres) ¹	Maximum Zone Area (Acres) ¹	Minimum Project Area (Acres) ²	Minimum Lot Area (Acres)
C-N	1	10 ³	1	n/a
C-C	5	n/a	1	n/a
C-F	5	n/a	1	n/a

Notes

¹"Zone area" is defined as all contiguous lots or parcels that have the same zoning designation. A zone area intersected by a public right of way is considered as 1 zone area.

²"Project area" is defined as a development for which preliminary plat or site plan approval has been proposed or granted.

³A C-N zone area not traversed by a public right of way shall not exceed 5 acres.

3. Density: There is no restriction on the number of lots or parcels or the number of buildings on a lot or parcel, except as may be limited by other standards, regulations, or requirements of this title (planning and land use ordinance), in commercial zones.
4. Lot Width And Frontage: No minimum lot width is required for lots in Commercial Zones. Lots not fronting on a street must be accessible to the public via a recorded easement or right-of-way.
5. Yard Area: The following yard area requirements apply to lots or parcels in Commercial Zones:
 1. The following minimum yard area requirements apply to main and accessory buildings: (Ord. 2015-09, 12-1-2015)
 1. The required yard area for front, side, and rear yards shall extend a distance of twenty feet (20') away from and along a property line adjacent to the edge of a public right-of-way (back of sidewalk for a typical street cross section). An alternative edge line to be used for measuring the minimum yard area may be established where an atypical street cross section exists and when recommended by the Planning Director and approved by the Planning Commission. (Ord. 2015-09, 12-1-2015; amd. Ord. 2019-01, 3-5-2019)
 2. The required yard area for front, side, and rear yards shall extend a distance of thirty feet (30') away from and along a property line adjacent to a Residential or Agricultural Zone.

2. The minimum yard area requirement may be reduced, when the reduction does not violate clear vision requirements of this Code, in the following circumstances:
 1. The required yard area of subsection E1a of this section may be reduced from twenty feet (20') to ten feet (10') for buildings designed with a public entrance to the building that is oriented toward and directly connected to the adjacent right-of-way by a pedestrian walkway and the side of the building that is oriented to the right-of-way includes architectural elements that distinguish it as the primary pedestrian access to the building.
 2. Should an adjacent Residential or Agricultural zoned property have a future land use designation that is not residential or agricultural, the required yard area of subsection E1b of this section may be reduced if approved by the Planning Commission with site plan review.
3. The following may be projected into any required yard area in Commercial Zones:
 1. Fences and walls in conformance to City codes and ordinances.
 2. Landscape elements, including trees, shrubs and other plants.
 3. Minor utility or irrigation equipment or facilities.
 4. Decks not more than two feet (2') in height.
 5. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to a building that does not extend more than two feet (2') into a side yard area or four feet (4') into a front or rear yard area.
 6. Chimneys, fireplace keys, box or bay windows, or cantilevered walls attached to the building not exceeding 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.
6. Parking And Access: Parking areas and access in Commercial Zones shall comply with title 16, chapter 16.26, "Parking And Access", of this Code; chapter 17.18, "Uses", of this title; title 10, "Vehicles And Traffic", of this Code; and the following:
 1. Surface parking areas, except for approved street parking, shall not be located between a building and a public right-of-way on lots or parcels adjacent to a public right-of-way. This requirement shall only apply to one side of a lot or parcel that is adjacent to a public right-of-way on multiple sides.
 2. Surface parking areas, except for approved street parking, located within thirty feet (30') of a public right-of-way shall be screened by grading, landscaping, walls/fences, or a combination of these, to a height of three feet (3') above the surface of the parking area. (Ord. 2015-09, 12-1-2015)
 3. The Planning Director may approve an exception to the requirements of this subsection F if he or she determines that any of the requirements are not reasonably possible based on the unique characteristics of the site. (Ord. 2015-09, 12-1-2015; amd. Ord. 2019-01, 3-5-2019)
7. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply to all Commercial Zones: (Ord. 2015-09, 12-1-2015)
 1. 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 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. (Ord. 2017-22, 7-18-2017)

2. The boundary of a Commercial Zone that is not in or adjacent to a public right-of-way and that is adjacent to a Residential or Agricultural Zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the Commercial Zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit may be required for fences and walls according to applicable Building Codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.
3. No wall, fence or screening material shall be erected between a street and a front or street side building line in Commercial Zones, except as required by subsection G1 of this section.
4. Landscape materials within a Clear Vision Area shall comply with Section 16.04.200 (J).
8. Architecture: The following exterior materials and architectural standards are required in Commercial Zones:
 1. Applicants for development approval shall submit for site plan review architectural drawings and elevations, exterior materials, and colors of all proposed buildings. In projects containing multiple buildings, the applicant shall submit a design book that includes an architectural theme, features, exterior materials and colors governing the entire project.
 2. All building materials shall be high quality, durable and low maintenance.
 3. In the C-N Zone, exterior walls of buildings shall be constructed with a minimum of fifty percent (50%) brick or stone. The balance of exterior wall area shall consist of brick, stone, glass, decorative integrally colored block and/or no more than fifteen percent (15%) stucco or tile. Other materials may also be used for decorative accents and trim in the C-N Zone with development approval. Roofs in the C-N Zone shall be hipped or gabled with a minimum six to twelve (6:12) pitch.
 4. Exterior walls of buildings that are longer than sixty feet (60') in length shall have relief features at least four inches (4") deep at planned intervals.
 5. All sides of buildings shall receive design consideration.
 6. Signs shall meet requirements of title 16, chapter 16.36 of this Code and shall be constructed of materials that are consistent with the buildings that they identify.
 7. Buildings and structures in Commercial Zones shall not exceed the height shown in the maximum building height table below unless otherwise allowed in this title.

Zone	Main Building	Other Structures
C-N	35 feet	25 feet
C-C	35 feet	35 feet
C-F	No maximum	No maximum

8. The exteriors of buildings in Commercial Zones shall be properly maintained by the owners. (Ord. 2015-09, 12-1-2015)

9. Grading And Drainage: All developments shall be graded to comply with subsection 16.10.040E9 of this Code and as required by the Planning Department to provide adequate drainage. Buildings shall be equipped with facilities that discharge of all roof drainage onto the subject lot or parcel. (Ord. 2015-09, 12-1-2015; amd. Ord. 2019-01, 3-5-2019)
10. Landscaping: The following landscaping requirements and standards shall apply in Commercial Zones. Landscaping in Commercial Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.
 1. The area of front, side, and rear yards along an adjacent property line and extending away from the property line a distance prescribed in the requirements of this subsection shall be landscaped with grass, trees, and other live plant material.
 1. The required yard landscape area for a yard adjacent to a residential or agricultural zone shall be not less than ten feet (10'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.
 2. The required yard landscape area for a yard adjacent to a public right of way shall be twenty feet (20'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.
 2. All areas of lots or parcels in commercial zones not approved for parking, buildings, or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees, and other plant material in conjunction with a landscape plan for the development that has been designed and prepared by a landscape architect and approved by the planning commission.
 3. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in commercial zones in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') tall evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.
 4. All collector street and other public and private park strips in commercial zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval. Park strip trees shall not be planted within thirty feet (30') of a stop sign.
 5. Trees shall not be topped and required landscape areas shall not be redesigned or removed without city approval. Property owners shall replace any dead plant material in accordance with the requirements of this chapter and the conditions of site plan or plat approval.
 6. The following landscaping requirements shall apply to parking areas:
 1. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.
 2. Shade trees shall be planted between double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum intervals of three (3) stalls and no farther than six feet (6') from the parking area. Shade trees are not required in parking rows which are adjacent to buildings.
 3. All landscaped areas adjacent to parking areas shall be curbed.

7. 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 areas so included and perpetually preserved may be counted toward required yard 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 written approval of any entity or agency having jurisdiction over said waterways.
 8. All required landscaping shall be installed (or escrowed due to season) prior to occupancy.
 9. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners.
11. Lighting: The following lighting requirements shall apply in commercial zones:
1. Applicants for development approval shall submit a lighting plan, which shall include a photometric analysis.
 2. Site lighting shall adequately light all parking areas, walkways, and common areas. Site lighting shall be designed and/or shielded to prevent glare on adjacent properties.
 3. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.
 4. Lighting fixtures on public property shall be architectural grade and consistent with a streetlight design approved by the city engineer.

(Ord. 2015-09, 12-1-2015; amd. Ord. 2021-09, 5-4-2021)

HISTORY

Amended by Ord. 2022-16 on 12/6/2022

17.60.030: OTHER REQUIREMENTS

1. Private Covenants: The developer of a condominium project in a commercial zone shall submit a proposed declaration of covenants to the city attorney for review, including an opinion of legal counsel licensed to practice law in the state that the condominium meets requirements of state law, and record the covenants with the condominium plat for the project.
2. Maintenance: All private areas in developments shall be properly maintained by the property owners.
3. Easements: Buildings may not be located within a public easement.
4. Phasing Plan: Applicants seeking development approval of a phased project shall submit for review at the time of preliminary plat or site plan approval a project phasing plan. Development shall be in accordance with the project phasing plan unless the city approves a revised project phasing plan.
5. Nonconforming Lots Or Parcels: Nonconforming lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a commercial zone shall be brought into conformance with the requirements of this chapter prior to development.

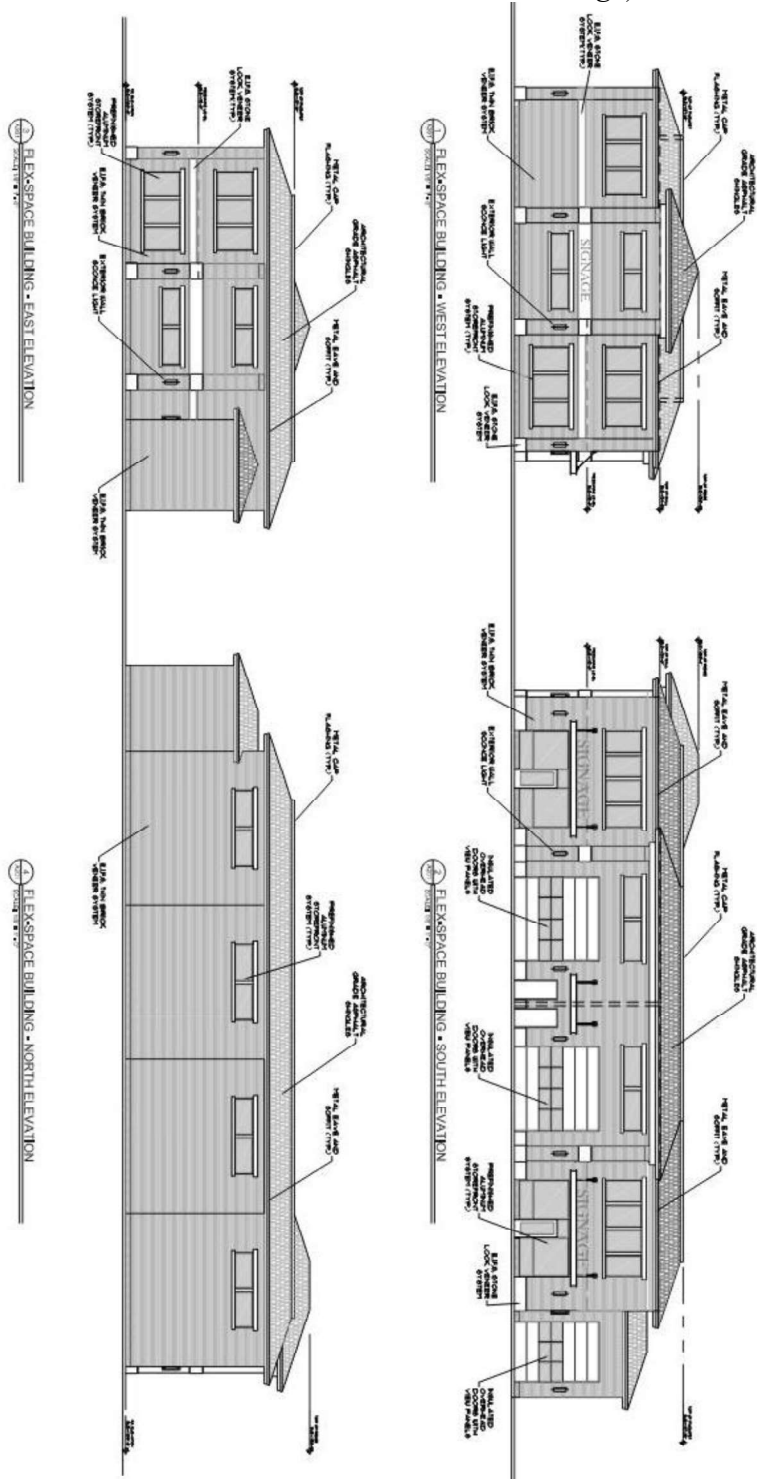
(Ord. 2015-09, 12-1-2015; amd. Ord. 2016-05, 5-3-2016)

EXHIBIT E
(Resolution R2023-25)

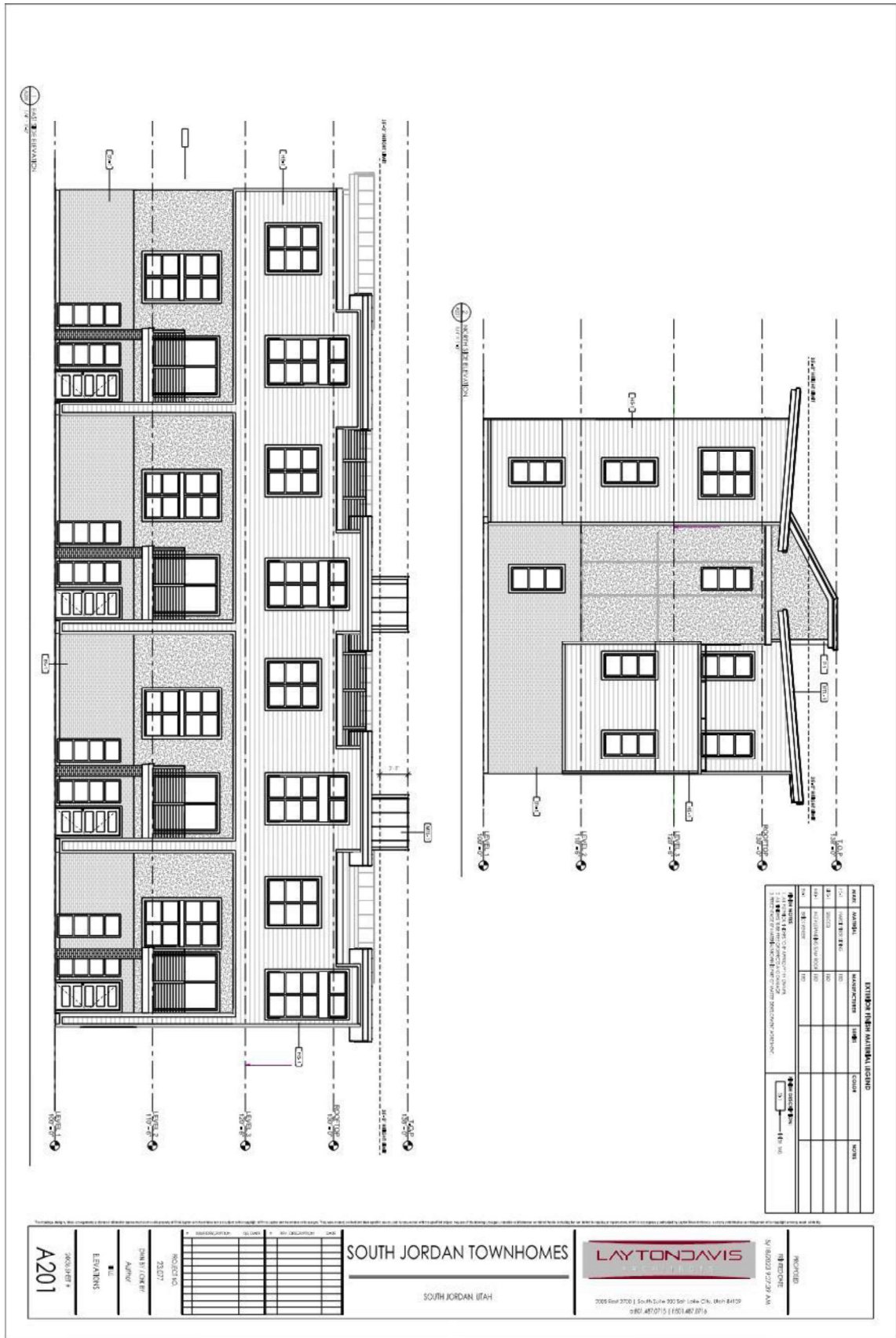
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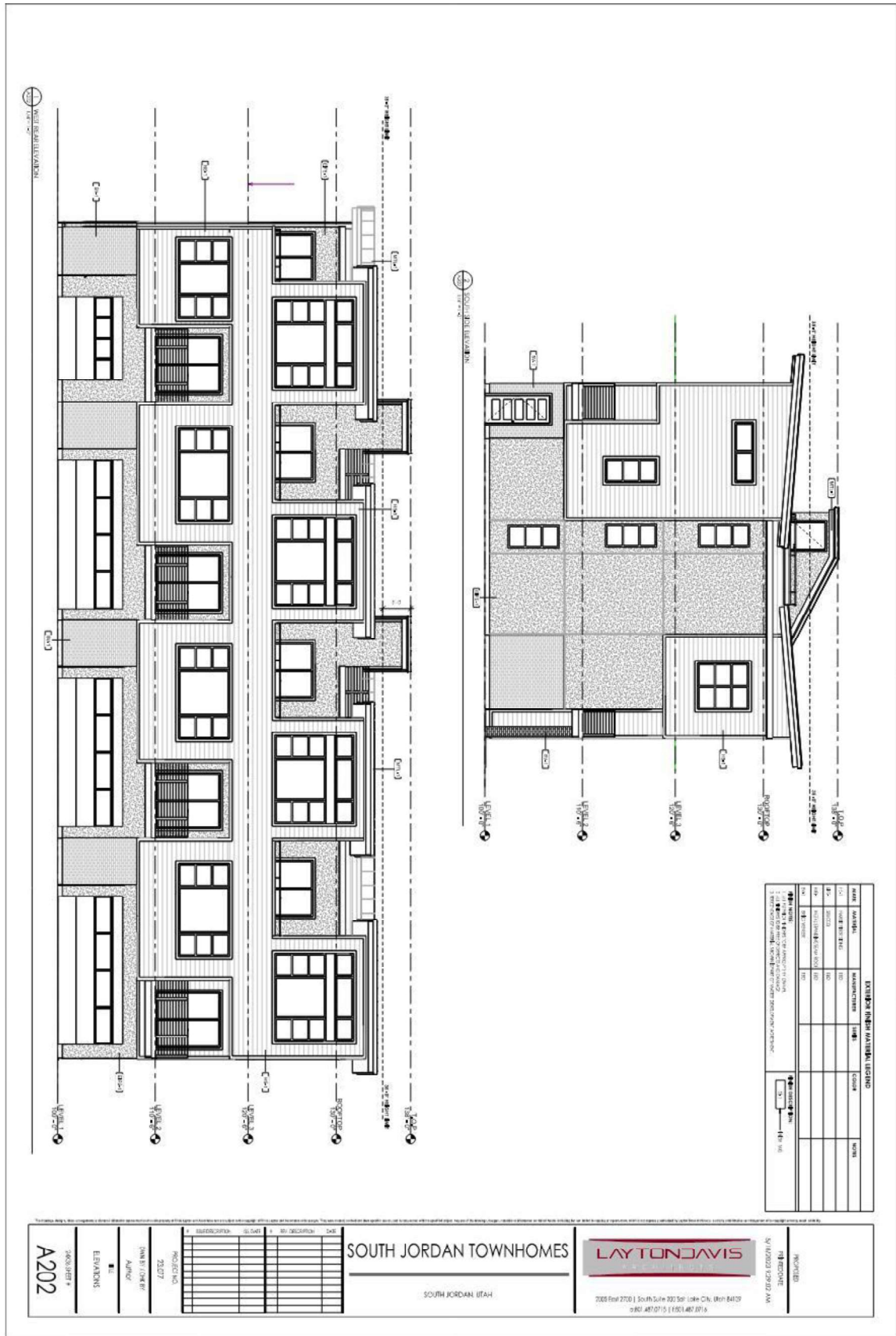
EXHIBIT F

(Approved Architecture, Elevations, Materials, and Design)



<p>24X36 SHEET # A201</p>	<p>THE CONCEPTUAL FLEXSPACE ELEVATIONS</p>	<p>DWN BY: CMK BY CML</p>	<p>PROJECT NO 22006</p>	<p>ORCHONOLOGIST</p>	<p>SO. JO. TOWNHOMES AND FLEX-SPACE 11111 SO. REDWOOD ROAD South Jordan, Utah</p>	<p>LAYTON DAVIS ARCHITECTS 2006 EAST 2700 SOUTH SUITE 200 SALT LAKE CITY, UTAH 84119 (760) 672-2715 WWW.LAYTONDAVISARCHITECTS.COM</p>	<p>POSTED DATE 10/14/2023</p>
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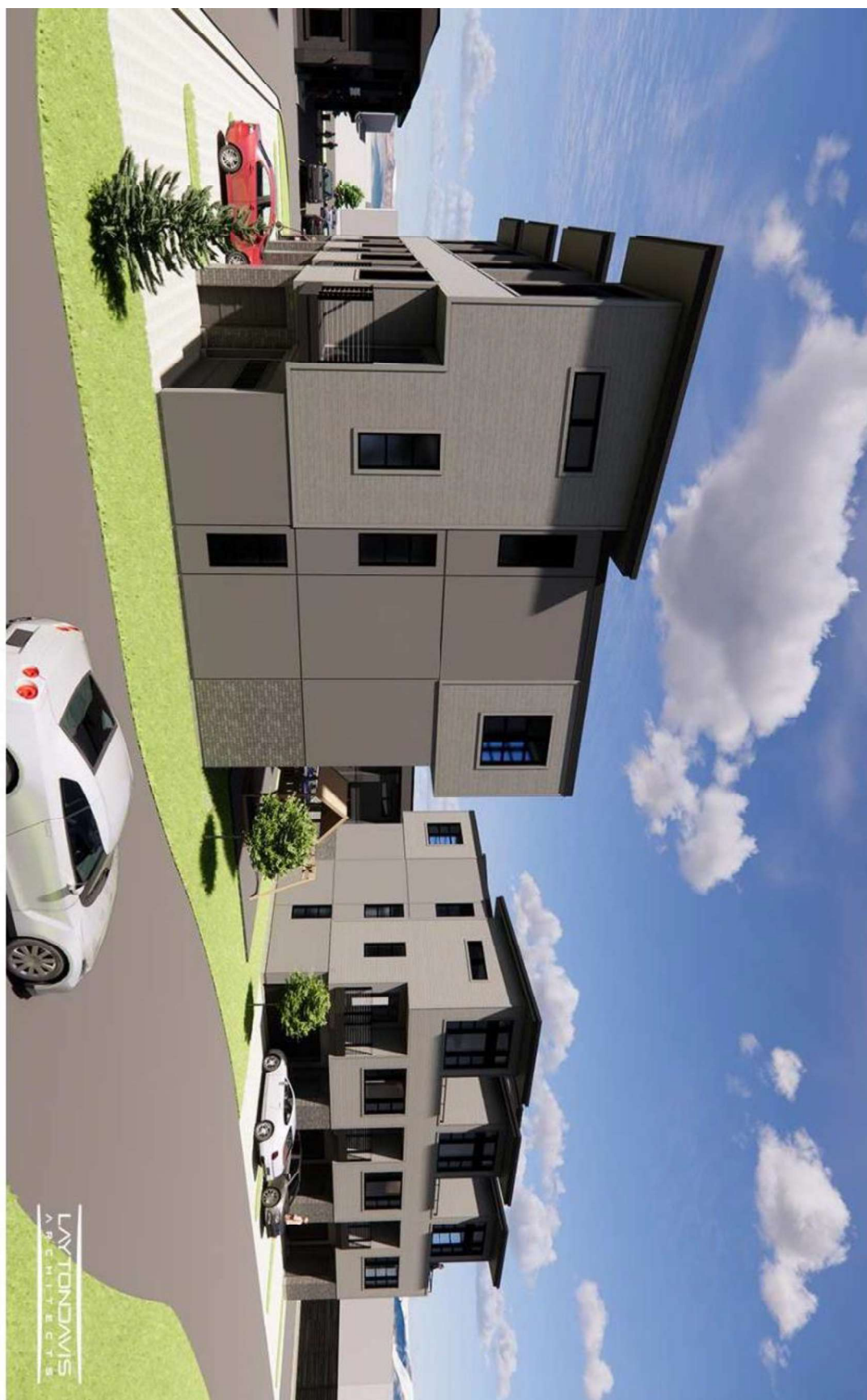


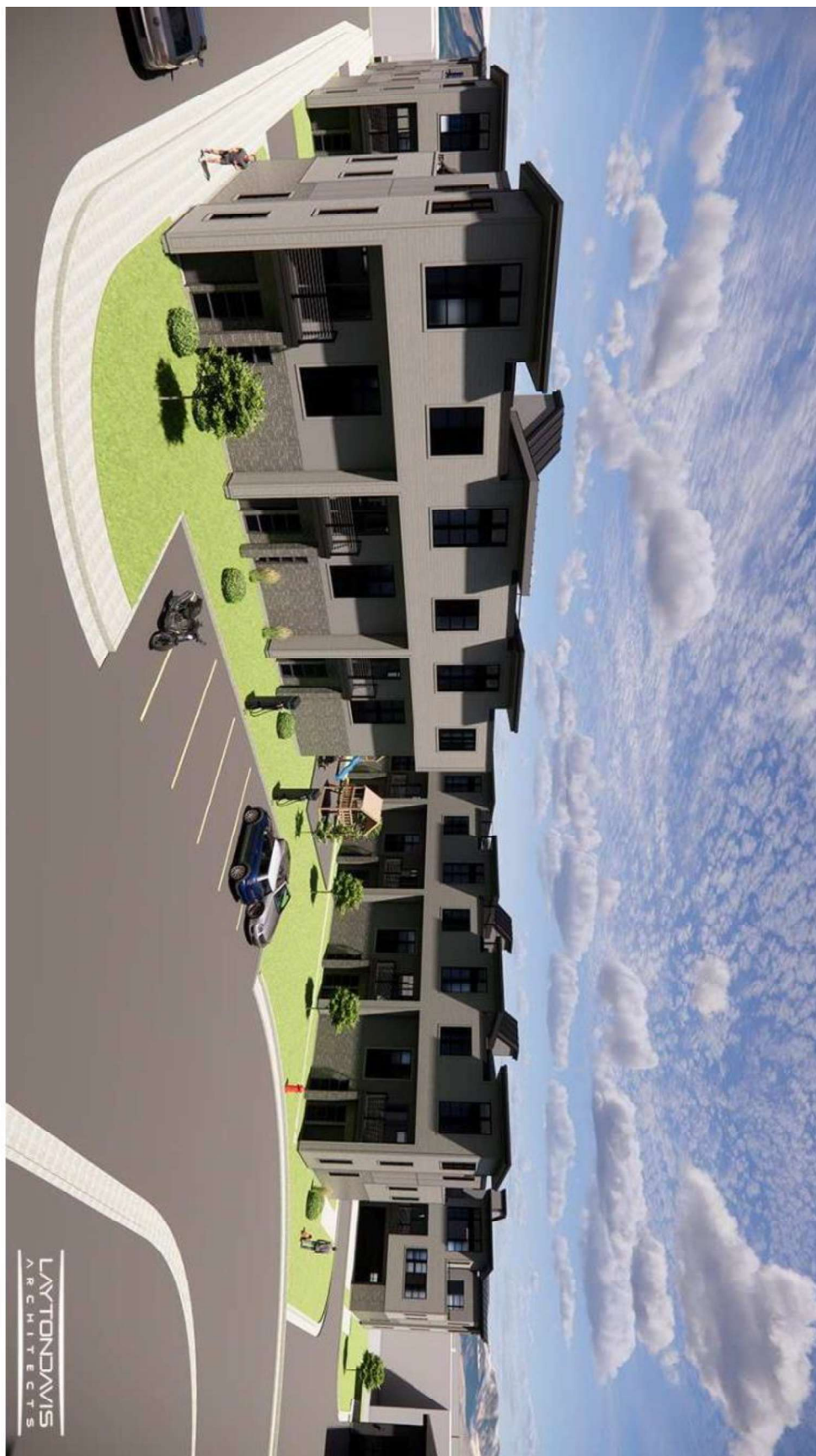












ORDINANCE NO. 2023-03-Z

AN ORDINANCE OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT 11147 S. REDWOOD ROAD FROM A-5 (AGRICULTURAL) AND R-2.5 (SINGLE-FAMILY RESIDENTIAL) ZONES TO R-M-PD (RESIDENTIAL-MULTIPLE-PLANNED DEVELOPMENT FLOATING) ZONE; BRIAN ADAMS ON BEHALF OF J.L. SALT CONSTRUCTION, INC. DBA DREAM HOME BUILDERS (APPLICANT).

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

WHEREAS, the Applicant, Brian Adams on behalf of J.L. Salt Construction, Inc. dba Dream Home Builders, 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 PLZBA201900236 filed by Brian Adams on behalf of J.L. Salt Construction, Inc. dba Dream Home Builders, located in the City of South Jordan, Utah is hereby reclassified from the A-5 (Agricultural, minimum 5 acre lot) Zone and R-2.5 (Single-Family Residential, 2.5 lots per acre) Zone to R-M-PD (Residential-Multiple-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 _____, 2023 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:



Gregory Simonsen (May 31, 2023 13:20 MDT)

Office of the City Attorney

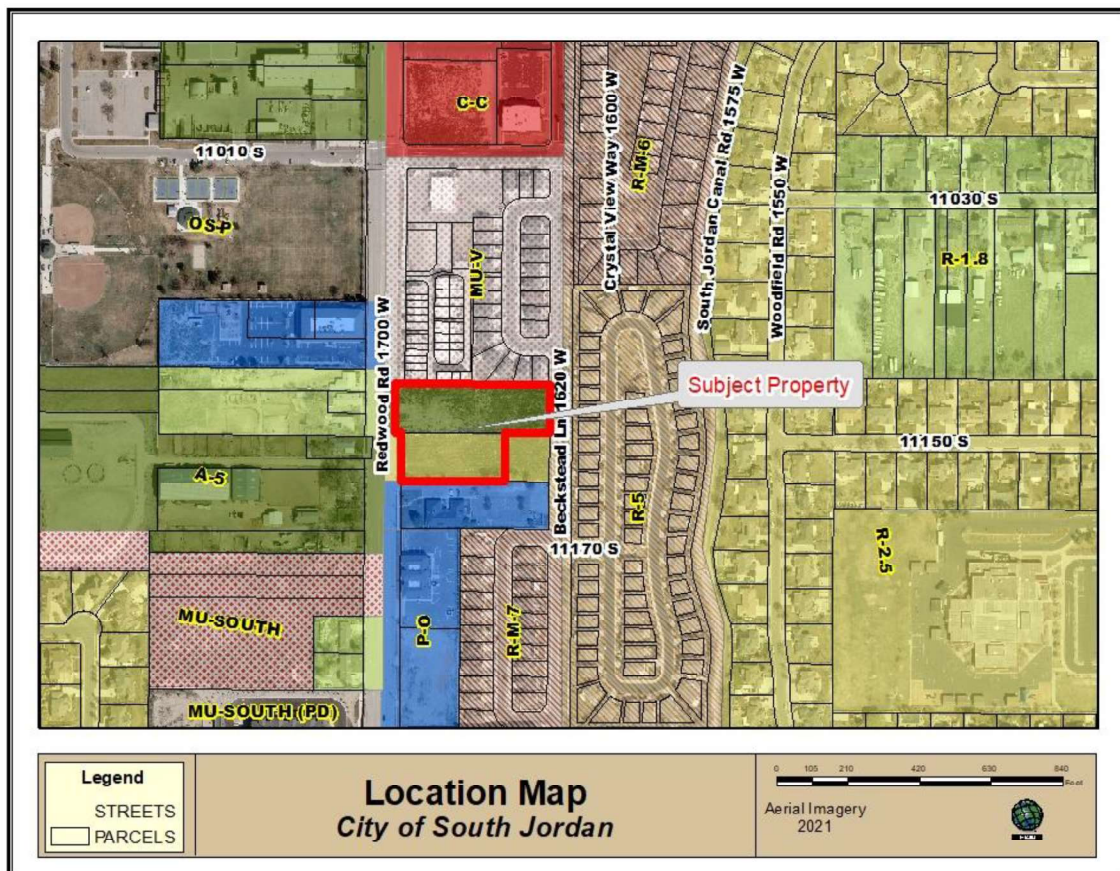
EXHIBIT A

27-22-201-020

BEG N 1621 FT & E 52.62 FT FR CEN SEC 22, T 3S, R 1W, SLM; E 305.98 FT M OR L; N 0°07'35" E 143.43 FT; W 305.98 FT M OR L; S 143.43 FT TO BEG. 1.0 AC M OR L. 9283-3137 9303-0070 9318-1978 9337-0277

27-22-201-028

BEG S 740 FT FR N 1/4 COR OF SEC 22, T3S, R1W, SLM; E 488.19 FT; S 0°07'35" W 140 FT; W 485.74 FT; N 140 FT TO BEG. LESS ST. 1.47 AC.



SOUTH JORDAN CITY CITY COUNCIL REPORT

Item H.1.

Meeting Date: 06-06-23

Issue: DAYBREAK VILLAGE 9 PLAT 4 SILVER POND DRIVE
RIGHT-OF-WAY VACATION

Address: Approx. 11375 South 6750 West

File No: PLPLA202300065

Applicant: LHM Real Estate

Submitted by: Greg Schindler, City Planner

Presented by: Steven Schaefermeyer, Director of Planning

Staff Recommendation (Motion Ready):

- I move to **Approve** Ordinance 2023-08 vacating a portion of right-of-way at the north east corner of the intersection of Dockside Drive and Silver Pond Drive.

CURRENT LU DESIGNATION	Residential Development Opportunity (RDO)
CURRENT ZONING	Planned Community (PC)
CURRENT USE	Public Street
ADJACENT LAND USES	Currently Vacant – Future Residential Lots

BACKGROUND:

The applicant, Larry H. Miller Real Estate, petitioned the City to vacate a 228 Sq. Ft. piece of right-of-way (ROW) along the east side of Silver Pond Drive. The plat establishing the Silver Pond Drive and Dockside Drive ROW was the Daybreak West Villages Roadway Dedication Plat that was recorded in August of 2019. The piece of ROW proposed for vacation is located at the northeast corner of the intersection of Silver Pond Dr. and Dockside Dr. The proposed ROW vacation will not reduce the roadway pavement width.

If the ROW vacation is approved, the property will be deeded to the adjacent property owner, VP Daybreak Devco 2 LLC and eventually become part of lot 364 of the Daybreak Village 9 Plat 4 subdivision that will be recorded in the near future. Currently, there are no improvements located within the part of the ROW proposed to be vacated.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Utah Code § 10-9a-609.5(3) provides standards of approval for vacating a public easement:
The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street, right-of-way, or easement if the legislative body finds that:
 - (a) good cause exists for the vacation; and
 - (b) neither the public interest nor any person will be materially injured by the vacation.
- Staff finds that there is good cause for vacating the right-of-way for the following reason:
 - The result of the vacation will provide for a more direct and safer alignment of Silver Pond Drive on the north side of Dockside Drive with the segment of Silver Pond south of Dockside.
- No public interest or any person will be materially injured by the vacation of this segment of the right-of-way since it is currently undeveloped and its future development will meet City of South Jordan standards.

Conclusion:

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

Recommendation:

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

FISCAL IMPACT:

- There are no significant fiscal impacts.

ALTERNATIVES:

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

SUPPORT MATERIALS:

- Aerial Location Map
- Proposed Subdivision Showing ROW Vacation
- Ordinance 2023-08

Approved by:

Steven Schaefermeyer
Steven Schaefermeyer (May 30, 2023 15:52 MDT)

Steven Schaefermeyer.
 Director of Planning

May 30, 2023

Date

WHEN RECORDED RETURN TO:

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

ORDINANCE 2023-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, VACATING A PORTION OF RIGHT-OF-WAY AT THE NORTHEAST CORNER OF SILVER POND DRIVE AND DOCKSIDE DRIVE (11375 S 6742 W).

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

WHEREAS, Larry H. Miller Real Estate (the “Applicant”), petitioned the City to vacate a 228 Sq. Ft. portion of Silver Pond Drive, an existing Right-of-Way (“ROW”) that runs adjacent to the Applicant’s property; and

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

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

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

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

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

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

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2023 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

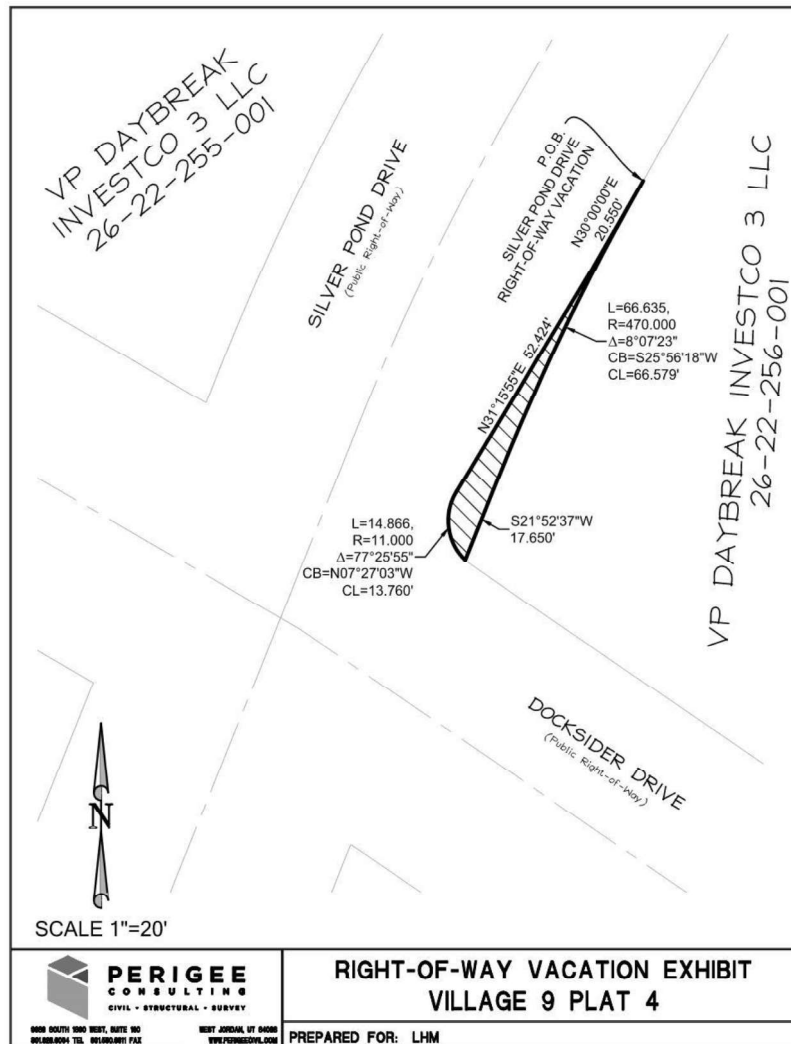
Attest: _____

Approved as to form:

Gregory Simonsen
Gregory Simonsen (May 30, 2023 15:58 MDT)

Office of the City Attorney

Exhibit A



VILLAGE 9 PLAT 4 ROW VACATION DESCRIPTION

Beginning at a point on the Easterly Right-of-Way Line of Silver Pond Drive, said point also being a point on a 470.000 foot radius non tangent curve to the left, (radius bears South 60°00'00" East, Chord: South 25°56'18" West 66.579 feet), said point lies South 89°56'37" East 3135.576 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 2863.172 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Silver Pond Drive the following (2) courses: 1) along the arc of said curve 66.635 feet through a central angle of 08°07'23"; 2) South 21°52'37" West 17.650 feet to a point on a 11.000 foot radius non tangent curve to the right, (radius bears North 43°50'00" East, Chord: North 07°27'03" West 13.760 feet); thence along the arc of said curve 14.866 feet through a central angle of 77°25'55"; thence North 31°15'55" East 52.424 feet; thence North 30°00'00" East 20.550 feet to the point of beginning.

Property contains 0.005 acres, 228 square feet



Location Map



ORDINANCE NO. 2023 - 09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SUBSECTIONS OF SOUTH JORDAN MUNICIPAL CODE §§ 2.28.010 C. AND E. PERTAINING TO THE APPOINTMENT AND TERM OF OFFICE OF THE CITY MANAGER.

WHEREAS, the City of South Jordan operates under a Six-Member Council form of government as described in UCA § 10-3b-310 *et seq.* granting all legislative, executive, and administrative authority to a governing body; and

WHEREAS, the Mayor and Council together act as the governing body for the City of South Jordan as described in SJMC § 2.04.010; and

WHEREAS, the governing body has delegated many responsibilities to the office of a city manager which is the chief administrative officer as described in SJMC § 2.28.010 *et seq.*; and

WHEREAS, the governing body appoints and removes the city manager by a majority vote of 4 of the 6 members of the governing body which is not specifically stated in the current Code as seen in SJMC §§ 2.28.010 C. and E.; and

WHEREAS, the South Jordan City Council finds it in the best interest of the City of South Jordan to clarify the manner of appointment and term of office of the City Manager.

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

SECTION 1. Amendment. SJMC §§ 2.28.010 C. and E. are hereby amended as described herein:

- C. Appointment: The governing body, including the mayor, shall appoint the city manager by the majority vote of four (4) members of the governing body, ~~who~~ The city manager shall be appointed on the basis of experience, administrative, executive abilities and qualifications.
- E. Term Of Office: The city manager shall serve at the pleasure of the ~~city council~~ governing body and may be removed at any time, with or without cause, by a majority vote of four (4) members of the governing body, including the mayor ~~city council~~, subject to the following, ~~however, to the provisions of the next succeeding subsections.~~
 - 1. Notice: In the case of removal by the city council without cause, the city manager shall be furnished with a fourteen (14) days' written notice before the effective date of removal. In the case of removal by the governing body ~~city council~~ for cause, the governing body ~~city council~~ may effect removal of the city manager immediately upon notice to the city manager.

2. Discretion Of Council: In removing the city manager, the governing body ~~city council~~ may use its discretion and its action shall be final and shall not depend upon any particular showing or degree of proof.

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

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

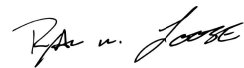
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2023 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:



Office of the City Attorney