CITY OF SOUTH JORDAN PLANNING COMMISSION MEETING AGENDA CITY COUNCIL CHAMPERS

CITY COUNCIL CHAMBERS

TUESDAY, OCTOBER 14, 2025 at 6:30 PM



Notice is hereby given that the South Jordan Planning Commission will hold a Planning Commission Meeting at 6:30 p.m. on Tuesday, October 14, 2025, in person in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah and virtually via Zoom phone and video conferencing. Persons with disabilities requesting assistance should contact the City Recorder at least 24 hours prior to the Meeting. The Agenda may be amended, and an Executive Session may be held at the end of the Meeting. Times listed are approximate and may be accelerated or delayed.

In addition to in-person attendance, the City intends to provide virtual access via Zoom for phone and video conferencing; however, virtual access is not guaranteed and may be limited by technical issues or connectivity constraints. Individuals may join via phone or video, using Zoom. In the event the Meeting is disrupted in any way that the City in its sole discretion deems inappropriate, the City reserves the right to immediately remove the individual(s) from the Meeting and, if needed, end virtual access to the Meeting. Reasons for removing an individual or ending virtual access to the Meeting include, but are not limited to, the posting of offensive pictures, remarks, or making offensive statements, disrespectful statements or actions, and any other action deemed inappropriate.

To ensure that comments are received, please submit them in writing to City Planner, Greg Schindler at <u>gschindler@sjc.utah.gov</u> by 3:00 p.m. on the day of the meeting.

Instructions on how to join virtually are provided below.

Join South Jordan Planning Commission Electronic Meeting:

- 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://www.sjc.utah.gov/254/Planning-Commission

THE MEETING WILL BEGIN AT 6:30 P.M. AND THE AGENDA IS AS FOLLOWS:

- A. WELCOME AND ROLL CALL Commission Chair Nathan Gedge
- B. MOTION TO APPROVE AGENDA
- C. APPROVAL OF THE MINUTES
 - C.1. 09/09/2025 PLANNING COMMISSION MEETING MINUTES
- D. STAFF BUSINESS
- E. COMMENTS FROM PLANNING COMMISSION MEMBERS
- F. SUMMARY ACTION
- G. ACTION
- H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. DAYBREAK SOUTH STATION PLAT6

Address: Generally located along the north side of Lake Avenue between Grandville

Avenue and Freestone Road. File No: PLPP202500131

Applicant: Vagner Soares (LHM Real Estate)

H.2. DAYBREAK VILLAGE 13 PLAT 2

Address: West side of Bingham Rim Rd approximately between 11098 S and 11035 S.

File No: PLPP202500117

Applicant: Vagner Soares (LHM Real Estate)

H.3. MACKOWIAK ADU CONDITIONAL USE PERMIT

Address: 9802 S Evensen Circle File No: PLCUP202500185 Applicant: Ryan Mackowiak

H.4. GOLDEN PLAZA SITE PLAN

Address: 1613 W. 11400 S. File No: PLSPR202500070

Applicant: Ashley Sudbury, NJRA Architects

H.5. VISION DANCE STUDIO CONDITIONAL USE PERMIT (CUP)

Address: 11509 S. District Main Dr.

File No: PLCUP202500192 Applicant: Lisa Bunker

I. LEGISLATIVE PUBLIC HEARINGS

I.1. LEGISLATIVE TEXT AMENDMENTS TO CITY CODE

Address: 1600 W. Towne Center Drive, South Jordan, UT 84095

File No: PLZTA202500196 Ordinance 2025-17

Applicant: City of South Jordan

J. OTHER BUSINESS

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

: §

COUNTY OF SALT LAKE)

I, Cindy Valdez, certify that I am the duly appointed City Deputy Recorder of South Jordan City, State of Utah, and that the foregoing Planning Commission Agenda was faxed or emailed to the media at least 24 hours prior to such meeting, specifically the Deseret News, Salt Lake Tribune and the South Valley Journal. The Agenda was also posted at City Hall, on the City's website www.sjc.utah.gov and on the Utah Public Notice Website www.pmn.utah.gov.

Dated this 9th day of October, 2025. Cindy Valdez South Jordan City Deputy Recorder

CITY OF SOUTH JORDAN PLANNING COMMISSION MEETING COUNCIL CHAMBERS September 9, 2025

Present: Chair Nathan Gedge, Commissioner Hollist, Commissioner Lori Harding,

Commissioner Steven Catmull, Commissioner Bryan Farnsworth, Commissioner

Sam Bishop, Assistant City Attorney Greg Simonson, City Planner Greg

Schindler, Planner Miguel Aguilera, Planner Joe Moss, Assistant City Engineer Jeremy Nielson, Director Brian Preece, Deputy Recorder Cindy Valdez, IT

Director Matt Davis, GIS Coordinator Matt Jarman.

Absent:

6:30 P.M.

REGULAR MEETING

A. WELCOME AND ROLL CALL -Chair Nathan Gedge

Chair Gedge welcomed everyone to the Planning Commission Meeting and noted that all (6) of the Planning Commissioner's are present. We have our new the appointed Commissioner Bryan Farnsworth here tonight, he was sworn in and has had his training so he will be voting tonight.

B. MOTION TO APPROVE AGENDA

B.1. Approval of the September 9, 2025

Commissioner Hollist motioned to approve the September 9, 2025 Planning Commission Agenda. Chair Gedge seconded the motion. Vote was 6-0 unanimous in favor.

C. APPROVAL OF THE MINUTES

C.1. Approval of the August 26, 2025 - Planning Commission Meeting Minutes.

Commissioner Hollist motioned to approve the August 26, 2025 Planning Minutes with corrections. Commissioner Gedge seconded the motion. Vote was 6-0 unanimous in favor.

D. STAFF BUSINESS

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Commissioner Hollist said I wanted to know if the Planning Commissioner's can attend the City Employee picnic on Thursday September 11, 2025, if any of us wanted to attend?

Planner Schindler said yes, you can attend the picnic.

Chair Gedge said there will only be 1 or 2 of the Commissioner's attending, so this will not need to be noticed as a quorum.

Chair Gedge said I attended last week's city council meeting. The City Council did have the Bess Dental office on their agenda, which we heard a few meetings ago and made recommendations. I encourage you all to review the recording for that item or reach out to your city council member for any feedback that you may have. They did pass that 4 to 1, and they did not take any of our three recommendations that we made to them for the development agreement, they left it as is. They also went over the community block development grant report for the staff. So, I found that interesting, having served on that committee previously in a different municipality. We don't get a lot of money for our city because basically, we have no low income people in the city for the census data. I know that's a very short summary of that, but it was a very interesting meeting.

- F. SUMMARY ACTION
- G. ACTION
- H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. ITEM NAME: DAYBREAK SOUTH STATION PLAT 3F

Address: Generally located south and west of the intersection of Daybreak Parkway and

Veruca Way (11612 S Vercua Way)

File No: PLPP202500130

Applicant: LHM Real Estate (Vagner Soares)

Planner Greg Schindler review background information from the staff report.

Commissioner Harding said having not known what it will become, do we have any concern with added traffic that it will bring coming so close to an elementary school?

Planner Schindler said that would be addressed by staff during the site plan review. So, even if we knew it wouldn't require a traffic study until they have a site plan.

Chair Gedge opened the Public Hearing to comments.

Pepper Nicks, South Jordan – said I can see my house on that on that map, and the traffic there is an absolutely a nightmare, so that is my number one concern. Are they adding more parking spaces, or is it going to be wall to wall commercial space, and they're just going to be adding more cars without any more spaces for those cars. I just want us to make sure that it is safe for the children. There are a lot of children going in and out of that school across that road that is on the south of the plot right there, so that is a concern between my neighbors. The other thing is, we are all wondering what type of business would be in our neighborhood. How late would those business hours be? Would they have giant neon signs? We kind of enjoy the 7-11 over where it is, but this would be much closer to where our homes are. Those are my concerns. I would very much have liked it if the applicant was here.

Chair Gedge closed the Public Hearing.

Chair Gedge said I think we've already been told that we aren't aware of what types of business, but Greg, could it be mixed commercial or residential? Is there a body with Larry H Miller Real Estate or like an authoritarian body that would decide what type of business would be an appropriate fit for this type of property?

Planner Schindler said I don't know who makes the decisions with what's going to go in there, but obviously something, because they wouldn't be dividing it. Those size of lots could handle a row of town homes or they could be similar to what the VA clinic is. I noticed the VA clinic seems to have plenty of parking, so hopefully, whatever they come up with, we require a certain amount of parking so they all can't park on the street. It seems like what's being called downtown daybreak to the north, up toward the ballpark, seems to be where most of the high density residential development is going where there's a lot more retail type uses, or else also going in that direction. So, I did reach out and didn't get a response to what they are planning, I wouldn't be surprised if they don't already know what type of use is going to go there, but they may not have an applicant or someone willing to buy it yet.

Chair Gedge said with the daybreak agreement they have parking standards that would be required depending on what use they put in on these three lots. They would have to meet the those that have been agreed to in that agreement.

Planner Schindler said that is correct. The parking standards that they would use are not as rigid as the city has, but they have standards and they would probably have to have parking on site. It won't be on the road, because the road parking is being used already by other uses in the area.

Chair Hollist said the wording in our staff report for Town Center allows almost anything, it sounds like so, without the applicant here I don't know that that's grounds for if it's allowed.

Ghair Gedge said Planner Schinlder said obviously, if they are listening online or listening to a future recording, I think we would like to strongly encourage any applicant to attend the meeting in case the this commission or future commissions or councils have questions for the applicant. Does the daybreak development agreement also address lighting? We've had recent items with lighting that has been a concern with traffic and the roads. So does Daybreak have separate standards, different than the typical city standards that we have for lighting and traffic?

Planner Schindler said not that I am aware of on those things. When it comes to street lighting and street widths they are a little bit different. They do have their own standards and that we've agreed to, but most everything else, they have to follow the city code. And also, if you have questions that the applicant could answer and they're not here, you can always table it. I'm not encouraging it, but I keep telling them they need to show up.

Chair Gedge said so does the commission feel like we have any concerns that would warrant that type of action?

Commissioner Catmull said not for a subdivision, because those usually don't consider it. But I wanted to to use this as an opportunity to also address the concerns that came in public comment, so that there's a chance to understand. I wish there was a better next step to say, how do I give feedback? You know, when the time comes that they're going to develop something there, that's something that probably will need follow up with a with a council member or something, especially as we look at further developments down the road.

Chair Hollist said I know this is probably belaboring the point. I would definitely entertain tabling this if I felt like any of the information they could provide would potentially change our decision. But because it is just a subdivision, I'm assuming staff will review and make sure it's allowed in the town city center. I don't actually see a scenario where we would have grounds to stall this anyway, but I will be willing to vote to table things in the future, if there's anything we would need to clear up that could potentially be mitigated, and etc.

Commissioner Hollist motiioned to approved File No. PLCUP202500140 Daybreak South Station Plat 3F. Chair Gedge seconded the motion. Roll Call Vote was 6-0 unanimous in favor.

H.2. ITEM NAME: MIMI'S COTTAGE CONDITIONAL USE PERMIT

Address: 2306 W Old Rosebud Ln

File No: PLCUP202500140 Applicant: Chris Kotrodimos

Planner Miguel Aguilera reviewed background information on this item from the staff report.

Commissioner Bishop said I am just confused by the word opaque, I understand that to mean no light goes through?

Planner Aguilera said the way that we've used it in the past for these specific types of CUP's only to allow natural light in. So, if there's a correction that needs to be made for the word opaque, we can make that. But essentially, what staff is trying to mean is that it is for lighting purposes only, no visible views out to the outside, nothing like that. And so, the staff recommendation is that the windows be only for lighting purposes only. But the property owner is asking the Planning Commission to allow her to have three of those windows to be regular.

Chair Gedge said staff is recommending approval, correct?

Planner Aguilera said staff is recommending approval that the seven windows be for lighting purposes only. However, the applicant does is asking for three of those, which are the North ones to be regular windows.

Chair Gedge said I just want to make note, and it was in our minutes that this item was noticed for our previous meeting, and we did have a public comment that we opened it up for, which was the applicant. I just want to note that was included in our minutes and as part of the public record.

Regina Pikus, (Applicant) said I just wanted to answer your question. This building right here is our next door neighbors ADU, so they use it just for rec space, and they do have a little mother in law apartment on the top of it and they have windows all there as well. That is a 12 foot setback right thereon the space that he indicated, essentially it's going to mirror that exact building. The four windows that are in this general area, those are just in a hallway, and we don't need clear windows there just light would be plenty right there. The ones that are more to the north, that group of three, it's a little loft space for my mom. This is the back of Mimi's cottage, and she has just enough room for like a desk up there and she wants to look out into the yard. All of these are trees right here. We were able to save all of these except for this one right there. But these existing trees are 40 feet high. There's an incredible mature tree privacy screen there, and once we get everything built we're going to plant some more trees there so that we're not looking at them, and they're not looking at us. That's the goal. But those three specific windows are just at the top of her stairs. So you go to the top, there's those three windows, and then you have the room. So it's not like she would be sitting there looking out over. She just wants to see the backyard. These four windows right here are the rec space. This is all open to like a playroom below. So this will just be walkway space. And then right over here, this is all attic space, and then this right here, is that little loft area.

Chair Gedge said we just want to make sure it's on the north so it's looking into your property and not into a neighboring property.

Commissioner Harding said just a clarification. Did you just say those three windows will see into your property or the neighbor's property, and I heard you say it's into your property?

Ms. Pikus said well, I'm saying it's into our property because of the trees, the super tall trees of the property. it's a tiny little backyard. Since we already have all the mature trees, we want to go ahead and plant as tall trees as we can in that one little spot. There's only enough room for one additional tree, but our goal is as much privacy as possible.

Commissioner Catmull said could you clarify or confirm when you're talking about the neighbors, ADU that's built, and you're saying that the windows on the side closest to your lot? Is that the east?

Ms. Pikus said I mean, they have windows all around, but they have two or three over on theside that look down into my yard.

Commissioner Catmull said and then the other question I had is, you were talking about the desire for being able for Mimi to be able to look out over the yard, wouldn't that be the windows on the other side?

Ms. Pikus said that's her entire backyard section. So, we have the trees that are up against the fence, and then that's where we'll do pathways and her table and chairs, that will be her backyard.

Commissioner Catmull said will there be a fence or something?

Ms. Pikus said yes, there's currently a fence in place. It's part of my backyard, you can see. So we're just gonna have a little low like cottage fence, just to kind of tell my kids stay out of Mimi's backyard.

Commissioner Harding said I'm doing my best to visualize this, but how are the heights compared?

Ms. Pikus said ours is lower. They built before the changes, so ours, I want to sayours is about seven feet lower than theirs, so their windows would not line up with ours.

Commissioner Hollist said can you help me understand how the building flows.

Robert Pikus (Architect) said so for what's primarily applicable, for what I believe you're looking for on the first floor on the right side of the screen here is essentially the ADU portion Mimi's cottage. This part comes down to the garage and this is the west fence line and a 12 foot setback that we're talking about wanting to use as her backyard. And then she'll have a little bit of a north yard as well, but primarily we're talking on the west side. So the residential portion is this. The left half of this is more supplementary accessory for the primary residence. So the space that we're talking about is actually for both spaces, the second floor of the the accessory space for the primary residence has a stair that comes up and serves as this kind of open space. There's no windows there, but then there's a walkway to get to a storage room and mechanical room that would overlook essentially this open rec space. And so that's where she's just looking for these four windows to have the translucent windows to allow daylight. They're looking for natural lighting going here. I would agree, probably with Commissioner Bishop, that I would use the word translucent, probably moving forward, so they would allow light in, but not visibility. So that can be done either frosted glass or ribbed glazing, things of that nature that would obscure that vision. And then on the east side, I'll go back downstairs real quick, there's a separate stair from the residence that accesses the small loft right up here. So here's the stair coming up, and it's just this really small space here at the top of the stairs, again, kind of for storage, possibly even a little bit like she's at a desk or something of that nature. And so there's a window now for egress purposes on the north side, because it's required from any second story space, but we were hoping to get a little bit more of that western view so she could, one see her backyard and that tree line, and also kind of get some of that evening sunlight, instead of just northern, shaded, diffused light.

Commissioner Hollist said I assume, since we're not being asked to consider it as an exception that the square footage associated with the ADU is appropriate to our code and it's completely separate from all of the recreations.

Robert Pikus said so because the structure is larger, the delineation Miguel made sure that we understood that there could not be a door between spaces because they're two different functions, and that the residential side was within the 8 limits. So going back to the elevation, maybe that's the full elevation, if that kind of indicates what Miguel showed a little bit earlier. And again, we're just trying to kind of consider function versus esthetics and use.

Chair Gedge opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Commissioner Farnsworth said I am just curious. Have you talked to the neighbor about what they think, and would be curious what they have to say. I know we can't rely on that testimony, probably because they're not here, but I'm just curious about conversations.

Ms. Pikus said they have signed off on it. They're just fine. They only live there, not very much out of the year. They have a few other homes, but if I need to get something in writing from them, I'm happy to do that..

Commissioner Hollist said obviously, another option you would have is to move your property or building further from the property line. But it looks like, from our staff report, you're willing to proceed where it is currently located.

Ms. Pikus said yes, for sure. There is no changing it the hole is already dug.

Commissioner Bishop said I have a follow up question from Miguel. I didn't understand this when you were up here, but I would like to hear your logic on why you think we should not allow the transparent windows in the loft area.

Planner Aguilera said staff is recommending that the seven windows be the same in terms of being only for lighting purposes. The code the way it's written, staff is following the code. It is for consistency across past CUP's with the same recommendation that that we've made. We have also asked in the past for the Planning Commission to approve opaque windows for lighting purposes only. Apart from that, the only other detrimental effect is privacy. I don't know the history of this building across from it, so it sounds like the views won't be looking into the neighbor's property, but still to be following the way the code is written ,that's why staff is recommending the seven.

Commissioner Catmull said Miguel the default, if I'm hitting the right section of code, it says: they shall meet the following requirements, except as approved by the commission as a conditional use permit. And that's the openings, windows and doors that are visible from the property line. If this is the right part, it says "it shall not be located in exterior wall when the floor height exceeds four feet above grade". The default is, there should be no openings, no windows, no doors, unless we say there should be and what I hear you saying, although I don't think we've ever talked about this, is privacy as a detrimental effect. And so I'm going to just try a thought exercise. So if I have a neighbor who's because of the grade of slope that they have like my neighbor is in the South in day break, and they can see over, you know, they can see down into someone else's property. And so even from the base level, because of the slope of the ground is the idea for a conditional use permit, for a change in that expectation that wasn't seen at time of purchase. That's when it comes to the conditional use permit, and that's why we're thinking about privacy. Because otherwise, I don't think there's an absolute privacy detrimental effect that we could say is consistent throughout South Jordan, or an expectation or a way.

Chair Gedge said or a way to remedy that detriment, if we've established there is a detriment.

Commissioner Catmull said because it's just the natural lay of the land and the way it is developed, but in this case, we're making a change, and we're altering it after the fact that it's not the lay of the land. Is that a fair way to think about privacy? There's also offsets I can see down on a slope, I can see down into my neighbor's backyards, and even from my base level.

Commissioner Hollist said are you just asking for clarification?

Commissioner Catmull said is that reasonable, we haven't brought up privacy before. I think it's fair to say we can't say privacy is an absolute in South Jordan. It's connected with this particular development, and there are standards. One of the reasons that this is a conditional use permit is to consider the situation and say, is that a reasonable detrimental effect that needs to be mitigated.

Planner Aguilera said I think that is what the intent of the code is for in this section. But Greg Shindler, or Greg Simon can speak more to this.

Planner Schindler said one thing that was in the code section several years ago, there was no requirement for accessory structures to have a window, they could have windows wherever they wanted on the second floors and so forth. I believe this is probably in Mr. Simonson neighborhood, there was a accessory building that was constructed and it had a lot of windows on the on the second floor, and the neighbors complained about their pending privacy. So, I think that this code was adopted with privacy in mind, and that's the only reason it was adopted. I think at this point they can have the windows, but if you can't see through them either direction, then that should be what we're asking for. That is what the detrimental effect is that causes privacy issues. I think what Miguel is saying, is that all seven windows should be opaque, or however you want to describe,

Chair Gedge said we have the application and the recommendation was for obviously, all windows as we've discussed, to not have visibility. Now we're getting another exception to the three. I just want to make sure we're doing everything proper, because that was information presented to us this evening for those three additional windows. Does that change anything that we need to re notice because of that additional information that's being requested by the applicant?

Assistant City Attorney Simonson said no, I don't think it needs to be re noticed. I mean, you are all familiar with the process on conditional use permits. You need to determine if there's a detriment and where the ordinance has specifically said it's okay to have windows if you're 20 feet away, but it's not unless you get a conditional use permit. If it's sooner, then that leaves it in your domain to evaluate whether there are mitigating circumstances that can be imposed in your motion. Where I see it is before we had the meeting tonight, it was a question of the way we're going to mitigate opaque windows. But you need to now evaluate, is it ameliorated by just having four opaque windows and not the other three? And then the other thing that's come up,

new to me at least, it may have been presented at some point is he trees, has the applicant persuaded you that there will be trees that will address the potential detrimental effect.

Chair Gedge said could we allow the three windows, but have to take condition that the mature trees, or similar height always remain on that property line to protect the privacy of any current or future neighboring property as a possible mitigation factor. So that's just one thing I'm thinking of, but let see what the rest of the Commission's thoughts are on on this. I think it's a unique property, because it's not 20 feet, it's 12 feet and there are three windows that will be partially obscured by trees. So if you just make sure those trees always remain if the neighboring property sold, neighbors might be concerned about that.

Chair Hollist said would you be able to tell us what the offset is for the accessory dwelling building on the adjacent property. I think I'm going along the lines of, they obviously have a neighbor that isn't concerned about this particular issue. And I don't think that's always the right justification to say, this property has it, so why not this one? But it does appear that they are only doing precisely what the next door neighbor has. As far as your comment about do they always have to have trees. It is one of the mitigating impacts. I think maybe a more reasonable stipulation potentially could be if, for whatever reason the trees get removed, that they place a frost screen film I've put that on a window in a bathroom. They're easy and it doesn't require replacing a window.

Planner Schindler said it looks like its hard to get an exact measurement, but it looks like it's somewhere between an 11 and 12 foot setback.

Chair Hollist said I also think they're mutually blocking the view to prevent being able to peer into an entire yard.

Commissioner Catmull said there's a part of me that says, I don't know that I should be that picky about windows, are windows allowed? And then there's another argument where I say there is because of the proximity. I wouldn't say it's an absolute right of privacy, but there's a consideration of privacy, and the non clear windows is a reasonable and balanced way to get both natural light and the safest way for good neighbors over time, not just these neighbors in five years, 20 years, 30 years. And so, I am persuaded by your argument to say if there are trees there and they are removed, then you go ahead and put them in. I actually really like that a lot.

Commissioner Harding said I like the size of the windows. I like the placement of the windows. I think requiring trees could be complicated. We all know the city verifying going forward might be an issue, and I don't want to complicate that, I think they've done a great job showing us that they're not in an alignment, and that they're not causing issues that way, and that the size of the window doesn't really affect, in my mind, privacy. And so those are my thoughts. As far as the three windows, I do agree with the four along the hallway, they're a little bit larger, and I would agree that that would be good to be opaque.

Chair Gedge said we can leave it to the current owner or future owners choice and whatever happens with the current screening. But basically, we're trying to just protect our job as a

planning commission, it is for the long term planning of the city, and not the immediate short term, but for long term as well. So I think that's where I'm leaning. I think staff has helped us identify a detriment, which is the privacy as we've discussed there. I think ways that we can try to mitigate that, the simplest of course, is making all seven opaque, or we can do it saying the four along that corridor are opaque and the other three, as requested by the applicant are either opaque or screened by window coverings like the tree coverage. It may not always be trees, maybe there's some evolution in the future that might make something else come up.

Commissioner Catmull said we had a little bit of a thing about percentage of screening. I'd much rather just say, if those trees are removed from the landscape permanently, I don't know how to say that, because what if a tree dies. So, does a new tree come up?

Commissioner Harding said are we all okay with the seven windows? That's the first question. That's a conditional use and are we okay with that? And how are we feeling about opaque versus regular?

Chair Gedge said I'm opposed to seven regular windows because of concerns, and obviously, making major modifications to the city code, which might set a precedent for future applications. But I think with the uniqueness of this property, my preference is the four that have to remain opaque, and the other three to mitigate further with how we've been discussing.

Commissioner Bishop said given that this is going to be something that will hold for the foreseeable future, definition in a couple dictionaries of opaque is preventing light from traveling through. I just feel like, what word would you like to substitute, translucent?

Commissioner Catmull said what if we just say that there has to be one frosted or just one privacy measure in place for all seven windows, and it has to be either privacy glass that provides privacy, or some other privacy feature, such as a tree.

Commissioner Harding motioned to approved File No. PLCUP202500140 Mimi's Cottage Conditional Use Permit allowing secondary story windows on the proposed buildings west facade with a condition that four of those windows be translucent, and three of those windows one privacy measure. Chair Gedge seconded the motion.

Chair Gedge said I have a couple friendly amendments I'd like to make just with your motion. You said secondary story, second story because it's on the second story, not secondary to the use of the building.

Commissioner Harding said on the maps as provided.

Comissioner Hollist ameded the motion to read that the four windows requiring translucent windows be the three in the middle of the structure, with the three at the northern end on the west side of the building being allowed to utilize screening, either provided by the current trees, privacy features installed in the field. Future or a transition

to using the same type of translucent glass as the other windows. Chair Gedge seconded the amended motion.

Commissioner Harding said can you say that one more time? Because I don't want it to be as if they have to have translucent if we're approving other things.

Commissioner Hollist said so those three windows would need to utilize either screening provided by the current trees privacy feature that may be installed in the future, or the same type of glass that the other four windows will have.

Commissioner Catmull said I think if we were going to say privacy feature, I would probably enumerate it as examples, so you see in code, so you would say privacy features such as opaque glass,

Commissioner Harding said translusent?

Commissioner Catmull said I'm struggling with a translucent because my wife does stained glass windows. It's opaque and that's why I call it a privacy glass rather than translucent, because I think that way it there's lots of interpretations.

Chair Gedge said I think what we mean as another measure is not always going to be a tree. There might be something in the future, but we just want it screened at the same height of the 40 feet of the mature trees today, whatever that might be at that time.

Chair Gedge said we would like to have like the architect to come forward to see if he might have a term for translucent, opaque, privacy. What would you recommend?

Mr. Pikus said typically, we would refer to that as translucent. Transparent is usually when you can see through it, but you could also use obscured vision as another option

Assistant City Attorney Simonson said I would like to hear the motion as it presently stands. My basic concern at this point is, do we still have language in there "privacy feature." I have to think about what if there needs to be enforcement of this at any point in the future. And the term privacy feature, I think, is ambiguous. That's just my opinion. You could just override it. That's within your power. But, I'd love to hear the restated motion so it's clear for the record. And this is a personal preference. Would love to see something besides just an open privacy feature.

Commissioner Hollist said I would like to make a 2nd amendment to move that we strike the term privacy feature in the list of screening options available for the three windows in question. Chair Gedge seconded the amendment.

Chair Gedge said Commissioner Hollist will you please restate the twice amended motion.

Commissioner Hollist said I move that the Planning Commission approves File No. PLCUP202500140, Mimi's Cottage conditional use permit allowing second story windows on the proposed buildings west facade, with the condition that the four windows in the

middle of the building use translucent glass, and that the three windows at the northern end on the western side of that building may utilize either the screening currently provided by the existing trees or translucent glass in the future, should they be removed. Chair Gedge seconded the motion. Roll Call Vote was 6-0 unanimous in favor.

H.3. ITEM NAME: BINGHAM SENIOR SEMINARY SITE PLAN

Address: 1940 W South Jordan Pkwy, South Jordan, UT 84095

File No: PLSPR202500064 Applicant: Adam Ferguson

Planner Miguel Aguilera s reviewed background information from the staff report.

Chair Hollist said just an entrance and an exit on 10400 S, no access to the Bingham parking lot anymore for parking puposes.

Planner Aguilera said the only entrance and exit is going to be on on that side, there's not going to be any parking access on the west side anymore.

Chair Hollist said do you know if they're going to keep the trees that line the northern side of their property?

Planner Aguilera said they are just outside their property boundaries.

Chair Gedge said you mentioned the setback, and it's going to be basically grandfathered to its current 27 feet. Any concerns with it being that close to South Jordan being considered an arterial or major road? what's the road classification of South Jordan Parkway?

Jeremy Nielson said it is an arterial road.

Jeremy Nielson said we don't have any concerns.

Chair Gedge said are any concerns, or have we had any incidents with it being within three feet shorter of the recommended 30 foot setback? I'm not aware of any in the past, but I just want to make sure the buildings are not veering off South Jordan Parkway into the property at the seminary.

Jeremy Nielson said engineering does not have any concerns. We don't see a big impact to visibility.

Commissioner Farnsworth said I am just curious. On South Jordan Parkway there, are two lanes? I think there's plans to expand in the future, and so having that reduced setback wouldn't impact any of those future plans with it.

Jeremy Nielson said I mean, further setback is always nice to give you more flexibility with roadways, but there's are no plans to add an additional lane in each direction along South Jordan Parkway. UDOT haven't shown us what they're planning to do there at this point, I don't know if

that's going to be just using up the existing shoulder, or if they're going to widen the road. None of that's been determined yet, so I don't have concerns with them keeping the existing setback.

Chair Gedge said

Jeremy Nielson said it is posted "no parking"

Chair Gedge said is on street parking allowed on South Jordan Parkway, south of this property?

Jeremy Nielson said I don't recall.

Chair Gedge said I just want to make sure if it becomes a concern, I guess the city would work with you.to make that stripe no parking and enforcement, with law enforcement or public safety, to make sure that is adhered to.

Jeremy Nielson said if it becomes an issue, it will be marked (No Parking) on the south side of the seminary.

Chair Gedge said Mr. Simonson, are we allowed to amend our rules to allow Mr. Ferguson to participate with that video, since he is the applicant?

Assistan City Attorney Simonson said yes, you can by motion.

Chair Gedge said I would like to make a motion that we allow the applicant to attend virtually without having camera enabled due to technical difficulties. Commissioner Hollist seconded the motion.

Adam Furguson (Applicant) said I don't have anything to add, just a question about the trees on the north, those are not on our property and will remain.

Chair Hollist said will this increase the footprint of the building at all?

Mr. Furgeson said the footprint is changing from the current footprint, that's correct.

Chair Hollist said is it an increase in overall footprint size?

Mr. Furgeson said yes, slightly.

Chair Hollist said what is the timing of this? It's my understanding you already have students at another location.

Mr. Furgeson said the timing is as soon as possible. We are hoping to go in for our building permit this week, and hoping for a smooth process so we can push it along. Those students are having to go up the street, to the west, and we want to minimize the amount of time that they have to do that.

Chair Hollist said was this always the timing of this building, or were there any hiccups in getting to this point,

Mr. Furgeson said there's been a few hiccups, just unanticipated delays as far as approvals.

Chair Gedge opened the Public Hearing to comments.

Dezy Nelson, South Jordan - I live at 1900 West, South Jordan Parkway. This is my brother, Brad Wardle, and he lives out 10264 south, 2200 West, which is just across from the back parking lot of Bingham. The reason we are here is we are the landowners that are adjacent to this building to the east, and we have several concerns.

Brad Wardle, South Jordan - said we are the farmers on the east of the building. So are we share a common border line there.

Ms Nelson said Brad lives on 2200 West. I live three doors down from the seminary building, but we as a family own the property that is right adjacent to the building itself. So, we have several concerns. This is the very first thing we've heard about this. We've never been approached by the church, by the city, anything, until we got notice in the mail. The house that is just next to the wall is my dad's house. We have some people living there. It sits on an angle, and I would say the back corner that house is probably 10 feet from the wall. And so we're really concerned about this two story building looking down into our yard, because we do have a one story. I guess we had heard, that's the only rumor that it's going to be a two story. Okay, well, that's that's good, but we are still concerned about in proximity. One thing that we would like to be on the record is, if you looked at the property line from South Jordan Parkway that goes north across the back of Bingham High School by the football field. That's our property line when the seminary was built there. There's a fence, but when the seminary was built there, there was some people in South Jordan that used to be in, and the property line is not where it's supposed to be, and it infringes on our area by about two feet. So we would really need another survey. And if you go down and look at that, you can see their cinder-block wall, and then it juts over to meet Bingham's. We just need a survey showing that that's correct, because there was that discussion when the seminary was built there. So, though the wall that is supposed to be the seminaries is actually on our property. So we just want to make sure that moving forward with the site plan and everything that the survey is included because it is an infringement on our property. That's the first thing. Second thing, of course, is privacy. We've been good neighbors to seminary building, we don't have any concerns about that. However, I do have concerns about the parking being on the east side of the building that it's never been before. There's just a little tiny one lane driveway there, and it would have to move a lot to the east to allow a driveway and parking to where those cars could back out and then go across it. If you can see that it's going to be two separate driveways on the south side of 10600 S and then we have driveways that I'm concerned about, where that approach is because we were told at one time that's where the driveway comes out of Bingham High School across the street there is a neighborhood, and it was done that way intentionally because of the impact of the traffic. In the future, they hope to put a stoplight there, because traffic is horrible, and so to have another driveway exit just a little bit farther to the east is going to impact that traffic when there are houses, apartment buildings, and an island, and now

we have two businesses going in across the street. I know that there are issues as far as how much traffic can be within a certain distance, and that seems to me like that's not a good place for the parking. I know it's not ideal, but file back out into that being a parking lot, because that's where they want the light to be. And if it's going to be just a little bit farther to the east, that's going to be really close to coming out where a light's going to be. We're worried about privacy, because on our house there are big bedroom windows, and they are on the west side of the house, and they're pretty close to that wall. So we are concerned about the privacy looking into those bedroom windows.

Mr. Wardle said the passage ratio on the east side is just an eight foot access road and just a service road. There's no traffic goes back and through that, the east side is their building, and where the red line is, is the property with the cinder block wall that separates us and the seminary property there, it is just an access road where they drive back, nobody circles in there and then parks in parking place. So the parking concerns us a little bit.

Chair Gedge closed the Public Hearing.

Chair Gedge said said this is the site plan, so this is basically the final stage of staff approval. I attended the city council meeting, the parking reduction was publicly noticed, because I believe it was on the city council agenda. I personally attended that meeting, and I know it referenced that previously at our commission meeting as well, but that's not noticed. Can you just confirm the public noticing? Because this is the first site plan of this, there is no other public hearings other than the parking reduction. Is that correct?

Planner Aguilera said this site plan was definitely noticed within 10 days or 10 days prior to it being the requirement there, the City Council parking reduction was not as far as code is written. It's not required to be noticed, but Greg Simonson can elaborate more on that. After this is approved, the applicant can apply for a building permit so whenever they're ready.

Chair Gedge said I should just disclose I don't have any material interest in this property, so I don't need to recuse myself. But I've had four children attend this building, two currently, so I just wanted that on the record, just in case there's no conflict of interest. I'm happy to recuse myself because I have current students attending, but I do not have a material interest in this property.

Greg Simonson said they brought up about needing a survey in the property lines, and I believe that would be a civil matter between two property owners that would need to be as outside of our purview as the planning commission.

Assistatnt City Attorney Greg Simonson said no, that is not an issue.

Chair Gedge said they brought up about needing a survey in the property lines, and I believe that would be a civil matter between two property owners that would need to be as outside of our purview as the planning commission.

Assistant City Attorney Simonson said that's correct. That's something that they need to resolve with their boundary owner. I would say, just make it clear that that approving the site plan does not mean that the city has weighed in on one side or the other on that boundary issue. If there's a boundary problem, it's it's a title problem, and it could be a very complicated problem. The city does not weigh in on that, and, I just stated that for the record. It is still your decision is to approve the site plan that that is not approved, that is not some kind of ruling on where the boundary is.

Chair Gedge said I just wanted to make sure it's a two story versus one story. I believe the site plan we showed, it was a one story building, so I hopefully that's been confirmed for everyone. The last issue brought was there's parking on the east side right now, it's currently a maintenance access road, and there's some potential privacy concerns, so we may need to address that.

Commissioner Harding said so I just want to address that the building itself will be torn down and shifted to allow so even more space for privacy between the actual building and then also the fence, just so you have an understanding there. Then also, I'm part of the ARC Committee and that also showed window coverings, because that will also allow more natural light to come into those windows that are the school classrooms, only used during school hours. And so there will also be window coverings on that side as well. Does that two feet affect this site plan, where they wouldn't have enough property to do what they're asking us to do.

Assistant City Attorney Simonson said so if in the future world or decision that came down to that, you're encroaching on the neighbor's property. They may be required to to adjust the boundary or move the fence or anything that's on there, and we don't know what the reason the ripple effects may be on there. I'm assuming there would still be room to park back there, but if there's not, then they're going to have to deal with it at that time

Commissioner Catmull said around the setbacks and because this is R-1.8 do we kind of look at this building as a house in the R-1.8 or a building that has to have the same if its not the school. I don't remember seeing this in the code, and I didn't look before the meeting, so I'm just curious.

Planner Aguilera said because of its zoning, it has to follow the residential zoning development standards, and those setbacks do apply.

Commissioner Catmull said and it has sufficient distance, because of the parking lot side?

Planner Aguilera said the side of the proposed building where the parking lot is going to be, the setback is 10 feet, and this is more than 10 feet away from that property line. The only concern with setbacks here were the front because of when South Jordan Parkway was expanded, but that has been resolved via this code section mentioned in the report.

Commissioner Hollist said so the entrance onto 10400 S is allowed because they already have a curb cut. Because now that I'm looking at it again, I am surprised that UDOT would say sure, why not have another access on this road.

Assistant City Engineer Jeremy Nielson said they're working that out with UDOT. They need to get a permit to be able to use that access, and they are doing that.

Commissioner Bishop said just following up with that same topic. Would they be the ones that would put in a light and be considering issues, which I completely agree with, there could be issues if the light were to go in there. The access there is so close to a potential light that would be an issue. UDOT would be the ones that would know if they plan to put a light in there, and that they would address that at that same point where they're considering that access is that correct?

Assistant City Engineer Jeremy Nielson said yes, and the other thing to keep in mind is that the volume of the traffic coming out of this Seminary is quite minimal. They've got eight classrooms, and the parking as I understand, it's just the instructors and the office staff that would be parking there. And so it's, minimal enough. I mean, UDOT would need to approve it, but I don't see it really impacting that traffic signal with the volume of traffic on South Jordan Parkway.

Commissioner Bishop I was just thinking with the backing up at the light, then they're never going to get in there.

Assistant City Engineer Jeremy Nielson said there would be a big delay at the parking lot. You know, with the people using the parking lot, and trying to get out. But as far as impacting the drivers on South Jordan Parkway, I don't foresee that happening. But again, that's something for you not to weigh in that's their jurisdiction.

Assistant Attorney Greg Simonson said so let me just comment on one thing included in your materials is resolution R2025-47, which is the resolution that has been signed by the mayor after a vote by the council. If I could read to you, it says, whereas only staff and faculty, not students, will be permitted to park at the seminary. The applicant has indicated that the maximum number of staff and faculty will be 13, so the point is that it is part of the record, and that has been signed by the mayor, and that's been ruled on by the Council.

Commissioner Catmull said I don't think we've talked about this, is UDOT going to expand the curb cut, because there already is access there?

Assistant City Engineer Jeremy Nielson said yeah, it would be a modification to their existing curb cut.

Commissioner Catmull said so if it's denied, do they still have access, if they choose.

Assistant City Engineer Jeremy Nielson said they still have the access, but they need that approval to modify it.

Chair Hollist said I assume that a site plan means that they are building to what we've been shown, and the dimensions show that they've been given that approval. So should they not get it, then do they lose the ability to move forward?

Jeremy Nielson said we could probably verify with the applicant where they're at with that UDOT approval. I was told that they're in the process. Sometimes that does take quite a while to get through that approval process, and so it would be good to get an update from the applicant on where they're at with that.

Chair Gedge said Mr. Furguson, could you answer that question about where the you guys are at with the UDOT application process to extend your expand your opening on the east side of the property?

Mr. Furguson said we have a UDOT permit.

Chair Hollist said one follow up question, is the fence between you and your property to the east going to remain?

Mr. Furguson said to address the concern, we did have a survey performed, and it's actually the opposite of what the neighbor said. The fence comes on to the church property two feet on the north side.

Commissioner Harding motioned to approve File No.PLSPR202500064 Bingham Senior Seminary Site Plan located at 1940 W South Jordan Parkway, South Jordan, Utah 84095. Chair Gedge seconded the motion.

Chair Gedge motioned to amend the motion to add: subject to all city code regulation being satisfied. We typically have that disclaimer in our motion, just to make sure that things we've discussed with UDOT and well, which the applicant said they've met. Commissioner Harding agreed to the amendment. Roll Call Vote was 6-0 unanimous in favor.

LEGISLATIVE PUBLIC HEARINGS

I.1. ITEM NAME; WATER ELEMENT, GENERAL PLAN AMENDMENT

Address: 1600 West Towne Center Dr.

File No: Resolution R2025-49

Applicant: Joe Moss, Long Range Planner

Planner Joe Moss reviewed background information from the staff report.

Chair Gedge said I know Jordan Valley Water Conservancy District is our source today. I know some municipalities have their own water sources. I know we're in the desert, but there's not a lot of sources of water wells. How far along are we pursuing those other sources? Because we didn't want to be as the report or as the General Plan obviously says, depending on one singular source, how far along are we?

Planner Moss said a lot of that would be contained instead of the drinking water master plan that said we plan on continuing the relationship with what Jordan Valley Water Conservancy District to supply drinking water to us. We're looking at ways to stretch that, to make it go further,

whether that comes to water recycling, those kinds of things, as well as further conservation measures to make sure that we're maximizing the water resources that we do have available Jordan Valley Water Conservancy District does have well heads within the boundaries of South Jordan, so they do pull some water from city city limits that way. And then obviously there's other water sources when it comes to things like secondary water, and then also private wells.

Chair Gedge said and then the annex property, I believe it was in the last couple years that we had, there was an agreement with Jordan Valley Water Conservancy with some of those water standards we had to make to be able to annex that property can Is that correct? I'm not vaguely remembering that

Planner Moss said at is correct, yes. And those figures were included in our new drinking water system Master Plan and the land use connections there. They're referred to in the water element here as that the Midas property is kind of the name it's been given, which we use to make sure that we were congruent with with those plants.

Chair Gedge opended the Public Hearing to comments. There were none. He closed the Public Hearing.

Commissioenr Hollist said how much did our statistical information change? What was the biggest change that you saw between 2020, and now?

Planner Moss said the population projections in there were fairly accurate, but it just we updated them with, you know, the actual numbers as time went on. And I would say that the overall population projection is pretty similar to actually what was already in the plan. That growth rate has been fairly consistent for us.

Commissioner Catmull said I guess maybe my only question is, we do post an updated general plan document as part of this with those new statistics?

Planner Moss said if the council goes ahead and approves this resolution, we would then change the documents that we have online that are available to be the most current and up to date. You know, we would be probably looking at other additional updates the general plan sometime next year, when you know it's been five years since our initial adoption of that plan. So this is kind of the first part of potentially other updates to the plan to make sure that we're checking in on those things, and such as the implementation, you know, making sure that we're still moving along in those items

Planner Moss said that include updating maps for areas where we've changed the the so zones and and the future use

Planner Moss said that that's correct, yeah, one of the one thing you'll notice is the framework map in this chapter has not been updated. That was intentional, because we're anticipating that where it would be updating all of those framework maps. I. On at a future date that would include the new annexed area and more up to date information on those.

Commissioner Hollist said were there any new actions taken as a result of this law, besides updating our plan. I assume that those updates were then just documenting some of these, like flip your strip type activities and water reduction activities that we were already putting in place.

Planner Moss said yes, we have made a number of changes to our code already, kind of preemptively So, such as prohibiting commercial properties from having non functional turf, limiting turf on residential properties, front yards, as well as some of those other encouragements for like local scapes and, you know, working with the Jordan Valley Water Conservancy District to sort of adopt their best practices. If we had, I guess, we have done everything we can to kind of comply with that. And our water conservation plan is a pretty active document that gets updated annually. So we have been making progress on a lot of these elements. To be frank, the general plan is a little bit of an awkward fit for some of these requirements, and so it's not that we haven't been working on them. They've just generally been included in other plans in the past.

Commissioner Bishop motioned to send a favorable recommendation to City Council on Resolution Resolution R2025-49. Commissioner Harding seconded the motion. Roll Call Vote was 6-0 unanimous in favor.

J. OTHER BUSINESS

Chair Gedge said we have a meeting in two weeks from today. What's that looking like?

Planner Schindler said there's nothing on that agenda and this point.

ADJOURNMENT

Chair Hollist motioned to adjourn. Chair Gedge seconded the motion.

The Planning Commission Meeting adjourned at 8:30 p.m.

SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: October 14, 2025

FILE OVERVIEW				
Item Name	Daybreak South Station Plat6			
Address	Generally located along the north side of Lake Avenue between Grandville Avenue and Freestone Road.			
File Number	PLPP202500131			
Applicant	Vagner Soares (LHM Real Estate)			
Property Owner	LHM Real Estate			
Staff Author	Greg Schindler			
Presenter	Greg Schindler			

PROPERTY OVERVIEW					
Acreage	3.619 Acres				
Current Zone	P-C (Planned Community)				
Current Land Use	Vacant				
General Plan Designation	Mixed Use Transit Oriented Development (MU-TOD)				
Neighboring		Zone	Land Use		
Properties	North	P-C	MU-TOD		
	East	P-C	MU-TOD		
	South	P-C	MU-TOD		
	West	P-C	MU-TOD		

ITEM SUMMARY

A complete preliminary subdivision application for Daybreak South Station Plat 6 was submitted on July 3, 2025. The proposed subdivision will create two Commercial lots and dedicate 0.437 acre for public street right-of-way.



TIMELINE

- On July 1, 2025, the applicant submitted an incomplete application to Staff for review. The application was initially rejected and a revised application was submitted and deemed complete on July 3, 2025. Staff reviewed the application and worked with the applicant to revise the preliminary subdivision plat to conform to applicable city regulations. Multiple reviews and re-reviews were completed by staff with all required corrections completed on September 16, 2025. The application was reviewed by the following departments:
 - o Planning:
 - Engineering:
 - o Building:
 - o Fire:
 - Public Works, Stormwater, Streets, Parks and Water Divisions

REPORT ANALYSIS

Larry H. Miller Real Estate has filed an application that will create two commercial lots and dedicate public street right-of-way generally located along the north side of Lake Avenue between Freestone Road and Grandville Avenue.

The subdivision is located within the boundaries of the Daybreak Town Center. Section 17.72.020 describes the Town Center designation as "designed for high density mixed use development that emphasizes office, commercial and recreational uses, but also includes residential (single- and multi-family), public/semipublic, industrial and open space uses. This category may accommodate gross residential density of fifty (50) units per acre."

The future land use designation for the property is Mixed Use Transit Oriented Development (MU-TOD). "MU-TOD identifies active areas that are within ¼ mile of transit hubs. These areas support a vertical or horizontal mix of commercial, office, and higher density residential uses with entertainment, restaurants, bars, cafes, and businesses that do not required automotive transportation. These areas shall be located adjacent to regional transit hubs and provide accommodation for active transportation such as bike racks."

FINDINGS AND RECOMMENDATION

Findings:

- The proposed subdivision is consistent with the City General Plan.
- All State and Local subdivision review requirements have been followed.



 The proposal complies with all City ordinances, the Daybreak Master Development Agreement and the Daybreak Master Subdivision requirements.

Conclusions:

• The application is in conformance with the minimum requirements of South Jordan Municipal Codes §16.10.040 and §17.72.110 and the General Plan of South Jordan.

Planning Staff Recommendation:

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

PLANNING COMMISSION ACTION

Required Action:

Final Decision

Scope of Decision:

This is an administrative decision to be decided by the Planning Commission.

Standard of Approval:

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the proposed subdivision does not meet City ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application.

Motion Ready:

I move that the Planning Commission approve:

1. File PLPP202500131, Daybreak South Station Plat 6 Preliminary Subdivision.

Alternatives:

1. Recommend denial of the application.

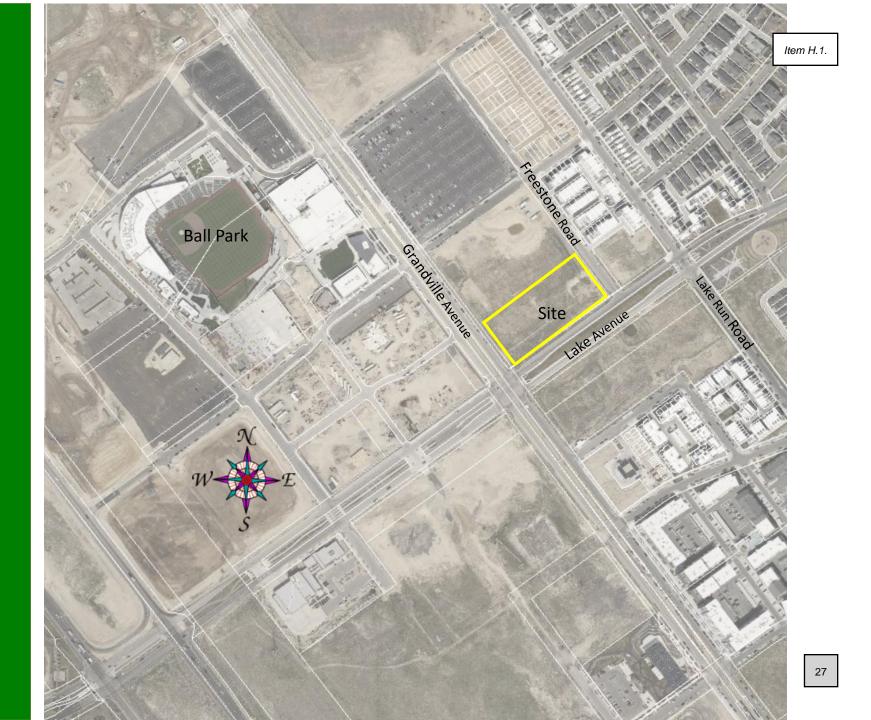


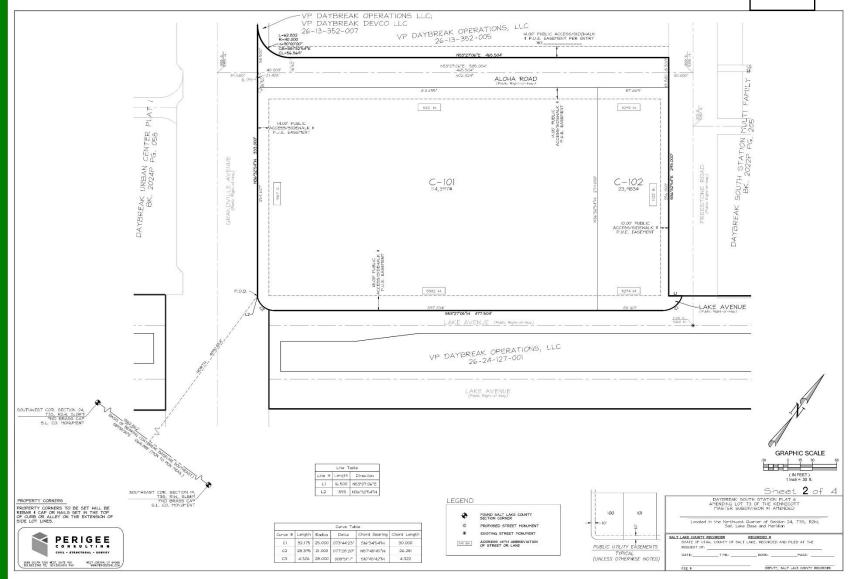
2. Schedule the application for a decision at some future date.

SUPPORTING MATERIALS

1. Attachments (Location Map, Proposed Preliminary Subdivision)







SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: October 14, 2025

FILE OVERVIEW				
Item Name	Daybreak Village 13 Plat 2			
Address	West side of Bingham Rim Rd approximately between 11095 S and 11035 S.			
File Number	PLPP202500117			
Applicant	Vagner Soares (LHM Real Estate)			
Property Owner	LHM Real Estate			
Staff Author	Greg Schindler			
Presenter	Greg Schindler			

PROPERTY OVERVIEW					
Acreage	2.446 Acres				
Current Zone	P-C (Planned Community)				
Current Land Use	Vacant				
General Plan Designation	Residential Development Opportunity (RDO)				
Neighboring		Zone	Land Use		
Properties	North	P-C	RDO		
	East	P-C	RDO		
	South	P-C	RDO		
	West	P-C	RDO		

ITEM SUMMARY

A complete preliminary subdivision application for Daybreak Village 13 Plat 2 was submitted on June 9, 2025. The proposed subdivision will create one Commercial lot, two Park lots and public and private rights-of-way.



TIMELINE

- On June 9, 2025, the applicant submitted an incomplete application to Staff for review. The application was initially rejected and a revised application was submitted and deemed complete on June 17, 2025.
 Staff reviewed the application and worked with the applicant to revise the preliminary subdivision plat to conform to applicable city regulations. Multiple reviews and re-reviews were completed by staff with all required corrections completed on September 24, 2025. The application was reviewed by the following departments:
 - o Planning:
 - Engineering:
 - Building:
 - o Fire:
 - Public Works, Stormwater, Streets, Parks and Water Divisions

REPORT ANALYSIS

Larry H. Miller Real Estate has filed a preliminary subdivision application that will create one commercial lot, two park lots and public and private rights-of-way. The location the proposed subdivision is generally along the west side of Bingham Rim Road between 11035 South and 11095 South.

The anticipated use of lot C-101 is a Community Swimming Pool.

The future land use designation for the property is Residential Development (RDO). This designation "identifies areas, generally located within existing residential areas, which are not yet fully developed, but would support a variety of residential land uses. These areas are suited to support additional residential development due to adjacency to municipal services such as utilities, roads, and amenities. Any new development, redevelopment, or rezoning within this designation shall be consistent with the surrounding land uses in order to maintain existing character and quality of life for adjacent property owners."



FINDINGS AND RECOMMENDATION

Findings:

- The proposed subdivision is consistent with the City General Plan.
- All State and Local subdivision review requirements have been followed.
- The proposal complies with all City ordinances, the Daybreak Master Development Agreement and the Daybreak Master Subdivision requirements.

Conclusions:

• The application is in conformance with the minimum requirements of South Jordan Municipal Codes <u>§16.10.040</u> and <u>§17.72.110</u> and the General Plan of South Jordan.

Planning Staff Recommendation:

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

PLANNING COMMISSION ACTION

Required Action:

Final Decision

Scope of Decision:

This is an administrative decision to be decided by the Planning Commission.

Standard of Approval:

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the proposed subdivision does not meet City ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application.

Motion Ready:

I move that the Planning Commission approve:

1. File PLPP202500117, Daybreak Village 13 Plat 2 Preliminary Subdivision.



Item H.2.

Alternatives:

- 1. Recommend denial of the application.
- 2. Schedule the application for a decision at some future date.

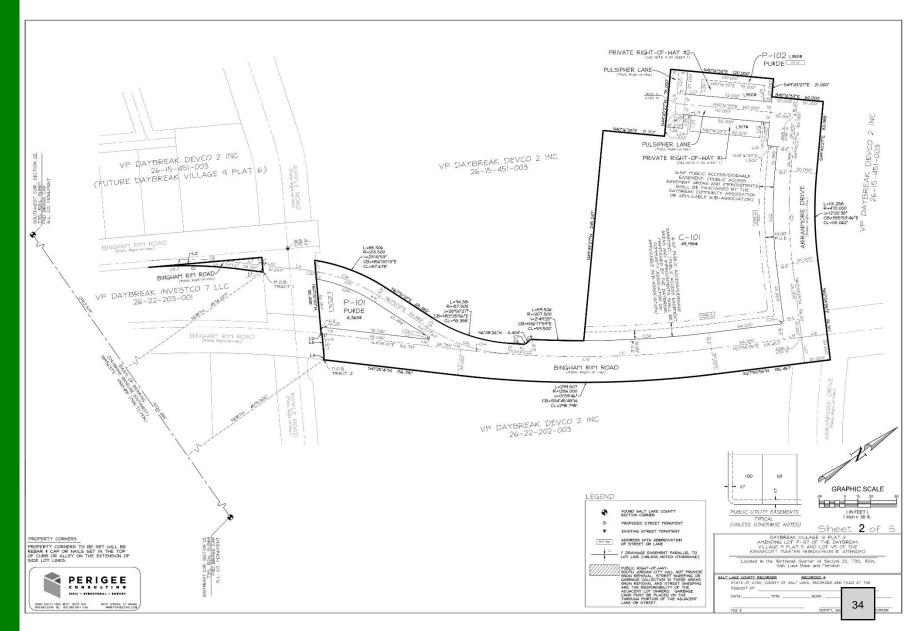
SUPPORTING MATERIALS

1. Attachments (Location Map, Proposed Preliminary Subdivision)



Location Map





SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: OCTOBER 14, 2025

FILE OVERVIEW				
Item Name	Mackowiak ADU Conditional Use Permit			
Address	9802 S Evensen Circle			
File Number	PLCUP202500185			
Applicant	Ryan Mackowiak			
Property Owner	RYAN MACKOWIAK; AMBER MACKOWIAK			
Staff Author	Miguel Aguilera			
Presenter	Greg Schindler			

PROPERTY OVERVIEW				
Acreage	0.36 Acres			
Recorded Subdivision	Lampton Farms			
Current Zone	R-1.8 (Single-family Residential)			
Current Land Use	SN (Stable Neighborhood)			
Neighboring Properties		Zone	Land Use	
	North	R-1.8	SN	
	East	R-1.8	SN	
	South	R-1.8	SN	
	West	R-1.8	SN	

ITEM SUMMARY

The applicant is requesting the Planning Commission approve a Conditional Use Permit (CUP) for a proposed detached ADU guesthouse. The CUP is specific to allow the proposed building to be taller than the existing residence and to allow the average wall height to be higher than 16 feet. The second story windows that are within 20 feet of the property line do not require CUP approval. Staff is recommending approval of the application.



TIMELINE

- **September 8, 2025**, the applicant submitted a complete CUP application to Staff for review. The application was revised a total of 1 time to address all staff comments. The application was reviewed by the following departments:
 - Planning: Staff reviewed the application and worked with the applicant to revise the site plan to conform to applicable city regulations.
 Resubmitted materials addressed staff comments.

REPORT ANALYSIS

Application Summary: The Mackowiak ADU will be a two-story guesthouse with approximately 724 square feet of floor area. The first floor of the guesthouse will comprise of the ADU's kitchen, bathroom, living room, and first bedroom. The second floor will only be a sleeping loft. The applicant received an ADU permit for the guesthouse on September 18, 2025.

The guesthouse building will be a distance of 10 feet and 3 inches from the nearest property line to the north. The building will have an average wall height that will exceed 16 feet above grade by a few inches. City code 17.40.020.I3c states that "Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit: 2) The average wall height shall not exceed sixteen feet (16') above grade". The wall height requires Planning Commission approval.

Additionally, the height of the proposed guesthouse will be 19 feet and 9 inches above grade. This is taller than the existing residence, which is a single story home. City code 17.40.020.I.3a states "Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high".

There will not be any windows on the second story of the north façade facing the property line. However, there will be second story windows on the front façade facing east that will be within 20 feet of the northern property line. These windows will not require Planning Commission approval because the floor of the loft does not reach the wall where the windows will be placed. Instead, the area below is a bedroom with a vaulted ceiling.

FINDINGS AND RECOMMENDATION

Findings:

- The entire proposed two-story building will be an ADU guesthouse.
- The guesthouse footprint of 540 square feet will be less than 33% the footprint of the main residence.
- The guesthouse will have a pitched roof of 4:12.



- The north façade will have windows facing the property line but only on the first level.
- The CUP is only required because the overall building height exceeds the main residence building height; and because the average wall height will exceed 16 feet. The second story windows on the east façade do not require CUP approval.

Conclusions:

• The application is in conformance with all other minimum requirements of City Code §17.40 and §17.84.

Planning Staff Recommendation:

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

PLANNING COMMISSION ACTION

Required Action:

Final Decision

Scope of Decision:

This is an administrative decision to be decided by the Planning Commission.

Standard of Approval:

The Planning Commission shall approve a conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards.

The Planning Commission may deny a conditional use permit application if the reasonably anticipated detrimental effects cannot be substantially mitigated with reasonable conditions of approval to achieve compliance with applicable standards.

Motion Ready:

I move that the Planning Commission approves:

1. File PLCUP202500185: Mackowiak ADU Conditional Use Permit allowing the average wall height of approximately 16 and half inches and an overall building height taller than the existing residence.

Alternatives:

- 1. Approval with conditions
- 2. Denial of the application.

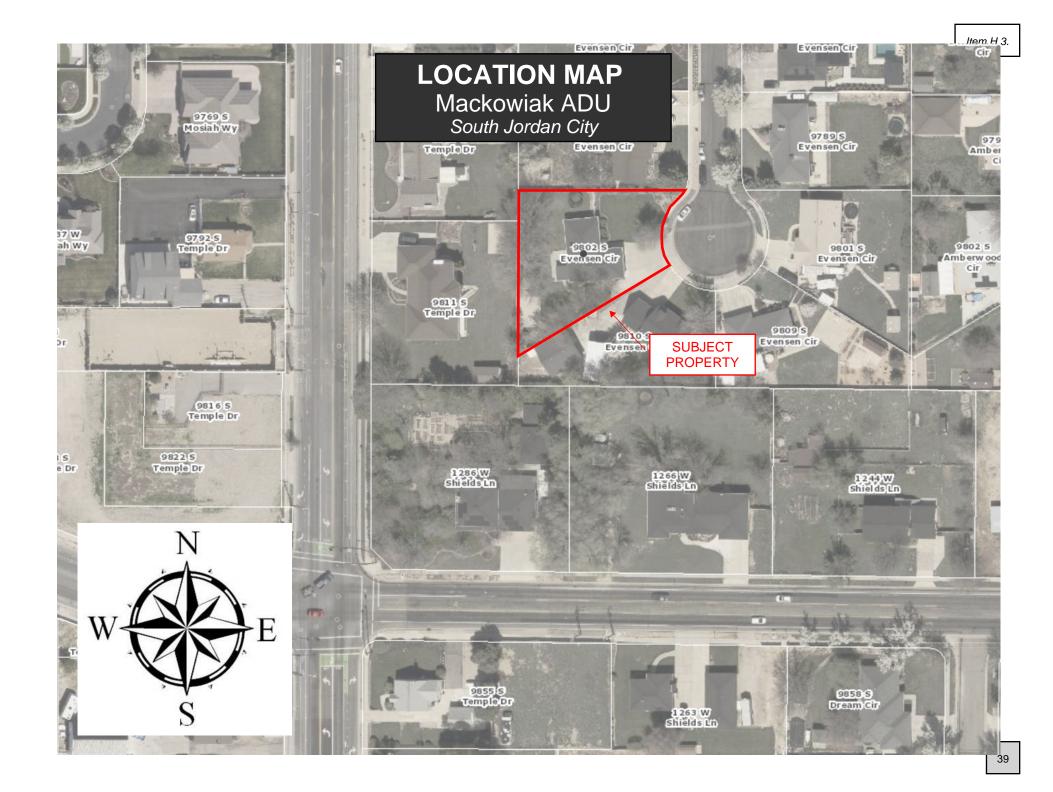


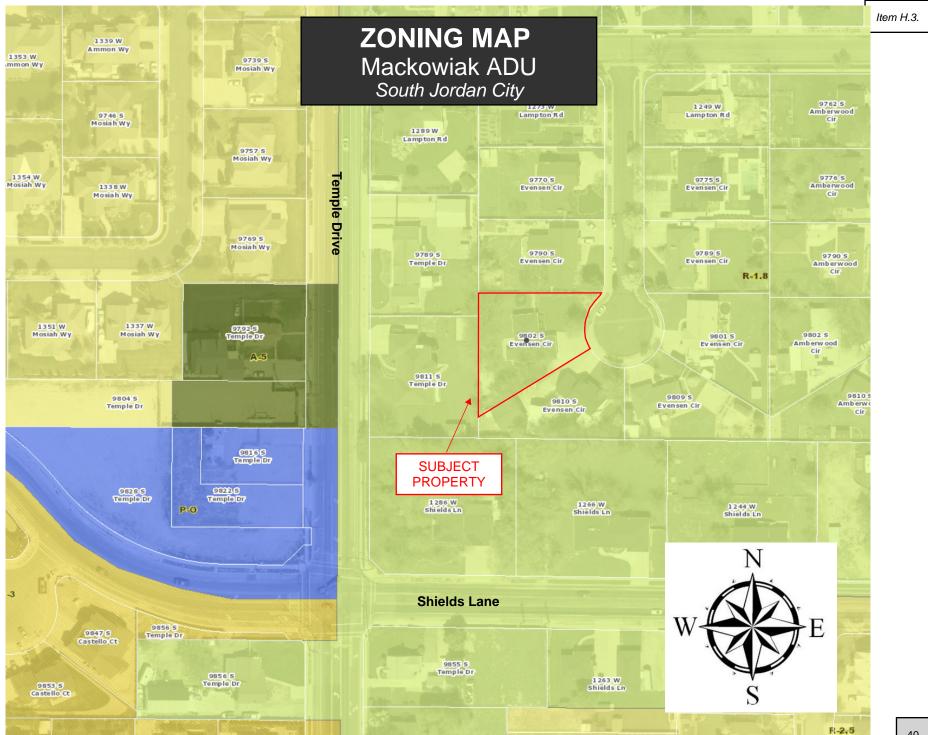
3. Schedule the application for a decision at some future date.

SUPPORTING MATERIALS

- 1. Attachment A, Location Map
- 2. Attachment B, Zoning Map
- 3. Attachment C, Site Plan
- 4. Attachment D, Building Elevations







9867 S

1346 W

1 SITE PLAN
1" = 10'-0"

PROJECT GENERAL NOTES

- ALL MEASUREMENTS ARE FROM FACE OF WOOD STUD TO FACE OF WOOD STUD UNLESS NOTED OTHERWISE
- DO NOT SCALE DRAWINGS. ARCHITECT SHALL NOT BE RESPONSIBLE FOR DIMENSIONS, TAKEOFFS OR CALCULATIONS BASED ON DIGITAL MEDIA. REFER TO PRINTED DIMENSIONS ONLY. DRAWINGS OF A LARGER SCALE TAKE PRECEDENT OVER DRAWINGS OF A SMALLER SCALE
- PROVIDE CAULKING AND MIN. 9" COUNTERFLASHING AT ALL EXTERIOR WINDOWS AND DOORS. FLASHING SHALL BE INSTALLED AT THE PERIMETER OF EXTERIOR DOOR AND WINDOW ASSEMBLIES AND EXTERIOR WALL TRANSITIONS TO ROOF AND HORIZONTAL PROJECTIONS. FLASHING SHALL BE INSTALLED AT ALL EXTERIOR FINISH MATERIAL TRANSITIONS AND SHALL CONFORM TO MANUFACTURER'S RECOMMENDATIONS. THE FLASHING SHALL BE CORROSIVE-RESISTANT W/ A 1/2" DRIP EDGE ANGLE EXTENDING PAST THE FINISH EDGE. FLASHING IS REQUIRED AT THESE
- LOCATIONS REGARDLESS OF ITS INCLUSION IN ASSOCIATED DETAILS ALL FLASHING MUST BE INSTALLED IN SUCH A MANNER AS TO PREVENT MOISTURE FROM ENTERING THE WALL OR TO REDIRECT IT TO THE EXTERIOR
- CONTRACTOR AND SUBCONTRACTORS SHALL PERFORM THEIR DUTIES AND TRADES IN A MANNER CONFORMING TO THE PROCEDURE REQUIREMENTS STATED IN THE LATEST EDITION OF THE INTERNATIONAL RESIDENTIAL CODE.
- CONTRACTOR AND SUBCONTRACTORS SHALL REVIEW THE CONSTRUCTION DOCUMENTS IN THEIR ENTIRETY AND SHALL BRING ANY CONFLICTS OR REQUESTS FOR CLARIFICATION TO THE ATTENTION OF THE ARCHITECT PRIOR TO ACCEPTING A CONTRACT FOR CONSTRUCTION

 PRELIMINARY ARCHITECT PRIOR TO ACCEPTING A CONTRACT FOR CONSTRUCTION
- ALL WOOD WHICH COMES INTO CONTACT WITH CONCRETE SHALL BE PRESSURE-TREATED





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- 2. NEW SIDEWALK DESIGN & FENCE LAYOUT ARE CONCEPTUAL ONLY AND ARE SUBJECT TO CHANGE
- 3. FOOTPRINT OF EXISTING RESIDENCE = 1,840 SF FOOTPRINT OF GUEST HOUSE = 570 SF
- AREA OF GUEST HOUSE = 754 SF (20% [35% ALLOWED])

- NOTES:

 1. SITE BOUNDARY = 15,595 sf (.358 ACRES)
- 4. AREA OF EXISTING RESIDENCE = 3,680 SF

ADU

REVISION SCHEDULE

AE2025.236 SITE PLAN

COPYRIGHT AE URBIA, LLC.



AE URBIA, LLC.

PROJECT GENERAL NOTES

36' - 0"

8' - 2"

11.07

BATHROOM

LUXURY VINYL TILE

4' - 7''

2' - 6"

11.12

06.01

12.03

17' - 4"

06.03

16' - 7"

05.01

SLEEPING LOFT

LIVING ROOM

LUXURY VINYL TILE

2' - 9''

\$.3

11.12

VAULTED CEILING AT LIVING SPACE BELOW SLEEPING LOFT HAS A DIRECT VISUAL

CONNECTION AND ATMOSPHERIC

CONNECTION TO THIS SPACE

30x610 STOREFRONT

06.01

ALL MEASUREMENTS ARE FROM FACE OF WOOD STUD TO FACE OF

WOOD STUD UNLESS NOTED OTHERWISE DO NOT SCALE DRAWINGS. ARCHITECT SHALL NOT BE RESPONSIBLE FOR DIMENSIONS, TAKEOFFS OR CALCULATIONS BASED ON DIGITAL MEDIA. REFER TO PRINTED DIMENSIONS ONLY. DRAWINGS OF A LARGER SCALE TAKE PRECEDENT OVER DRAWINGS OF A SMALLER SCALE

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KEYNOTE LEGEND

42" STEEL GUARDRAIL W/ VERTICAL RAILS - PAINT POSTS & RAILS BLACK (2 COATS) - RAILING SHALL ATTACH TO STRUCTURE AT BASE AND AT TOP RAIL

WOOD COLUMN - SEE STRUCT. FINISH w/ 3/4" MDF COLUMN WRAP, PAINTED 06.03 DOUBLE 2x WALL FRAMING AT FIREPLACE

11.01 ELECTRIC RANGE & OVEN w/ MICROWAVE ABOVE 11.02 DISHWASHER BELOW COUNTER - 24" WIDE 11.03 REFRIGERATOR - PROVIDE WATER LINE FOR ICE MAKER & ELECT.

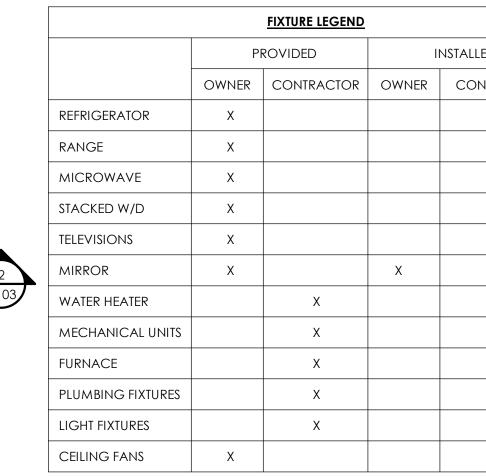
OUTLET AT 42" AFF FRONT-LOADING STACKABLE WASHER/DRYER UNIT 11.12 TV LOCATION - PROVIDE POWER & DATA CONNECTIONS, SEE ELEC. DWGS - COORDINATE FINAL LOCATION w/ OWNER PRIOR TO INSTALL - TYP.

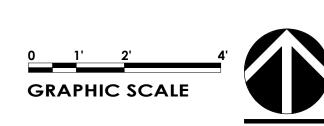
SOLID SURFACE COUNTERTOP 12.03 12" SHELF & ROD - PAINT

22.01 SHOWER INSERT - 30" DEEP x 54" - PROVIDE WATER RESISTANT GYPSUM BOARD BEHIND SHOWER ENCLOSURE STAINLESS STEEL SINGLE BASIN KITCHEN SINK

22.14 WATER HEATER, SEE PLUMB.

			FIXTURE LEGEND		
		Р	PROVIDED		NSTALLED
		OWNER	CONTRACTOR	OWNER	CONTRACTO
	REFRIGERATOR	Х			Х
	RANGE	Х			Х
	MICROWAVE	Х			Х
	STACKED W/D	Х			Х
	TELEVISIONS	Х			Х
	MIRROR	Х		Х	
3	WATER HEATER		Х		Х
	MECHANICAL UNITS		Х		Х
	FURNACE		Х		Х
	PLUMBING FIXTURES		Х		Х
	LIGHT FIXTURES		Х		X
	CEILING FANS	Х			Х







LOFT FLOOR PLAN

SLEEPING LOFT HAS NO VISUAL

CONNECTION NOR DIRECT ATMOSPHERIC

CONNECTION TO THIS SPACE

10' - 6"

2' - 8''

22.14

06.01

(A102) 3

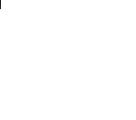
4' - 10 1/2"

<u>BEDROOM</u>

CARPET

CLOSET

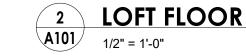
60x68 WOOD SLIDER

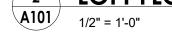


MAIN LEVEL

<u>LOFT</u> 184 SF

3 AREA CALCS





3 EXTERIOR ELEVATION - WEST A102 1/4" = 1'-0"

RIDGE HEIGHT AT EXT'G NEIGHBORING RESIDENCE (9790 S. 1405 W) = APPROX. 20'-0" RIDGE HEIGHT PLATE HEIGHT 06.02 08.02 07.02 26.01 07.04 08.02 03.03





ROOF PITCH AT EXT'G

RIDGE HEIGHT AT EXT'G

RESIDENCE = APPROX. 16'-3"

RESIDENCE = 4:12

PROJECT GENERAL NOTES

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KEYNOTE LEGEND

- 03.03 CONCRETE PORCH/STOOP PROVIDE RAMPED ACCESS (SEE SITE PLAN) 06.02 BEAM - SEE STRUCT.
- 30-YEAR ASPHALT ROOF SHINGLES OVER 2 LAYERS TAR PAPER OVER ROOF SHEATHING OVER ROOF JOISTS - SEE STRUCT. SHINGLES SHALL BE DARK GRAY/BLACK TO COORDINATE W/ EXT'G RESIDENCE - PROVIDE R-38 BATT INSULATION AT JOIST CAVITY - TYP.
- 07.02 QUICKPANEL HEAVY-GAUGE PRE-FINISHED RIBBED METAL PANEL & TRIM SYSTEM - BLACK/DARK GRAY
- 07.04 QUICKPANEL HEAVY-GAUGE PRE-FINISHED METAL PANEL & TRIM SYSTEM - WHITE/OFF WHITE TO COORDINATE W/ BRICK FINISH AT EXISTING RESIDENCE
- 07.05 TWO-TIER PRE-FINISHED HEAVY GAUGE METAL TRIM SYSTEM TYP.
- DOOR/WINDOW SYSTEM BLACK/DARK GRAY/DARK BRONZE EXTERIOR LIGHT FIXTURE (BLACK FINISH) W/ PHOTOCELL - FIXTURE SHALL BE GOOSENECK STYLE SO AS TO DIRECT LIGHT DOWNWARD ONLY AND SHALL BE CONTROLLED VIA SWITCH FOUND INSIDE THE GUEST HOUSE -FIXTURES SHALL BE CONTROLLED BY GUEST HOUSE OCCUPANTS

MO

MBER Ž

REVISION SCHEDULE

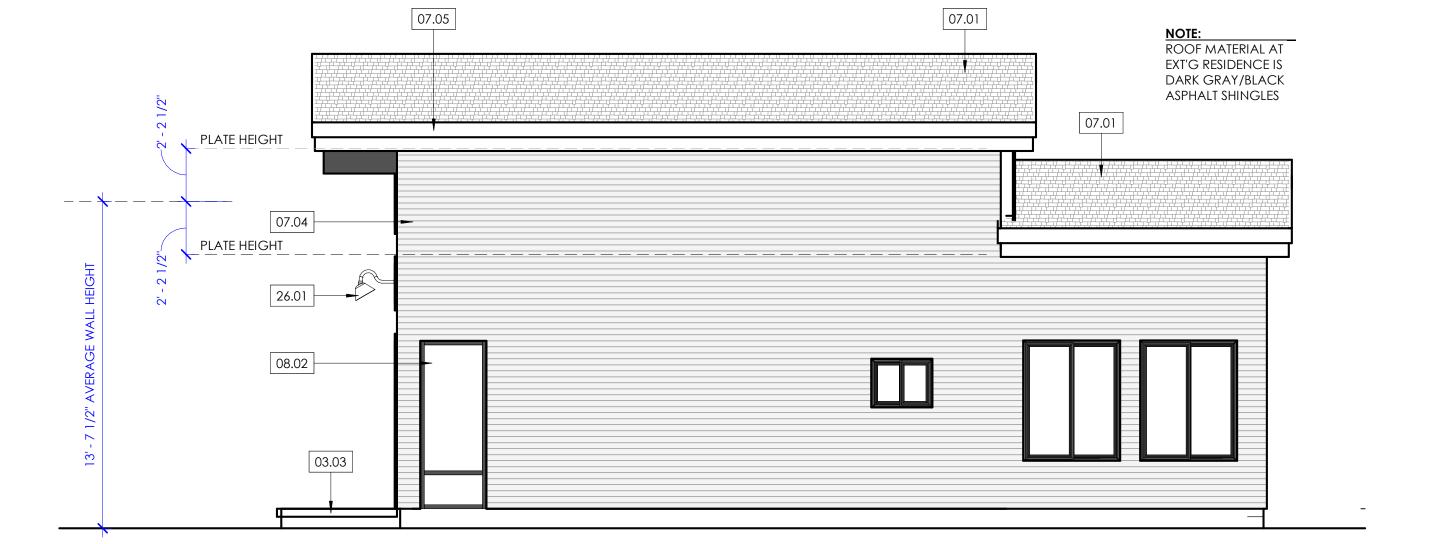
AE2025.236 **≷** EXTERIOR

: ELEVATIONS

DATE: 9/8/2025 8:51:55 PM

07.05 07.01 NOTE: ROOF MATERIAL AT EXT'G RESIDENCE IS DARK GRAY/BLACK ASPHALT SHINGLES 07.01 -----

4 EXTERIOR ELEVATION - SOUTH
1/4" = 1'-0"



EXTERIOR ELEVATION - NORTH 2 **EXTER** 1/4" = 1'-0"

AE URBIA, LLC.

SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: OCTOBER 14, 2025

FILE OVERVIEW		
Item Name	Golden Plaza Site Plan	
Address	1631 W. 11400 S.	
File Number	PLSPR202500070	
Applicant	Ashley Sudbury, NJRA Architects	
Property Owner	MHC Property Management, LLC	
Staff Author	Damir Drozdek	
Presenter	Damir Drozdek	

PROPERTY OVERVIEW				
Acreage	Approximately 1.3 acres			
Recorded Subdivision	Ridgepoint Master Plat			
Current Zone	e MU-South (P-D) (Redwood Road Mixed Use – South Center (Planned Development))			
Current Land Use	Vacant and Unimproved Lot			
Neighboring		Zone	Current Land Use	
Properties	North	MU-South	11400 South street	
	East	MU-South (PD)	Old Cedar Dr. street	
	South	MU-South (PD)	Townhomes	
	West	MU-South	Commercial Buildings	

ITEM SUMMARY

The applicant is seeking a site plan approval to construct a multi-tenant commercial building on property located at 1631 W. 11400 S. Staff is recommending approval of the application.



TIMELINE

- On April 16, 2025, the applicant submitted a complete site plan application to Staff for review. The application was revised three times to address all staff comments. Planning, Engineering, Fire, Building, Streets, Water, Stormwater and Parks reviewed the application.
- On September 24, 2025, the Architectural Review Committee reviewed the proposed structure. The committee unanimously recommended approval of the application.

REPORT ANALYSIS

Application Summary:

The City Council authorized a zone change and development agreement in January 2019 for a 35-acre parcel situated to the south and west of the Redwood Rd. and 11400 South intersection. The completed residential component occupies the southern portion, consisting of multi-family and single-family homes. This current proposal addresses one of the remaining commercial lots located along 11400 South, specifically the westernmost parcel within the commercial row.

The proposed structure is a two-story building encompassing approximately 12,000 square feet. The commercial space includes 9,000 square feet of retail on the main floor and 3,000 square feet of office space on the second floor. The east end is designated for a restaurant; however, tenants for the center and western portions remain unconfirmed. The building's maximum height will be 29 feet at the highest parapet wall. Exterior finishes will include EIFS, metal panels, metal railings, and glass.

All off-site street improvements, except for landscaping in the park strips, on 11400 South and Old Cedar Dr. are finalized. The only public improvements required for this project are minor additions such as water meters and a fire hydrant. All other site work, including the new parking area, access, and drainage, will be privately managed. Storm water runoff will be collected in underground chambers and discharged into the public system on Old Cedar Dr. An existing masonry wall on the south and west perimeters will be preserved, and no additional fencing is planned.

Landscaping will feature a mix of shrubs, plants, and trees, utilizing rock mulch for ground cover, as sod will not be installed. The park strips along Old Cedar Dr. and 11400 South will similarly incorporate rock mulch, live vegetation, and shade trees.



FINDINGS AND RECOMMENDATION

Findings:

- The project is located in the MU South (P-D) zone. It meets all of the requirements of the zone.
- The project also complies with all terms and conditions as found in the development agreement.

Conclusions:

• The application is in conformance with the minimum requirements of the <u>Site Plan</u> Review (Title 16) and the <u>Planning and Zoning (Title 17)</u> Codes

Planning Staff Recommendation:

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

PLANNING COMMISSION ACTION

Required Action:

Final Decision

Scope of Decision:

This is an administrative decision to be decided by the Planning Commission.

Standard of Approval:

All proposed commercial, office, industrial, multi-family dwelling or institutional developments and alterations to existing developments shall meet the site plan review requirements of South Jordan Municipal Code §16.24 and the requirements of the individual zone in which a development is proposed. All provisions of Title 16 & 17 of South Jordan Municipal Code, and other City requirements shall be met in preparing site plan applications and in designing and constructing the development. The Planning Commission shall receive public comment regarding the site plan and shall approve, approve with conditions, or deny the site plan.

Motion Ready:

I move that the Planning Commission approves:

1. File PLSPR202500070



Alternatives:

- 1. Recommend approval with conditions.
- 2. Recommend denial of the application.
- 3. Schedule the application for a decision at some future date.

SUPPORTING MATERIALS

- Attachment A, Aerial Map
- Attachment B, Zoning Map
- Attachment C, Site Plan
- Attachment D, Landscape Plans
- Attachment E, Building Elevations
- Attachment F, Floor Plans

- Attachment G, ARC Minutes
- Attachment H, Development Agreement
- Attachment I, Second Amendment to Development Agreement



Attachment A





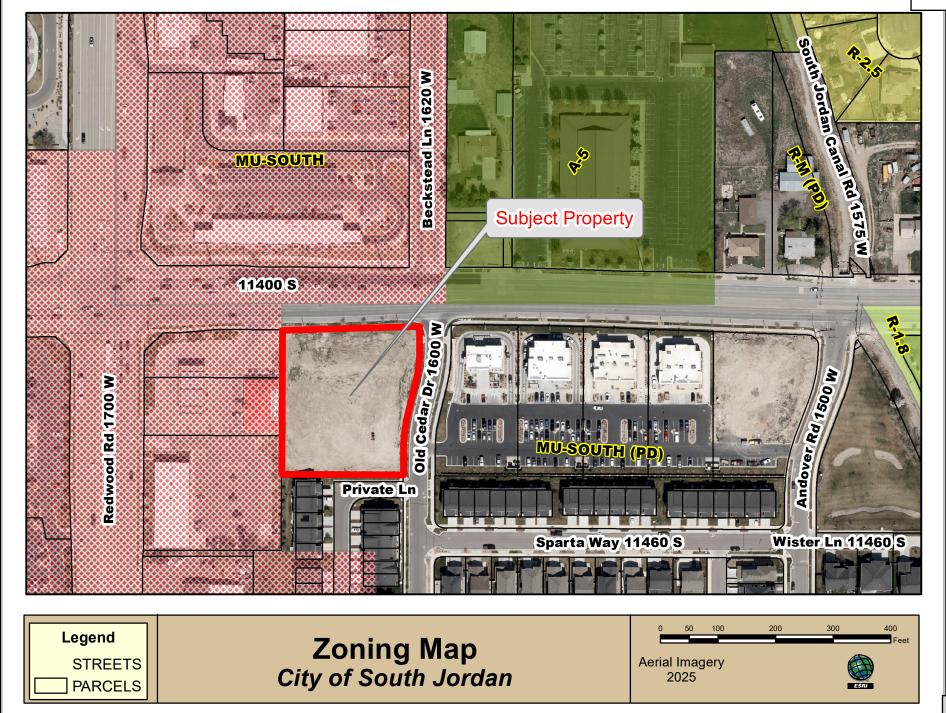
Legend
STREETS
PARCELS

Aerial Map
City of South Jordan

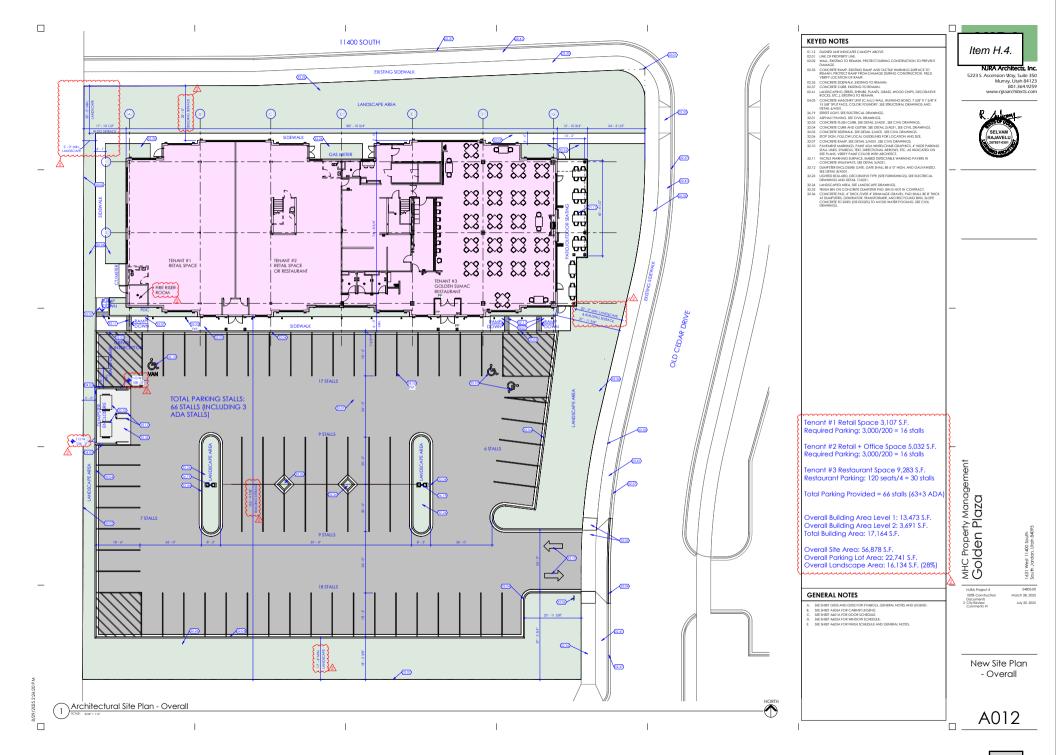


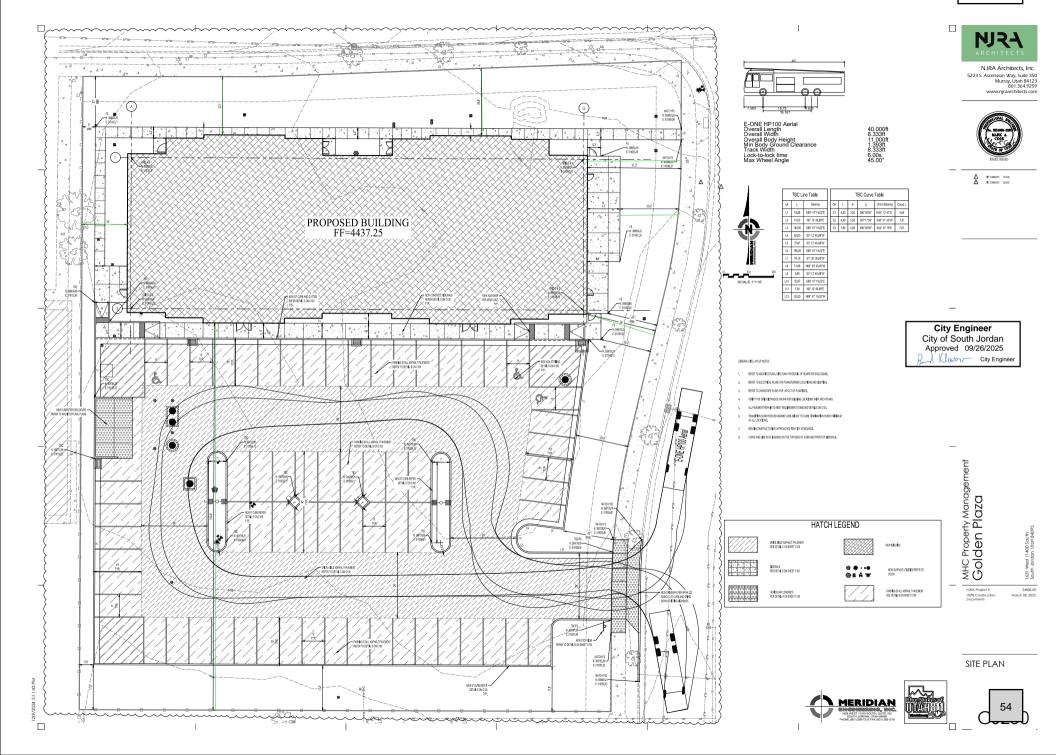
Attachment B

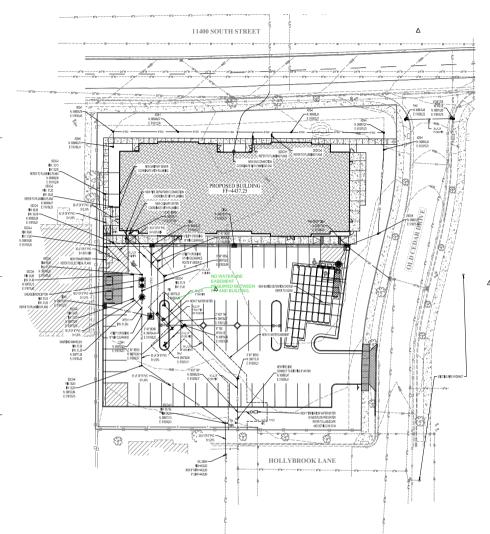














	STRUCTURE LABEL	DETAIL#
	CB-CLES AND GUTTER INLET	DETAIL A SHEET CID!
	ADS-12'S AREA ORAN	DETAIL C SHEET CHIT
	SAIPLING WANFOLE	DETAIL PT-4 SHEET C101
	FH-RPE HYDRANT	DETAIL F SHEET C101
	Z' NATER METER	CITY STD 38H SHEET C10H
	SSCO-SEMERCEAND.F	DETAIL E SHEET CHIN
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	GREASE INTERCEPTOR	DETAIL PT-1 SHEET C101
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- 25. THE CONTRACTOR SHALL IMMANN IN FOOT HORDON TAL AND IN INCH VERTICAL SEPARATION SET MESH SANT SERVER AND CLUMAN VATER LIVES, FOLLOW CITY STANDARDS FOR ALL
- 34. SPOT ELEVATION PREFIX OF 44 HAS BEEN DROPPED FROM THE ELEVATIONS ID: ELEVATION OLD 1: 440L00 AND 0L00 1: 440L90.

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- NATER LINES:
- 8" FIRE SPENILER LINE TO BE PVC CHO DR-IS BETWEEN WIN AND FILL AND DUCTLE. ROWBETWEEN FILMO BY LENG PER CITY STANDARDS.

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5223 S. Ascension Way, Suite 350 Murray, Utah 84123 801 364 9259 www.niraarchitects.com





City Engineer City of South Jordan Approved 09/26/2025



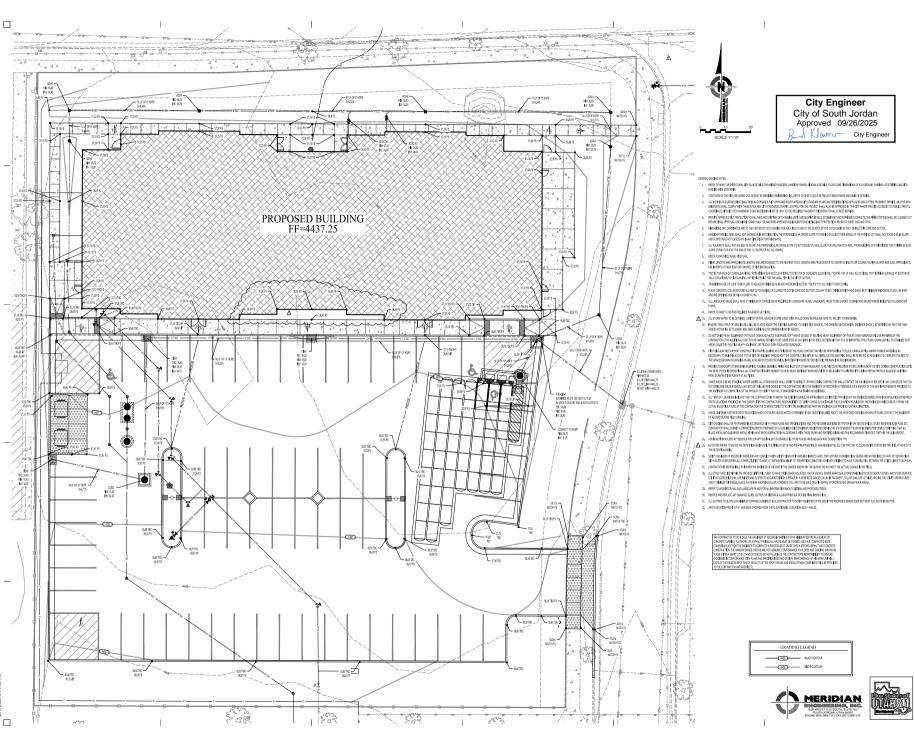
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UTILITY PLAN

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NJRA Architects, Inc.

5223 S. Ascension Way, Suite 350 Murray, Utah 84123 801.364.9259 www.niraarchitects.com



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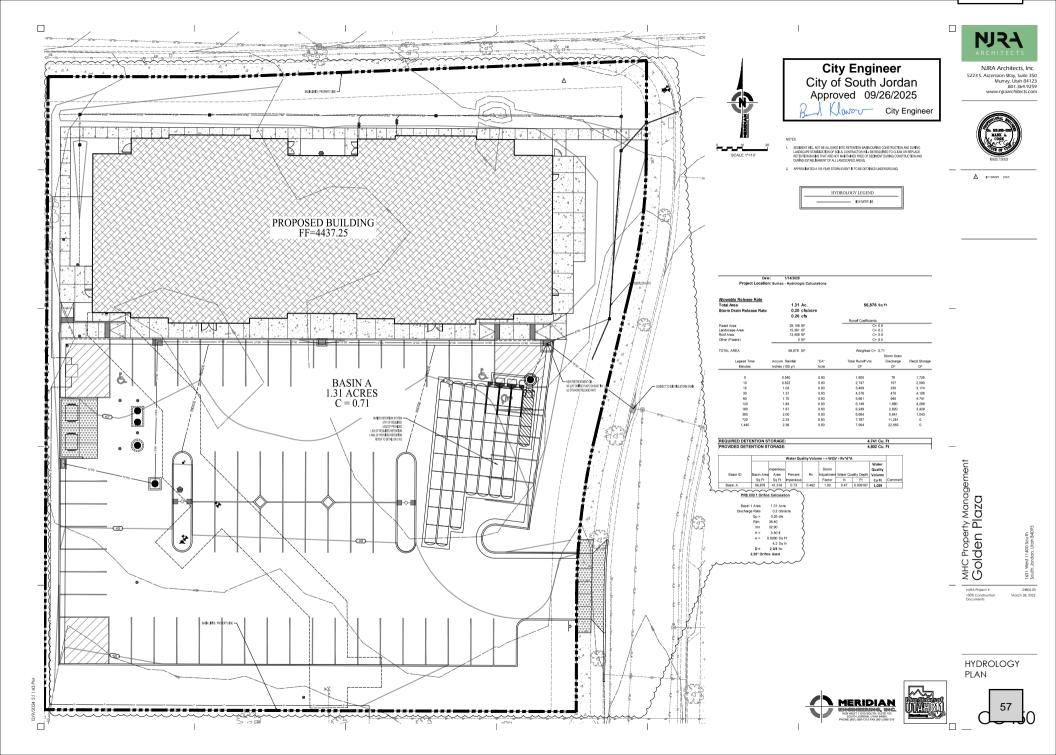
GRADING PLAN

1631 24805.00

March 28, 2025



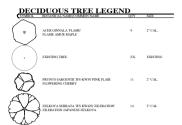




Attachment D



W 11400 S



EVERGREEN TREE LEGEND

7	COLOGREEN JUNIPER		
)	PINUS FLEXILIS VANDERWOLF PYRAMID' VANDERWOLF LIMBER PINE	10	7

DEC	IDUOUS SHRUB LEGE	ND	
SYMBOL.	BOTANICAL NAME/COMMON NAME	QTY	SIZE
` 9	BERBERIS THUNBERGII ATRO NANA 'CRIMSON PYGMY' DWARF RED BARBERRY	66	5 GAL.
•	CARYOPTERIS CLANDONENSIS BLUE MIST BLUEBEARD	96	5 GAL.
ø	CORNUS SERICEA KELSEYT RED TWIG DOGWOOD	70	5 GAL.
	PHYSOCARPUS OPULIFOLIUS TOONNA MAY PP22634 LITTLE DEVIL LITTLE DEVIL NINEBARK	40	S GAL.
0	PRUNUS BESSEYI POLIS' PAWNEE BUTTES WESTERN SAND CHERRY	24	S GAL.

EVERGREEN SHRUB LEGEND

SYMBOL.	BOTANICAL NAME/COMMON NAME	QTY	SIZE
•	BUXUS 'GREEN MOUNTAIN' BOXWOOD	85	5 GAL.
	PINUS MUGO 'SLOWMOUND' MUGO PINE	81	5 GAL.
0	TAXUS X MEDIA 'EVERLOW' EVERLOW YEW	9	5 GAL.

ORNAMENTAL GRASS LEGEND

۰	CALAMAGROSTIS ACUTIFLORA KARL FOERSTER FEATHER REED GRASS	71	5 GAL.	
Θ	PANICUM VIRGATUM HOT ROD PP26074 SWITCH GRASS	52	5 GAL.	
•	PENNISETUM ALOPECUROIDES 'HAMELN' DWARF FOUNTAIN GRASS	70	5 GAL.	

PERENNIAL LEGEND

•	ECHINACEA DELICIOUS CANDY CONEFLOWER	93	I GAL.	
•	GAURA LINDHEIMERI BANTAM PINK PINK WHIRLING BUTTERFLIES	169	I GAL.	
•	PEROVSKIA ATRIPLICIFOLIA RUSSIAN SAGE	49	I GAL.	
⊛	RUDBECKIA FULGIDA 'GOLDSTURM' BLACK EYED SUSAN	16	I GAL.	
•	SALVIA NEMOROSA 'MAY NIGHT' WOODLAND SAGE	35	I GAL.	
•	YUCCA FILAMENTOSA 'COLOR GUARD' YUCCA	217	I GAL.	

INERT MATERIALS LEGEND

ROCK MULCH TYPE 1: 6° DEPTH OF 2-4° SCREENED CRUSHED/ANGULAR ROCK. ROCK TO BE DOUBLE WASHED PRIOR TO PLACING ROCK ON TOP OF WEED BARRIER FABRIC. SEE DETAILS FOR ADDITIONAL INSTITULIATION NOTES. ROCK COLOR AND TYPE T AD BY OWNER AND CONTRACTOR DURING SUBMITTAL PROCESS, SUBMIT SAMPLE TO MOWER FOR A PEPOLVAL	PER PLAN	2"
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LANDSCAPE NOTES

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NJRA Architects, Inc. NJRA Architects, Inc. 5223 S. Ascension Way, Suite 350 Murray, Utah 84123 801.364.9259 www.njraarchitects.com





- Golden Sumac MHC Property Management Golden Plaza

NJRA Project # 100% Construction Documents

24805.00 July 2, 2025





PLANTING PLAN



Attachment E













MHC Property Management
Golden Plaza

Exterior Renderings

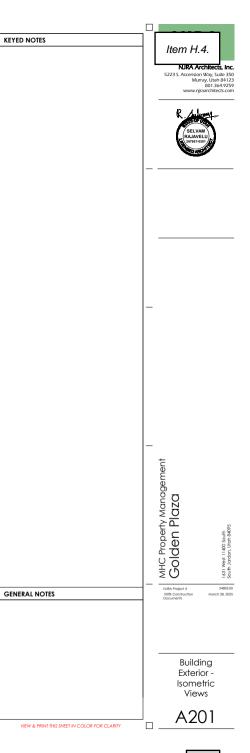
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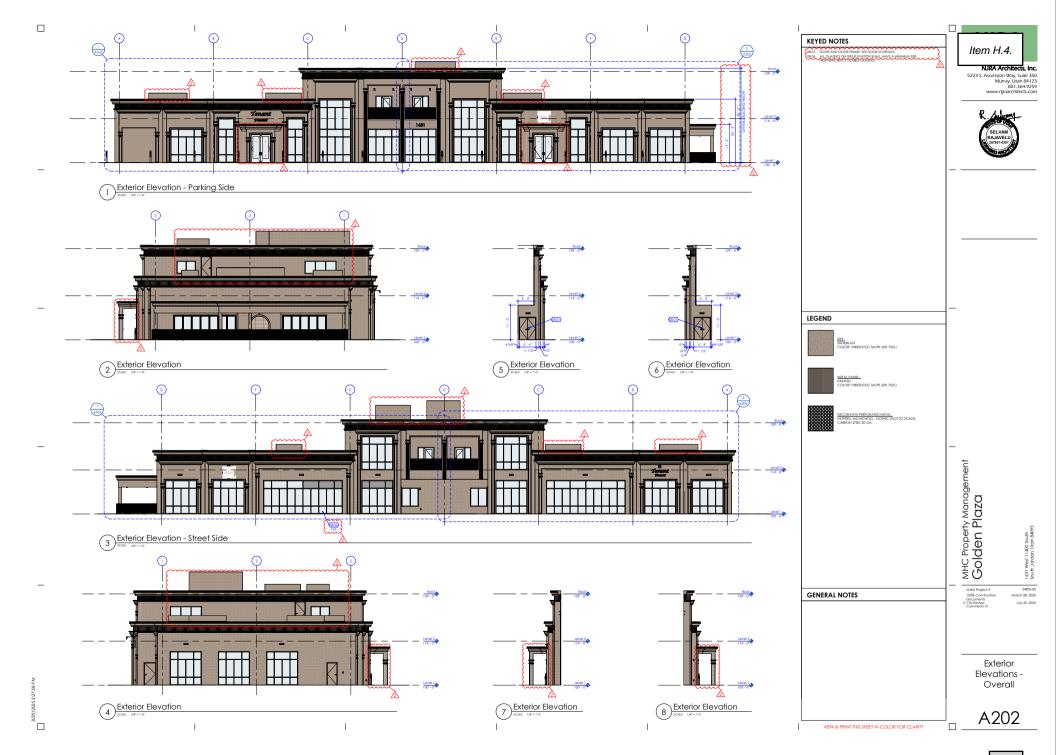
Isometric 3D View



2 Isometric 3D View

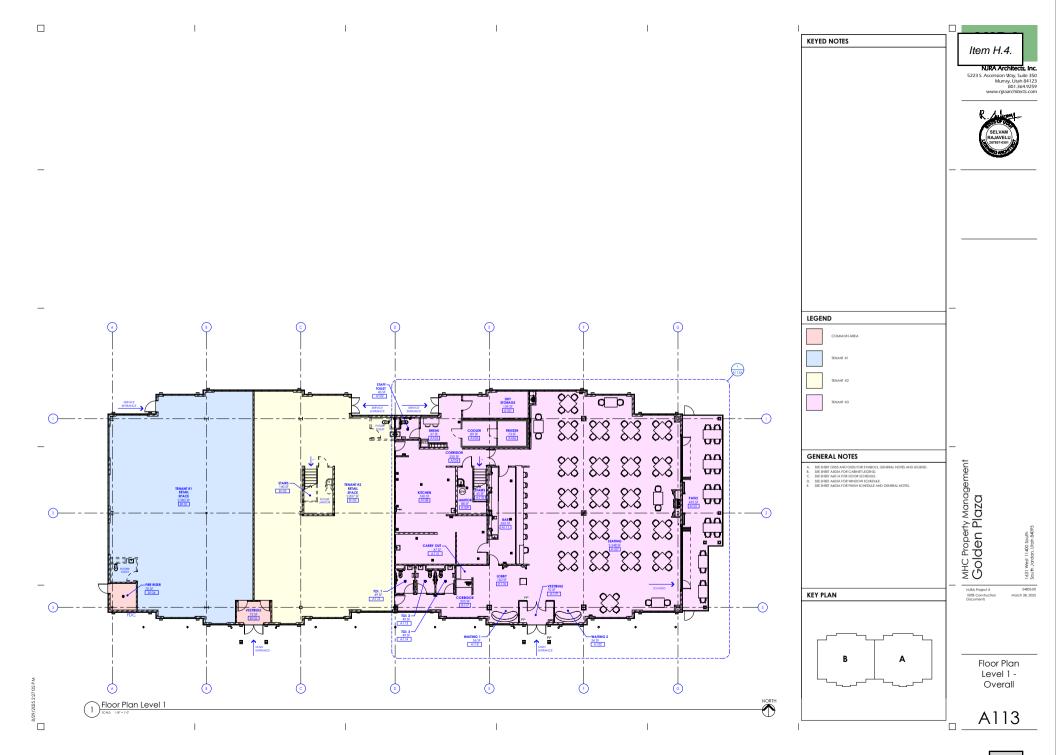


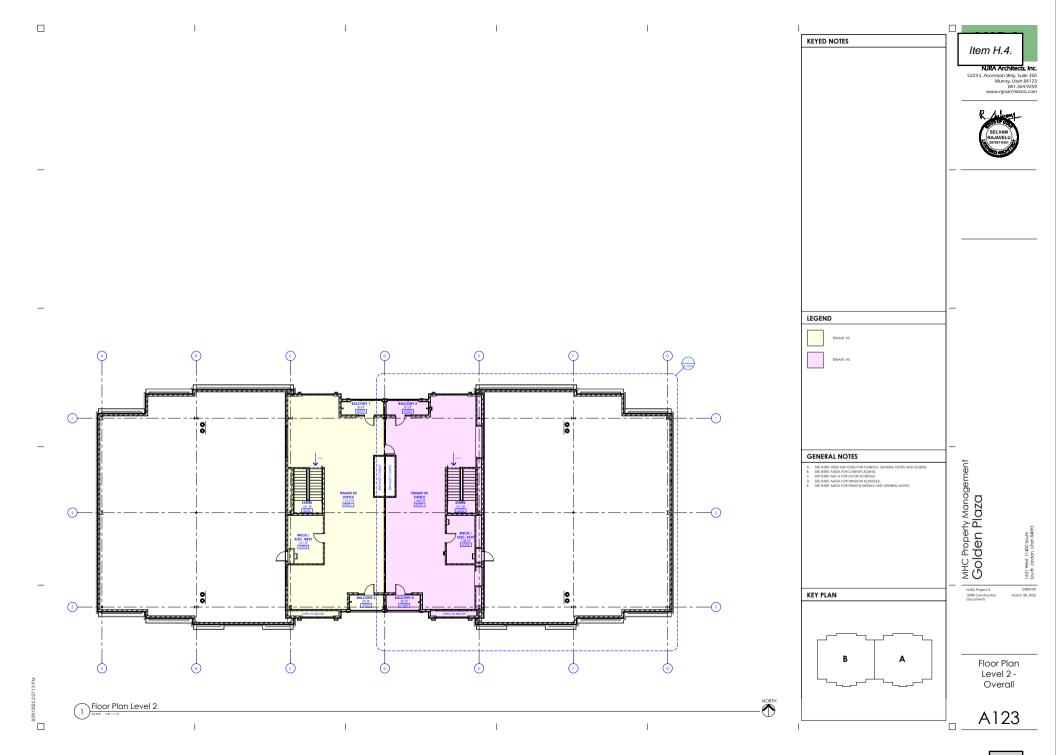
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Attachment F







Attachment G



CITY OF SOUTH JORDAN ARCHITECTURAL REVIEW COMMITTEE MEETING MINUTES SOUTH JORDAN CITY HALL – MAPLE CONFERENCE ROOM WEDNESDAY, 24, 2025



Attendance City Staff: Ty Montalvo, Lori Harding, Jesse Messer, Damir Drozdek, Kathie L. Johnson, Katelynn White

Attendance Applicant(s): Miguel Monreal, Selavam Rajaelu, Ashley Sudbury

Minutes Prepared by: Alina Aguilera

ARCHITECTURAL REVIEW COMMITTEE MEETING

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

A. GENERAL BUSINESS ITEMS

A.2. GOLDEN PLAZA CENTER

Location: 1631 W. 11400 S.

Applicant: Ashley Sudbury, NJRA Architects

Planner: Damir Drozdek

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

City staff expressed a concern about mechanical equipment and the city code. A screen's visibility to the street is not the most attractive thing to look at. Applicant addressed this concern, stating that looking in the direction from 11400 South, you wouldn't be able to see the screen. The mechanical equipment is screened and located far enough from the edge that you wouldn't be able to see from the south side sidewalk.

City staff also expressed their concerns about the materials. Applicants expressed that it would be cost-efficient to use stucco. Applicants also expressed how they envision this building to be elevated from the rest that are near the location in terms of architecture. They explained different materials they intend to use (stucco, metal panels and railing) and their location on the building.

City staff expressed concern about the lighting of the building affecting any neighbors. Applicants addressed that there aren't any houses near the building, and there is a street that divides the two. It will help get rid of any lighting concerns with neighbors.

The ARC Committee approves the project. The next step would be to have a meeting with the planning commission on October 14, 2025. If approved, the next step would be to apply for a building permit.

ADJOURNMENT

Attachment H



RECEIVED

APR 2 2 2019

Book - 10766 Pm - 8381-8444C R:ASHELLE HOBBS RECORDER, SALT LAKE COUNTY, UTAH SOUTH JORDAN 1600 W TOWNE CENTER DR SOUTH JORDAN UT 84095-8265

BY: DKA, DEPUTY - WI 64 P.

04/04/2019 10:43 AM **≉⊡ - ∪**

Item H.4.

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

451-002, and 27-22-401-027.

After recording, please send to:

South Jordan City
City Recorders Office

Affected Parcel No(s): 27-22-401-038, 27-22-401-039, 27-22-401-042, 27-22-401-035, 27-22-401-043, 27-22-401-037, 27-22-401-036, 27-22-401-032, 27-22-426-030, 27-22-401-011, 27-22-401-019, 27-22-401-011, 27-22-401-019

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DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") is between the City of South Jordan, a Utah municipal corporation ("City") and Boyer Project Company, L.C., a Utah limited liability company ("Developer"). City and Developer are jointly referred to as the "Parties" and each may be referred to individually as "Party."

RECITALS

WHEREAS, Developer has the contractual right to acquire certain real property identified as Salt Lake County Assessor Parcel Number(s): 27-22-401-038, 27-22-401-039, 27-22-401-042, 27-22-401-035, 27-22-401-043, 27-22-401-037, 27-22-401-036, 27-22-401-032, 27-22-426-030, 27-22-401-011, 27-22-401-019, 27-22-451-002, and 27-22-401-027, which are specifically described in attached Exhibit A (the "Property"); and

WHEREAS, the Property is subject to the Planning and Land Use Ordinance of South Jordan City and is located immediately adjacent to 11400 South and just East of Redwood Road; and

WHEREAS, the Property is currently zoned Agricultural, 5 acre lots (A-5 Zone) and Residential, 1.8 lots or units per acre (R-1.8 Zone); and

WHEREAS, Developer desires to develop the Property as an integrated project to be known as Ridgeview @ South Jordan (the "Project") consistent with the concept plan attached as Exhibit B (the "Concept Plan"); and

WHEREAS, in furtherance of Developer's desire to develop the Project, Developer has requested that the Property be rezoned with a base zoning of Redwood Road Mixed Use South Center Zone (the "MU-South Zone") and further and subsequently rezoned and made subject to a Planned Development Floating Zone (the "PD Zone") to be known as the "MU-South-PD Zone" (attached as Exhibit C; and

WHEREAS, 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;" and

WHEREAS, Developer and City acknowledge that development in the PD Zone requires a development agreement specific to each area zoned as a PD Zone; and

WHEREAS, the City Council of the City of South Jordan (the "City Council"), acting pursuant to its authority under Utah Code § 10-9a-102(2) et seq., as amended, 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 elected to exercise its legislative discretion to enter into this Agreement for the purpose of establishing the MU-South-PD Zone and regulating the development the Project pursuant to the MU-South-PD Zone; and

WHEREAS, Developer and City acknowledge that the development and improvement of the Property pursuant to this Agreement comply with the requirements of the PD Zone and provide certainty useful to the Developer and to City in ongoing and future dealings and relations among the Parties pertaining to the development of the Project; and

WHEREAS, this Agreement shall only be valid upon approval of such by the City Council and pursuant to Resolution R2019-01 a copy of which is attached as Exhibit D; and

WHEREAS, City and Developer acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the City Council, in its sole legislative discretion, approves both the MU-South Zone as the base zone for the Property and the MU-South-PD Zone as the applicable PD Zone for the Property.

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:

TERMS

- A. Recitals; Definitions. The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the City Code.
- B. Enforceability. City and Developer acknowledge that the terms of this Agreement shall be enforceable, and the rights of Developer relative to the Property shall vest, only if: (i) the City Council in its sole legislative discretion rezones the Property from the A-5 and R-1.8 Zones to the MU-South Zone as the base zone and also rezones the Property with the MU-South-PD Zone as the applicable PD Zone for the Property; and (ii) the Developer acquires fee title to the Property.
- C. 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").
- D. Conflicting Terms. The Property shall be developed in accordance with the requirements and benefits provided for in relation to the MU-South Zone and the 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 MU-South Zone or the PD Zone, and this Agreement, this Agreement shall control.

E. Developer Obligations.

- 1. Uses.
 - a. Developer shall develop and use the Property in accordance with the

requirements of the Ridgeview @ South Jordan Master Development Plan attached hereto as Exhibit E (the "Ridgeview MDP"), which Ridgeview MDP incorporates the Concept Plan and sets forth permitted and conditional uses of the Property, as well as specific requirements pertaining to applicable set-backs, height limitations and other development standards. Except as specifically provided below, Commercial Pads A-D, as shown on the Concept Plan, may be developed and used in accordance with the "Permitted and Conditional Uses: Ridgeview" identified in the Ridgeview MDP. Notwithstanding any other provision in the MU-South Zone or the Ridgeview MDP to the contrary, the following uses are not allowed as either a permitted or a conditional use on Commercial Pads A-D: automotive repairs; automotive services; bed and breakfast lodging; gas stations, convenience stores; commercial laundry; lumber, building materials, and landscaping retail sales yards; and self-storage facilities. Upon the written request of the Developer and subject to the City Council's approval, Commercial Pad E may be used for "Permitted and Conditional Uses: Ridgeview" identified in the Ridgeview MDP. Until such request is made and approval is granted, Commercial Pad E shall be used solely for open space and a storm water retention facility serving the Project. The following residential uses are specifically allowed as permitted uses in the Project, all as more specifically shown on the Concept Plan: single-family dwellings and multiple-family dwellings; provided, however, the over-all residential density of the Project shall not exceed seven (7) units per acre.

b. The final plat for the Project shall contain the following language in a note: The development of the commercial and residential lots created pursuant this plat is governed by a development agreement recorded on ______, which contains the master development plan and design standards for such lots, each as applicable and as more fully set forth in the development agreement and the master development plan.

Circulation and Connectivity.

- a. Prior to site plan/subdivision approval, a public right-of-way access shall be acquired by the Developer connecting the Property to Redwood Road as illustrated on the Concept Plan. The City Engineer or Fire Code Official may require temporary turn-arounds between the various phases of the Project.
- b. The Project shall provide a street stub to the adjoining property located to the south as generally depicted on the Concept Plan.
- c. At subdivision application, the Developer shall cause a traffic impact analysis to be conducted by a third party traffic engineer approved by the City. If warranted, as reasonably determined by the City Engineer, the Developer shall install or escrow an estimated amount of \$250,000 for a signal at 11400 South near the South Jordan Canal.
- d. Fencing between commercial and residential elements of the Project shall be a solid decorative masonry material and be between six and eight feet tall. Fencing along the South Jordan Canal shall be a six foot tall privacy vinyl or other acceptable type and material as determined by the City's Planning Commission at subdivision review. Fencing along the Riverton City boarder shall be a solid decorative

masonry material and be six feet tall.

- e. A storm water maintenance agreement shall be required for all storm water facilities located within the Project.
- f. The Developer shall include traffic calming measures throughout the Project as determined by the City Engineer
- g. The Developer shall work with both the City and the City of Riverton to produce and record the necessary documents in order to adjust property lines and City boundary lines along the south side of the Property.

3. <u>Development Plan and Architectural Standards</u>.

- a. The Project shall be developed in accordance with the Ridgeview MDP.
- b. The architectural standards for the Project shall be those outlined in the "Ridgeview @ South Jordan Design Guidelines (the "Design Guidelines"), a copy of which are attached hereto as Exhibit F. The Project shall be developed in accordance with the Design Guidelines.
- c. In addition to the MDP and the Design Guidelines, at least 50% of the townhomes must have two-vehicle garages and the remaining townhomes must have at least a one-vehicle garage.

4. <u>Minimum Commercial Development Square Footage</u>.

- a. Developer shall have the right and obligation to develop or cause to be developed not less than 25,000 rentable square feet of indoor permitted or conditional commercial uses on Commercial Pads A-D (the "Commercial Development Minimum"). City acknowledges that the timing or phasing of such commercial development is subject to market demand, and therefore such timing or phasing shall be in the sole discretion of the Developer.
- b. The Commercial Development Minimum shall be calculated in the aggregate, meaning that such calculation shall take into account the rentable indoor square footage of all buildings developed on all of Commercial Pads A-D.
- c. Development of more than 50,000 rentable square feet of indoor permitted or conditional commercial uses on Commercial Pads A-D will require an amended traffic study and separate City Council approval prior to the commencement of construction of any building on Commercial Pads A-D that will cause the aggregate indoor square footage on Commercial Pads A-D to exceed 50,000 square feet.

F. Minor Changes.

1. The Planning Department, after conferring with the City Manager, may approve minor modifications to the Developer Obligations in Sections E.1, E.2, and E.4

which are necessary or advantageous in facilitating more desirable function and aesthetics of the Project.

2. The Planning Commission may approve minor modifications to the Ridgeview MDP which are necessary or advantageous in facilitating more desirable function and aesthetics of the Project.

G. City Obligations.

- 1. Review of City. 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.
- 2. Review of Architecture Review Committee (ARC). As outlined in the Design Guidelines, the ARC shall review each home design with respect to the Property in a timely manner, consistent with the Design Guidelines, City Code, and the ARC's routine review practices, which review and approval should not be unreasonably withheld.
- 3. <u>Provision of City Services</u>. The City agrees that it shall make available to the Property (subject to application for service, issuance of applicable permits and payment of connection fees and applicable commodity usage rates) culinary water, sanitary sewer and storm water sewer, garbage collection and snow removal on public streets and such other services as are provided by the City to its citizens generally.

H. Vested Rights and Reserved Legislative Powers.

- 1. <u>Vested Rights</u>. 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 MU-South-PD Zone designation and the Ridgeview MDP; (ii) the City Code in effect as of the Effective Date; and (iii) the terms of this Agreement.
- 2. Reserved Legislative Powers. Developer acknowledges that 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.
- I. 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.

J. General Provisions.

1. <u>Notices</u>. 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:

Boyer Project Company, L.C. c/o The Boyer Company, L.C. 101 South 200 East, Suite 200 Salt Lake City, Utah 84111

- 2. <u>Mailing Effective</u>. 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.
- 3. <u>No Waiver</u>. Any Party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the Party intended to be benefited by the provisions, and a waiver by a Party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.
- 4. <u>Headings</u>. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any provision this Agreement.
- 5. Authority. The Parties to this Agreement represent 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.
- 6. 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.

- 7. Amendment. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the Parties or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.
- 8. <u>Severability</u>. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developer's ability to complete the development of the Property as set forth in the Concept Plan is not defeated by such severance.
- 9. <u>Governing Law</u>. 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.
- 10. <u>Remedies</u>. 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.
- 11. <u>Attorney's Fees and Costs</u>. 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.
- 12. <u>Binding Effect</u>. 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.
- 13. 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.
- 14. <u>Assignment</u>. Developer may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement and Developer shall be deemed released of its obligations in connection with this Agreement; provided, however, that Developer shall provide City with notice of the assignment of this Agreement within a reasonable time after the occurrence of such assignment.
- 15. <u>No Agency Created</u>. Nothing contained in this Agreement shall create any partnership, joint venture, or agency relationship between the Parties.

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 C.

[SIGNATURE PAGE FOLLOWS]

Approved as to form:

ty Attorney

Signatur	e: Thomas Thursday	
Ву:	Davin R. Ramsen	
Tts.	Mayor	

Date: 1-16-2019

State of Utah)
:ss
County of Salt Lake)

Notary Public

NOTARY PUBLIC ANNA M WEST Commission No. 691421 Commission Expires OCTOBER 04, 2020 STATE OF UTAH

DEVELOPER

BOYER PROJECT COMPANY, L.C., a Utah limited liability company, by its Manager,

The Boyer Company, L.C. Signature: State of Utah County of Salt Lake On this 8th day of \anuary ____, 20_17_., personally appeared before me (name of document signer), 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/she is a Manager of The Boyer Company, L.C., a Utah limited liability company, the Manager of Boyer Project Company, L.C., a Utah limited liability company, and that said document was signed by him/her in behalf of said limited liability company by authority of its Operating Agreement or by Resolution, and said _ signer) acknowledged to me that said limited liability company executed the same. Notary Public

EXHIBIT A

LEGAL DESCRIPTIONS PREPARED FOR THE BOYER COMPANY BOYER & BROWN PARCELS SOUTH JORDAN, UTAH

(March 28, 2019) 18-346

COMPOSITE LEGAL DESCRIPTION

Located in the SE1/4 of Section 22 of Township 3 South, Range 1 West, Salt Lake Base and Meridian. Comprised of Thirteen (13) parcels identified by Salt Lake County Tax Id. Numbers 27-22-451-002, 27-22-401-011, 27-22-401-019, 27-22-401-027, 27-22-426-030, 27-22-401-032, 27-22-401-035, 27-22-401-036, 27-22-401-037, 27-22-401-038, 27-22-401-039, 27-22-401-042 & 27-22-401-043, being more particularly described as follows:

Beginning at a point on the southerly right of way line of 11400 South Street as established by UDOT Project SP-15-7(156)293, being S89°56'45"E 293.00 feet along the quarter section line and S00°07'35"W 49.54 feet from the Center of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point is also 62.61 feet perpendicularly distant southerly from the design line of said project, opposite approximate engineer station 180+61.53, and running thence along said southerly right of way the following seven (7) courses, (1) Easterly along the arc of a 7,940.00 feet radius non-tangent curve to the right (radius bears: S00°20'54"E) 1.04 feet through a central angle of 00°00'27" (chord: N89°39'20"E 1.04 feet); thence (2) N89°51'38"E 71.28 feet; thence (3) N87°33'42"E 251.19 feet; thence (4) S89°28'00"E 156.98 feet; thence (5) Easterly along the arc of a non-tangent curve to the right having a radius of 7,951.00 feet (radius bears: S01°05'55"W) a distance of 104.18 feet through a central angle of 00°45'03" Chord: S88°31'34"E 104.18 feet; thence (6) S88°08'57"E 219.65 feet; thence (7) along the arc of a curve to the left with a radius of 8,049.00 feet a distance of 189.30 feet through a central angle of 01°20'51" Chord: S88°49'22"E 189.29 feet to a point being 49.00 feet perpendicularly distant southerly from the design line of said project, opposite approximate engineer station 190+56.18; thence S34°00'00"E 67.04 feet; thence North 55.34 feet to said southerly right of way line being 49.00 feet perpendicularly distant southerly from the design line of said project; thence Easterly along the arc of a non-tangent curve to the left having a radius of 8,049.00 feet (radius bears: N00°14'11"E) a distance of 25.76 feet through a central angle of 00°11'00" Chord: S89°51'19"E 25.76 feet along said southerly right of way line to the easterly line of the South Jordan Canal as defined in a Special Warranty Deed on file in the Salt Lake County Recorder's office at Entry No.12392264, Book 10489, Page 3855; thence along said easterly line the following six (6) courses, (1) S29°17'25"E 91.65 feet; thence (2) S24°33'50"E 206.80 feet; thence (3) S16°26'05"E 42.89 feet; thence (4) S03°20'12"E 50.82 feet; thence (5) S07°56'04"W 98.58 feet; thence (6) S20°19'11"W 37.30 feet to the north line of Jordan Hills Estates Subdivision on file in the Salt Lake County Recorder's office at Entry No.3298207, Book 79-6, Page 225; thence West 146.06 feet along said northerly line to an easterly deed line of a Warranty Deed on file in the Salt Lake County Recorder's office at Entry No.12786791, Book 10681, Page 9189; thence along said deed S00°07'35"W 795.49 feet to a point on a line established by a Boundary Line Agreement on file in the Salt Lake County Recorder's office at Entry No.12948351, Book 10759, Page 9721; thence along said boundary line agreement the following four (4) courses. (1) S89°56'45'W 138.24 feet to the westerly right of way line of the South Jordan Canal as determined by survey and described by a Deed on file in the Salt Lake County Recorder's office at Book "X", Page 277; thence (2) along said westerly line S01°15'55"W 52.91 feet to an existing fence line; thence (3) N87°08'45"W

341.00 feet; thence (4) S36°31'55"W 299.62 feet to a point on a line established by a Boundary Line Agreement on file in the Salt Lake County Recorder's office at Entry No.12948352, Book 10759, Page 9728; thence along said boundary line agreement the following three (3) courses, (1) S36°31'55"W 239.76 feet; thence (2) S84°14'08"W 45.26 feet; thence (3) S89°50'39"W 112.79 feet to the southeast corner of Poole Subdivision on file in the Salt Lake County Recorder's office at Entry No.6841151, Book 98-1P, Page 15; thence N00°09'33"E 833.12 feet along the easterly line of said Subdivision; thence N89°54'47"W 314.00 feet to the easterly right of way line of Redwood Road as established by UDOT Project SP-0068(24)43, said point is 53.00 feet perpendicularly distant easterly from the design line of said project, opposite approximate engineer station 126+66.12; thence N00°09'33"E 25.00 feet along said easterly right of way line to a southerly deed line of a Warranty Deed on file in the Salt Lake County Recorder's office at Entry No.12786791, Book 10681, Page 9189; thence along said deed line the following five (5) courses, (1) S89°57'12"E 222.60 feet; thence (2) N00°07'33"E 353.00 feet; thence (3) N89°56'45"W 30.05 feet; thence (4) N00°07'35"E 162.00 feet; thence (5) N89°56'45"W 191.25 feet to the easterly right of way line of Redwood Road as established by UDOT Project SP-0068(24)43, said point is 54.00 feet perpendicularly distant easterly from the design line of said project, opposite approximate engineer station 136+22.38; thence N00°09'33"E 10.00 feet along said easterly right of way line to a southerly deed line of a Warranty Deed on file in the Salt Lake County Recorder's office at Entry No.12786791, Book 10681, Page 9189; thence along said deed line the following two (2) courses, (1) S89°56'45"E 239.25 feet; thence (2) N00°07'35"E 383.46 feet to the point of beginning.

Overall Contains: 35.91 acres+/-

Less and Excepting the South Jordan Canal, as determined by survey and described by a deed, recorded December 21, 1883, Book "X", Page 277, being Sixty-six (66') feet in width, being that portion of the canal located in the W1/2 of the SE1/4 of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being the intersection of the westerly right or way line of said South Jordan Canal and the westerly line of Jordan Hills Estates Subdivision on file in the Salt Lake County Recorder's office at Entry No.3298207, Book 79-6, Page 225, said point of beginning being S89°56'45"E 1,322.17 feet along the quarter section line and South 738.37 feet from the Center of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running thence S00°07'35"W 157.54 feet along said westerly line of Jordan Hills Estates Subdivision to the easterly right of way line of said South Jordan Canal; thence along said easterly right of way line the following two (2) courses, (1) Southerly along the arc of a non-tangent curve to the left having a radius of 867.00 feet (radius bears: S66°41'45"E) a distance of 333.49 feet through a central angle of 22°02'20" Chord: S12°17'05"W 331.44 feet; thence (2) S01°15'55"W 121.45 feet; thence S89°56'45"W 66.02 feet to the westerly right of way line of said South Jordan Canal; thence along said westerly right of way line the following three (3) courses, (1) N01°15'55"E 122.97 feet; thence (2) along the arc of a curve to the right with a radius of 933.00 feet a distance of 387.40 feet through a central angle of 23°47'26" Chord: N13°09'38"E 384.63 feet; thence (3) N25°03'21"E 116.36 feet to the point of beginning. Canal Contains: 0.82 acres+/-

Overall Less Canal Contains: 35.09 acres+/-Of which 0.54 acre+/- is east of the canal, and 0.58 acre+/- is encumbered with a canal easement.

ZONING LEGAL DESCRIPTION (less canal)

Located in the SE1/4 of Section 22 of Township 3 South, Range 1 West, Salt Lake Base and Meridian. Comprised of seventeen (17) parcels identified by Salt Lake County Tax Id. Numbers 27-22-451-002, 27-22-401-011, 27-22-401-030, 27-22-401-032, 27-22-401-035, 27-22-401-036, 27-22-401-037, 27-22-401-038, 27-22-401-039, 27-22-401-042 & 27-22-401-043,

being more particularly described as follows:

Beginning at a point on the southerly right of way line of 11400 South Street, being S89°56'45"E 293.00 feet along the quarter section line and S00°07'35"W 49.54 feet from the Center of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running thence along said southerly right of way the following seven (7) courses, (1) Easterly along the arc of a 7,940.00 feet radius non-tangent curve to the right (radius bears: S00°20'54"E) 1.04 feet through a central angle of 00°00'27" (chord: N89°39'20"E 1.04 feet); thence (2) N89°51'38"E 71.28 feet; thence (3) N87°33'42"E 251.19 feet; thence (4) S89°28'00"E 156.98 feet; thence (5) Easterly along the arc of a non-tangent curve to the right having a radius of 7,951.00 feet (radius bears: S01°05'55"W) a distance of 104.18 feet through a central angle of 00°45'03" Chord: S88°31'34"E 104.18 feet; thence (6) S88°08'57"E 219.65 feet; thence (7) along the arc of a curve to the left with a radius of 8,049.00 feet a distance of 189.30 feet through a central angle of 01°20'51" Chord: S88°49'22"E 189.29 feet; thence S34°00'00"E 67.04 feet; thence S29°17'54"E 54.00 feet; thence S24°33'50"E 201.24 feet; thence S16°26'05"E 33.69 feet; thence S03°20'12"E 40.25 feet; thence S07°56'04"W 88.32 feet; thence S20°19'11"W 50.26 feet; thence West 93.28 feet; thence S00°07'35"W 192.74 feet; thence S25°03'21"W 116.36 feet; thence along the arc of a curve to the left with a radius of 933.00 feet a distance of 387.40 feet through a central angle of 23°47'26" Chord: S13°09'38'W 384.63 feet; thence S01°15'55"W 175.87 feet; thence N87°08'45"W 341.00 feet; thence S36°31'55"W 539.38 feet; thence S84°14'08"W 45.26 feet; thence S89°50'39"W 112.79 feet; thence N00°09'33"E 833.33 feet; thence S89°56'45"E 91.56 feet; thence N00°07'35"E 550.00 feet; thence N89°56'45"W 165.00 feet; thence N00°07'35"E 383.46 feet to the point of beginning.

Contains: 31.37 acres+/-

LAND USE LEGAL DESCRIPTION (less canal)

Located in the SE1/4 of Section 22 of Township 3 South, Range 1 West, Salt Lake Base and Meridian. Comprised of seventeen (17) parcels identified by Salt Lake County Tax Id. Numbers 27-22-451-002, 27-22-401-011, 27-22-401-030, 27-22-401-032, 27-22-401-036 & 27-22-401-037, being more particularly described as follows:

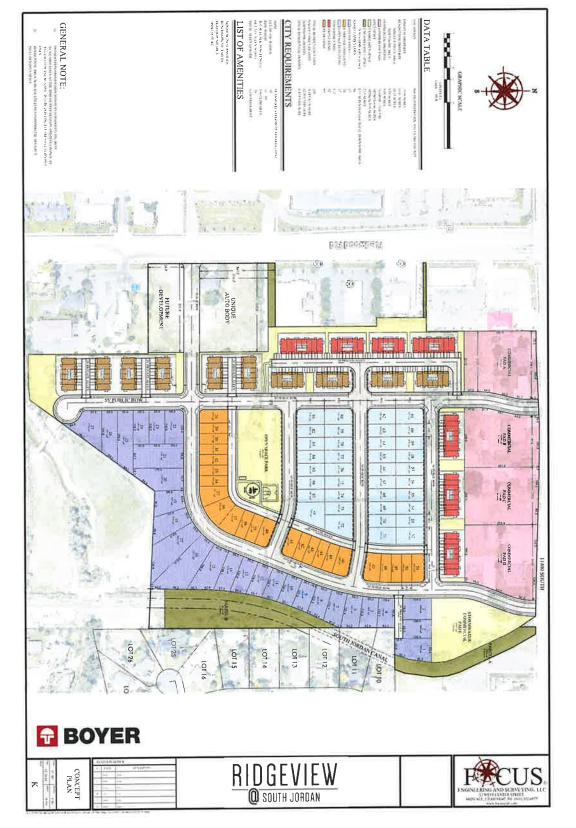
Beginning at a point on the southerly right of way line of 11400 South Street, being S89°56'45"E 966.85 feet along the quarter section line and S00°07'35"W 45.07 feet from the Center of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running thence along said southerly right of way the following two (2) courses, (1) S88°08'57"E 130.13 feet; thence (2) along the arc of a curve to the left with a radius of 8,049.00 feet a distance of 189.30 feet through a central angle of 01°20'51" Chord: S88°49'22"E 189.29 feet; thence S34°00'00"E 67.04 feet; thence S29°17'54"E 54.00 feet; thence S24°33'50"E 201.24 feet; thence S16°26'05"E 33.69 feet; thence S03°20'12"E 40.25 feet; thence S07°56'04"W 88.32 feet; thence S20°19'11"W 50.26 feet; thence West 93.28 feet; thence S00°07'35"W 192.74 feet; thence S25°03'21"W 116.36 feet; thence along the arc of a curve to the left with a radius of 933.00 feet a distance of 387.40 feet through a central angle of 23°47'26" Chord: S13°09'38"W 384.63 feet; thence S01°15'55"W 175.87 feet; thence N87°08'45"W 341.00 feet; thence S36°31'55"W 539.38 feet; thence S84°14'08"W 45.26 feet; thence S89°50'32"W 112.79 feet; thence N00°09'33"E 833.33 feet; thence S89°56'45"E 91.56 feet; thence N00°07'35"E 550.00 feet; thence S89°56'45"E 508.85 feet; thence N00°07'35"E 387.93 feet to the point of beginning.

Contains: 25.33 acres+/-

EXHIBIT B

(Concept Plan)

Concept Plan - Ridgeview @ South Jordan



OPTION A 1 ADDITIONAL UNIT REDWOOD ROAD ALTERNATIVE CONNECTION to ale als are a to 16 OPTION B 7 ADDITIONAL UNITS 18 18 iģ [2 manumin. OPTION C UNIQUE AUTO BODY LAND SWAP 4 ADDITIONAL UNITS ACIOBODA I UNIQUE I UNIQUE OPTION E COMMERCIAL PAD FOOTPRINTS CHIMIN HIME OPTION D 5TH COMMERCIAL PAD mind **BOYER** ALTERNATIVES PLAN RIDGEVIEW @ SOUTH JORDAN Nets 1000

Concept Plan - Ridgeview Alternative Options

EXHIBIT C

(Redwood Road Mixed Use South with Planned Development Floating Zone)

Chapter 17.54

REDWOOD ROAD MIXED USE (MU) ZONES 🌑 🖃

17.54.010: PURPOSE:

17.54.020: ZONING MAP DESIGNATIONS:

17.54.030: USES:

17.54.040: SITE PLAN/PLAT APPROVAL: 17.54.050: ZONE AND PROJECT AREA:

17.54.060: LOT FRONTAGE, WIDTH AND COVERAGE:

17.54.070: YARD REQUIREMENTS:

17.54.080: OPEN SPACE:

17.54.090: MIXED USE-NORTH GATEWAY (MU-NGATE) ZONE:

17.54.100: MIXED USE-RESEARCH AND DEVELOPMENT (MU-R&D) ZONE:

17.54.110: MU-CITY CENTER (MU-CITY) ZONE:

17.54.120: MU-HISTORIC AND LANDMARK (MU-HIST) ZONE:

17.54.130: MU-COMMUNITY CENTER (MU-COMM) ZONE:

17.54.140: MU-SOUTH CENTER (MU-SOUTH) ZONE:

17.54.150: MU-SOUTH GATEWAY (MU-SGATE) ZONE:

17.54.160: LANDSCAPING:

17.54.170: ARCHITECTURAL STANDARDS:

17.54.180: PARKING AND ACCESS:

17.54.190: FENCING, SCREENING AND CLEAR VISION:

17.54.200: LIGHTING:

17.54.210: OTHER REQUIREMENTS:

17.54.220: MAP:

17.54.010: PURPOSE: 🕯 🖃

The Redwood Road mixed use (MU) zones are established to implement the land use element of the general plan and the Redwood Road centers map, as amended, which is included for reference in this chapter. The purpose of the MU zones is to establish unique and distinct districts in a succession of nodes along the Redwood Road corridor. These districts are defined by separate classes of uses and development standards which identify the character of the individual districts. The allowed uses and standards applicable to each district are set forth in this chapter and are intended to create a distinctive identity representative of the City's quality of life. The MU zones will encourage orderly, aesthetically pleasing development and a balance of uses while discouraging strip commercial with its attendant congestion, pollution and visual blight. (Ord. 2016-05, 5-3-2016)

17.54.020: ZONING MAP DESIGNATIONS: T

The MU zones shall be established according to the boundary of the individual center indicated on the "Redwood Road centers" map and according to the land uses designated on the general plan land use plan map, as adopted or amended by the City Council. The MU zones shall be noted as follows on the official zoning map of the City:

MU-Ngate	Mixed Use-North Gateway Zone
MU-R&D	Mixed Use-Research and Development Zone
MU-City	Mixed Use-City Center Zone
MU-Hist	Mixed Use-Historic and Landmark Zone
MU-Comm	Mixed Use-Community Center Zone
MU-South	Mixed Use-South Center Zone
MU-Sgate	Mixed Use-South Gateway Zone

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

17.54,030: USES: 🔎 🖃

Uses may be conducted in the MU zones only in accordance with the following regulations:

- A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in the MU zones. A conditional use permit must be obtained prior to the establishment of a conditional use. Sexually oriented businesses are prohibited in the MU zones.
- B. All uses established in the MU zones shall be conducted within completely enclosed buildings, except those uses deemed, through conditional use approval, to be customary "outdoor" uses such as recreation, garden nursery, lumberyards or other similar uses.
- C. Accessory uses and buildings are permitted in the MU zones only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, parking areas, utility and loading areas and other buildings and activities which are incidental and subordinate to the permitted or conditional use on the premises. Accessory buildings in residential developments shall meet requirements for residential zones found elsewhere in this title.
- D. There shall be no open storage of trash, debris, used, wrecked or neglected materials, equipment or vehicles in MU zones. No commercial materials, goods or inventory may be stored in open areas in MU zones, except for temporary display items which are removed daily and which may be located only on private property no closer than ten feet (10') from any public right-of-way. No more than twelve (12) small party balloons and six (6) weatherproof placards, each not exceeding two feet (2') square per business, may be attached to the displays and shall be removed daily with the displays. All other signs and devices are prohibited. Outdoor storage of inventory or products such as firewood, water softener salt, garden supplies and building materials is permitted only in screened areas approved for such purpose with site plan review.
- E. No vehicle, boat or trailer, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, attended or not, may be parked or stored in MU zones for longer than seventy two (72) hours unless stored within a completely enclosed building or opaque fence enclosure which completely obscures said vehicle or parts from public view. No more than two (2) such vehicles may be so stored on a lot in MU zones. No commercial vehicles such as earthmoving or material handling equipment, semitrucks or trailers or any commercial truck, trailer or vehicle may be stored in MU zones for longer than seventy two (72) hours, except in conjunction with an approved use or approved development or construction activities on the property.
- F. Watercraft, trailers, campers, motor homes and other utility or recreational vehicles shall be stored within lawfully constructed buildings or behind the front line of the main building on the lot or parcel in an MU zone, except that said vehicles may be stored temporarily in front or street side yards for no longer than seventy two (72) hours. Recreational and utility vehicles may be stored permanently in the street side yard of a corner lot only if stored completely behind the front line of the main building and at least eight feet (8') from the street right-of-way line and if enclosed with a six foot (6') high solid vinyl or masonry fence. Travel trailers, campers and motor homes may not be occupied as living quarters in MU zones, except that a vehicle owned by a guest of the resident may be stored and occupied in the required front yard or side yard of the permanent dwelling for no more than seven (7) days per calendar year.
- G. Home occupations may be licensed in any residence in MU zones according to provisions of title 5, chapter 5.38 of this Code.
- H. Religious activities may be allowed in MU zones with approval of a conditional use permit. (Ord. 2018-14, 7-17-2018)

17.54.040: SITE PLAN/PLAT APPROVAL: 🌑 🖃

All uses proposed in the MU zones shall be established in conjunction with an approved conditional use permit, site plan, subdivision plat or condominium map. Procedures and requirements of this title and title 16 of this Code concerning site plan, condominium map and plat approval shall be followed in the preparation and review of developments proposed in the MU zones. All uses shall be conducted according to the approved site plan, condominium map or plat and any conditions of approval. Site plans or plats may be altered according to procedures set forth in title 16 of this Code. (Ord. 2016-05, 5-3-2016)

17.54.050: ZONE AND PROJECT AREA:

The minimum area of any MU zone shall be five (5) acres. The minimum area of any project in the MU zones shall be five (5) acres. "Project" shall be defined as any residential, commercial, institutional, office or mixed use development for which preliminary plat, map or site plan approval has been proposed or granted. If a project is proposed to be smaller than five (5) acres, a concept plan shall be prepared according to section 16.24.030 of this Code with the involvement of the neighboring property owners and submitted for review by the Planning Commission. The concept plan shall facilitate future coordination of land use, access, parking, landscaping and building placement between the parcel proposed for development and neighboring parcels. The area for which the concept plan shall be prepared will be determined by the Community Development Department but shall include, at a minimum, all parcels within five hundred feet (500') of the subject parcel. After reviewing the concept plan, the Planning Commission may authorize the developer to proceed with the site plan application according to the concept plan, require modifications to the concept plan before proceeding with the site plan or reject the

concept plan. If the applicant proceeds with the site plan application, the concept plan may be considered by the Planning Commit approving or denying the site plan for the project. Any project under five (5) acres in area shall be a conditional use in the MU zones. (Ord. 2016-05, 5-3-2016)

17.54.060: LOT FRONTAGE, WIDTH AND COVERAGE: ©

A. No minimum lot width is required for lots in MU zones, except for single-family lots developed to R-2.5 standards which shall have a minimum width of ninety feet (90') measured at the minimum front yard setback at a point which corresponds to the midpoint of the front lot line.

B. Each lot developed to R-2.5 standards shall abut the right-of-way line of a public street a minimum distance of ninety feet (90'), except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right-of-way a minimum distance of fifty feet (50').

C. All developments not meeting R-2.5 standards shall abut a public street a minimum distance of one hundred fifty feet (150').

D. Side property lines shall be within five degrees (5°) of perpendicular to the front lot line.

E. No maximum lot coverage by buildings is required in the MU zones, except for single-family (R-2.5 standards) residential development, in which case the maximum lot coverage shall be forty percent (40%). (Ord. 2016-05, 5-3-2016)

17.54.070: YARD REQUIREMENTS: T

The following minimum yard areas are required in the MU zones. The "project perimeter" yard area shall be measured from the exterior boundary of the preliminary plat or site plan. Yard requirements for self-storage facilities shall be determined with development review. Yards indicated as "landscaped" shall be landscaped with lawn, trees, shrubs or other plant material, except for necessary driveways and walkways.

A. Single-family residential (R-2.5 Zone standards):

Tr.	30	foot (landaganad)
Front	50	feet (landscaped)
Side	10	feet
Corner lot street side	30	feet (landscaped)
Collector street side	35	feet
Rear	25	feet
Corner lot rear	10	feet
Collector street rear	35	feet

B. Office and institutional:

Front and street side	20	feet (landscaped)
Project perimeter adjacent to office use	0	feet
Project perimeter adjacent to retail use	5	feet (landscaped)
Project perimeter adjacent to multi- family residential use	10	feet (landscaped)
Project perimeter adjacent to single- family residential or agricultural use	10	feet (landscaped)
Between buildings	20	feet (landscaped, may be partially paved)

Front and street side	20	feet (landscaped)
Project perimeter adjacent to office use	5	feet (landscaped)
Project perimeter adjacent to retail use	0	feet
Project perimeter adjacent to multi- family residential use	10	feet (landscaped)
Project perimeter adjacent to single- family residential use	15	feet (landscaped)
Between buildings	0	feet

- D. The minimum side and rear landscaped yards for office and retail buildings or structures adjacent to residential or agricultural zones or uses shall be an additional foot for each foot of building height over twenty five feet (25'). The minimum setback from property lines for accessory buildings and structures exceeding twelve feet (12') in height shall be increased by one foot (1') for each foot of height in excess of twelve feet (12'). At least fifty percent (50%) of additional required yard areas shall be landscaped.
- E. Projections into required yard areas shall be regulated according to the respective residential (R-1.8, R-2.5, R-3, R-M), commercial (C-C, C-N), industrial (C-I) and office (P-O) requirements found elsewhere in this title.
- F. Should an adjacent property have a future land use designation that is commercial, office or industrial, the required minimum interior side and/or rear yard may be reduced if approved by the Planning Commission with site plan review. (Ord. 2016-05, 5-3-2016)

17.54.080: OPEN SPACE: **

Open space is landscaped area, including required landscaped yard areas. Open space may include recreational improvements, including sports courts, swimming pools and walking paths. All open spaces shall be preserved and properly maintained by the owners. A perpetual open space easement or common area shall be recorded for developments by an owners' association with power to assess and collect fees for maintenance. Open space requirements for self-storage facilities shall be determined with development review. The following minimum landscaped open spaces shall be provided in the MU zones:

Multi-family residential	16 percent of gross area
Office, plant or institutional	15 percent of gross area
Retail	None
Single-family residential (R-2.5 Zone standards)	None

(Ord. 2018-12, 7-17-2018)

17.54.090: MIXED USE-NORTH GATEWAY (MU-NGATE) ZONE: 🗨 🖃

- A. Purpose: The Mixed Use-North Gateway Zone (MU-Ngate) is established to encourage primarily residential development which is representative of the residential character and lifestyle of the City. This zone will serve to identify and distinguish the City at the north boundary on Redwood Road.
- B. Permitted Uses: The following use may be conducted in the MU-Ngate Zone:

Single-family residential development R-2.5 standards.

C. Conditional Uses: The following uses may be allowed in the MU-Ngate Zone with approval of a conditional use permit:

Active parks, recreation facilities.

Group daycare.

Exhibit C to Development Agreement

Medical or dental office.

Office or commercial PUD or condominium, minimum five (5) acres.

Office service.

Passive parks.

Project smaller than five (5) acres.

Public or quasi-public facilities.

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

17.54.100: MIXED USE-RESEARCH AND DEVELOPMENT (MU-R&D) ZONE: Telephone (MU-R&D)

A. Purpose: The Mixed Use-Research and Development Zone (MU-R&D) is established to encourage primarily office, commercial and high tech laboratories and manufacturing development in a well landscaped campus environment. This zone will establish a visible area in the City for business and research facilities which promotes the use, open space and architectural standards of the community.

B. Permitted Uses: The following uses may be conducted in the MU-R&D Zone:

Office service.

Research and development facilities.

C. Conditional Uses: The following uses may be allowed in the MU-R&D Zone with approval of a conditional use permit:

Group daycare.

High tech light manufacturing, warehousing and distribution.

Office PUD or condominium, minimum five (5) acres.

Offices with customers on the premises.

Project smaller than five (5) acres.

Public or quasi-public uses.

Residential with attached or detached single-family dwellings, not stacked, maximum five (5) units per acre, minimum twenty (20) acres. (Ord. 2016-05, 5-3-2016)

17.54.110: MU-CITY CENTER (MU-CITY) ZONE: Telescope (MU-CITY)

A. Purpose: The mixed use-city center zone (MU-City) is established to provide a centralized retail hub within the 10400 South Redwood Road vicinity. This center will help to meet the routine retail and service needs of local residents and motorists. Development should be geared toward commerce and demonstrate the high architectural standards of the city. "Postmodern" architectural style is encouraged in building design.

B. Permitted Uses: The following uses may be conducted in the MU-City zone:

Health, beauty and fitness services.

Offices with customers on the premises.

Retail uses.

C. Conditional Uses: The following uses may be allowed in the MU-City zone with approval of a conditional use permit:

Active parks, recreation facilities.

Assisted living centers, maximum two (2) stories.

Automotive repairs entirely within enclosed buildings, maximum total of two (2) acres in the MU-City zone (no outside storage of parts, supplies, equipment or damaged vehicles).

Automotive services, including lube, tune up, wash, inspection, tires, mufflers, minor repairs (no outside storage of parts, supplies or equipment).

Banks, credit unions, financial institutions.

Bed and breakfast inn.

Business services.

Care centers, maximum two (2) stories.

Cultural facilities.

Drive-through facilities for allowed uses.

Educational and training activities.

Entertainment, amusement.

Equipment and appliance light repairs and service enclosed within a building.

Fast food with no eating accommodations.

Gas stations, convenience stores.

Group daycare center.

Laundry.

Lumber, building materials and landscaping retail sales yards.

Office or commercial PUD or condominium, minimum five (5) acres.

Office service.

Passive parks.

Pharmacy.

Project smaller than five (5) acres.

Public or quasi-public facilities.

Restaurants.

Self-storage facilities, maximum total of three (3) acres in the MU-City zone. (Ord. 2016-05, 5-3-2016)

17.54.120: MU-HISTORIC AND LANDMARK (MU-HIST) ZONE: ©

A. Purpose: The Mixed Use-Historic and Landmark Zone (MU-Hist) is established to preserve the historic and cultural heritage of the City while providing limited residential, commercial and office opportunities. Uses established in the MU-Hist Zone will reflect and be sensitive to the historic nature of this zone. Buildings should reflect the historic architecture of the State, possibly implementing Victorian characteristics. Historic buildings and sites shall be preserved as required by the City Council.

B. Permitted Uses: The following uses may be conducted in the MU-Hist Zone:

Bed and breakfast lodging.

X III	Item
Minor retail uses.	
Restaurants.	
C. Conditional Uses: The following uses may be allowed in the MU-Hist Zone with approval of a conditional use permit:	
Active parks, recreational activities.	
Cultural facilities.	
Minor business services.	
Office or commercial PUD or condominium, minimum five (5) acres.	
Office service.	
Passive parks.	
Project smaller than five (5) acres.	
Public or quasi-public facilities.	
Schools. (Ord. 2016-05, 5-3-2016)	
17.54.130: MU-COMMUNITY CENTER (MU-COMM) ZONE: The state of the state	
A. Purpose: The Mixed Use-Community Center Zone (MU-Comm) is established to encourage centralized civic facilities with supand compatible office and commercial development. This zone should be characterized by a campuslike environment with pedestramentties.	porting rian
B. Permitted Uses: The following uses may be conducted in the MU-Comm Zone:	
Cultural facilities.	
Office service.	
Restaurants.	
Retail business.	
C. Conditional Uses: The following uses may be allowed in the MU-Comm Zone with approval of a conditional use permit:	
Active parks, recreational facilities.	
Buildings for religious activities.	
Drive-through service.	
Group daycare.	
Health, beauty and fitness services.	
Office or commercial PUD or condominium, minimum five (5) acres.	

Project smaller than five (5) acres.

Passive parks.

Public or quasi-public facilities.

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

17.54,140: MU-SOUTH CENTER (MU-SOUTH) ZONE: ©

Pharmacy.

A. Purpose: The Mixed Use-South Center Zone (MU-South) is established to provide a retail hub at the 11400 South intersection. This center will help to meet the routine retail and service needs of residents in this vicinity and motorists passing through this major

intersection. Development will be geared toward commerce and demonstrate the high architectural standards of the City. An equestrian theme is desired both in uses and architecture. B. Permitted Uses: The following uses may be conducted in the MU-South Center Zone: Health, beauty and fitness services. Offices with customers on the premises. Restaurants. Retail uses. C. Conditional Uses: The following uses may be allowed in the MU-South Center Zone with approval of a conditional use permit: Active parks, recreational facilities. Automotive repairs entirely within enclosed buildings, maximum total of three (3) acres in the MU-South Zone. No outside storage of parts, supplies, equipment or damaged vehicles visible from the street or from adjacent properties is allowed. Automotive services, including lube, tune up, wash, inspection, tires, mufflers, minor repairs. No outside storage of parts, supplies, equipment or damaged vehicles visible from the street or from adjacent properties is allowed. Banks, credit unions, financial institutions. Bed and breakfast lodging. Business services. Cultural facilities. Drive-through service. Educational and training activities. Entertainment, amusement. Equipment and appliance light repairs and service enclosed within a building. Fast food with no eating accommodations. Gas stations, convenience stores. Group daycare center. Laundry. Lumber, building materials and landscaping retail sales yards. Office or commercial PUD or condominium. Office service. Passive parks.

Project smaller than five (5) acres.

Public or quasi-public facilities.

Self-storage facilities, maximum total of three (3) acres in the MU-South Zone. (Ord. 2018-02, 4-3-2018)

17.54.150: MU-SOUTH GATEWAY (MU-SGATE) ZONE: 🎱 🖃

- A. Purpose: The Mixed Use-South Gateway Zone (MU-Sgate) is established to encourage primarily office development which is representative of the character and lifestyle of the City. This zone will serve to identify and distinguish the City at the south boundary on Redwood Road. Architecture should be residential in scale and flavor.
- B. Permitted Uses: The following use may be conducted in the MU-Sgate Zone:

Office service.

C. Conditional Uses: The following uses may be allowed in the MU-Sgate Zone with approval of a conditional use permit:

Active parks, recreation facilities.

Group daycare.

Office or commercial PUD or condominium.

Passive parks.

Project smaller than five (5) acres.

Public or quasi-public facilities. (Ord. 2016-05, 5-3-2016)

17.54.160: LANDSCAPING: 🖜 🖃

- A. The following landscaping requirements shall apply in the MU zones:
- 1. Single-family residential: The front and side yards of single-family lots shall be landscaped and properly maintained with grass, trees and other plant material unless otherwise approved with a conditional use permit.
- 2. Multi-family residential: Grass, shrubs, ground cover, two inch (2") or larger caliper deciduous trees, seven feet (7') or taller evergreen trees; grass and two inch (2") or larger caliper deciduous trees in public park strips.
- 3. Office, plant or institution: Grass, shrubs, ground cover, two inch (2") or larger caliper deciduous trees, seven feet (7') or taller evergreen trees; grass and two inch (2") or larger caliper deciduous trees in public park strips.
- 4. Retail business: Grass, shrubs, ground cover, two inch (2") or larger caliper deciduous trees, seven feet (7') or taller evergreen trees; grass in public park strips.
- B. Areas of a development that are not covered by paving or buildings shall be landscaped. All required landscaping in yard areas and open spaces, except in R-2.5 developments, shall be installed or escrowed (due to weather) prior to occupancy.
- C. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners unless otherwise allowed with development approval.
- D. Trees may not be topped nor may any landscape material be removed without city approval unless replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.
- E. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.
- F. 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.
- G. In commercial and institutional developments, minimum five foot (5') landscaped planters shall be provided along the street sides of buildings except at building entrances or drive-up windows. In office developments, said planters shall be provided around the entire building except at building entrances or drive-up windows.

- H. All landscaped areas other than in single-family residential developments shall be separated from driveways and parking areas w minimum four inch (4") high curbs.
- I. Minimum three (3) to four foot (4') high berms or hedges shall be provided in landscaped areas between public streets and parking areas of developments in the MU zones. Berms or hedges are not required where the entire area, excluding walkways, between the public street and a building is landscaped.
- J. Trees shall be planted on private property, except in R-2.5 developments, at the minimum rate of one per seven hundred (700) square feet of required landscaped area. At least thirty percent (30%) of all required trees, excluding public park strip trees, shall be evergreens.
- K. Trees are required in park strips along collector and arterial streets and shall be selected from and planted according to the city street tree plan. Trees shall be planted along the property side of the sidewalk on Redwood Road thirty feet (30') on center and six feet (6') from the sidewalk. Grass shall be planted and maintained in the park strip along Redwood Road.
- L. Developments which 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 may be counted toward required open space for the development. Waterways which traverse developments may be left open if properly landscaped and maintained. Any entity or agency having jurisdiction over said waterways must grant approval for any redevelopment of said waterways.
- M. All development applications shall be accompanied by landscape plans prepared by a professional landscape architect. (Ord. 2016-05, 5-3-2016)

17.54.170: ARCHITECTURAL STANDARDS: 🎱 🖃

- A. The following architectural standards are required for the respective uses listed in the MU zones:
- 1. Single-family residential: Brick or stone in the minimum amount of two feet (2') times perimeter of the foundation (including garage); minimum five to twelve (5:12) roof pitch; minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent) per dwelling; minimum two thousand four hundred (2,400) square feet minimum dwelling unit size.
- 2. Multi-family residential: Brick or stone in the minimum amount of two feet (2') times perimeter of the foundation (including garage) and stucco; minimum five to twelve (5:12) roof pitch; minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent) per dwelling; minimum two thousand four hundred (2,400) square feet per dwelling.
- 3. Small office, plant, institution or retail business (less than 5,000 square foot building): Minimum of fifty percent (50%) brick or stone; 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. Decorative accents and trim of other materials are permitted with planning commission approval. Roofs to be hipped or gabled with minimum six to twelve (6:12) pitch.
- B. All building materials shall be high quality, durable and low maintenance. All buildings and structures in MU zones shall be maintained in good condition.
- C. Remodeling or refacing of buildings, except in R-2.5 developments, may not be commenced without the approval of the planning commission.
- D. All masonry and concrete materials, except minimal foundations, shall be integrally colored.
- E. Exterior walls of buildings, except for single-family dwellings, in excess of forty feet (40') in length, shall have relief features at least four inches (4") deep at planned intervals.
- F. All sides of multi-family dwellings containing more than four (4) units shall receive similar design treatment.
- G. Maximum height of all buildings in the MU zones shall be thirty five feet (35').
- H. Signs shall meet requirements of title 16, chapter 16.36 of this code according to P-O zone standards for office uses and according to C-C zone standards for commercial uses and shall be constructed of materials which are compatible with the buildings which they identify.
- I. All buildings and signs in individual developments shall possess a consistent architectural theme which reflects the character of the district in which they are located.
- J. All buildings and structures shall be designed by a licensed professional architect.
- K. Any site or building in MU zones believed by the city council to have historical significance shall be preserved for a maximum period of six (6) months upon written notification to the city that a change in use, redevelopment or demolition of the property is desired. The owner or developer of the subject site or building shall request that the city make a determination on the disposition of the property. If the city

council determines that preservation is desired, negotiations should be undertaken and finalized within the six (6) month period. If negotiations to preserve the site or building are not completed or continued in a mutually acceptable manner within six (6) months, the building or site may be redeveloped, remodeled or demolished in conformance with the provisions of this chapter.

L. Attached garages on single-family residential corner lots may be located on the interior side of the lot or on the street side of the lot only if the garage is accessed directly from the side street. (Ord. 2016-05, 5-3-2016)

17.54.180: PARKING AND ACCESS: 🌑 🖃

The following parking and access requirements shall apply in the MU zones:

- A. Parking areas and vehicle access shall meet the requirements of title 16, chapter 16.26 of this Code. Defined pedestrian access shall be provided between adjacent developments, buildings and parking areas as required by the Planning Commission. Sidewalks over which parked vehicles may overhang shall be at least six feet (6') wide on single parking rows and eight feet (8') wide between double loaded rows. Sidewalks shall be at least six inches (6") higher than driveway and parking surfaces. An eight foot (8') wide sidewalk shall be required along Redwood Road and shall be set back a minimum of two feet (2') from the right-of-way line. The eight foot (8') sidewalk shall be considered landscaping for purposes of this chapter. Park strips (minimum 12 feet wide) between the sidewalk and the curb shall be landscaped and maintained with grass.
- B. If approved by the Planning Commission, cash may be paid to the City for future construction of improvements for roads which are designated for widening in the Transportation Master Plan.
- C. Access to public streets shall be approved by the City Engineer and, if a State road, by UDOT. Vehicle access to developments from collector and arterial streets shall be shared as required by the Planning Commission. Driveways and streets intercepting or intersecting the same collector or arterial street shall be separated by a minimum distance of three hundred feet (300'). Double frontage lots may be accessed only from a subdivision or neighborhood street, not from a collector or arterial street.
- D. Streets and related improvements shall be designed, constructed and dedicated according to State and/or City standards and according to the design widths established by the Transportation Master Plan and the Road and Bridge Design and Construction Standards of the City. Proposed streets on the Redwood Road Land Use Plan, or other acceptable alignments, shall be implemented with new development and shall be designed to right-of-way widths as specified by the City Council.
- E. New development shall make reasonable accommodation for mass transit facilities. The developer shall consult the State transit authority as required by the City.
- F. Easements, rights-of-way or improvements shall be provided for urban trails according to the City Trails Plan or as required by the Planning Commission.
- G. Loading areas shall be located at the rear of buildings and shall be separated from parking areas.
- H. Buildings shall be arranged in clusters to encourage pedestrian access. Areas between streets or parking areas and the building or at the center of the building cluster shall consist of sidewalks, plazas, landscaped planters with shade trees, benches, waste receptacles and other street furniture and amenities as approved and required by the Planning Commission. On street parking may be allowed in calculating the minimum parking requirement; provided, that sufficient street width is provided to accommodate said parking. (Ord. 2016-05, 5-3-2016)

17.54.190: FENCING, SCREENING AND CLEAR VISION: T

The following fencing, screening and clear vision requirements shall apply in the MU Zones: (Ord. 2016-05, 5-3-2016)

- A. All mechanical equipment, antennas, 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 high as the receptacle itself, but not less than six feet (6') in height, 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)
- B. Incompatible land uses shall be screened with six foot (6') vinyl, simulated wood or masonry fences as determined by the Planning Commission. A minimum six foot (6') decorative masonry wall is required between commercial or office zones and agricultural or residential zones. A higher fence or wall may be allowed or required by the Planning Commission in unusual circumstances. A building permit is required for fences or walls over six feet (6') high. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined by the Planning Commission.

C. In residential developments and except for development perimeter fencing, no wall, fence or opaque hedge or screening materia than six feet (6') shall be erected or maintained in any rear or side yard. Buffering and screening elements associated with a private recreation facility shall be exempt from this section.

- D. In residential developments, no wall, fence or screening material shall be erected between a street side building line and a street, except as required in subsection A of this section.
- E. Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and the street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets.
- F. Any wall or fence erected or maintained at the rear or side property line in residential developments adjacent to and parallel with a collector or arterial street shall be six feet (6') tall and shall be constructed in accordance with provisions for collector street fencing in section 16.04.200 of this code. A building permit is required for construction of a collector street fence. Construction drawings and brick samples are required. Collector street fences shall be installed so as to prevent weed growth between the fence and the public sidewalk. Other fences may be installed no closer than twenty feet (20') from any street right of way line, except as otherwise prohibited in this title. Proposed modifications to collector street fencing must be consistent with adjacent fencing provided that the adjacent fencing meets requirements for collector street fencing. Proposed collector street fences may not be installed until reviewed by the community development director or his designee. (Ord. 2016-05, 5-3-2016)

17.54.200: LIGHTING: Telescope 197.54.200



The following lighting requirements shall apply in the MU zones:

- A. A lighting plan shall be submitted with all new developments in the MU zones. Site lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.
- B. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.
- C. Lighting fixtures on public property shall be architectural grade. A single streetlight design, approved by the city council and the engineering department, will be used on the same street. (Ord. 2016-05, 5-3-2016)

17.54.210: OTHER REQUIREMENTS: 🎾 🖃

- A. Private Covenants: Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants and restrictions ("CC&Rs") to city staff for review. The CC&Rs shall be recorded concurrently with the final plat and, except where the city has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:
- 1. An opinion of legal counsel licensed to practice law in the state that the project meets requirements of state law.
- 2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to city conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by city staff and approved by the planning commission.
- 3. Language consistent with section 17.04.300 of this title.
- B. Grading And Drainage: All residential developments shall be graded according to the city's engineering and building requirements to provide adequate drainage in said developments. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.
- C. Maintenance: All private common areas in residential developments shall be properly maintained by the owners.
- D. Easements: Permanent buildings may not be located within a public easement.
- E. Phasing Plan: A project phasing plan shall be submitted for review by the planning commission at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the planning commission. (Ord. 2016-05, 5-3-2016)

17.130.050: PLANNED DEVELOPMENT FLOATING ZONE: 🕶 🖃



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: 🗪 🖃



A. Procedure:

1. Concept: A concept plan, that includes a preliminary site layout, basic sketches of proposed buildings, and a general understanding of proposed uses, shall be submitted for city council review. Applicants are encouraged to work with staff prior to application to achieve an understanding of the surrounding area, the purpose of the base zone, and the goals and policies of the city's general plan. The council shall provide advisory comments and recommendation regarding the concept plan to assist in the preparation of the development plan according to subsection B of this section. No action will be taken by the council, and comments and recommendations will not obligate, compel, or constrain future action by the council.

2. Rezone: A PD district shall only be established upon approval by the city council as a rezone according to the provisions of chapter 17.22, "Zoning Amendments", of this title and as may be required elsewhere in this title, except that the requirement for a conceptual plan in subsection 17.22.030D of this title shall be replaced with a development plan according to subsection B of this section. The

development plan shall be approved by development agreement in conjunction with the rezoning approval.

3. Concurrent Site Plan Or Preliminary Subdivision (Optional): At the applicant's option and with the approval of the development services director, the applicant may submit a site plan application and/or preliminary subdivision application to be processed concurrently with a PD rezone. In the case of concurrent applications, planning commission approval of a concurrent site plan and/or preliminary subdivision shall be contingent on the city council's approval of the PD rezone.

B. Development Plan Requirements:

1. A written statement shall be provided that explains the intent of the proposal, explains how the PD provisions will be met, and identifies the requested revisions to standard zoning and development provisions.

2. A map and other textual or graphic materials as necessary to define the geographical boundaries of the area to which the requested PD district would apply.

3. A development plan shall also include:

- a. Site plan/conceptual subdivision plan;
- b. Circulation and access plan;
- c. Building elevations, materials, and colors;
- d. Landscape and open space plan;
- e. Signage plan;
- f. Lighting plan; and
- g. Allowed uses.

C. Prohibited:

1. Sexually oriented businesses shall not be allowed in a PD district where otherwise prohibited by this code.

2. A PD district shall not be approved in the P-C zone or single-family residential zones (R-1.8, R-2.5, R-3, R-4, R-5).

D. Effect Of Approval:

1. All of the provisions of this code, including those of the base zone, shall be in full force and effect, unless such provisions are expressly waived or modified by the approved development plan and/or development agreement.

2. An approved PD district shall be shown on the zoning map by a "-PD" designation after the designation of the base zone district.

3. No permits for development within an approved PD district shall be issued by the city unless the development complies with the

approved development plan.

4. The development services director may authorize minor deviations from an approved development plan to resolve conflicting provisions or when necessary for technical or engineering considerations. Such minor deviations shall not affect the vested rights of the PD district and shall not impose increased impacts on surrounding properties.

E. Vested Rights:

1. A property right that has been vested through approval of a PD district shall remain vested for a period of three (3) years or up substantial commencement of the project. A property right may be vested, or an extension of a vested property right may be granted, for a period greater than three (3) years only if approved by the city council through an approved PD district.

2. Substantial commencement shall be the installation of infrastructure, a building having started construction, or as determined by the development services 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 chapter. (Ord. 2016-05, 5-3-2016)

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. Any amendment to an approved PD district requires that the corresponding development agreement also be amended. (Ord. 2016-05, 5-3-2016)

EXHIBIT D

(Resolution R2019-01 - To Be Inserted Once Executed)

EXHIBIT E

(Ridgeview @ South Jordan Master Development Plan)

RIDGEVIEW © SOUTH JORDAN

MASTER DEVELOPMENT PLAN



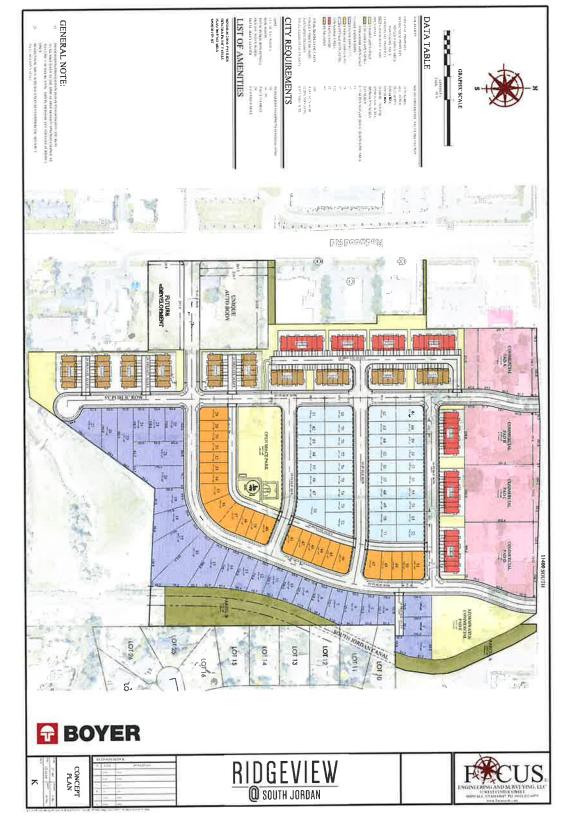
TABLE OF CONTENTS – DESIGN GUIDELINES

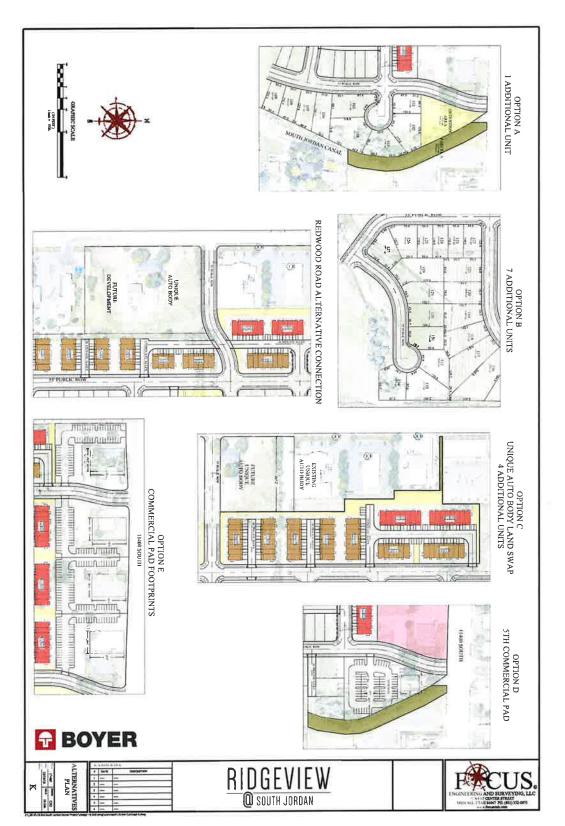
Ridgeview Purpose Statement Concept Plan - Ridgeview @ South Jordan Concept Plan - Ridgeview Alternative Options Concept Plan - Ridgeview Setbacks Concept Plan - Ridgeview Right of Way Concept Plan - Ridgeview Landscape & Amenity Plan Concept Plan - Ridgeview Phasing & Circulation Permitted and Conditional Commercial Uses: Ridgeview Permitted Uses	3 10 10 10 10
Concept Plan – Ridgeview Phasing & Circulation	9
Permitted and Conditional Commercial Uses: Ridgeview	10
Permitted Uses	10
Conditional Uses	10
Commercial Lighting Standard	11
Commercial Signage Locations	12

Ridgeview Purpose Statement

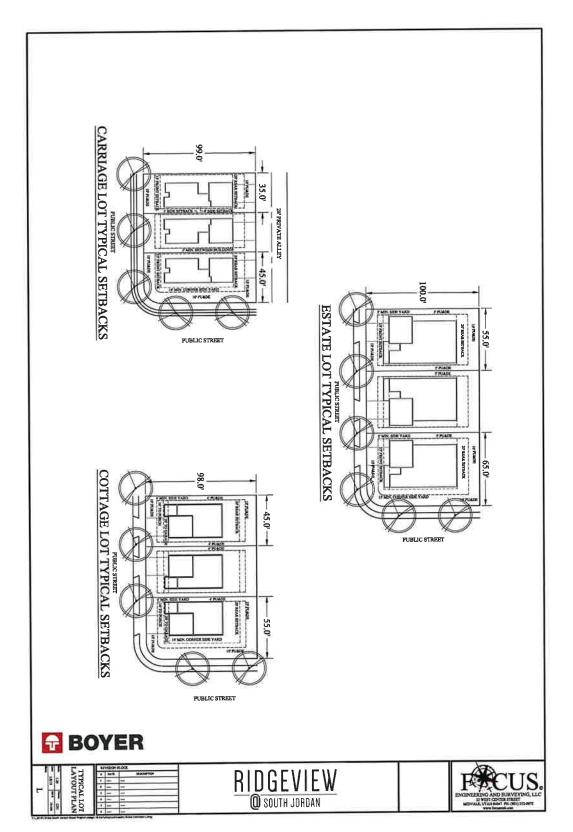
community, and well as the surrounding area. Permitted and conditional uses are outlined below. the west and north of the property, and residential to the east. The plan creates infrastructure efficiency by combining pads and a variety of housing types — that is both complementary to the adjacent land uses which feature commercial to connects to 11400 South and Redwood Road. The plan incorporates innovative site design featuring multiple lot types, multiple parcels under different ownership, and implementing site design and road network for the entire area that South Jordan Project (PD-Ridgeview). The proposed plan for the property creates a mixture of uses — including commercial 11400 South and Redwood Road into South Jordan City Planned Development Floating Zone (PD) as the Ridgeview at The Boyer Company is seeking zoning approval of approximately 35 acres of property located at the southwest corner of increasing the ability for buyers to purchase a home in the community. The commercial pads will provide services for the

Concept Plan - Ridgeview @ South Jordan

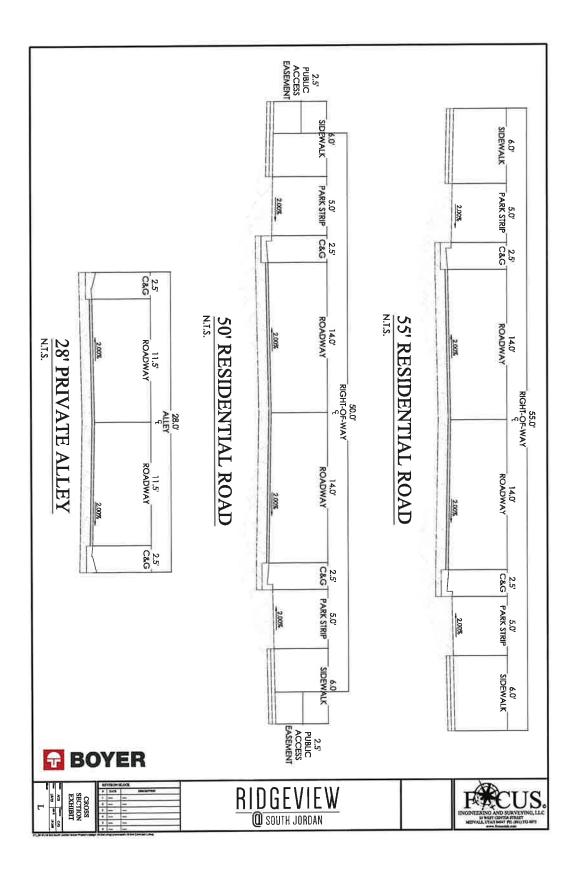




Concept Plan - Ridgeview Alternative Options

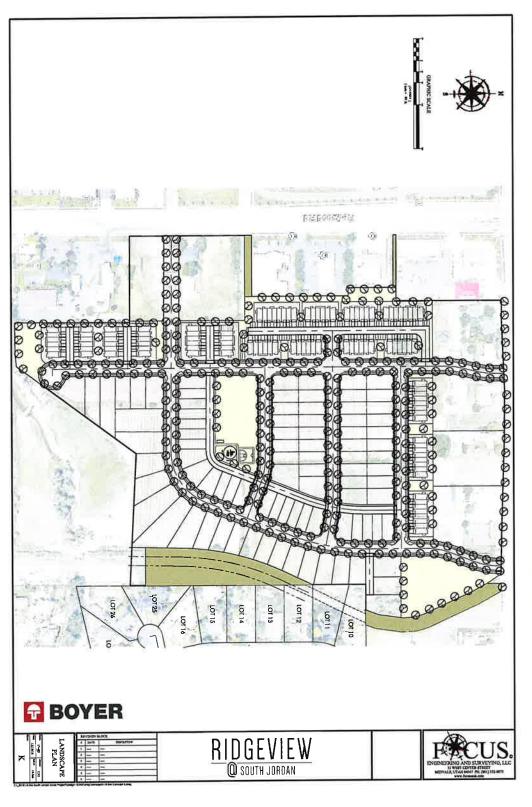


Concept Plan - Ridgeview Setbacks



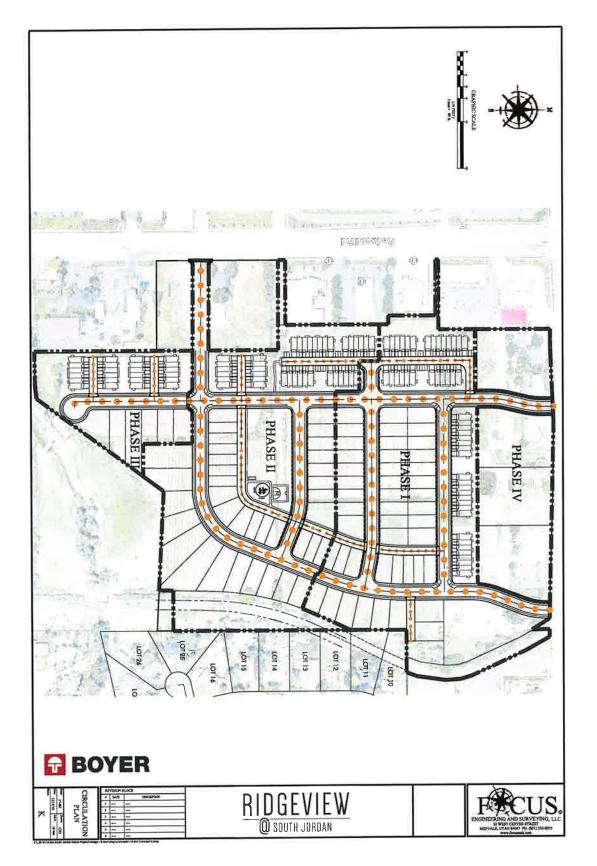
Concept Plan - Ridgeview Right of Way

Concept Plan - Ridgeview Landscape & Amenity Plan



Amenities Include: Pavilion with a minimum of 250 square feet, picnic tables and benches, ½ court basketball court or similar size sports court, and playground

Concept Plan - Ridgeview Phasing & Circulation



Permitted and Conditional Commercial Uses: Ridgeview

Permitted Uses

The following uses may be conducting in the PD-Ridgeview Zone:

- Health, beauty and fitness services
- Offices with customers on the premises
- Restaurants
- Retail uses
- Retail uses with drive-thru
- Unless prohibited herein, all uses permitted in 17.18.030.050: Commercial Use Regulations shall be permitted

Conditional Uses

The following uses may be allowed in the PD-Ridgeview Zone with approval of a conditional use permit:

- Active parks, recreational facilities
- Banks, credit unions, financial institutions
- Bed and breakfast lodging
- Business services
- Cultural facilities
- Drive-through service
- **Educational and training activities**
- Entertainment, amusement
- Equipment and appliance light repairs and service enclosed within a building
- Fast food with no eating accommodations
- Group daycare center
- Office or commercial PUD or condominium
- Office service
- Pharmacy
- Public or quasi-public facilities

Commercial Lighting Standard



Lighting shall have shield to protect glare, and shall be architectural grade. Lighting shall conform with South Jordan City standards.

Commercial Signage Locations



Signage shall conform with South Jordan City standards.

EXHIBIT F

(Design Guidelines)

RIDGEVIEW OBSOUTH JORDAN

Design Guidelines



Table of Contents – Design Guidelines

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Cottage Lots	4
Carriage Lots	6
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Ridgeview Commercial Architectural Design Guidelines	16
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Ridgeview Residential Architectural Design Guidelines

Estate Lots

Housing Type: Single Family Estate Lots

Orientation: Front Load

Lot Size: Minimum frontage of 51 feet; minimum lot size of 5,500 square feet

Garage and Driveway: Minimum two-car garage that measures at least 22 feet by 22 feet on the inside walls. Minimum 20 foot deep driveway as measured from the back of the sidewalk to the garage door.



Exterior Materials: Stone, brick, masonry or fiber cement composite siding or approved similar by the City of South Jordan Architectural Review Committee ("ARC"), stucco, metal (accent material only), concrete (accent material only)

Single Material: No more than 25% of homes on estate lots can be a single material. Permissible materials for a single-material home are brick, rock, or masonry or fiber cement composite or approved similar. Remaining 75% of homes on estate lots shall have stone or brick, or accent material equivalent to three times the perimeter of the footprint of the home.

Colors: Natural earth tones – greys, tans, browns, soft blue, whites, reds, greens with accent colors as approved by the ARC.

Height: Maximum height of two stories or 35 feet as measured from the top back of curb.

Roof: Roof pitches between 5:12 and 12:12 excluding porches and awnings which can have a minimum pitch of 3:12. The ARC may approve a roof pitch of 1:12 or greater for modern/contemporary homes.

Front Porch: Each home shall have a minimum front porch requirement of 50 square feet with a minimum depth of five feet.

Item H.4.

Repetition: No identical elevation within two lots on either side of the home, or the three lots directly across the street.

Home Style: Each home shall select a style from the residential stylebook and incorporate at least 50% of the key characteristics outlined for the chosen style.

Architectural Review: Each home design (plan, elevation, colors, and materials) shall be reviewed by the ARC prior to submittal for building permit to the City.

Cottage Lots

Housing Type: Single Family Cottage Lots

Orientation: Front Load

Lot Size: 45 feet wide and 50 feet wide lots; minimum lot size of 4,000 square feet Garage and Driveway: Minimum two-car that measures at least 22 feet by 22 feet on the inside walls, or the equivalent thereof. 20 foot deep driveway as measured from the

back of sidewalk to the garage door.



Exterior Materials: Stone, brick, masonry or fiber cement composite siding or approved similar by the ARC, stucco, metal (accent material only), concrete (accent material only)

Single Material: No more than 25% of homes on cottage lots can be a single material. Permissible materials for a single material home are brick, rock, or masonry or fiber cement composite or approved similar. Remaining 75% of homes on cottage lots shall have stone or brick equivalent to two times the perimeter of the footprint of the home.

Colors: Natural earth tones – greys, tans, browns, soft blue, whites, reds, greens with accent colors as approved by the ARC.

Height: Maximum height of two stories or 35 feet as measured from the top back of curb.

Item H.4.

Roof: Roof pitches between 5:12 and 12:12 excluding porches and awnings which can have a minimum pitch of 3:12. The ARC may approve a roof pitch of 1:12 or greater for modern/contemporary style homes.

Front Porch: Each home shall have a minimum front porch requirement of 50 square feet with a minimum depth of five feet.

Repetition: No identical elevation within two lots on either side of the home, or the three lots directly across the street.

Home Style: Each home shall select a style from the residential stylebook and shall incorporate at least 50% of the key characteristics outlined for the chosen style.

Architectural Review: Each home design (plan, elevation, colors, and materials) shall be reviewed by the ARC prior to submittal for building permit to the City.

Carriage Lots

Housing Type: Single Family Carriage Lots

Orientation: Rear Load

Lot Size: Frontage minimum 35 feet; minimum lot size of 2,500 square feet

Garage and Driveway: Minimum two-car garage that measures at least 22 feet by 22 feet on the outside walls. 18 foot deep driveway as measured from the back of curb to

the garage door.





Exterior Materials: Stone, brick, masonry or fiber cement composite siding or approved similar by the ARC, stucco, metal (accent material only), concrete (accent material only)

Single Material: No more than 25% of homes on cottage lots can be a single material. Permissible materials for a single material home are brick, rock, or masonry or fiber cement composite or approved similar. Remaining 75% of homes on carriage lots shall have stone or brick equivalent to two times the perimeter of the footprint of the home.

Colors: Natural earth tones – greys, tans, browns, soft blue, whites, reds, greens with accent colors as approved by the ARC.

Height: Maximum of two stories or 35 feet as measured from the top back of curb.

Roof: Roof pitches between 5:12 and 12:12 excluding porches and awnings which can have a minimum pitch of 3:12. The ARC may approve a roof pitch of 1:12 or greater for modern/contemporary homes.

Front Porch: Each home shall have a minimum front porch requirement of 35 square feet with a minimum depth of five feet.

Repetition: No identical elevation within four lots on either side of the home.

Home Style: Each home shall select a style from the residential stylebook and shall incorporate at least 50% of the key characteristics outlined for the chosen style.

Home Size: Carriage lots shall have a minimum square footage of 1,500 square feet per dwelling.

Architectural Review: Each home design (plan, elevation, colors, and materials) shall be reviewed by the ARC to submittal for building permit to the City.

Townhomes

Housing Type: Townhomes

Orientation: Front Load and Rear Load

Driveway: Minimum driveway length of 18 deep. For front load townhomes driveway shall be measured from the back of sidewalk to the garage door, or for rear load townhomes driveway shall be measured from the back of curb to the garage door. At least 50% of the townhomes must have two-vehicle garages, and the remaining

townhomes must have at least a one-vehicle garage.









Exterior Materials: Stone, brick, masonry or fiber cement composite siding or approved similar by the ARC, stucco, metal (accent material only), concrete (accent material only)

Single Material: No more than 20% of townhomes can be a single material. Permissible materials for a single material home are brick, rock, or masonry or fiber cement composite or approved similar. Remaining 80% of townhomes shall consist of a combination of at least two of the specified exterior materials (not including accent materials).

Colors: Natural earth tones – greys, tans, browns, soft blue, whites, reds, greens, with accent colors as approved by the ARC.

Height: 40 feet for all townhomes.

Roof: Roof pitches between 5:12 and 12:12 excluding porches and awnings which can have a minimum pitch of 3:12. The ARC may approve a roof pitch of 1:12 or greater for modern/contemporary style homes.

Repetition: No identical buildings (set of attached townhomes) shall be placed next to each other.

Home Style: Each home shall select a style from the residential stylebook and shall incorporate at least 50% of the key characteristics outlined for the chosen style.

Home Size: Townhomes shall have a minimum square footage of 1,250 square feet per dwelling.

Architectural Review: Each home design (plan, elevation, colors, and materials) shall be reviewed by the ARC prior to submittal for building permit to the City.

Residential Stylebook

Colonial

- Typically two story.
- Symmetrical front elevation with centered front door.
- Divided light windows centered on both sides of the front door.
- Medium pitched roof running parallel to the street with gables on each end.
- Classically inspired entry portico, decorative pediment, crown molding, or other ornamentation above the door.
- Horizontal siding, straight lines throughout the building.



Symetrical front elevation.



Classically inspired entry portico.



Symetrical front elevation with decorative pediment.

Contemporary/Modern

- Typically two story.
- Highlighted front door with vertical elements, or roof overhangs.
- Typically includes large windows.
- Low pitched hip, flat, or shed roof.
- Strong sense of entry from the street.
- Horizontal or vertical siding, stucco, brick or cut stone with clean forms.



Blend of classic and modern elements and materials.



lean forms.

Cottage

- Asymmetrical front elevation.
- Gabled, enclosed entry, Doors and/or entry may be half-rounded or arched.
- Windows are often tall and narrow with small panes.
- Roof is typically steeply pitched, cross-gabled.
- Exterior materials typically include brick, stone, or stucco siding with accents of fiber cement board.



Tall, narrow windows.



Asymetrical front elevation, steeply pitched roof.



Gabled, enclosed, arched entry.

Craftsman

- Decorative beams or braces under gables.
- Windows with divided panes in upper sash and a single pane in lower sash.
- Roof is low pitched, hipped or gabled with wide eave overhangs and exposed rafters.
- Exterior materials typically include horizontal siding, stone, shingle and stucco.
- Medium to large front porches with heavy square or tapered columns that may be full length or resting on a base that is dressed with stone or stucco.



Exposed beams and shingle siding.



Substantial covered porch with dormer above.



Complex roof lines, exposed beams and covered porch.

Farmhouse/Country

- Large front porches or wrap-around porch with a decorative porch railing.
- Gable roof with medium to steep roof pitch. Can also be cross-gabled with second floor dormer windows. Main gable runs parallel to street.
- Symmetrical windows, often with shutters.
- Exterior materials typically include horizontal siding, stone and metal.



Wrap-around porch with wood handrails.



Substantial front porch with dormers above.



Medium pitched roof with cross-gable.

Prairie

- Two story homes. Have one-story windows or porches.
- Symmetrical or Asymmetrical front elevation with strong layered, horizontal appearance.
- Exposed rafters and beams.
- Broad eaves and substantial covered porches.
- Low-pitched roof, usually hipped.
- Ornamental window clusters and clerestory windows are common.
- Lines and elements with strong horizontal emphasis.
- Stucco, brick, stone and horizontal siding exteriors.



Low pitched roof, broad overhangs, material lines that reinforce horizontal.



Ornamental window cluster.

Ridgeview Commercial Architectural Design Guidelines

Building Types: Retail and Office

Orientation: The front entrance of the buildings may be on any side of the building. The facades facing 11400 South Street shall be clad with storefronts, or entrance doors similar to those shown in the Example Elevations. If a drive-thru is approved, no storefronts or entrance doors shall be required on the 11400 South Street side of the building, and glazing shall be required in customer seating and service areas only, and not in kitchens. Parking is allowed in the rear or side. Parking between buildings and 11400 South Street is prohibited.

Entrance: Front, rear or side entrances are acceptable

Setbacks: Front setbacks (along 11400 South Street) shall be zero to ten feet, except that building with drive thru between building and 11400 South Street shall have a maximum 20 foot setback with a minimum three foot tall bermed landscape area between the right-of-way and the drive aisle. A rock or block wall may be constructed on the drive isle side of the berm, below the apex of the berm, to control slope and increase drive aisle width. Rear yard setback shall be 25 feet and no side yard setback.

Building Facades: Each building shall have the same character and use the same materials, colors, features, forms, and design elements appropriate to the scale of the various building sizes and depths, as illustrated by the Example Elevations.

Building Materials: Primary building primary materials shall consist of granite, metal, composite metal panel, stone, integrally colored EFIS, integrally colored concrete, integrally colored GFRC, tile or other similar material as approved by South Jordan City Staff. More than one material shall be required on all building facades. Buildings shall use a minimum of 50% primary building material.

Glazing: Buildings shall have a minimum of 35% high-efficiency double or triple commercial glazing.

Prominent Entry: Buildings shall have notable entry features which could include an arch or canopy over entry doors, colors or materials that highlight the entry, or entry doors and lobby that extend beyond or are recessed behind the main footprint of the building.

Building Height: No building shall be shorter than 20 feet or taller than forty five feet 45 feet (approximately three floors) as measured from top back of curb, not including the mechanical penthouse.

Screened Mechanical: All mechanical equipment shall be screened from view, either by enclosure, parapet wall, or line of sight.

Item H.4.

Dumpsters: Dumpsters shall be enclosed within a decorative masonry, integrally colored split face CMU or honed CMU enclosure.

Total Landscaping: The minimum landscape percentage for the Commercial shall be 20% inclusive of all commercial lots or phases. A consistent palette of drought tolerant tree types, plant materials, and groundcovers shall be incorporated throughout in relation to the architecture to create a strong and consistent sense of place and identity.

Primary Entrances: The landscaping shall define and enhance primary public entrances into each building.

Outdoor Patios: Ornamental landscaping shall be strategically designed to provide intimate outdoor spaces for public amenities and at pedestrian pathways and entrances.

Buffer: A landscaping buffer of ten feet of vegetation along the south border of the commercial will provide a vegetative shield of the parking area from residential. Any drive-thrus shall provide a landscape buffer shielding vehicle lighting and noise.

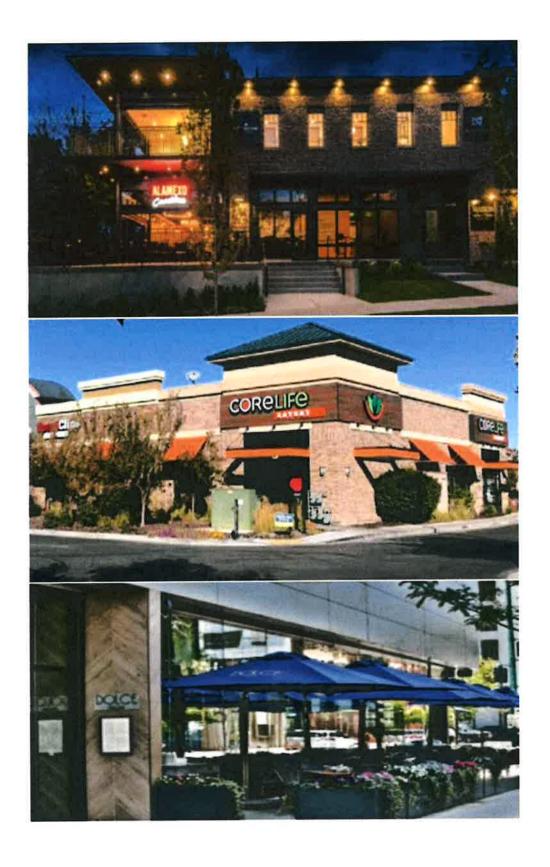
Main Corridor: The main corridor that goes north to south through the project shall be lined with trees on both sides. 40 foot maximum tree spaces shall be required for this corridor. The initial tree size shall have a minimum two inch caliper and be a minimum of six feet high.

Lighting Design: Parking lot lighting shall provide adequate illumination at a minimum 0.5 foot-candles and a maximum of four (4) foot-candles. Parking lot lighting shall utilize cutoff type fixtures. Parking lot lighting shall not be taller than thirty feet (30'). Please see Exhibit B.

Example Elevations









Anna West

From:

Brad Klavano

Sent:

Friday, February 15, 2019 8:33 AM

To:

Anna West; Brad Sanderson

Cc:

Cindy Valdez; Steven Schaefermeyer; Todd Sheeran; Shane Greenwood

Subject:

RE: Ridgeview Development Agreement Status

I would feel more comfortable that they record the development agreement before they get subdivision approvals. I believe there is an escape clause for them if they do not take ownership, so they should just record now.

Thanks

Brad Klavano | Director of Development Services/City Engineer | City of South Jordan

1600 W. Towne Center Drive | South Jordan, UT 84095

Office: 801.254.3742 | Fax: 801.253.5235 | Direct: 801.253.5203 ext 1239











From: Anna West <AWest@sjc.utah.gov> Sent: Thursday, February 14, 2019 11:12 AM To: Brad Sanderson <BSanderson@sjc.utah.gov>

Cc: Cindy Valdez < CValdez@sjc.utah.gov>; Steven Schaefermeyer < SSchaefermeyer@sjc.utah.gov>; Todd Sheeran <TSheeran@sjc.utah.gov>; Shane Greenwood <SGreenwood@sjc.utah.gov>; Brad Klavano <BKlavano@sjc.utah.gov> Subject: RE: Ridgeview Development Agreement Status

That's a long time to hold a Development Agreement. I thought they were supposed to be completely done when taken to City Council for approval?

Anna

From: Brad Sanderson < BSanderson@sic.utah.gov > Sent: Thursday, February 14, 2019 11:08 AM To: Anna West < AWest@sic.utah.gov >

Cc: Cindy Valdez < CValdez@sic.utah.gov >; Steven Schaefermeyer < SSchaefermeyer@sic.utah.gov >; Todd Sheeran <TSheeran@sjc.utah.gov>; Shane Greenwood <SGreenwood@sjc.utah.gov>; Brad Klavano <BKlavano@sjc.utah.gov> Subject: Ridgeview Development Agreement Status

Anna,

I just got off the phone with Spencer Moffat with the Boyer Company, as a follow up to the status of the Ridgeview Development Agreement (resolution R2019-01).

It sounds like they are still moving forward however, they want to get all the way through preliminary and final subdivision plat approval with the Planning Commission and City Staff, and even up to a preconstruction meeting which would enabling them to build the project, before they take fee ownership of the properties, which will allow them to record the Dev. Agreement. It sounds like sometime around mid to end of June. I just wanted you to be aware of their lengthy timeline with regards to this resolution and recordation of the agreement.

Item H.4.

10-10-10-01

Item H.4.

To everyone else, how comfortable are we with further processing and entitling the property, (e.g. city boundary adjustment, preliminary and final plat approval, (which probably includes architecture), traffic studies, fees, preconstruction meetings, etc...), without a recorded agreement? Is there a concern with further entitlement, even though the agreement is signed by the developer, (as a single owner) there will technically still be multiple land owners on title, up until they close and record the agreement?

Thoughts? Suggestions?

RESOLUTION R2019-01

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 APPROXIMATELY LOCATED AT 1549 WEST AND 11400 SOUTH.

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 located at approximately 1549 West and 11400 South (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 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:

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

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

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

[SIGNATURE PAGE FOLLOWS]

ON THIS _15_ DA	Y OF Senuary,			FOLLOWING VO	
	0	YES	NO	ABSTAIN	ABSENT
	Patrick Harris Bradley Marlor Donald Shelton	X			
	Tamara Zander Jason McGuire	*	<u> </u>	6—————————————————————————————————————	
Mayor: Dawn R. Rame	RHMSUX	Attest:	City	Imah.	West
Approved as to form:		3/8	of Soil	18	
Office of the City Attorn	ney	THE REAL PROPERTY OF THE PARTY	Sole o		

Attachment I



RECEIVED

RESOLUTION R2020 - 38

South Jordan Cit A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN W AUTHORIZING THE MAYOR TO SIGN AN AMENDMENT TO THE DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF THE PROPERTY APPROXIMATELY LOCATED AT 1549 WEST 11400 SOUTH.

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah 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 Ann. § 10-9a-102, et seq.; and

WHEREAS, on January 16, 2019, the City Council of the City of South Jordan approved a rezone and development agreement (the "Development Agreement) with the Boyer Company for a property approximately located at 1549 West 11400 South (the "Property") that would allow the development of the Property; and

WHEREAS, Six S Company, LLC retained from the Boyer Company a commercial part of the Property and seeks to amend the Development Agreement with regard to the design guidelines and the rentable square footage requirement; and

WHEREAS, the City Council has determined that it is in the best interest of the public health, safety, and welfare of the City of South Jordan to amend the 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. Authority to Execute. The Mayor of the City of South Jordan is authorized to execute an Amendment to the Development Agreement, attached hereto as Exhibit A.

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

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS LOW DAY OF NIVE , 2020 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
	YES	NO	ADSTAIN	ADSENT
Patrick Harris	X			
Bradley Marlor Donald Shelton	X			-
Tamara Zander	X		· 	
Jason McGuire	-	_X_		
Mayor: MWIR Runsels	Attest	: A	ma Crooks	ton
Dawn R. Ramsey		City	Recorder	Ą

Approved as to form:

Edward Montgomery
Edward Montgomery (Jul 2, 2020 10:57 MbT)

Office of the City Attorney



EXHIBIT A

After recording, please send to: City of South Jordan Attn: City Recorder 1600 West Town Center Drive South Jordan, Utah 84095

Affected Parcel Numbers: See Exhibit "B"

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

This Amendment (this "Amendment") is to the development agreement dated January 16, 2019 recorded as No: 12962067 (the "Agreement").

RECITALS

- A. Six S Company, LLC retained from Developer the commercial part of the Project.
- B. Certain aspects of the Agreement (specifically the "Design Guidelines") along with the elevation of the Project, make the location of the commercial buildings extremely difficult, given the setback requirements in the Design Guidelines.
- C. With the parking requirements and maximizing the size of the buildings, Six S Company, LLC may not be able to comply with Section E(4)a of the Agreement, wherein it stated "obligation to develop or cause to be developed not less than 25,000 rentable square feet of indoor permitted or conditional commercial uses on Commercial Pads (A-D)," Six S Company, LLC requests that the minimum aggregate rentable square footage be reduced from 25,000 to 20,000.
- D. Six S Company, LLC has approached the City with an option that will make the commercial center more viable and still keep the intent of the Design Guidelines. Proposed design is attached as "Exhibit A". Because the proposed design is different than the Design Guidelines, Six S Company, LLC requests that the City Council approve the proposed design.
- E. Accordingly, the parties agree to amend the Agreement as follows:

AMENDMENT

- 1. **Design**. Setback requirements for the 11400 South Right of Way shall be 35 feet for all buildings with the exception of Pad B, the furthest west building on the site, which shall be allowed a 45 foot setback.
- 2. Rentable Square Footage. The rentable square footage requirement is reduced from 25,000 to 20,000.

(SIGNATURE PAGE FOLLOWS)

This Amendment is effective on the date that the last party executes this Amendment as indicated by the date under that party's signature line.

By: DAWN R RAMSON

Its: MANGER

Date: July 8, 2020

Notary for Six S Company

State of Utah

County of Salt Lake

On this 2 day of June, 2020, personally appeared before me Reed W Stallings, whose identity is personally know to me and who by me duly sworn/affirmed, did attest that he is the Manager of Six S Company, LLC and that said document was signed by him in behalf of said LLC by virtue of its Operating Agreement and said Reed W Stallings acknowledged to me that said LLC executed the same.

STEPHANIE SPIELVOGEL NOTARY PUBLIC-STATE OF UTAH COMMISSION# 709947

(notary seal)

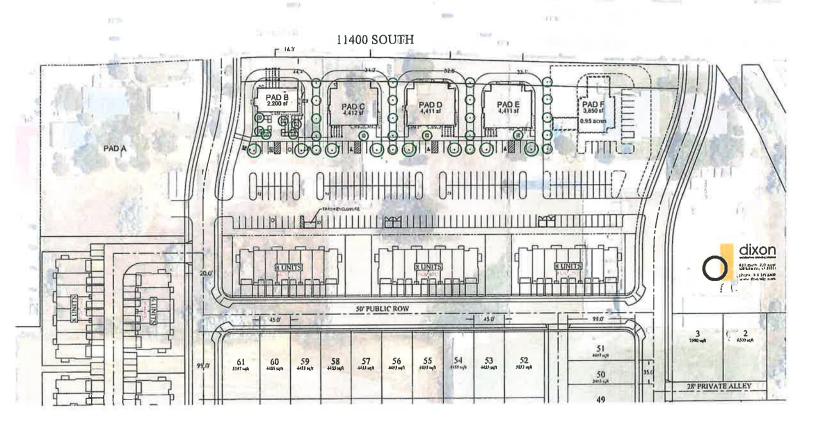
COMM. EXP. 01-20-2024

Approved as to Form:

Edward Montgomery
Edward Montgomery (Jul 2, 2020 10:57 MOT)

Attorney for South Jordan City





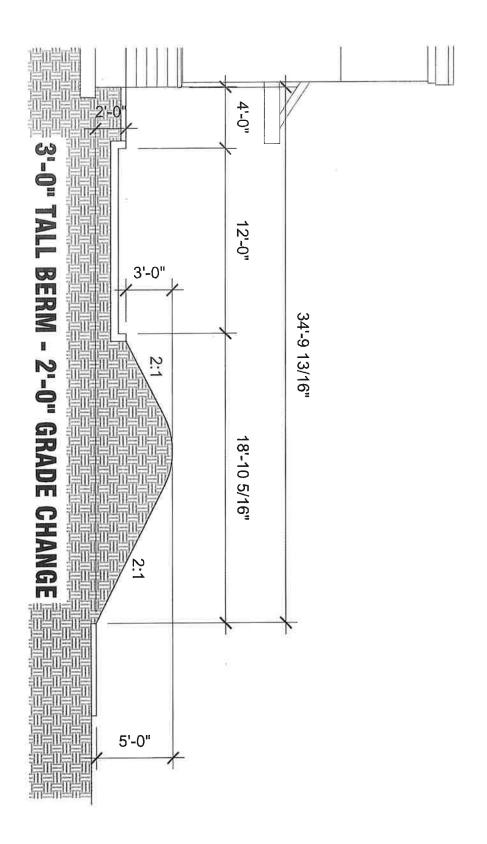


EXHIBIT B

LEGAL DESCRIPTIONS PREPARED FOR THE BOYER COMPANY BOYER & BROWN PARCELS SOUTH JORDAN, UTAH

(March 28, 2019) 18-346

COMPOSITE LEGAL DESCRIPTION

Located in the SE1/4 of Section 22 of Township 3 South, Range 1 West, Salt Lake Base and Meridian. Comprised of Thirteen (13) parcels identified by Salt Lake County Tax Id. Numbers 27-22-451-002, 27-22-401-011, 27-22-401-019, 27-22-401-027, 27-22-426-030, 27-22-401-032, 27-22-401-035, 27-22-401-036, 27-22-401-037, 27-22-401-038, 27-22-401-039, 27-22-401-042 & 27-22-401-043, 27-22-401-045, 27-22-404-024, being more particularly described as follows:

Beginning at a point on the southerly right of way line of 11400 South Street as established by UDOT Project SP-15-7(156)293, being S89°56'45"E 293.00 feet along the quarter section line and S00°07'35'W 49.54 feet from the Center of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point is also 62.61 feet perpendicularly distant southerly from the design line of said project, opposite approximate engineer station 180+61.53, and running thence along said southerly right of way the following seven (7) courses, (1) Easterly along the arc of a 7,940.00 feet radius non-tangent curve to the right (radius bears: S00°20'54"E) 1.04 feet through a central angle of 00°00'27" (chord: N89°39'20"E 1.04 feet); thence (2) N89°51'38"E 71.28 feet; thence (3) N87°33'42"E 251.19 feet; thence (4) S89°28'00"E 156.98 feet; thence (5) Easterly along the arc of a non-tangent curve to the right having a radius of 7,951.00 feet (radius bears: S01°05'55"W) a distance of 104.18 feet through a central angle of 00°45'03" Chord: S88°31'34"E 104.18 feet; thence (6) S88°08'57"E 219.65 feet; thence (7) along the arc of a curve to the left with a radius of 8,049.00 feet a distance of 189.30 feet through a central angle of 01°20'51" Chord: S88°49'22"E 189.29 feet to a point being 49.00 feet perpendicularly distant southerly from the design line of said project, opposite approximate engineer station 190+56.18; thence S34°00'00"E 67.04 feet; thence North 55.34 feet to said southerly right of way line being 49.00 feet perpendicularly distant southerly from the design line of said project; thence Easterly along the arc of a non-tangent curve to the left having a radius of 8,049.00 feet (radius bears: N00°14'11"E) a distance of 25.76 feet through a central angle of 00°11'00" Chord: S89°51'19"E 25.76 feet along said southerly right of way line to the easterly line of the South Jordan Canal as defined in a Special Warranty Deed on file in the Salt Lake County Recorder's office at Entry No.12392264, Book 10489, Page 3855; thence along said easterly line the following six (6) courses, (1) S29°17'25"E 91.65 feet; thence (2) S24°33'50"E 206.80 feet; thence (3) S16°26'05"E 42.89 feet; thence (4) S03°20'12"E 50.82 feet; thence (5) S07°56'04'W 98.58 feet; thence (6) S20°19'11'W 37.30 feet to the north line of Jordan Hills Estates Subdivision on file in the Salt Lake County Recorder's office at Entry No.3298207, Book 79-6, Page 225; thence West 146.06 feet along said northerly line to an easterly deed line of a Warranty Deed on file in the Salt Lake County Recorder's office at Entry No.12786791, Book 10681, Page 9189; thence along said deed S00°07'35'W 795.49 feet to a point on a line established by a Boundary Line Agreement on file in the Salt Lake County Recorder's office at Entry No.12948351, Book 10759, Page 9721; thence along said boundary line agreement the following four (4) courses, (1) S89°56'45'W 138.24 feet to the westerly right of way line of the South Jordan Canal as determined by survey and described by a Deed on file in the Salt Lake County Recorder's office at Book "X", Page 277; thence (2) along said westerly line S01°15'55'W 52.91 feet to an existing fence line; thence (3) N87°08'45"W

341.00 feet; thence (4) S36°31'55'W 299.62 feet to a point on a line established by a Boundary Line Agreement on file in the Salt Lake County Recorder's office at Entry No.12948352, Book 10759, Page 9728; thence along said boundary line agreement the following three (3) courses, (1) S36°31'55'W 239.76 feet; thence (2) S84°14'08'W 45.26 feet; thence (3) S89°50'39'W 112.79 feet to the southeast corner of Poole Subdivision on file in the Salt Lake County Recorder's office at Entry No.6841151, Book 98-1P, Page 15; thence N00°09'33"E 833.12 feet along the easterly line of said Subdivision; thence N89°54'47"W 314.00 feet to the easterly right of way line of Redwood Road as established by UDOT Project SP-0068(24)43, said point is 53.00 feet perpendicularly distant easterly from the design line of said project, opposite approximate engineer station 126+66.12; thence N00°09'33"E 25.00 feet along said easterly right of way line to a southerly deed line of a Warranty Deed on file in the Salt Lake County Recorder's office at Entry No.12786791, Book 10681, Page 9189; thence along said deed line the following five (5) courses, (1) S89°57'12"E 222.60 feet; thence (2) N00°07'33"E 353.00 feet; thence (3) N89°56'45'W 30.05 feet; thence (4) N00°07'35"E 162.00 feet; thence (5) N89°56'45'W 191.25 feet to the easterly right of way line of Redwood Road as established by UDOT Project SP-0068(24)43, said point is 54.00 feet perpendicularly distant easterly from the design line of said project, opposite approximate engineer station 136+22.38; thence N00°09'33"E 10.00 feet along said easterly right of way line to a southerly deed line of a Warranty Deed on file in the Salt Lake County Recorder's office at Entry No.12786791, Book 10681, Page 9189; thence along said deed line the following two (2) courses, (1) S89°56'45"E 239.25 feet; thence (2) N00°07'35"E 383.46 feet to the point of beginning.

Overall Contains: 35.91 acres+/-

Less and Excepting the South Jordan Canal, as determined by survey and described by a deed, recorded December 21, 1883, Book "X", Page 277, being Sixty-six (66') feet in width, being that portion of the canal located in the W1/2 of the SE1/4 of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being the intersection of the westerly right or way line of said South Jordan Canal and the westerly line of Jordan Hills Estates Subdivision on file in the Salt Lake County Recorder's office at Entry No.3298207, Book 79-6, Page 225, said point of beginning being S89°56'45"E 1,322.17 feet along the quarter section line and South 738.37 feet from the Center of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running thence S00°07'35'W 157.54 feet along said westerly line of Jordan Hills Estates Subdivision to the easterly right of way line of said South Jordan Canal; thence along said easterly right of way line the following two (2) courses, (1) Southerly along the arc of a non-tangent curve to the left having a radius of 867.00 feet (radius bears: S66°41'45"E) a distance of 333.49 feet through a central angle of 22°02'20" Chord: S12°17'05'W 331.44 feet; thence (2) S01°15'55'W 121.45 feet; thence S89°56'45"W 66.02 feet to the westerly right of way line of said South Jordan Canal; thence along said westerly right of way line the following three (3) courses, (1) N01°15'55"E 122.97 feet; thence (2) along the arc of a curve to the right with a radius of 933.00 feet a distance of 387.40 feet through a central angle of 23°47'26" Chord: N13°09'38"E 384.63 feet; thence (3) N25°03'21"E 116.36 feet to the point of beginning. Canal Contains: 0.82 acres+/-

Overall Less Canal Contains: 35.09 acres+/-Of which 0.54 acre+/- is east of the canal, and 0.58 acre+/- is encumbered with a canal easement.

RESOLUTION R2020 – 38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR TO SIGN AN AMENDMENT TO THE DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF THE PROPERTY APPROXIMATELY LOCATED AT 1549 WEST 11400 SOUTH.

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah 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 Ann. § 10-9a-102, et seq.; and

WHEREAS, on January 16, 2019, the City Council of the City of South Jordan approved a rezone and development agreement (the "Development Agreement) with the Boyer Company for a property approximately located at 1549 West 11400 South (the "Property") that would allow the development of the Property; and

WHEREAS, Six S Company, LLC retained from the Boyer Company a commercial part of the Property and seeks to amend the Development Agreement with regard to the design guidelines and the rentable square footage requirement; and

WHEREAS, the City Council has determined that it is in the best interest of the public health, safety, and welfare of the City of South Jordan to amend the 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. Authority to Execute. The Mayor of the City of South Jordan is authorized to execute an Amendment to the Development Agreement, attached hereto as Exhibit A.

<u>SECTION 2</u>. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CIT		OF THE CITY	OF SOUTH 3	JORDAN, UTAH,
ON THIS 168 DAY OF	June	, 2020 BY	THE FOLLO	WING VOTE:

ON THIS 16 DAY OF JUNE	, 2020 B	Y THE	FOLLOWIN	G VOTE:
	YES	NO	ABSTAIN	ABSENT
Patrick Harris Bradley Marlor Donald Shelton Tamara Zander Jason McGuire	X X X			
Mayor: Dawn R. Ramsey	Attest		Recorder	ofston
Approved as to form:			A LO LO	
Edward Montgomery Edward Montgomery (Jul 2, 2020 10:57 MDT) Office of the City Attorney	V	300	SOUTH JORDAN	

EXHIBIT A

After recording, please send to: City of South Jordan Attn: City Recorder 1600 West Town Center Drive South Jordan, Utah 84095

Affected Parcel Numbers: See Exhibit "B"

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

This Amendment (this "Amendment") is to the development agreement dated January 16, 2019 recorded as No: 12962067 (the "Agreement").

RECITALS

- A. Six S Company, LLC retained from Developer the commercial part of the Project.
- B. Certain aspects of the Agreement (specifically the "Design Guidelines") along with the elevation of the Project, make the location of the commercial buildings extremely difficult, given the setback requirements in the Design Guidelines.
- C. With the parking requirements and maximizing the size of the buildings, Six S Company, LLC may not be able to comply with Section E(4)a of the Agreement, wherein it stated "obligation to develop or cause to be developed not less than 25,000 rentable square feet of indoor permitted or conditional commercial uses on Commercial Pads (A-D)," Six S Company, LLC requests that the minimum aggregate rentable square footage be reduced from 25,000 to 20,000.
- D. Six S Company, LLC has approached the City with an option that will make the commercial center more viable and still keep the intent of the Design Guidelines. Proposed design is attached as "Exhibit A". Because the proposed design is different than the Design Guidelines, Six S Company, LLC requests that the City Council approve the proposed design.
- E. Accordingly, the parties agree to amend the Agreement as follows:

AMENDMENT

- 1. **Design**. Setback requirements for the 11400 South Right of Way shall be 35 feet for all buildings with the exception of Pad B, the furthest west building on the site, which shall be allowed a 45 foot setback.
- 2. Rentable Square Footage. The rentable square footage requirement is reduced from 25,000 to 20,000.

(SIGNATURE PAGE FOLLOWS)

This Amendment is effective on the date that the last party executes this Amendment as indicated by the date under that party's signature line.

THE CITY	SIX S COMPANY
	1
Mars Ramsus	Seed wood
By: Bawn R Ramsay	BY: REED W. STRUCK
Its: Mayor	Its: MANAGER
Date: July 8, 2020	Jorgo Date: Jucy 2, 2020
	ORATE
Notary for Six S Company	seal)
State of Utah)	10 10 10 10 10 10 10 10 10 10 10 10 10 1
County of Salt Lake)	tate of
On this 2 day of Jane, 2020, personally appear	ed before me Reed W Stallings, whose identity
is personally know to me and who by me duly sw	orn/affirmed, did attest that he is the Manager
of Six S Company, LLC and that said document	was signed by him in behalf of said LLC by
virtue of its Operating Agreement and said Reed executed the same.	w Stallings acknowledged to me that said LLC
executed the same.	STEPHANIE SPIELVOGEL
	NOTARY PUBLIC-STATE OF UTAH
Thylam Smilogel	COMMISSION# 709947
(Notary Signature)	COMM. EXP. 01-20-2024
(Hotaly digitation)	м
	(notary seal)

Approved as to Form:

Attorney for South Jordan City





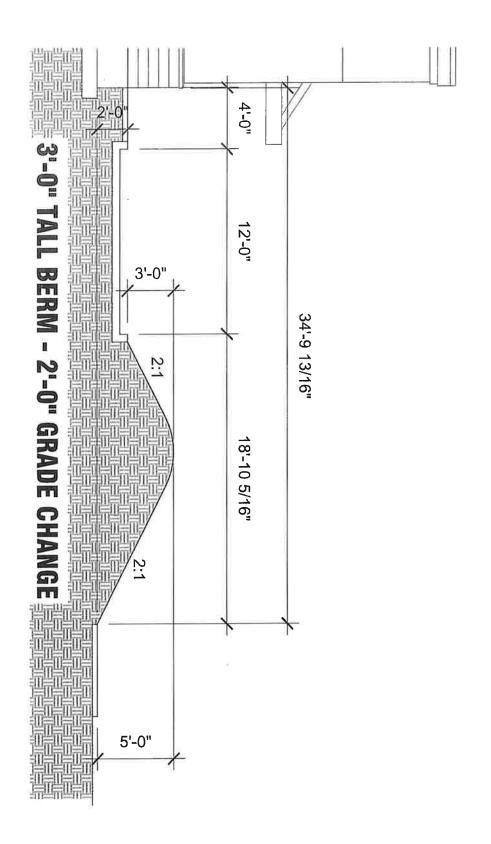


EXHIBIT B

LEGAL DESCRIPTIONS PREPARED FOR THE BOYER COMPANY BOYER & BROWN PARCELS SOUTH JORDAN, UTAH

(March 28, 2019) 18-346

COMPOSITE LEGAL DESCRIPTION

Located in the SE1/4 of Section 22 of Township 3 South, Range 1 West, Salt Lake Base and Meridian. Comprised of Thirteen (13) parcels identified by Salt Lake County Tax Id. Numbers 27-22-451-002, 27-22-401-011, 27-22-401-019, 27-22-401-027, 27-22-426-030, 27-22-401-032, 27-22-401-035, 27-22-401-036, 27-22-401-037, 27-22-401-038, 27-22-401-039, 27-22-401-042 & 27-22-401-043, 27-22-401-045, 27-22-404-024, being more particularly described as follows:

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SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: 10-14-2025

FILE OVERVIEW				
Item Name	Vision Dance studio Conditional Use Permit (CUP)			
Address	11509 S. District Main Dr.			
File Number	PLCUP202500192			
Applicant	Lisa Bunker			
Property Owner	District LC			
Staff Author	Damir Drozdek			
Presenter	Damir Drozdek			

PROPERTY OVERVIEW					
Acreage	12.47	12.47			
Recorded Subdivision	The Di	The District			
Current Zone	BH-MU (Bangerter Highway – Mixed Use)				
Current Land Use	EIO (Economic Infill Opportunity)				
Neighboring		Zone	Land Use		
Properties	North	BH-MU	EIO (Economic Infill Opportunity)		
	East	BH-MU	EC (Economic Center)		
	South	BH-MU	EIO (Economic Infill Opportunity)		
	West	BH-MU	EIO (Economic Infill Opportunity)		

ITEM SUMMARY

The applicant is requesting approval of a conditional use permit to allow for a dance studio on property located at the District shopping center. Staff is recommending approval of the application.



TIMELINE

• **September 30, 2025** the applicant submitted a complete CUP application to City staff for review.

REPORT ANALYSIS

Application Summary:

The applicant seeks to establish a dance studio at 11509 S. District Main Dr., taking over the northern portion of this multi-tenant building, which was previously occupied by a Downeast retail store. The southern half of the building is currently home to the Life Aveda Salon and Spa.

The studio will operate six days a week, and it is planned to be closed on Sundays. Class times will go until 9:00 PM from Monday through Thursday, and until 1:00 PM on Fridays and Saturdays.

To minimize disruption to adjacent tenants, class schedules will be staggered. Student pick-up and drop-off will occur on the east side of the building (the rear). Sufficient on-site parking is available for parents who choose to remain while classes are in session. In addition to dance instruction, the business will feature a small retail space for dance clothing and accessories.

FINDINGS AND RECOMMENDATION

Findings:

- Dance studio is regarded as a recreational activity, which is listed as a conditional use in the development agreement at the District. The agreement is attached to the report.
- Operations and Circulation plans are required as part of the impact control measures. Those documents are attached to the report.
- City staff finds that the proposed dance studio has a potential to create noise and vibration that constitutes a reasonably anticipated detrimental effect on the adjacent low-noise, relaxation-focused Life Aveda Salon and Spa.

Conclusions:

 The application is in conformance with the minimum requirements of City Code §17.18.050

Planning Staff Recommendation:

Staff recommends approval of the application based on the report analysis, findings, and conclusions listed above with the following conditions prior to occupancy:

- a) Install sound-dampening materials or take other reasonable measures to minimize the transmission of noise and vibrations through the shared wall with the adjacent tenant; or
- b) Proceed without sound mitigation for a period of 90 days, during which noise impacts will be monitored. If the City receives a substantiated complaint (verified by a third party, such as the land owner / manager, and not by a family member or business associate) from an adjacent tenant within that period, the applicant shall submit a sound mitigation plan for City staff review and approval within 15 days and shall implement that plan within 30 days.

PLANNING COMMISSION ACTION

Required Action:

Final Decision

Scope of Decision:

This is an administrative decision to be decided by the Planning Commission.

Standard of Approval:

CUP

The Planning Commission shall approve CUP applications that comply with the standards of City Code §17.18.050.

A use is conditional because it may have unique characteristics that detrimentally affect the zone and therefore are not compatible with other uses in the zone, but could be compatible if certain conditions are required that mitigate the detrimental effect.

To impose a condition on a use, the detrimental effect must be identified and be based on upon substantial evidence, not simply a suspicion or unfounded concern. Any condition must be the least restrictive method to mitigate the detrimental effect.

The Planning Commission shall approve a conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards.

The Planning Commission may deny a conditional use permit application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards. Further, City Code § 17.18.050 provides:



- I. COMPLIANCE AND REVOCATION:
- 1. A conditional use may be commenced and operated only upon:
 - a. compliance with all conditions of an applicable conditional use permit;
 - **b.** observance of all requirements of this title relating to maintenance of improvements and conduct of the use or business as approved; and
 - c. compliance with all applicable local, state, and federal laws.
 - 2. A conditional use permit may be revoked by the City Council at any time due to the permitee's failure to commence or operate the conditional use in accordance with the requirements of subsection A of this section.

Motion Ready:

I move that the Planning Commission approves:

1. File PLCUP202500192

Alternatives:

- 1. Recommend approval with conditions.
- 2. Recommend denial of the application.
- 3. Schedule the application for a decision at some future date.

SUPPORTING MATERIALS

- Attachment A, Aerial Map
- Attachment B, Zoning Map
- Attachment C, Pick Up Plan
- Attachment D, Floor Plan

- Attachment E, Applicant's Statement
- Attachment F, Development Agreement



Attachment A





Legend
STREETS
PARCELS

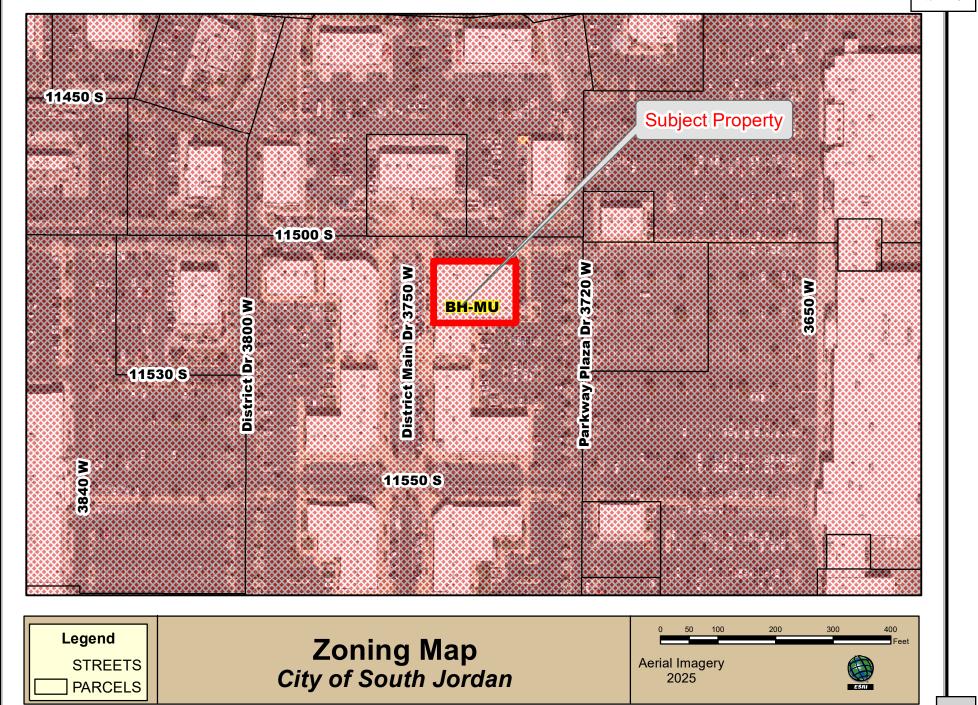
Aerial Map
City of South Jordan



Attachment B







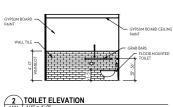
Attachment C



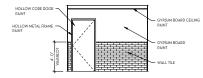


Attachment D

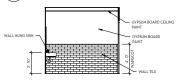




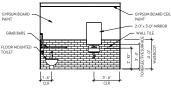
2 TOILET ELEVATION A101 1/4" = 1'-0"



3 TOILET ELEVATION A101 1/4" = 1'-0"



4 TOILET ELEVATION A101 1/4" = 1'-0"

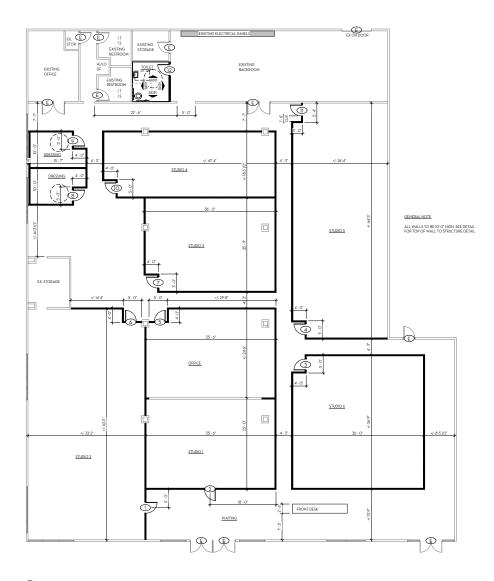


5 TOILET ELEVATION
1/4" = 1'-0"

3 1 1 1 1	PASSAGE LEVER CLOSER OVERHEAD STOP KICK PLATE	EHD9016 AF90 DA AVB	BE 689 BI US32D A	E B
3 1 1 1	OFFICE LOCKSET CLOSER OVERHEAD STOP	KO50 10" X 2" LDW B4E CSK	626 Bi 689 Bi US32D A	E E B
DO 3 1	PRIVACY SET W/OCC. IND. CLOSER OVERHEAD STOP	EHD9016 AF90 DA AVB	626 Bi 689 Bi US32D A	E E B

SET #LO DOORS: 1, 2, 3, 4, 6, 7, 10, 11

DOOR SCHEDULE										
	LEAF	SIZE							HARDWA RE	
MARK	W	Н	DOOR TYPE	THICKNESS	CONST. FINISH	GLASS	RATING	FRAME TYPE	GROUP	KEYNOTE
	3' - 0"	7' - 0"	<varies></varies>	<varies></varies>	<varies></varies>		< varies	<varies></varies>		<varies></varies>
							>			
1	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-		HM	1	PAINT ENTIRE FRAME
2	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-	-	HM	1	PAINT ENTIRE FRAME
3	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-		HM	1	PAINT ENTIRE FRAME
4	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-	-	HM	1	PAINT ENTIRE FRAME
5	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-	-	HM	2	PAINT ENTIRE FRAME
6	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-	-	HM	1	PAINT ENTIRE FRAME
7	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-	-	HM	1	PAINT ENTIRE FRAME
8	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-		HM	3	PAINT ENTIRE FRAME
9	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT			HM	3	PAINT ENTIRE FRAME
10	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-		HM	1	PAINT ENTIRE FRAME
11	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-		HM	1	PAINT ENTIRE FRAME
12	3' - 0"	7' - 0"	HC, PAINT GRADE	1 7/8"	PAINT	-		HM	1	PAINT ENTIRE FRAME
E	<varies></varies>	<varies></varies>	<varies></varies>	<varies></varies>	EX	EX	<varies< td=""><td>EX</td><td>EX</td><td><varies></varies></td></varies<>	EX	EX	<varies></varies>



1 FLOOR PLAN 1/8" = 1'-0"

Item H.5.

PROJECT 븰 REVISIONS

XX

XXX

ISSUED: PROJECT #: DRAWN BY: act CHECKED BY:

PLANS

PLANS A101

Attachment E



Statement from the Applicant

Classes Ages 2-18

Open Hours

M-Th 8am-9pm

Friday 8am-1pm

Saturdays 8am-1pm

Sundays Closed

The proposed dance studio will provide a positive, family-friendly service to the South Jordan community by offering programs for children, teens, and adults that promote health, creativity, and community connection. In addition to instruction, the studio will include a small, secondary retail space offering dance clothing and accessories to conveniently serve students and their families. A dance studio is a low-impact commercial use and is compatible with the surrounding area.

Classes will be scheduled at staggered times to reduce traffic impacts, and adequate parking will be provided in accordance with city requirements. All activities will be held indoors, with sound contained within the building, and the studio will operate only during reasonable business hours.

The facility will be professionally managed to ensure safety, supervision, and a welcoming environment. Children will always be under staff oversight, and no loitering outside the building will be permitted. The building will be kept clean, well-maintained, and consistent with city design standards.

Overall, this project will be a valuable addition to South Jordan, providing opportunities for families while supporting nearby businesses and contributing positively to the community.

Attachment F





RESOLUTION NO. R2010-07

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SOUTH JORDAN. COUNTY OF SALT LAKE, UTAH, EXECUTING THE FIRST AMENDMENT TO THE AGREEMENT FOR THE DEVELOPMENT OF THE KUNKLER TRUST PROPERTY BY THE BOYER COMPANY, L.C. A LIMITED LIABILITY COMPANY.

WHEREAS, Boyer Company, L.C., a Utah Limited Liability Company ("Developer") and the City of South Jordan, a Utah municipal corporation ("City"), entered into an agreement dated February, 21, 2006, entitled, "DEVELOPMENT AGREEMENT" ("Agreement") to develop the Kunkler Trust Property ("Property"); and

WHEREAS, the Developer has proposed to the City, an amendment to the Agreement ("Amendment"); and

WHEREAS, the Mayor and City Council of the City find that the Amendment is in the interest of health, safety, and general welfare of the citizens of the City

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SOUTH JORDAN, AS FOLLOWS:

Section 1. The Amendment is hereby approved and adopted; and

Section 2. The City Manager is hereby authorized to execute the Amendment on behalf of the City of South Jordan.

PASSED AND APPROVED this __/8** day of _______

ATTEST:

Anna West, City Recorder outh

W. Kent Money, Mayo

APPROVED AS TO FORM:

Attorney for South Jordan City

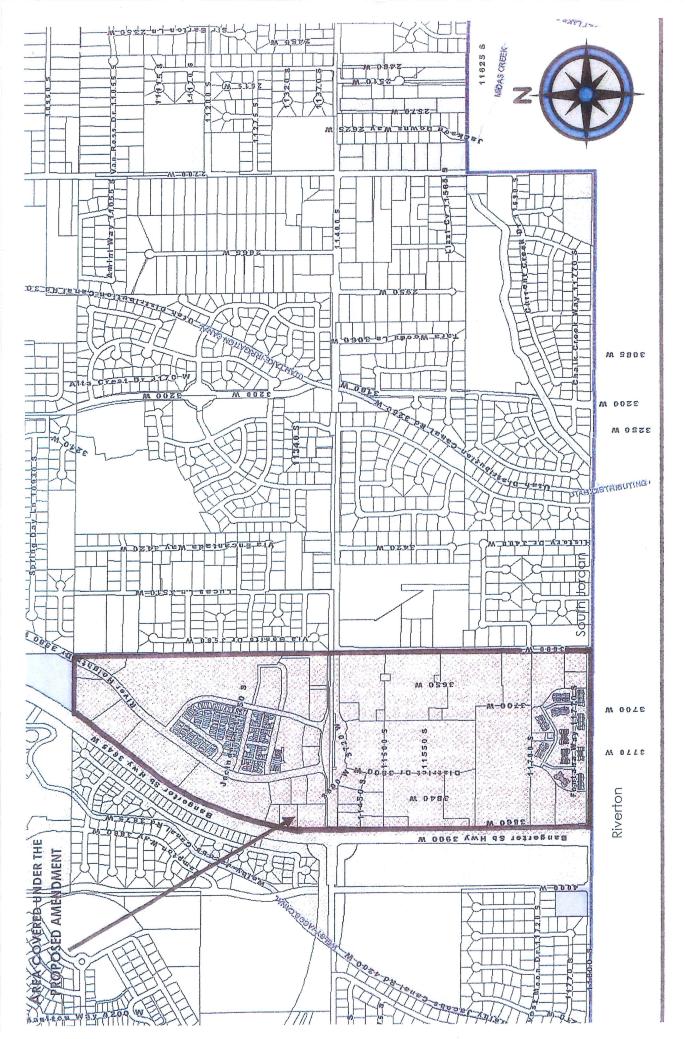
10968593 06/10/2010 10:14 AM \$O.OO Book - 9832 Pg - 1357-1392 GARY W. OTT

RECORDER, SALT LAKE COUNTY, UTAH SOUTH JORDAN

1600 W TOWNE CENTER OR

SOUTH JORDAN UT 84095-8265 BY: ARG, DEPUTY - WI 36 P.

Location Map



FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

This FIRST AMENDMENT TO DEVELOPMENT AGREEMENT ("Amendment") is entered into this _________, and between the City of South Jordan, a Utah municipal corporation ("City") and The Boyer Company, L.C. a Utah Limited Liability Company ("Developer"). The City and the Developer are jointly referred to as the "Parties".

RECITALS

- A. The City and the Developer entered into an agreement entitled, "Development Agreement" ("Agreement") dated February 21, 2006, a copy of which is attached to this Amendment as Exhibit 1, to facilitate the development of property commonly known as the Kunkler property.
- B. A portion of the Kunkler property has become commonly know as the North District.
- C. The Developer has requested certain amendments to the Agreement with respect to the development of the North District.
- D. The City Council has reviewed the amendments requested by the Developer and concluded that the amendments will result in planning and economic benefits to the City and its residents and will provide certainty useful to the Developer and the City in ongoing future communications and relations with respect to the development of the North District.

NOW, THEREFORE, the Agreement is hereby amended as follows:

- 1. Section III. Paragraph A. is amended to read as follows:
 - A. <u>Permitted Uses</u> the permitted uses for the Property shall be those uses specifically listed in Sections 17.40 (R-3 Zone), 17.48.020 (RM-6 Zone), and 17.70.020 (BH-MU Zone) of the City of South Jordan Zoning Ordinance, a copy of said sections is attached hereto as Exhibit "B" and Exhibit "D" and incorporated herein by this reference. Any changes made to these Sections by the City of South Jordan shall be binding on the Property, except as inconsistent with section VI below.
- 2. Section III. Paragraph C. is amended to read as follows:
 - C. <u>Reserved Legislative Powers</u>. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations, and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer with respect to use under the zoning designations as referenced in Section 3.1 above under the terms of this Agreement based on the policies, facts, and circumstances meeting the compelling, countervailing public interest exception

to the vested right doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Project shall be of general application to all development activity in the City; and, unless in good faith the City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine.

3. Section V. is amended to read as follows:

V. <u>City's Obligations</u>

- A. The City assures that should the Zoning be approved as requested and shown on Exhibit "C", the City Shall allow the Developer to construct a single-family residential development on Assessor's Parcel Numbers 2720100003 and 2719200003 consistent with the map attached to this Agreement as Appendix "C', with the terms of this Agreement, and with the R-3, RM-6, and BH-MU Sections of the City of South Jordan Zoning Ordinance, except as is inconsistent with Section VI below.
- B. The Developer shall not be required to construct or install sidewalk improvements on the west side of 40th West Street. In the event the City determines that sidewalk improvements are to be constructed or installed on the west side of 40th West Street, the City shall require the owner/developer of the property on the west side of 40th West Street to construct or install said side walk.
- 4. Section VI. paragraph B. is amended to read as follows:
 - B. Developer agrees to the types of development on the BH-MU Zone Property, as described in the BHMU Zone Master Development Plan found in Attachment "D", including but not limited to:
 - 1. Neighborhood Commercial uses as described in Sections 17.56.020 and 17.56.030 of the current zoning ordinance or as amended) in the commercial area immediately surrounding the "Round-a-Bout" on 11400 South Street (see Attachment "D"); and
 - 2. Creating a buffer between the residential & other development on the Property and the Lucas Dell residential development to the east as follows:
 - a. Not build a road along the west boundary of the "Lucas Dell" subdivision.
 - b. Create 1/3 acre or larger lots along the west boundary of the "Lucas Dell" and increase the residential density, in a manner approved by the City at the plat approval process, as the development goes west towards Bangerter Highway.

- 5. The heading **BH-MU Zone** and the text listed under the heading **BH-MU Zone**, entitled, "17.70.020: PERMITTED USES", found in Exhibit "B", is deleted
- 6. The rights and obligations of this Amendment shall inure to the benefit of and be valid and binding upon the Parties, only upon adoption by the City Council of the City of South Jordan of Ordinance No. 2010.04, dated May 18, 2010 entitled, "AN ORDINANCE AMENDING SECTION 17.70 OF TITLE 17 OF THE SOUTH JORDAN MUNICIPAL CODE PERTAINING TO THE BANGERTER HIGHWAY MIXED USE ZONE (B"H-MU)" including also the adoption of the BH-MU Zone Master Development Plan included with said Ordinance.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year written above.

CITY OF SOUTH JORDAN a Utah municipal corporation	ATTEST:
By:: John H. Geilmann, City Manager Corporate	By: Anna M. Wess City Recorder
Seal)	APPROVED AS TO FORM:
State of Utali	By: Attorney for South Jordan City
STATE OF UTAH) SS.	
COUNTY OF SALT LAKE)	
On	be the person whose name is the/she executed the above

WITNESS my hand and official Seal.

ADDROY PRIZEIC
TAMINY BRADFORD
1600 WEST TOWNE CENTER DR.
SOUTH JORDAN, UT 84005
COMMISSION EXPRES
MARCH 22, 2012
JONES OF UTDRO!

The Boyer Company, L.C., a Utah Limited Liability Company

Ву:	
Title: managw	
STATE OF UTAH)
COUNTY OF SALT LAKE) SS.)
The Boyer Company, L.C., a Utah Limite be the person whose name is subscribe	, 2010 personally appeared before me, a Notary, the of ed Liability Company, personally known or proved to me to d to the above instrument who acknowledged to me that on behalf of and with authority from The Boyer Company.
	WITNESS my hand and official Seal.
NOTARY PUBLIC Rachael N. Niusulu 90 South 400 West, Ste. 200 Salt Lake City, Utah 84101 My Comm. Exp. Sept. 17, 2011 STATE OF UTAH	<u>Pachally Miusulu</u> Notary Public

Exhibit 1 (to FIRST AMENDMENT TO DEVELOPMENT AGREEMENT between the City of South Jordan, a Utah municipal corporation and The Boyer Company, L.C.)

("Development Agreement" dated February 21, 2006 between The Boyer Company, L.L.C. and the City of South Jordan)

DEVELOPMENT AGREEMENT

	T	his Agreemen	nt, regardi	ng the red	evelopm	ent and	improv	ement	of the K	unkler 1	rust Pro	operty, is	entered
into t	his	21_	_ day of	Febru	iany,	20006	by and	betw	een the	City of	South	Jordan,	an Utah
munic	ipal	corporation,	hereafter	referred t	o as "C	ity" and	d The	Boyer	Compan	y, L.C.	a Utah	limited	liability
compa	any h	iereafter refer	red to as "	Developer	**								

RECITALS

- A. South Jordan City, acting pursuant to its authority under Utah Code Annotated 10-9a-102 (2) et seq., and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations has made certain determinations with respect to the proposed Kunkler Trust Properties and, in exercise of its legislative discretion, has elected to enter into this Agreement.
- B. Developer desires to be the owner of certain real property known as Assessor's Parcel Numbers 2720100003 and 2719200003 hereafter referred to as the "Property". This property is legally described on Exhibit "A" attached hereto and incorporated herein by reference.
- C. The property is subject to the City of South Jordan Zoning Ordinance and is currently zoned "A-5 & A-1" and designated on the future land use map as High Density Residential, Commercial, Bangerter Highway Mixed Use and Open Space. Developer and City desire to allow Developer to make improvements to the property. Developer desires a period of time in which to develop the property.
- D. The improvements and changes to be made to the Property shall be consistent with the current Zoning Ordinance of the City of South Jordan, or any future changes to the Zoning Ordinance of the City of South Jordan, and the City of South Jordan General Plan.
- E. Developer and City acknowledge and agree that the development and improvement of the "Property" pursuant to this Agreement will result in planning and economic benefits to the City and its residents, and will provide certainty useful to the Property and the City in ongoing future communications and relations with the community.
- F. The City's governing body has authorized execution of this Agreement by Resolution No. 2005-10, to which this Agreement is attached.
- G. The City has authorized the negotiation of and adoption of development Agreements under appropriate circumstances where proposed development contains outstanding features that advance the policies, goals and objectives of the South Jordan City General Plan and contributes to capital improvements that substantially benefit the City.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

- I. Recitals. The recitals set forth above are incorporated herein by this reference.
- II. <u>Conditions Precedent</u>. City and Developer agree, understand and acknowledge that this development Agreement is in anticipation of the acquisition of the real property described herein by Developer. Developer understands, acknowledges and agrees that any of the terms, conditions or benefits conferred by this Development Agreement is not intended to be of any benefit to the current owner or any prospective lender or any party that is not a signator of this Agreement. Reliance upon this Agreement by any third party is at risk and the City makes absolutely no representation that the benefits herein are assignable or are for the benefit of any third party without the expressed written approval of the Mayor and Council of the City of South Jordan.

III. Permitted Uses, Vested Rights and Reserved Legislative Powers.

A. <u>Permitted Uses</u> the permitted uses for the Property shall be those uses specifically listed in Sections 17.40.020 (R-3 Zone), 17.48.020 (RM-6 Zone), and 17.70.020 (BH-MU Zone) of the City of South Jordan Zoning Ordinance, a copy of said sections is attached hereto as Exhibit "B" and incorporated herein by this reference. Any changes made to these Sections by the City of South Jordan shall be binding on the Property, except as inconsistent with section VI below.

B. Vested Rights. Developer shall have the vested right to develop and construct the Project in accordance with the zoning designations approved by the City pursuant to this Agreement, subject to compliance with the terms and conditions of this Agreement and the other applicable ordinances and regulations of the City. Developer agrees to a maximum overall single family residential density limit of not to exceed ____3___units per acre in Phase I and ___6__ units per acre in Phase 2 (Phase I is comprised of the property west of canal; Phase II is comprised of the property between Bangerter and canal; Phase III is comprised of the property on the east side of the Bangerter Highway) The Developer shall not allow mobile homes in the Project. Multi-family, interval ownership/time share units and other similar uses shall be part of the single-family residential dwelling count.

Provided Developer meets the residential density as outlined above, and lot sizes must be as allowed by ordinance. The City and Developer acknowledge that the property west of Bangerter is bisected by a canal. Provided Developer improves or landscapes this area, the land covered by the canal may be used for purposed of determining residential density and open space requirements.

The Developer is responsible for building that portion of 40th west that accesses the residential development from 114th south street north for a distance of approximately 1125 feet to the point where 40th west is partially located on the Kennecott parcel. Once the right of way reaches the Kennecott parcel those who benefit from the road from that point will be responsible for construction of the road and any cost for such construction. Developer will agree to dedicate ½ width of 40th west from the point such street reaches the Kennecott parcel to the northern boundary of Developer's parcel. All curb, gutter, crib walls and sidewalks will be located within said dedicated right of way, and Developer will not be required to dedicate any property for sidewalks or slope easements to be located on the east side of 40th west.

Reserved Legislative Powers. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer with respect to use under the zoning designations as referenced in Section 3.1 above under the terms of this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Project shall be of general application to all development activity in the City; and, unless in good faith the City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine.

IV. <u>Term.</u> This Agreement shall be effective as of the date of recordation and shall run with the land and continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised. In the event the obligations hereunder have not been fully satisfied, and upon mutual agreement of the Developer and the City, this agreement may be terminated and upon termination the City at its sole discretion may initiate a rezoning process to rezone the property.

V. City's Obligations

The City assures that should the Zoning be approved as requested and shown on Exhibit "C", to allow the Developer to construct a single-family residential development on Assessor's Parcel Numbers 2720100003 and 2719200003 consistent with the map attached to this Agreement as Appendix "C". that complies with Section VII of this Agreement and with the R-3, RM-6, and BH-MU Sections of the City of South Jordan Zoning Ordinance except as is inconsistent with Section VII below.

The Developer shall not be required to construct or install sidewalk improvements on the west side of 40th West Street. In the event the City determines that sidewalk improvements are to be constructed or installed on the west side of 40th West Street, the City shall require the owner/developer of the property on the west side of 40th West Street to construct or install said side walk.

VI. Developer's Obligations

- A. Developer agrees to use Developer's good faith efforts to create a mixed use development that may include Research and Development Park and Park housing, office and limited retail uses atmosphere on the Parcel zoned "BH-MU". In addition, Developer agrees to provide the City of South Jordan periodic updates relating to the status of its pre-design and design review committee determinations.
- B. Developer agrees to the types of commercial development on the BH-MU Zone Property, as described in Attachment "C", including, but not limited to:
- Neighborhood Commercial uses as described in Sections 17.56.020 and 17.56.030 of the current zoning ordinance or as amended) in the commercial area immediately surrounding the "Round-a-Bout" on 114th South Street (see Attachment "C").
- 2. Create a buffer between the residential & other development on the Property and the Lucas Dell residential development to the east as follows:
 - a. Not build a road along the west boundary of the "Lucas Dell" subdivision.
 - b. Create 1/3 acre or larger lots along the west boundary of the "Lucas Dell" and increase the residential density, in a manner approved by the City at the plat approval process, as the development goes to the west towards Bangerter Highway.
 - C. Developer agrees to limit the types of residential development on RM-6 Zoned Property as described in Attachment "C", to single family ownership with no apartment buildings.
 - D. The Developer agrees and understands that Developer will supply plans and obtain any and all required permits under City, County, State or Federal regulations before commencing any redevelopment or improvements and that the Developer will pay all applicable fees as required.

VII. General Provisions.

A. <u>Notices</u>. 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 U.S. Postal Service mail, postage prepaid to:

If to City:

The City of South Jordan 1600 West Towne Center Drive South Jordan City, Utah 84095 Attention: City Manager

If to Developer:

Wade S. Williams

90 South 400 West, Suite 200 Salt Lake City, Utah 84101

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 (10) days before the date on which the change is to become effective.

- B. <u>Mailing Effective</u>. Notices given by mail shall be deemed delivered seventy-two (72) hours following deposit with the U.S. Postal Service in the manner set forth above.
- C. <u>Waiver</u>. No delay in exercising any right or remedy shall constitute a waiver thereof and no waiver by the parties of the breach of any provision of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same of any other provision of this Agreement.
- D. <u>Headings.</u> 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.
- E. <u>Authority</u>. The parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants that its company is fully formed and validly exists under the Laws of the State of Utah, and is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. The Developer and the City warrant to each other that the individuals executing this Agreement on behalf of their respective parties are authorized and empowered to bind the parties on whose behalf each individual is signing. Developer represents to the City that by entering into this Agreement, Developer has bound the property and all persons and entities having a legal or equitable interest to the terms of the Agreement.
- F. <u>Entire Agreement</u>. This Agreement, including exhibits, constitutes the entire Agreement between the parties.
- G. Amendment of this Agreement. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the parties to this Agreement or by their successors in interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.
- H. <u>Severability</u>. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement, which shall otherwise remain in full force and effect, provided that the fundamental purpose of this Agreement and the Developer's ability to complete the project is not defeated by such severance.
- I. <u>Governing Law</u>. The laws of the State of Utah shall govern the interpretation and enforcement of the Agreement. The parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah, and the Parties hereby waive any right to object to such venue.
- J. Remedies. If any party to this Agreement breaches any provision of this Agreement, the non-defaulting party shall be entitled to all remedies available at both law and in equity.
- K. <u>Attorney's Fee and Costs</u>. If any party brings legal action either because of a breach of the Agreement or to enforce a provision of the Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs.

- Binding Effect. The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors in interest and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.
- Assignment. The rights of the Developer under this Agreement may not be transferred or assigned, in whole or in part except by written approval of the City. Developer shall give notice to the City of any proposed or requested assignment at least thirty (30) days prior to the effective date of the assignment. City shall not unreasonably withhold its consent to assignment.
- Third Parties. There are no third-party beneficiaries to this Agreement, and no person or entity not a party hereto shall have any right or cause of action hereunder.
- No Agency Created. Nothing contained in the Agreement shall create any partnership, joint venture, or agency relationship between the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written:

ATTEST: CITY OF SOUTH JORDAN a Utah municipal corporation Ricky A. Horst, City Manager

APPROVED AS TO FORM:

STATE OF UTAH

)55

County of Salt Lake

The foregoing instrument was acknowledged before me this I day of Novch 2000le by, on behalf of JOHN H. Galmonn. 4 KICK-IA. Horst

Mulaul Edwards Notary Public

My Commission Expires: OCT 29, 2007



*		Liability Com		u.c., a c	, raibe Pill	111CO
		By:	myl			
		ine	38			
STATE OF UTAH)					
County of Salt Lake)ss)					
The foregoing instr 200 <u>6</u> , by <u>Dengn M. G</u>		lged before me this <u>lift</u> day of The Baylir Climpanity,				
Kachael 4140	iusulu	Notary Public		NOTARY I Rochael N.	Niusulu	
My Commission Expires: _	8.20.07			90 South 400 We Selt Lake City, I My Comm. Exp. / STATE OF	Hah B4101 Ng. 20, 2007 UTAH	

Exhibit "A"

To be verified by the Developer before execution of the Agreement.

Legal Description:

THE NW 1/4 OF SEC 20, T 3S, R 1W, S L M. LESS CANAL & BANGERTER HWY. 144.05 AC M OR L.

AND

THE SE 1/4 OF NE 1/4 SEC 19 T 3S R 1W S L M. LESS CANAL 38.26 AC

Exhibit "B"

Copies of current Zoning Ordinance sections referred to in Development Agreement.

R-3 Zone

17.40.020: PERMITTED USES:

The following uses may be conducted in the R-3 zone as limited herein:

Home occupations according to city ordinances.

Household pets not exceeding two (2) per species over the age of four (4) months per dwelling.

Residential accessory buildings, the footprints of which do not exceed the footprint area of the dwelling.

Residential accessory uses.

Residential facility for disabled persons as required by state law.

Single-family dwelling, detached, maximum one per lot or parcel. (2003 Code § 17.40.020)

RM-6 Zone

17.48.020: PERMITTED USES:

The following uses may be conducted in the R-M zone as limited herein:

Home occupations according to city ordinances.

Household pets not exceeding two (2) per species over the age of four (4) months per dwelling.

Residential accessory buildings, the footprints of which do not exceed the footprint area of the dwelling.

Residential accessory uses.

Residential facility for disabled or elderly persons as required by state law.

Single-family dwelling, detached, maximum one per lot or parcel. (Ord. 2004-06, 5-18-2004)

BH-MU Zone

17.70.020: PERMITTED USES:

The following uses are permitted in the BH-MU zone:

Auto and equipment parts retailing.

Banks, credit unions, financial institutions.

Beauty, health and fitness centers.

Books, videos, media, photography, copies, art and drafting supplies, office supplies, stationery retail.

Department, discount and food stores.

Furniture, electronics, appliances and home furnishings retailing.

Hardware and home improvement retailing.

Health, beauty and medical products retailing; prescription drugs retailing.

Hobbies and crafts retailing.

Hotels and motels.

Household goods retailing.

Medical, dental, health services.

Miscellaneous retail sales.

Movie theaters, concert halls.

Office uses.

Pharmacy.

Restaurants, eating establishments.

Sewing supplies, apparel, footwear retailing.

Shopping centers and malls.

Sporting goods, toy retailing. (Ord. 2004-05, 5-4-2004)

CN Zone

17.56.020: PERMITTED USES:

The following uses may be conducted in the C-N zone:

Retail sales and services, excluding auto services such as lube, stand alone car wash, tune up, tires, repairs. (2003 Code § 17.56.020)

17.56.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the C-N zone:

Banks, credit unions.

Bed and breakfast inn.

Drive-through establishments such as fast food, financial institution, pharmacy, but excluding auto services such as lube, stand alone car wash, tune up, tires, repairs.

Gas stations/convenience stores.

Office, no larger than three thousand (3,000) square foot building.

Restaurants. (2003 Code § 17.56.030)

Exhibit "C"

Proposed Conceptual Plan

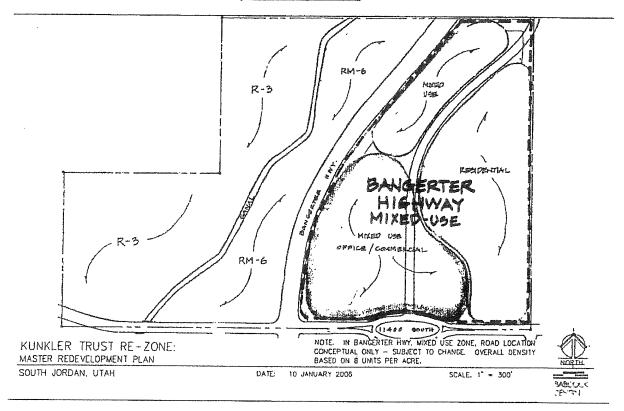


Exhibit D (to Development Agreement dated February 21, 2006)

BHMU Zone Text Amendments and BHMU Zone Master Development Plan as adopted by the South Jordan City Council 5/18/10

ORDINANCE NO. 2010.04

AN ORDINANCE AMENDING SECTION 17.70 OF TITLE 17 OF THE SOUTH JORDAN MUNICIPAL CODE PERTAINING TO THE BANGERTER HIGHWAY MIXED USE ZONE (BH-MU)

WHEREAS, the South Jordan City Council has previously adopted Section 17.70 of the South Jordan City Municipal Code, which determine the uses allowed and regulations for the Bangerter Highway Mixed Use zone; and

WHEREAS, the South Jordan Planning Commission, after holding a public hearing, has reviewed the proposed text amendments to Section 17.70; and

WHEREAS, the City Council has held a public hearing and has reviewed the proposed amendments and considered the recommendation of the Planning Commission regarding the proposed amendment; and

WHEREAS, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed amendment will or may have on existing or future development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed amendment meets the purposes and objectives of the Planning and Land Use Code; and

WHEREAS, the City Council desires to amend the Development Code as proposed; and

WHEREAS, the City Council has found and determined that the proposed amendments to Section 17.70 of the South Jordan Municipal Code will support the best interests of the City and will promote the public health, safety and welfare.

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

Section 1. Amendment. Chapter 17.70 Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

Chapter 17.70 BANGERTER HIGHWAY MIXED USE (BH-MU) ZONE 17.70.010: PURPOSE:

The Bangerter Highway **M**mixed **U**use **Z**zone may be cited as the "BH-MU **Z**zone" and may be established along the east side of Bangerter Highway to provide areas for higher density, mixed use development. Such development will be compatible with a major arterial highway corridor and swould discourage low density single-family residential development near the highway.

It is intended that a variety of retail, office, entertainment and residential uses be combined to create a self-contained environment for workers, shoppers, residents and visitors in a pedestrian oriented unified manner while accommodating automobile traffic to regional services dependent upon a major transportation facility.

The BH-MU **Z**zone will encourage orderly, aesthetically pleasing development and a balance of uses while discouraging strip commercial with its attendant congestion, pollution and visual blight. (Ord. 2007-02, 1-16-2007) **Buildings shall be designed to have architectural and access orientation to the street.**

17.70.020: PERMITTED USES:

The following uses are permitted in the BH-MU Zzone:

Auto and equipment parts retailing.

Banks, credit unions, financial institutions.

Beauty, health and fitness centers.

Books, videos, media, photography, copies, art and drafting supplies, office supplies, stationery retail.

Department, discount and food stores.

Furniture, electronics, appliances and home furnishings retailing.

Hardware and home improvement retailing.

Health, beauty and medical products retailing; prescription drugs retailing.

Hobbies and crafts retailing.

Hotels and motels.

Household goods retailing.

Medical, dental, health services.

Miscellaneous retail sales.

Movie theaters, concert halls.

Office uses.

Outdoor Kiosks.

Pharmacy.

Restaurants, eating establishments.

Sewing supplies, apparel, footwear retailing.

Shopping centers and malls.

Sporting goods, toy retailing. (Ord. 2007-02, 1-16-2007)

17.70.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the BH-MU **Z**zone:

Assisted living centers.

Indoor/underground aAutomobile sales, new and ancillary used, maximum three (3) acres per business, no closer than four hundred feet (400') from residential development.

Automobile sales, used; minimum eight thousand (8,000) square foot building required, maximum three (3) acres per business, no closer than four hundred feet (400') from residential development.

Automotive services enclosed within a building, including lube, tune up, automatic wash, inspection, tires, mufflers, minor repairs.

Bed and breakfast inn.

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Daycare center.

Drive-through facilities, visually buffered, for allowed uses.

Entertainment, amusement, recreational activities.

Equipment and appliance light repairs and service enclosed within a building.

Fast food.

Gas stations, convenience stores.

Golf courses and ranges.

Hospitals.

Laundry.

Live/Work Units.

Lumber, building material and landscaping retail sales yards.

Nature or zoological exhibits.

Office buildings.

Parks.

Public or quasi-public facilities.

Recreational vehicle and boat sales, new and ancillary used.

Religious activities.

Retail Nurseries, Lawn and Garden Supply Stores

Schools, educational and training activities.

Single-family residential PUD or condominium and integrated multi-family residential (projects with more than one housing land use type with 'village' style design, building height and architecture), maximum eight (8) units per acre of the gross acreage of the Master Development Plan. Additional dwelling units exceeding eight (8) units per acre may be approved by the City Council as an amendment to the Master Development Plan (MDP).

Street vendors.

Upper floor residential condominium combined with commercial and/or office use on the main floor in the same building. (Ord. 2008-19, 11-18-2008)

17.70.040: USE REGULATIONS:

Uses may be conducted in BH-MU zones only in accordance with the following regulations:

A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in BH-MU **Z**zones. Residential uses (not including upper floor residential) in a BH-MU zone may not exceed twenty percent (20%) of the gross land area in the zone. A conditional use permit must be obtained prior to the establishment of a conditional use. Sexually oriented business is prohibited in **the** BH-MU **Z**zones.

- B. All uses in BH-MU **Z**zones shall be conducted within completely enclosed buildings, unless otherwise allowed in this chapter, except **outdoor kiosks, vendor carts, and** those temporary uses customarily conducted in the outdoors, including Christmas tree lots, fireworks stands and parking lot sales associated with an approved use on the property. Parking lot sales may be conducted up to four (4) 1-week periods per year.
- C. Accessory uses may be conducted and accessory buildings may be conducted constructed in BH-MU Zzones only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, parking lots and terraces, properly screened utility and loading areas and other buildings and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.
- D. There shall be no open storage of trash, debris, used, wrecked or neglected materials, equipment or vehicles in BH-MU **Z**zones. No commercial materials, goods or inventory may be stored in open areas in BH-MU **Z**zones, except for temporary display items which are removed daily and which may be located only on private property no closer than ten feet (10') from any public right of way. No more than twelve (12) small party balloons and six (6) weatherproof placards, each not exceeding two feet (2') square, per business may be attached to the displays and shall be removed daily with the displays. All other signs and devices are prohibited. Outdoor storage of inventory or products such as firewood, water softener salt, garden supplies including plants and other landscaping materials and building materials is permitted only in screened areas approved for such purpose with site plan review.
- E. No vehicle, boat or trailer, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, attended or not, may be parked or stored in BH-MU **Z**zones for longer than seventy two (72) hours unless stored within a completely enclosed building.
- F. No commercial vehicles such as earthmoving or material handling equipment, semi-trucks or trailers or any commercial truck, trailer or vehicle may be stored in the BH-MU **Z**zone for longer than seventy two (72) hours, except in conjunction with an approved use, or approved development or construction activities on the property.
- G. Utility trailers and recreational vehicles such as motor homes, travel trailers, watercraft, campers and all-terrain vehicles, may not be stored in any area in BH-MU **Z**zones, except in conjunction with a single-family dwelling. Said trailers and vehicles shall be stored within lawfully constructed buildings or behind the front line of the dwelling, except that said vehicles may be stored temporarily in front or street side yards for no longer than seventy two (72) hours. Recreational and utility vehicles may be stored permanently in the street side yard of a corner lot only if stored completely behind the front line of the main building and at least eight feet (8') from the street right of way line and if enclosed with a six foot (6') high solid vinyl or masonry fence. Travel trailers, campers and motor homes may

not be occupied as living quarters in the BH-MU **Z**zone, except that a vehicle owned by a guest of the resident may be stored and occupied in the required front yard or side yard of the permanent dwelling for no more than seven (7) days per calendar year.

H. Home occupations may be licensed in any residence in BH-MU **Z**zones according to provisions of **chapter 17.98** of this title. (Ord. 2007-02, 1-16-2007)

17.70.050: ZONE ESTABLISHMENT:

Each proposed BH-MU **Z**zone shall be contiguous to the Bangerter Highway right of way. Each proposed BH-MU **Z**zone shall be accompanied by a master development plan ("MDP") which specifies land use areas and residential densities **including the total number of residential units**. Retail, office, residential **8**, mixed use (containing upper floor residential), open space and public/quasi-public land use areas will be shown on the MDP. The MDP shall be adopted as an exhibit to the ordinance establishing the BH-MU **Z**zone in which it is proposed. The MDP shall may be amended adopted by the City Council after the establishment of the BH-MU **Z**zone by following standard rezoning procedures of **chapter 17.22** of this title. **The Planning Commission City Council shall review and may approve necessary amendments to the MDP based upon appropriate changes to the land use mix and market conditions**. (Ord. 2007-02, 1-16-2007)

17.70.060: DEVELOPMENT REVIEW:

All uses proposed in **the** BH-MU **Z**zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in **the** BH-MU **Z**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. The following procedure shall be used for site plan review of projects in the BH-MU **Z**zone:

- A. The developer shall prepare and submit a concept plan as described in section **16.24.030** of this code.
- B. The developer shall prepare and submit a design book with the concept plan containing typical renderings of cross sections and plan views of the following:
 - 1. Existing and proposed public street curb, gutter, sidewalk, park strip, landscaping, streetlights and pavement.
 - 2. Yard areas between buildings and public streets, including trees, grass, shrubs, ground cover, signs and screen walls.

- 3. Parking areas, walkways, driveways, landscaped areas and storm detention/retention areas.
- 4. Architectural features, including materials and colors, of buildings, freestanding and wall mounted signs and light fixtures, trash enclosures, utility and loading area screen walls, pedestrian furniture and artwork.
- 5. Other improvements as required by city staff.
- C. The city staff shall review the concept plan and design book and provide comments to the developer who will make needed revisions to the documents. Upon final review and approval of city staff, the concept plan and design book for the development will be scheduled on the Pplanning Ceommission agenda for a public hearing. Amendments or changes to the approved design book may be approved by the Planning Commission subsequent to their review and a public hearing to hear comments regarding the proposed amendments or changes.
- D. Upon approval of the concept plan and design book by the Pplanning Ceommission, site plans for all or portions of the BH-MU Zzone may be prepared according to section 16.24.040 of this code and submitted to city staff for review. City staff may approve, approve with conditions, or deny the site plans for the proposed development.
- E. A decision of the city staff regarding site plans in the BH-MU **Z**zone may be appealed according to procedures set forth in section **16.04.370** of this code. (Ord. 2007-02, 1-16-2007)

17.70.070: LOT WIDTH AND FRONTAGE:

No minimum lot width is required in the BH-MU **Z**zone except as established with development approval. Each lot or parcel in BH-MU **Z**zones must front on or have legal access to a public street. (Ord. 2007-02, 1-16-2007)

17.70.080: AREA REQUIREMENTS:

The following area requirements shall apply in the BH-MU zone:

- A. Minimum Zone Area: The minimum area of a BH-MU **Z**zone shall be one hundred (100) acres.
- B. Minimum Project Area: "Project" shall be defined as any development in BH-MU **Z**zones for which preliminary plat or site plan approval has been proposed or granted. The minimum area of any project in BH-MU **Z**zones shall be one **quarter** acre.
- C. Minimum Lot Area: There shall be no minimum lot area in BH-MU **Z**zones, except as established with development approval.

D. Maximum Residential Area: Maximum residential use area in BH-MU zones is twenty percent (20%) of the gross land area in the zone. (Ord. 2007-02, 1-16-2007)

17.70.090: PRIOR CREATED LOTS:

Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of a BH-MU **Z**zone shall be brought into conformance with the requirements of this chapter prior to **new** development. (Ord. 2007-02, 1-16-2007)

17.70.100: YARD REQUIREMENTS:

Yard requirements in the BH-MU **Z**zone shall be determined with site plan, subdivision and/or condominium review by the **P**planning **C**eommission. Non-single-family residential buildings shall be separated from single-family residential lot lines by a minimum distance of thirty feet (30'), of which ten feet (10') adjacent to the property line shall be landscaped, unless said uses are contained in the same building. (Ord. 2007-02, 1-16-2007)

17.70.110: PROJECTIONS INTO YARDS:

The following may be erected on or projected into any required yard space in BH-MU zones:

- A. Fences and walls in conformance with city codes and ordinances.
- B. Landscape elements, including trees, shrubs and other plants.
- C. Utility or irrigation equipment or facilities.
- D. Single family detached residential Decks not more than two feet (2') in height.
- E. **Single family detached residential Cornices**, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to the building extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.
- F. **Single family detached residential Gchimneys**, 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. (Ord. 2007-02, 1-16-2007)

17.70.120: PARKING AND ACCESS:

Parking areas and access in BH-MU **Z**zones shall meet requirements of **<u>chapter</u> 16.26** of this code. **In order to enhance pedestrian access and walkability, site**

design should focus on orienting buildings to streets and driveways with parking placed to the rear or side of structures.

A reduction in required parking may be granted by the Planning Commission upon recommendation by the Community Development Director and City Engineeer, when justification for such can be made. Shared parking and mixed use site plan design shall be considered in determining parking reduction. Strategies for walkable commercial development as suggested by "Envision Utah's Urban Planning For Quality Growth" shall be implemented where appropriate. (Ord. 2007-02, 1-16-2007)

17.70.130: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in BH-MU zones:

- A. All mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view **from a public street** with architectural features or walls consistent with materials used in the associated buildings.
- B. The boundary of a BH-MU **Z**zone which is not in or adjacent to a street and which is adjacent to a single-family residential or agricultural zone shall be fenced with a six foot (6'), decorative precast concrete panel or masonry fence as determined with development approval. Six foot (6') solid vinyl boundary fencing may be allowed in unusual circumstances such as adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed by the city in unusual circumstances. A building permit is required for fences and walls over six feet (6') high. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.
- C. No wall, fence or screening material shall be erected between a street and a front or street side building line in BH-MU **Z**zones, except for **single family residential developments, and** as required in subsection A of this section.
- D. Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed two feet (2') in height within a ten foot (10') triangular area formed by the edge of a driveway and a street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. (Ord. 2007-02, 1-16-2007)

17.70.140: ARCHITECTURAL STANDARDS:

The following architectural standards are required in BH-MU Zzones:

- A. Architectural drawings and elevations, exterior materials and colors of all buildings shall be submitted in conjunction with development review. An architectural theme governing the project shall be submitted for review.
- B. All building materials shall be high quality, durable and low maintenance.
- C. Building materials for structures, Single family residential and townhome dwellings, including garages, shall use be constructed with brick, or stone, or cement fiber products (i.e. Hardie Board) in combinations that create aesthetically pleasing architecture. Stucco products, if used, shall clearly be used in minimal amounts and as a contrast or accent to other building materials, i.e. gables. Both vertical and horizontal elements should be used, as appropriate, to enrich and give a variety to the architectural theme. Individual buildings shall have enough architectural variation to be recognizable as separately recognizable structures. in the minimum amount of three feet (3') times (x) the perimeter of the foundation (including garage).
- D. Except for flat or shed-style roofed structures approved by the Planning Commission through design book review, a minimum six eight to twelve (68:12) roof pitch shall be required and a minimum two (2) car garage (minimum 202 feet by 202 feet, or the square footage approximate approved equivalent for tandem parking approved by the Planning Commission in conjunction with a site plan, subdivision plat or condominium map for the development.
- **ED**. Exterior walls of buildings, in excess of sixty feet (60') in length, shall have relief features at least four inches (4") deep at planned intervals. All sides of buildings shall receive design consideration.
- FE. Signs shall meet requirements of <u>chapter 16.36</u> of this code and shall be constructed of materials which complement the buildings which they identify.
- **G**F. Maximum building height in BH-MU zones shall be four (4) stories, <u>unless</u> <u>otherwise approved by the City Council</u>, except that the maximum height shall be two (2) stories within four hundred feet (400') of any single-family residential zone.
- HG. The exteriors of buildings in the BH-MU Zzone shall be properly maintained by the owners. (Ord. 2007-02, 1-16-2007)
- Architectural design and site layout shall be compliant with the basic principles of C.P.T.E.D. (Crime Prevention Through Environmental Design), i.e. natural surveillance, natural access control, territoriality, and maintenance.

17.70.150: LANDSCAPING:

The following landscaping requirements and standards shall apply in the BH-MU **Z**zone:

- A. The front, side and rear yards of lots in BH-MU **Z**zones shall be landscaped and properly maintained with grass, trees and other plant **and/or permeable landscape** material.
- B. All areas of lots in BH-MU **Z**zones not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with **ground covers that may include turfgrass**, deciduous and evergreen trees and other plant **and/or permeable landscape** material (**including properly designed xeriscape**), approved in conjunction with a site plan, plat or record of survey map for the development. **Drought resistant plant materials are encouraged.**
- C. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in BH-MU Zzones 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') evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section shall be dispersed throughout the required yard areas on the site.
- D. All collector street and other public and private Ppark strips (planting area between streets/driveways and sidewalks) are required in BH-MU Zzones and shall be improved with street trees with appropriate ground covers and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval. Park strips shall be of sufficient width to accommodate the root zone of the approved street tree species, i.e. at least five feet (5') for ornamental trees.
- E. Trees may not be topped nor may any landscape material be removed in BH-MU Zzones without city approval. Any dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan, plat or map approval.
- F. The following landscaping requirements shall apply in parking areas in BH-MU **Z**zones:
 - 1. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover 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 **only if parking is adjacent to a covered sidewalk**.

- 3. All landscaped areas adjacent to parking areas shall be curbed.
- G. A minimum twenty foot (20') wide landscaped **planting area** planter shall be required along the Bangerter Highway right of way on lots and parcels in the BH-MU zone which adjoin the highway right of way. This area may be counted toward any minimum yard area that would otherwise be required adjacent to the highway right of way. These areas shall be planted with trees and other plant/landscape materials approved with the development.
- H. Developments which 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.
- I. All required landscaping in BH-MU **Z**zones, shall be installed (or escrowed due to season) prior to occupancy.
- J. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners. (Ord. 2007-02, 1-16-2007)

17.70.160: LIGHTING:

The following lighting requirements shall apply in BH-MU **Z**zones:

- A. A lighting plan shall be submitted with all new developments in BH-MU **Z**zones. Site lighting shall not exceed forty feet (40') in height. Site and street lighting shall not exceed twenty feet (20') in height within three hundred feet (300') of any single-family residential zone or in public park strips.
- B. Lighting for commercial uses which is within three hundred feet (300') of residential lots shall be shielded to prevent glare on said residential lots.
- C. All lighting fixtures shall **evoke a 'village' feel to the development and** be architectural grade consistent with the architectural theme of the **project** development. Lighting fixture detail will be submitted for approval with the development. (Ord. 2007-02, 1-16-2007)

17.70.170: OTHER REQUIREMENTS:

The following provisions shall apply in BH-MU Zzones:

A. Private Covenants: The developer of a condominium project or PUD in a BH-MU **Z**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 map or subdivision plat for the project.

- B. Grading and Drainage: All developments in BH-MU **Z**zones shall be graded according to the city engineering and building requirements to provide adequate drainage on and off the property. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.
- C. Easements: Buildings may not be located within public easements without written approval from the affected parties.
- D. Maintenance: All developments shall be properly maintained by the owners.
- E. Phasing Plan: A project phasing plan shall be submitted for review at the time of preliminary plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city. (Ord. 2007-02, 1-16-2007)
 - **Section 2.** Amendment. The development plan included as Exhibit A to this Ordinance is hereby adopted as the amended and revised Master Development Plan("MDP") for the BH-MU Zone.
- **Section 3.** <u>Severability.</u> If any section, part, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. <u>Effective Date.</u> This Ordinance shall become effective immediately upon publication or posting as required by law.

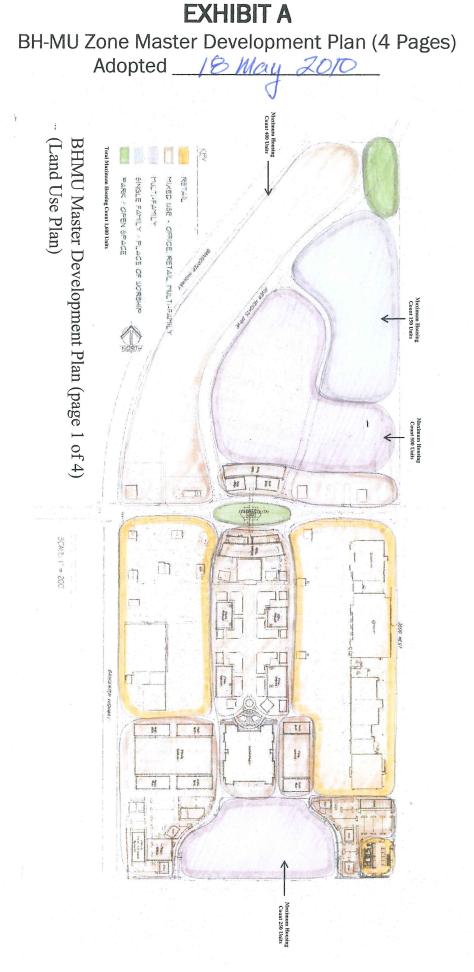
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Exhibit A

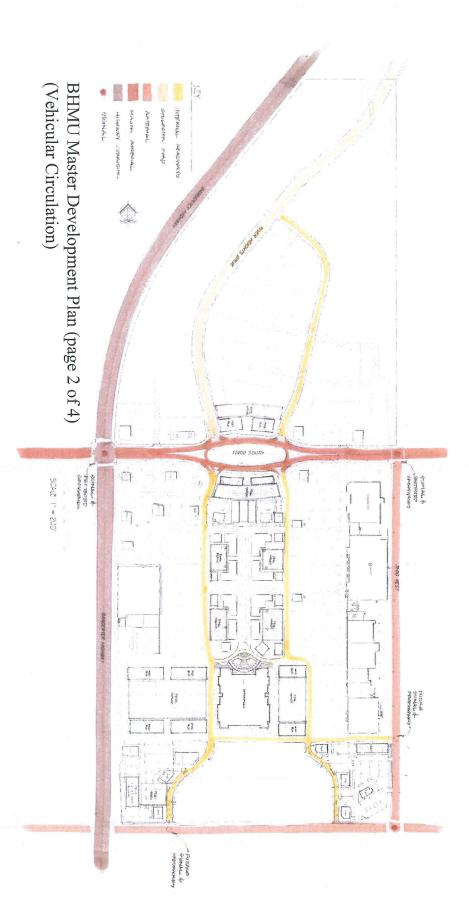
[to Ordinance 2010.04 AN ORDINANCE AMENDING SECTION 17.70 OF TITLE 17 OF THE SOUTH JORDAN MUNICIPAL CODE PERTAINING TO THE BANGERTER HIGHWAY MIXED USE ZONE (BHMU) passed and adopted by the South Jordan City Council, May 18, 2010]

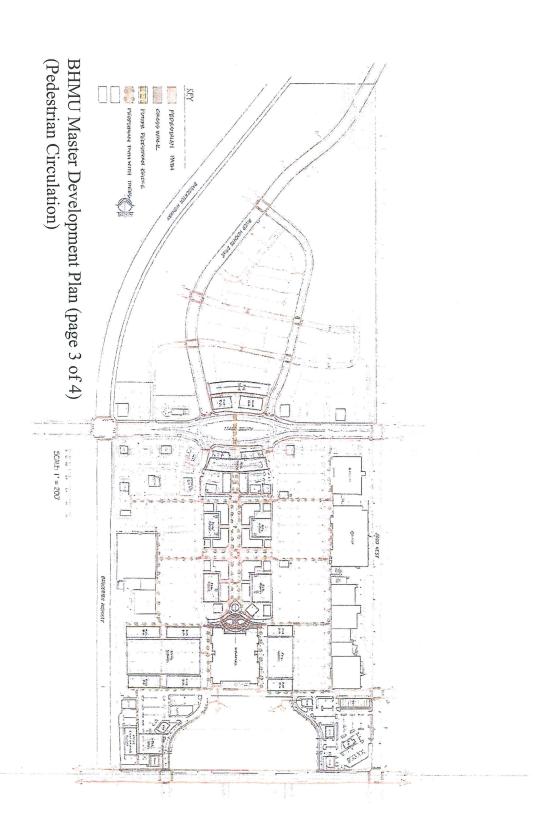
BH-MU Master Development Plan (4 Pages)

Item H.5.



bahtotk design group







SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: OCTOBER 14, 2025

FILE OVERVIEW						
Item Name	Legislative Text Amendments to City Code					
Address	1600 W. Towne Center Drive, South Jordan, UT 84095					
File Number	PLZTA202500196 Ordinance 2025-17					
Applicant	City of South Jordan					
Staff Author	Joe Moss, Long Range Planner					

ITEM SUMMARY

The proposed text amendments modify the subdivision and zoning codes to ensure compliance with changes in state legislation. The following chapters have modifications proposed:

- §16.04.160 Lots and Parcels is proposed to be amended per <u>S.B. 104</u> to clarify the process, documentation required, and appeal process for property line adjustments.
- §16.14 Subdivision Amendment is proposed to be amended to clarify noticing requirements and include a new written objection period prior to the public hearing per S.B. 104.
- §17.04.060 Public Notices is proposed to be modified to include additional notice requirements for land use amendment changes that are not considered "ministerial" per H.B. 368.
- §17.08 Definitions is proposed to be amended to state that property line adjustments are "simple boundary line adjustments" under state code per <u>S.B. 104</u>.



TIMELINE

• **September 5, 2025** City Staff discussed recommended zoning code modifications per the 2025 legislative session with the City Council at a study session.

REPORT ANALYSIS

Application Summary: The proposed changes to the zoning code are intended to address changes made by two bills in Utah's 2025 legislative session.

S.B. 104 modifies the process adjusting property lines and making subdivision amendments. The legislation changes require the following:

- Requires conveyance documents for boundary line adjustments.
- Establishes qualifying criteria for simple boundary adjustments.
- Modifies the noticing requirement for subdivision amendments to include a
 written objection window of at least ten days from the time of the notice. This
 window must end one day before the public hearing.

In order to comply with these changes, the proposed amendments modifies the following sections of City code:

- §16.04.160 Lots and Parcels is proposed to be amended as follows:
 - Establishes qualifying criteria to determine eligibility for a property line adjustment.
 - Updates the required conveyance document materials needed for property line adjustment application including a conveyance of title and diagram of the proposed changes.
 - o Includes a requirement that approval notices have a disclaimer that any potential error is not the responsibility of the City.
- §16.14 Subdivision Amendment is proposed to be amended as follows:
 - Clarifies that the Planning Commission is the land use authority for subdivision amendments.
 - Clarifies that applicants may petition to have their application heard by the Planning Commission within 45 days of the city receiving the petition.
 - Clarifies who is noticed.
 - Requires notices include a new written objection period prior to the public hearing.
- §17.08 Definitions is proposed to be amended as follows:
 - Clarifies the definition of a "property line adjustment" means the same thing as a "simple boundary line adjustments" under state code.



<u>H.B. 368</u> modifies public noticing requirements for land use amendments. These modifications include:

- Establishes a definition of changes that are "ministerial in nature." A change that is ministerial must comply with at least one of the following:
 - The land use update is to bring City ordinances into compliance with a state or federal law.
 - The land use update that affects an entire zoning district or multiple zoning districts.
 - The land use update is a non-substantive, clerical text amendment to an existing land use ordinance.
 - The land use update recodifies the City's existing land use ordinances.
 - The land use update designates or defines an affected area for purposes of a boundary adjustment or annexation.
- While ministerial updates are subject to existing noticing requirements, land use updates not deemed to be ministerial must comply with additional noticing measures.
- The additional notice must be mailed to property owners in the area directly affected by the proposed change and include:
 - o A summary of the effect of the proposed change, or
 - A direct link to the City webpage where a summary of the effect of the proposed change can be found.

FINDINGS AND RECOMMENDATION

Strategic Priorities Conformance:

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

- BRE-1. Develops effective, well-balanced, and consistently applied ordinances and policies
- BRE-2. Implements ordinances and policies that encourage quality community growth and development

Findings:

- The proposed modifications will help South Jordan's zoning code more closely align with Utah legislative requirements
- The proposed modifications are not major changes from existing policy and procedure, but does provide additional clarity to the subdivision and zoning code.

Conclusions:

• The application is in conformance with the City's Strategic Priorities.



Planning Staff Recommendation:

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

PLANNING COMMISSION ACTION

Required Action:

Recommendation for City Council

Scope of Decision:

This is a legislative item that will decided by the City Council. The decision should consider prior adopted policies.

Standard of Approval:

Utah Code § 10-9a-102 grants the City Council a general land use authority to enact regulations that it considers necessary or appropriate for the use and development of land in the City. (See Utah Code § 10-9a-501 et seq.)

Motion Ready:

I move that the Planning Commission provides a favorable recommendation to the City Council for:

1. Ordinance 2025-17 Text Amendment to City Code (§16.04.160 Lots and Parcels, §16.14 Subdivision Amendment, §17.04.060 Public Notices, and §17.08 Definitions Generally)

Alternatives:

- 1. Recommend approval with modifications
- 2. Recommend denial of the ordinance
- 3. Schedule the item for a decision at some future date.

SUPPORTING MATERIALS

- 1. Ordinance 2025-16
 - a. Exhibit A, Lots and Parcels
 - b. Exhibit B, Subdivision Amendment
 - c. Exhibit C, Public Notices
 - d. Exhibit D, Definitions Generally



ORDINANCE NO. 2025 - 17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CHAPTERS 16.04.160 (LOTS AND PARCELS), 16.14 (SUBDIVISION AMENDMENT), 17.04.060 (PUBLIC NOTICES), 17.08 (DEFINITIONS GENERALLY) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO COMPLY WITH CHANGES IN STATE LEGISLATION.

- WHEREAS, Utah Code Section 10-9a-102 grants the City of South Jordan (the "City") authority to enact ordinances that the South Jordan City Council (the "City Council") considers necessary or appropriate for the use and development of land within the City; and
- **WHEREAS**, the updated zoning code will enable the City to comply with changes in State of Utah legislation; and
- WHEREAS, the South Jordan Planning Commission held a public hearing, reviewed the proposed text amendments set forth in the attached Exhibit A, Exhibit B, Exhibit C, and Exhibit D, and made a recommendation to the City Council; and
- WHEREAS, the City Council held a public hearing and reviewed the proposed text amendments; and
- WHEREAS, the City Council finds that the proposed text amendments, set forth in Exhibit A, Exhibit B, Exhibit C, and Exhibit D, will enhance the public health, safety and welfare in the City.

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

- **SECTION 1. Amendment.** Section 16.04.160 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit A**, is hereby amended.
- **SECTION 2. Amendment.** Section 16.14 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit B**, is hereby amended.
- **SECTION 3. Amendment.** Section 17.04.060 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit C**, is hereby amended.
- **SECTION 4. Amendment.** Section 17.08 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit D**, is hereby amended.
- **SECTION 6. 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 7. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

	OPTED BY THE CITY OON THIS DAY O			
		YES NO	ABSTAIN	ABSENT
	Patrick Harris Kathie Johnson Donald Shelton Tamara Zander Jason McGuire			
Mayor: Dawn R. Ra	msey	Attest:A	nna Crookston, Ci	ty Recorder
Approved as to form:				
Gregory Simonsen Gregory Simonsen Gregory Simonsen Gregory State Gregory State Gregory State Gregory State Gregory Simonsen G	orney			

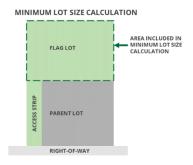
Item I.1.



16.04.160: LOTS AND PARCELS

The following requirements pertaining to subdivisions, condominiums or other developments shall be incorporated into project design and implemented by the developer:

- A. Size And Shape: Each lot or parcel shall be of adequate shape and size to accommodate area, yard, frontage, width, parking, access, landscaping, building and all other requirements of the zone in which the lot or parcel is proposed and to accommodate reasonable use of the property.
- B. Lot Constraints: Existing topography, easements, vegetation, waterways and other natural or historic features of the property shall be accommodated in the design of lots or parcels.
- C. Lot Remnants: Every portion of a parcel being subdivided or recorded as a condominium shall be included in a lot or lots in the proposed subdivision plat or as common, limited common or private ownership in a condominium except for public rights-of-way, parks or other areas dedicated for public use. Non_buildable parcels shall be so identified with clarifying information to indicate their purpose.
- D. Flag Lots: Flag lots may be utilized to facilitate development of otherwise inaccessible lots as set forth in this section.
 - 1. Qualifying Criteria. Flag lots may only be considered for lots or parcels that meet all of the following qualifying criteria:
 - a. There is no feasible or practical way to subdivide the lot or parcel or gain direct access to a public street or future street system as determined by the City Engineer.
 - b. The proposed subdivision will create a maximum of two (2) new residential building lots from the original lot or parcel; or the proposed subdivision will create a maximum of two (2) additional building lots, one created from the original parcel and another created from an adjacent parcel that also meets all requirements for flag lots.
 - c. The original lot or parcel has a cumulative minimum of 125 feet of contiguous street frontage.
 - 2. Design Standards. A flag lot shall comply with the following design standards:
 - a. Lots:
 - (1) All proposed lots meet the minimum required setbacks of the underlying zone including density. Density is calculated on the area included in the original subdivision plat.
 - (2) Flag lots shall have a lot size that is 125% the minimum size permitted in the underlying zoning district. Square footage within access strips shall not be included in the minimum lot size calculations.



- (3) Setbacks are as set forth in the governing zoning district, but in no circumstance may be less than fifteen feet (15').
- (4) The front setback for the flag lot shall be determined by which portion of the lot is most parallel to the street where the flag lot is accessed and shall exclude the access strip in location of the minimum setbacks.

b. Structures:

- (1) Structures on flag lots shall be a maximum of 25' in height.
- (2) Structures, including accessory buildings, are prohibited within the access strip of a flag lot.

c. Access Strip:

- (1) Access strips shall be a minimum of twenty feet (20') of paved access width. Greater access width may be required by the fire marshal based on the access with requirements of the International Fire Code.
- (2) The access strip portion of a flag lot shall be platted as a contiguous portion of the flag lot.
- (3) All proposed driveways and access points shall comply with applicable International Fire Code standards.
- (4) The driveway access strip shall be paved with asphalt or concrete to a minimum width of twenty feet (20'). Design of the driveway shall provide a manner for controlling drainage water acceptable to the city engineer. The load bearing capacity of the driveway may be required to be designed to support the weight of fire and emergency vehicles as required by the Fire Marshal and City Engineer.
- (5) The maximum grade of the access strip shall not exceed ten percent (10%).
- (6) For lots where the access strip is over one hundred fifty feet (150') in length, sufficient turnaround space for emergency vehicles shall be provided and an easement for access by emergency vehicles will be required. The fire marshal shall review and approve the design and location. The access strip or driveway shall be maintained by the property owner or possessor of the premise. It must be in good condition, with adequate snow removal, free of obstructions, and must provide free and uninhibited access by emergency vehicles at all times.
- (7) Driveways shall be located a minimum of fifteen feet (15') from existing residential structures on neighboring lots, excluding those located on parent lots.
- (8) Flag lots must post address numbers at the entrance to the flag lot driveway that are clearly visible from the right-of-way and meet the requirements of the International Fire Code.
- (9) To reduce the number of driveways, a single access strip may be used when shared by two adjacent flag lots or by a flag lot and the lot between the flag lot and the street. In such circumstances shared access easements shall be included on the plat.
- (10) Fire hydrants shall be provided to serve the flag lot as required by the International Fire Code. Any fire hydrants located in the public right of way shall be dedicated to the water provider for access to and maintenance of the hydrant. Flag Lots: Flag lots may be utilized to facilitate development of otherwise inaccessible lots as set forth in this section.

- 3. Procedure. Flag lots will be processed as a subdivision amendment as set forth in Section 16.14 of this Code.
- 4. Submittal Requirements. In addition to the submittal requirements set forth in Section 16.14 of this Code, applications with flag lots shall submit the following:
 - a. Written acknowledgement from the applicant indicating that irrespective of any City approval, there may be covenants, conditions, and restrictions on the parcel that the City does not review and cannot enforce that may preclude flag lot development;
 - b. A written description from the applicant stating the reason the flag lot is needed, why the flag lot may not be developed along a street or future street, and what potential impacts for neighboring properties may be and what actions have been taken to limit those impacts, and;
 - c. A concept plan showing the required setbacks and the building envelope.
- 5. Approval. Flag lots that meet all applicable criteria shall be administratively approved by the Planning Director if in compliance with all applicable regulations.
- 6. Notice. Following of the submittal of a complete flag lot application, the City shall send an informational notice to adjacent property owners informing them of the subdivision application.
- E. Double Frontage Lots: These parcels may only be allowed where lots back onto collector or arterial streets. However, the planning commission may, on a case by case basis, approve double frontage lots elsewhere due to property constraints, traffic considerations or other special circumstances. Double frontage lots shall have the following restrictions:
 - 1. A minimum six foot (6') decorative masonry or decorative precast concrete wall shall be required along the rear lot lines of the double frontage lots that are part of a new subdivision. However, if the double frontage lot that is created is part of an existing lot or subdivision and the owner(s) of a lot do not consent to the wall being installed on the existing lot line, the wall shall not be required.
 - 2. Double frontage lots may not be accessed from the street which is established along the rear of said lots, unless otherwise approved by the city engineer.
- F. City And Zoning Boundaries: Individual lots or parcels shall not be created which would be divided by a City boundary. Individual lots or parcels that cross a zone boundary shall be avoided.
- G. Side Property Lines: Said lot lines in a subdivision shall be approximately radial or perpendicular to the street right-of-way line. Side property lines shall be straight lines except where physical constraints of the property require otherwise or in order to facilitate more efficient use and function.
- H. Rear Lot Lines: Said lot lines shall be parallel or approximately parallel to the front lot line except where physical constraints of the property require otherwise or in order to facilitate more efficient use and function.
- I. Property Line Adjustments: Consenting owners of adjoining properties that comply with this subsection may apply for a property line adjustment. The adjoining properties may be any combination of lots in recorded subdivisions and/or parcels described by metes and bounds, regardless of subdivision boundaries.
 - Property line adjustments are subject to review by the Land Use Authority, except that
 parcel-boundary <u>line</u> adjustments to resolve disputed property lines between adjoining
 properties, while subject to Utah Code, are exempt from review. The City Engineer is the
 designated Land Use Authority for property line adjustments. <u>Applications that do not</u>
 <u>meet all eligibility criteria are required to follow the subdivision amendment</u>
 <u>procedure as described in Section 16.14 of this Code.</u>

- 2. Eligibility criteria. A property line adjustment shall not:
 - a. Affect a public right-of-way, municipal utility easement, or other public property.
 - b. Affect an existing easement, onsite wastewater system, or an internal lot restriction.
 - c. Result in a lot or parcel out of conformity with land use regulations.
 - d. Include more than three (3) properties.
 - e. Result in a new parcel or remnant land of any kind.
- 2. 3. Applications shall <u>include conveyance document with the following:</u>
 - a. The name, signature, and address of Be filed jointly by the owners of all subject properties.
 - b. Include the The legal description of each original property.
 - c. Include the <u>The</u> adjusted legal description of each property as proposed. Legal descriptions shall be prepared by a certified surveyor or engineer.
 - d. Include no more than three (3) properties. Sufficient language to convey title from one party to another party, in conformity with the proposed property line adjustment.
 - e. A graphic of the proposed property line adjustment including the former property lines, the proposed property lines, the shape and dimensions of the each adjusted lot or parcel, and any other existing or proposed improvements that impact or ar subject to land use regulations.
 - f. A citation to the Utah Code 10-9a-605 noting where the exemption to the plat requirement is authorized.
- 3. 4. The City Engineer shall hold a public meeting following proper notice to all owners of property adjacent to the subject properties and according to Utah Code and other applicable sections of this Code.
- 4. 5. The City Engineer shall approve and provide a <u>written</u> notice of approval to the applicant(s) for of a property line adjustment applications that comply with this Code. The notice shall include a statement that the land use authority is not responsible for any error related to the property line adjustment and state that the county recorder may record the property line adjustment. the following requirements: The property line adjustment will not result in a new parcel or remnant land of any kind. The properties as proposed will comply with this Code.
- 5. <u>6.</u> The property owners that are a party to the application shall record with the Salt Lake County Recorder's Office within thirty (30) days of the issuance of the notice of approval and a valid <u>conveyance</u> document <u>of conveyance</u> that results in the property boundaries described by the legal descriptions submitted with the property line adjustment application.

Item I.1.

Exhibit B

CHAPTER 16.14 SUBDIVISION AMENDMENT

16.14.010: PURPOSE

This chapter provides instructions and requirements for vacating, amending or altering subdivision plats or for vacating public streets in the city. All provisions of this chapter, other city ordinances and Utah Code Annotated section 10-9a-608 shall be met prior to construction activities and prior to recording of any vacated or amended subdivision plat. A subdivision plat amendment is not required for lot line or boundary adjustments as described in Utah Code Annotated.

16.14.020: REVIEW REQUIRED

Any fee owner of land within a platted subdivision, as shown on the last county assessment rolls, may petition the city in writing to amend, alter or vacate any portion of said subdivision. The city may also consider any subdivision amendment, vacation or alteration with or without petition. All proposed vacations, alterations or amendments of subdivision plats must meet the review requirements outlined in this chapter and the requirements of the individual zone in which the subdivision is proposed. All provisions of this title, title 17 of this code, and other city requirements shall be met in preparing applications and in designing and constructing the development for which the amended, vacated or altered subdivision plat is intended to facilitate. When required, building permits may not be obtained nor shall any site work be performed prior to approval of the proposed amendment, vacation or alteration.

16.14.030: APPLICATION

An application for amendment, alteration or vacation of any subdivision plat shall include the following:

- A. The names and addresses of all owners of record of the land contained in the entire plat.
- B. The names and addresses of all owners of record of land adjacent to any street that is proposed to be vacated or any plat that is proposed to be vacated, altered or amended.
- C. The signature of each owner of record as set forth in subsections A and B of this section who consents to the petition.

For any petition which lacks the consent of all owners of record of land contained in the entire plat and all owners of record of land adjacent to any street proposed to be vacated, altered or amended, two (2) sets of address labels and postage to all such owners of record and a list of such owners from the Salt Lake County recorder's office.

16.14.040: PUBLIC NOTICE AND HEARING

The following requirements regarding public notices and hearings shall be followed:

- A. The Planning Commission shall be the Land Use Authority for subdivision amendments.
- B. An applicant for a subdivision amendment may submit a petition for a submitted application to be heard at a public hearing. Upon receipt of the petition, the Planning Commission shall hold a public hearing within forty-five (45) days of receipt of the petition.
- C. The Planning Department shall provide a written or emailed notice to the following:
 - a. Each affected entity within the portion of the subdivision that is proposed to be vacated or amended.
 - b. All owners of record in the subdivision.
- D. The notice shall include:
 - a. The date, time, and location of the public hearing where the Planning Commission will consider the subdivision amendment application.
 - b. A deadline for written objections that is a minimum of ten (10) calendar days after the notice is sent, but no later than one (1) calendar day prior to the public hearing.
 - c. <u>The notice shall be in accordance with sections 10-9a-207 and 10-9a-208 and any other applicable sections of the Utah Code Annotated, as from time to time may be amended.</u>

E. All costs of notice shall be paid by the applicant.

16.14.050: PREPROJECT SUBMISSION PLANNING

Individuals or representatives from companies wishing to develop subdivisions within the city of South Jordan are encouraged to work with city staff to plan their project to ensure it will be designed to work efficiently within the surrounding area and to meet the goals and intent of the city's general plan.

16.14.060: SUBDIVISION AMENDMENT APPLICATION

Amendments to platted subdivisions shall be done in accordance with sections 10-9a-207, 10-9a-208, 10-9a-608, 10-9a-609.5 and any other applicable sections of the Utah Code Annotated, as from time to time may be amended. An application for a plat amendment shall be made by electronic submittal to the Planning Department. Only complete plat amendment applications, as determined by the Planning Director, will be reviewed by the City staff. The Planning Commission will review the application in a public hearing, which will not be scheduled without first satisfying all submittal requirements. Any requirements of this section considered by the Planning Director or the City Engineer to be non-applicable to a specific project may be waived or altered in writing by the City, except as required by State law. The proposed plat vacation, alteration, or amendment application shall consist of the following information or other information as required by the Planning Department or City Engineer:

- A. Owner's affidavit.
- B. Payment of the application fee set by the City.
- C. An electronic copy of the amended subdivision plat and the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the City:
 - 1. Subdivision name prominently printed at the top of the plat.
 - 2. Names, addresses and phone numbers of the applicant, engineer and surveyor.
 - 3. Vicinity map showing the general location of the subdivision.
 - 4. Date, scale and north arrow.
 - 5. An accurate and complete survey acceptable to the City Engineer including certification from the surveyor that he or she:
 - a. Holds a license in accordance with Utah Code Annotated title 58, chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
 - b. Has completed a survey of the property described on the plat and has verified all measurements; and
 - c. Has placed monuments as represented on the plat.
 - 6. An accurately drawn subdivision boundary showing proper bearings and dimensions properly tied to public survey monuments and drawn slightly bolder than lot and street lines.
 - 7. All survey and mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, the central angle, radius and arc length of curves, and such information as may be necessary to determine the location of beginning and ending points of curves. All property corners and monuments within the subdivision shall show the calculated Salt Lake County coordinates and State plane coordinates. Lot and boundary closure shall be calculated to the nearest one-hundredth (0.01) of a foot.
 - 8. All lots, blocks and parcels offered for dedication for any purpose delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. Parcels offered for dedication other than for streets or easements shall be clearly designated on the plat. Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.
 - 9. The right-of-way lines of each street and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dotted lines. If any

- street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.
- 10. All lots and blocks numbered consecutively under a definite system approved by the Planning Commission. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications.
- 11. All streets within the subdivision numbered (named streets shall also be numbered) in accordance with, and in conformity with, the adopted street numbering system adopted by the City. Salt Lake County shall approve all proposed street names and the developer shall submit evidence of such approval. Each lot shall show the street addresses assigned thereto, and shall be according to the City's approved standard addressing methods. In the case of corner lots, an address may be assigned for each part of the lot having street frontage.
- 12. The side lines of all easements shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.
- 13. All fully and clearly shown stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements shall be replaced by the developer under the direction of the City Engineer. The amended plat shall include:
 - a. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties; and
 - b. All right-of-way monuments at angle points and intersections as approved by the City Engineer.
- 14. The name of the surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgments and descriptions shall appear on the title sheet of the amended plat, and such certificates may be combined where appropriate:
 - a. Registered land surveyor's "certificate of survey".
 - b. Owner's dedication certificate.
 - c. Notary public's acknowledgment for each signature on the plat.
 - d. A correct metes and bounds description of all property included within the subdivision.
 - e. Blocks for signature of the Planning Department, South Valley Sewer District, City Engineer, City Attorney, and the Mayor (a signature line for the Mayor and an attestation by the City Recorder). A block for the Salt Lake County Recorder in the lower right corner of the amended plat.
 - f. Signature lines for telephone, gas, electricity and cable companies.
 - g. Such other affidavits, certificates, acknowledgments, endorsements and notarial seals as are required by law, by this title or by the City Attorney.
 - h. Prior to recordation of the plat, the developer shall submit a current title report to be reviewed by the City Attorney. A current title report is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the amended plat.
 - i. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the amended plat shall be in the form prescribed by the City's subdivision standards and specifications.
 - j. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the developer shall submit, with the amended plat, the name, proposed articles of incorporation and bylaws of the owner,

- or organization empowered to own, maintain and pay taxes on such lands and common areas.
- k. Other information such as the location of jurisdictional boundary lines (Federal Emergency Management Agency, U.S. Army Corps of Engineers, Salt Lake County Flood Control, etc.), streetlights, fire hydrants, adjoining lot lines or property owners, fencing notes or any other special notes or requirements as deemed necessary by the Planning Director, the City Engineer or the City Attorney.
- 15. The applicant shall note on the amended plat for the subdivision those public right-of-way areas, including public park strips, for which the adjoining owners shall have responsibility for landscape improvements and maintenance.

16.14.070: CITY ENGINEER REVIEW

The City Engineer shall review the amended plat and construction plans and determine compliance with the engineering and surveying standards and criteria set forth in this title and all other applicable ordinances of the City and the State. The City Engineer shall sign the amended plat if the City Engineer finds that the amended subdivision and the construction plans fully comply with the improvement standards required by this title, that the survey description is correct, and that all easements are correctly described and located. If the amended plat complies, the City Engineer shall prepare an estimate of the construction costs for all proposed public improvements and sign the plat in the appropriate signature block and forward the plat to the Planning Commission. If the amended plat or the construction plans do not comply the City Engineer shall return the plat to the applicant with comment.

16.14.090: CITY ATTORNEY REVIEW

The applicant shall submit, with the amended plat, a current title report to be reviewed by the City Attorney. A current title report is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the plat. The applicant shall submit the improvement guarantee and any other documents and information required by the City Attorney.

16.14.110: AMENDED SUBDIVISION PLAT EXPIRATION

If the amended subdivision plat is not recorded within one year from the date of approval, the approval shall expire and the amended plat shall be null and void.

16.14.120: APPEAL OF AN AMENDED SUBDIVISION PLAT EXPIRATION

Applicants may appeal for one extension of time for an amended preliminary or final plat approval prior to the expiration of the approval. The City Engineer may grant one extension for up to one year from the date of expiration upon the applicant's showing of good cause (a reason rationally related to the development) and in the best interest of the City. Amended subdivision plats are required to conform to current standards, ordinances and policies. An applicant may appeal the decision of the City Engineer to the Planning Commission in writing, within fourteen (14) days if denied.

16.14.130: RECORDING OF AMENDED PLAT

The City Recorder or designee shall record the amended subdivision plat at the Office of the Salt Lake County Recorder. The amended plat may not be recorded until all of the following items have been completed:

- A. The plat has been approved by the City and all requirements of State law, City staff and the Land Use Authority have been met.
- B. The Mayor's signature and City Recorder's attestation have been applied to the Mylar plat drawing.

- C. The improvement guarantee determined by the City Engineer and approved by the City Attorney, or designee, has been properly posted with the City.
- D. All engineering fees have been paid including storm drain, streetlight and review fees.
- E. All necessary deeds and agreements have been executed and submitted to the City.
- F. Required water shares have been submitted to the City.
- G. All other conditions of approval required for plat recordation have been met.

Item I.1.

Exhibit C

17.04.060: PUBLIC NOTICES

The following regulations shall apply in providing public notices:

- A. Required Notice: The City Council, the Planning Commission, or an Appeal and Variance Hearing Officer shall schedule and hold any statutorily required public hearing or public meeting according to the provisions of this title and State law. The City shall provide notice of the date, place, and time of public hearings or public meetings at least ten (10) days before the date of the public hearing or public meeting, or such lesser or greater time as provided by State Statute or City ordinance, by: 1) posting notice of the hearing or meeting on the City's website and to the Utah State government notice website; and 2) by giving mailed written notice of the hearing to each affected entity. The City shall provide a copy of each staff report pertaining to a land use applicant to that applicant at least three (3) business days prior to the public hearing or public meeting. If notice given under authority of this subsection is not challenged in accordance with applicable appeal procedures within thirty (30) days from the date of the public hearing or public meeting for which the notice was given, the notice is considered adequate and proper. The notice required by this subsection may be referred to in this title as "required notice". Each applicant shall pay the costs of required notice for his or her application.
- B. Requirements For Notification:
 - a. Except in the case of development ordinance text amendments, the City shall notice all property owners of record of the subject property and properties within three hundred feet (300') of the boundary of the subject property as evidenced by the current records of the Salt Lake County Recorder's Office.
 - b. If a proposed land use ordinance modification does not meet the requirements of a ministerial modification under Utah Code 10-9a-205 as amended, the City shall also provide a written notice to the area directly affected by the land use ordinance change. This notice shall include a summary of the effect of the proposed modification or a direct link to the City website where a summary of the effect of the proposed modification can be found.
 - c. The City shall ensure that the list of property owners and the address labels are accurate and complete. Subject to the limitations set forth herein, the City shall provide notice using the address labels and postage paid for by the applicant.
- C. Posting On Site: Applicants applying for future land use map amendments and rezoning of property shall, in addition to the above requirements, post notification of the proposed land use change and/or rezoning on the site as directed by the City of South Jordan.

Exhibit D

Item I.1.

17.08. DEFINITIONS GENERALLY

PROPERTY LINE ADJUSTMENT: The relocation of a property boundary between two (2) adjoining properties that does not create a new parcel or remnant land of any kind. Lot line adjustments and parcel Simple boundary line adjustments, as defined by Utah Code section 10-9a-103, shall be considered property line adjustments.