

CITY OF SOUTH JORDAN
AMENDED CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, AUGUST 15, 2023 at 6:30 PM



Notice is hereby given that the South Jordan City Council will hold a City Council Meeting at 6:30 p.m. on Tuesday, August 15, 2023, in person in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah, and virtually via Zoom phone and video conferencing. Persons with disabilities requesting assistance should contact the City Recorder at least 24 hours prior to the Meeting. The Agenda may be amended and an Executive Session may be held at the end of the Meeting. Times listed are approximate and may be accelerated or delayed.

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

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

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

Join South Jordan City Council Meeting Virtually:

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

Regular Meeting Agenda: 6:30 p.m.

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

B. Invocation: By Director of City Commerce, Brian Preece

C. Pledge of Allegiance: By Police Chief, Jeff Carr

D. Minute Approval:

[D.1.](#) August 1, 2023 City Council Study Meeting

[D.2.](#) August 1, 2023 Combined City Council & Redevelopment Agency Meeting

E. Mayor and Council Reports: 6:35 p.m.

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

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

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

- G.1. Oath of Office of the Assistant City Manager, Jason Rasmussen. *(By City Recorder, Anna Crookston)*
- G.2. Oath of Office of the Director of Public Works, Raymond Garrison. *(By City Recorder, Anna Crookston)*
- G.3. Oath of Office of the Deputy Police Chief, Rob Hansen. *(By City Recorder, Anna Crookston)*

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

- H.1. **Resolution R2023-40**, Adopting an amended City-Wide Policy 110-02 Drone Operation. *(By Assistant City Manager, Jason Rasmussen)*

I. SoJo Townhomes Land Use Items: 7:25 p.m.

- I.1. Presentation on Resolution R2023-25 and Zoning Ordinance 2023-03-Z, all related to SJC Townhomes proposed development; Brian Adams on behalf of J.L. Salt Construction, Inc. DBA Dream Home Builders (Applicant). *(By Director of Planning, Steven Schaefermeyer)*
- I.2. Resolution R2023-25 public hearing.
- I.3. Zoning Ordinance 2023-03-Z public hearing.
- I.4. **Resolution R2023-25**, Authorizing the City and the Developer to enter into a Development Agreement pertaining to the development of the property located at 11147 S. Redwood Road. RCV
- I.5. **Zoning Ordinance 2023-03-Z**, Rezoning property located at 11147 S. Redwood Road from A-5 (Agricultural) and R-2.5 (Single-Family Residential) Zones to R-M-PD (Residential-Multiple-Planned Development Floating) Zone; Brian Adams on behalf of J.L. Salt Construction, Inc. DBA Dream Home Builders (Applicant). RCV

J. Staff Reports and Calendaring Items: 8:00 p.m.

RECESS CITY COUNCIL MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

K. Executive Closed Session: 8:05 p.m.

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

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL MEETING

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

COUNTY OF SALT LAKE)

I, Anna Crookston, the duly appointed City Recorder of South Jordan City, Utah, certify that the foregoing City Council Agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body and also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on South Jordan City's website at www.sjc.utah.gov. Published and posted August 14, 2023.

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

August 1, 2023

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

Absent:

Others: Ryan Leavitt, Doug Young, Cory Shupe, Kezia Wilson

4:31 P.M.
STUDY MEETING

A. Council Networking

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

Mayor Ramsey welcomed everyone present and introduced the meeting.

C. Invocation: *By Mayor Dawn Ramsey*

Mayor Ramsey offered the invocation.

Council Member Zander motioned to amend the agenda to add Ryan Leavitt's presentation to the beginning of this meeting, as well as an Executive Closed Session under Item H and a Redevelopment Agency Closed Session as Item I. Council Member Marlor seconded the motion; vote was unanimous in favor.

D. Presentation by Ryan Leavitt

Ryan Leavitt reported on the Federal engagement that the city has been doing in Washington, D.C. For about a year, the city has been investing in federal affairs consulting services, and he is here to report what they have been doing and update everyone on the projects. The city's federal advocacy has been focused on water infrastructure this year, and they have been working on

getting two buckets of federal dollars on behalf of the city. The first is through a discretionary grant program through the Bureau of Reclamation's Water Smart Grant Program. This is focused on getting federal investment for the Pure SoJo Project for engineering, design and preconstruction activities for that project. In that program there is funding for planning activities associated with water purification and other consultants, and the city has to put forward a grant application for that project. He was pleased to get the support of the congressional delegation for the application to the federal agency. When working with discretionary grant programs, you have to demonstrate support, including political and local support. The way these programs work is that they are somewhat subjective on who is awarded the grant, and they can be political, so getting the support of our congressional delegation is a huge function of that. There were visits from Senator Romney to the project, Congressman Burgess Owens and his staff, and with those visits they were asked to provide letters of support in addition to outreach to the federal agency via their senior staff. He has been told that grant awards are going to be made in the next few weeks for that Water Smart Program, so he is hopeful the city will receive a grant. Often it can take one or two cycles to get those funds due to the volume of applications and the limited amount of funding available. If the city is unsuccessful in this round, typically he would request a briefing from the federal agency to give him some feedback on the application and ways it can be improved, so if the city does apply for the program again they will be more successful.

City Attorney Ryan Loose noted that the pilot project is already up and going, this would be to expand the pilot project, with the end goal being to take most or all of the water South Jordan puts into the system into the South Valley Sewer System and reclaim what they can from that.

Mr. Leavitt noted that the other piece is the work on getting some federal funding and participation in the tank construction project. The route he has chosen to pursue with the city is a direct appropriation from Congress, otherwise known as an "earmark." It is a process that is newly reinstated in the Congress, and he worked with Congressman Burgess Owens' office to submit a Congressional Directed Spending or Community Project Funding Request. The process on earmarks has changed and they have been significantly limited to only publicly facing entities, and include a lot of scrutiny in terms of ensuring staff, members, etc., will not be benefitting financially from these kinds of opportunities. He did emphasize that the process is robust, fair, and not something that should be a dirty word. It is a really great way for members of Congress to select projects within their district that will have a massive or major impact regionally on their constituents. He was pleased that Congressman Owens came to tour the project site. Congressman Owens is able to submit 15 projects for funding every cycle and he submitted South Jordan's Project as his number one request; that is significant in many ways. What they are experiencing in Washington right now with spending is a lot of downward pressure on spending, with significant pressure to reduce deficit spending, decrease the amount of federal dollars being spent. Getting any congressional spending in this environment is difficult, so this project being ranked as the number one priority he believes is the reason why South Jordan is slated to receive money. The process started late last fall with Congressman Owens coming to tour the project, then having visits from the mayor and previous City Manager Gary Whatcott where they talked with the congressional offices about it. Later in the Spring, during the National League of Cities Conference, a contingent from the city came out and talked with those offices again to do some advocacy for the funding requests; both the grant request and

the Congressional Directed Spending Request. As the summer has led on, he has seen the appropriations committees releasing their spending bills and he was able to get a sense of what projects were included and which were not with the House Interior EPA Appropriations Committee; the bill that provides funding for the Bureau of Reclamation Projects. The city is seeking what is called a STAG or a Stated Tribal Assistance Grant for this particular tank project, and it was included in the House Bill at \$1.75 million for the City of South Jordan. It's less than what was asked for, which was closer to \$3 - \$4 million dollars.

Attorney Loose added there was a maximum amount you could ask for, and the city asked for near that, knowing that most likely it would be closer to \$2 million.

Mr. Leavitt noted that in this environment it is hard to find the money for these kinds of projects. The House and Senate have both proposed competing spending bills, with the big challenge being that the House and Senate are very far apart on their spending levels with the House being controlled by Republicans and the Senate by Democrats. This will be a compromise between the chambers and the White House. The end of the fiscal year is the end of September and Congress is now on a six week break, after which they will return to Washington. Once they return, they will be coming back to a very busy September with the spending bill not being the only priority needing to be addressed. He discussed the history of what usually happens at this time of year and how it can be handled, along with what has happened politically up to this point this year. South Jordan's money is going to get caught up in that fight, and he anticipates that ultimately there will be an agreement, but there might be some issues before getting to that point. The fight will either be pushed to the end of the year, or they will fight it out now and reach a deal that passes the spending bill. Getting into the bill is usually the biggest hurdle, and we've already done that, so now it's just a matter of getting the agreement where these types of spending requests are usually honored because they are member priorities.

Attorney Loose noted that contingencies have already been planned and from the project side the city is still able to move forward.

City Engineer Brad Klavano confirmed Attorney Loose's statement and added that the property was just acquired yesterday.

Mr. Leavitt knows and understands that the city is investing taxpayer money to do federal affairs work, engaging on the federal level to try and get federal investment in these critical infrastructure projects. The taxpayers of South Jordan pay federal taxes, just like everyone else, sending their money to Washington, and it's a best practice as a city to try to bring as much of that taxpayer money back to be used in the city. These are critical infrastructure projects for not only the residents now, but for the future growth of the city, and these projects are well supported by the city's congressional delegation. He commended the city for doing their outreach, following best practices in terms of advocacy, and his hope is that the funding will come through in the next couple of months. Congress has spent historic levels of infrastructure investment across the country, and he is pleased that Utah is doing a really good job trying to take full advantage of all these federal opportunities. The money will be spent somewhere, and if it's not spent in Utah it will be spent somewhere else. He thanked the council and mayor for their

time spent doing this advocacy, traveling to Washington, and hosting local congressional members in the city to see the projects. Those things really matter when it comes time to make these kinds of requests.

Council Member Harris asked if Congress is spending more funds on infrastructure this year than previous years.

Mr. Leavitt responded that the infrastructure bill authorized certain spending levels for the next five years, and he believes we are two years into that cycle. It includes water, transportation, broadband; basically all facets of infrastructure.

Council Member Zander asked to confirm that we are in the bill being forwarded by the House to the Senate, and if that means it is more supported by the Republican base than the Democrat base.

Mr. Leavitt responded that the reason this is in the House bill and not the Senate bill is because our senators do not participate in these congressionally directed spending requests; that is actually prohibited under the Republican Senate Caucus rules.

Mayor Ramsey wanted it known that those senators did support this, and that made a huge difference. Being listed as Congressman Owens' number one priority cannot be overstated, as that mattered so much. However, the quality of the application and letters of support from every member of our delegation in the State of Utah was a big part of Congressman Owens was able to voice his support as strongly as he did.

Mr. Leavitt added that these offices get upwards of 60-70 of these types of requests, and they are only able to submit 15 of them. Of those 15 submitted, they then have to prioritize to the committee which are their top priorities since they don't get all 15.

Council Member Zander preferred not to sound biased, but when discussing infrastructure, some states just don't plan ahead which creates infrastructure problems with regards to their roads. Utah has been better at planning ahead, and this SoJo Pure project is a proactive measure, rather than reactive. She then asked if that causes the project to be pushed down lower, since it's not an emergency, or do they reward those who are being proactive.

Mr. Leavitt responded that the federal government wants to incentivize forward looking projects. The account this grant is being sought from is meant to be for the planning of future projects. The plan is for the city to use this money for a feasibility study, which carries significant costs. The federal government also likes to invest in technology that's innovative, they want their money invested into projects that can be proven out and duplicated elsewhere; which is another reason why this is a very attractive project.

Council Member Zander was pleased to hear that this application will be seen and categorized differently than requests for reactive projects.

Council Member Marlor asked if there are other county or state funds the city can match up with, now that we have shown this is an important topic.

Attorney Loose responded that they are working on those angles at the state level. The city was awarded a grant for Pure SoJo last year of \$1 million, and they are continuing to look at other opportunities for funds at those levels.

Council Member Shelton noted that letters of support from our delegation were mentioned, and asked if those were from the congressional delegation specifically.

Mayor Ramsey responded yes, they were from both senators and all four congressmen. The Senators can't submit letters of support, but they can express them. In fact, Senator Lee doesn't write letters of support like that for spending projects like this, but we got the closest thing to a version of that he has ever written, in support of this project. She is confident this will go through, especially since it's in the bill, which was the biggest hurdle. This is the first time, to her knowledge, that South Jordan has had a direct appropriation from Congress for a project that has not gone through the state or someone else in order to benefit us.

Mr. Leavitt noted that if congress appropriates this money, and he anticipates they will, afterwards the city will then execute a grant agreement directly with the federal agency; that process takes some time. The city would have a fully funded grant agreement with the EPA before they would disperse those funds directly to the city. There will be some work needed from the city to get the check written, but the congress will have directed the EPA to give the money to the city at that point.

Mayor Ramsey noted that we are very well represented, with the right person helping navigate this. Mr. Leavitt is incredibly respected back in Washington, and has strong relationships that are greatly appreciated by every member of our delegation who knows him. They have all worked with him, trust him, as well as knowing and liking our city; they are well aware of what this city is doing, even if they are not our representatives. City staff put together excellent applications, even the congressional staff members expressed their thanks for the ease of submission due to that work. She thanked Mr. Leavitt for his help in navigating this and coming to share this update.

Mr. Leavitt stated it is a true honor to represent South Jordan, it is a premier community in the state and a very important part of this valley and where all the growth is. The congressional delegation recognizes its importance to the state. He thanked the city for all they are doing, and for their trust in him and his staff.

E. Mayor and Council Coordination

Nothing at this time.

F. Discussion/Review of Regular Council Meeting

Presentation Item

- Presentation by Ryan Leavitt (removed from council meeting agenda and added to this meeting by amendment).

Action Item

- **Resolution R2023-38**, Providing Notice of a pending Land Use Ordinance to amend the Planned Development Floating Zone in Section 17.130.050

Public Hearing Item

- **Resolution RDA 2023-05**, Authorizing the Chair of the Board to sign the South Station HTRZ Participation Agreement

G. Discussion Item

F.1. Project Discussion *(By Director of Planning Steven Schaefermeyer and Doug Young)*

Director Schaefermeyer gave a brief background of this project. The city has an application for a PD floating zone on this project, submitted about a year ago with multiple iterations since that time. The city received an update this morning, and the applicant will be sharing that tonight. Specific direction from the council will be very helpful for both staff and the applicant for the future. They are still at a conceptual phase, as there have been a lot of moving parts with the realignment of U-111, but this feedback will be critical.

Doug Young shared that they have had success in remediating the property, being approved by the EPA and the state; what they did to remediate that property has never been done before in the US. The last remediation item left is part of the EPA process, involving planting the area this fall and sheep will be up there to take a harvest off the property. They will be planting wheat, which needs to be about 180 bushels, and it will be planted this fall around mid-September. They will be buying sheep from the kids next week at the equestrian center, which was also done last year and was very successful. There were 300 kids participating and they raised over \$300,000 with 45% of the meat going to the homeless shelter; it is an incredible program. They are gentle sheep that can be herded by people, so it's easy for everyone involved. Mr. Young began reviewing his prepared presentation (Attachment A), explaining their basic plans for the property, including the changes made over time. He shared a video from Attachment A of the area and how things will be divided including roads, zones, etc.

Council Member Zander asked who owns the land south of Olympia.

Mr. Young responded it's owned by Herriman. He continued reviewing Attachment A, noting that they have been able to get close to \$80 million to realign U-111 in the area. He discussed the housing options including some cottage and craftsmen style homes that will flow with and

connect to Daybreak. He discussed Butterfield Canyon and their attempts to tie that into the surrounding areas, showing a related video Attachment A.

The council and staff agreed to continue the public discussion of this property during the regular council meeting tonight.

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

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

H. Executive Closed Sessions

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

H.2. Discussion of the purchase, exchange, or lease of real property.

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

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL STUDY MEETING

Council Member Zander motioned to recess the City Council Study Session and move to a Redevelopment Agency Meeting. Council Member Harris seconded the motion; vote was unanimous in favor.

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO REDEVELOPMENT AGENCY MEETING

Council Member Zander motioned to recess the Redevelopment Agency Meeting and move to a Redevelopment Agency Executive Closed Session. Council Member Marlor seconded the motion; vote was unanimous in favor.

RECESS REDEVELOPMENT AGENCY MEETING AND MOVE TO REDEVELOPMENT AGENCY EXECUTIVE CLOSED SESSION

I. Redevelopment Agency Executive Closed Session

H.2. Discussion of the purchase, exchange or lease of real property.

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

ADJOURN REDEVELOPMENT AGENCY EXECUTIVE CLOSED SESSION AND RETURN TO REDEVELOPMENT AGENCY MEETING.

Council Member Shelton motioned to adjourn the Redevelopment Agency Closed Meeting and return to the City Council Study Session. Council Member Marlor seconded the motion; vote was unanimous in favor.

ADJOURN REDEVELOPMENT AGENCY MEETING AND RETURN TO CITY COUNCIL STUDY MEETING

ADJOURNMENT

Council Member Marlor motioned to adjourn the August 1, 2023 City Council Study Meeting. Council Member Zander seconded the motion; vote was unanimous in favor.

The August 1, 2023 City Council Study meeting adjourned at 6:51 p.m.

SOUTH JORDAN CITY
COMBINED CITY COUNCIL AND
REDEVELOPMENT AGENCY MEETING

August 1, 2023

Present: Mayor Dawn Ramsey, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Recreation Janell Payne, Fire Chief Chris Dawson, Director of Planning Steven Schaefermeyer, City Engineer Brad Klavano, Director of Public Works Raymond Garrison, City Recorder Anna Crookston, Police Lieutenant Rob Hansen, Director of Administrative Services Melinda Seager, Director of Commerce Brian Preece, CFO Sunil Naidu, Director of Strategy & Budget Don Tingey, Communications Manager Rachael Van Cleave, GIS Coordinator Matt Jarman, Senior IS Tech Phill Brown, Meeting Transcriptionist Diana Baun, Planning Commissioner Laurel Bevans

Absent:

Others: Representative Susan Pulsipher, Doug Young, Cory Shupe

6:59 P.M.
REGULAR MEETING

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

Mayor Ramsey welcomed everyone and introduced the meeting, apologizing for the late start of the meeting.

B. Invocation– By Director of Strategy & Budget Don Tingey

Director Tingey offered the invocation.

C. Pledge of Allegiance – By Fire Chief Chris Dawson

Chief Dawson led the audience in the Pledge of Allegiance.

Council Member Marlor motioned to amend tonight's agenda to replace the current presentation listed under Item G with a project discussion continued from the earlier Study Session. Council Member Zander seconded the motion; vote was unanimous in favor.

D. Minute Approval

D.1. July 18, 2023 City Council Study Meeting

D.2. July 18, 2023 Combined City Council & Redevelopment Agency Meeting

Council Member Marlor motioned to approve the July 18, 2023 City Council Study Meeting as published and July 18, 2023 Combined City Council & Redevelopment Agency Meeting Minutes as published. Council Member Harris seconded the motion; vote was unanimous in favor.

E. Mayor and Council Reports

Council Member Brad Marlor has been working with a familiar developer over the last few weeks. He has family here in the chambers this evening and he introduced them. He shared personal photos from the past few weeks and shared that a piece of land just beyond his office window is on the Planning Commission agenda, being proposed as overflow parking area for the East Indian Temple.

Council Member Patrick Harris attended the South Valley Chamber Barbecue held in South Jordan, as well as other events including one at the Glenmoor Golf Course. He talked about the Junior Golf Tournament held at Glenmoor and the amazing talent from all over the world present. Its clear Glenmoor continues to attract tournaments and other events, which not only brings in revenue for the golf course, but brings in tourism money for the city as well.

Council Member Don Shelton went backpacking just after the last City Council Meeting and talked about that experience. He attended the July 24 celebration at Glenmoor Golf Course with his family. He was able to schedule a tour of Station 64 for his family visiting from out of town and thanked the staff there for that experience. He has been working with staff on some issues with park strips. He shared an idea brought to him by a resident, the idea of a mirror on the trail off 4800 west, coming up to the culvert where there is a sharp turn, since the traffic there has increased greatly.

Council Member Tamara Zander noted that she is a constant visitor at the County Recreation Center off Redwood Road, where the pool has been closed for months. The pool is finally open again and staffed for use. She was able to volunteer at the Old Testament Tabernacle display in the city, its last day here is tomorrow. She attended a friend's wedding reception at the Glenmoor outdoor reception area and it was lovely. She thanked Doug Young for the improvement to the site, it was wonderful to see. She had the husband and wife residents who own Sego church, which is centered in Daybreak, meet with her to get help finding ways to serve in the city. She suggested discussing the idea of a service committee, who could coordinate service opportunities for those interested. She also had a resident asking about recreation committees and how they can get involved. She discussed the successful committees we currently have, and asked the council to consider whether they might have room for others.

City Manager Dustin Lewis noted there is Service 211, which works with those both needing and wanting to provide service in the county. He also mentioned JustServe, which is a way to match people with projects. In terms of recreation committees, Bingham Creek has a board that would

make the decision on something like that, but they can look at other programming areas to see what might be appropriate.

Council Member Zander said she has had many people reach out about accessibility to pickleball at Highland Park. It's so in demand that some are playing again and again, having figured out how to dominate the courts and not allowing others to play. She is not sure how the city could address that, but it's definitely an issue. Other cities have pickleball rules that are followed, but our rules are just not being followed by those using the courts. Lastly, another resident asked her how they can get updates on what's being built in their area when they see development happening.

Council Member Jason McGuire attended the Scarlett Pimpernel production sponsored by the Art's Council, and attended the fireworks show at Glenmoor Golf Course which was a great community event. He and the chair of the Bingham Creek Regional Park Authority met with Doug Young to discuss some park ideas he had.

Mayor Dawn Ramsey attended the Show Up for Teacher Conference supported by Abby Cox where Arthur Brooks was a guest speaker. The Mayor of Alta hosted the Council of Mayors Meeting, where they met under an outdoor pavilion and had a great meeting with some very important work being done. At the COG Meeting they approved unanimously the Winter Overflow Shelter Response Plan for Salt Lake County. There is still a lot of work to be done on that, but she applauded the mayors of Salt Lake County for coming together to do that. She attended the Scarlett Pimpernel on opening night and it was fantastic. She attended the South Valley Chamber Barbecue and the Junior AJGA tournament at Glenmoor Golf Course. She also wanted to mention the passing of Otto Jones, who has been a notable member of our community for a long time. There will be a celebration of his life on Thursday at the Jenkins Soffe Mortuary, and she sent the family love and condolences on behalf of the city.

Representative Susan Pulsipher was invited forward by Mayor Ramsey. She didn't have anything specific to report on or share, but thanked everyone as she loves representing South Jordan.

F. Public Comment

Mayor Ramsey opened the public comment portion of the meeting. There were no comments, Mayor Ramsey closed the public comment portion of the meeting.

G. Discussion Item

G.1. Council discussion with Doug Young as a continuation of an item from tonight's previous Study Session.

Planning Director Steven Schaefermeyer gave a brief review of what was discussed in the Study Session and what staff and the applicant are hoping to get from the council tonight.

Doug Young noted that while working with the property, their vision changed when U-111 was changed. Does the City Council want to have a continuation of a Daybreak-type project on both sides of U-111, small houses with townhomes and a trail system going through, or do they want a city center with all types of commercial. The density difference needed is about three units to the acre to create the housing required to make the commercial center viable and successful. His vision is to do an amazing park, retail center, and carry the same vision from Glenmoor right into this project with a modern timber architectural look. They just have a bigger vision for the property now than what was initially laid out when U-111 was clear to the west side of it. This is so much more viable for the city, and is not easy to do. They have done the economic studies, which say as soon as the road is in it will accommodate a large retail center. The project as it sits now will generate over \$1.6 million in tax revenue to the city. It's eight miles away from all the car lots, and they know car dealerships and the like can come up there. They know undoubtedly the new U-111 will turn into a road similar to Bangerter in the future, and they sit right in the middle of all the new annexed property; this is the new city center for South Jordan on the west bench. Is this what the council envisions for the city, or would they like to revert back to the single family with some townhomes; do they want a subdivision or a town center.

Council Member Marlor asked where on the map (Attachment A) he would see car dealerships being placed.

Mr. Young pointed that out on his map from Attachment A and discussed why it was a good place.

Council Member Marlor is intrigued with the development and opportunities. He really likes the opportunity of enhancing the type of commercial being envisioned there. It's a very positive tax base for the city, and there will be a lot of residents who will need all those varied services; it makes sense to him and he believes there is some logic in having a little bit more density in that area. He supports a little higher density for all the things that have happened and been changed, and all that has been contributed there.

Council Member Shelton noted that the property to the west that has been annexed in to the city may never develop, or it may be a very long time. In his mind, that leaves the question of whether this is viable if that doesn't develop.

Mr. Young responded that is why they put the density where they did, because they don't know when that will develop, and it is why they needed the additional rooftops in that area for this to be a successful retail center. He knows they will fix that intersection up there, tying it into U-111, similar to what he has already shown. He is looking at this property futuristically. He has been told he can put that U-111 in and a retail store there, so they're talking about something that could be done in the next five years. They doubled the minimum commercial on this project, noting that Daybreak has a maximum but not a minimum. He is absolutely confident, with his experience in the retail business, that this will be the new west bench. He started developing land out here when Bangerter wasn't even there, back in the 90s, and those experiences are the reasons why they designed this the way they did. He confirmed that the commercial there would still be viable, even if the other land doesn't develop. Fifty to 60% of the commercial would be

in there, and when Daybreak does go in on the other side of it, that will pick up the balance. Everyone coming up 11800 South or South Jordan Parkway will have to travel through that commercial center.

Council Member Shelton asked about Mr. Young's areas of future development, with much of it bordering Daybreak. He assumes that will be blended in, carrying a similar feel to what is there.

Mr. Young responded the only difference will be a percentage of the homes and buildings in a more modern mountain architecture. They are planning to embrace the craftsman architecture in Daybreak and carry similar density in the adjoining areas. There will be rear load products on the smaller "major" roads as well, which will have a similar streetscape to that in Daybreak. There will also be all ability homes and communities surrounding the land they are planning to donate for an all abilities school, which means parents can live in a townhome that meets their children's needs and walk not only to the school, but to an all ability park nearby with additional access to the commercial center. He would love to go forward with this vision and work with the council, filling in the details over time. He would like to get this done this year, they are excited about it and trying to do what's best for the community. If he just wanted to make money, the easiest thing to do is houses and townhomes, but the city would lose a lot that way.

Council Member Shelton asked to confirm that if this plan were to go ahead, it would allow the city to close out the agreement on Glenmoor.

Mr. Young responded that yes, that would be closed and the units transferred to this project.

Council Member Shelton asked if Mr. Young was looking for 8.5 units per acre.

Mr. Young responded yes, the additional half unit per acre is essentially the Glenmoor units.

Council Member McGuire wonders about the long-term market saturation. They could open this up, be the new shiny object where restaurants want to come, but then Olympia will be opening along with the CenterCal project still being there with the Daybreak Downtown still going.

Mr. Young noted that he controls most of those centers, and he has a bigger vision for 10600 South that he hasn't brought before the council yet. He will be orchestrating this, making sure it is a big time success for the community. They can create the housing, and people are coming from all over to this state. There is a small issue right now with the interest rates, but this is affordable housing including housing for special needs kids; around 160 units will be affordable housing and they plan to address both the affordability issue and access issues with this project. This will be something like they have never seen before, with the great thing being that they have taken a piece of property that was worth absolutely nothing and remediated it, which is something that has never been done before.

Council Member McGuire is extremely thankful for that work Mr. Young has done, as prior to his ownership Council Member McGuire just assumed that would sit vacant as a toxic area. Overall, he thinks there is room for discussion about increasing the density; that whole corner

has changed drastically since the initial discussions due to the re-routing of U-111 and the annexation.

Mayor Ramsey asked some clarifying questions about notations in a specific area labeled as a BRT on the images from Attachment A.

Mr. Young responded that when they do a BRT, the requirement is 40 units to the acre. The HTRZ like the one done for the Miller Group is more like 50 units to the acre. With or without the BRT, that is the density needed in that area to make it a successful project. He added that those higher density areas average out to the total 8.5 units per acre, concentrating the higher densities in specific areas. He used the apartments on 10600 S and Mountain View Corridor as an example, and noted that they are 40 units per acre so this would be similar. The density has to be put in those specific areas, as it makes the commercial nearby successful; he noted that is why SoDa Row hasn't been as successful because they have office buildings with workers bringing their own sack lunches, those living in the townhomes aren't commuting close by, and you have to have a grocer because people go there three times a week. He discussed his economic studies, talking about how the WinCo he put in does \$50 million a year, making it more like a small Costco. Those doing his economic studies also did the studies for the WinCo, so if they are telling him a store in that area will do \$700,000 a week, he will believe it. This isn't just a shot in the dark, he does all the studies and background work that needs to be done to make it successful.

Mayor Ramsey asked who Mr. Young has spoken to with UTA about a BRT, as that is something the city has yet to be successful doing.

Mr. Young noted that Director Schaefermeyer pointed that out to him this morning, but asked the council to think about what has happened here in the last three years; eighty million dollars has come to realign U-111, and when he met with UDOT they asked him how in the world those roads even happened; they weren't on any drawings or in anyone's mind that it would happen. He has the commitment already, that road is going in and will be started in 2025. He has talked with Brad Wilson and he has a big vision for this southwest quadrant, with Mr. Wilson noting that this project seems very viable. They want to do a BRT here, and the state doesn't want the same problem that's currently happening in Big and Little Cottonwood Canyons; they want Trax, transportation and don't want to forget about the southwest quadrant. Everyone loves South Jordan, it's easy to talk to Brad Wilson about the city; he is UDOT's boss, and UTA is under the direction of UDOT. He knows Brad loves this area, and while he doesn't like dropping names, he was asked a direct question and this is why he is absolutely confident he will get a BRT here, as well as in Olympia. He wants to circulate this traffic to the ball stadium and the fine arts center going in down there. Glenmoor is a trophy, the equestrian center is a trophy and becoming more and more of one; this project is going to be a trophy for South Jordan, and it will control the entire southwest quadrant, more so than Olympia. He has three land planners wanting to be a part of this, Director Schaefermeyer will keep him in line, and he is hoping to go forward on this.

Council Member Zander asked where they were planning on placing the special needs school.

Mr. Young pointed that out on the map in Attachment A, noting that he is also hoping for a bridge there to allow pedestrian access to the commercial center. That will be an absolute must, and a part of the Bonneville Shoreline Trail System.

Council Member Zander asked if Mr. Young had gotten any word from the Jordan School District that they are on board with the plan for the school.

Mr. Young had a preliminary discussion with Scott Thomas about it. His group did the Kari Sue Hamilton School, and it has been very successful. He mentioned this school because he became aware of the need for children ages 1 through 6, and he asked Scott if this would be a good thing in that area. Mr. Thomas mentioned it would be a good thing, and that it would be very helpful. This is what he wants to do, and once you start giving money and land for facilities like this, they come.

Council Member Zander asked what Mr. Young means when he says he wants this done this year.

Mr. Young responded that he would like to see approval in 2023. He has worked with this council for a while and he knows some are retiring, but they've worked so well together in the past that he'd like to do the same with this project.

Council Member Zander asked to discuss his previously mentioned 150-160 affordable units, asking if those were intended to be owner occupied or rentals.

Mr. Young responded that they have a process that makes owner occupied available to affordable housing, and he can share some of those details. They also have for rent options, and they've created their own affordable housing without state subsidy which is something he'd love to share with the council in the future.

Council Member Zander asked how much of the project would look like the previously referenced high density apartments off 10600 South and Mountain View Corridor.

Mr. Young said these will have a nicer look than what's there, and that type of density building will be intermingled and more blended into the community. They know where the traditional commercial will be, but it's hard to identify exactly where the commercial will be at this stage; they have to tie the commercial to the density. He discussed some renderings from Attachment A and some options for where retail/commercial could go.

Council Member Zander asked about the brown patches outside of the 50 acres shown to the council, and if they would not have that same kind of density.

Mr. Young responded that is correct. Where they are up against Daybreak they have a trail that goes clear across the whole property, they are picking up every trail Daybreak has and sending it to the planned large park. It will also be lighter density in those areas, with townhomes for

example around the special needs school to accommodate couples with children needing full ADA accessibility.

Council Member Zander noted that Mr. Young has demonstrated, in several different locations, to this council his intentions to do good, and she appreciates that. She came to this meeting uncomfortable, but she sees some of his vision and what he is trying to accomplish here.

Council Member Harris asked about the potential breakdown between owner occupied units and rentals.

Mr. Young responded they haven't really determined that yet. There will be a fair amount of owner occupied, but there will also be a fair amount of for rent products. He likes for rent for a couple of reasons, he can control who comes in and goes out as he maintains ownership and control of the buildings. He likes to control them, but the owner occupied is also very important with the HOA being very strong. He is also planning to adopt a program where a percentage of money from every sale of the homes is held into an escrow or committee that reinvests into the community, similar to what Daybreak does. He wants to preserve this long-term.

Council Member Harris would like to eventually know more details about the density in the lighter areas, where they plan on those numbers falling.

Mr. Young said there will be single family detached, similar to what's in Daybreak with single family detached with some townhomes in their own little communities. The town center, once the other side of the street comes online, will become one of the four corners when Kennecott begins. They are fighting quite a few things with this project including U-111, power lines being placed along the area, a condemnation of a power substation, as well as dealing with a power corridor. They will be allowed to develop along the power corridor, and that was sold to the power company with the condition that they can do trails systems and other similar items underneath.

Mayor Ramsey chairs the Wasatch Front Regional Council and she has been looking at the Regional Transportation Plan maps, at this point there is not a bus rapid transit in the plan for the next 30 years, but she will do some more research and see what else she can find. It is a process to make that happen, and no one can make that happen unless it's approved from the transportation committee, which will not approve anything unless it's in the Regional Transportation Plan. WFRC will look at this again, do an evaluation to determine whether it needs to be added; no BRT will happen unless it's in the plan, so she'd like to get some commitments from partner agencies overseeing things like this. She doesn't want the council to make a decision to change what's already been approved here without more commitments to assure that what they are basing their choice on is actually a possibility. That needs to start with WFRC, looking at the data and then talking to UTA. She loves the school idea, and would love to get some feedback from the school district that they will add that to their plan. Changing the overall density after the infrastructure has already been approved and planned for is a big deal, and before that decision she'd like to have a little more concrete information that their partners are in agreement. She feels like making that decision right now would be a monumental decision

without knowing what can or will actually happen. This is not a no, she just wants more information and to have more conversations before changing the density and knowing all of these great ideas can actually happen.

Mr. Young agreed this wasn't on any maps, it would take an enormous amount of time to get this on the map. He has designed something here that will be successful with or without the BRT, but he is confident they can get the BRT. If the city would like to have a town center like this, these are the things he needs to make it successful. If they don't want to have that, and have only a subdivision, he can do that; he would be sad, but there is no way the city would get satisfaction from any entity on the BRT since it takes time to do that. It has taken him three years to get \$80 million approved on the roads out there; that didn't just happen. They are talking about an extra 600-700 units here, and the infrastructure in this area will handle that; they have already done the studies on that. It is a little bit different than what anybody envisioned here, nobody envisioned anything here, because it was belching out gasses.

Mayor Ramsey noted that she can appreciate the value of commercial anywhere and everywhere, she doesn't think they get enough people that want to put in commercial development because housing is so easy. There are a lot of factors being considered for this project, a lot of things being proposed, that might not even be able to happen. It does take time, and she'd love to look at the infrastructure studies because she lives out here, she knows what the impact of 600-700 units will be. It might not sound like a huge difference to him, but if you add in everything else around the area being planned it is much more; she trusts data and would love to see that information.

Council Member Marlbor noted that when the council planned the entire Daybreak area, they were hoping there would be a tangible mix of commercial development; unfortunately, that hasn't been built out at all close to what they were hoping. He thinks some of it will happen with the Larry H. Miller Group, and he is very supportive of what he sees here, because he thinks there is a good mix of commercial being added. He would hate to lose that commercial, as it will go somewhere else, and he would feel badly if we missed out on that commercial opportunity. Without more commercial near the retail he doesn't think the car dealership makes a lot of sense, but that mix really brings a lot to the table for the city. He is comfortable with the eight units, and the other half an acre being added from Glenmoor. He thinks Mr. Young and his team will have to go to bat and figure out how to make some of these things work, but if anyone has done it in the past, Mr. Young has, and he appreciates that.

Council Member Shelton empathized with the mayor's concerns about the additional impact right near her home. He also appreciates what Mr. Young has done for our city, and he thinks he deserves much more than just the Corporate Citizen's Award, preserving Glenmoor and turning it into what it is; Mr. Young has proven to Council Member Shelton that he can trust him. The remediation of this property on his own dime, then the things he is doing for the high school continue to prove that. Council Member Shelton appreciates that some of the things being shown are aspirational and not on a plan already, but he is at a place where 8.5 units per acre is acceptable and he thinks Mr. Young can work with staff and others to create a plan that will be great.

Council Member Harris noted that with Daybreak still growing and the recent Rio Tinto annexation, he wants to make sure that the density is done right and that everything will work out okay. He thinks there is value in communicating with the nearby developers, and that adjacent projects could complement each other rather than competing against each other. There are a few things that look slightly duplicative to him, and he asked Mr. Young if he has thought about communicating and finding a way to be complementary and being more successful by working together on concepts and ideas.

Mr. Young responded that the Miller Group's supported retail and what he is seeing going in around the ball stadium will not be competing with his projects; they do a totally different type of live-work commercial project based on what he has seen. He is confident with his studies that his project will be successful in this location, even though it could be years before the west side develops. He is always aware of what's going on around his projects, and he is very confident with what they are going to be doing on 10600 South. There will always be a little competition, but there will be a lot of people moving to the southwest quadrant and he feels very comfortable with the plan they have here.

Council Member Zander asked for the density approved on Olympia.

Mr. Young responded it was approved for 6.8 units per acre at the final approval, and they fully plan on doing a BRT there, designing the corridors to handle Trax or BRT for transportation. His hope is to loop the southwest quadrant up 11800 South with BRT, since they won't like coming up South Jordan Parkway with the roundabouts, and have it done down 12600 South. They are envisioning a lot of bus routes out here to get into places like Butterfield Canyon. There is a lot of commitment to that, lots of people don't want the same issues like they have in the Cottonwood Canyons. The only way to avoid that is to get ahead of it now. They won't even approve a BRT here without the zoning in place. That means he designs this so a BRT can go there in the future, which is the reality since they won't even look at it without the correct zoning.

Council Member Zander said this council has approved 8 units per acre on tiny, small parcels, and she recognizes that this parcel is smaller than Daybreak's at 5.5 units per acre. She is struggling with a few things, like the commercial development; she thinks that is important and valuable, and she likes that there is a grocery store in there, as that is not something slated in other developments seen so far on the west side. There is another piece of his development that looks like a mirror of something possibly being looked at by Downtown Daybreak so she'd like to see him bring some collaboration there. She liked what Council Member Shelton said, Mr. Young has proven to the council that he has heart and is trying to do what's right by the city. She thinks he can understand the uncomfortable feeling they have, this is a lot of density in a small area, and she concurs that for him to get the commercial development viable he has to have some density. She knows Downtown Daybreak is going to be far more dense than 8 units per acre to support what they have coming. She is in favor of looking at this, keeping the conversation going, and she would ask if he could potentially maintain the commercial development but pair down on some of the density. She knows he will push the numbers, but the council members are

the ones accountable to the residents. This is her district, she is torn between whether her residents will come to her and be glad they brought a park, connectivity and trails; or, if they will come to her and complain about too much density, that's the balance she has to answer for to her constituents. She does see the value in this. She feels good about where this is headed, just asked to have him look at it again and see if there could be some backing off to density to still make it work financially.

Mr. Young believes he is beyond the financial part at this point in his life. He has worked this with three different planners in and out of state, trying to minimize the amount of density that needs to happen to make this a success. If they can't do this, he understands that, but he can't have a successful retail center without bare minimum what he's asking for. He didn't come in with 12-15 units, he has done the backwards work on this to see what he needed.

Council Member Zander loves the idea of this commercial development, she is completely in favor of the tax base. If they were to give feedback tonight, she would like to continue looking at this and making it come together. She noted that when Daybreak was sold to Varde they just threw in housing, which did nothing for the community or tax base; it did nothing long-term for anybody. She appreciates developers like him that want to put in something that's going to help with the tax base, bringing some commercial development. For those reasons she is in favor of continued conversations on this.

Mr. Young admitted that he does sometimes get frustrated because he doesn't want to work on a project that looks like what Varde did in Daybreak. They would like to go forward with this vision, and he believes that in the next three months they can get the council comfortable with the vision and enforce it with commitments to acreages, realistic timelines, etc. He talked about the potential for car dealerships and noted that he just wants to preserve the ground for the future. He is confident the school will happen, and it will be amazing.

Council Member McGuire said overall he likes the proposal, he thinks it will fit. The Downtown Daybreak will overlap into the west side of Daybreak to some extent, but he really sees that as feeling more eastward in terms of needs and demands. As that west bench develops out, there is going to be a need for an additional type of retail center out there, which means he doesn't believe Mr. Young is too far off in his vision for the area. He asked for the calculated open space estimate.

Mr. Young said it will be well in excess of the 20% minimum, with actual usable space.

Council Member McGuire is more tolerant of the higher density, but he is still struggling with going from 5.5 units up to 8.5. He knows Mr. Young has run the numbers, but if there is a way to bring it down to eight he would appreciate that. He has the same concerns as the mayor, regarding the infrastructure. He asked if Mr. Young was willing to preserve the right-of-way indefinitely in terms of future transportation.

Mr. Young said yes. He has had conversations with Kennecott, who wants to see it as well, and he thinks they can help get this to the end. They also want to share a BRT line with him on this

project, and Olympia is already preserving their space. He noted that 11800 South is already 120 feet wide, as is 12600 South, so those are already preserved down to Mountain View.

Council Member McGuire is in favor of them continuing discussions and seeing what they can work together to accomplish.

Council Member Marlors noted that Mr. Young owns a lot of property in that corridor, and if you think about it he is not going to cannibalize in other areas his own projects. He has done it right in every other area and every other way the city has asked him to do.

Mayor Ramsey reiterated how thankful she is for the amazing work Mr. Young has done in the city, and that she agrees the retail/commercial area out in this new area will be needed without question. To her, it sounds like everyone is supportive and encouraging him to keep moving forward. She also clarified that this project is technically 8 units per acre before factoring in the 72 units being moved from Glenmoor.

Attorney Loose noted that is correct, those 72 units should be considered separate from the density discussion since they are being transferred from another project. Regarding Mr. Harris' comments about being arbitrary, with different landowners, different densities and consistency. There is precedent as to what the council is doing with large landowners, but Rio Tinto's newly annexed property and the Daybreak development are both in a PC Zone, which requires a minimum of 500 acres. There is also the PD floating zone, which is what this application is for. The council has approved the 8 units per acre density on PD Floating Zone projects in the past, multiple times. This is much larger than the other projects, but it is the same zone.

Mayor Ramsey thanked Mr. Young again for all his groundbreaking work on this land with the remediation.

Council Member Marlors noted that some of the council members were comfortable with the density, but he wonders if they actually gave Mr. Young the thumbs up from a density standpoint.

Council Member Shelton is comfortable with the proposed density.

Council Member Marlors is comfortable with the density as well. He agrees with the other voices on the council that there is still a lot of work to do on both sides.

Council Member Harris said a lot has changed that he is trying to evaluate, he can't evaluate this whole project that quickly to give a decision. He wants to look at it, talk to staff and others to get questions answered. That being said, he is not a "no" vote either, as he does want to do some more research and get more information. He is interested, and thinks we do need commercial out in that area.

Council Member Zander is comfortable with moving forward at the 8 units per acre plus the 72 units. Everyone in the city will love the connection of Bike trails to the canyon.

Council Member McGuire is okay with the 8 units per acre plus the 72 units.

H. Action Item

H.1. Resolution R2023-38, Providing Notice of a Pending Land Use Ordinance to amend the Planned Development Floating Zone in Section 17.130.050 (*By Director of Planning Steven Schaefermeyer*).

Director Schaefermeyer reviewed background information from the Council Report.

Council Member Zander asked for clarification that a “yes” vote on this issue tonight is simply saying that she is agreeing to study potential changes.

Director Schaefermeyer responded that a “yes” vote on this means if an application comes in tomorrow for a PD Floating Zone, the option to push the council for over 8 units per acre is off the table. The applicant would then have the option to wait for the final decision, or try to get their project approved in the meantime at 8 units per acre.

Attorney Loose added the applicant could also propose to the council, through a text amendment, their own zone at a higher density with other requirements. The council is still the legislative body, but this gives staff more certainty when they sit down with applicants for the PD Floating Zone.

Council Member Harris motioned to approve Resolution R2023-38, Providing Notice of a Pending Land Use Ordinance to amend the Planned Development Floating Zone in Section 17.130.050. Council Member Shelton seconded the motion; vote was unanimous in favor.

Council Member Zander motioned to recess the City Council Meeting and move to a Redevelopment Agency Meeting. Council Member Marlbor seconded the motion; vote was unanimous in favor.

RECESS CITY COUNCIL MEETING AND MOVE TO REDEVELOPMENT AGENCY MEETING

I. Public Hearing Item

I.1. Resolution RDA 2023-05, Authorizing the Chair of the Board to sign the South Station HTRZ Participation Agreement (*By Director of City Commerce Brian Preece*).

Director Preece reviewed background information from the Council Report.

Attorney Loose added that the council packet included an earlier draft. Over the weekend there were additional negotiations and he highlighted some of those minor changes:

- Changed the term “vertical construction,” which means building the first four floors of vertical construction now count as qualifying for use of the tax money.

- The participant (Larry H. Miller Group) added two indemnity provisions, saying if they are audited they will take those risks on.
- The city is allowing the participant to trigger, with different parcels being allowed to trigger at different times.

Chair Ramsey asked if there was an amendment to the affordable housing reporting years.

Director Preece responded that the attachment is an example, the city is agreeing to agree on that later with 45 days to come to that agreement. There were a few other issues that need to be worked out, including a 7% interest the applicant wants to be able to draw. The city was nervous about the end goal and the applicant was able to explain this was a pro forma issue where they needed to be able to show to their investors and others that they were getting interest. The applicant can choose to record that interest in any way they choose for their bookkeeping.

Attorney Loose addressed the affordable housing, saying the city will do the tracking, probably with another entity that hasn't been decided yet.

Director Preece added that the city will track whether the applicant is on target with the 10.6% goal.

Attorney Loose noted that a large percentage of this will be rental, not ownership, which is typical in an urban center.

Director Preece said this will have a high cost to administer through the RDA, and the statute allows for the city to collect 1% of the increment towards those costs. That was discussed back and forth with the applicant and it was admitted that those costs will probably not be recovered in those first few years. The city will keep a running tally, and once there is a point where more money is coming in than the costs, they will cover those other costs. After that, once the city is made whole and the costs are covered with no profits, if there is additional money it will be remitted with other funds; that will be reconciled annually. The next step will be to go through the process with the CRA.

Chair Ramsey opened the public hearing for comments. There were no comments and the hearing was closed.

Board Member Shelton motioned to approve Resolution RDA 2023-05, Authorizing the Chair of the Board to sign the South Station HTRZ Participation Agreement. Board Member McGuire seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

Board Member Marlbor motioned to adjourn the Redevelopment Agency Meeting and return to the City Council Meeting. Board Member Zander seconded the motion; vote was unanimous in favor.

ADJOURN REDEVELOPMENT AGENCY MEETING AND RETURN TO CITY COUNCIL MEETING

J. Staff Reports and Calendaring Items

City Manager Dustin Lewis reminded the council about the meeting invite to training with Laura Lewis next Wednesday. He welcomed Raymond Garrison as new Public Works Director, and Jason Rasmussen as the new Assistant City Manager.

City Engineer Brad Klavano shared that with barely any road paving projects last summer, staff is making up for it this summer. If there are any complaints or concerns, he asked the council members to let him know and his department will try and talk to them.

Council Member Shelton motioned to adjourn the City Council Meeting. Council Member McGuire seconded the motion; vote was unanimous in favor.

ADJOURNMENT

The August 1, 2023 City Council Meeting adjourned at 9:19 p.m.

SOUTH JORDAN CITY CITY COUNCIL REPORT

Council Meeting Date: August 15, 2023

Issue: Resolution 2023-40 City Drone Policy 110-02 Update

Submitted By: Jason Rasmussen

Department: Office of City Manager

Staff Recommendation (Motion Ready): Approve R2023-40

BACKGROUND: In 2018 the City established a drone use policy. The intent of this policy was to provide guidance on the proper use, operation and processes for City staff using aerial drones. There are multiple City departments using drones for their respective department operations. This policy is applicable for staff use of drones as part of their job duties. It does not apply to the general public.

TEAM FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

FINDINGS: After reviewing the existing policy, it is prudent to update the policy to account for staff drone use practices.

CONCLUSIONS: Updating the existing policy will improve and streamline drone use operations and processes. It will enhance training requirements for staff who use drones and bring the policy in line with current drone use practices.

RECOMMENDATIONS: Approve R2023-40, updating the City drone policy.

FISCAL IMPACT: None

ALTERNATIVES: Not approve R2023-40

SUPPORT MATERIALS: City Drone Policy 110-02

City Council Action Requested: Jason Rasmussen
Department Head

8/11/2023
Date

RESOLUTION R2023 - 40**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ADOPTING AN AMENDED CITY-WIDE POLICY 110-02 DRONE OPERATION.**

WHEREAS, the City of South Jordan Ordinance 2.12.030 requires the City Manager's proposed regulations governing the administration of the City be promulgated in writing; and

WHEREAS, the City Manager has determined this policy is City-wide in nature; and

WHEREAS, the City Manager has determined that given the subject matter of this policy, City Council review and approval is preferable; and

WHEREAS, the City Council has previously adopted a City-wide Policy regarding drone operation in Resolution 2018-23, and now desires to update that policy; and

WHEREAS, the proposed policy will amend and update the policy of the City regarding drone operation.

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

SECTION 1. Adoption of Amended City-wide Policy 110-02 Drones. The City-wide Policy 110-02 Drones as attached is hereby adopted.

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

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

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:


Ryan W. Loose (Aug 11, 2023 21:49 MDT)
Office of the City Attorney

**City of South Jordan
City-wide Policy 110-02
Drones**

POLICY STATEMENT

To establish guidelines for City employee use of City owned unmanned aircraft systems (“drones”).

APPLICABILITY

This policy is applicable for all City departments except for the South Jordan Police Department.

RESPONSIBILITY

The responsibility for compliance of this policy rests with the employees authorized to use City drones and their respective Department Directors. Department directors with drone pilots in their departments are ~~The Administrative Services Director is~~ generally responsible for compliance with and interpretation of the policy.

DEFINITIONS: Except as otherwise defined in this Policy, the City adopts all definitions, as now defined and as amended, as outlined in Utah Code Annotated Title 72 Chapter 14 and as defined in 14 CFR part 107.

Drone: Small unmanned aircraft system weighing less than 55 pounds, including everything that is onboard or otherwise attached to the aircraft, and can be flown without the possibility of direct human intervention from within or on the aircraft.

POLICY AND PROCEDURES

1. Follow all FAA requirements, including:
 - a. The pilot in command (drone operator) of a drone must have a valid remote pilot certificate.
 - b. All drones used for commercial, government, or non-hobby purposes must be registered with the FAA.
 - c. The ~~Dr~~one operator must maintain a visual line of sight with the drone at all times during drone operation, and ~~must~~ be aware of local weather conditions and ground hazards, if any.
 - d. Drone operators shall not fly a drone higher than 400 feet above ground level. However, if flying within a 400-foot radius of a structure, a drone operator may fly to a maximum of 400 feet above the structure’s uppermost limit.
 - e. Drone operators shall not violate controlled airspace regulations.
 - f. Drone operators shall not operate a drone:
 - i. near emergency response efforts, unless otherwise requested by emergency personnel coordinating the efforts,

- ii. over stadiums and sports events, or
 - iii. while under the influence of drugs or alcohol, according to the 14 CFR Part 107.
 - g. Regulations for ~~O~~operation ~~O~~ver ~~P~~people:
 - i. 14 CFR Part 107 ~~P~~prohibits a drone operator from flying a drone directly over a person who is not under a safe cover, such as a protective structure or a stationary vehicle.
 - ii. However, a small drone may be flown over a person who is directly participating in the operation of the drone (including the drone operator and other observers who are necessary for the safety of the drone operation).
 - iii. Drone operators can comply with these requirements as follows:
 - 1. Select an operational area (site) that is clearly unpopulated or uninhabited. If you ~~do~~ select a site that is populated or inhabited, have a plan of action that ensures people stay clear of the operating area, remain indoors, or remain under safe cover until the drone flight has ended. Safe cover is a structure or stationary vehicle that would protect a person from harm if the drone were to crash into that structure or vehicle, and
 - 2. Ensure the drone remains clear of people who may enter the operating area.
 - h. Discontinue any flight when the drone operator knows or has reason to know the drone is not in a condition for safe operation.
2. Drone Operator Qualifications:
- a. Valid remote pilot certification through the FAA and Part 107 Small UAS Recurrent Certification as applicable (license must be on the drone operator's person prior to and during operation of a drone), and
 - b. ~~5 hours of drone operations experience, unless operation experience is waived by a Department Director.~~ The ~~O~~operator must have completed the City-adopted training program and specialized training as deemed necessary relative to the department infor which the operator will be conducting drone operations.
3. Log every drone flight.
- a. Information documented will include:
 - i. Date of operation
 - ii. Start and ~~E~~end times of operation

- iii. Location of operation
- iv. Drone ~~Operator~~ name and ~~Spotter names~~ Visual Observer name, if utilized
- v. Purpose of the operation
- vi. Drone operator's acknowledgement of performing ~~P~~re-~~F~~light ~~C~~heck

~~4. Notify South Jordan Police Department.~~

~~Drone operators are required to notify the South Jordan Police Department prior to any drone operation.~~

~~South Jordan Police Department will designate a point of contact for the drone operators to notify.~~

~~The drone operator will provide the following to the point of contact:~~

~~0. Date of operation~~

~~0. Start and End times of operation~~

~~0. Location of operation~~

~~0. Drone Operator and Spotter names~~

12.4. Perform Pre-Flight checks.

- a. A pre-flight check shall be conducted to ensure safe operation of a drone.
- b. This check will include, but not be limited to:
 - i. ensuring drone has current firmware updates,
 - ii. verifying adequate battery level,
 - iii. ensuring the camera ~~operation~~is operating,
 - iv. checking the communications link between the remote control and the drone,
 - v. external examination for damage or loose parts, and
 - vi. all of the drone manufacturer's checklist or procedure.

13.5. Drone Equipment:

- a. Drones operated by City Staff must be owned by the City. Personal drones may not be operated for City use.

- b. Drones must be registered ~~through registermyuas.faa.gov~~ the FAA to the City of South Jordan ~~to the City of South Jordan through the FAA.~~
- c. Drones must be clearly labeled with the registration number assigned.
- d. Certificate of registration must be available for inspection at the time of drone use.

14.6. Reporting Accidents.


- a. City Staff will follow the incident reporting protocol outlined in the Employee Handbook for any incidents or damages caused during the operation of a drone, and report the incident to the Risk Management Division outside of normal wear and tear.
- b. If operation of a drone results in serious injury, loss of consciousness, or property damage (to property other than the drone) of at least \$500, City Staff will report the incident to the FAA within 10 days.

APPROVED AND PASSED THIS 15TH DAY OF ~~MAY~~ August, 20182023

CITY OF SOUTH JORDAN COUNCIL

DAWN R. RAMSEY, MAYOR

APPROVED AS TO FORM:



Ryan W. Loose (Aug 11, 2023 21:49 MDT)

CITY ATTORNEY'S OFFICE

Memo

TO: City Council
CC: Jared Francis, Senior Engineer
DATE: August 15, 2023
SUBJECT: SJC Townhomes Rezone and Development Agreement
FROM: Damir Drozdek, Planner III

The City Council held a public hearing for the SJC Townhomes (aka “The Mix at South Jordan”) rezone and development agreement, application PLZBA201900236, on June 6, 2023. At this meeting, the City Council tabled the application and requested that the applicant make some changes to the concept site plan and building elevations, a decision partially based on the feedback received during public comment. The applicant responded to the City Council’s requests and suggestions, and presented those changes to the City Council at a study meeting on July 18, 2023. Based on the feedback from those two meetings with the Council, the applicant has made additional changes to the project proposal.

The project is located at approximately 11147 S. Redwood Rd. The project area is approximately 2.59 acres and it currently consists of two parcels. The project will have up to 21 residential units and two smaller commercial buildings on Redwood Rd.

This document outlines the changes made since June 6, 2023, including incorporating changes the City Council requested during the July 18 study session meeting. The changes include the following:

- Reduced the size of the commercial buildings on Redwood Road and added parking for those buildings.
- Relocated units next to the north commercial building, eliminated guest parking next to the central open space, and adjusted the private road alignment to consolidate open space and create a larger and more usable central open space. The overall open space calculation on the concept plan has also increased from 23,996 ft² to 32,069 ft² (28.4% of the overall project acreage).
- Added soft-surface paths in the central open space to create more connectivity throughout the project.
- Added a 9.5 foot wide landscaped parkstrip on the north side of the private road next to the existing single-family residential, and a four-foot-wide landscaped parkstrip between the private road sidewalk and the townhomes.
- Added a sidewalk and crosswalk on the north side of the private road near the commercial building.
- Decreased the number of units along Beckstead Lane from four to three, and moved those units further from the adjacent property on the south. Two guest parking stalls were also added in this area.
- Changed the townhome architecture so that no part of the buildings, including the rooftop

deck stairwells, will be taller than 35 feet. In addition, the one middle townhome unit on Beckstead Lane with a rooftop deck will have a solid wall on the eastside of the building that blocks views from the deck toward Beckstead Lane.

- Added a decorative masonry wall between the townhomes and the commercial buildings.

These changes are in addition to the obligations and other safeguards outlined in the development agreement presented to the City Council on June 6, 2023.

Although the City Council public hearing for this application was opened and closed on June 6, 2023, at City Council's request, City staff mailed notices about this project and this August 15, 2023 City Council meeting to owners of property within 300 feet of the subject property.

Attached to this memo is the most current concept site plan, the building elevations and the conceptual landscape plan along the north project boundary, as well as the latest draft development agreement. The staff report from the previous meeting is also included for your reference. The previous version of the draft development agreement is omitted for clarity purposes. With these clarifications and additional changes, City staff recommends that the City Council approve the application.

Staff Recommendation (Motion Ready): I move that the City Council **approve** application PLZBA201900236 to allow for the proposed mixed-use project at this location.

0 20 40
10
SCALE: 1" = 20'

(SCALE ONLY VALID FOR 24" x 36" PAPER)



LEGEND:

- ASPHALT PAVEMENT
AREA: 33,784 SF (29.9% OF OVERALL ACREAGE)
- CONCRETE SIDEWALK, CURB & GUTTER, APRON, OR
DRIVEWAY APPROACH
AREA: 22,447 SF (19.9% OF OVERALL ACREAGE)
- OPEN SPACE (LANDSCAPED PER SJ CITY ORDINANCE)
AREA: 32,069 SF (28.4% OF OVERALL ACREAGE)
- TOWNHOME PARKING STALL NUMBER
- FLEX USE BUILDINGS PARKING STALL NUMBER
- TOWNHOME UNIT NUMBER

SITE WORK KEYNOTES:

- MOUNTABLE 30 INCH CONCRETE CURB & GUTTER
- 30 INCH CONCRETE CURB & GUTTER
- 6-INCH BARRIER CURB
- 10' CURB TRANSITION
- OPEN DRIVEWAY APPROACH
- ACCESSIBLE SIDEWALK RAMP
- 6-INCH THICK CONCRETE SIDEWALK / FLATWORK
- ACCESSIBLE PARKING STALL
- DECORATIVE MASONRY WALL
- RETAINING WALL
- CONCRETE STAIRS
- SOFT SURFACE WALKPATH

PARKING SUMMARY:

TOWNHOMES:
UNIT TYPES: (21) 3 BEDROOM UNITS
PARKING REQUIRED FOR A 3 BEDROOM UNIT = 2.5
TOWNHOME TOTAL STALLS REQUIRED = 21 x 2.5 = 53 STALLS REQUIRED
STALLS PROVIDED = 2 CARS IN GARAGE AND 2 ON DRIVEWAY = 4 PER UNIT
= 21 x 4 = 84 STALLS
TOWNHOME STALLS PROVIDED = 84
2 ADDITIONAL GUEST STALLS ARE PROVIDED
(STALLS #13 AND #28)
TOTAL TOWNHOME STALLS PROVIDED = 86

FLEX USE BUILDINGS:
EACH FLEX BUILDING HAS 2 INTERNAL UNITS
TOTAL SF PER UNIT = 1,575 SF
= 575 SF OFFICE AND 1000 SF WAREHOUSE
REQUIRED OFFICE PARKING = 1 STALL PER 300 SF = 1.9 STALLS
REQUIRED WAREHOUSE PARKING = 1 STALL PER 800 SF = 1.3 STALLS
TOTAL REQUIRED = 3.2 STALLS PER UNIT
FLEX USE TOTAL REQUIRED = 3.2 STALLS x 4 UNITS = 13 STALLS REQUIRED
TOTAL FLEX USE STALLS PROVIDED = 29
TOTAL PROJECT PARKING STALLS REQUIRED = 53 + 13 = 66 STALLS REQUIRED
TOTAL PROJECT PARKING STALLS PROVIDED = 86 + 29 = 115 STALLS PROVIDED

SITE INFORMATION:

TOTAL ACREAGE = 2.59
DENSITY = 21 DWELLING UNITS / 2.59 ACRES = 8.11 DWELLING UNITS PER ACRE

CONCEPT PLAN

THE MIX AT SOUTH JORDAN
SUBDIVISION
SOUTH JORDAN, UTAH



3160 W. Clubhouse Drive, Ste. A
Lehi, UT 84043
801.768.7200

Item 1.1.

PROPOSED

PRINTED DATE
7/10/2023 5:20:40 PM

LAYTON DAVIS
ARCHITECTS

2025 East 2700 | South Salt Lake 2023 Salt Lake City, Utah 84109
p801.487.0715 | f801.487.0716

SOUTH JORDAN FLEX AND TOWNHOMES SITE

SOUTH JORDAN, UTAH

ISS. DATE	REV. DESCRIPTION	DATE

PROJECT NO.

23.036

DWN BY / CHK BY

AR/CL

TITLE

ELEVATIONS

24X36 SHEET #

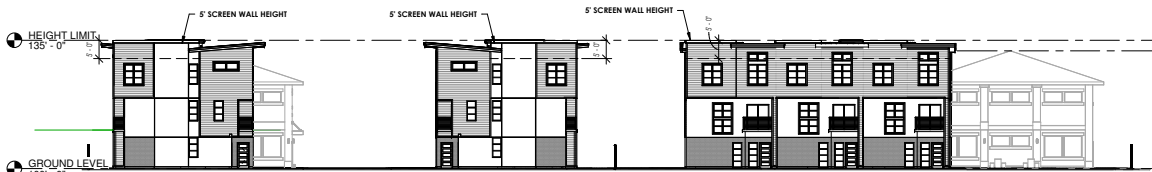
A201



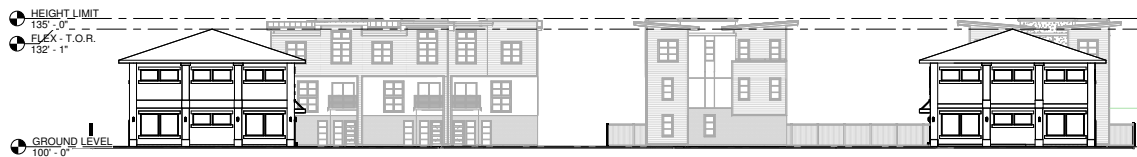
6 SITE - SOUTH SIDE
A201 1/16" = 1'-0"



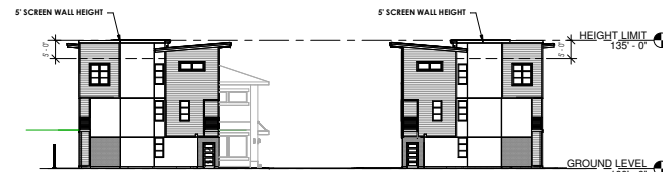
5 NORTH SIDE - SITE
A201 1/16" = 1'-0"



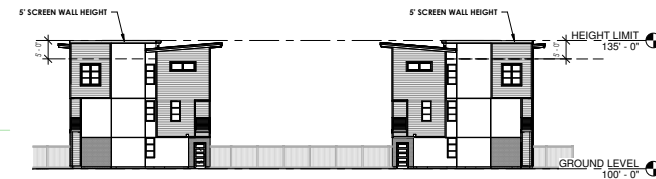
3 SITE - BECKSTEAD LANE SIDE
A201 1/16" = 1'-0"



1 SITE - WEST SIDE (REDWOOD ROAD)
A201 1/16" = 1'-0"



4 SITE SOUTH EAST SIDE (RAWLIN'S LOOKING
WEST)
A201 1/16" = 1'-0"



2 SOUTH SIDE OF 3-FLEX (RAWLIN'S LOOKING
NORTH)
A201 1/16" = 1'-0"



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



1 WEST REAR ELEVATION
A201 1/4" = 1'-0"

Item 1.1.

PROPOSED

PRINTED DATE

7/10/2023 4:26:39 PM

LAYTON DAVIS
ARCHITECTS

2025 East 2700, South Salt Lake 202 Salt Lake City, Utah 84109
p801.487.0715 | f801.487.0716

SOUTH JORDAN TOWNHOMES
- 3 PLEX

SOUTH JORDAN, UTAH

ISS. DATE	ISS. DESCRIPTION	DATE	REV. DESCRIPTION

PROJECT NO.

23.036

DWN BY / CHK BY

Author

TITLE

ELEVATIONS

24X36 SHEET #

A201



1 NORTH SIDE ELEVATION
A202 1/4" = 1'-0"



2 SOUTH SIDE ELEVATION
A202 1/4" = 1'-0"

Item 1.1.

PROPOSED

PRINTED DATE

7/10/2023 4:26:39 PM

LAYTON DAVIS
ARCHITECTS

2025 5047 2700 1 South Valley 2023 Salt Lake City, Utah 84109
p800.487.0715 | (801) 487.0716

SOUTH JORDAN TOWNHOMES
- 3 PLEX

SOUTH JORDAN, UTAH

#	ISSUE DESCRIPTION	ISS. DATE	REV. DESCRIPTION	DATE

PROJECT NO.

23.036

DWN BY / CHK BY

Author

TITLE

ELEVATIONS

24X36 SHEET #

A202

The couplings, $\cos(\theta_{\text{gr}})$, $\sin(\theta_{\text{gr}})$, arranged as a rectangular grid are presented as the sole property of O_0



2 SOUTH SIDE ELEVATION
A202 1/4" = 1'-0"

EXTERIOR FINISH MATERIAL LEGEND					
MARK	MATERIAL	MANUFACTURER	SERIES	COLOR	NOTES
HS-1	HARDE FIBER STONE	BD			
EPS-1	STUCCO	BD			
MTL-1	METAL STANDING SEAM ROOF	BD			
BV-1	BRICK VENEER	BD			
FINISH NOTES:				FINISH DESCRIPTION:	
1. ALL EXTERIOR FINISHES TO BE APPROVED BY OWNER. 2. ALL FINISHES TO BE FREE OF DEFECTS AND DAMAGE. 3. PERCENTAGE OF MATERIAL SHOWN IS PART OF MASTER DEVELOPMENT AGREEMENT.				35-1 FINISH TAG	



1 WEST REAR ELEVATION
A202 1/4" = 1'-0"

Item 1.1.

PROPOSED
PRINTED DATE
7/10/2023 4:28:59 PM

LAYTON DAVIS
ARCHITECTS

2025 East 7700 S, South Salt Lake, UT 84141
801.487.0715 | 801.487.0716

SOUTH JORDAN TOWNHOMES
4 PLEX
SOUTH JORDAN, UTAH

REV	DESCRIPTION	DATE
1	ISSUE DESCRIPTION	
2	REV DESCRIPTION	

PROJECT NO.
23.077

DWN BY / CHK BY
Author

TITLE
ELEVATIONS

24036 SHEET #
A202



Item 1.1.

PROPOSED
PRINTED DATE
7/10/2023 5:24:59 PM

LAYTON DAVIS
ARCHITECTS

2035 East 2700 S, South Salt Lake 2013 Salt Lake City, Utah 84109
p801.483.0715 | f801.483.0716

SOUTH JORDAN FLEX SPACE

SOUTH JORDAN, UT

#	ISSUE DESCRIPTION	ISSUE DATE	REV DESCRIPTION	DATE

PROJECT NO.
23.036

DWN BY / CHK BY
AR/CL

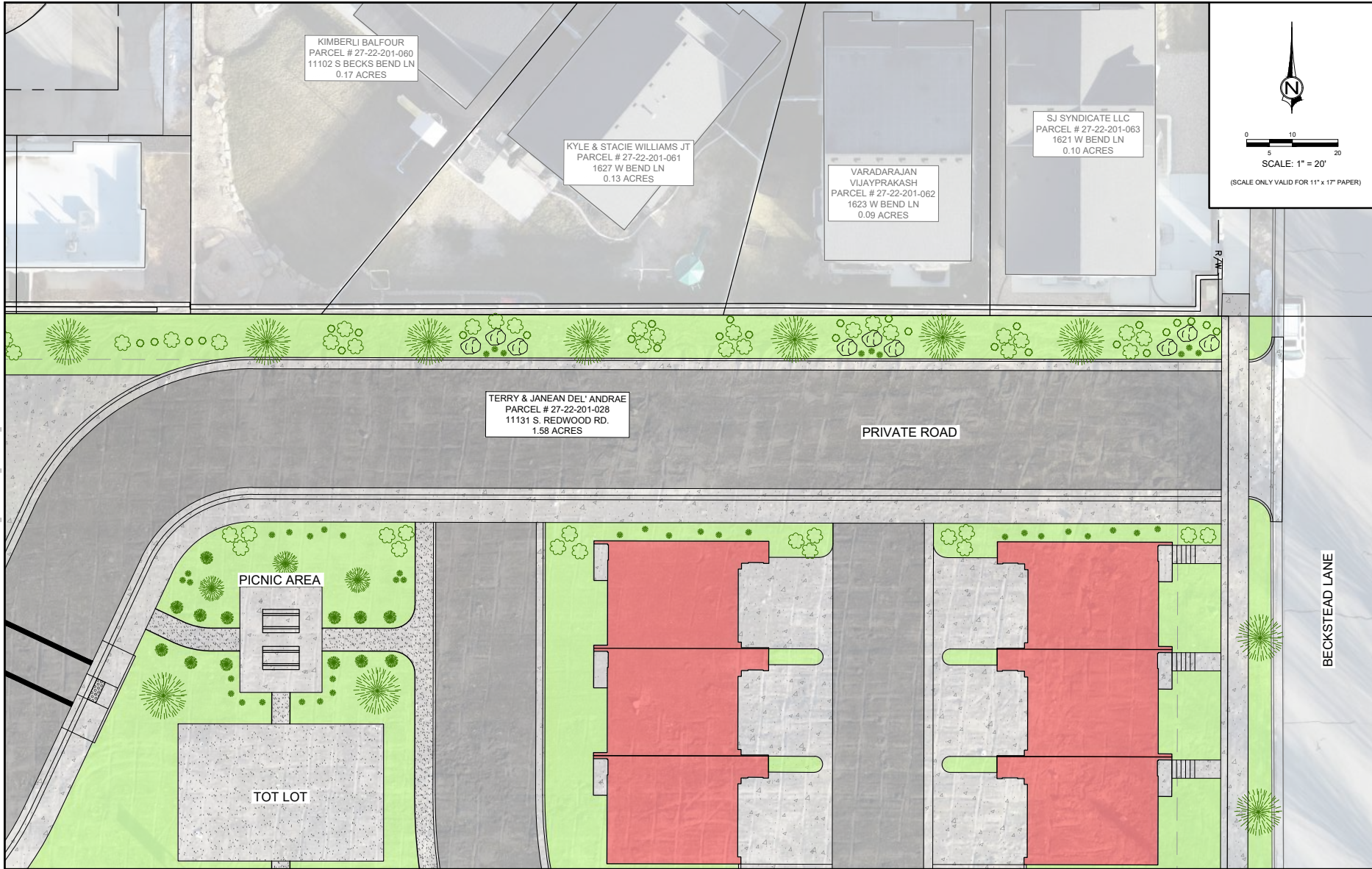
TITLE
ELEVATIONS

24X36 SHEET #

A202

The Architect's design is based on the information provided by the client. The Architect is not responsible for the accuracy of the information provided by the client. The Architect is not responsible for the accuracy of the information provided by the client. The Architect is not responsible for the accuracy of the information provided by the client.

PATH: L:\UTAH\PROJECTS\ACTIVE 2023\122905-00- SJ TOWNHOMES AND FLEX USE\700- CAD\SHEET FILES\2005- CONCEPT_SP.DWG



 CivilScience 3160 W. Clubhouse Drive, Ste. A Lehi, UT 84043 801.768.2200	LANDSCAPE CONCEPT EXHIBIT	
	THE MIX AT SOUTH JORDAN SUBDIVISION SOUTH JORDAN, UTAH	
SH 10	44	

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 06/06/2023

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

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

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

Presented by: Steven Schaefermeyer, Director of Planning

Staff Recommendation (Motion Ready):

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

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

STANDARD OF APPROVAL

1. REZONE:

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

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

(City Code § 17.22.020)

BACKGROUND:

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

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

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

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

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

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

Development Agreement:

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

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

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

PLANNING COMMISSION RECOMMENDATION:

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

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

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

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

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

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

Conclusion:

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

Recommendation:

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

FISCAL IMPACT:

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

ALTERNATIVES:

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

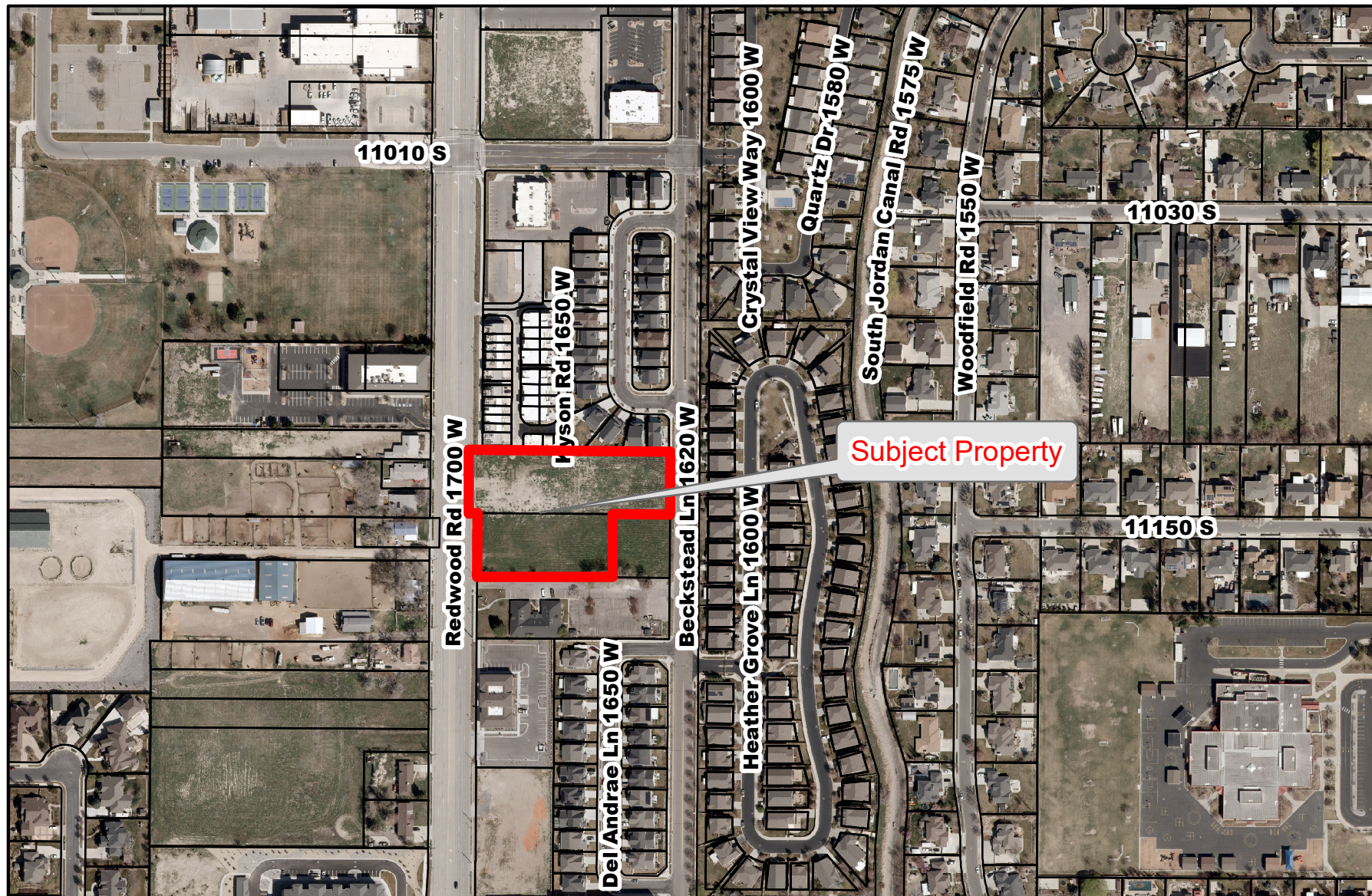
SUPPORT MATERIALS:


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

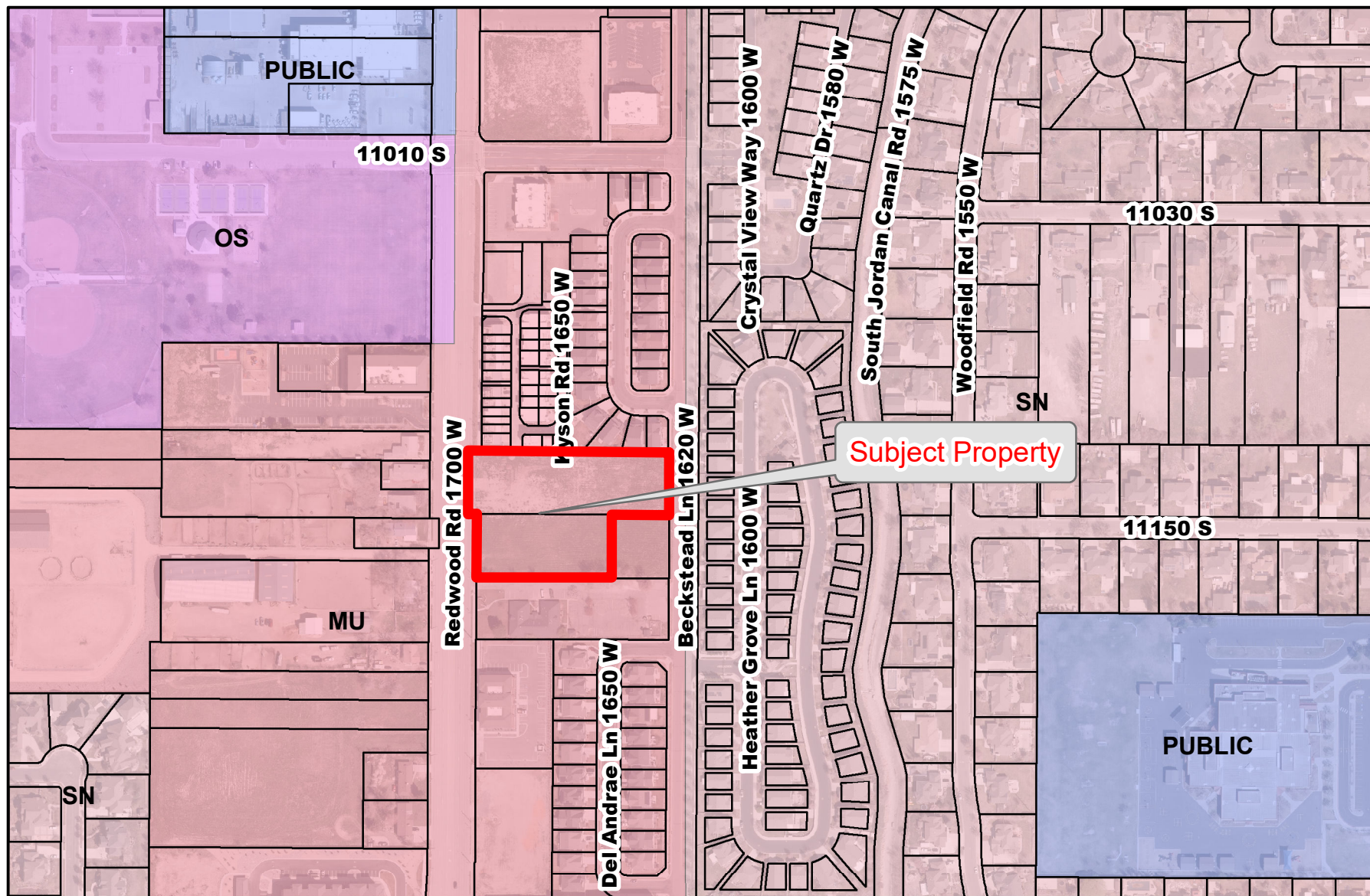
DEPARTMENT APPROVAL

Damir Drozdek, AICP
Planner III, Planning Department

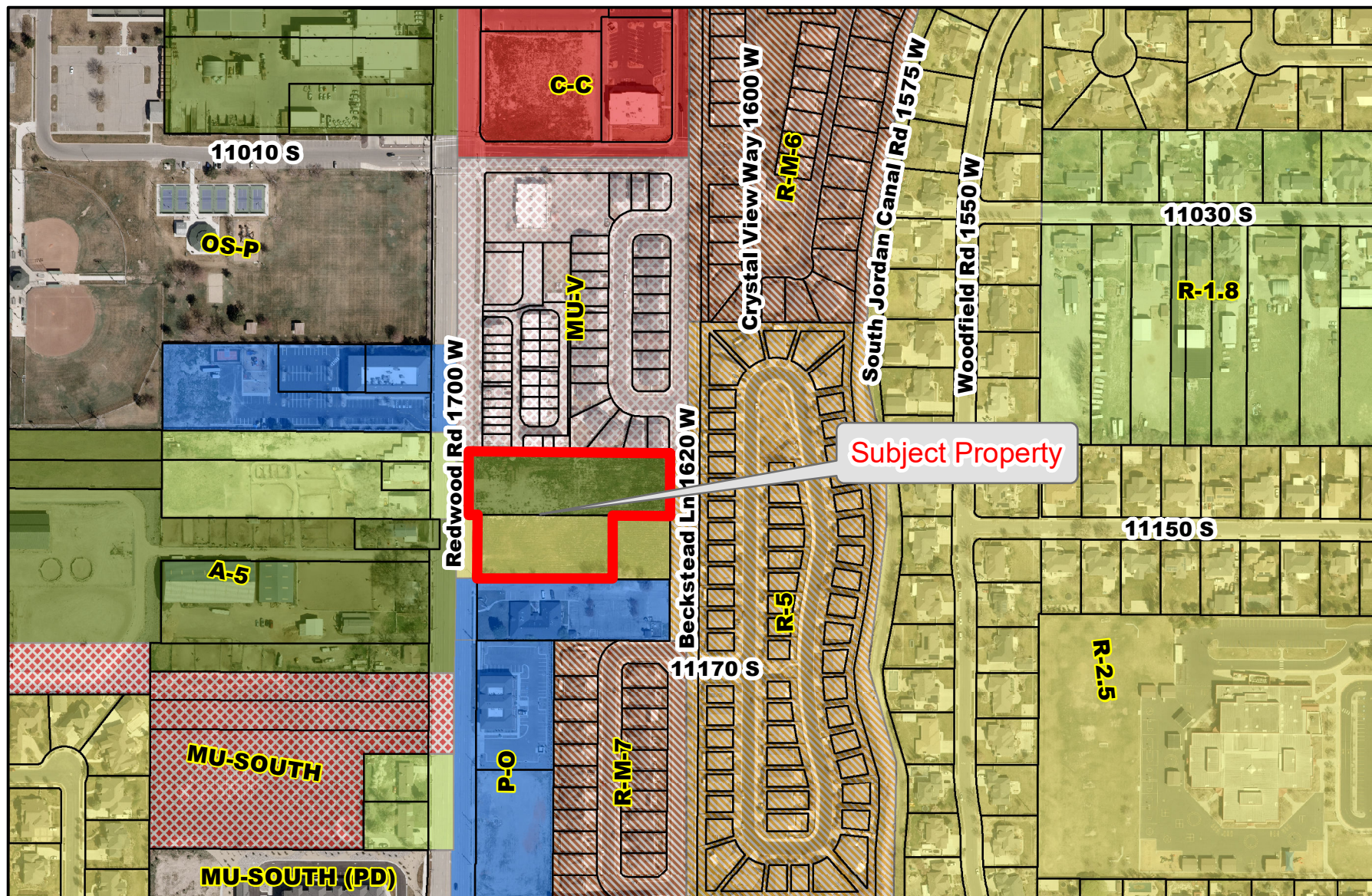
Steven Schaefermeyer
Director of Planning




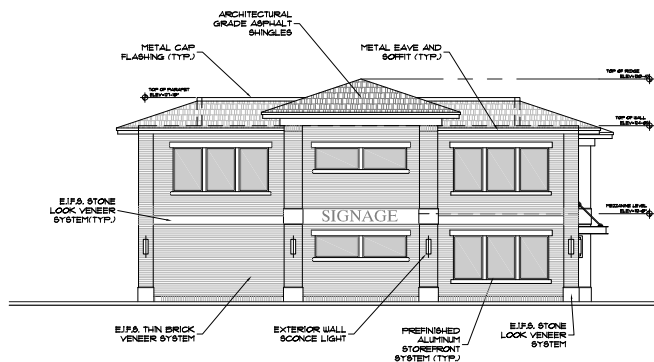
<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Aerial Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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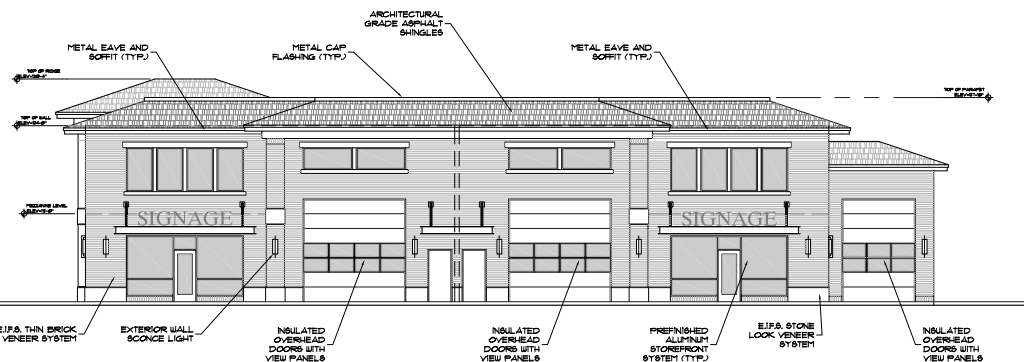
<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Future Land Use Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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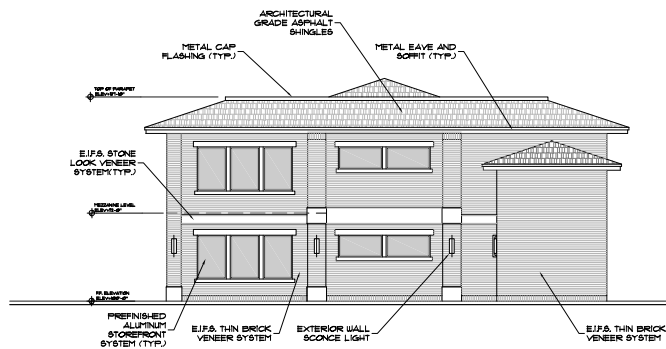
<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Zoning Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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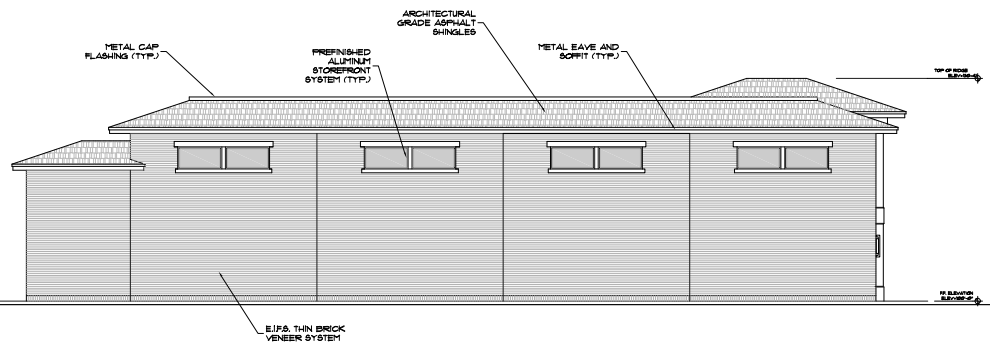
1 FLEX-SPACE BUILDING - WEST ELEVATION
A201 SCALE: 1/8" = 1'-0"



2 FLEX-SPACE BUILDING - SOUTH ELEVATION
A201 SCALE: 1/8" = 1'-0"



3 FLEX-SPACE BUILDING - EAST ELEVATION
A201 SCALE: 1/8" = 1'-0"



4 FLEX-SPACE BUILDING - NORTH ELEVATION
A201 SCALE: 1/8" = 1'-0"



EXTERIOR FINISH MATERIAL LEGEND					
MARK	MATERIAL	MANUFACTURER	SERIES	COLOR	NOTES
15-1	HARDY TEK SIDING	TRD			
16-1	SELUCCO	TRD			
MTL-1	METAL SHANDING BEAM ROOF	TRD			
18-1	BRICK VENEER	TRD			

FINISH NOTES:

- ALL EXTERIOR FINISHES TO BE APPROVED BY OWNER.
- ALL FINISHES TO BE FREE OF DEFECTS AND DAMAGES.
- PERCENTAGE OF MATERIAL SHOWN IS PART OF HARDY DEVELOPMENT AGREEMENT.

FINISH DESCRIPTION:

SP1 ————— INSH TAG

PROPOSED

PRINTED DATE

LAYTON DAVIS
ARCHITECTS

2005 East 2700 | South Suite 200 Salt Lake City, Utah 84109
p:801.487.0715 | f:801.487.0716

SOUTH JORDAN TOWNHOMES

SOUTH JORDAN, UTAH

[illegible]

PROJECT NO.

23.077

DWN BY / CHK BY

Author

TITLE

ELEVATIONS

24X36 SHEET #

A 202

A202



LAYTONDAVIS
ARCHITECTS



LAYTONDAVIS
ARCHITECTS





LAYTONDAVIS
ARCHITECTS



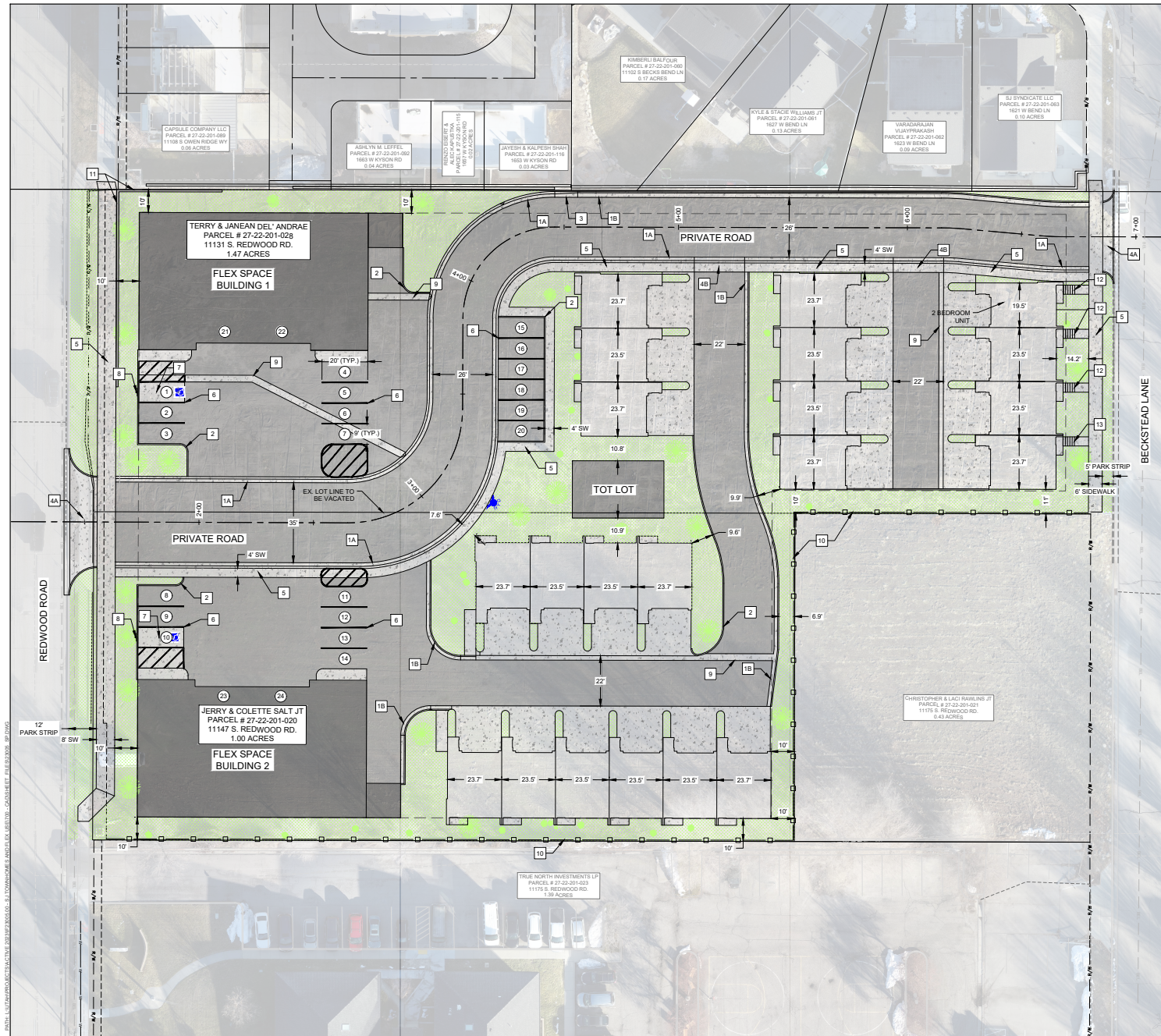
LAYTONDAVIS
ARCHITECTS



LAYTON DAVIS
ARCHITECTS



DATE: 11/22/2023 PROJECT: 11117 S. REDWOOD RD. SUBDIVISION: THE MIX AT SOUTH JORDAN SUBDIVISION, UT. SHEET: 64 OF 18



0 20 40
SCALE: 1" = 20'
(SCALE ONLY VALID FOR 24" x 36" PAPER)



LEGEND:

- ASPHALT PAVEMENT (SEE DETAIL SHEETS)
AREA: 37,684 SF
- CONCRETE SIDEWALK, CURB & GUTTER,
APRON, OR DRIVEWAY APPROACH
AREA: 15,247 SF
- LANDSCAPING (SEE LANDSCAPE PLANS)
AREA: 23,996 SF

① PARKING STALL NUMBER

SITE WORK KEYNOTES:

ALL IMPROVEMENTS SHALL BE CONSTRUCTED PER APWA STANDARD SPECIFICATION AND PLANS, 2017 EDITION, OR DETAILS AS NOTED BELOW.

- 1A CONSTRUCT MOUNTABLE 30 INCH CONCRETE CURB & GUTTER (SEE APWA PLAN 205.2)
- 1B CONSTRUCT 30 INCH CONCRETE CURB & GUTTER (SEE APWA PLAN 205.1)
- 2 CONSTRUCT 6-INCH BARRIER CURB (SEE DETAIL SHEETS)
- 3 10' CURB TRANSITION
- 4A CONSTRUCT OPEN DRIVEWAY APPROACH
- 4B CONSTRUCT DIP DRIVEWAY APPROACH
- 5 6-INCH CONCRETE SIDEWALK (SEE DETAIL SHEETS)
- 6 4-INCH WIDE PARKING STALL STRIPING - WHITE PAINT PER CITY OR UDOT STANDARDS
- 7 ACCESSIBLE PARKING STALL (SEE DETAIL SHEETS)
- 8 ACCESSIBLE PARKING SIGN (SEE DETAIL SHEETS)
- 9 CONSTRUCT 2-FOOT CONCRETE WATERWAY (SEE DETAIL SHEETS)
- 10 PROPOSED DECORATIVE MASONRY WALL
- 11 BOULDER RETAINING WALL (SEE DETAIL SHEETS)
- 12 CONSTRUCT 6 (7") STAIR RISERS.
- 13 CONSTRUCT 6 (6.5") STAIR RISERS.

PARKING SUMMARY:

TOWNHOMES:

UNIT TYPES: (20) 3 BEDROOM UNITS AND (1) 2 BEDROOM UNIT

PARKING REQUIRED FOR A 2 BEDROOM UNIT = 2

PARKING REQUIRED FOR A 3 BEDROOM UNIT = 2.5

TOTAL STALLS REQUIRED = $(1 \times 2) + (20 \times 2.5) = 52$ STALLS REQUIRED

STALLS PROVIDED =

- 2 BEDROOM UNIT = 2 CAR IN GARAGE AND 1 ON DRIVEWAY = 3 PER UNIT = $1 \times 3 = 3$ STALLS

- 3 BEDROOM UNIT = 2 CAR IN GARAGE AND 2 ON DRIVEWAY = 4 PER UNIT = $20 \times 4 = 80$ STALLS

TOWNHOME STALLS PROVIDED = 83

6 ADDITIONAL STALLS WILL BE SHARED WITH FLEX SPACE BUILDINGS (STALLS #15 - #20)

TOTAL TOWNHOME STALLS PROVIDED = 89

FLEX USE BUILDINGS:

EACH FLEX BUILDING HAS 2 INTERNAL UNITS

TOTAL SF PER UNIT = 3,000 SF

- 726 SF OFFICE AND 2,274 SF WAREHOUSE

REQUIRED OFFICE PARKING = 1 STALL PER 300 SF = 2.4 STALLS

REQUIRED WAREHOUSE PARKING = 1 STALL PER 800 SF = 2.8 STALLS

TOTAL REQUIRED = 5.2 STALLS PER UNIT

GRAND TOTAL REQUIRED = 5.2 STALLS \times 4 UNITS = 21 STALLS REQUIRED

TOTAL FLEX USE STALLS PROVIDED = 24 (INCLUDES 1 INTERIOR STALL PER UNIT)

NO.	DESCRIPTION	REV.	DATE

LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

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

Planner Assigned	Damir Drozdek
Engineer Assigned	Jared Francis

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

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

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

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

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

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

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

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

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

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

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

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

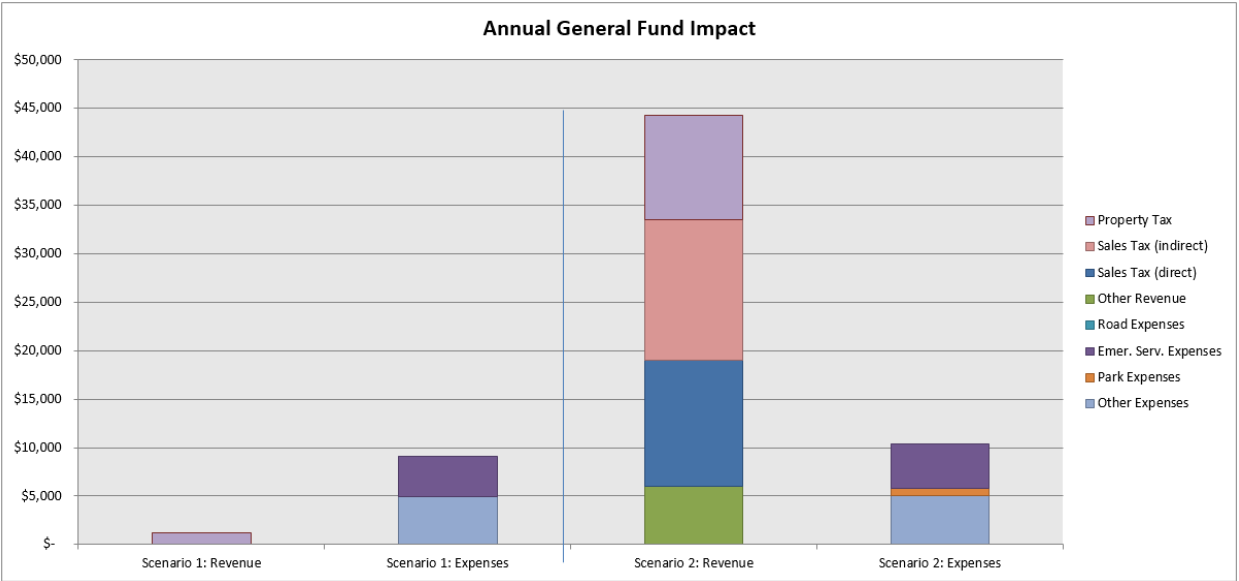
Report Approved:

Jared Francis
Development Engineer

5/2/23
Date

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

5/2/23
Date



Project Analysis

Project: SoJo Flex 11111 S Redwood Rd Townhomes

May 3, 2023

Scenario Descriptions

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

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

Financial Summary by Scenario

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

Indirect Impact

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

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

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

RESOLUTION R2023 - 25

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

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

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

WHEREAS, the Developer now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property generally located at 11147 S. Redwood Road (the “Property”); and

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

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

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

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

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

[SIGNATURE PAGE FOLLOWS]

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

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:



[Gregory M Simonsen \(Aug 11, 2023 08:28 MDT\)](#)

Office of the City Attorney

EXHIBIT 1
(Development Agreement)

Item 1.4.

WHEN RECORDED, RETURN TO:

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

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

DEVELOPMENT AGREEMENT

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

RECITALS

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

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

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

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

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

F. The Parties acknowledge that the purpose of the PD Zone is “to allow for flexibility in the application of zoning regulations and development provisions of this title to advance a public interest through prescriptive requirements of a development plan and development agreement approved by the City Council.” (See City Code § 17.130.050.010.)

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

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

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

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

K. The Parties acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the City Council, in its sole legislative discretion, approves a zoning change from the A-5 and R-2.5 Rezone to the R-M Zone as the base zone and the PD Zone as a zoning overlay for the Property, and approves R2023-25 (see, **Exhibit E**).

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

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

AGREEMENT

1. **Recitals; Definitions.** The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the Act or City Code.

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

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

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

5. **Developer Obligations.**

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

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

- 5.2. Amenities. The Developer shall design and construct amenities on the Property as set forth in the Concept Plan. The tot lot will be completed prior to the City issuing all C/Os (certificate of occupancy) for the two adjacent buildings. If the tot lot is not complete due to weather or other inclement circumstance, the City will then obtain an improvement bond for the lot.
- 5.3. Architecture and Building Materials on Commercial Buildings. The Developer shall construct the commercial buildings depicted in the architectural renderings and elevations attached hereto as **Exhibit F**. In addition to any other applicable design standards in the City's Code, Developer shall construct the commercial buildings no taller than 35 feet with the exterior consisting as per the renderings in **Exhibit F**, showing the combination uses below and above a 12' grade line of the buildings. Below the 12' shall be the combination of thin brick veneer and some stone along with smooth stone veneer resembling precast concrete panels all attached to the EIFS wall system. Above the 12' grade line of the buildings shall be the combination of the EIFS wall system faux brick, stone including smooth stone lintels resembling precast concrete. Each of the two commercial buildings will have approximately 4,000 square feet of space with the aggregate not to exceed 9,000 square feet. Developer agrees to present final architectural elevations and building materials for the commercial buildings to the City's Architectural Review Committee for review and approval.
- 5.4. Architecture and Building Materials on Townhomes. The Developer shall construct the townhomes depicted in the architectural renderings and

elevations attached hereto as **Exhibit F**. In addition to any other applicable design standards in the City's Code, Developer shall construct the townhomes no taller than 35 feet with the exterior consisting of fiber cement siding, stucco and brick veneer. The Townhomes will not have basements. Developer agrees to present final architectural elevations and building materials for the Townhomes to the City's Architectural Review Committee for review and approval.

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

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

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

a note:

This plat is subject to that certain Development Agreement dated _____, by and between the City of South Jordan and J.L.Salt Construction, Inc., dba: Dream Home Builders, including all provisions, covenants, conditions, restrictions, easements, charges, assessments, liens or rights, if any, created therein and recorded on _____ as Entry No. _____, in Book _____, at Page _____ of the Official Records of Salt Lake County.

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

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

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

9.2. **Reserved Legislative Powers.** Developer acknowledges that City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to City all of its police power that cannot be so limited. Notwithstanding the retained power of City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer under this Agreement and with respect to use under the zoning designations as referenced in this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Property shall be of general

application to all development activity in City and Salt Lake County; and, unless in good faith City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine.

10. **Term.** This Agreement shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the parties mutually agree to extend the term, this Agreement shall not extend further than a period of ten (10) years from its date of recordation in the official records of the Salt Lake County Recorder's Office.

11. **Notices.** All Notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either Party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least ten days before the date on which the change is to become effective:

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

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

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

13. **No Waiver.** Any Party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in

writing by the Party intended to be benefited by the provisions, and a waiver by a Party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

14. **Headings**. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any provision this Agreement.

15. **Authority**. The Parties to this Agreement represent that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants it is fully formed and validly existing under the laws of the State of Utah, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Developer and City warrant to each other that the individuals executing this Agreement on behalf of their respective Party are authorized and empowered to bind the Party on whose behalf each individual is signing. Developer represents to City that by entering into this Agreement Developer has bound all persons and entities having a legal or equitable interest to the terms of this Agreement as of the Effective Date.

16. **Entire Agreement**. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by City for the Property contain the entire agreement of the Parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the Parties which are not contained in such agreements, regulatory approvals and related conditions.

17. **Amendment**. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the Parties or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.

18. **Severability**. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developer's ability to complete the development of the Property as set forth in the Concept Plan

is not defeated by such severance.

19. **Governing Law.** The laws of the State of Utah shall govern the interpretation and enforcement of this Agreement. The Parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The Parties hereby expressly waive any right to object to such choice of law or venue.

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

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

22. **Binding Effect.** The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the Parties and their respective heirs, legal representatives, successors in interest and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

23. **No Third Party Rights.** The obligations of Developer and City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise provided herein.

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

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

26. **Dispute Resolution.** In the event of a dispute regarding the meaning, administration or implementation of this Development Agreement the parties shall meet and confer and attempt

to resolve the dispute. If this is unsuccessful the parties shall engage in formal mediation within thirty days of the unsuccessful meeting. The parties shall mutually agree upon a single mediator and Developer shall pay the fees of the mediator. If the dispute remains unresolved after mediation the Parties may seek relief in the Third District Court for Salt Lake County, State of Utah.

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

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

[SIGNATURE PAGE FOLLOWS]

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

CITY OF SOUTH JORDAN

Signature: _____

Print Name: _____

Title: _____

Date: _____

APPROVED AS TO FORM


Gregory M Simonsen (Aug 11, 2023 08:28 MDT)
 Office of the City Attorney

STATE OF UTAH)
 :SS
 COUNTY OF SALT LAKE)

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

 NOTARY PUBLIC

DEVELOPER

J.L. SALT CONSTRUCTION, INC.

DBA DREAM HOME BUILDERS

Signature: _____

Print Name: _____

Title: _____

Date: _____

STATE OF UTAH)
 :ss
 COUNTY OF SALT LAKE)

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

 NOTARY PUBLIC

EXHIBIT A
(Legal Description for the Property)

27-22-201-020

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

27-22-201-028

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

EXHIBIT B
(Concept Plan)

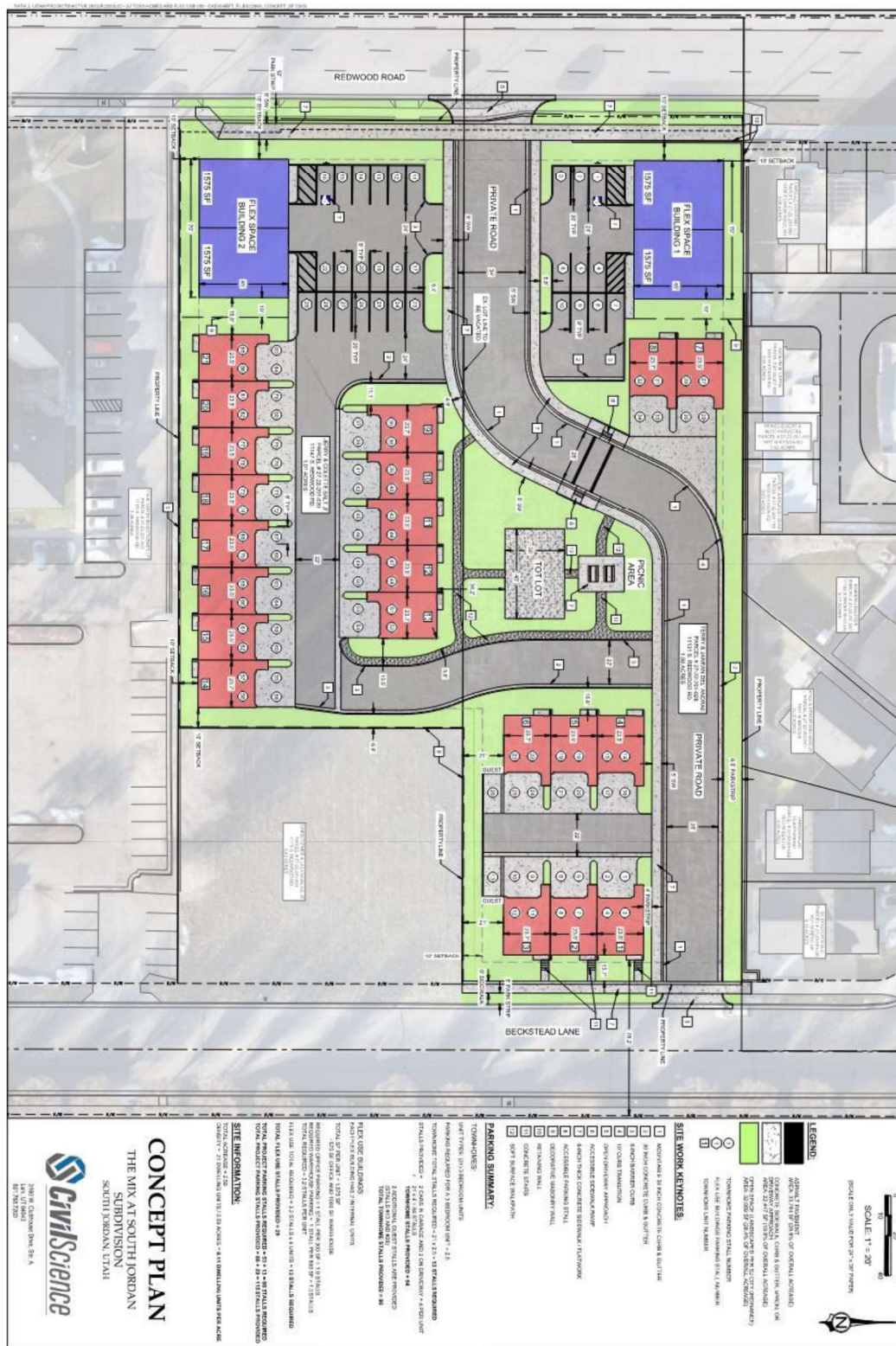


EXHIBIT C
(Zoning Map)

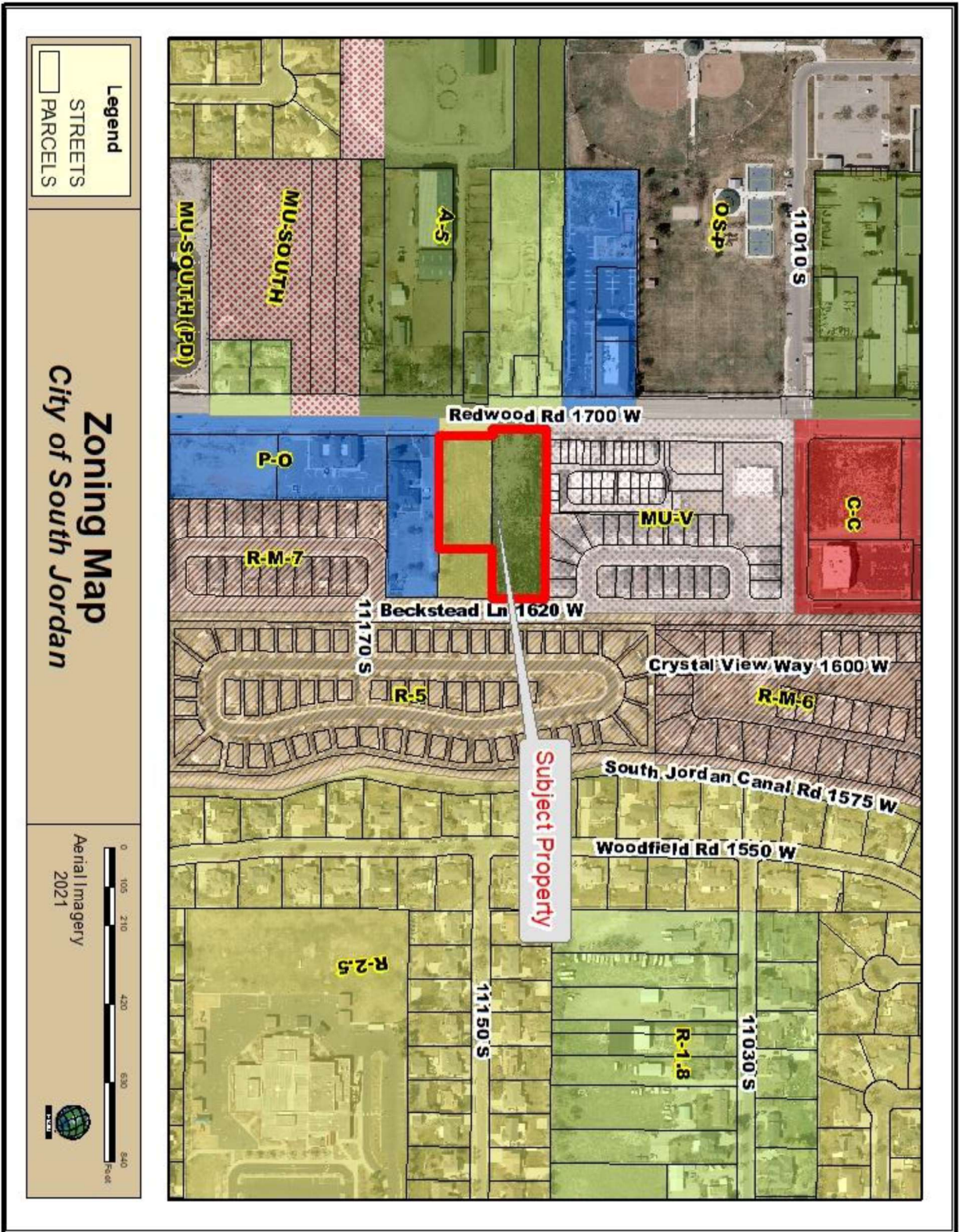


EXHIBIT D
(PD Zone Provisions)

17.130.050: PLANNED DEVELOPMENT FLOATING ZONE

17.130.050.010: PURPOSE

17.130.050.020: ESTABLISHMENT\

7.130.050.030: AMENDMENTS

17.130.050.010: PURPOSE

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

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

17.130.050.020: ESTABLISHMENT

1. Procedure:

1. Concept: A concept plan, that includes a preliminary site layout, basic sketches of proposed buildings, and a general understanding of proposed uses, shall be submitted for City Council review. Applicants are encouraged to work with staff prior to application to achieve an understanding of the surrounding area, the purpose of the base zone, and the goals and policies of the City's general plan. The Council shall provide advisory comments and recommendation regarding the concept plan to assist in the preparation of the development plan according to subsection B of this section. No action will be taken by the Council, and comments and recommendations will not obligate, compel, or constrain future action by the Council.
2. Rezone: A PD District shall only be established upon approval by the City Council as a rezone according to the provisions of chapter 17.22, "Zoning Amendments", of this title and as may be required elsewhere in this title, except that the requirement for a conceptual plan in subsection 17.22.030D of this title shall be replaced with a development plan according to subsection B of this section. Except in those instances where the Applicant is the City of South Jordan the development plan shall be approved by development agreement in conjunction with the rezoning approval. If the Applicant is the City of South Jordan the development plan may be approved as part of the rezone without a development agreement.
3. Concurrent Site Plan Or Preliminary Subdivision (Optional): At the applicant's option and with the approval of the Planning Director, the applicant may submit a site plan application and/or preliminary subdivision application to be processed concurrently with a PD rezone. In the case of concurrent applications, Planning Commission approval of a concurrent site plan and/or preliminary subdivision shall be contingent on the City Council's approval of the PD rezone. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

2. Development Plan Requirements:

1. A written statement shall be provided that explains the intent of the proposal, explains how the PD provisions will be met, and identifies the requested revisions to standard zoning and development provisions.
2. A map and other textual or graphic materials as necessary to define the geographical boundaries of the area to which the requested PD District would apply.

3. A development plan shall also include:
 1. Site plan/conceptual subdivision plan;
 2. Circulation and access plan;
 3. Building elevations, materials, and colors;
 4. Landscape and open space plan;
 5. Signage plan;
 6. Lighting plan; and
 7. Allowed uses.
3. Prohibited:
 1. Sexually oriented businesses shall not be allowed in a PD District where otherwise prohibited by this Code.
 2. A PD District shall not be approved in the P-C Zone or Single-Family Residential Zones (R-1.8, R-2.5, R-3, R-4, R-5).
4. Effect Of Approval:
 1. All of the provisions of this Code, including those of the base zone, shall be in full force and effect, unless such provisions are expressly waived or modified by the approved development plan and/or development agreement.
 2. An approved PD District shall be shown on the zoning map by a "-PD" designation after the designation of the base zone district.
 3. No permits for development within an approved PD District shall be issued by the City unless the development complies with the approved development plan. (Ord. 2016-05, 5-3-2016)
 4. The Planning Director may authorize minor deviations from an approved development plan to resolve conflicting provisions or when necessary for technical or engineering considerations. Such minor deviations shall not affect the vested rights of the PD District and shall not impose increased impacts on surrounding properties. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)
5. Vested Rights:
 1. A property right that has been vested through approval of a PD District shall remain vested for a period of three (3) years or upon substantial commencement of the project. A property right may be vested, or an extension of a vested property right may be granted, for a period greater than three (3) years only if approved by the City Council through an approved PD District. (Ord. 2016-05, 5-3-2016)
 2. Substantial commencement shall be the installation of infrastructure, a building having started construction, or as determined by the Planning Director based on significant progress otherwise demonstrated by the applicant. A project that has not substantially commenced may, at the discretion of the property owner, develop according to the base zone. A project that has substantially commenced shall not deviate, in whole or in part, from the approved PD District, unless amended per section 17.130.050.030 of this section 17.130.050.

HISTORY

Amended by Ord. 2016-05 on 5/3/2016

Amended by Ord. 2019-01 on 3/5/2019

Amended by Ord. 2023-07 on 5/2/2023

17.130.050.030: AMENDMENTS

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

HISTORY

Amended by Ord. 2016-05 on 5/3/2016

Amended by Ord. 2023-07 on 5/2/2023

CHAPTER 17.40 RESIDENTIAL ZONES

17.40.010: PURPOSE

17.40.020: DEVELOPMENT AND DESIGN STANDARDS

17.40.030: OTHER REQUIREMENTS

17.40.010: PURPOSE

This chapter is established to provide standards and regulations, consistent with the city's general plan and the purposes and provisions of this title, for single-family residential areas in the city. This chapter shall apply to the following residential zones as established in chapter 17.20, "Zone Establishment", of this title: R-1.8, R-2.5, R-3, R-4, R-5, and R-M zones. Uses may only be conducted in residential zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and other associated use regulations may be found in chapter 17.18, "Uses", of this title.

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

17.40.020: DEVELOPMENT AND DESIGN STANDARDS

1. **Development Review:** Uses proposed in residential zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in residential zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as otherwise allowed under state law.
2. **Lot Area:** The area of any lot in residential zones shall not be less than the minimum lot area requirement identified in the minimum lot area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

Zone	Minimum Lot Area (Square Feet)
R-1.8	14,520
R-2.5	12,000
R-3	10,000
R-4	8,000
R-5	6,000

R-M	5,000
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3. Lot Density: The maximum gross density (number of lots or primary dwelling units per acre) in any residential development in a residential zone shall not exceed the density shown in the lot density table below. The primary dwelling density of each area zoned R-M shall be determined, according to the densities established in the lot density table, with approval of a rezoning application per chapter 17.22, "Zoning Amendments", of this title and indicated on the official zoning map with a numerical suffix matching the approved density.

Zone	Maximum Density	Gross
R-1.8	1.8	
R-2.5	2.5	
R-3	3	
R-4	4	
R-5	5	
R-M-5	5	
R-M-6	6	

4. Lot Width And Frontage: Each lot or parcel in a residential zone shall have a minimum lot width not less than the dimension in the minimum width column of the lot width and frontage table below. The minimum lot width shall be measured at the minimum front yard requirement (see subsection F of this section) that shall be determined from a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance not less than the dimension in the frontage (standard) column of the lot width and frontage table below, except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right-of-way or landscaped open space a minimum distance not less than the dimension in the frontage (diverged) column.

Zone	Minimum Width	Frontage (Standard)	Frontage (Diverged)
R-1.8	90'	90'	50'
R-2.5	90'	90'	50'
R-3	85'	85'	50'
R-4	80'	80'	50'
R-5	75'	75'	50'

R-M-5	65'	65'	40'
R-M-6	60'	60'	40'

5. Lot Coverage: The area of lot, parcel or private ownership area in a residential zone covered by buildings shall not exceed the percentage identified in the lot coverage table below of the total lot, parcel or private ownership area.

Zone	Maximum Building Coverage
R-1.8	40%
R-2.5	40%
R-3	40%
R-4	40%
R-5	50%
R-M	60%

Zone	Front Yard (Interior And Corner Lots)	Garage Opening ¹ (Front Or Street Side)	Front Yard (Cul-De- Sac Lots)	Side Yard (Standard)	Side Yard (Corner Lot Street Side)	Rear Yard (Interior Lot)	Rear Yard (Corner Lot)
R-1.8	30'	30'	25'	10'	30'	25'	10'
R-2.5	25'	30'	20'	10'	25'	25'	10'
R-3	25'	30'	20'	10'	25'	25'	10'
R-4	20'	25'	20'	8'	20'	20'	10'
R-5	20'	25'	20'	8'	20'	20'	10'

R-M-5	20'	25'	20'	8'	10'	20'	10'
R-M-6	20'	25'	20'	8'	10'	20'	10'

6. Yard Area: The yard area (setback) requirements below shall apply in all residential zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review.

1. Main Buildings: Minimum yard area requirements for main buildings are as follows:

2. Note:

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

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

1. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.
2. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings less than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line.
3. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').
4. Buildings Used To Shelter Animals: Buildings used for the housing or shelter of animals shall be located a minimum distance of forty feet (40') from any existing dwelling or neighborhood street right-of-way or, if approved with a conditional use permit, a minimum of twenty feet (20') from any collector street right-of-way line.
5. Projections: The following may be erected on or projected into any required yard space in Residential Zones:
 1. Fences and walls in conformance with this Code.
 2. Agricultural crops and landscape elements, including trees, shrubs and other plants.
 3. Utility or irrigation equipment or facilities.
 4. Decks not more than two feet (2') high.

5. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.
6. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.
7. **Parking And Access:** Parking areas and vehicle access in Residential Zones shall meet the requirements of title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title, and title 10 of this Code (Traffic Code). A driveway may only directly access a collector or arterial street with approval of the Utah Department of Transportation ("UDOT") for UDOT streets or with approval of the City Engineer for City streets.
8. **Fencing, Screening And Clear Vision:** The fencing, screening and clear vision requirements of this section shall apply in Residential Zones.
 1. **Utility Screening:** In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.
 2. **Incompatible Land Use Screening:** Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.
 3. **Rear And Side Yard Fencing:** A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
 4. **Front Yard Fencing:** A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in Clear Vision Areas, according to Section 16.04.200 (J). A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.
 5. **Clear Vision Area:** Landscape materials within a Clear Vision Area shall comply with Section 16.04.200 (J).
 6. **Collector Street Fencing:** Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right-of-way in a Residential Zone shall be constructed according to section 16.04.200 of this Code.
9. **Architecture:** The following exterior materials and architectural standards are required in Residential Zones:
 1. **General Architectural Standards:**
 1. All building materials shall be high quality, durable and low maintenance.
 2. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.

3. Signs shall meet requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.
 4. Main buildings shall be no greater than thirty five feet (35') high.
2. Architectural Standards For Main Buildings:
1. Residential main buildings shall include a minimum two car garage (minimum twenty-two feet (22') by twenty-two feet (22'), or an approved equivalent area).
 2. The minimum total floor area, finished and unfinished, of any residential main building shall be one thousand (1,000) square feet not including a garage.
 3. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.
3. Architectural Standards For Accessory Buildings:
1. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high.
 2. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M Zones shall not exceed sixty percent (60%) of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty percent (60%) but in no case shall exceed the footprint of the main building. In the R-1.8 Zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.
 3. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:
 1. Openings (e.g., windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.
 2. The average wall height shall not exceed sixteen feet (16') above grade.
 4. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch in the R-1.8 Zone, and a minimum three to twelve (3:12) roof pitch over a majority of the structure in all other Residential Zones.
 5. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

10. Landscaping: The following landscaping requirements and standards shall apply in Residential Zones. Landscaping in Residential Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.

1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area covered in acceptable live plant material unless otherwise approved with a conditional use permit.
2. All collector street and other public and private park strips in Residential Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.
3. Where an adjacent park strip in a residential right-of-way is a minimum of five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip, except that park strip trees shall not be planted within thirty feet (30') of a stop sign. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.
4. In developments that have a principal use other than single-family, detached, the following landscaping requirements shall apply:
 1. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.
 2. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sports or play areas, is required. At least thirty percent (30%) of all required trees shall be a minimum seven foot (7') evergreen. Deciduous trees shall be a minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.
 3. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.
 4. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.
 5. All landscaped areas shall be curbed.
5. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any area so included and perpetually preserved as open space may be counted toward required open space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.
6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300, "Deferred Improvements", of this Code.
7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public rights-of-way that are not maintained by the City.

8. Required trees may not be topped and required landscape material may not be removed in Residential Zones without City approval.
 9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.
11. Lighting:
1. A lighting plan shall be submitted with all new nonresidential developments in Residential Zones.
 2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.
 3. Lighting fixtures in all developments that have a principal use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.
 4. Lighting fixtures on public property shall be approved by the City Engineer.
12. Streets: Streets in Residential Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in Residential Zones unless otherwise provided for in this chapter.

(Ord. 2016-05, 5-3-2016; amd. Ord. 2017-22, 7-18-2017; Ord. 2019-01, 3-5-2019; Ord. 2019-06, 3-19-2019; Ord. 2021-06, 2-16-2021; Ord. 2021-09, 5-4-2021; Ord. 2021-20, 10-5-2021)

HISTORY

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

17.40.030: OTHER REQUIREMENTS

1. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)
2. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.
3. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.
4. Common Areas: All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually owned and maintained by the property owners of the development or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City.
5. Prior Created Lots: Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a Residential Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.
6. Approval: Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this Code and the applicable plat recorded with the Salt Lake County Recorder's Office.
7. Open Space: Any open space provided within a subdivision to be jointly owned, maintained and preserved by a homeowners' association and/or special assessment area acceptable to the City shall be labeled and

recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The City may determine the location of open space in a subdivision by considering topography, drainage or other land features. The City may require a cash bond or a letter of credit to guarantee installation of improvements.

8. Developer Requirements: Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants and restrictions ("CC&Rs") to the City for staff review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:
 1. An opinion of legal counsel licensed to practice law in the State that the project meets requirements of State law.
 2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to City conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by City staff and approved by the Planning Commission.
 3. Language consistent with section 17.04.300 of this title.

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

CHAPTER 17.60 COMMERCIAL ZONES

17.60.010: PURPOSE

17.60.020: DEVELOPMENT AND DESIGN STANDARDS

17.60.030: OTHER REQUIREMENTS

17.60.010: PURPOSE

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

1. C-N Zone: The purpose of the C-N zone is to provide areas where small scale commercial retail and service uses may be located to accommodate the daily needs of local residents and passing motorists. Uses should be harmoniously integrated with surrounding neighborhoods and impose minimal detriment resulting from traffic, lighting, noise, or other negative effects.
2. C-C Zone: The purpose of the C-C zone is to provide areas for large scale community or regional retail and service uses. These areas will generally be located near major transportation hubs but should be designed to buffer neighboring residential areas. Coordinated circulation, architecture and landscaping and a balance of uses should be incorporated in developments.

3. C-F Zone: The purpose of the C-F zone is to provide areas along the interstate freeway for major commercial uses that are both compatible with and dependent on freeway visibility and access. Developments should be generally upscale with attention given to coordination of traffic circulation and building placement. Developments should provide a pleasing and functional environment that represents the quality of life in the city and also enhances employment opportunities and the retail tax base of the city.

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

17.60.020: DEVELOPMENT AND DESIGN STANDARDS

1. Development Review: Uses proposed in commercial zones may only be established in conformance with the city's development review procedures. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in commercial zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as allowed under state law.
2. Area Requirements: Commercial zones shall comply with the requirements in the area requirements table below. A C-N zone shall not be established when located within one-third (1/3) mile of another commercial zone (C-N, C-C, or C-F).

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

Notes

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

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

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

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

measuring the minimum yard area may be established where an atypical street cross section exists and when recommended by the Planning Director and approved by the Planning Commission. (Ord. 2015-09, 12-1-2015; amd. Ord. 2019-01, 3-5-2019)

2. The required yard area for front, side, and rear yards shall extend a distance of thirty feet (30') away from and along a property line adjacent to a Residential or Agricultural Zone.
2. The minimum yard area requirement may be reduced, when the reduction does not violate clear vision requirements of this Code, in the following circumstances:
 1. The required yard area of subsection E1a of this section may be reduced from twenty feet (20') to ten feet (10') for buildings designed with a public entrance to the building that is oriented toward and directly connected to the adjacent right-of-way by a pedestrian walkway and the side of the building that is oriented to the right-of-way includes architectural elements that distinguish it as the primary pedestrian access to the building.
 2. Should an adjacent Residential or Agricultural zoned property have a future land use designation that is not residential or agricultural, the required yard area of subsection E1b of this section may be reduced if approved by the Planning Commission with site plan review.
3. The following may be projected into any required yard area in Commercial Zones:
 1. Fences and walls in conformance to City codes and ordinances.
 2. Landscape elements, including trees, shrubs and other plants.
 3. Minor utility or irrigation equipment or facilities.
 4. Decks not more than two feet (2') in height.
 5. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to a building that does not extend more than two feet (2') into a side yard area or four feet (4') into a front or rear yard area.
 6. Chimneys, fireplace keys, box or bay windows, or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.
6. Parking And Access: Parking areas and access in Commercial Zones shall comply with title 16, chapter 16.26, "Parking And Access", of this Code; chapter 17.18, "Uses", of this title; title 10, "Vehicles And Traffic", of this Code; and the following:
 1. Surface parking areas, except for approved street parking, shall not be located between a building and a public right-of-way on lots or parcels adjacent to a public right-of-way. This requirement shall only apply to one side of a lot or parcel that is adjacent to a public right-of-way on multiple sides.
 2. Surface parking areas, except for approved street parking, located within thirty feet (30') of a public right-of-way shall be screened by grading, landscaping, walls/fences, or a combination of these, to a height of three feet (3') above the surface of the parking area. (Ord. 2015-09, 12-1-2015)
 3. The Planning Director may approve an exception to the requirements of this subsection F if he or she determines that any of the requirements are not reasonably possible based on the unique characteristics of the site. (Ord. 2015-09, 12-1-2015; amd. Ord. 2019-01, 3-5-2019)

7. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply to all Commercial Zones: (Ord. 2015-09, 12-1-2015)
1. All mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings. (Ord. 2017-22, 7-18-2017)
 2. The boundary of a Commercial Zone that is not in or adjacent to a public right-of-way and that is adjacent to a Residential or Agricultural Zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the Commercial Zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit may be required for fences and walls according to applicable Building Codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.
 3. No wall, fence or screening material shall be erected between a street and a front or street side building line in Commercial Zones, except as required by subsection G1 of this section.
 4. Landscape materials within a Clear Vision Area shall comply with Section 16.04.200 (J).
8. Architecture: The following exterior materials and architectural standards are required in Commercial Zones:
1. Applicants for development approval shall submit for site plan review architectural drawings and elevations, exterior materials, and colors of all proposed buildings. In projects containing multiple buildings, the applicant shall submit a design book that includes an architectural theme, features, exterior materials and colors governing the entire project.
 2. All building materials shall be high quality, durable and low maintenance.
 3. In the C-N Zone, exterior walls of buildings shall be constructed with a minimum of fifty percent (50%) brick or stone. The balance of exterior wall area shall consist of brick, stone, glass, decorative integrally colored block and/or no more than fifteen percent (15%) stucco or tile. Other materials may also be used for decorative accents and trim in the C-N Zone with development approval. Roofs in the C-N Zone shall be hipped or gabled with a minimum six to twelve (6:12) pitch.
 4. Exterior walls of buildings that are longer than sixty feet (60') in length shall have relief features at least four inches (4") deep at planned intervals.
 5. All sides of buildings shall receive design consideration.
 6. Signs shall meet requirements of title 16, chapter 16.36 of this Code and shall be constructed of materials that are consistent with the buildings that they identify.
 7. Buildings and structures in Commercial Zones shall not exceed the height shown in the maximum building height table below unless otherwise allowed in this title.

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

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

1. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.
 2. Shade trees shall be planted between double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum intervals of three (3) stalls and no farther than six feet (6') from the parking area. Shade trees are not required in parking rows which are adjacent to buildings.
 3. All landscaped areas adjacent to parking areas shall be curbed.
 7. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required yard space for the development. If approved by the city engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without written approval of any entity or agency having jurisdiction over said waterways.
 8. All required landscaping shall be installed (or escrowed due to season) prior to occupancy.
 9. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners.
11. Lighting: The following lighting requirements shall apply in commercial zones:
1. Applicants for development approval shall submit a lighting plan, which shall include a photometric analysis.
 2. Site lighting shall adequately light all parking areas, walkways, and common areas. Site lighting shall be designed and/or shielded to prevent glare on adjacent properties.
 3. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.
 4. Lighting fixtures on public property shall be architectural grade and consistent with a streetlight design approved by the city engineer.

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

HISTORY

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

17.60.030: OTHER REQUIREMENTS

1. Private Covenants: The developer of a condominium project in a commercial zone shall submit a proposed declaration of covenants to the city attorney for review, including an opinion of legal counsel licensed to practice law in the state that the condominium meets requirements of state law, and record the covenants with the condominium plat for the project.
2. Maintenance: All private areas in developments shall be properly maintained by the property owners.
3. Easements: Buildings may not be located within a public easement.

4. Phasing Plan: Applicants seeking development approval of a phased project shall submit for review at the time of preliminary plat or site plan approval a project phasing plan. Development shall be in accordance with the project phasing plan unless the city approves a revised project phasing plan.
5. Nonconforming Lots Or Parcels: Nonconforming lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a commercial zone shall be brought into conformance with the requirements of this chapter prior to development.

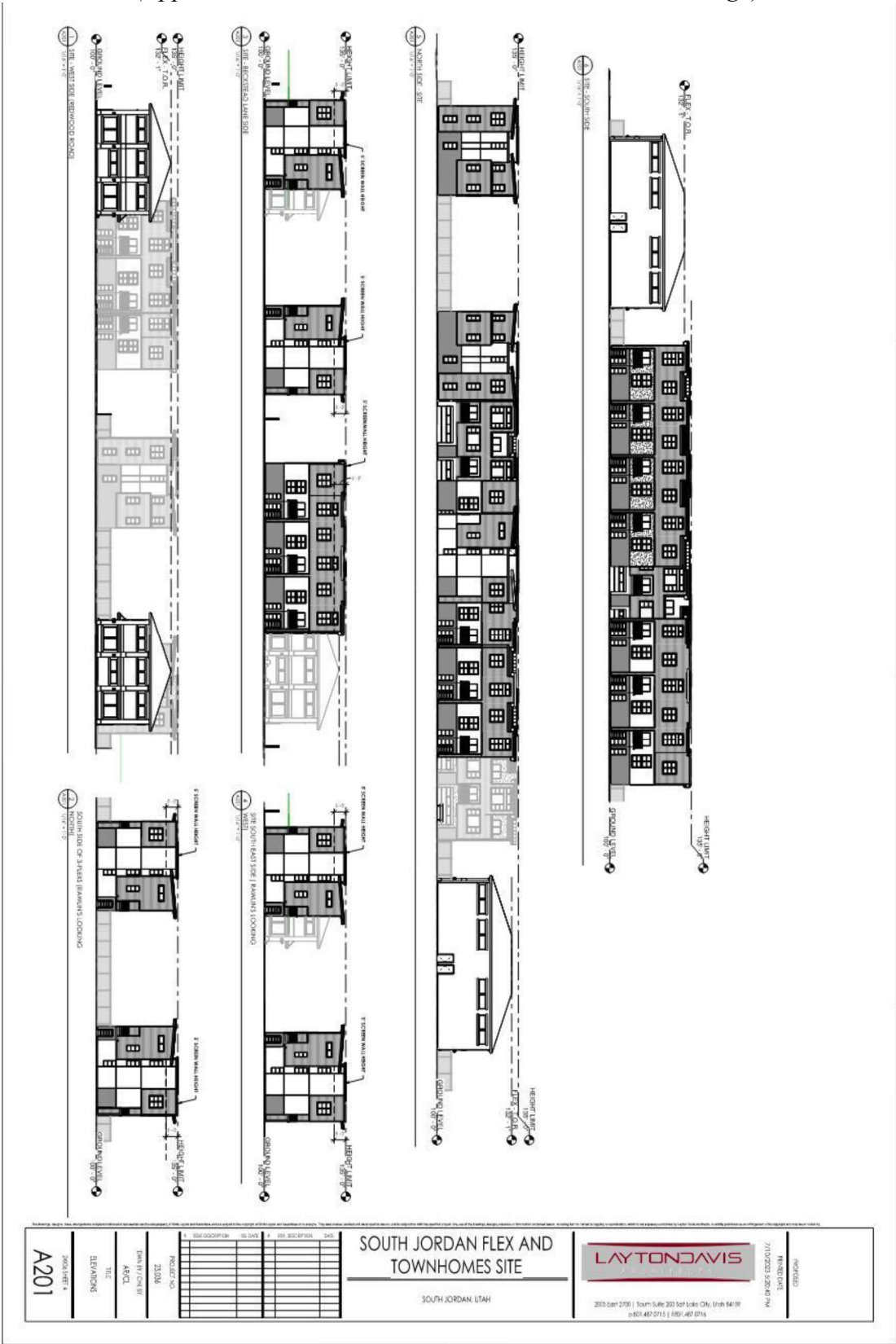
(Ord. 2015-09, 12-1-2015; amd. Ord. 2016-05, 5-3-2016)

EXHIBIT E
(Resolution R2023-25)

[TO BE INSERTED]

(Approved Architecture, Elevations, Materials, and Design)

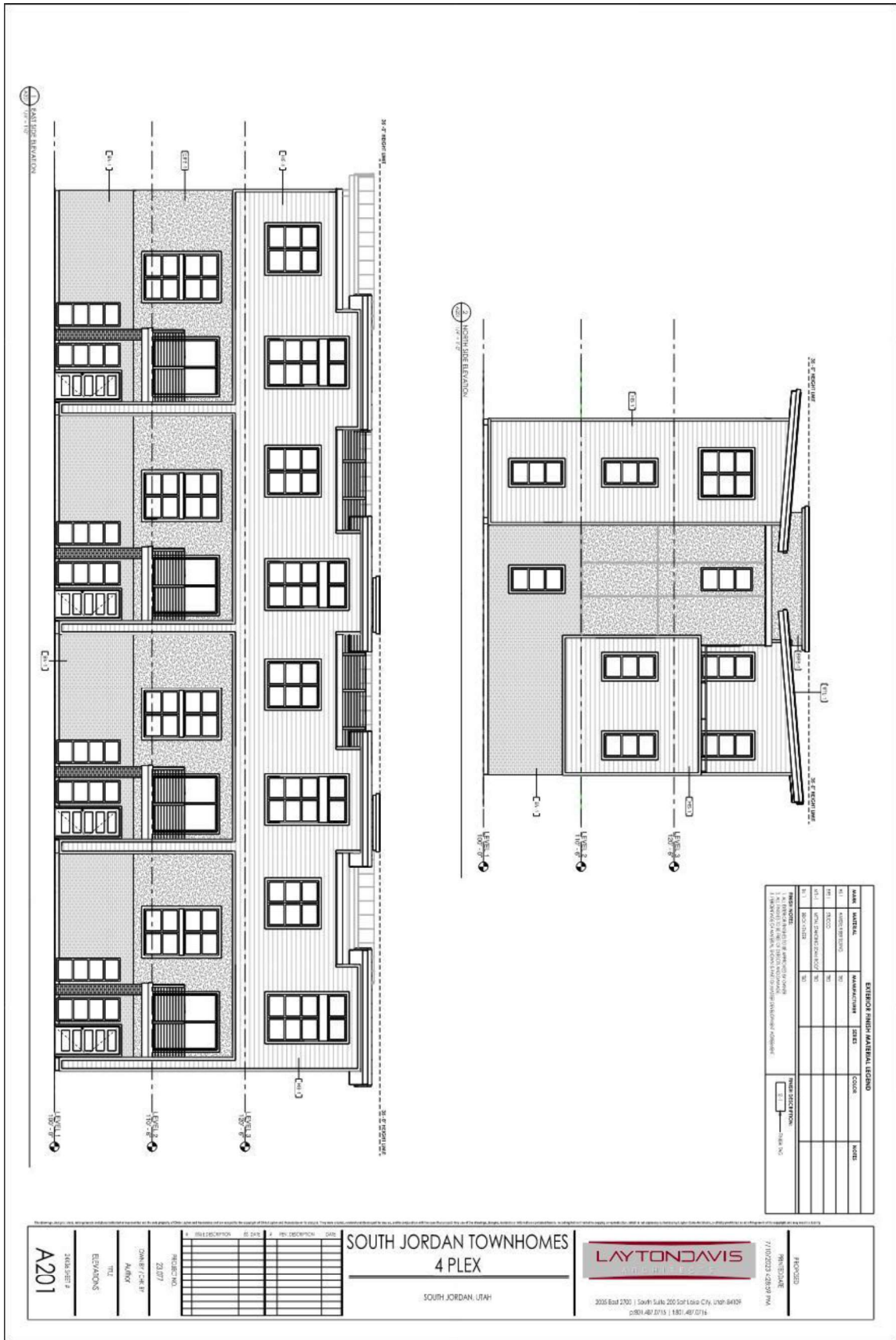
(Approved Architecture, Elevations, Materials, and Design)

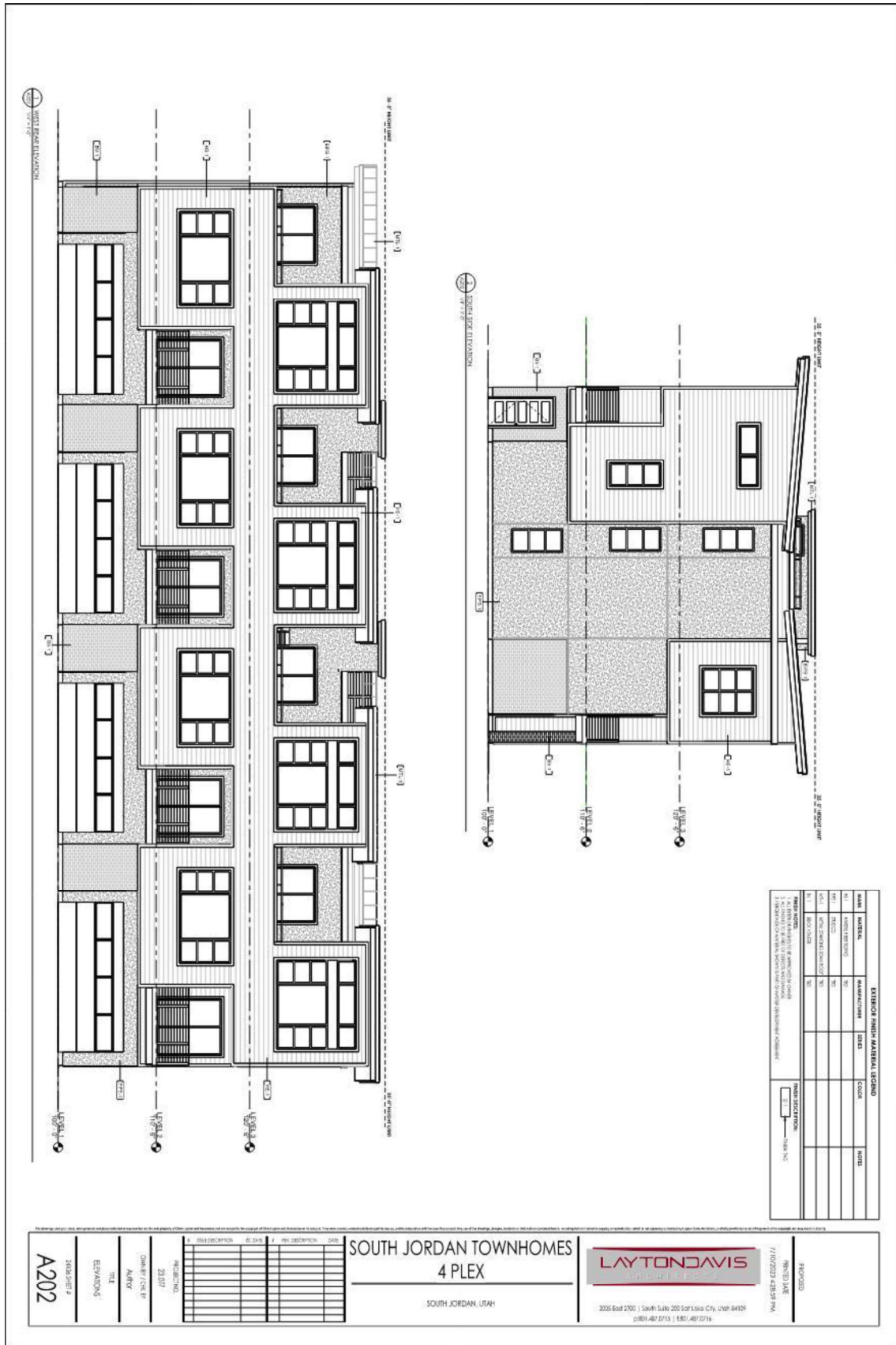


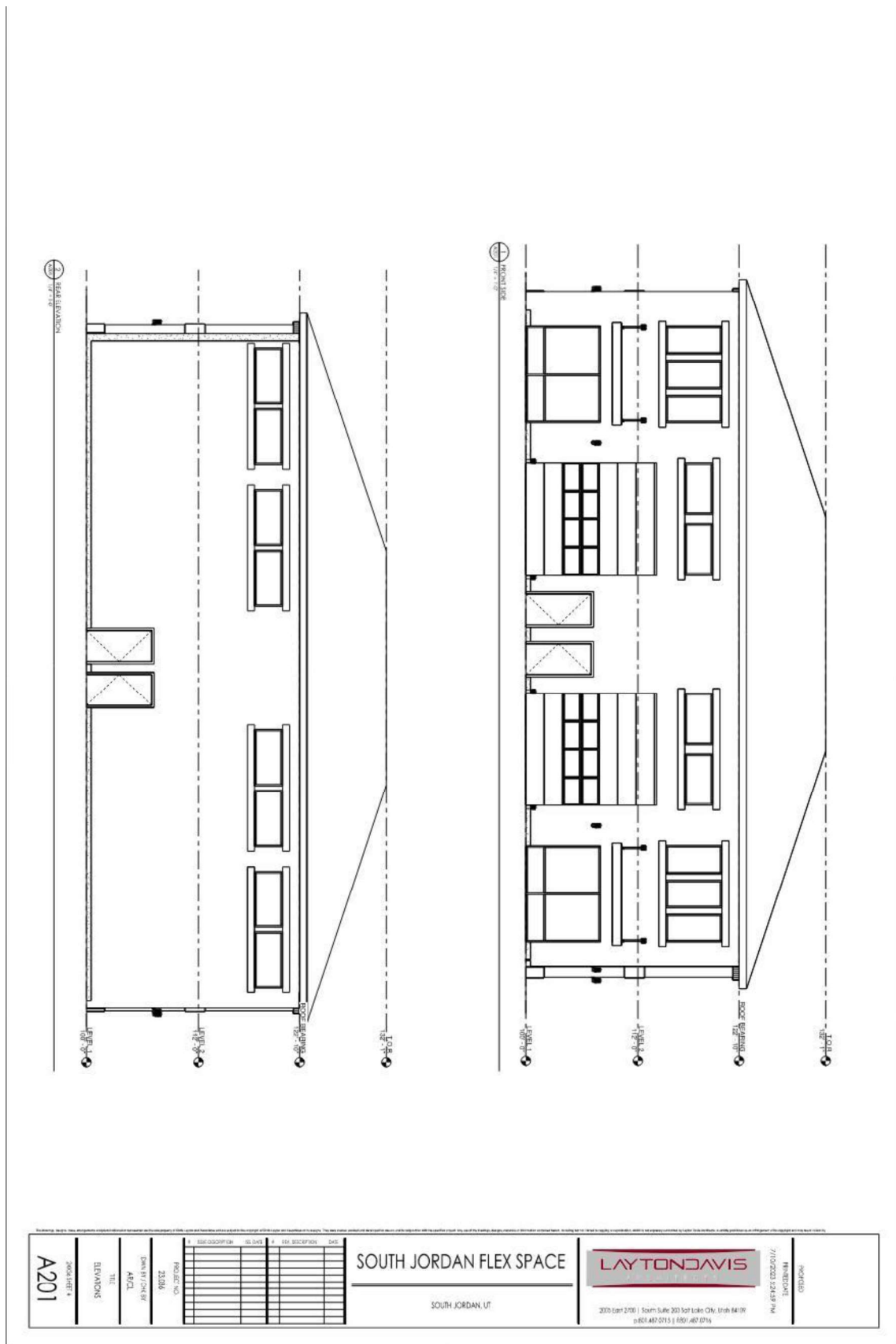


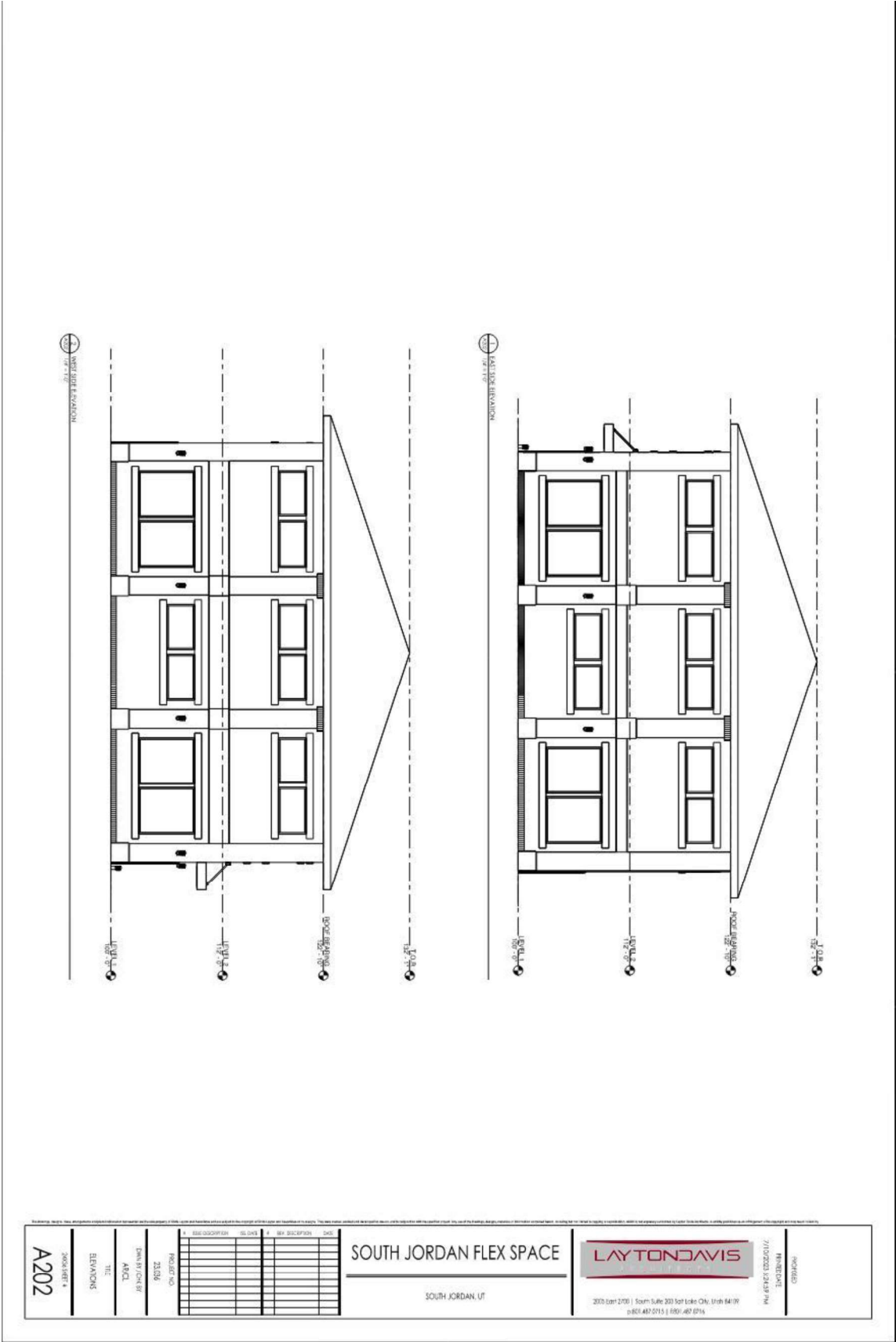












ORDINANCE NO. 2023-03-Z

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

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

WHEREAS, the Applicant, Brian Adams on behalf of J.L. Salt Construction, Inc. dba Dream Home Builders, proposed that the City Council amend the Zoning Map by rezoning the property described in the attached **Exhibit A**; and

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

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

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

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

SECTION 1. Rezone. The property described in Application PLZBA201900236 filed by Brian Adams on behalf of J.L. Salt Construction, Inc. dba Dream Home Builders, located in the City of South Jordan, Utah is hereby reclassified from the A-5 (Agricultural, minimum 5 acre lot) Zone and R-2.5 (Single-Family Residential, 2.5 lots per acre) Zone to R-M-PD (Residential-Multiple-Planned Development Floating) Zone, on property described in the attached **Exhibit A**.

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

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

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

[SIGNATURE PAGE FOLLOWS]

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

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:



Gregory M Simonsen (Aug 11, 2023 08:28 MDT)

Office of the City Attorney

EXHIBIT A

27-22-201-020

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

27-22-201-028

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

