

**CITY OF SOUTH JORDAN**  
**PLANNING COMMISSION MEETING AGENDA**  
**CITY COUNCIL CHAMBERS**  
**TUESDAY, MARCH 25, 2025 at 6:30 PM**



Notice is hereby given that the South Jordan City Planning Commission will hold a Planning Commission Meeting on Tuesday, March 25, 2025, in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah with an electronic option via Zoom phone and video conferencing. Persons with disabilities who may need assistance should contact the City Recorder at least 24 hours prior to this meeting.

In addition to in-person attendance, individuals may join via phone or video using Zoom. Please note that attendees joining virtually or by phone may not comment during public comment or a public hearing; to comment, individuals must attend in person.

If 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. The ability to participate virtually is dependent on an individual's internet connection.

To ensure comments are received, please have them submitted in writing to City Planner, Greg Schindler, at [gschindler@sjc.utah.gov](mailto:gschindler@sjc.utah.gov) by 3:00 p.m. on the day of the meeting.

Instructions on how to join the meeting virtually are below.

**Join South Jordan Planning Commission Electronic Meeting March 25, 2025 at 6:30 p.m.**

- Join on any device that has internet capability.
- Zoom link, Meeting ID and Meeting 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.](#) March 11, 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. SOUTH STATION PLAT 3 MULTI FAMILY #7 PRELIMINARY SUBDIVISION - UPDATED

Address: West side of Lake Run Road between Center Field Drive and Split Rock Drive  
File No: PLPLA202500001  
Applicant: LHM Real Estate

### H.2. MOSAIC CONDITIONAL USE PERMIT AND PRELIMINARY SUBDIVISION PLAT

Address: 11220 S. River Heights Dr.  
File No: PLCUP202400194, PLPP202400193  
Applicant: Jacob Ballstaedt, Garbett Homes

## I. LEGISLATIVE PUBLIC HEARINGS

### I.1. RESIDENTIAL FRONT YARD FENCING AND PARK STRIP LANDSCAPE CODE TEXT AMENDMENTS

File No: PLZTA202400233  
Applicant: Thomas & Rebekah Wiandt

## J. OTHER BUSINESS

### J.1. Planning Commission Discussion regarding Commission Rules for 2025.

## 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](http://www.sjc.utah.gov) and on the Utah Public Notice Website [www.pmn.utah.gov](http://www.pmn.utah.gov).

Dated this 21st day of March, 2025.  
Cindy Valdez  
South Jordan City Deputy Recorder



**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
March 11, 2025**

Present: Commissioner Michele Hollist, Chair Nathan Gedge, Commissioner Laurel Bevens, Commissioner Steven Catmull, Commissioner Lori Hardy, Commissioner Sam Bishop, City Assistant City Attorney Greg Simonson, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, Deputy City Engineer Jeremy Nielson, Planner Damir Drozdek, IT Director Matt Davis, GIS Coordinator Matt Jarman

**6:32 P.M.  
REGULAR MEETING**

**A. WELCOME AND ROLL CALL – *Chair Nathan Gedge***

Chair Nathan Gedge welcomed everyone to the Planning Commission Meeting and noted that all (5) Planning Commissioner's are present.

**B. OATH OF OFFICE FOR NEW PLANNING COMMISSIONER – LORI HARDING**

Chair Gedge said the new Planning Commissioner is ill tonight so she will be attending on our online format. She may make comments and be apart of the discussion, but will not be voting due to postponing the Oath of until the next Planning Commission Meeting being held on March 25, 2025.

**C. MOTION TO APPROVE AGENDA**

Commissioner Bevens motioned to approve the agenda as published with removal of item K.1 Planning Commission discussion Commission rules. Vote was 5-0 unanimous in favor.

**D. APPROVAL OF THE MINUTES**

D.1. February 25, 2025 - Planning Commission Meeting Minutes  
Commissioner Hollist motioned to approve the February 25, 2025 Planning Commissioner Minutes with no corrections. Chair Hollist seconded the motion. Vote was 5-0 unanimous in favor.

**E. STAFF BUSINESS**

Planner Schindler said I wanted to ask you commissioner's about the April 8, 2025 Planning Commission Meeting. I know Commissioner Gedge said that he will be attending the new baseball stadium for the opening night. We will need to send out notices if there will be a meeting, if not we will need to cancel it.

The Commissioners had a discussion and they will be having the April 8, 2025 Planning Commission Meeting. Commissioner Gedge and Commissioner Bishop will not be in attendance, but the rest of the Commissioners will be in attendance.

## **COMMENTS FROM PLANNING COMMISSION MEMBERS**

Commissioner Catmull said now that the legislative session is over, did we talk about the training or potential opportunity for training?

Commissioner Gedge said Mr. Loose shared at one of our meetings the legislative tracking site that they use, so I went through it really quickly yesterday. For one of our upcoming trainings there are many potential legislative items that might have been signed by the governor or will be, or any updates that we could be aware of that maybe we can incorporate at one of our trainings this year.

Commissioner Bishop said I want to let you know that I have retracted my my offer to step down from the Commission, so I will be here from now on.

Chair Gedge said I appreciate that, so we're looking forward to hopefully having you for two and a half plus more years.

Commissioner Bishop said "thank you."

### **F. SUMMARY ACTION - *None***

### **G. ACTION - *None***

## **H. ADMINISTRATIVE PUBLIC HEARINGS**

### **I.1. WHEADON ACRES FLAG LOT SUBDIVISION AMENDED**

Address: 10537 S 3010 W & 10555 S 3010 W

File No: PLPLA202400055

Applicant: Gordon Milar Construction LLC

Commissioner Bevans said I have material interest in this paraticular item, so I will be recusing myself.

Planner Aguilera reviewed background information on this item from the staff report. There was one correction to the staff report; in the findings, it does say that due to existing flag lot subdivision requirements, those subdivision flag lot subdivision requirements have since been

amended last week. So this is taking the requirements into account of the flag lot over the rezone, which has since been repealed.

Assistant City Attorney Simonson said I didn't understand what you said about the development agreement on the guest house.

Planner Aguilera said the development agreement has a developer obligation section that prohibits guest houses.

Assistant City Attorney Simonson said I am looking at that right now, and in spite of the new ordinance that is remaining in the development agreement, it says; it will be done through deed restrictions or plat restrictions. Do you know how that's going to be done?

Planner Aguilera said in our conversations with the planning director, it was kind of agreed that it would be noted on the plat "this restriction" and if it was to change or anything, it would have to be formally amended with the city through a subdivision amendment or something like that.

Assistant City Attorney Simonson said that tells me that when I review the plat I need to look for that. Thank you.

Commissioner Hollist said is the 1.8 zone minimum lot size still being met by all four of these properties?

Planner Aguilera said yes. The 1.8 zone minimum lot size is 14,520 square feet. So that's roughly .33 acres. And each of these lots is greater than that, with the smallest here being lot 101 at .335 acres.

Commissioner Hollist said is the overall subdivision density still above what's required for the 1.8 zone?

Planner Aguilera said the above overall density for the entire Whedon Acres is still going to be below 1.8 units, or lots per acre, because according to the plat there's roughly 53 lots and roughly 32.37 acres. So that's about 1.6 however many digits. So about five more lots could be fitted into that subdivision before density is increased or passed.

Commissioner Hollist said recently I saw a new flag lot ordinance that I assume the City Council passed this time. Will all those same restrictions apply to this overlay, meaning that the flag lots must be occupied by the owner of that property.

Planner Aguilera said I will have to look at the new ordinance to be 100% sure about that.

Assistant City Attorney Simonson said those flag lots will need to be occupied by the owner of the property.

Commissioner Catmull said that was passed last week in city council, correct?

Planner Aguilera said yes, the new flag I Lot ordinance, and the overlay zone. This is the first and only application like this you'll see associated with the rezone. Essentially, the new ordinance will just have a subdivision application to go through and come before the planning commission, rather than doing the whole rezone.

Commissioner Hollist said so I guess maybe my questions is if those front lots can be rented out in entirety, but then no property among these four can build a guest house. Am I understanding that correctly?

Planner Aguilera said yes, in this specific subdivision. I can always look at the language again in the develop agreement, but it was agreed that this amended subdivision would prohibit guest houses. I'm not too certain about the new ordinance though.

Chair Gedge said I believe in our meeting last year, there was concerns about water on the west facing property. Are there any concerns with with that? The water rights are accessing it from the street, I'm sure engineering signed off on this, but any concerns with that?

Assistant City Engineer Nielson said no. There are no concerns with the water, actually water rights are a private matter.

Chair Gedge said just to confirm for the public record that all animal rights for all four lots in the development agreement are basically vacated on this even though two of the lots would be over that allowed amount.

Planner Aguilera said they've restricted the animal rights and on these four amended lots.

Chair Gedge said the last the development agreement was passed and adopted by the city council and signed by the mayor in February with a 3 to 2 vote, correct

Planner Aguilera said yes, on February 18, 2025.

Chair Gedge said basically, that's already been executed, so just wanted that for the public record.

Assistant City Attorney Simonsen said I need to correct something I unintentionally said to Commissioner Hollist that the draft of the flag lot ordinance went all the way through there was going to have to be owner occupied.. In the Office of the City Attorney, we looked at that and determined that it might violate what's commonly known as the right of free aviation, meaning the right to be able to sell or rent a property. And I personally did the research on it and so I am a little embarrassed to say that, but thanks to my research that provision got taken out.

Dan Milar (Applicant) said I don't have anything particular to add, but I am here to answer any questions that you may have.

Commissioner Hollist said how soon do you plan to undertake this construction?

Mr. Milar said not to soon. I don't have any plans at this time.

Chair Gedge opened the Public Hearing to comments.

Ivan Klotovich, South Jordan - said do I understand, is the flag lot on the south side and the other one on the north side, are the two regular lot deals? Would you build two houses there and then rent part to him?

Chair Gedge closed the Public Hearing.

Chair Gedge said we did have one member of the public ask a questions about if the larger lots were the flag lots? And I believe the answer is yes, because the flag is off the flag pole, and so the further back properties are the ones that are larger remaining properties and the smaller lots adjoining the street are not considered flag lots.

Planner Aguilera said the larger ones are the ones in the back on this specific proposed plat, the smaller ones are the remainder ones.

Chair Gedge said in the development agreement the flag lots have to remain owner occupied, or is the anchor lots that have to remain owner occupied?

Planner Aguilera said this specific application it is not a requirement that they be owner occupied, per the development agreement, it can be any of the four lots.

Assistant City Attorney Simonson said as I read the development agreement, the developer obligation subpart three, the restriction on guest houses applies to all lots.

Commissioner Catmull said as I understand it there would be no more than four dwelling buildings, and no more than eight dwelling units in the four lot total.

Chair Gedge said just so we're all clear, internal accessory dwelling units do not impact the density of the the development.

Commissioner Catmull said every surrounding property that can have two dwelling units as well.

Chair Gedge only separate buildings.

Commissioner Hollist said so when they apply for a site plan, is that when it will be reviewed to make sure that they've met all the setbacks and everything that are called out in this development agreement? At what point will that be reviewed just to make sure that everything is square?

Planner Aguilera said I don't believe they're going to apply for a site plan they're going to probably apply for it if they have to a SRD small residential development application, or they would just apply for the building permit directly.

Planner Aguilera said in the future, when the building plans are submitted for future homes on these properties, there will be a planning reviewer assigned, probably me, and so then the planning reviewer or I will have to go through the development agreement to make sure that those requirements going forward are being met.

Planner Schindler said in the future, if somebody tries to put a guest house on any of the lots, and a guest house is applied for, we do look at the subdivision plats to make sure that the property is big enough and so forth to have them. But in this case, we'll be looking at the subdivision plat, and we'll see that right on the plat says no guest houses allowed. So that's how we'll follow that.

Commissioner Catmull said so from a process perspective, when you get those external dwelling units, do you also check for chicken overlay zones because of the building? Like if there were animals there.

Planner Schindler said it is 40 feet from an existing dwelling unit.. So if it's on the same property as the ADU is, then it's only 10 feet away from the one on the existing properties, but neighboring properties would have to be 40 feet away. This would happen in the process of reviewing a chicken permit. Commissioner Hollist motioned to approve File No. PLPLA202400055 Wheadon Acres Flag Lot Subdivision Amended. Commissioner Gedge seconded the motion. Roll Call Vote 4-0 unanimous in favor. Commissioner Bevans recused herself and was absent from the vote

**I.2. THE COMBINE ON REDWOOD PRELIMINARY  
CONDOMINIUM/SUBDIVISION PLAT APPLICATION**

Address: 11196 S Redwood Rd

File No: PLPP202400207

Applicant: Nate Reiner, CIR Engineering

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

Nate Reiner, (Applicant) said thanks for having me tonight. I really don't have anything more to add.

Commissioner Bevans said I remember when you said this was like youth sports training. Can you just remind us what is going into these buildings?

Mr. Reiner said I will let the developer answer that question.

Alex Winder (Developer) - said we have a club, it's a youth volleyball group that's going in. We have a company called Clip and Climb that is out of England. It's like an indoor kids climbing gym. There all like athletic uses. We also have an ice bath and recovery place with saunas and stuff, as well as a dance place. It's kind of sports stuff that were we're going for.

Commissioner Hollist said did they meet all the parking requirements for these uses? I hear volleyball, and I think tournaments, and I work by a sports facility in North Salt Lake that is crazy busy when they're having tournaments.

Mr. Reiner said we're working with the Damir on every tenant, and going over it to make sure we don't under park it.

Chair Gedge closed the Public Hearing.

Chair Gedge said because this property abutts Redwood road, there is no street parking in front of that, so if they don't have enough parking and they back up on Redwood Road, public safety may become involved, correct?

Assistant City Engineer Nielson said yeah, correct. There's no no public parking on Redwood Road, so they wouldn't be able to park at all or do any drop off there.

Commissioner Hollist said assume that when we approved this a year ago, that based on the square footage, there was a parking requirement as specific tenants come in. Does that get refined to any additional degree, or as long as it meets the general square footage parking requirement that's sufficient?

Planner Drozdek said obviously, we'll check on the tenants to make sure that it's a permitted or a conditional use in the zone. That's one of the things we're going to check is the parking. If something comes off, that's way off, you know, that's something we're going to keep an eye on, because we don't want to end up with any parking issues on the site or out on redwood. But if nothing outrageous comes as a proposal from them. I guess most of the parking will probably be fine, because we did go over the parking requirements when it first came before us.

Commissioner Hollist motioned to approved File No PLPP202400207 The Combine on Redwood Preliminary Condominium/Subdivision Plat Application. Commissioner Gedge seconded the motion. Roll Call Vote 5-0 unanimous in favor.

## **I. LEGISLATIVE PUBLIC HEARINGS**

## **J. OTHER BUSINESS**

K.1. Planning Commission Discussion regarding Commission Rules for 2025.

This item has been moved to the next Planning Commission Meeting on March 25, 2025.

## **ADJOURNMENT**

**Commissioner Gedge motioned to adjourn the March 11, 2025 Planning Commission Meeting. Chair Hollist seconded the motion. Vote was 5 to 0 unanimous in favor.**

**The Planning Commission Meeting adjourned at 7:10 p.m.**

DRAFT



# SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

Item H.1.

MEETING DATE: MARCH 25, 2025

## FILE OVERVIEW

<b>Item Name</b>	South Station Plat 3 Multi Family #7 Preliminary Subdivision-Updated
<b>Address</b>	West side of Lake Run Road between Center Field Drive and Split Rock Drive
<b>File Number</b>	PLPLA202500001
<b>Applicant</b>	LHM Real Estate
<b>Property Owner</b>	
<b>Staff Author</b>	Greg Schindler
<b>Presenter</b>	Greg Schindler

## PROPERTY OVERVIEW

Acreage	3.853 Acres		
Current Zone	P-C (Planned Community)		
Current Land Use	Vacant		
General Plan Designation	Mixed Use Transit Oriented Development (MU-TOD)		
Neighboring Properties	Zone		Land Use
	North	P-C	MU-TOD
	East	P-C	SN (Stable Neighborhood)
	South	P-C	MU-TOD
	West	P-C	MU-TOD

## ITEM SUMMARY

A preliminary subdivision application for South Station Plat 3 Multi Family No. 7 was submitted and approved by the Planning Commission on November 12, 2024. The applicant is now proposing to amend the preliminary by increasing the lot count by 2 additional townhome lots. Staff is recommending approval of the application.

- **On January 8, 2025**, the applicant submitted a complete application to Staff for review. The application was revised a total of 4 times 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 preliminary subdivision plat to conform to applicable city regulations. Resubmitted materials addressed staff comments.
  - Engineering: Staff reviewed the application and worked with the applicant revise the preliminary subdivision plat and civil drawings to conform to applicable city regulations. Resubmitted materials addressed staff comments.

## REPORT ANALYSIS

Perigee Consulting, on behalf of applicant Larry H. Miller Real Estate has filed an application that would amend the previously approved preliminary subdivision for South Station Plat 3 Multi Family No. 7, which was originally approved by the Planning Commission on November 12, 2024. The applicant is now proposing to amend the preliminary plat by increasing the lot count by 2 additional townhome lots. A final plat for the original subdivision was not recorded. Staff is recommending approval of the application.

With the added lots the residential density of this proposal is 15.5 units per acre (gross density) up from 15.0 and 26.1 units per acre (net density) up from 25.8.

The open space area (P-lots) will be reduced from 0.365 Ac. to 0.317 Ac.

## FINDINGS AND RECOMMENDATION

### Findings:

- Section 17.72.020 describes the Town Land Use Designation as follows: “this category is 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 density of fifty (50) units per acre.”
- 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 [§17.72110](#).

### 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 **PLPLA202500001**, South Station Plat 3 Multi Family # 7 Preliminary Subdivision - Updated

### Alternatives:

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

## SUPPORTING MATERIALS

1. Attachment A, Location Map
2. Attachment B, Proposed Amended Plan
3. Attachment C, Original Approved Preliminary Plat



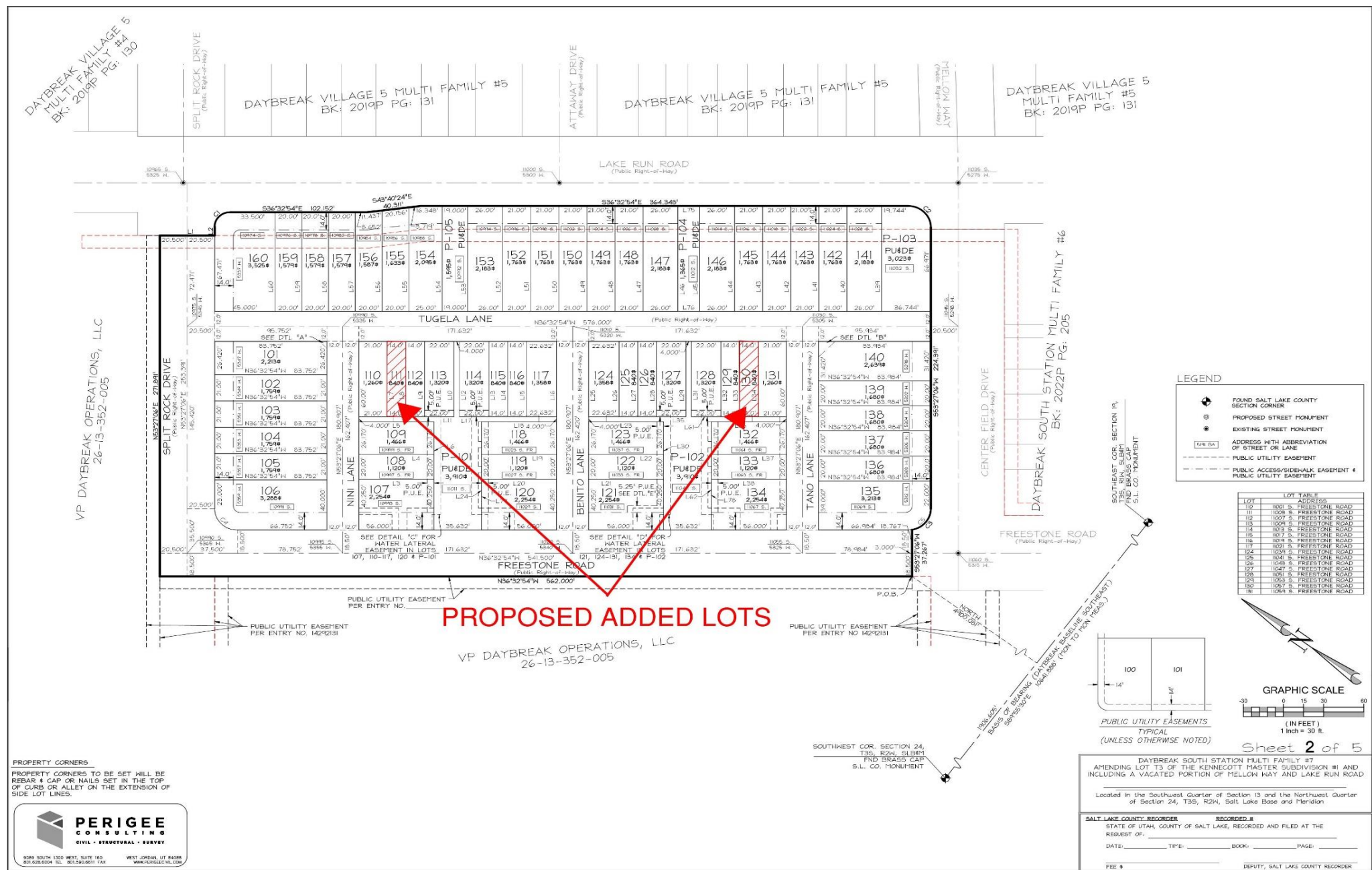
# Location Map



Item H.1.

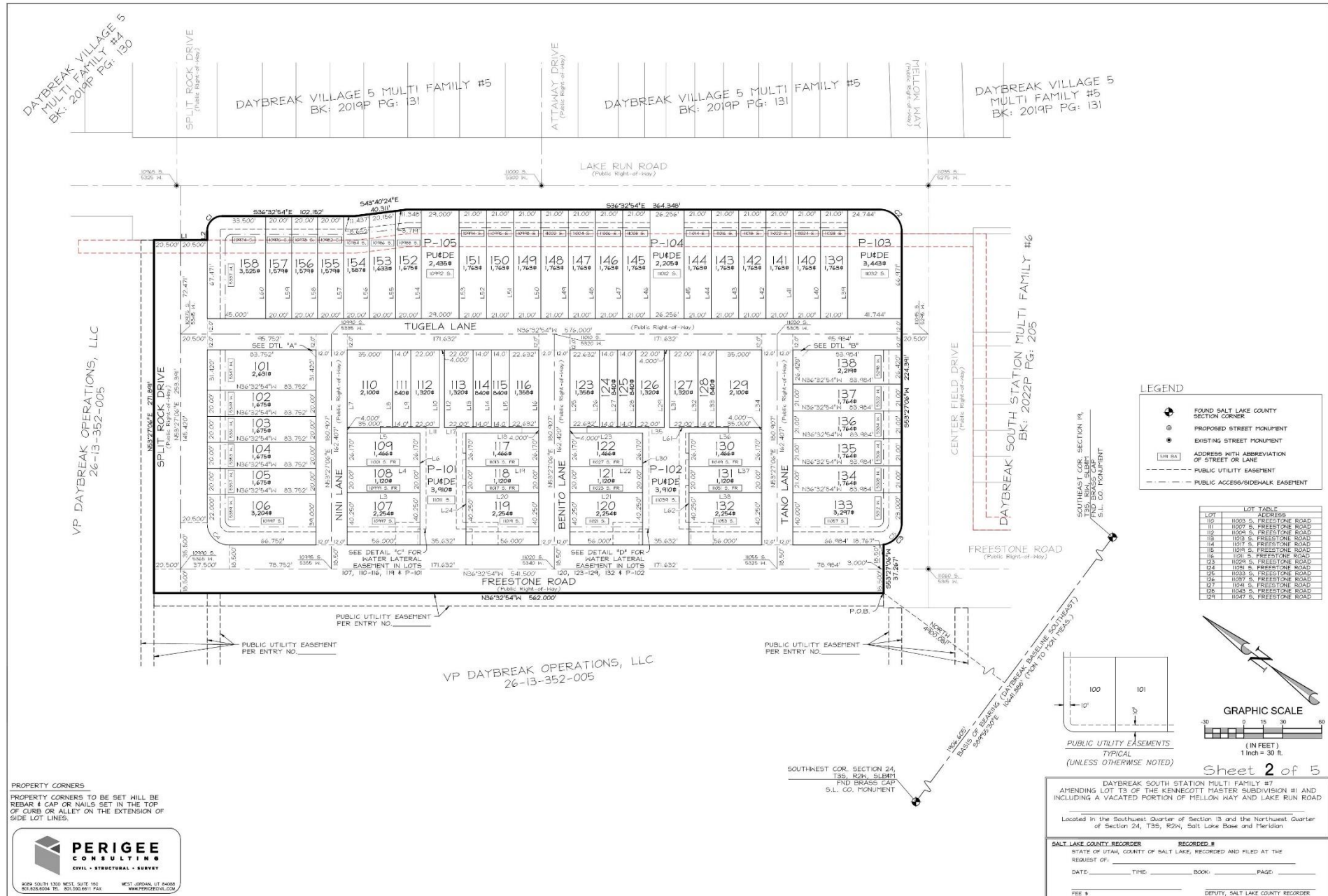


# Proposed Plat With Added Lots



## Originally Approved Preliminary Plat

Item H.1.



# SOUTH JORDAN CITY PLANNING COMMISSION

## STAFF REPORT

MEETING DATE: March, 25, 2025

### FILE OVERVIEW

Item Name	Mosaic Conditional Use Permit and Preliminary Subdivision Plat
Address	11220 S. River Heights Dr.
File Number	PLCUP202400194 PLPP202400193
Applicant	Jacob Ballstaedt, Garbett Homes
Property Owner	Mosaic District Investments, LC
Staff Author	Damir Drozdek, Planner III
Presenter	Damir Drozdek, Planner III

### PROPERTY OVERVIEW

Acreage	Approximately 4 acres		
Current Zone	BH-MU (Bangerter Highway – Mixed Use)		
Current Land Use	Vacant and unimproved land		
General Plan Designation	EIO (Economic Infill Opportunity)		
Neighboring Properties	<i>Zone</i>		<i>Land Use</i>
	<i>North</i>	BH-MU	ICO District Apartments
	<i>East</i>	BH-MU	River Heights Dr.
	<i>South</i>	BH-MU	Office Building
	<i>West</i>	R-M-6	Bangerter Highway

### ITEM SUMMARY

The applicant is seeking City approval of a conditional use permit and a preliminary subdivision plat approval. The project will create 76 residential units on approximately 4 acres of land. Staff is recommending approval of the application.

## TIMELINE

On October 1, 2024, the applicant submitted a complete preliminary subdivision plat and conditional use permit application to Staff for review. The applicant revised the application three times to address all staff comments. City staff worked with the applicant to revise the plat to conform to the applicable city regulations.

## REPORT ANALYSIS

The Planning Commission reviewed and approved a conditional use permit for the proposed development on May 14, 2024. As part of the review process and approval, the applicant was required to submit a design book that included a concept site plan, elevations and design features. The design book was approved with the conditional use permit. Between then and now, the applicant has made a small change to the building architecture. The Architectural Review Committee reviewed and recommended for approval the proposed building design on November 11, 2024.

Site layout, features, fencing and all other elements from the design book have not changed since the approval of the conditional use permit. The project will be accessed off River Heights via two drive approaches. The approach at the south end is existing and will not be modified. The approach at the north end will be constructed with the project. River Heights Dr. is a fully improved City street and no improvements are required to be made with this project.

Most of the improvements being made on site are private that the City will not maintain. Storm water will be detained on site and slowly released into the City system in River Heights. The only infrastructure the City will maintain are the water lines up to and including the water meters and fire hydrants. Everything else will be private including the interior drives, lighting, fences and the landscaping.

Landscaping will consist of various decorative grasses, shrubs and trees throughout the site. There will be one active recreation area in the project that will contain grass. The remainder of the grass outside of the recreation area will amount to less than 20% of the landscape area. The remaining ground cover will consist of rock and bark mulch. The landscaping in the parkstrip on River Heights Dr. will remain as is. Existing trees and sod will be preserved.

There will be a 12-foot-tall UDOT-approved sound wall installed along Bangerter Highway. There is an existing six-foot-tall privacy vinyl fence along the north boundary that will remain as is. No fencing will be installed along the south boundary. Three-foot-tall fences will be installed around the patios.



### Findings:

- The project is located in the BH-MU Zone. It meets the Planning and Zoning and Subdivision and Development Code requirements of the Municipal Code.
- It conforms to all provisions of the development agreement from 2010 pertaining to land development in this specific area.

### Conclusions:

- The application conforms to the minimum requirements of South Jordan Municipal Code [§16.10](#) and [§ 17.18.050](#), and the development agreement terms.

### 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 public comment at a public hearing regarding the proposed preliminary subdivision in accordance with of South Jordan Municipal Code [§16.10.060](#). The Planning Commission may approve, approve with conditions or if the proposed subdivision does not meet South Jordan Municipal Code [§16.10](#), other City ordinances, and/or sanitary sewer and culinary water requirements, deny the preliminary subdivision plat application.

### 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 permittee'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 PLCUP202400194, and
2. File PLPP202400193

**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

1. Attachment A, Aerial Map
2. Attachment B, Zoning Map
3. Attachment C, Preliminary Subdivision Plat
4. Attachment D, Site Plan
5. Attachment E, Landscape Plan
6. Attachment F, Building Design
7. Attachment G, Sound Wall
8. Attachment H, ARC Minutes
9. Attachment I, Development Agreement
10. Attachment J, Planning Commission Staff Report





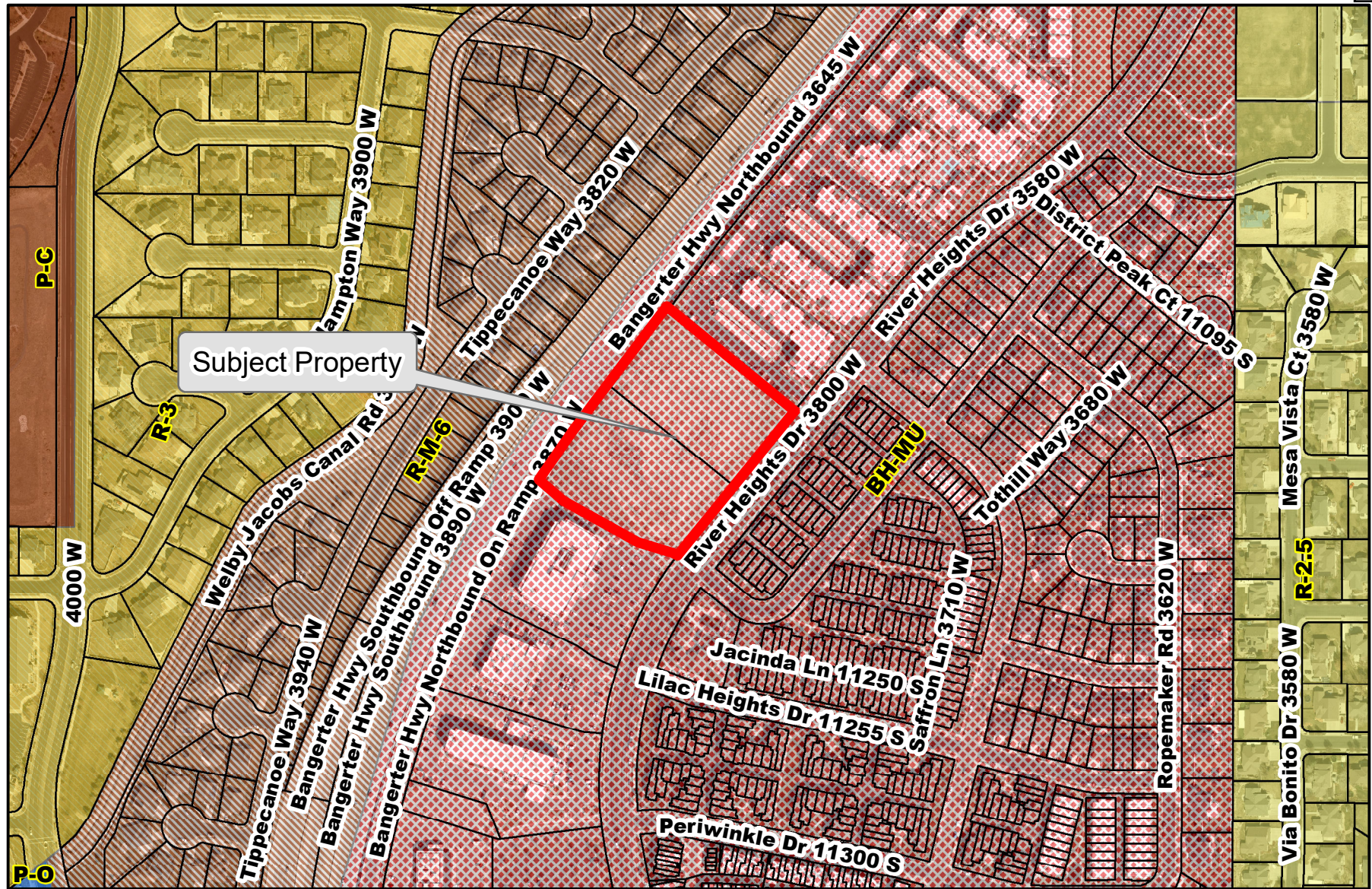



<p><b>Legend</b></p> <p>STREETS</p> <p>PARCELS</p>	<h2>Aerial Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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<p><b>Legend</b></p> <p>STREETS</p> <p>PARCELS</p>	<h2>Zoning Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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# MOSAIC SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 20,  
TOWNSHIP 3 SOUTH, RANGE 1 WEST  
SALT LAKE BASE AND MERIDIAN  
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH

Item H.2.

CURVE TABLE					CURVE				
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	CURVE	RADIUS	LENGTH	DELTA
C1	50.00	15.93	18°19'22"	S29°43'02" W	15.98	C24	15.00		
C2	1894.93	136.29	4°09'20"	S33°31'15" W	136.39	C25	15.00	18.93	88°32'48"
C3	1894.93	20.11	0°54'37"	S33°06'40" W	20.11	C26	15.00	18.93	88°32'48"
C4	1894.93	84.74	2°33'44"	S33°22'29" W	84.73	C27	15.00	5.53	21°09'14"
C5	1894.93	20.44	0°54'37"	S33°47'05" W	20.44	C28	15.00	5.83	22°10'22"
C6	80.00	22.84	16°21'29"	S80°07'42" E	22.76	C29	15.00	17.74	67°44'38"
C7	772.38	10.99	0°48'47"	S71°32'32" E	10.97	C30	15.00	2.83	10°48'50"
C8	10.00	16.01	0°14'34"	S29°16'20" E	14.30	C31	15.00	20.73	79°11'10"
C9	37.00	11.79	18°19'22"	S29°43'02" W	11.74	C32	15.00	18.87	72°08'22"
C10	63.00	20.07	18°19'22"	S29°43'02" W	19.98	C33	15.00	4.69	17°58'32"
C11	10.00	16.01	0°14'34"	S29°43'02" W	14.30	C34	15.00	5.83	22°10'22"
C12	772.38	7.22	0°32'01"	S67°24'47" E	7.22	C35	15.00	17.74	67°44'38"
C13	772.38	17.54	1°18'00"	S66°29'44" E	17.54	C36	5.00	7.80	90°00'00"
C14	768.59	29.98	2°14'07"	S64°44'03" E	29.98	C37	5.00	7.80	90°00'00"
C15	772.38	36.75	2°38'54"	S62°17'05" E	36.72	C38	15.00	17.74	67°44'38"
C16	10.00	15.96	89°09'20"	S19°18'31" E	14.94	C39	15.00	5.83	22°10'22"
C17	10.00	0.61	3°29'28"	S30°29'53" W	0.61	C40	15.00	5.53	21°09'14"
C18	1881.53	84.16	2°33'44"	S33°22'29" W	84.15	C41	15.00	18.93	88°32'48"
C19	15.00	1.58	6°02'00"	S37°40'23" W	1.58	C42	15.00	5.83	22°10'22"
C20	15.00	23.08	88°09'01"	S84°49'59" W	23.87	C43	15.00	17.74	67°44'38"
C21	1887.53	117.22	3°31'12"	S33°17'49" W	117.22				
C22	5.00	7.82	86°12'52"	NP03°01" W	6.82				
C23	15.00	23.08	88°09'01"	NP03°01" W	21.27				

SEE SHEET 1

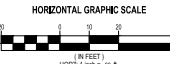
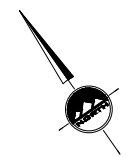
SEE SHEET 1

BANGERTE HIGHWAY  
(UDOT CONTROLLED)  
WIDTH VARIES  
NO PRIVATE ACCESS

D=7°21'41"  
R=1946.43  
L=250.11'  
CB=N 35°13'33" E  
C=249.94'

## LEGEND

- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT FOR SALT LAKE CO. SURVEYOR PERMIT
- SECTION CORNER
- SET 5'6" REAR AND CAP OR NAIL STAKES TO INDICATE CORNER SURVEY AT ALL LOT CORNERS. OFFSET PINS TO BE PLACED IN THE BACK OF CURB WHERE APPLICABLE. IN LINES OF REAR AND CAP AT FRONT CORNERS.
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- ADJOINING BOUNDARY LINE
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA
- WATER LINE EASEMENT



DEVELOPER  
MOSAIC DISTRICT INVESTMENTS, LLC  
273 N CAPITOL STREET  
SALT LAKE CITY, UT 84103  
PHONE: 801.455.5131

## MOSAIC SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 20,  
TOWNSHIP 3 SOUTH, RANGE 1 WEST  
SALT LAKE BASE AND MERIDIAN  
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH

SALT LAKE COUNTY RECORDER

SHEET 2 OF 2

PROJECT NUMBER: 15441  
MANAGER: BMM  
DRAWN BY: KPH  
CHECKED BY: PSH  
DATE: 2024-04-07



SANDY  
40 W 1300 S, Suite 500  
Sandy, UT 84070  
Phone: 801.255.5529  
www.ensigneng.com

LARRY  
1000 S. 1300 W.  
Sandy, UT 84070  
Phone: 801.255.5529  
www.ensigneng.com

STATE OF UTAH  
COUNTY OF SALT LAKE, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEES: \_\_\_\_\_  
DEPUTY SALT LAKE COUNTY RECORDER





**SANDY**  
45 W 10000 S, Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529

**LAYTON**  
Phone: 801.547.1100

**TOOELE**  
Phone: 435.843.3590

**CEDAR CITY**  
Phone: 435.865.1453

**RICHFIELD**  
Phone: 435.896.2983

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**FOR:**  
CORBETT HOMES  
171 NORTH EAST CAROL STREET  
SALT LAKE CITY, UT 84103

**CONTACT:**  
JACOB BALLESTADT  
PHONE: 801.483.0101

**MOSAIC DEVELOPMENT**  
11220 & 11210 SOUTH SOUTH RIVER HEIGHTS DRIVE  
SOUTH JORDAN, UTAH



2025-03-07 FOR CONSTRUCTION

**SITE PLAN**

PROJECT NUMBER:  
12441

PROJECT LOCATION:  
BAM

PROJECT DATE:  
2025-03-07

DATE OF PRINT:  
2025-03-07

**C-200**

### GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DETERMINED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOIL, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC., UNLESS OTHERWISE NOTED ON THESE PLANS.

### SCOPE OF WORK:

PROVIDE, INSTALL, AND/OR CONSTRUCT THE FOLLOWING FOR THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. ASPHALT PAVEMENT PER GEOTECHNICAL REPORT AND DETAIL 30C-70L
2. CONCRETE PAVEMENT PER GEOTECHNICAL REPORT AND DETAIL 30C-70L
3. 4" THICK CONCRETE SIDEWALK PER APWA STANDARD PLAN NO. 231
4. 8" WATERWAY PER APWA STANDARD PLAN NO. 211
5. 30" TYPE "A" CURB AND GUTTER PER APWA STANDARD PLAN NO. 205
6. 30" REVERSED PAV CURB AND GUTTER PER DETAIL 30C-70L
7. 30" MODIFIED TYPE "A" CURB AND GUTTER PER DETAIL 40C-70L
8. 12" WIDE FIBERON CURB
9. TRANSITION CURB TYPE IN THIS AREA. SEE GRADING PLANS FOR ELEVATION INFORMATION.
10. 4" WIDE SOLID WHITE PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS.
11. DRAINAGE SWALE. SEE GRADING PLAN FOR ELEVATION INFORMATION.
12. STABLE IN SIDEWALK. SEE GRADING PLAN FOR ELEVATION INFORMATION.
13. PRECAST CONCRETE NOISE WALL.
14. \*STOP SIGN PER M.U.T.C.D. STANDARD PLANS.
15. WHITE CROSSWALK MARKING PER M.U.T.C.D. STANDARD PLANS.
16. 12" WIDE SOLID WHITE STOP MARKING PER M.U.T.C.D. STANDARD PLANS.
17. HANDICAP ACCESS RAMP PER APWA STANDARD PLAN NO. 235 WITH DETECTABLE WARNING SURFACE PER APWA STANDARD PLAN NO. 236.
18. STREET SLOPE PER SOUTH JORDAN CITY CONSTRUCTION STANDARDS AND SPECIFICATIONS.
19. SAWCUT AND PATCH EXISTING ASPHALT FOR UTILITY INSTALLATION PER SOUTH JORDAN CITY STANDARD DRAWING 300 AND CONSTRUCTION SPECIFICATIONS.



**811**  
CALL BEFORE YOU DIG  
Call before you dig.

CALL BLURSTAKES  
@ 811 AT LEAST 48 HOURS  
PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.

**BENCHMARK**

CENTER OF SECTION (20)  
TOP/BNP-3 SOUTH, RANGE 1 WEST,  
SALT LAKE BASIN AND MICHIGAN

ELEV = 4036.17





Landscape				
Trees				
Qty	Symbol	Common Name	Botanical Name	Plant Size
6		Existing Tree to Remain	N/A	N/A
17		Eastern Redbud	Cercis canadensis	2" Cal.
14		Bigtooth Maple	Acer grandidentatum	2" Cal.
27		Arnold Sentinel Austrian Pine	Pinus nigra 'Arnold Sentinel'	7" Tall (At planting)
27		Baby Blue Eyes Spruce	Picea pungens 'Baby Blue Eyes'	7" Tall (At planting)

Tree Calculations: 1 tree required for every 900 sq. ft.  
Total Landscape Area = 44,758 sq. ft.  
Total Trees Req. = 44,758 / 900 = 50 trees  
Total Trees Prov. = 91 trees (18% Overages)

Shrubs-Grasses				
Qty	Symbol	Common Name	Botanical Name	Plant Size
377		Buxwood, Littleleaf	Buxus microphylla	5 Gallon
514		Dwarf Red Barberry	Barberis thunbergii 'Minii' PP24841 Sunjoy® Mini Salix	5 Gallon
115		Cinquefoil	Potentilla fruticosa 'Abbotswood'	5 Gallon
133		Hosta	Hosta 'Albans'	5 Gallon
107		Creeping Oregon Grape	Potentilla fruticosa 'Abbotswood'	5 Gallon
90		Creeping Juniper	Juniperus horizontalis	5 Gallon
222		Blue Fescue	Festuca ovina glauca	1 Gallon

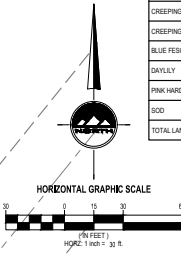
Annuals-Perennials				
Qty	Symbol	Common Name	Botanical Name	Plant Size
310		Daylily	Hemerocallis	1 Gallon
334		Pink Hardy Iceplant	Delosperma cooperi	1 Gallon

Landscape Notes: Install 4" metal edging between sod and decorative rock and between different types of decorative rock.

	Install sod		Install bark mulch at 3" depth
	3/4" crushed black lava mulch at min. 3" depth		Install fencing

SOD COVERAGE TABLE			
DESCRIPTION	AREA (SF)	SOD AREA (SF)	DECORATIVE ROCK AREA (SF)
TOTAL LANDSCAPE AREA	44,758	10,425 (23%)	34,333 (77%)
ACTIVE RECREATION LANDSCAPE AREA	1,812	1,812 (100%)	0%
NON-ACTIVE LANDSCAPE AREA	42,946	8,613 (20%)	34,333 (80%)

PLANT COVERAGE TABLE, NON-ACTIVE LANDSCAPE AREA			
PLANT	QTY.	COVERAGE AREA (SF)	TOTAL COVERAGE AREA (SF)
BUXWOOD, LITTLELEAF	377	7	2,694
DWARF RED BARBERRY	514	4	1,982
CINQUEFOIL	115	7	835
HOSTA	133	7	931
CREeping OREGON GRAPE	107	28	2,996
CREeping JUNIPER	90	90	2,950
BLUE FESCUE	222	1	222
DAYLILY	310	1	310
PINK HARDY ICEPLANT	334	1	334
SOD	N/A	8,613	8,613
TOTAL LANDSCAPE COVERAGE			21,307 (50% COVERAGE)



CALL BLUESTAKES  
@ 811 AT LEAST 48 HOURS  
PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.

**BENCHMARK**

CENTER OF SECTION 26,  
TOWNSHIP 3 SOUTH, RANGE 1 WEST,  
SALT LAKE BASIN AND MERIDIAN

ELEV = 4036.17'

**Item H.2.**

**SKRBY**  
45 W 10000 S, Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529

**LAYTON**  
Phone: 801.547.1100

**TODELE**  
Phone: 435.843.3590

**CEDAR CITY**  
Phone: 435.865.1453

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FOR:  
GARRETT HOMES  
773 NORTH EAST CAPEOL STREET  
SALT LAKE CITY, UT 84103

CONTACT:  
JACOB BALSTADT  
PHONE: 801.653.0101

**MOSAIC DEVELOPMENT**

11220 & 11210 SOUTH SOUTH RIVER HEIGHTS DRIVE  
SOUTH JORDAN, UTAH

2025-03-07 FOR CONSTRUCTION

**LANDSCAPE PLAN**

PROJECT NUMBER: 12441  
DATE: 2025-03-07  
PROJECT MANAGER: BAM  
DESIGNED BY: JMS

**L-100**



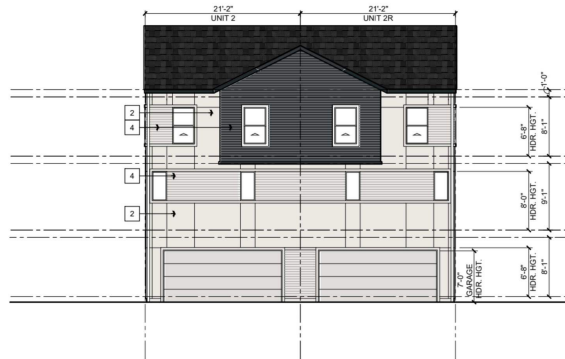




LEFT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 4



RIGHT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 3



REAR BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 2



FRONT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 1

## ELEVATION KEYNOTES

- 1 ROOF MATERIAL: COMPOSITION ROOF SHINGLE
- 2 EXTERIOR WALL: 1-COAT STUCCO SYSTEM. INSTALL PER MANUFACTURER.
- 3 EXTERIOR WALL: FIBER CEMENT PANEL. INSTALL PER MANUFACTURER.
- 4 EXTERIOR WALL: FIBER CEMENT SIDING. INSTALL PER MANUFACTURER.
- 5 EXTERIOR WALL: STONE VENEER. INSTALL PER MANUFACTURER.
- 6 STUCCO EXPANSION JOINT. RE: 3/A-D20
- 7 16'-0" X 8'-0" SECTIONAL GARAGE DOOR PER MANUFACTURER.
- 8 FASCIA: 2X6 WOOD FASCIA W/ ALUMINUM SOFFIT WRAP.
- 9 TRIM: E.P.S. FOAM TRIM W/ STUCCO OVER.
- 10 TRIM: FIBER CEMENT TRIM.
- 11 RECTANGULAR SMOOTH-FACE DOWNSPOUT. RE: ROOF PLAN SHEET A2-12
- 12 METAL GUTTER. RE: ROOF PLAN SHEET A2-12
- 13 RAILING. RE: 14 & 15/A-D20

## ELEVATION NOTES

1. ALL VERTICAL DIMENSIONS SHOWN ARE FROM THE INTERIOR CONCRETE FLOOR SLAB AT THE FIRST FLOOR OR TOP-OF-SHEATHING AT THE UPPER FLOOR.
2. REFER TO DETAILS FOR MINIMUM WINDOW, DOOR AND WALL VENT MOISTURE BARRIER INSTALLATION REQUIREMENTS.
5. ALL STUD WALLS & CEILINGS EXTENDING INTO A SOFFIT WILL BE PREBOARDED WITH GYP-BED PRIOR TO SOFFIT INSTALLATION.
6. DUCT TERMINATIONS TO OCCUR PER APPLIANCE MANUFACTURERS REQUIREMENTS TO VERIFY DISTANCE FROM WINDOW OR DOOR OPENINGS INTO DWELLING UNIT.
7. ALL TRUSS HEELS ARE SHOWN ON ELEVATIONS.
8. R = REVERSED UNIT PLAN. REFER TO BUILDING PLAN SHEETS FOR MORE INFORMATION.

## MATERIAL CALCULATIONS

2-PLEX	
FIBER CEMENT	2,196 SF (53%)
MASONRY	204 SF (5%)
STUCCO	1,750 SF (42%)
TOTAL (EXCLUDING OPENINGS)	4,150 SF (100%)



3660 Blake Street  
Suite 500  
Denver, CO 80205  
ktgy.com  
303.825.6400

KTGY Project No: 20230227

Project Contact: Madelyn Kodros  
Email: mkodros@ktgy.com

Principal: William Ramsey  
Project Designer:

## Developer



GARBETT HOMES  
273 N. EAST CAPITOL STREET.

SALT LAKE CITY, UTAH 84103  
PHONE NO. 801-456-2430  
FAX NO. -

MOSAIC  
SOUTH JORDAN, UTAH

No. Date Description


It is the client's responsibility prior to or during construction to notify the architect in writing of any potential errors or omissions in the plans and specifications of which a contractor reasonably investigating with the building codes and methods of construction should reasonably be aware. Further, the client is responsible for any potential errors or omissions, which are not noted from the architect prior to the client's client's representation proceeding with the work. The client will be responsible for any delays in construction if these procedures are not followed.

December 23, 2024

2-PLEX SCHEME 1

A0-21

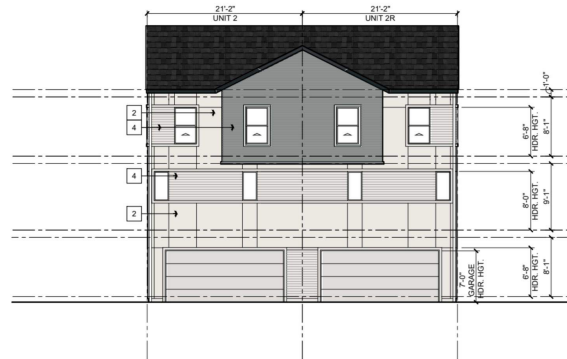




LEFT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 4



RIGHT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 3



REAR BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 2



FRONT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 1

## ELEVATION KEYNOTES

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## MATERIAL CALCULATIONS

2-PLEX	
FIBER CEMENT	2,196 SF (53%)
MASONRY	204 SF (5%)
STUCCO	1,750 SF (42%)
TOTAL (EXCLUDING OPENINGS)	4,150 SF (100%)



3660 Blake Street  
Suite 500  
Denver, CO 80205  
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KTGY Project No: 20230227

Project Contact: Madelyn Kodros  
Email: mkodros@ktgy.com

Principal: William Ramsey  
Project Designer:

## Developer



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PHONE NO. 801-456-2430  
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MOSAIC  
SOUTH JORDAN, UTAH

No. Date Description


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December 23, 2024

2-PLEX SCHEME 2

A0-22





SCALE: 1/8"=1'-0"

4



SCALE:



SCALE:



SCALE:

<b>7-PLEX</b>	
FIBER CEMENT	4,702 SF (55%)
MASONRY	555 SF (6%)
STUCCO	3,339 SF (39%)
<b>TOTAL (EXCLUDING OPENINGS)</b>	<b>8,596 SF (100%)</b>

A0-72

**KTGY Project No:** 20230227

**Project Contact:** Madelyn Kodros  
**Email:** mkodros@ktgy.com

**Principal:** William Ramsey  
**Project Designer:**

## Developer



**GARBETT HOMES**  
273 N. EAST CAPITOL STREET.

**SALT LAKE CITY, UTAH** 84103  
**PHONE NO.** 801-456-2430  
**FAX NO.** --

MOSAIC  
SOUTH JORDAN, UTAH

No.	Date	Description

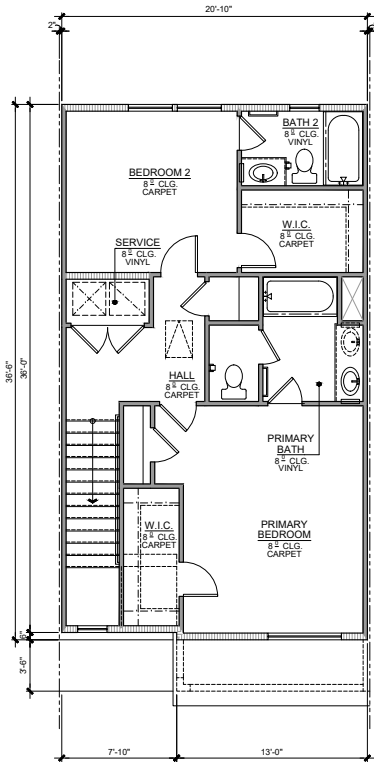
It is the client's responsibility prior to or during construction to notify the architect in writing of any proposed areas or additions to the plans and specifications of which a contractor (throughly) knowledgeable with the building codes and methods of construction should reasonably be aware. Written instructions detailing such proposed areas or additions, shall be received from the architect prior to the client or client's subcontractor proceeding with the work. The client will be responsible for any delays in construction if these procedures are not followed.

November 26, 2024

## UNIT PLAN 1 - ENTITLEMENT

38

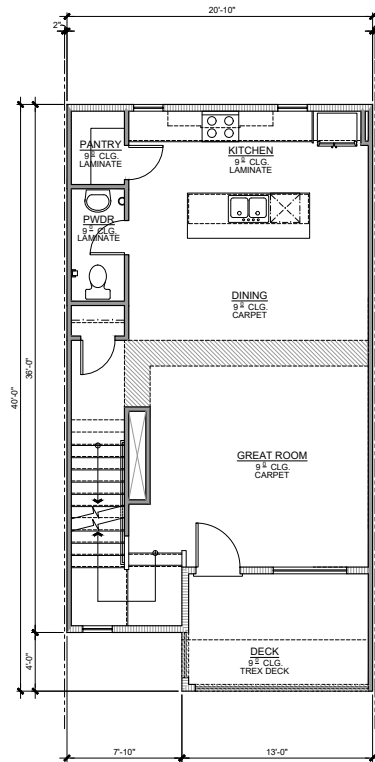
A1-00



UNIT 1 FLOOR PLAN - LEVEL 3

SCALE: 1/4"=1'-0"

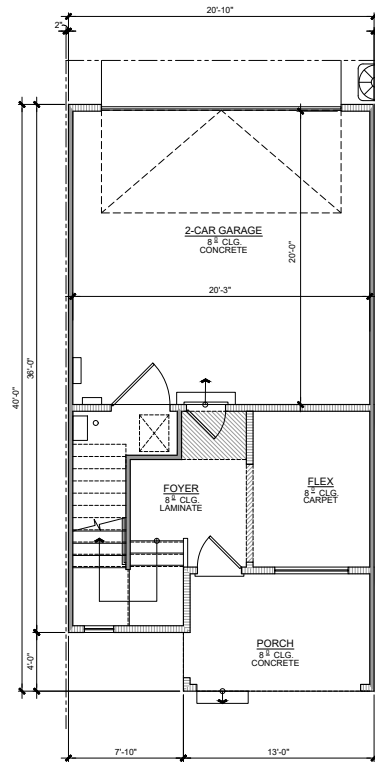
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UNIT 1 FLOOR PLAN - LEVEL 2

SCALE: 1/4"=1'-0"

3



UNIT 1 FLOOR PLAN - LEVEL 1

SCALE: 1/4"=1'-0"

1

## SQUARE FOOTAGE

UNIT 1	
FIRST FLOOR	264 S.F.
SECOND FLOOR	700 S.F.
THIRD FLOOR	772 S.F.
TOTAL SQUARE FOOTAGE	1,736 S.F.
GARAGE	436 S.F.
PORCH	102 S.F.
DECK	102 S.F.

SQUARE FOOTAGES INDICATED ABOVE ARE FOR BUILDING DEPARTMENT SUBMITTAL ONLY. NOT TO BE USED FOR CONSTRUCTION ESTIMATES, MARKETING, NOR LEASING / SALES LITERATURE OR DOCUMENTATION.

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No.	Date	Description

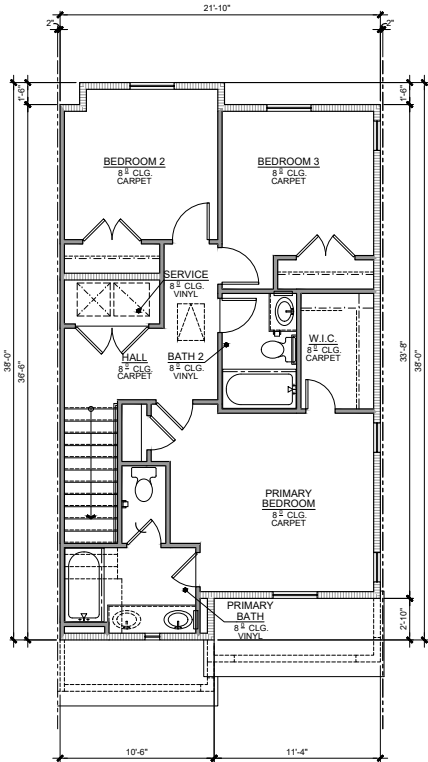
We the client hereby certify that the information provided in this plan is true and correct to the best of our knowledge and belief. We warrant that the information provided in this plan is true and correct to the best of our knowledge and belief. We warrant that the information provided in this plan is true and correct to the best of our knowledge and belief.

November 26, 2024

## UNIT PLAN 2 - ENTITLEMENT

39

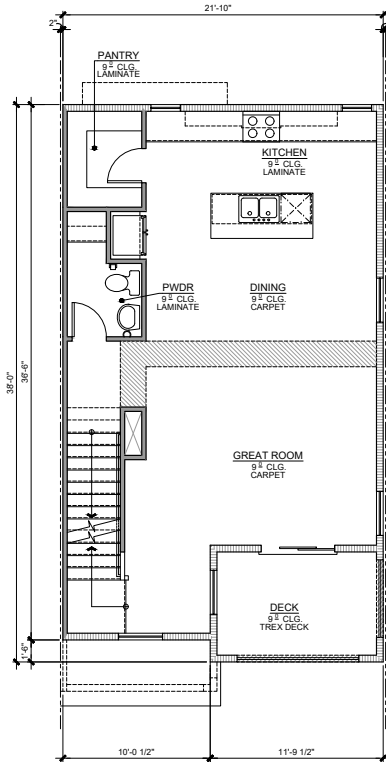
**A2-00**



UNIT 2 FLOOR PLAN - LEVEL 3

SCALE: 1/4"=1'-0"

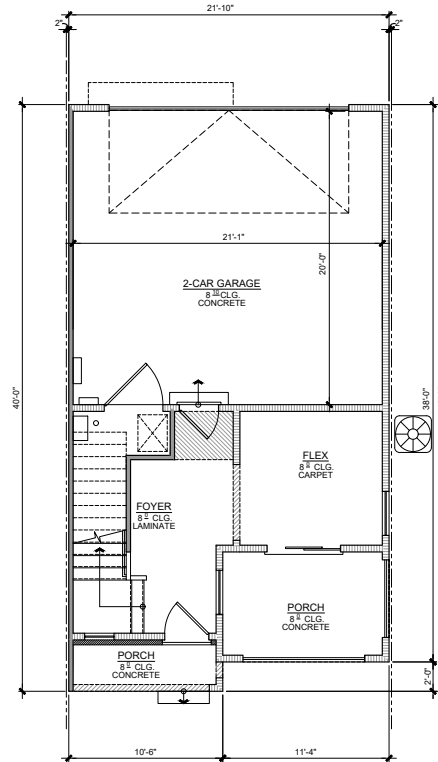
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UNIT 2 FLOOR PLAN - LEVEL 2

SCALE: 1/4"=1'-0"

3



UNIT 2 FLOOR PLAN - LEVEL 1

SCALE: 1/4"=1'-0"

1

## SQUARE FOOTAGE

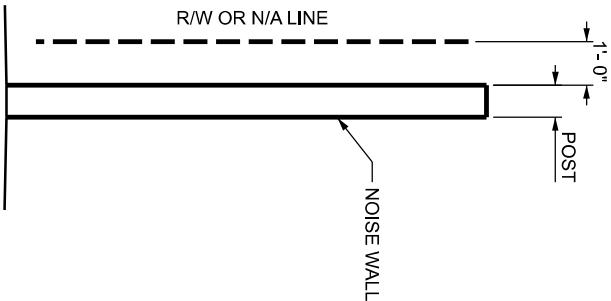
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FIRST FLOOR	263 S.F.
SECOND FLOOR	698 S.F.
THIRD FLOOR	762 S.F.
TOTAL SQUARE FOOTAGE	1,723 S.F.
GARAGE	436 S.F.
PORCH	115 S.F.
DECK	78 S.F.

SQUARE FOOTAGES INDICATED ABOVE ARE FOR BUILDING DEPARTMENT SUBMITTAL ONLY. NOT TO BE USED FOR CONSTRUCTION ESTIMATES, MARKETING, NOR LEASING / SALES LITERATURE OR DOCUMENTATION.

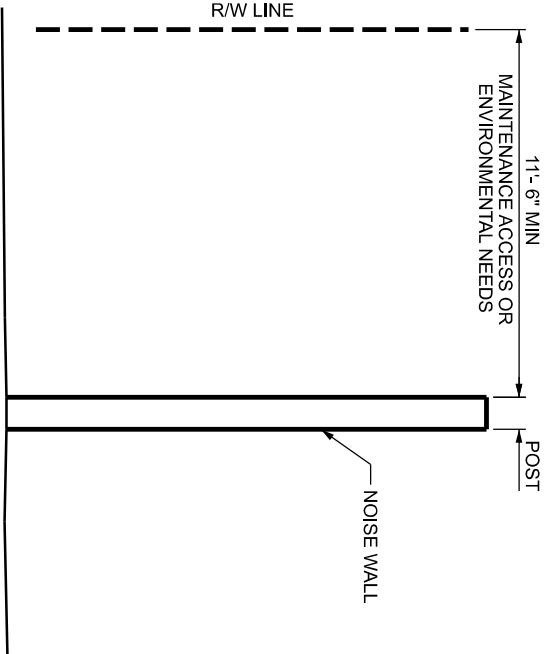
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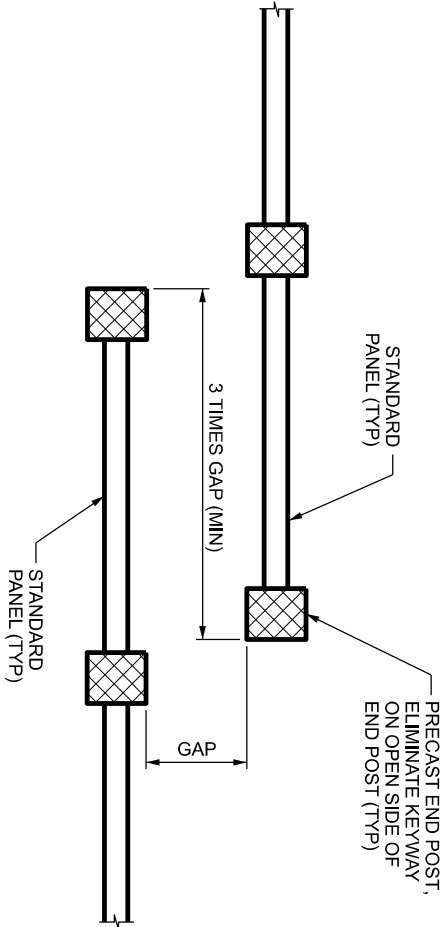




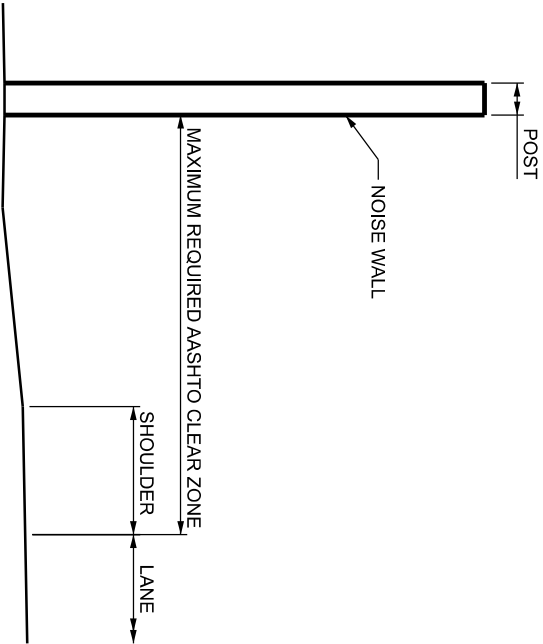
SECTION - ADJACENT TO R/W OR N/A LINE



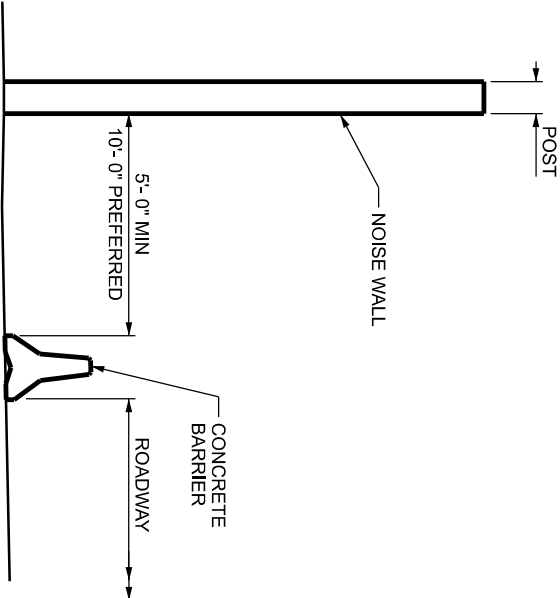
SECTION - ADJACENT TO R/W  
WITH MAINTENANCE ACCESS



WALL OVERLAP PLAN



SECTION - ADJACENT TO ROADWAY  
WITHOUT BARRIER



SECTION - ADJACENT TO ROADWAY  
WITH BARRIER

- NOTES**
1. SLOPE FINISHED GRADE TO DRAIN AWAY FROM WALL.
  2. PROVIDE MAINTENANCE ACCESS BETWEEN NOISE WALL AND R/W LINE WHEN NOISE WALL IS NOT PLACED 1 FT INSIDE OF R/W LINE.
  3. CONNECT R/W FENCE TO BOTH ENDS OF WALL WHEN PLACING NOISE WALL 1 FT INSIDE OF R/W OR N/A LINE.
  4. DO NOT PLACE WALL OUTSIDE OF N/A LINE.
  5. OVERLAP NOISE WALL AS SHOWN WHEN AN OPENING IS REQUIRED. SEE PLANS FOR END TREATMENT.
  6. REFER TO THE AASHTO ROADSIDE DESIGN GUIDE, FOR THE MAXIMUM REQUIRED CLEAR ZONE.

UTAH DEPARTMENT OF TRANSPORTATION  
STANDARD DRAWINGS FOR ROAD AND BRIDGE CONSTRUCTION  
SALT LAKE CITY, UTAH

STANDARD DRAWING EDITION

2024 Standard Drawing

REVISIONS

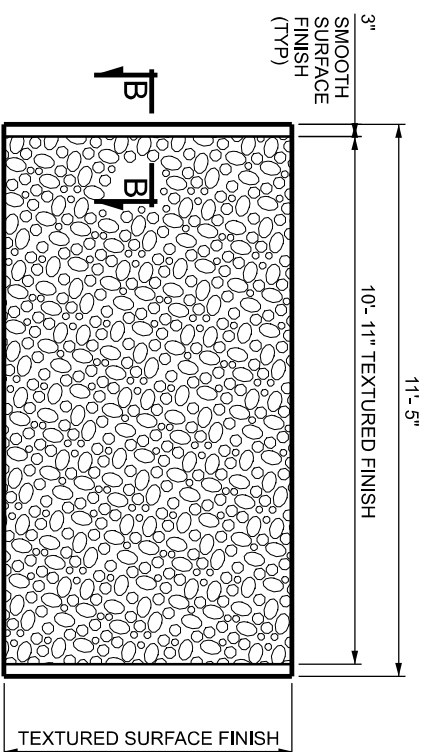
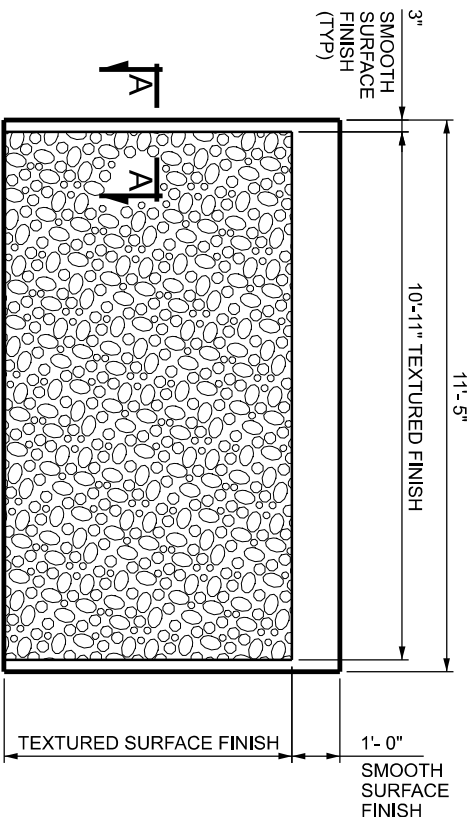
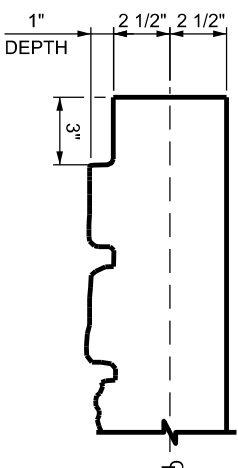
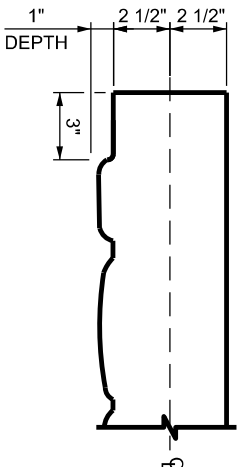
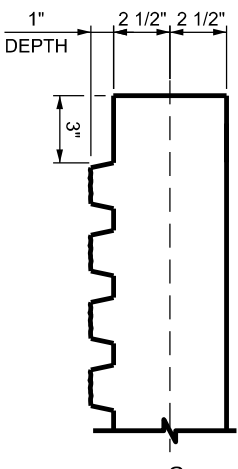
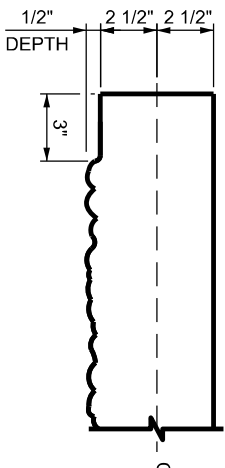
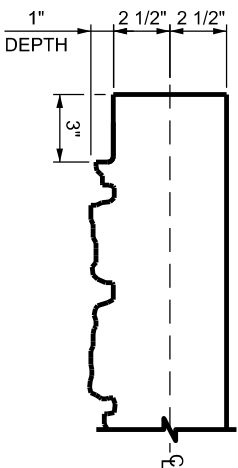
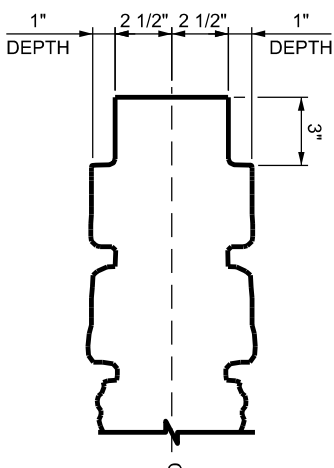
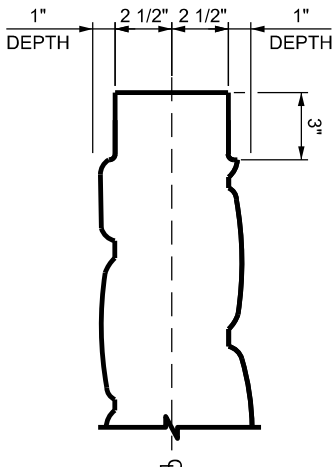
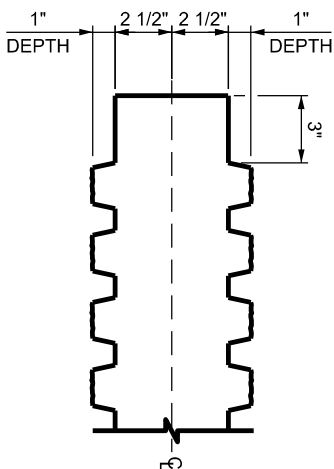
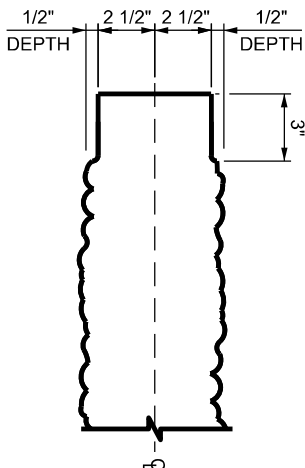
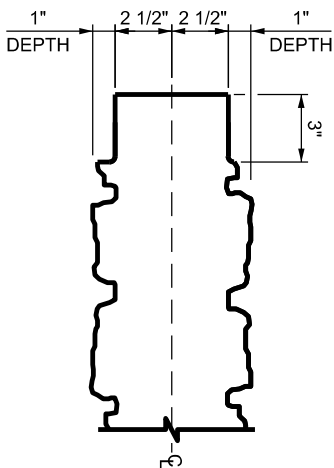
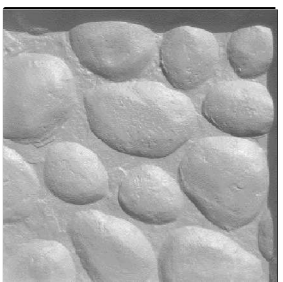
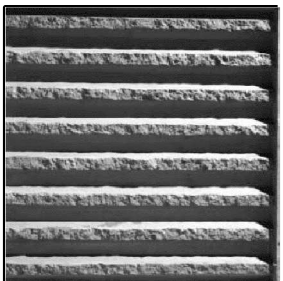
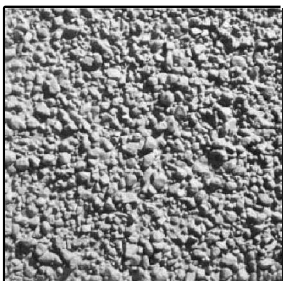
NO.	DATE	APPR.	REMARKS

NOISE WALL  
PLACEMENT OPTIONS

STANDARD DRAWING TITLE

STD. DWG. NO.

SW 2



- NOTES**
1. SEE STD DWG SW 3A FOR ADDITIONAL NOISE PANEL DETAILS.
  2. SEE STD DWG SW 4A AND SW 4B FOR ADDITIONAL RETAINING PANEL DETAILS.
  3. FORM TEXTURED SURFACE FINISH USING FORM LINERS.
  4. PROVIDE A TEXTURED SURFACE FINISH ON BOTH SIDES OF NOISE PANELS.
  5. PROVIDE A SMOOTH SURFACE FINISH ON THE EMBANKMENT SIDE AND A TEXTURED SURFACE FINISH ON THE EXPOSED SIDE OF RETAINING PANELS.
  6. USE THE EXPOSED AGGREGATE OPTION TO MATCH AN EXISTING EXPOSED AGGREGATE NOISE WALL.
  7. SUBMIT FOR APPROVAL SAMPLES OF THE TEXTURED SURFACE FINISHES SPECIFIED IN THE CONTRACT DOCUMENTS PRIOR TO CASTING THE PANELS.

REVISIONS			
NO.	DATE	APPR.	REMARKS

**UTAH DEPARTMENT OF TRANSPORTATION**  
STANDARD DRAWINGS FOR ROAD AND BRIDGE CONSTRUCTION  
SALT LAKE CITY, UTAH

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STANDARD DRAWING EDITION

**2024 Standard Drawing**

# PRECAST CONCRETE PANEL SURFACE TEXTURE OPTIONS

STANDARD DRAWING TITLE







**CITY OF SOUTH JORDAN  
ARCHITECTURAL REVIEW COMMITTEE MEETING MINUTES  
SOUTH JORDAN CITY HALL – MAPLE CONFERENCE ROOM  
WEDNESDAY, NOVEMBER 11, 2024**



Attendance City Staff: *Cory Day, Miguel Aguilera, Russ Naylor, Kathie L. Johnson*

Attendance Applicant(s): Jacob Ballstaedt

Minutes Prepared by: *Katelynn White*

**ARCHITECTURAL REVIEW COMMITTEE MEETING**

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

**A. GENERAL BUSINESS ITEMS**

**A.1. MOSAIC**

Location: 11220 S. River Heights Dr.  
Project No: PLCUP20240019  
Applicant: Jacob Ballstaedt, Garbett Homes  
Planner: Damir Drozdek

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

The meeting began with an overview of the project. The proposed development includes a town home community previously seen by the city's planning commission. The development is located between a treatment center to the south and an apartment complex to the north.

Although this development was previously approved by the planning commission, the applicant adjusted the design of the exterior of the building. This meeting is to present the new design to the Architectural Review Committee. The new design has a modern feel with a color scheme of black and white, while the previous design incorporated more primary colors.

City staff reviewed the materials and questioned the amount of stucco used on the exterior building. The applicant assured city staff that the majority of the facade would include hardy board and stone. It was noted there is a development agreement on this site stated the majority of the exterior cannot be stucco.

The Architectural Review Committee also raised concerns about each of the buildings being recognized as a separate structure with their own design. The applicant explained that each building will differ in exterior design including different unit types and color variations.

City staff had questions about the units parking. The applicant explained that there would be parallel parking available on the north side and additional parking along the south side of the site. Most of the parking will be located on the south side of the development.

The Architectural Review Committee recommended the applicants calculate the percentage of stucco used in the building materials to ensure compliance with the development agreement before the next meeting.

**ADJOURNMENT**



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 18<sup>th</sup> day of May, 2010.

ATTEST:

By: Anna M. West  
Anna West, City Recorder



W. Kent Money  
W. Kent Money, Mayor

APPROVED AS TO FORM:

By: Robert J. [Signature]  
Attorney for South Jordan City

10968593  
06/10/2010 10:14 AM \$0.00  
Book - 9832 Pg - 1357-1392  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
SOUTH JORDAN  
1600 W TOWNE CENTER DR  
SOUTH JORDAN UT 84095-8265  
BY: ARG, DEPUTY - WI 36 P.







## FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

This FIRST AMENDMENT TO DEVELOPMENT AGREEMENT ("Amendment") is entered into this 18<sup>th</sup> day of May, 2010 by 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. Permitted Uses 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. 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 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. City's Obligations**

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 40<sup>th</sup> West Street. In the event the City determines that sidewalk improvements are to be constructed or installed on the west side of 40<sup>th</sup> West Street, the City shall require the owner/developer of the property on the west side of 40<sup>th</sup> 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 BANGERTEER 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*  
John H. Geilmann, City Manager



By: *Anna M. West*  
City Recorder

APPROVED AS TO FORM:

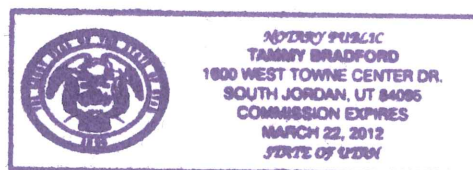
By: *[Signature]*  
Attorney for South Jordan City

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

On June 1, 2010 personally appeared before me, a Notary Public, John H. Geilmann, the City Manager of the City of South Jordan personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he/she executed the above instrument on behalf of and with authority from the City of South Jordan.

WITNESS my hand and official Seal.

*Tammy Bradford*  
Notary Public



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

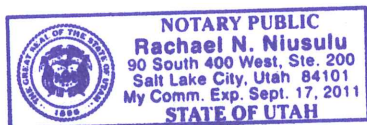
By: 

Title: Manager

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

On May 25, 2010, 2010 personally appeared before me, a Notary Public, Seven B. Oster, the manager of The Boyer Company, L.C., a Utah Limited Liability Company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he/she executed the above instrument on behalf of and with authority from The Boyer Company.

WITNESS my hand and official Seal.



Rachael W. Winters  
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

This Agreement, regarding the redevelopment and improvement of the Kunkler Trust Property, is entered into this 21 day of February, 20006 by and between the City of South Jordan, an Utah municipal corporation, hereafter referred to as "City" and The Boyer Company, L.C. a Utah limited liability company hereafter referred 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. Conditions Precedent. 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. Permitted Uses 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 purposes of determining residential density and open space requirements.

The Developer is responsible for building that portion of 40<sup>th</sup> west that accesses the residential development from 114<sup>th</sup> south street north for a distance of approximately 1125 feet to the point where 40<sup>th</sup> 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 40<sup>th</sup> 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 40<sup>th</sup> 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. Term. 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 40<sup>th</sup> West Street. In the event the City determines that sidewalk improvements are to be constructed or installed on the west side of 40<sup>th</sup> West Street, the City shall require the owner/developer of the property on the west side of 40<sup>th</sup> 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:
  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 114<sup>th</sup> 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. Notices. All Notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by 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. Mailing Effective. 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. Waiver. 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. Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only, and shall not control or affect the meaning or construction of any provision this Agreement.

E. Authority. The parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants 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. Entire Agreement. 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. Severability. 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. Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of the Agreement. The parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah, 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. Attorney's Fee and Costs. If any party brings legal action either because of a breach of the Agreement or to enforce a provision of the Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs.



L. 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.

M. 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.

N. 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.

O. 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:

By: Anna West  
Anna West, City Recorder



CITY OF SOUTH JORDAN  
a Utah municipal corporation

By: Ricky A. Horst  
Ricky A. Horst, City Manager

APPROVED AS TO FORM:

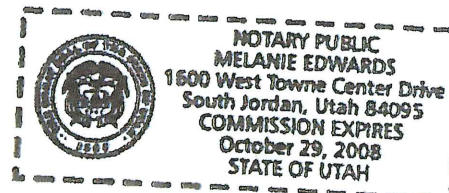
By: John H. Geilmann  
John H. Geilmann, City Attorney

STATE OF UTAH                     )  
  )ss  
County of Salt Lake            )

The foregoing instrument was acknowledged before me this 17 day of March 2000, by, on behalf of John H. Geilmann + Ricky A. Horst

Melanie Edwards Notary Public

My Commission Expires: Oct 29, 2008



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

By: [Signature]

Title: Manager

STATE OF UTAH )

)ss

County of Salt Lake )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of  
2006, by Denton M. Glenn, on behalf of The Boyer Company, L.C.

Rachael N. Nussulu Notary Public

My Commission Expires: 8-20-07

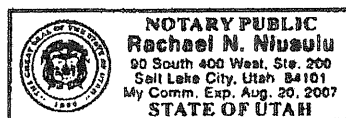


Exhibit "A"

*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 & BANGERTE 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.

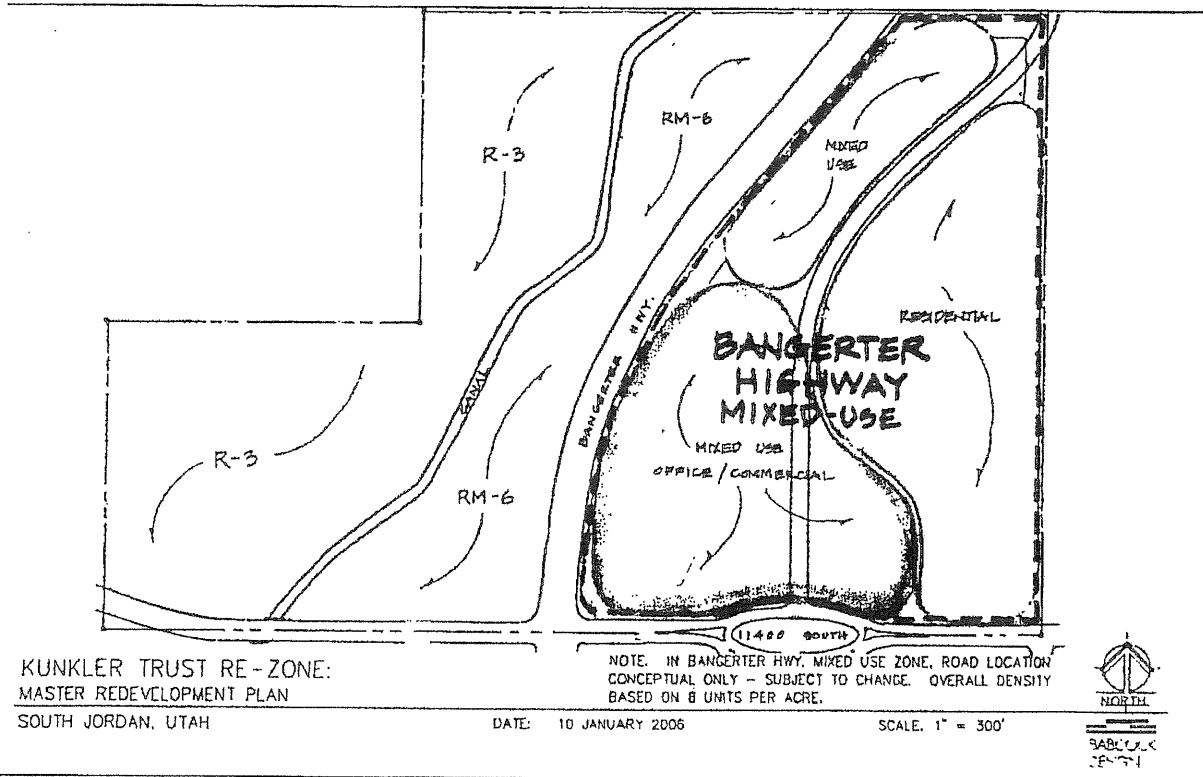
Office, no larger than three thousand (3,000) square foot building.

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 ~~Mmixed Use 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 ~~s~~would 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** ~~a~~Automobile 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**ones. 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**ones.

- B. All uses in BH-MU **Z**ones 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 **Z**ones 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**ones. No commercial materials, goods or inventory may be stored in open areas in BH-MU **Z**ones, 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**ones 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**one 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**ones, 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 Planning Commission 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 Planning Commission, site plans for all or portions of the BH-MU Zone 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 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 Zone except as established with development approval. Each lot or parcel in BH-MU 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 Zone shall be one hundred (100) acres.
- B. Minimum Project Area: "Project" shall be defined as any development in BH-MU Zones for which preliminary plat or site plan approval has been proposed or granted. The minimum area of any project in BH-MU Zones shall be one **quarter** acre.
- C. Minimum Lot Area: There shall be no minimum lot area in BH-MU 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**lanning **C**ommission. 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** ~~D~~decks not more than two feet (2') in height.
- E. **Single family detached residential** ~~E~~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** ~~F~~chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard. (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 **chapter 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 Engineer, 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 **Z**zones:



- 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 **chapter 16.36** of this code and shall be constructed of materials which complement the buildings which they identify.
- GF. Maximum building height in BH-MU zones shall be four (4) stories, **unless otherwise approved by the City Council**, 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)
- I. **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 Zzone:

- A. The front, side and rear yards of lots in BH-MU Zzones 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 Zzones 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~~ **P**ark 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 Zzones:
  - 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 **Z**zones:

- 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 Zzones 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. Severability.** 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. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, ON THIS 18th DAY OF May, 2010 BY THE FOLLOWING VOTE.**

	YES	NO	ABSTAIN	ABSENT
Brian Butters	<u>X</u>	_____	_____	_____
Kathie L. Johnson	<u>X</u>	_____	_____	_____
Larry Short	<u>X</u>	_____	_____	_____
Aleta A. Taylor	<u>X</u>	_____	_____	_____
Leona Winger	<u>X</u>	_____	_____	_____

ATTEST: Anna M. West  
Anna M. West, City Recorder

W. Kent Money  
W. Kent Money Mayor



## 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)

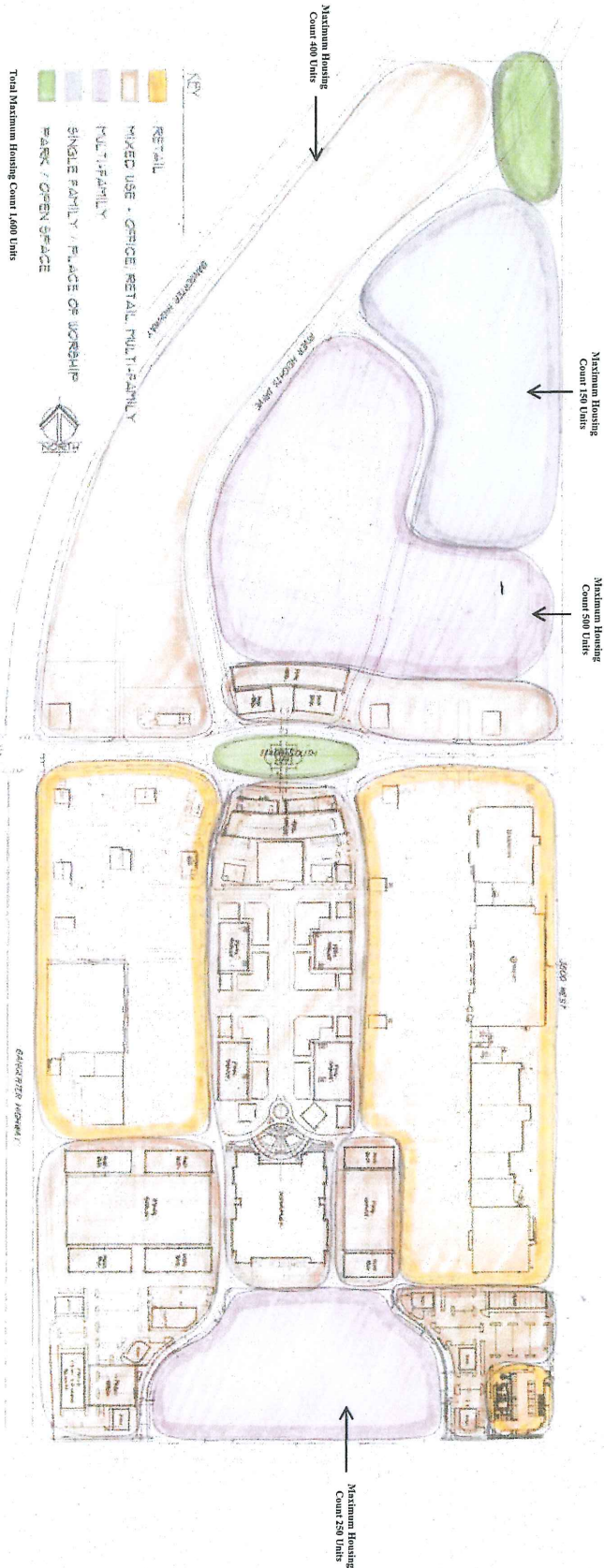
# EXHIBIT A

## BH-MU Zone Master Development Plan (4 Pages)

Adopted 18 May 2010

Item H.2.

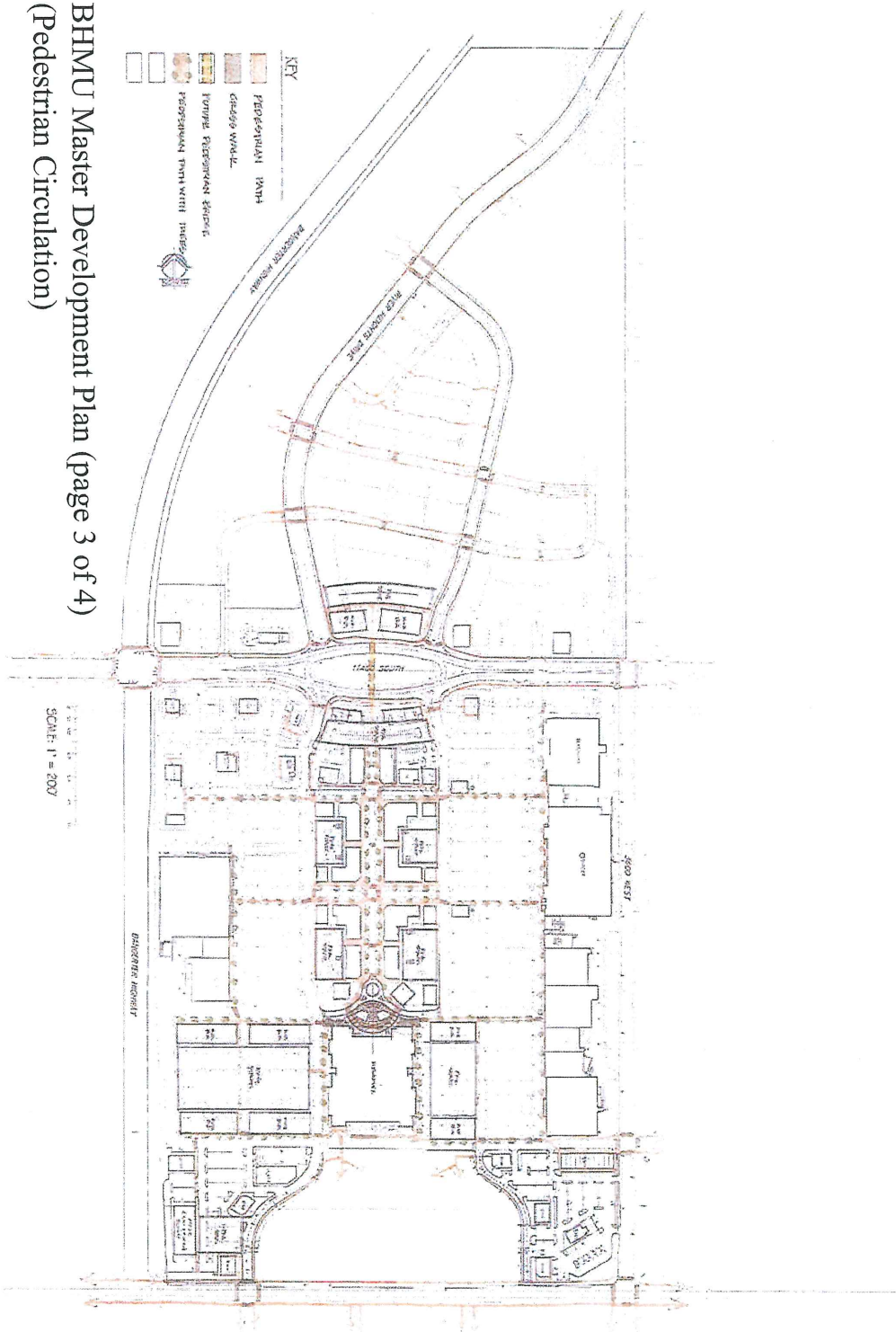
### BH-MU Master Development Plan (page 1 of 4) (Land Use Plan)



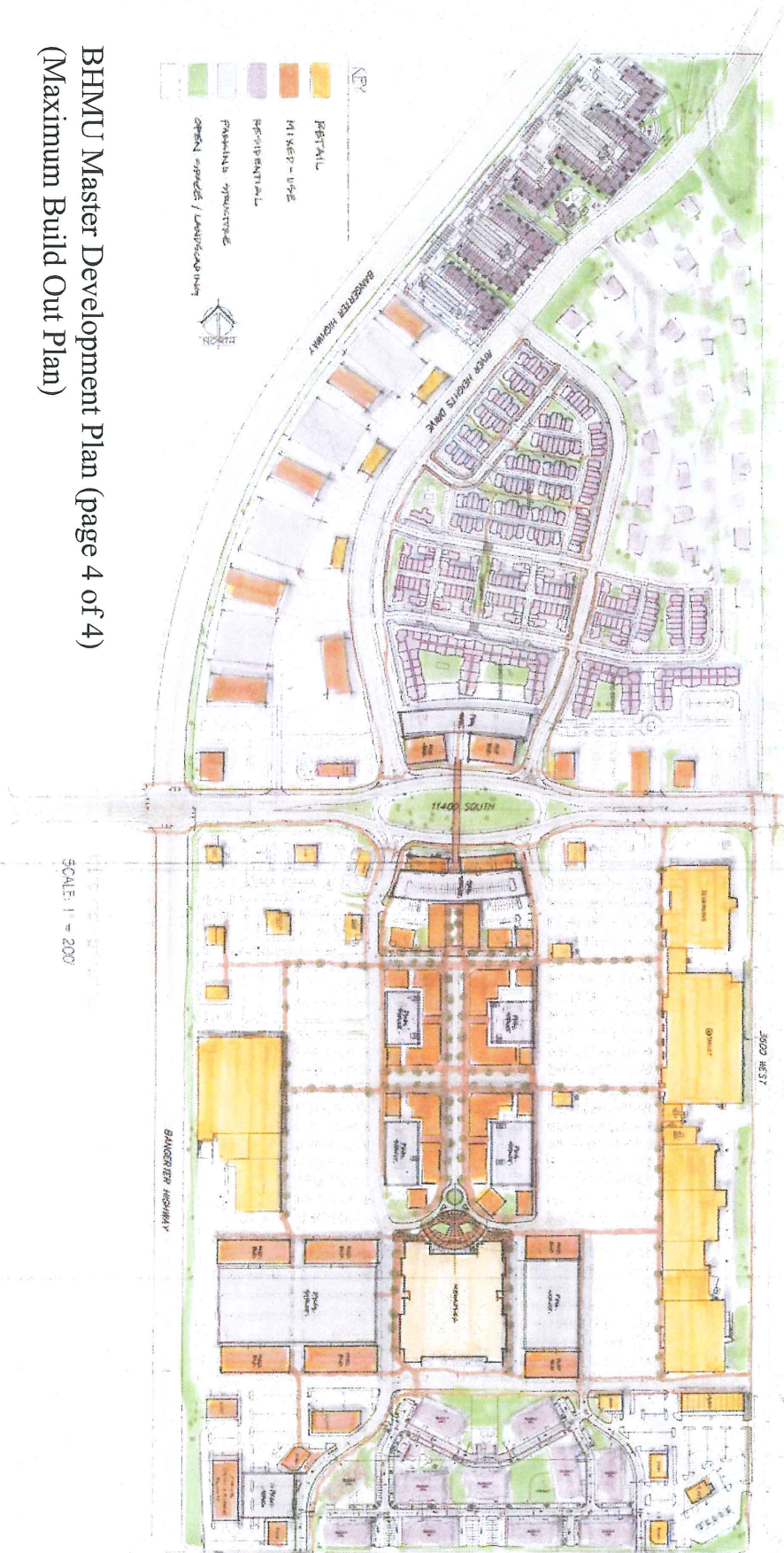




BHMU Master Development Plan (page 3 of 4)  
(Pedestrian Circulation)



BHMU Master Development Plan (page 4 of 4)  
(Maximum Build Out Plan)





# **SOUTH JORDAN CITY PLANNING COMMISSION REPORT**

**Meeting Date: 05/14/2024**

**Issue:** MOSAIC - RESIDENTIAL DEVELOPMENT  
**CONDITIONAL USE PERMIT**  
**Address:** 11210 S. River Heights Dr.  
**File No:** PLCUP202400023  
**Applicant:** Jacob Ballstaedt, Garbett Homes

**Submitted by: Damir Drozdek, Planner III**

**Staff Recommendation (Motion Ready):** I move that the Planning Commission **approve** application PLCUP202400023 to allow a multi-family residential project on property generally located at 11210 S. River Heights Dr. in conjunction with the applicable design book and a concept plan.

<b>ACREAGE:</b>	Approximately 4 acres
<b>CURRENT ZONE:</b>	BH-MU (Bangerter Highway - Mixed Use) Zone
<b>CURRENT USE:</b>	Vacant Properties
<b>FUTURE LAND USE PLAN:</b>	EIO (Economic Infill Opportunity)
<b>NEIGHBORING ZONES/USES:</b>	North – BH-MU / ICO District Apartments
	South – BH-MU / Office building
	West – R-M-6 / Bangerter Highway
	East – BH-MU / River Heights Dr.

## **CONDITIONAL USE REVIEW:**

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 permittee's failure to commence or operate the conditional use in accordance with the requirements of subsection A of this section.

## **BACKGROUND:**

The applicant is requesting that the Planning Commission review and approve a Conditional Use Permit for a multi-family residential project generally located at 11210 S. River Heights Dr. As proposed, the project will consist of 72 townhome units and four twin home units (two twin homes) totaling 76 housing units. All buildings will be three stories high, reaching heights of approximately 39' at their peak. Buildings will have a variety of exterior finishes and materials with different colors and minor design changes to help differentiate one building from the next. All units will be for sale.

There will be one access to the project off River Heights Dr. Another two access points will be provided from the south, connecting the project to the abutting office development. All drives and parking areas will be private and maintained by the HOA. The drives will be 26' wide as measured from back of curb to the back of ribbon curb. All units will be rear loaded. Guest parking will be provided at three different locations within the project (at the south end, the southwest end and the northwest end of the project).

Townhomes along River Heights Dr. will face the street. The central portion of the project will have townhome units facing each other with a green/open space in between the buildings. Townhome units at the north end will be facing an existing vinyl fence along the north boundary. However, along the west boundary, townhome units will not face Bangerter Highway and the associated future masonry wall. These units will side onto the highway. All areas within the project that are not intended to be used for parking and/or traffic flow will be landscaped.

A decorative masonry wall will be installed along Bangerter Highway as required by City Code. There is an existing six-foot vinyl fence along the north boundary. This fence will remain in place. Currently there is no fencing along the south or the east project boundary. These two boundaries will remain fence-free. However all townhome units are proposed to have a small 3' fence around the front yards to provide for a little privacy.

## **STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:**

### **Findings:**

- The subject property is located in the BH-MU zone.
- Although multi-family or single-family attached housing are currently prohibited in the Uses Chapter (City Code § 17.18), housing in the BH-MU zone is governed by a



previously adopted development agreement. The development agreement lists multi-family projects as conditional use, and designates the location, type and number of possible housing units in the zone. The agreement is attached to this report.

- Multi-family projects are required to have at least two housing types per the agreement. The project contains townhomes and two twin homes.
- As part of the approval process, the applicant is required to submit a design book and a concept site plan with the application for Planning Commission review and approval. Amendments or changes to the approved design book may be approved by the Planning Commission after another review and public hearing.
- Staff has not identified any potential detrimental effects to the zone that the proposed use/project may cause.
- On March 13, 2024, the Architectural Review Committee reviewed the proposed architecture and recommended approval of the architecture described in the design book.
- A project similar to this one and proposed by Sequoia Development and Lennar Homes, containing 58 townhome units and four (4) twin home units, received a CUP and preliminary subdivision plat approval on April 26, 2022.

#### **Conclusion:**

- The proposed use does not appear to violate any health, safety or welfare standards. In addition, staff was not able to identify any detrimental effects to the zone. For that reason, staff recommends approval of the application.

#### **Recommendation:**

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

#### **ALTERNATIVES:**

- Approve the Application with conditions.
- Deny the Application.
- Schedule the Application for a decision at some future date.

#### **SUPPORT MATERIALS:**

- |  |                                       |
|--|---------------------------------------|
| • Aerial Map   | • Proposed Fencing and Landscape Plan |
| • Zoning Map   | • ARC Minutes                         |
| • District Heights Building Elevations (Design Book) | • Development Agreement               |
| • District Heights Concept Site Plan                 | • Applicant's Response                |



Damir Drozdek, AICP  
Planner III, Planning Department





**Legend**

STREETS

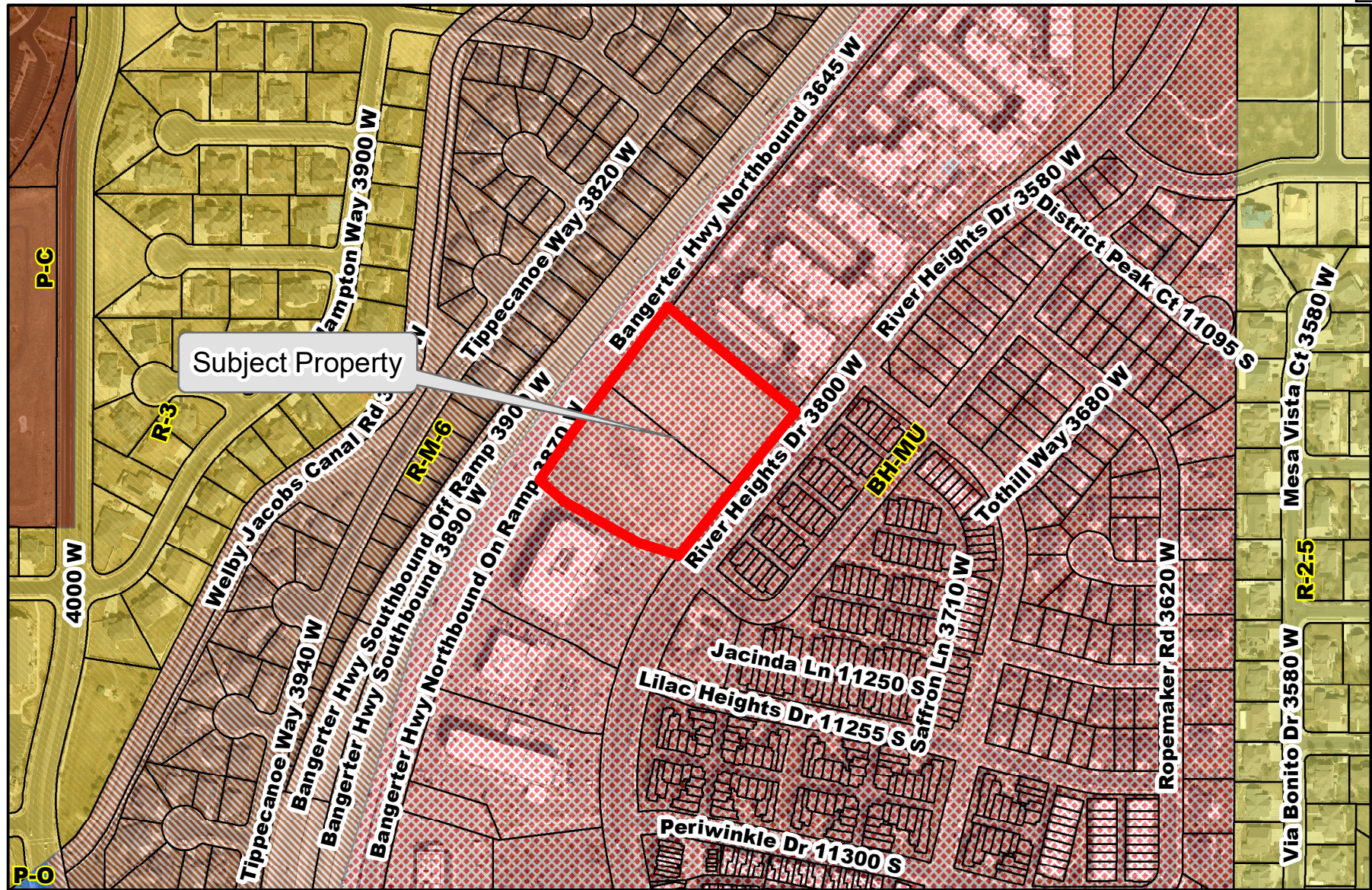
PARCELS


**Aerial Map**  
*City of South Jordan*

0 105 210 420 630 840 Feet

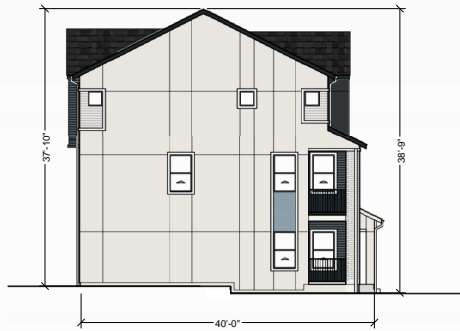
Aerial Imagery  
2021





<p><b>Legend</b></p> <p>STREETS</p> <p>PARCELS</p>	<h2>Zoning Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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LEFT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 4



RIGHT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 3



REAR BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 2



FRONT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 1

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BUILDING HEIGHT = +/- 37'-10" -- 38'-9"

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\*UNIT WIDTH ON ELEVATIONS INCLUDES 4" AIR GAP FOR FIRE SEPARATION

## SQUARE FOOTAGE

UNIT 1	
FIRST FLOOR	273 SF
SECOND FLOOR	700 SF
THIRD FLOOR	700 SF

TOTAL SQUARE FOOTAGE 1,673 SF

GARAGE	405 SF
PORCH	102 SF
DECK	102 SF

UNIT 2	
FIRST FLOOR	281 SF
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THIRD FLOOR	741 SF

TOTAL SQUARE FOOTAGE 1,749 SF

GARAGE	421 SF
PORCH	120 SF
DECK	85 SF



Architecture | Branding | Interiors | Planning  
3660 Blake Street  
Suite 500  
Denver, CO 80205  
ktgy.com  
303.825.6400

### KTGY Project No:

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Email: mkodros@ktgy.com

Principal: William Ramsey  
Project Designer:

### Developer



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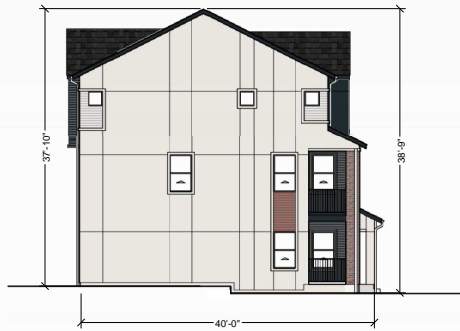
SALT LAKE CITY, UTAH 84103  
PHONE NO. 801-456-2430  
FAX NO. --

MOSAIC  
MURRAY, UTAH

No. Date Description


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A2-30 2-PLEX BUILDING  
ELEVATIONS - STYLE 'A'



LEFT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 4



RIGHT BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 3



REAR BUILDING ELEVATION - STYLE 'A' SCALE: 1/8"=1'-0" 2



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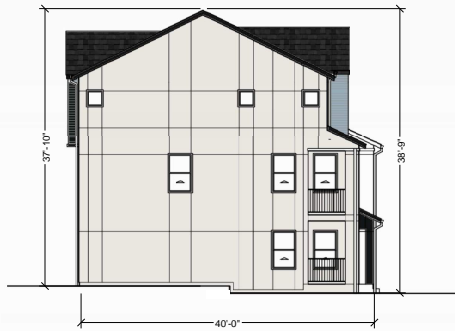
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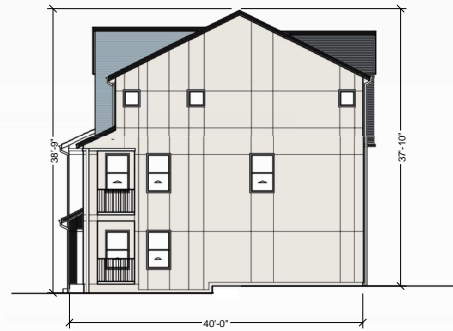
A2-30 2-PLEX BUILDING  
ELEVATIONS - STYLE 'A'



LEFT BUILDING ELEVATION - STYLE 'B'

SCALE: 1/8"=1'-0"

4



RIGHT BUILDING ELEVATION - STYLE 'B'

SCALE: 1/8"=1'-0"

3



REAR BUILDING ELEVATION - STYLE 'B'

SCALE: 1/8"=1'-0"

2



FRONT BUILDING ELEVATION - STYLE 'B'

SCALE: 1/8"=1'-0"

1

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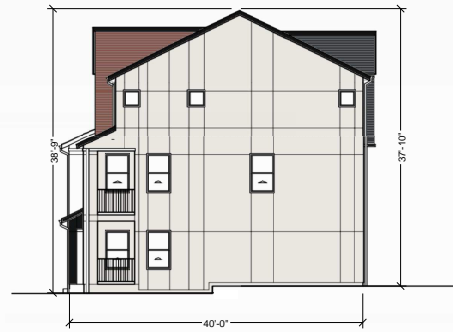

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A2-31 2-PLEX BUILDING  
ELEVATIONS - STYLE 'B'





LEFT BUILDING ELEVATION - STYLE 'B' SCALE: 1/8"=1'-0" 4



RIGHT BUILDING ELEVATION - STYLE 'B' SCALE: 1/8"=1'-0" 3



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A2-31 2-PLEX BUILDING  
ELEVATIONS - STYLE 'B'



LEFT BUILDING ELEVATION - STYLE 'A'

SCALE: 1/8"=1'-0"

4



RIGHT BUILDING ELEVATION - STYLE 'A'

SCALE: 1/8"=1'-0"

3

## UNIT SUMMARY

BUILDING HEIGHT = 4'-37'-10" -- 38'-9"

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SCALE: 1/8"=1'-0"

2



FRONT BUILDING ELEVATION - STYLE 'A'

SCALE: 1/8"=1'-0"

1



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7-PLEX BUILDING  
ELEVATIONS - STYLE 'A'



LEFT BUILDING ELEVATION - STYLE 'A'

SCALE: 1/8"=1'-0"

4



RIGHT BUILDING ELEVATION - STYLE 'A'

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3

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GARAGE	421 SF
PORCH	120 SF
DECK	85 SF



Architecture | Branding | Interiors | Planning  
3660 Blake Street  
Suite 500  
Denver, CO 80205  
ktgy.com  
303.825.6400

### KTGY Project No:

Project Contact: Madelyn Kodros  
Email: mkodros@ktgy.com

Principal: William Ramsey  
Project Designer:

### Developer



GARBETT HOMES  
273 N. EAST CAPITOL STREET.

SALT LAKE CITY, UTAH 84103  
PHONE NO. 801-456-2430  
FAX NO. -

MOSAIC  
MURRAY, UTAH

No. Date Description


It is the client's responsibility prior to or during construction to verify the architect is willing to accept any proposed errors or omissions in the plans and specifications of which a contractor is responsible. Knowledgeable with the building codes and methods of construction applied throughout the project. Written instructions (including any permit or ordinance) shall be included from the architect prior to the start of construction or construction with the work. The client will be responsible for any delays in construction if these instructions are not followed.

7-PLEX BUILDING  
ELEVATIONS - STYLE 'A'



REAR BUILDING ELEVATION - STYLE 'A'

SCALE: 1/8"=1'-0"

2

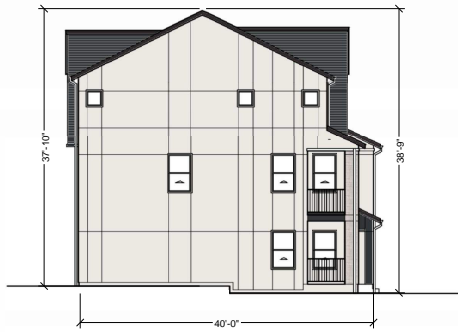


FRONT BUILDING ELEVATION - STYLE 'A'

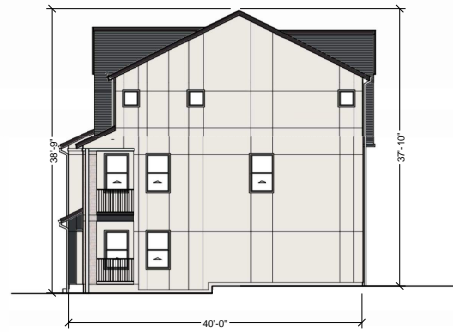
SCALE: 1/8"=1'-0"

1





LEFT BUILDING ELEVATION - STYLE 'B' SCALE: 1/8"=1'-0" 4



RIGHT BUILDING ELEVATION - STYLE 'B' SCALE: 1/8"=1'-0" 3



REAR BUILDING ELEVATION - STYLE 'B' SCALE: 1/8"=1'-0" 2



FRONT BUILDING ELEVATION - STYLE 'B' SCALE: 1/8"=1'-0" 1

## UNIT SUMMARY

BUILDING HEIGHT = 4'- 37'-10" -- 38'-9"

UNIT 1 = 20'-10" x 40'-0"

UNIT 1 GARAGE = 20'-3" x 20'-0"

UNIT 2 = 21'-10" x 38'-0"

UNIT 2 GARAGE = 21'-1" x 20'-0"

\*UNIT WIDTH ON ELEVATIONS INCLUDES 4" AIR GAP FOR FIRE SEPARATION

## SQUARE FOOTAGE

UNIT 1	
FIRST FLOOR	273 SF
SECOND FLOOR	700 SF
THIRD FLOOR	700 SF
TOTAL SQUARE FOOTAGE	1,673 SF

GARAGE	405 SF
PORCH	102 SF
DECK	102 SF

UNIT 2	
FIRST FLOOR	281 SF
SECOND FLOOR	727 SF
THIRD FLOOR	741 SF
TOTAL SQUARE FOOTAGE	1,749 SF

GARAGE	421 SF
PORCH	120 SF
DECK	85 SF



Architecture | Branding | Interiors | Planning  
3660 Blake Street  
Suite 500  
Denver, CO 80205  
ktgy.com  
303.825.6400

### KTGY Project No:

Project Contact: Macelyn Kodros  
Email: mkodros@ktgy.com

Principal: William Ramsey  
Project Designer:

### Developer



GARBETT HOMES  
273 N. EAST CAPITOL STREET.

SALT LAKE CITY, UTAH 84103  
PHONE NO. 801-456-2430  
FAX NO. --

MOSAIC  
MURRAY, UTAH

No. Date Description


It is the client's responsibility to verify the accuracy of the information provided in this document. The architect is not responsible for the accuracy of the information provided in this document. The architect is not responsible for the accuracy of the information provided in this document. The architect is not responsible for the accuracy of the information provided in this document.

7-PLEX BUILDING  
ELEVATIONS - STYLE 'B'





FRONT PERSPECTIVE



FRONT PERSPECTIVE



FRONT PERSPECTIVE



FRONT PERSPECTIVE





FRONT PERSPECTIVE





FRONT PERSPECTIVE



FRONT PERSPECTIVE









FRONT PERSPECTIVE

COMPOSITE ASPHALT SHINGLES CERTANTITEED (LANDMARK SERIES MORE BLACK	
PRIMARY FIBER CEMENT PANEL / SIDING SW 600   SNOWFALL	
ACCENT 1 FIBER CEMENT SIDING SW 709   RUSTIC RED	
ACCENT 2 FIBER CEMENT PANEL / SIDING SW 603   BLACK OF NIGHT	
BRICK BELDON BELCREST 760	
FASCIA SW 603   BLACK OF NIGHT	
STONE STONE WORKS ROSA WHITE PANEL DREZZO UT	
FRONT DOOR SW 709   IRON ORE	
GARAGE DOOR AMARR   SECTIONAL STEEL ROLL-UP LINCOLN   CHARCOAL GRAY	

MATERIAL BOARD | SCHEME 2

MOSAIC  
MURRAY UT



COMPOSITE ASPHALT SHINGLES CERTANTIZED (LANDMARK SERIES MORE BLACK	
PRIMARY FIBER CEMENT PANEL / SIDING SW 7004   SNOWBOUND	
ACCENT 1 FIBER CEMENT SIDING SW 9148   SMOKY AZURITE	
ACCENT 2 FIBER CEMENT PANEL / SIDING SW 6003   BLACK OF NIGHT	
BRICK BELDON ALASKA WHITE DART-TEX	
FASCIA SW 6003   BLACK OF NIGHT	
STONE STONE WORKS ROSA WHITE PANEL DREZZO UT	
FRONT DOOR SW 7008   IRON ORE	
GARAGE DOOR AMARR   SECTIONAL STEEL ROLL-UP LINCOLN   CHARCOAL GRAY	

MATERIAL BOARD | SCHEME 1

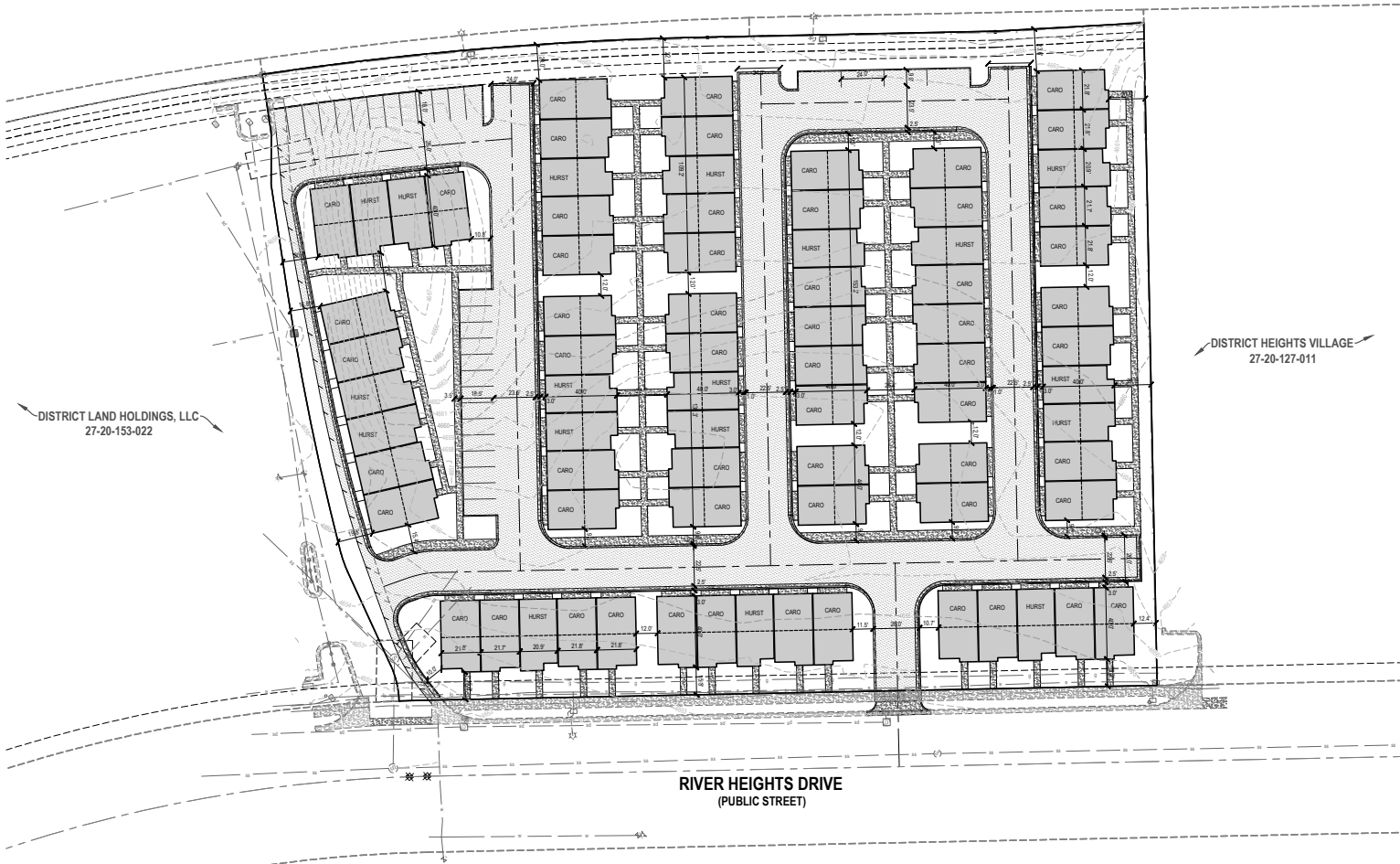
MOSAIC

MURRAY UT





BANGERTE HIGHWAY  
(UDOT CONTROLLED)  
NO PRIVATE ACCESS



RIVER HEIGHTS DRIVE  
(PUBLIC STREET)

UNIT COUNT	
DESCRIPTION	UNITS
HURST	18
CARO	18
TOTAL UNITS	36

Item H.2.

**SKIDDY**  
45 W 10000 S, Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529

**LAYTON**  
Phone: 801.547.1100

**TODELE**  
Phone: 435.843.3590

**CEDAR CITY**  
Phone: 435.865.1453

**RICHFIELD**  
Phone: 435.896.2983

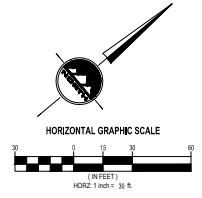
**WWW.ENSIGNENG.COM**

FOR:  
GARRETT HOMES  
173 NORTH EAST CAPEL STREET  
SALT LAKE CITY, UT 84103

CONTACT:  
JACOB BALLSTADT  
PHONE: 801.653.0131

**MOSAIC DEVELOPMENT**

11220 & 11210 SOUTH SOUTH RIVER HEIGHTS DRIVE  
SOUTH JORDAN, UTAH



**811**  
Missouri's 811  
Call before you dig

CALL BLUESTAKES  
(811) AT LEAST 48 HOURS  
PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.

**BENCHMARK**

CENTER OF SECTION 20,  
TOWNSHIP 3 SOUTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN

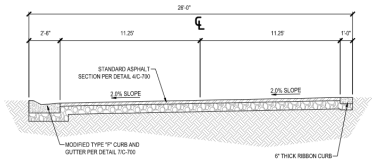
ELEV = 4636.17'

SITE PLAN EXHIBIT

PROJECT NUMBER: 12441  
PRINT DATE: 2024-04-30

PROJECT MANAGER: BAM  
DESIGNED BY: JWS

**EX-100**

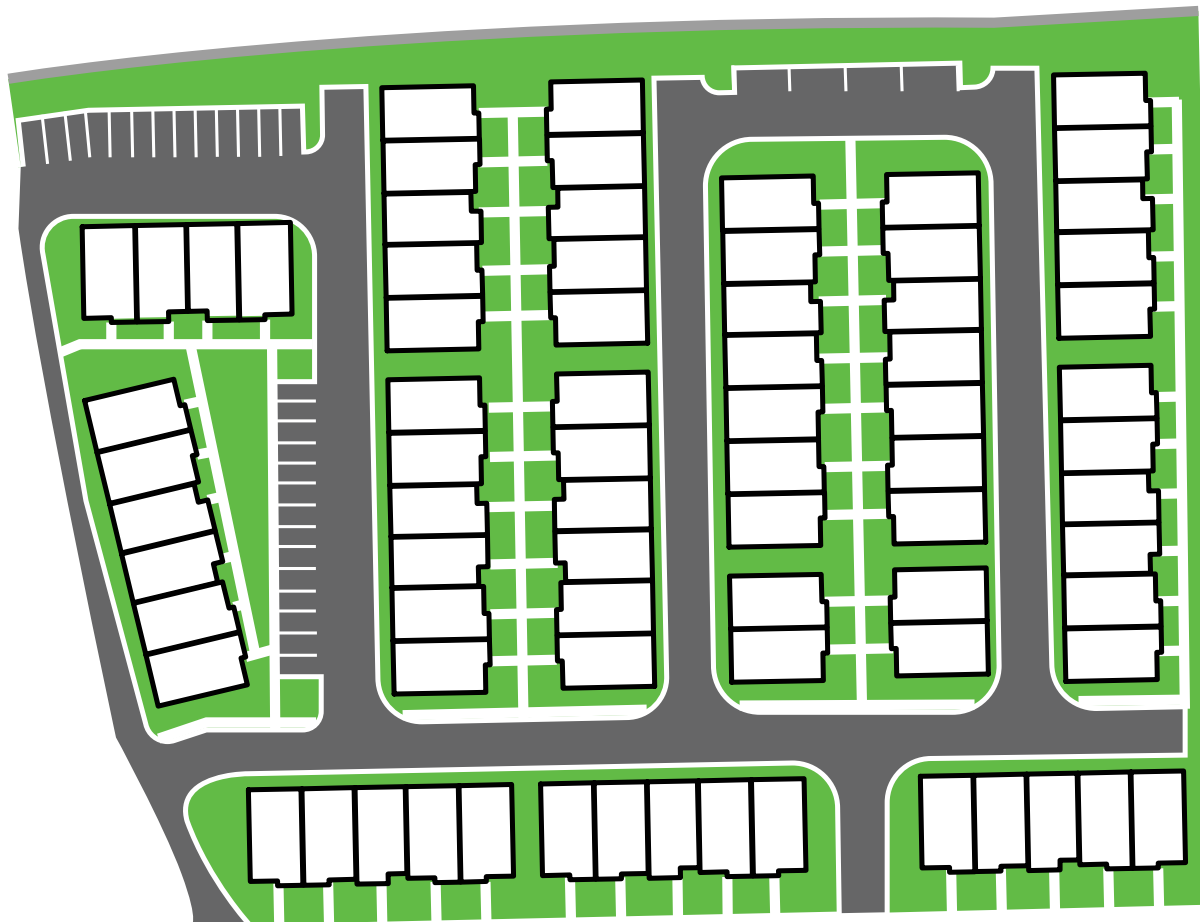


2 FIRE LANE ALLEY CROSS SECTION (26' ROW)  
SCALE: NONE



# Mosaic

Bangerter Hwy.



River Heights Dr.

**15 buildings**

**2 - duplex**

**1 - 4 plex**

**6 - 5 plex**

**4 - 6 plex**

**2 - 7 plex**

**72 townhomes**

**4 duplex units**

**31 guest parking stalls**

**152 garage parking stalls**



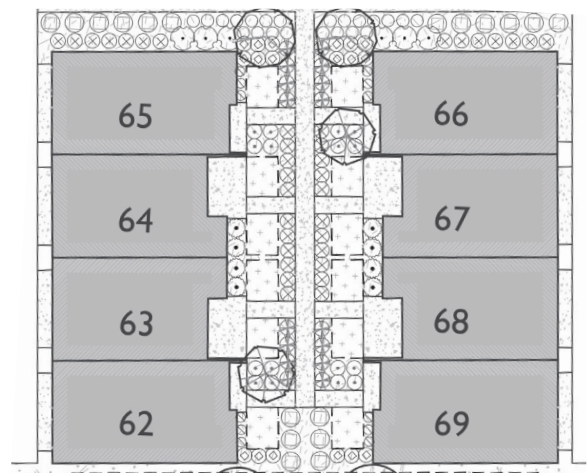
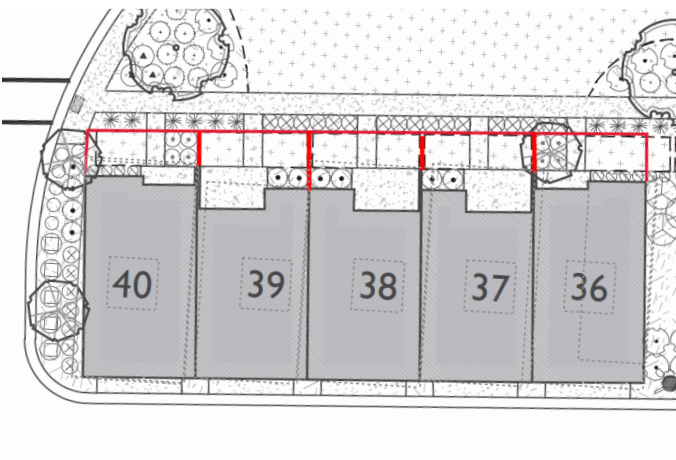
# Mosaic

## Proposed Fencing & Landscape Plan



3' Max Fence Height

All shrubs and trees. No turf.



**CITY OF SOUTH JORDAN  
ARCHITECTURAL REVIEW COMMITTEE MEETING MINUTES  
SOUTH JORDAN CITY HALL – MAPLE CONFERENCE ROOM  
WEDNESDAY, MARCH 13, 2024**



Minutes Prepared by: *Rebecca Messer*

Attendance City Staff: *Damir Drozdek, Kathie Johnson, Ray Wimmer, and Rebecca Messer*

Attendance Applicant(s): *Jacob Ballstaedt*

**ARCHITECTURAL REVIEW COMMITTEE MEETING**

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

**A. GENERAL BUSINESS ITEMS**

**A.1 MOSAIC**

Location: 11220 S. River Heights Dr.

Project No: PLCUP202400023

Applicant: Jacob Ballstaedt, Garbett Homes

Planner: Damir Drozdek

**Project description –**

Multi-Family use townhomes that will be sold to homeowners.

**ARC Committee's recommendations steps to move the project forward with the project to be presented to Planning Commission and City Staff concerns:**

The material utilized will be three colors, two types of brick, and a stone. The stone is stained and requires minimal upkeep.

It will be the responsibility of the HOA to take care of maintenance on the fiber cement exterior.

The applicant intends to contract with a property management service to oversee the townhomes' future maintenance.

There are no amenities proposed by the applicant for this development. A small area will remain an open space on the premises.

The applicant is responding to the planner's comments regarding the road. They intend to flip one of the structures in order to accommodate closer parking.

Garages will be situated in the rear portions of the townhomes.

Committee approved the proposed architectural design for this project.

**ADJOURNMENT**



# SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: MARCH 25, 2025

## FILE OVERVIEW

<b>Item Name</b>	<b>Residential Front Yard Fencing and Park Strip Landscape Code Text Amendments</b>
<b>Applicant Address</b>	<b>11201 S Alisa Meadow Dr. South Jordan, UT 84095</b>
<b>File Number</b>	<b>PLZTA202400233</b>
<b>Applicant</b>	<b>Thomas &amp; Rebekah Wiandt</b>
<b>Staff Author</b>	<b>Joe Moss, Long Range Planner</b>

## ITEM SUMMARY

The applicant is requesting two amendments to the Code:

- 1- Ordinance 2025-05 would allow for front yard fences on neighborhood streets and modify fencing development standards to allow for additional height for gates and pillars or posts. Staff is not in favor of all changes to front yard fence development standards that are included in the applicant's request shown in Exhibit A, and is recommending approval of an alternative amendment shown as Exhibit 1. The alternative still would allow for front yard fences, but at lower heights than proposed by the applicant.
- 2- Ordinance 2025-08 would amend the landscape requirements to reduce required live plant coverage in park strips from 50% to 25% and modify how that calculation is measured to include tree canopies. Staff is recommending denial.

## TIMELINE

- **November 25, 2024** the applicant submitted a complete text amendment application to Staff for review. City Staff worked with the applicant to modify the proposed amendments for clarity prior to scheduling the item for a hearing date.

## REPORT ANALYSIS

The applicant has requested to modify two sections of the Code. The applicant's request to modify the front yard fencing standards is contained in Ordinance 2025-05 and the request to modify park strip landscape requirements are contained in Ordinance 2025-08. The proposed changes for each ordinance are evaluated below.

### Ordinance 2025-05, Residential Front Yard Fencing

**Overview:** The applicant has requested to modify residential fencing code in [§17.40.020.H.4](#) to allow front yard fences on neighborhood streets, which are currently prohibited. They are also proposing amendments to current standards for height and column spacing. Staff has proposed an alternative amendment that would still allow front yard fencing, but with additional clarification on location, materials, and revised height limits. The applicant's request is shown in Exhibit A and the Staff drafted alternative is shown in Exhibit 1. The following analysis compares both proposed amendments to existing Code requirements:

#### Location:

- *Current Code:* Front yard fences are only permitted for lots that front collector or arterial streets. On neighborhood streets only side yard fencing is permitted in front yards. Fences are required to comply with clear vision area requirements in [§16.04.200.J](#) to prohibit blocking critical sight lines.
- *Exhibit A:* Allows fences along the "...front lot line to the right-of-way line or sidewalk of a neighborhood street". It would maintain the current clear vision area requirements.
- *Exhibit 1:* Permits fencing in "a front yard, side yard, or along a front or side property line." It would maintain the current clear vision area requirements and in addition it prohibits fencing from being located between the sidewalk and the street. It also makes reference to [§12.04.070](#) which prohibits obstructions in the right-of-way and sidewalk.

*Analysis:* South Jordan's current ordinance is unique in prohibiting front yard fences on neighborhood streets, as most area municipalities do permit low height front yard fences. A front yard fence can be an attractive and positive visual element in a residential streetscape when designed in an inviting and fitting way. The proposed amendment in Exhibit 1 allows a fence to be built further into a front yard, not only along a right of way or sidewalk, while also making it clear that sidewalks and the right-of-way are not allowed to be fenced. These

clarifications add more flexibility for residents as to where fences should be placed, while preserving publicly accessible spaces.

### Materials:

- *Current Code:* Front yard fences may be constructed of decorative wrought iron, simulated wrought iron, vinyl pickets, masonry, or solid vinyl. It also permits brick pillars.
- *Exhibit A:* Does not modify existing materials requirements.
- *Exhibit 1:* Permits all existing allowed materials with the addition of wood pickets, wood post and rail, and vinyl post and rail. It also clarifies that all allowed fencing materials may be used with or without masonry pillars.

*Analysis:* Exhibit 1 would expand available materials options than currently allowed or would be allowed under the applicant's proposal in Exhibit A. The inclusion of wood pickets and post and rail style fencing would be in keeping with the residential and sometimes rural character of South Jordan's diverse neighborhoods.

### Height: Diagrams relating to this section can be found in Attachment A.

- *Current Code:* Open style fencing that is "nonobscuring" such as wrought iron can be up to four feet (4') in height. Solid fencing is limited to three feet (3'). Gate height is not mentioned in the current code, and thus would be limited to the same as the fence panel. Posts and pillars may only extend four inches (4") above the fence panel.
- *Exhibit A:* Keeps the existing height limits (4' for open style, and 3' for solid) with the following modifications:
  - Gates may be up to six feet (6') if nonvisually obscuring or four feet (4') if solid.
  - Posts and pillars may extend up to two feet (2') beyond the fence panel or gate. This would permit a total maximum height for pillars of eight feet (8') if associated with a six feet (6') tall open style gate.
  - The proposed amendment clarifies that lighting, finials and adornments are included in the height measurement.
- *Exhibit 1:* Keeps the existing height limits (four feet (4') for open style, and three feet (3') for solid) with the following modifications:
  - Posts and pillars and gates may extend up to one foot (1') beyond the fence panel. This would permit a total maximum height for projections of five feet (5') if associated with a four feet (4') tall open style fence.
  - The proposed amendment clarifies that lighting, finials and adornments are included in the height measurement.

*Analysis:* The current limit of four inches (4") above the fence panel can prohibit many finials, lighting, and post caps that can add functionality and aesthetic value. Both proposed amendments clarify that finials, lighting and adornments are included in

height measurements. Exhibit 1 would increase the allowed projection height above the fence panel by nine inches (9") and would be in scale with lower fence heights that are characteristic for front yards. Gates would be an allowed projection. The applicant's proposal in Exhibit A would allow for gates up to six feet (6') if open style, and their associated pillars up to eight feet (8'). Fences in these heights are not currently permitted for front yards and are typically only utilized in taller screening and privacy fences. Staff's research in surrounding cities found that front yard fences are typically limited to four feet (4') on residential neighborhood streets.

#### Post and Pillar Spacing:

- *Current Code:* Requires brick pillars are spaced no closer than ten feet (10') apart.
- *Exhibit A:* Reduces the minimum separation to eight feet (8').
- *Exhibit 1:* Reduces the minimum separation to eight feet (8'). It allows gate posts or pillars to be exempt from minimum spacing requirements.

*Analysis:* Standard fencing materials generally come in eight foot (8') lengths, but are not commonly found in ten foot (10') lengths. Reducing the spacing requirement to eight feet (8') would accommodate material availability and does not have any anticipated negative impacts. An exception for gate posts is practical since most gates are less than eight feet (8') in width.

### Ordinance 2025-08 Park Strip Landscape Requirements

Overview: The applicant is proposing modifications to the outdoor landscaping requirements in [§16.30.040](#) as follows:

- *Current Code:* Requires that all front and side yards, including park strips, incorporate a minimum of fifty percent (50%) of the required landscape area with live plant material unless a conditional use permit is approved. Park strips wider than five feet (5') are also required to plant street trees at a maximum spacing of least fifty feet. Tree canopies do not count toward the live plant material coverage since the measurement is taken at the ground plane.
- *The proposed amendment:* Reduces the amount of live plant coverage required in park strips to a minimum of twenty-five percent (25%) and removes the requirement that live plant coverage is measured at the ground plane in order to allow tree canopies to be included in this requirement.

*Analysis:* The original requirement of 50% live plant coverage was created in 2021 with guidance from Jordan Valley Water Conservancy District to enable more water wise landscapes. While any plant would require more water than a non-living landscape, the use of water saving native and drought tolerant plantings can provide beneficial plant coverage at a fraction of traditional landscapes. The current ordinance's requirement for a minimum

of 50% live plant material covering the ground plane has several positive impacts including urban heat island reduction, increased drainage capabilities, and aesthetic value to ensure the landscape fits the region and climate. The proposed amendment would reduce the required vegetation cover by half, which would minimize these benefits.

The proposed amendment allows tree canopies to count toward the minimum live plant coverage. This could result in a scenario where trees could largely meet the minimum planting requirement resulting in few live plantings at ground level. Street trees are required in park strips, so the overall effect of the proposed amendment would likely result in an overall reduction of required live plant cover on the ground by more than 25%.

The proposed amendment removes the specification of where live plant coverage is measured. This ambiguity could lead to administrative difficulties calculating this requirement.

**Related items:** The applicant previously received a conditional use permit ([PLCUP202200214](#)) on March 28, 2023 for reduced live plant coverage in the front yard landscaping with the following condition: *“Based on a detriment identified during the discussion, the adjoining park strip will be brought up to city code, or receive the proper approval/variance from city staff on their park strip plan; whether in connection with their fencing variance application, or through other means.”* In order for this permit to remain in compliance with this condition, the park strip landscape would need to be in conformance with city code. If the landscape code was amended, the conditional use permit would remain valid as long as the park strip is in conformance with new code requirements.

## FINDINGS AND RECOMMENDATION

### General Plan Conformance

#### Ordinance 2025-05, Residential Front Yard Fencing

The ordinance as proposed by the applicant in Exhibit A is not entirely in conformance with the following goals and strategies from the general plan, however Exhibit 1 is in conformance with the following:

- LIVE GOAL 4: Maintain existing and well-maintained single-family residential neighborhoods
- GROW GOAL 4: Develop and maintain a pattern of residential land uses that provides for a variety of densities and types and maintains the high standards of existing development



## Ordinance 2025-08 Park Strip Landscape Requirements

The proposed ordinance is not in conformance with the following goals and strategies from the general plan:

- LIVE GOAL 4: Maintain existing and well-maintained single-family residential neighborhoods
- GROW GOAL 4: Develop and maintain a pattern of residential land uses that provides for a variety of densities and types and maintains the high standards of existing development
- GrG3.4. Help minimize the urban heat island effect by encouraging lighter color building materials for roof-tops, parking lots, roadways, pathways, planting trees that provide shade, etc.
  - GrG5.3. Implement rain gardens and other storm water collection and retention systems
  - GrG5.4. Continue to develop and implement Low Impact Development (LID) standards to improve soil permeability and to avoid costly storm drainage systems

## Strategic Priorities Conformance:

### Ordinance 2025-05, Residential Front Yard Fencing

The ordinance as proposed by the applicant in Exhibit A is not entirely in conformance the following directives from the Strategic Direction, however Exhibit 1 is in conformance with the following 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

### Ordinance 2025-08 Park Strip Landscape Requirements

The proposed ordinance is not 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
- SG- 2. Creates and supports environmentally sustainable programs including water conservation, recycling, energy conservation, and air quality improvement to ensure the financial well-being and long-term sustainability of the community

## Findings:

### Ordinance 2025-05, Residential Front Yard Fencing

The following table details front yard fencing requirements in the existing Code, the applicant's proposed text (Exhibit A), and Staff's recommended alternative (Exhibit 1).

Requirement	Current Code	Exhibit A	Exhibit 1
<b>Location</b>	Only allowed in front yards along collector and arterial roads (Side fences allowed)	Allows front yard fences in any front yard along ROW line or along sidewalk	Allows in front yard, prohibits between sidewalk and road.
<b>Fence Height</b>	3' max for solid fences 4' for open fences	3' max for solid fences 4' for open fences	3' max for solid fences 4' for open fences
<b>Gate Height</b>	3' max for solid fences 4' for open fences	4' max for solid fences 6' for open fences	Gate may project an additional 12" above fence panel (5' max)
<b>Post/ Pillar Height</b>	4" above fence panel (4'4" max)	24" above gate or fence panel (8' max)	12" above fence panel (5' max)
<b>Materials</b>	<ul style="list-style-type: none"> <li>• decorative wrought iron</li> <li>• simulated wrought iron</li> <li>• vinyl pickets</li> <li>• masonry</li> <li>• solid vinyl</li> <li>• masonry pillars</li> </ul>	<ul style="list-style-type: none"> <li>• decorative wrought iron</li> <li>• simulated wrought iron</li> <li>• vinyl pickets</li> <li>• masonry</li> <li>• solid vinyl</li> <li>• masonry pillars</li> </ul>	<ul style="list-style-type: none"> <li>• decorative wrought iron</li> <li>• simulated wrought iron</li> <li>• vinyl pickets</li> <li>• masonry</li> <li>• solid vinyl</li> <li>• masonry pillars</li> <li>• wood pickets</li> <li>• wood post and rail</li> <li>• vinyl post and rail</li> </ul>
<b>Pillar Spacing</b>	10' minimum	8' minimum	8' minimum, gate pillars exempt

In addition to the requirements in the summary table the following are included in the proposed amendments:

- Both proposed amendments maintain current requirements for clear view areas.
- Both proposed amendments clarify that objects affixed to pillars such as lighting, adornments, and finials are included in the maximum height measurement.

### Ordinance 2025-08 Park Strip Landscape Requirements

- The proposed amendment would reduce the requirement for living plant material in all park strips from 50% to 25%.
- The proposed amendment would allow tree canopies to be included in the live plant material coverage calculation and remove a specification that live plant coverage is measured at the ground plane in order to include tree canopies.

### Conclusions:

#### Ordinance 2025-05, Residential Front Yard Fencing

- The proposed amendment shown in Exhibit A is not in conformance with the General Plan and the City's Strategic Priorities.
- The proposed amendment shown in Exhibit 1 is in conformance with the General Plan and the City's Strategic Priorities.

### Ordinance 2025-08 Park Strip Landscape Requirements

- The proposed amendment is not in conformance with the General Plan and the City's Strategic Priorities.

### Planning Staff Recommendation:

#### Ordinance 2025-05, Residential Front Yard Fencing

Staff is in support of the following modifications to the current Zoning Code:

- *Allowing front yard fencing on neighborhood streets.* Many neighboring cities allow front yard fencing, and it is also permitted in areas of South Jordan such as Daybreak and homes located on arterial and collector streets. Staff is in support of permitting all homes to have a front yard fence, but acknowledges that these should be done within design and development standards to ensure high quality neighborhoods.
- *Reducing minimum column spacing.* Reducing the minimum spacing to 8' from 10' in would accommodate standard fence panel sizes and staff is in support of this modification.

Staff is not in support of the following modifications as requested by the applicant:

- *Additional height for gates.* A maximum of six feet (6'). This is an increase beyond what is currently allowed in South Jordan and surrounding communities. Staff is of the opinion that this increase would create less inviting neighborhoods. Staff's proposed alternative would keep gates to a maximum of four feet (4').
- *Additional post and pillar height.* Both the applicant and Staff proposed amendments include a clarification that lighting, finials, or other adornments are included in the

overall height measurement. In order to account for this, Staff is comfortable with an increase from 4" to 12", however the applicant is proposing an increase of 24" which would allow pillars up to 8' in height if associated with a 6' gate. Staff is of the opinion that this is not a reasonable height for residential front yards since 8' fencing is typically only permitted as a screening device.

In addition to the applicant's proposed changes, staff is in favor of additional clarifications to materials and location of fencing that are included in Exhibit 1.

**Staff recommends approval of the ordinance as shown in Exhibit 1** based on the report analysis, findings, and conclusions listed above.

### **Ordinance 2025-08 Park Strip Landscape Requirements**

The existing landscape standards were created in 2021 in conjunction with recommendations from the Jordan Valley Water Conservation District. The requirement that live vegetation cover a minimum of 50% of the park strip is intended to allow for water-wise landscaping while still providing live plantings that reduce urban heat island effects and contribute to landscaping aesthetics that fit the local area. Staff is not in support of the request to modify this requirement.

The proposed amendment also modifies how live plant material is measured to include tree canopies in the calculation. This would significantly reduce planting requirements for park strips since street trees are typically required in addition to plant coverage at the ground plane. Staff is not in support of this request since it reduces existing standards and creates additional difficulty in administering the Code due to an increased complexity and lack of clarity about how and where the plant coverage should be measured.

**Staff recommends denial** of the proposed amendment based on the report analysis, findings, and conclusions above.

## PLANNING COMMISSION ACTION

### Required Action:

Recommendation for City Council

### Scope of Decision:

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

### 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 recommends that the City Council approves:

1. Ordinance 2025-05, Residential Zones Front Yard Fencing Text Amendment, as shown in Exhibit 1;

And denies:

1. Ordinance 2025-08, Park Strip Landscaping Amendment.

### Alternatives:

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

## SUPPORTING MATERIALS

1. Ordinance 2025-05
  - a. Exhibit A, Residential Zones Front Yard Fencing Text Amendment
  - b. Exhibit 1, Residential Zones Front Yard Fencing Text Amendment
2. Attachment A, Fence Height Diagrams
3. Ordinance 2025-08
  - a. Exhibit A, Park Strip Landscaping Text Amendment



## ORDINANCE NO. 2025 - 05

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTION 17.40.020 (DEVELOPMENT AND DESIGN STANDARDS) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO MODIFY THE DEVELOPMENT STANDARDS FOR FRONT YARD FENCES, POSTS AND GATES.

**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**, City residents Thomas and Rebekah Wiandt (the “Applicants”), who reside at 11201 S. Alisa Meadow, have requested amendments to Section 17.40.020 of the City Municipal Code regarding front yard fences, gates and posts (the “Amendments”); and

**WHEREAS**, City staff has reviewed the Applicants amendments and recommend alternate Amendments (the “City Amendments”) , still allowing for front yard fences, gates, and posts but differing in size and scope from those requested by the Applicants; and

**WHEREAS**, the South Jordan Planning Commission held a public hearing, reviewed both proposed text amendments, and made a recommendation to the City Council; and

**WHEREAS**, the City Council held a public hearing and reviewed both proposed text amendments; and

**WHEREAS**, the City Council finds that proposed text amendment, set forth in **Exhibit** \_\_\_, will enhance the public health, safety and welfare and will promote the development and design standards in the City.

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

**SECTION 1. Amendment.** Section 17.40.020 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit** \_\_\_, is hereby amended.

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

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

[SIGNATURE PAGE FOLLOWS]

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025 BY THE FOLLOWING VOTE:**

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

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
Anna Crookston, City Recorder

Approved as to form:

Gregory Simonsen  
Gregory Simonsen (Mar 20, 2025 15:40 MDT)  
\_\_\_\_\_  
Office of the City Attorney

# Ordinance 2025

Final Audit Report


2025-03-20

Created:	2025-03-20
By:	Becky Messer (rmesser@sjc.utah.gov)
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## "Ordinance 2025" History

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 Signer gsimonsen@sjc.utah.gov entered name at signing as Gregory Simonsen

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Signature Date: 2025-03-20 - 9:40:54 PM GMT - Time Source: server- IP address: 63.226.77.126

 Agreement completed.

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## 17.40.020 DEVELOPMENT AND DESIGN STANDARDS

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

1. Utility Screening: In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.
2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.
3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
4. Front Yard Fencing:
  - a.** A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side **and front** lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in Clear Vision Areas, according to Section 16.04.200 (J).
  - b.** A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high.
  - c.** Brick pillars **for either four foot (4') nonobscuring or three foot (3') solid fencing** may not exceed eighteen inches (18") square or be closer than ~~ten~~ **eight** feet (4<sup>0</sup> 8') on center. Posts or pillars may not extend higher than **twenty** four inches (24") above the fence **or gate** panel. **Objects affixed to pillars and posts including lighting, finials, and adornments shall be included in the height measurement.**
  - d.** **Gates may be permitted up to six feet (6') if nonvisually obscuring or up to four feet (4') if solid.**
5. Clear Vision Area: Landscape materials within a Clear Vision Area shall comply with Section 16.04.200 (J).

Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right-of-way in a Residential Zone shall be constructed according to section 16.04.200 of this Code.

## 17.40.020 DEVELOPMENT AND DESIGN STANDARDS

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

1. Utility Screening: In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.
2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.
3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
4. Front Yard Fencing: ~~A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right of way line or sidewalk of a neighborhood street, except as regulated in Clear Vision Areas, according to Section 16.04.200 (J). A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right of way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.~~ **Fencing is permitted within front yards in compliance with the following standards:**
  - a. **Location. Fencing may be located in a front yard, side yard, or along a front or side property line. Fencing is prohibited between a sidewalk and the street. Fences may not obstruct any sidewalk or other right of way and shall comply with the Section 12.04.070 of this Code.**
  - b. **Materials. Front yard fencing is only permitted if constructed of one of the following materials:**
    - (1) **Wrought Iron, with or without masonry pillars;**
    - (2) **Simulated wrought iron with or without masonry pillars;**
    - (3) **Wood or vinyl pickets with or without masonry pillars;**
    - (4) **Wood or vinyl post and rail with or without masonry pillars;**
    - (5) **Solid masonry;**
    - (6) **Solid vinyl with or without masonry pillars.**
  - c. **Height. Except as regulated in Clear Vision Areas, according to Section 16.04.200.J. of this Code, front yard fencing heights are regulated as follows:**
    - (1) **Fences that are non-visually obscuring shall not be more than four feet (4') tall.**
    - (2) **Masonry or solid vinyl fence may not be more than three feet (3') tall.**



- (3) **Projections such as posts, pillars, and gates may not extend higher than one foot (1') above the maximum height allowed for the fence. Objects affixed to pillars and posts including lighting, finials, and adornments shall be included in the height measurement.**
- d. **Posts and pillars. Fence posts or masonry pillars shall not exceed eighteen inches (18") in width or diameter. Fence posts and pillars may not be closer than ten feet (10') on center, excluding gate posts or gate pillars.**
5. Clear Vision Area: Landscape materials within a Clear Vision Area shall comply with Section 16.04.200.J. of this Code.
6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right-of-way in a Residential Zone shall be constructed according to Section 16.04.200 of this Code.

# Current Code Diagram

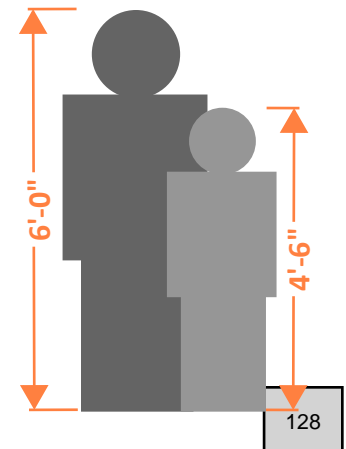
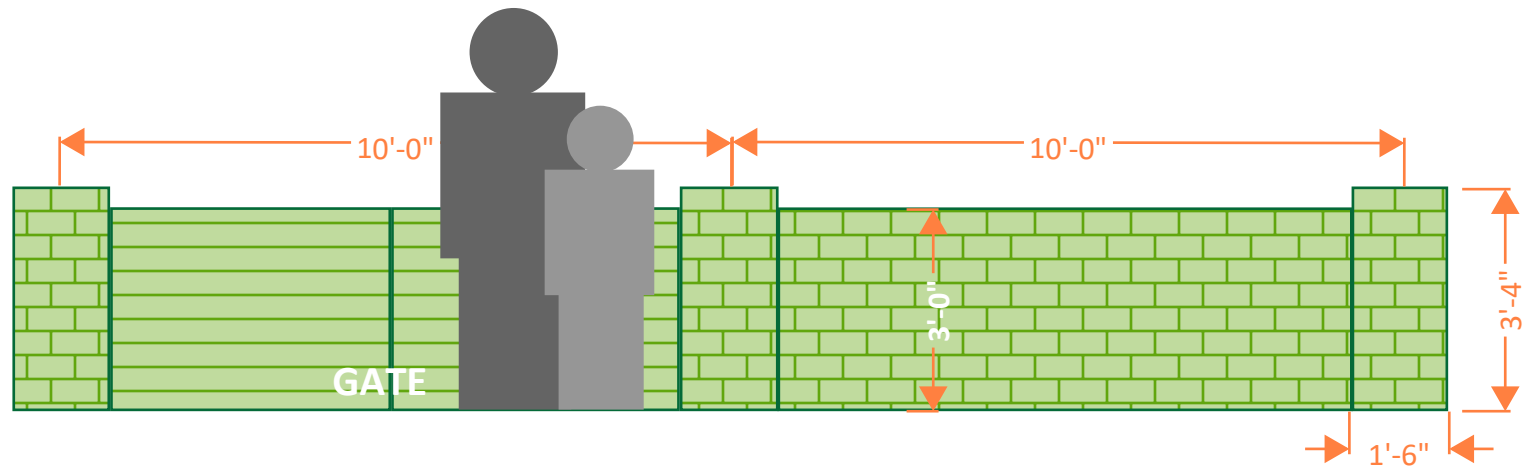
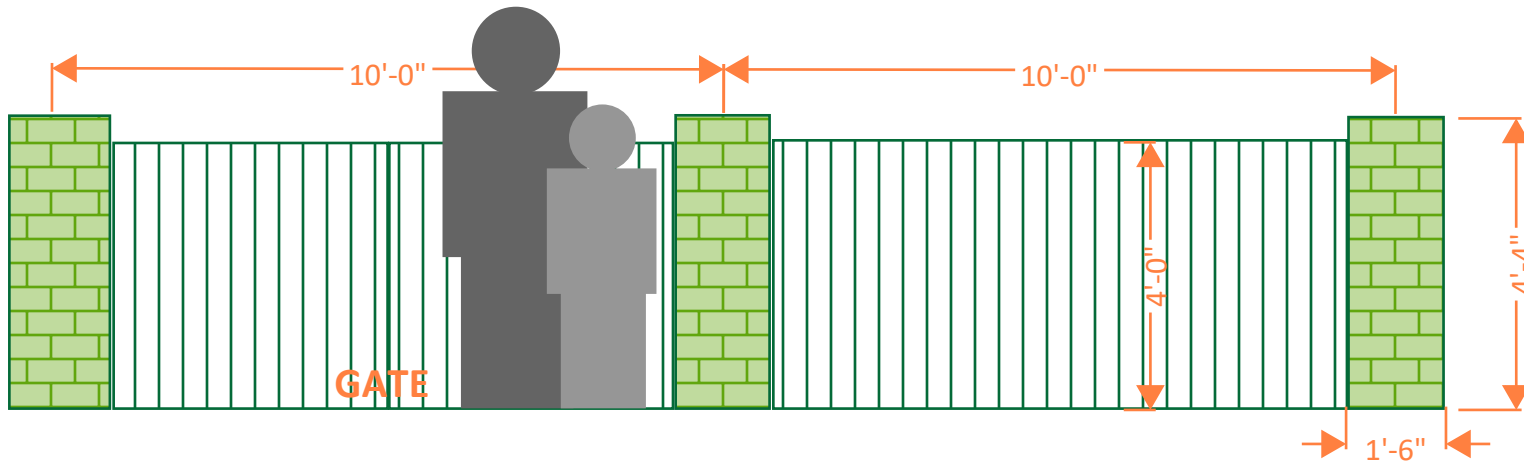


Exhibit A Diagram

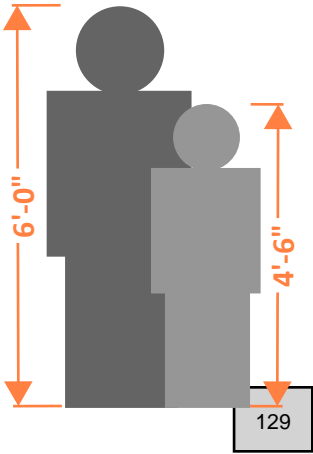
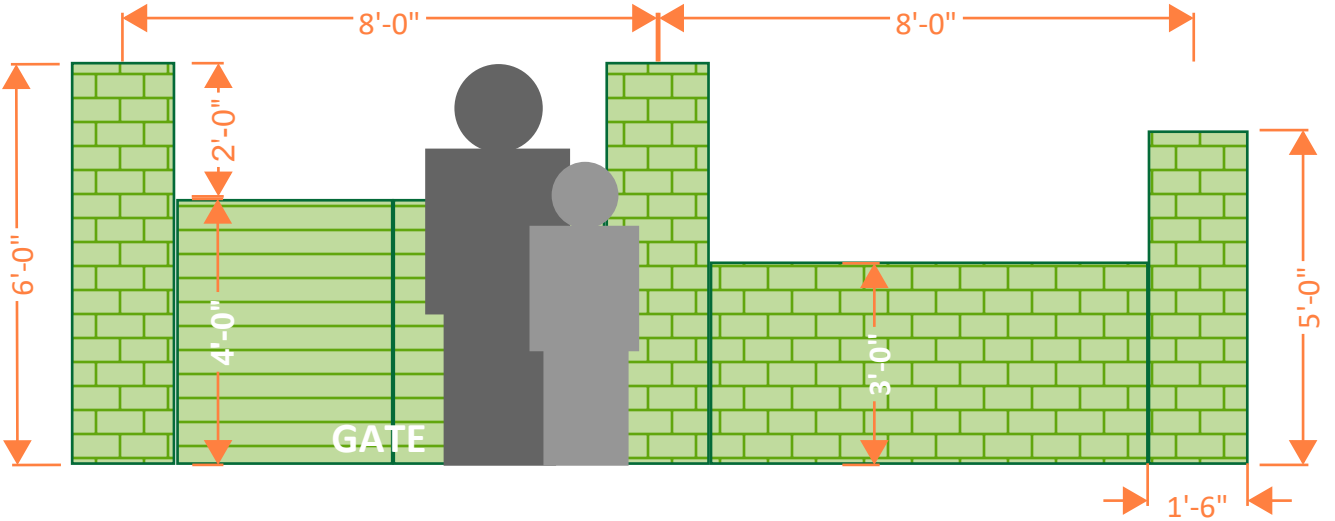
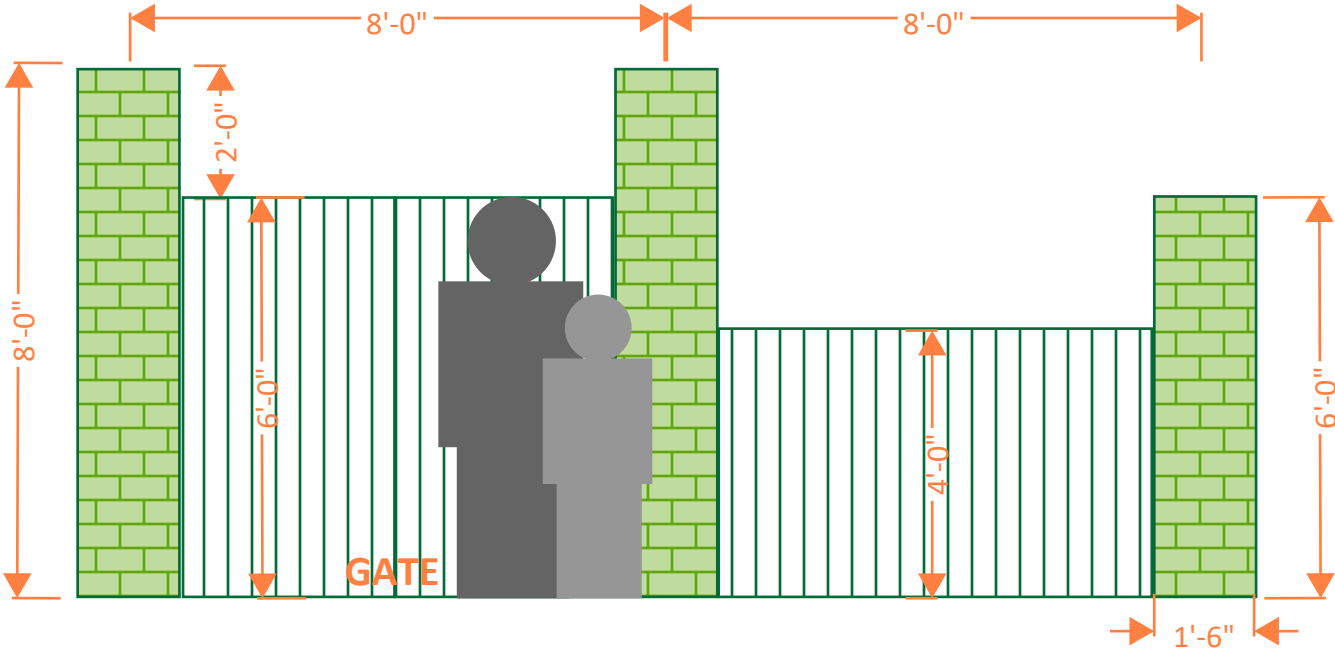
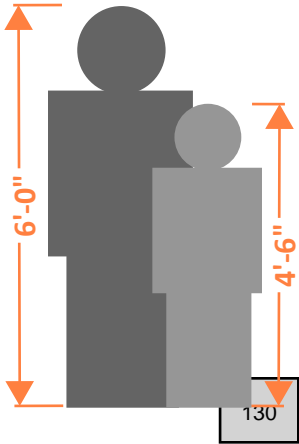
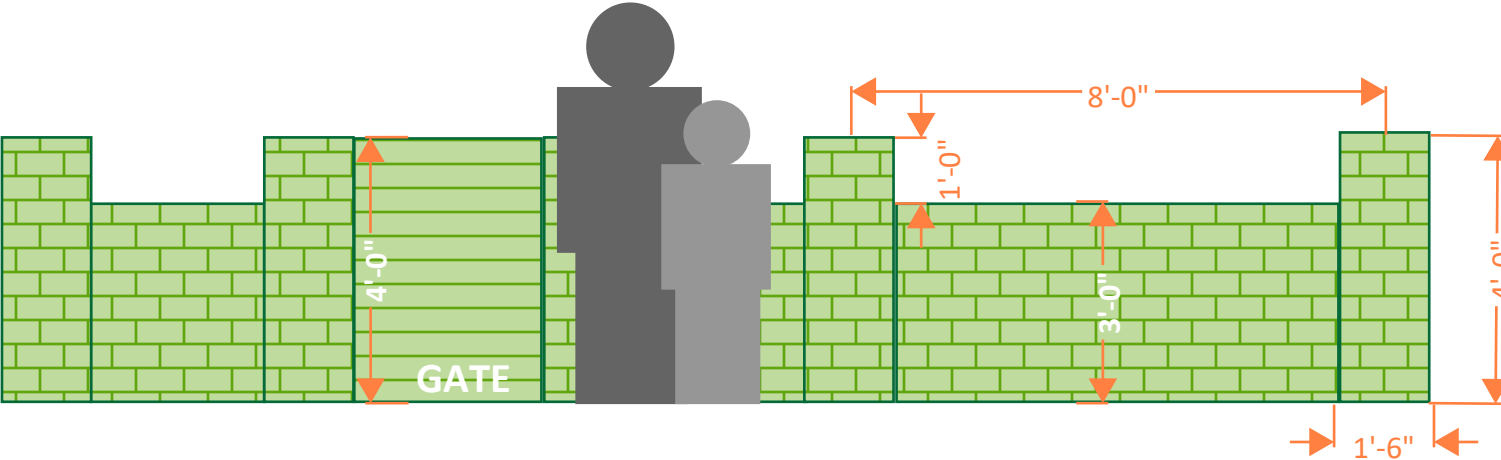
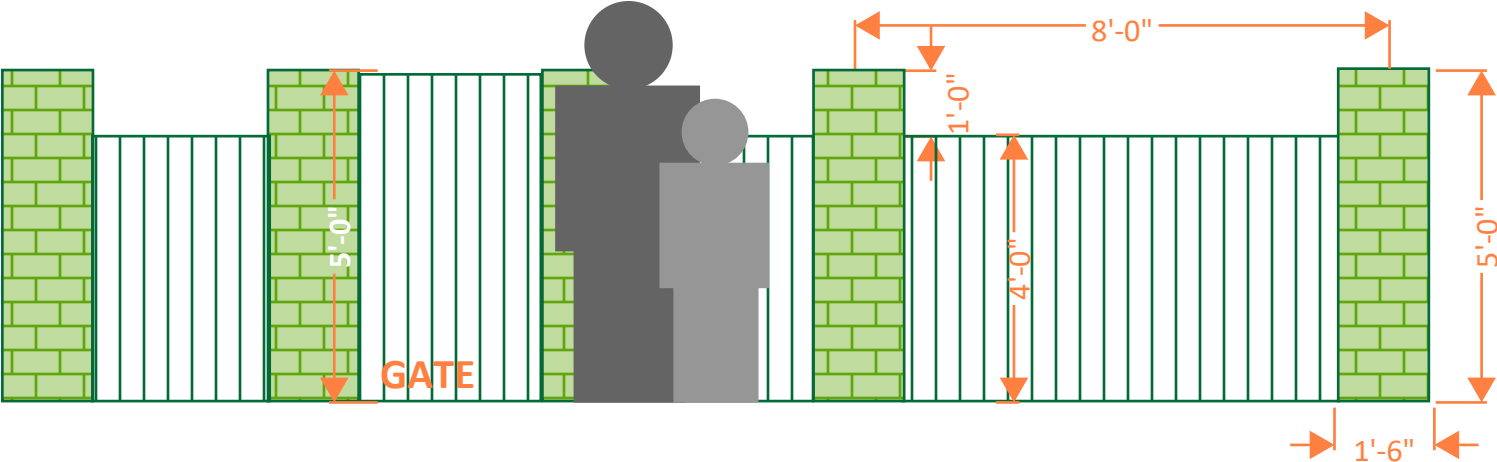


Exhibit 1 Diagram



**ORDINANCE NO. 2025 - 08****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTION 16.30.040 (OUTDOOR LANDSCAPING REQUIREMENTS) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO REDUCE REQUIRED PLANT COVERAGE IN PARK STRIPS AND MODIFY THE METHOD OF CALCULATION OF REQUIRED LANDSCAPING.**

**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**, City residents Thomas and Rebekah Wiandt, who reside at 11201 S. Alisa Meadow (the “Applicants”), have requested changes to Section 16.30.040 of the City Municipal Code dealing with outside landscaping requirements, as set forth in the attached **Exhibit A**; and

**WHEREAS**, the South Jordan Planning Commission held a public hearing, reviewed the proposed text amendment set forth in the attached **Exhibit A**, and made a recommendation to the City Council; and

**WHEREAS**, the City Council held a public hearing and reviewed the proposed text amendment; and

**WHEREAS**, the City Council finds that the proposed text amendment, set forth in **Exhibit A**, will enhance the public health, safety and welfare and will improve outdoor landscaping in the City.

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

**SECTION 1. Amendment.** Section 16.30.040 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit A**, is hereby amended.

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

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

[SIGNATURE PAGE FOLLOWS]



**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025 BY THE FOLLOWING VOTE:**

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

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
Anna Crookston, City Recorder

Approved as to form:

Gregory Simonsen  
Gregory Simonsen (Mar 19, 2025 10:17 MDT)  
Office of the City Attorney

## 16.30.040 OUTDOOR LANDSCAPING REQUIREMENTS

## B. Landscaping Requirements:

1. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
2. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and planting beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
3. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
4. At least three to four inches (3 - 4") of mulch, permeable to air and water, shall be used in planting beds to control weeds and improve the appearance of the landscaping.
5. At maturity, landscapes are required to have enough plant material (trees, perennials and shrubs) to create at least fifty percent (50%) living plant cover at maturity, ~~at the ground plane, not~~ including tree canopies **in the front yard and twenty five percent (25%) in park strips.**
6. Lawn shall not be installed in park strips, paths, or on slopes greater than twenty-five percent (25%) or 4:1 grade. Lawn area shall not be less than eight feet (8') wide at its narrowest point. To the extent reasonably practicable, lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).
7. In residential landscapes, the landscaping shall adhere to the following localscapes requirements and shall be properly labeled on the landscape plan submitted to the City for review:
  - a. If size permits, the landscaped areas of the front yard and back yard shall include a designed central open shape created by using lawn, hardscape, groundcover, gravel, or mulch.
  - b. Gathering areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without lawn, gathering areas may function as the central open shape.
  - c. Activity zones shall be located outside of the central open shape and shall be surfaced with materials other than lawn.
  - d. Paths shall be made with materials that do not include lawn, such as hardscape, mulch, or other groundcover.
  - e. Lawn areas shall not exceed the greater of two hundred fifty (250) square feet, or thirty-five percent (35%) of the total landscaped area.
  - f. Small residential lots, which have no side yards or back yards, where the total landscaped area is less than two hundred fifty (250) square feet, and where the front yard dimensions cannot accommodate the minimum eight foot (8') wide

lawn area requirement of the landscaping requirements in section F. are exempt from the eight foot (8') minimum width lawn area requirement.

8. In commercial, industrial, institutional, and multi-family development common area landscapes, lawn is prohibited outside of active recreation areas.
9. The City Engineer may allow or require exceptions from the slope limitations and other elements of the landscaping requirements in public utility infrastructure landscape areas upon the applicant's showing of good cause (a reason rationally related to the development) and in the best interest of the City.
10. These outdoor standards are not intended to be in conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may be in conflict with Utah law, such conflicting requirements shall not apply.

# Ordinance 2025-08

Final Audit Report

2025-03-19

Created:	2025-03-19
By:	Anna Ratcliffe (aratcliffe@sjc.utah.gov)
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## "Ordinance 2025-08" History

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2025-03-19 - 4:15:35 PM GMT- IP address: 54.193.71.145
-  Signer gsimonsen@sjc.utah.gov entered name at signing as Gregory Simonsen  
2025-03-19 - 4:17:10 PM GMT- IP address: 63.226.77.126
-  Document e-signed by Gregory Simonsen (gsimonsen@sjc.utah.gov)  
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-  Agreement completed.  
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