

**CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, AUGUST 12, 2025 at 6:30 PM**



Notice is hereby given that the South Jordan Planning Commission will hold a meeting at 6:30 p.m. on Tuesday, August 12, 2025. The meeting will be conducted in person in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah, and virtually via Zoom phone and video conferencing. Persons with disabilities requesting assistance should contact the City Recorder at least 24 hours prior to the meeting. 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. Please note that attendees joining virtually or by phone may not comment during public comment or a public hearing; to comment, individuals must attend in person.

If the meeting is disrupted in any way deemed inappropriate by the City, the City reserves the right to immediately remove the individual(s) from the meeting and, if necessary, end virtual access to the meeting. Reasons for removal or ending virtual access include, but are not limited to, posting offensive pictures or remarks, making disrespectful statements or actions, and other actions deemed inappropriate.

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

Instructions on how to join virtually are provided below.

Join South Jordan Planning Commission Electronic Meeting:

- Join on any device that has internet capability.
- Zoom link, Meeting ID and Password will be provided 24 hours prior to meeting start time.
- Zoom instructions are posted <https://www.sjc.utah.gov/254/Planning-Commission>

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

- A. **WELCOME AND ROLL CALL – Commission Chair Nathan Gedge**
- B. **MOTION TO APPROVE AGENDA**
- C. **APPROVAL OF THE MINUTES**
 - [C.1.](#) July 22, 2025-Planning Commission Meeting Minutes
- D. **STAFF BUSINESS**
- E. **COMMENTS FROM PLANNING COMMISSION MEMBERS**
- F. **SUMMARY ACTION**
- G. **ACTION**
- H. **ADMINISTRATIVE PUBLIC HEARINGS**

I. LEGISLATIVE PUBLIC HEARINGS

I.1. BESS DENTAL OFFICE REZONE AND LAND USE AMENDMENT

Address: 9828 S Temple Dr; 9822 S Temple Dr; 9816 S Temple Dr

File No: PLZBA202400175

Applicant: Shea Bess

J. OTHER BUSINESS

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

: §

COUNTY OF SALT LAKE)

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

Dated this 7th day of August, 2025.

Cindy Valdez

South Jordan City Deputy Recorder

**CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
July 22, 2025**

Present: Chair Nathan Gedge, Commissioner Michele Hollist, Commissioner Lori Harding, Commissioner Sam Bishop, Assistant City Attorney Greg Simonson, City Planner Greg Schindler, Planner Damir Drozdek, Assistant City Engineer Shane Greenwood, Director Brian Preece, Deputy Recorder Cindy Valdez, IT Director Matt Davis, GIS Coordinator Matt Jarman.

Absent: Commissioner Steven Catmull

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

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

Chair Gedge welcomed everyone to the Planning Commission Meeting and noted that (4) of the Planning Commissioner's are present. Commissioner Catmull is excused from tonight's meeting.

B. MOTION TO APPROVE AGENDA

If you are here for the Bess Dental office rezone, that item has been removed from this evening's agenda and will be heard at our next meeting on Tuesday, August 12, 2025 Any emails that city has received today will be part of that public record.

Chair Hollist said do we know why that was pulled?

Planner Schindler said it was pulled because there was an improper notice. The sign that went on the property from public works did not get put up in time to meet the noticing requirement. Planner Aguilera thought that Public Works would put it up on the Friday before, but the streets division is closed on Friday, so nobody was there to do it. It got put up late, and so we decided to not bring it forward.

Commissioner Hollist motioned to approve the July 22, 2025 Amended Planning Commission Agenda. Chair Gedge seconded the motion. Vote was 4-0 unanimous in favor; Commissioner Catmull was absent from the vote.

C. APPROVAL OF THE MINUTES

C.1. Approval of the June 24, 2025 - Planning Commission Meeting Minutes.

**Commissioner Hollist motioned to approve the June 24, 2025 Planning Minutes.
Commissioner Gedge seconded the motion. Vote was 4-0 unanimous in favor;
Commissioner Catmull was absent from the vote.**

D. STAFF BUSINESS

Planner Schindler said I found out today that Councilman McGuire has chosen someone to fill the replacement for Laurel Bevans as the new Commissioner for his district. The person he's chosen will be presented to the City Council at the August 5th or the August 19th meeting. I also wanted to let you know that there is an opportunity for you to get training hours. If you'd like to attend the Utah Chapter of the APA fall conference we can register, and pay for the registration fee and so forth for you to attend. The conference is October 9 and 10th, and it will be at the Depot down at Gateway. If you're interested in going, I'd like to know hopefully sometime next week, as quickly as possible, so we can get you registered. We can discuss with our director and the attorney how many hours of training you would get by going to that meeting.

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Commissioner Harding said we did have a brief conversation about the email we received. I would like to recommend that we come up with a way where it can be documented, so we know what to do when an email comes in and what to do with it, an understanding so we're all consistent. Do we forward it? Do we not forward it? Who responds to it? Things of that nature? It's just my first time getting a direct email from staff.

Planner Schindler said we can probably come up with something in writing by maybe next meeting.

F. SUMMARY ACTION

G. ACTION

H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. DAYBREAK COMMERCE PARK PLAT 4 AMENDED

Address: 7040 W Crimson View Drive (10360 South)

File No: PLPLA202300214

Applicant: Dominion Engineering- Logan Terry

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

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

Chair Hollist said I am trying to understand the intent of the circle. Is that going to be the only access to these properties in the middle, and access across one of those parkings?

Planner Schindler said there's Crimson View Drive along the south side, this is a road that's going to continue out.

Commissioner Hollist said what's the purpose of the cul de sac?

Planner Schindler said the cul de sac in the middle will give an extra access to those two lots there because they're larger. And then the biggest lot has access also off of Wire Grass, but the two smaller lots toward the end, we're only going to have access only off of Crimson View Drive.

Commissioner Bishop said I'm just curious. We're amending the plat, right? The subdivision, etc. is also like a road dedication.

Planner Schindler said well this will be dedicating the extension of crimson View Drive, and also that cul de sac is all included in the in the approval, when the subdivision is recorded that dedication will happen.

Commissioner Harding motioned to approve File No. PLPLA202300214 Daybreak Commerce Park Plat 4 Amended. Chair Gedge seconded the motion. Roll Call Vote was 4 to 0 unanimous in favor; Commissioner Catmull was absent from the vote.

H.2. ATWELL SUITES SITE PLAN

Address: 10526 S. Jordan Gateway

File No: PLSPR202400220

Applicant: Zach Gundry, The Richardson Design Partnership, LLC

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

Chair Gedge said is there any parking requirements for the hotel staff?

Planner Drozdek said not for staff, it's, one per room. I guess the assumption is it's not going to be 100% occupied.

Commissioner Hollist said incorporating the suggestion that the ARC Committee had recommended, but recommendations aren't necessarily ending it is a suggestion or a recommendation?

Planner Drozdek said since it's not required by city code to have an amount of rock, stone or brick, they do not have to do it. So it is something that the ARC Committee recommended. But again, since it's not required by city code they're not obligated to do it. It's a recommending body, basically.

Commissioner Harding said is it an extended stay at all, or is it a standard hotel?

Planner Drozdek said I believe it's a standard hotel, but maybe the applicant can speak to that.

Commissioner Bishop said I am curious about the approach to the building, it seems like a really hard u-turn as you approach and then you come back up to the front. Am I understanding that correctly?

Planner Drozdek said yeah, but it's because of the grade. They're trying to make that grade, and that's the reason for that turn to the south, because it's going up the hill.

Commissioner Bishop said I wondered with a building like this, do you need a bay for big truck deliveries?

Planner Drozdek said I imagine they may need to come in from time to time, but it's something that they've taken into consideration, I'm sure.

Chair Gedge said just one other thing for Assistant City Engineer Greenwood. So this is right off Jordan gateway on the west side of the street, are there any concerns with vehicular traffic crossing the Jordan to get you going north accessing this? Sometimes it backs up as people exit the front runner station, or a the gateway to turn off to where 10400 S stops at the Parkway.

Assistant City Engineer Shane Greenwood said we looked at it but we don't have any concerns with it.

Taggard Harris (Architecture) said Damir did a great job reviewing the staff report. I won't add too much, but yeah, it's not a full service kitchen, so loading and unloading is very minimal in and out loading. There's some strategic loading doors around that we can use as parking lots. The main entry is favorable for that as well and that is on site. I would be happy to answer any questions you may have for me.

Chair Gedge said just on the parking, is there 84 rooms?

Mr. Harris said so we have some additional rooms, and again, it's not fully occupied.

Chair Gedge said is this the first location in Utah?

Mr. Harris said yes, the Atwell brand is very new, which is part of the reason why we didn't have a lot of flexibility on the design. IHG holds their design of this initial product. So when we pushed to get stone and some other products on the exterior, we were shut down hard. So because it fit within the alignment, we were hoping to make that adjustment, but the brand wasn't allowing it.

Chair Gedge said the idea here is that we're capturing a lot of people coming from the airport that are moving south. So based on their pro forma, this area, this location, there's a couple other hotels, and I think just the site itself has been pre graded. There is two access points there, which is another reason why we're not proposing a new access point. There's two shared accesses there. But the hope is to capture a lot of people. Coming from the airport.

Chair Gedge said we have recently approved a new pickleball development that is within almost walking distance. Will you guys have any type of shuttle, hotel shuttle, to the airport and or to that location for people who are at pickleball tournaments.

Mr. Harris said you know the owner Ben, what are you thought on shuttles?

Ben Smith (Zadok Construction) said I don't believe there's any plan for an airport shuttle, the distance is significant enough that it doesn't make sense to have a shuttle and then to address further shuttling to other local events could be a possibility. I don't know that our clients are aware of the plans for the pickleball court. I think they'll be glad to hear that, and I'm sure they would love to incorporate that into the business model. So, I know they're online watching right now, so I'm sure they have heard this conversation. We just appreciate the consideration and all the help that we've had from the planning and engineering departments. If you have any other questions, I am here to answer them.

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

Chair Gedge motioned to approve File No. PLSPR202400220 Atwell Suites Site Plan. Commissioner Harding seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Catmull was absent from the vote.

I. LEGISLATIVE PUBLIC HEARINGS

I.1. HOWLAND ZONE CHANGE

Address: 9450 S. Redwood Rd.

File No: PLZBA202500118

Applicant: Tina Franco, Howland Partnership

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

Commissioner Hollist said will this be a single parcel?

Planner Drozdek said yes, this be a single parcel.

Commissioner Hollist said will the entire three acres conform to the requirements of a one as far as coverage, building usage and etc.

Planner Drozdek said we can only cover a certain percentage and that's with buildings, not pavement.

Commissioner Hollist said I'm curious about what the residential accessories will become, essentially, and then there's additional building, so just what the use will be for all of these various things. I assume this is not also coming with a guest house or 80 request, right?

Planner Drozdek said not for now, but it's not to say that it's not going to be back in front of you in the future. But right now there's no request for a guest house or an accessory ADU. for the current existing business.

Commissioner Hollist said so for the current existing business that would have to come in front of us to convert it into an ADU, correct? Because I'm guessing the square footage makes it a requirement for the Commission to review it.

Planner Drozdek said I haven't looked at the square footages, but if it exceeds, it'll come back to you. If it doesn't exceed, then it's going to be approved by staff, and then you don't get to see it, but it just depends on the size.

Chair Gedge said so being three acres, they would be afforded animal rights again on this property.

Planner Drozdek said yes.

Chair Gedge said if they were to subdivide in the future, they could go to one acre lot size, because it's a one, so if you wanted to go anything smaller, It would have go through another rezone to accomplish that.

Planner Drozdek said yes, that is correct.

Commissioner Harding said so help me understand, with all the parking and everything that is there, are they required then to remove it?

Planner Drozdek said no, they're not, because in A-1 or A-5 zone, you can still have a single family residence. You don't need to be growing crops or having farm animals, you can have just a home on an A-1 zone property. They are not required to make changes to it. I mean, you could still have a parking area even in front of your home if you wanted to.

Commissioner Harding said what does that change as far as taxes for the two?

Planner Drozdek I think it's the count. Maybe they can answer that, but the county assesses them at a higher rate if it's commercial.

Gary Allen (Property Owner) said I'm the owner of the property. I've lived there for about 26 or 27 years. The office has been my office, I've walked to work for 20 years, and so we're now in Murray. We actually have already moved the office, and so our offices are in Murray. We moved in April, and so my daughter would like to see a horse put in the office, but I don't want the horse to go in the office. At this point, we're not sure what we're going to do,

Commissioner Harding said so what is the purpose of changing, if you don't really have to do anything, what's the benefit of changing right now?

Mr. Allen said because only a portion of my property is residential per the county records, and part of it is commercial. I'm only able to deduct, if you will, the property taxes relative to and get the exemption on the residential portion of the property. By putting all the property in as residential, I'm able to claim the entire property as a residential property on primary residence.

Commissioner Hollist said what are you planning to do with your business building?

Mr. Allen said most likely between my wife and I have we 9 children and 18 grandchildren, so I imagine that with the bathrooms and the offices that convert pretty easily into bedrooms for the kids will want to move in with the price of housing. So right now, we haven't really decided.

Chair Gedge said you are aware of the process if you chose to do that, right?

Mr. Allen said yeah, we would go through an accessory dwelling permit. That's the other thing that we wanted to make sure, is if we did the rezone, then it wouldn't be available. The accessory dwelling wouldn't be available under the commercial zone, it's 5,000 square feet. My current residence 10,000 sq ft, the office is 5,000 sq.ft and the vacant office is 5,000 sq ft.

Commissioner Bishop said yeah, I was just gonna say, I didn't expect the whole time I'd be on the planning commission for someone to see property go from commercial to A-1.

Mr. Allen said especially for my commercial developer, right?

Commissioner Hollist said what is this building at the edge of the parking lot where it jogs over to where the pool is, not by the pool, but on the eastern edge of that.

Mr. Allen said it was my wife's salon. When we got married about 23 years ago she cut hair, and so she had a business license and was cutting hair at the time. She no longer cuts hair, but now it's just for the grandkids and her friends. So it's not a business. Likely it'll be a pool house. We have a swimming pool, lap pool, hot tub and a pavilion, so it'll be probably become part of that with a pool house change room. We have a single bathroom with the pool house and it has all the equipment in it. It doesn't have a change room.

Chair Gedge opened the Public Hearing to comments.

Giovani Perez said I couldn't hear you back there. I waved to you that I couldn't hear you and you ignored me, but that's okay.

Chair Gedge said I need you to speak in the microphone, sir.

Mr. Perez said how come you didn't speak in the microphone when I asked you? I will put the microphone back, but I still have the right to voice my opinion. Or are you going to kick me out for voicing my opinion? I waved to you and you ignored me. That's the issues that I have with you people. What are the future consequences or bearing on adjacent properties with this change.

Chair Gedge said we will not directly answer any questions. We will write them down until public comment is over, and then we will discuss them.

Mr. Perez said okay, that's my main concern. What is the future consequence to adjacent properties in the future? Because, I wouldn't like to find out, after your approval, I would like to know before any decision is made. I wasn't going to voice my opinion, but it seems like you forced me to. It seems like the system is always designed to favor the well to do in South Jordan City. We always seem to comply make changes to those who we want to favor, for example, I heard a few questions here, what's going to happen to that building? Oh, well, we don't know, we will see if it's moved. There's no need, because then it would be out of compliance with city ordinances on the roof if it's going to be used for residents dwelling and why are we going to agricultural? Like he said, I have never seen anybody go from residential to commercial and then back to agriculture. And obviously the reasons, I'm not stating them, I'm repeating them is for tax purposes. Why am I being forced to pay residential to accommodate somebody, we're going to allow them to turn it into agriculture for a tax deduction. I don't see the equality there. I don't, and that's one of the issues that I have. We always favor those whom we want to favor, and we even ignore those who we don't. I don't think it's right. I don't think it's fair. The good thing about it is we only have 100 years or less, and I hope for a better world where things are much different. I would like an answer to my question.

Chair Gedge said okay, thank you for coming this evening.

Chair Gedge closed the Public Hearing.

Chair Gedge asked Mr. Allen to come back to the microphone to address Mr. Perez questions.

Mr. Allen said I don't have any rebuttal. I know Mr. Perez and his wife, and they're very nice, friendly people. I think a lot of the problem that has occurred is just a lack of understanding of when he said, "what's going to happen to his property." when I zoned this property commercial many, many years ago, at the same time his property and the adjoining property, and Demir could probably answer this question, if it still is that way. I think it's from redwood road back to the rear of the office. It is commercial, and it was zoned commercial for that many feet. So the Perez's home is not zoned commercial, but it is probably taxed as a residential and as far as the taxes are concerned, where Mr. Perez says the tax is an agricultural or less. That is incorrect, because it is taxed based upon the market value of the home as a residential home, and so it's still taxed as residential. It's just that when we were meeting with staff in the city, they felt that it was most appropriate to take it and put it back to the original zone of agricultural, because we had the three acres, but it wasn't for us for any particular financial reason at all. Mr. Perez would be where my driveway is. There's a home right next to it. That's a rental home, and Mr. Perez would be the next home that would be north of that. But again, I apologize to Mr. Perez, if in any way, we've offended him, or hurt him in any way. But I believe, the question that he was seeking is wanting to make sure that his property wasn't going to be down zoned from the commercial zone that it currently to residential, but I can't speak for Mr. Perez.

Chair Gedge said this is a legislative public hearing item which we make a recommendation to the council. We had a couple questions raised during the general public comment. The applicant addressed some but obviously any kind of a rezone of any property in the city, there could be future implications of surrounding properties. It looks like we have single family residence on redwood road, which is government owned. So I'm seeing a 5-A, A-1 and R-2.5, RN-6, again, this isn't a spot zone. I guess there could potentially be an impact to a neighbor.

Commissioner Hollist said actually I can think of an impact that we do need to address. So with bringing animal rights onto this property which apparently weren't available previously, this is new.

Chair Gedge said not as long as it's a half acre and if it's an agricultural zone,.

Chair Hollist said so I'm not sure why animal rights came out with very high rights on the residential portion.

Chair Gedge said if you can just confirm the current zone, the PO Zone does not have animal rights, and so then what is fencing? If the properties that are residential, next to the agricultural properties neighboring, do those require the standard fencing requirements to divide?

Chair Hollist said the map that shows it surrounding with the same zoning, so if they put animals on the PO zone, I would argue the RM-6 zone to the South would require barrier fencing.

Planner Drozdek said I believe there is a six foot or an eight foot masonry along the south, but I'm not sure about the west or the north boundary.

Commissioner Hollist said should an animal be brought on this property? Would they require that, now that the zone is different?

Planner Schindler said the answer to that would be, the applicant that has the animal, because it's usually the properties that have put up the fence to protect their property. If they want to put up a wall, they can, but in any case, it's never required to put up a wall or fence for animals. That might be if you're the developer and you're causing the issue with being the developer of it.

Planner Drozdek said so usually it's done with development. We'll have somebody come in ask for a zone change, and usually they want higher density, as opposed to what's next to them, which they have farm animals. So, usually it's done with development, but in this case, this is reversed. They're down zone, and there's no development. So in that case, I'm not sure that we can force them to put in a fence, since there's no development happening.

Chair Hollist said for the record, even though the citizen who commented has left, I would like to go over what are the allowed uses with this building that now will no longer contain a business.

Planner Drozdek said storage would be one of them, if they have farm animals. I guess they could turn it into a barn. They could do storage or different things like a garage. It could be a guest house, a detached accessory dwelling unit.

Commissioner Hollist said but does that 5,000 requires an application?

Planner Drozdek said yes, that is correct. But again, it depends if they keep it under 1,500 and the rest is storage. In that case, you know we're speaking hypothetically and they wouldn't have to come back to you.

Commissioner Hollist said for clarification, it could be a single accessory dwelling. So, they can rent up to 1,500 square feet of that building.

Planner Drozdek said they can have just one ADU per property.

Commissioner Hollist said I wanted to make sure that was on the record. We had one more concern. So again, moving agricultural did not run a business out of either of these?

Planner Drozdek said that's what we're being told. There would be no business if it's owned agricultural.

Planner Schindler said home occupations have to be operated out of the home, not anywhere else.

Commissioner Harding said what is the 1500?

Chair Gedge said so for an accessory dwelling in a guest house, it has to be the smaller of 35% or 1500 square feet. And so the largest, it could potentially be is a 10,000 square foot home, as the primary would have to be 1,500 square feet, whatever the larger of that 5,000 square feet.

Commissioner Harding said on that map with the green, blue and yellows on it, does it have three different rings? Up in the right hand corner it says a five, but nothing is listed next to the PO. Is that also an A-5 or is that A-1? because I believe Mr. Alvarez is probably the next one.

Planner Drozdek said his property is the second home to the north, or the second property to the north of this property on redwood road, t's a redwood road mixed use zone.

Planner Schindler said the properties to the North are zoned 2.5.

Chair Hollist said sometimes you give us a financial impact of the city in these staff reports. Have you done any of that kind of analysis on this one? actually, in that negative revenue.

Planner Drozdek said usually we do it with development, and there's no development here, so we didn't do one.

Planner Schindler said I think she means we used to do it with the rezone applications. We would know what the financial impact is, but we don't do that at anymore. Well, we do it with the development, not with a straight rezone.

Commissioner Hollist said I know that we very much want additional places for people to live within our city, because someone actually accomplished that, and it does it at the loss of commercial. So I'm just gonna throw that out there for thought, commercials obviously important to our city. And Julie Holbrook always opposed anything that removed the commercial potential.

Commissioner Bishop said I agree that this, by itself doesn't help with the housing, but I understand the plan. As a grandparent myself, and have kids, I don't know where they're going to live.

Chair Gedge said as a guy who grew up on a farm here in South Jordan, and if someone actually wanted to come in and make an animal horse property. That pulls my heartstrings a little bit as well. South Jordan was known for years as the agricultural community gone the opposite direction, and of course, my family's guilty of that more than probably anyone so I see both sides. This is also on redwood, which on the northern part of that city, which is almost like a gateway to the city as well. So, I suspect the applicant would make it high quality horse property as well, which might entice visitors and potential future residents. I think we have a lot more people here to zone a higher density in this area based on previous experience.

Chair Hollist said so I just want to say for the record one last time that commercial use will not be allowed in these outbuildings, and additional occupancy as a residence isn't allowed without an accessory dwelling unit permit. So I would like that on the record, it should be provenance, or should it be ultimately based on the recruit.

Commissioner Hollist motioned to send a positive recommendation to City Council for File No. PLZBA202500118 Howland Zone Change Ordinance 2025-05. Chair Gedge seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Catmull was absent from the vote.

J. OTHER BUSINESS

ADJOURNMENT

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

The Planning Commission Meeting adjourned at 7:37 p.m.

SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: AUGUST 12, 2025

FILE OVERVIEW

Item Name	Bess Dental Office Rezone and Land Use Amendment
Address	9828 S Temple Dr; 9822 S Temple Dr; 9816 S Temple Dr
File Number	PLZBA202400175
Applicant	Shea Bess; Ben Purdue
Staff Author	Miguel Aguilera

PROPERTY OVERVIEW

Acreage	1.11 Acres		
Recorded Subdivision	9800 South Church Subdivision		
Current Zone	Agriculture (A-5) & Single-family Residential (R-2.5)		
Proposed Zone	Professional Office (P-O)		
Current Land Use	Stable Neighborhood (SN)		
Proposed Land Use	Economic Center (EC)		
Neighboring Properties	<i>Zone</i>		<i>Current Land Use</i>
	<i>North</i>	(R-2.5)	(SN)
	<i>East</i>	(R-1.8)	(SN)
	<i>South</i>	(R-3)	(SN)
	<i>West</i>	(R-2.5)	(SN)

ITEM SUMMARY

The applicants are returning their rezone and land use amendment application to the Planning Commission. This application was previously brought before the Commission at a public hearing on November 12, 2024. The Commission voted to recommend denial of the application. Since then, the applicants have made changes to their plans in an effort to address community and city concerns. Staff is recommending approval of the application.

TIMELINE

- **October 30, 2024**, the applicant submitted a complete rezone and land use amendment application to Staff for review. The application was revised a total of 3 times to address all staff comments.
- **November 12, 2024**, the Planning Commission voted 5-1 to recommended denial of the application, including the associated ordinance for the zone change, resolution to amend the land use, and the resolution to approve of the development agreement.
- **June 17, 2025**, the City Council approved Ordinance No. 2025-09, among other items, lessening the restrictions of dental uses within water source protections zones. Previously, a dental use would not have been permitted on the subject properties due to their proximity to a JVWCD well.
- **July 2, 2025**, the applicant resubmitted revised supporting documents for staff to review.

REPORT ANALYSIS

Application Summary:

The applicant is requesting a land use amendment and zone change for three properties located at 9828 S Temple Drive, 9822 S Temple Drive, and 9816 S Temple Drive. The current land use designation is Stable Neighborhood (SN) and would be changed to Economic Center (EC). The current zone is Single-Family Residential (R-2.5) for the 9828 S Temple Drive property. Agriculture (A-5) is the zone for the other two properties. All three properties are proposed for a Professional Office (P-O) rezone.

The rezoning of the three properties would meet the one-acre minimum size requirement for the P-O zone area. The applicant provided a revised concept plan showing the future dental office project. There is only one building proposed in the concept with the majority of the remaining area developed to meet the parking and landscaping requirements of the office zone. The property owned by Jordan Valley Water Conservancy District (applicant Ben Purdue) is included in the rezone application, is developed as a “Utility Service” (see City Code § 17.18.060.C.4.), and will retain this use. Utility Services uses are permitted in the P-O Zone and in the associated agreement.

FINDINGS AND RECOMMENDATION

General Plan Conformance

The application is in conformance with the following goals and strategies from the general plan:

- GATHER GOAL 3: Promote infill and redevelopment of underutilized properties and public spaces

- WORK GOAL 3: Develop a positive business atmosphere that promotes economic development for the benefit of City residents and businesses

Strategic Priorities Conformance:

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

- BRE-1. Develops effective, well-balanced, and consistently applied ordinances and policies
- BRE-2. Implements ordinances and policies that encourage quality community growth and development
- ED-2. Promotes the community as a safe, attractive, and quality place to live, work, and play

Findings:

- This application is subject to the proposed Bess Dental Office Development Agreement. The agreement addresses the following concerns:
 - Uses limited to offices, utility services, medical/dental clinic, and professional services.
 - Building location proposed for the southeast corner of 9828 S Temple Drive.
 - Only one, one-story building constructed on the properties subject to this application.
 - Lighting and signage specifications to limit light pollution onto neighboring residential properties.
- The properties zoned A-5 are nonconforming lots. With the new zone change, they will come into compliance with the P-O zone, which does not have a minimum lot size.
- To the north of the subject properties is a Questar Gas Company property. This will provide a 60-foot wide buffer between the proposed P-O zone and the residences to the north.
- The subject properties were in the City's 2017 South Jordan Parks, Recreation, Community Arts, Trails and Open Space Master Plan as the possible location for a small pocket park called the "Shields Entry Park." The updated parks plan no longer has the subject properties as part of the plan. Even before the City sold the property, the location, size, property shape, and ownership of adjacent parcels created difficulties in establishing a park on the site.
- The new concept plan shows more parking spaces and a changed building footprint. The applicant hopes to alleviate the neighborhood's concerns about potential street parking and increased traffic.
- The new architectural renderings show a one-story building with architectural elements resembling those of nearby homes.
- The P-O zone is intended to be used as a buffer between residential uses and commercial uses or roadways. The subject properties would serve that buffer

purpose between the intersection of Shields Lane/Temple Drive and residential zones in the surrounding area, specifically those to the north.

- The application meets the rezone standards of approval of the City Code.
- The proposed development agreement will provide some certainty for how this property will be used and developed in the future.

Conclusions:

The application is in conformance with the General Plan and the City's Strategic Priorities.

Planning Staff Recommendation:

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

PLANNING COMMISSION ACTION

Required Action:

Recommendation for City Council

Scope of Decision:

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

Standard of Approval:

As described in City Code §[17.22.030](#), the following guidelines shall be considered in the land use amendment of parcels:

The general plan may be amended by resolution of the City Council as follows:

1. The process to amend the General Plan and Future Land Use Map may be initiated by members of the City Council, by the City Manager or Planning Director, or by the owner of a subject property or his or her agent. A general plan land use or text amendment which is not initiated by the City may not be reinitiated for an amendment which was considered within the previous year without a majority vote of the City Council. A land use amendment should not impair the development potential of the subject parcel or neighboring properties. The parcel to be rezoned can accommodate the requirements of the proposed zone.
2. The Planning Commission shall hold a public hearing, as required by state law, after which the commission may modify the proposed general plan amendment. The Planning Commission shall then forward the proposed general plan amendment to the City Council.

3. After receiving the recommendation of the Planning Commission, the City Council shall hold a public hearing, and may accept, accept with modifications, or reject the proposed general plan amendment.

The rezoning will not impair the development potential of the parcel or neighboring properties as described in City Code §[17.22.020](#), the following guidelines shall be considered in the rezoning of parcels:

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

Motion Ready:

I move that the Planning Commission recommend that the City Council approve of:

1. Resolution R2025-41, authorizing the Mayor of the City of South Jordan to enter into a development agreement with Spectrum LLC (Shea Bess) pertaining to property located at 9828 S. Temple Drive and 9816 S. Temple Drive.
2. Resolution R2025-42, amending the future land use plan map of the general plan of the City of South Jordan from Stable Neighborhood (SN) to Economic Center (EC) on property located at 9828 S. Temple Drive and 9816 S. Temple Drive.
3. Ordinance No. 2025-06-Z, rezoning property located at 9828 S. Temple Drive and 9816 S. Temple Drive from A-5 (Agricultural) & R-2.5 (Single-family Residential) zones to P-O (Professional Office) zone.

Alternatives:

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

SUPPORTING MATERIALS

1. Attachment A, Location Map
2. Attachment B, Zoning Map
3. Attachment C, Land Use Map
4. Attachment D, Concept Plan
5. Attachment E, Infrastructure Analysis
6. Attachment F, Renderings & Pictures

7. Attachment G, Salt Lake County Plat
8. Resolution R2025-41 (Bess Dental Office Agreement)
9. Resolution R2025-42 (Land Use Amendment to Economic Center)
10. Ordinance No. 2025-06-Z (Rezone to P-O zone)

Location Map

Bess Dental Office

South Jordan City

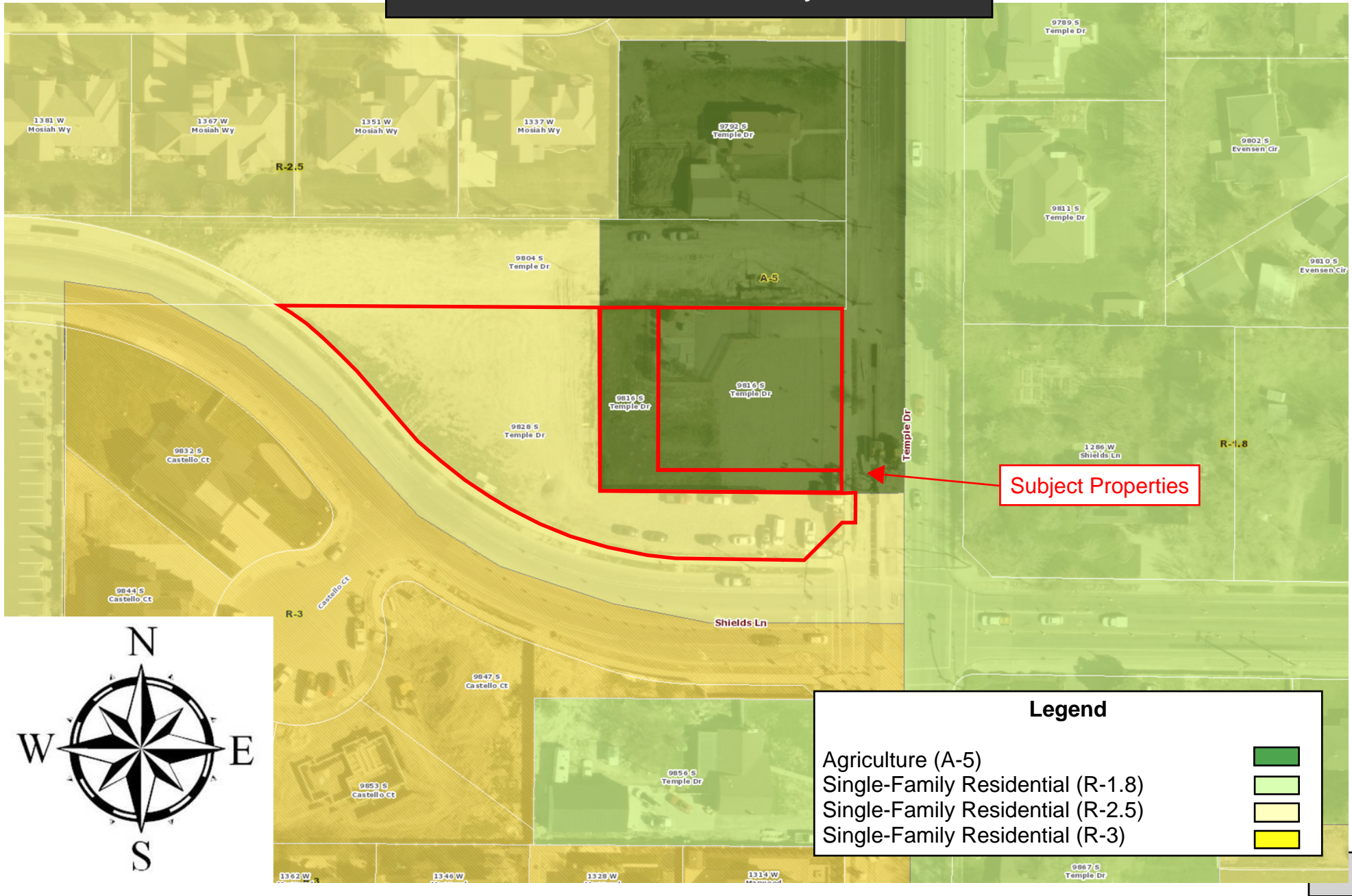
Item I.1.



Zoning Map

Bess Dental Office

South Jordan City

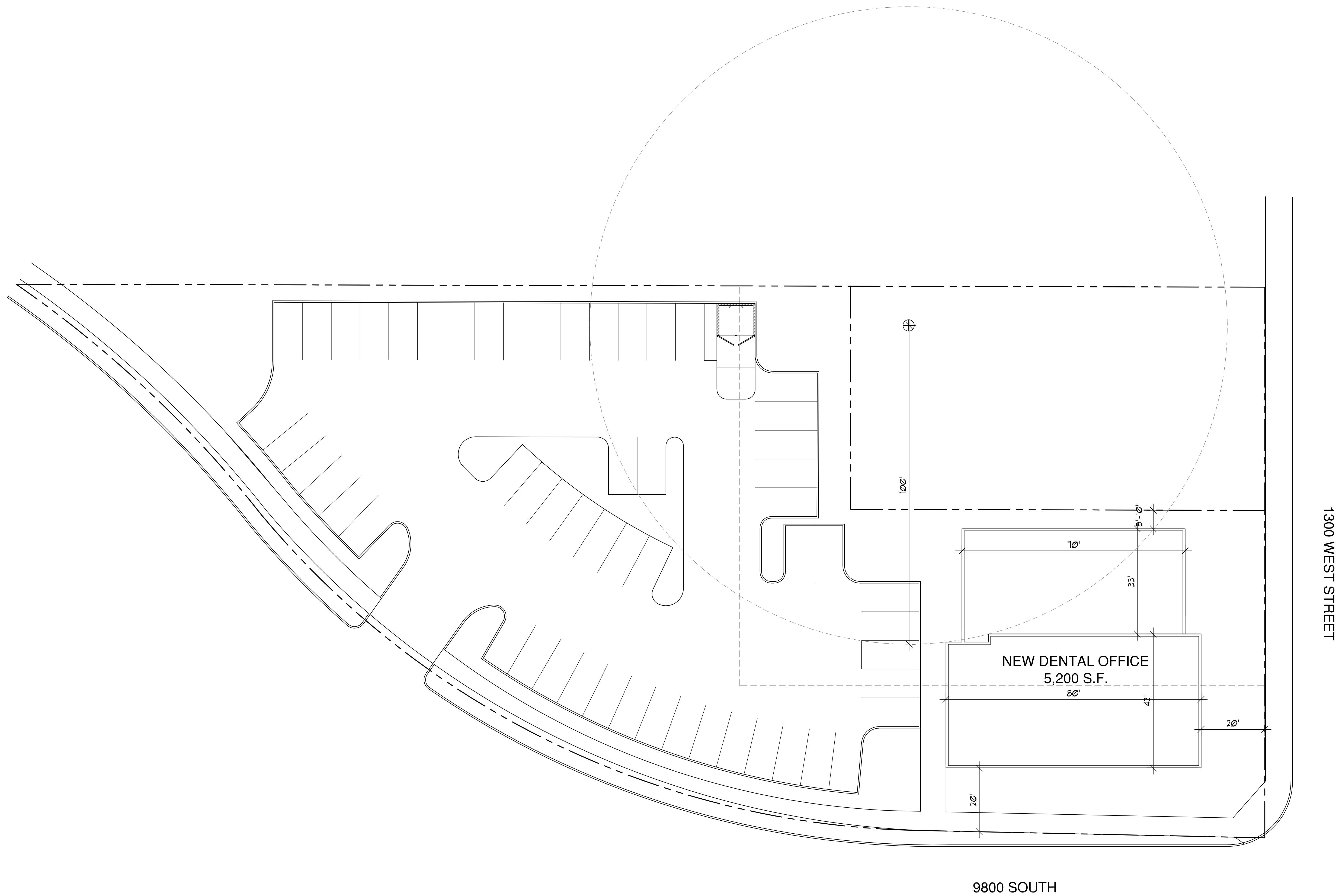


Land Use Map

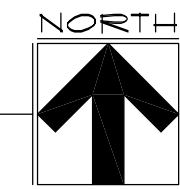
Bess Dental Office

South Jordan City

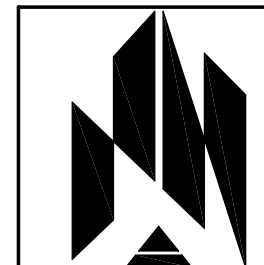




1
451
SCHEMATIC
SITE PLAN
0 16 32 48 64
SCALE: 1/16" = 1'-0"
128 FEET



1-3-2015



NICHOLS • NAYLOR
ARCHITECTS
10459 SOUTH 1300 WEST SUITE 201
SOUTH JORDAN, UTAH 84095 (801) 487-3330

Proposed West
Elevation



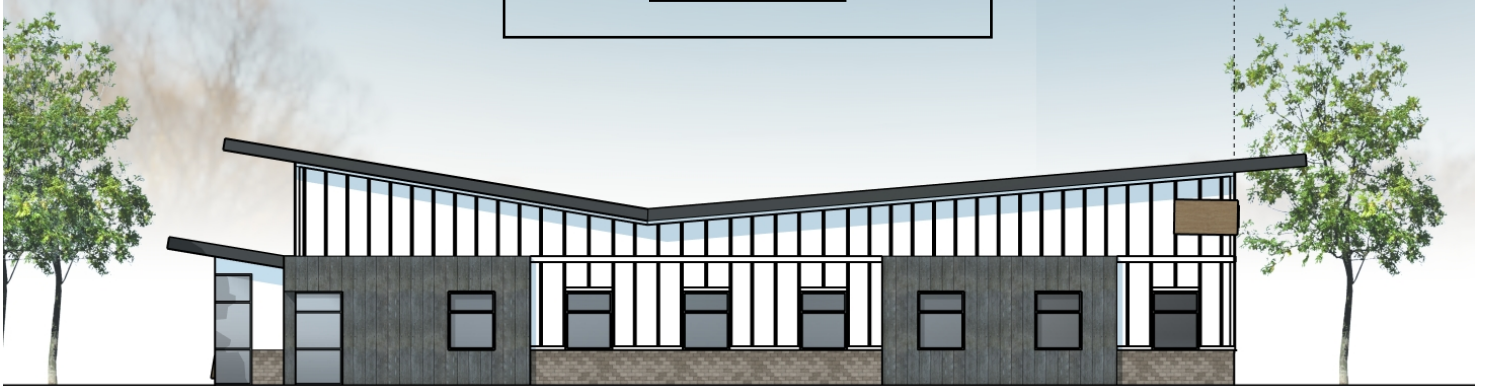
Proposed East
Elevation



Proposed Southeast
Elevation



Proposed South
Elevation



LAND USE AMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

Project Name/Number	Bess Dental Office – R2.5 & A-5 to P-O
Planner Assigned	Miguel Aguilera
Engineer Assigned	Shane Greenwood

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 is located at 9828 S Temple Drive and 9816 S Temple Drive. The proposed Bess Dental Office building is located on the northwest corner of Shields Lane and Temple Drive. This proposed development has one access off Shields Lane approximately 300' west of the intersection. Shields Lane should have sufficient capacity for the increase of traffic from this development.

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)*

The subject property can be serviced by a water main located in Shields Lane. According to city records, there is an existing 12" water line in the north park strip of Shields Lane. Per City standards, a water model submittal is required.

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

Secondary water service is not required for this development.

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

At the time of Site Plan approval, the developer must submit an approval letter from Jordan Basin Improvement District stating sufficient capacity for any additional sewer connections to the sewer main in the area. It is anticipated that adequate sewer service is available.

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

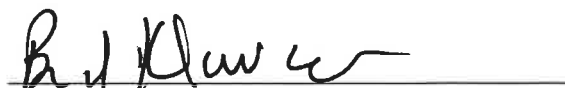
It is anticipated that the proposed storm drain system for the site will collect and retain the 80th percentile storm event on site, per South Jordan City Low Impact Development (LID) requirements. The remaining runoff could possibly be discharged into the existing storm drain system in Shields Lane at the restricted rate of 0.2 cfs/acre, or retain 100% on site. At the time of development review, the developer is required to submit storm drain calculations for City review and approval.

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

Report Approved:


Development Engineer

10/29/24
Date


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

10/29/24
Date

Property and Traffic Descriptions

Description of access and traffic

In the conceptual plan that was provided to the city, the one and only entrance to the property is located on 9800 south. The city has suggested that the proposed location will need to be moved to directly across the street from Castello Ct. I have no objection to this request and intend to comply without complaint.

•

Potential traffic impact-Bess dental

My dental practice has two doctors. We have been practicing together for over twenty years. We each work varying hours from 6 am to 7 pm, Monday through Friday. We each have approximately 5 employees. We each see patients for approximately 32 hours per week. Our schedules vary throughout each day, but on a typical day we each see 15-20 patients. Some arrive as families, some arrive as individuals, however they will never all arrive at the same time. They will be spaced out throughout the day and will come and go for between 15 minutes and 2 hours. This would give us a combined total of up to 52 cars in an 11-hour period.

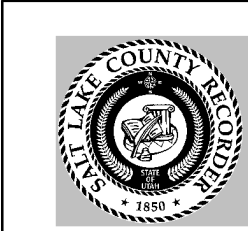
I cannot provide the potential traffic impacts|any additional business would have because I am not sure what business will be joining the property.

The property is currently a vacant lot. The property is currently being used by the gas company, with my permission, as a staging area for parking of employees while they are working on 1300 west as well as adding the gas line and fencing around their property

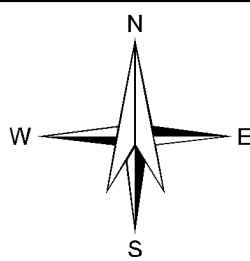


Item 1.1.

As of 04/26/2021, the SLCO Recorder's office will begin a full transition to electronically-generated Tax Plats. For parcel information regarding historic parcels, prior Tax Plats may need cross-referenced.
This Tax Plat is not intended to represent actual physical properties. In order to establish exact physical boundaries, a survey of the property may be necessary. Parcel numbers are for taxation reference purposes only and are subject to change.

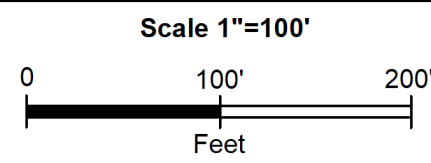


Prepared and published by
Salt Lake County Recorder
Rashelle Hobbs
2001 S. State Street #N1-600
Salt Lake City, Utah 84190
385-468-8145
recorder.slco.org



E 1/2 SE 1/4 Sec 10 T3S R1W
SALT LAKE COUNTY, UTAH

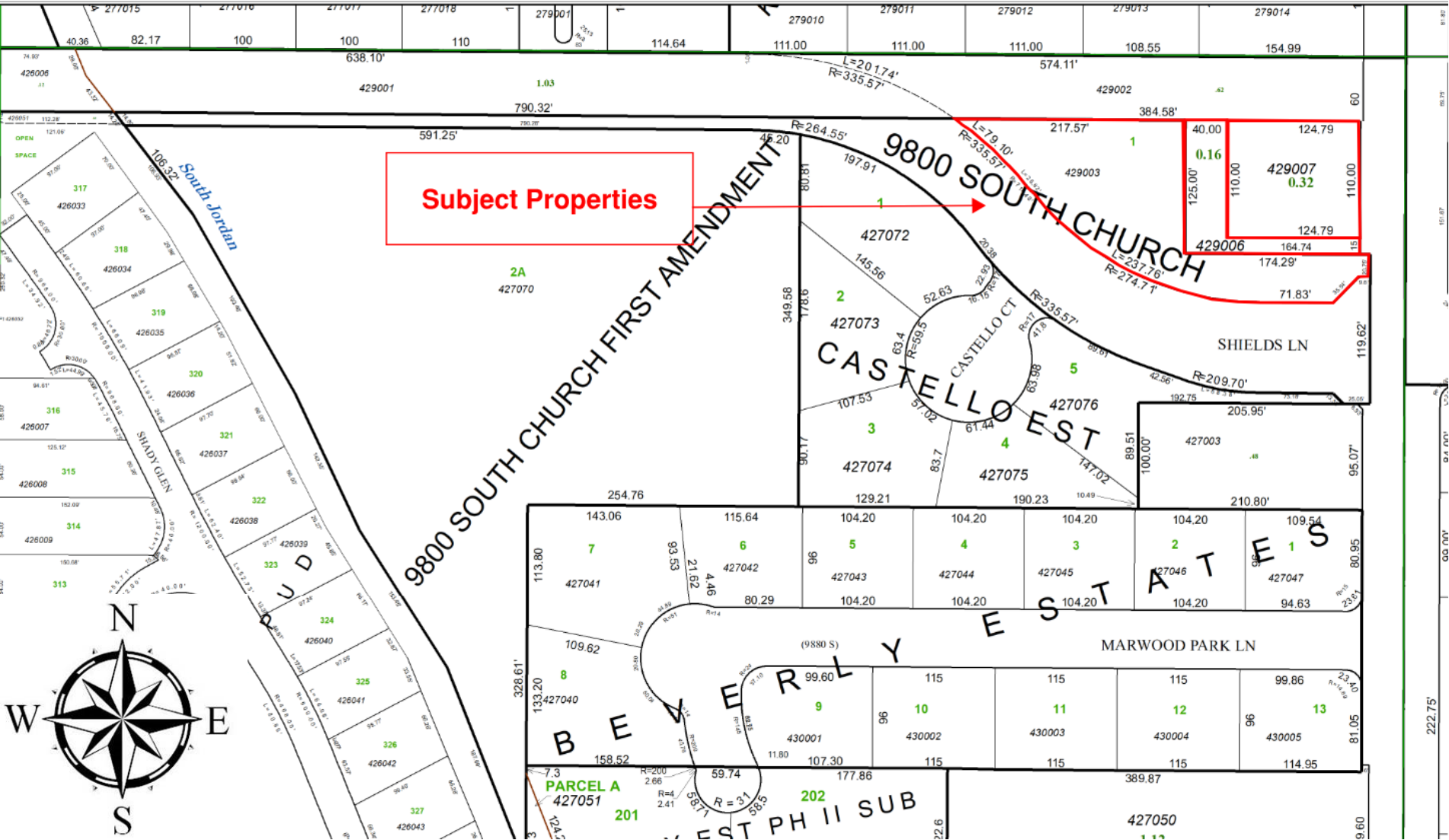
11/16/2022



27-10-42

T1N	6	7	8	9	10	11	T1N	6	5	4	3	2	1
T1S	13	14	15	16	17	18	T1S	7	8	9	10	11	12
T2S	19	20	21	22	23	24	T2S	18	17	16	15	14	13
T4S	31	32	33	34			T4S	19	20	21	22	23	24
								30	29	28	27	26	25
								31	32	33	34	35	36
Area							Section						
							Page						

Property Plat Map Salt Lake County



RESOLUTION R2025 - 41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR OF THE CITY OF SOUTH JORDAN TO ENTER INTO A DEVELOPMENT AGREEMENT WITH SPECTRUM LLC (SHEA BESS) AND JORDAN VALLEY WATER CONSERVANCY DISTRICT (BEN PURDUE) PERTAINING TO PROPERTY LOCATED AT 9828 S TEMPLE DRIVE, 9822 S TEMPLE DRIVE, AND 9816 S TEMPLE DRIVE.

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah (“City”) 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, City has entered into development agreements from time to time as City has deemed necessary for the orderly development of City; and

WHEREAS, Spectrum LLC and Jordan Valley Water Conservancy District now desire to enter into an agreement for the purpose of developing and changing the zoning designation on property they own at 9828 S TEMPLE DRIVE, 9822 S TEMPLE DRIVE, AND 9816 S TEMPLE DRIVE (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 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 Bess Dental Office Development Agreement, which is attached hereto as Exhibit 1.

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

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

[SIGNATURE PAGE FOLLOWS]

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

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Office of the City Attorney

Exhibit 1

(Bess Dental Office Development Agreement)

RESOLUTION R2025 - 42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE FUTURE LAND USE PLAN MAP OF THE GENERAL PLAN OF THE CITY OF SOUTH JORDAN FROM STABLE NEIGHBORHOOD (SN) TO ECONOMIC CENTER (EC) ON PROPERTY LOCATED AT 9828 S TEMPLE DRIVE, 9822 S TEMPLE DRIVE, AND 9816 S TEMPLE DRIVE; SHEA BESS & BEN PURDUE (APPLICANTS).

WHEREAS, the City Council of the City of South Jordan (“City Council”) has adopted the Future Land Use Plan Map and the General Plan of the City of South Jordan (“Land Use Map”); and

WHEREAS, the Applicant requested that the City Council amend the Land Use Map by changing the land use designation on property located at 9828 S Temple Drive, 9822 S Temple Drive, and 9816 S Temple Drive from Stable Neighborhood (SN) to Economic Center (EC); and

WHEREAS, the South Jordan Planning Commission reviewed Applicant’s proposed amendment and made a recommendation to the City Council; and

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

WHEREAS, the City Council finds that amending the Land Use Map as proposed by the Applicant will enhance the public health, safety and general welfare, and promote the goals of the General Plan.

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

SECTION 1. Amendment. The land use designation of the Land Use Map of property described in Application PLZBA202400175, located at 9828 S Temple Drive, 9822 S Temple Drive, and 9816 S Temple Drive in the City of South Jordan, Utah, is hereby changed from Stable Neighborhood (SN) to Economic Center (EC), as shown in **Exhibit A**.

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

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

[SIGNATURE PAGE FOLLOWS]

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

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Office of the City Attorney

Exhibit A

(Property Description and Land Use Map)

SN Land Use to EC Land Use

Parcel: 27-10-429-003

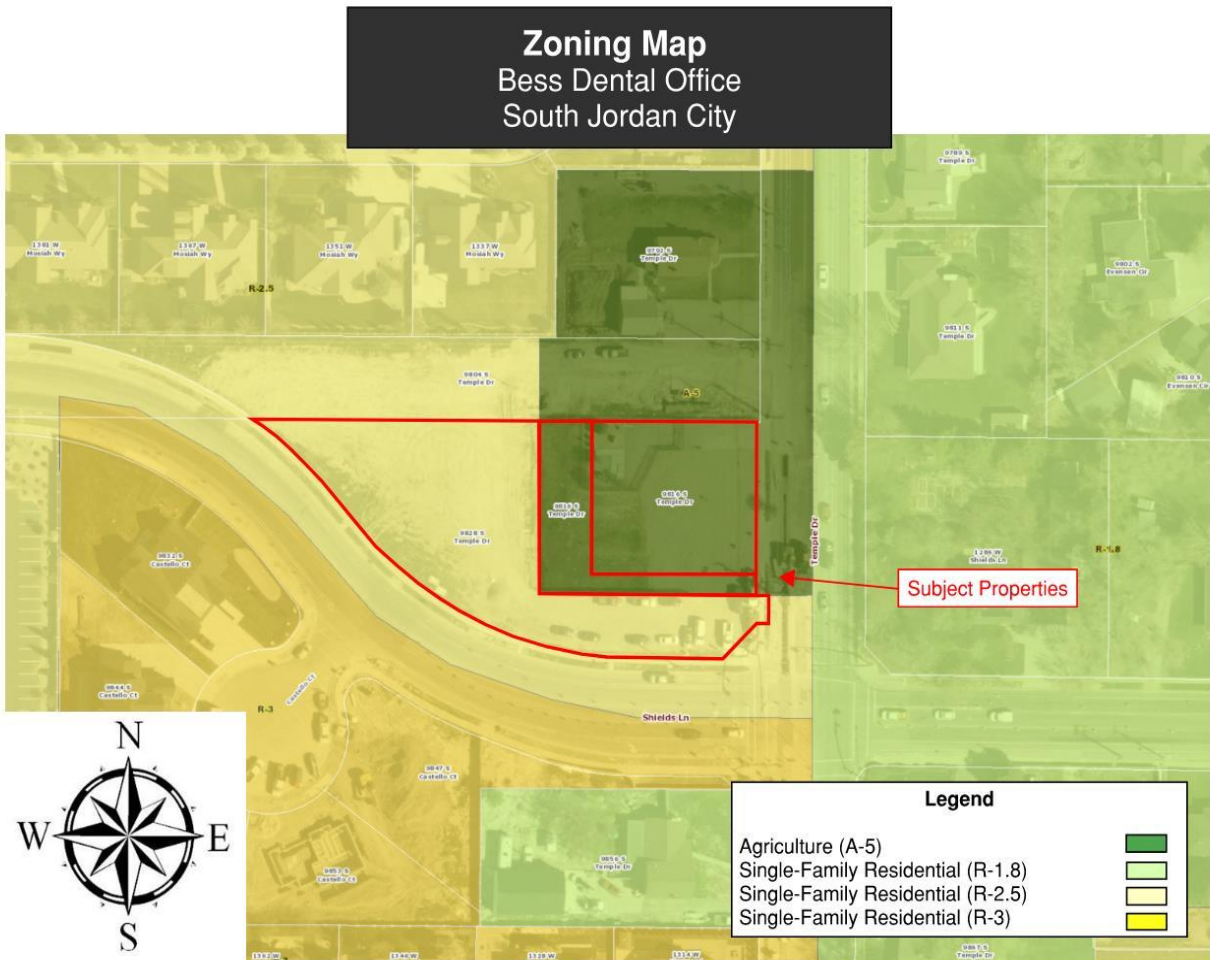
LOT 1, 9800 SOUTH CHURCH SUBDIVISION. 9266-8467

Parcel: 27-10-429-008

BEG S 0°05'05" E 130.86 FT & S 89°54'55" W 42.50 FT FR E 1/4 COR SEC 10, T3S, R1W, SLM; S 0°05'05" E 54.06 FT; N 89°52'28" W 164.79 FT; N 0°05'05" E 125 FT; S 89°52'28" E 36.57 FT; S 0°35'39" W 70.95 FT; S 89°52'28" E 128.69 FT TO BEG.

Parcel: 27-10-429-009

EG S 0°05'05" E 59.92 FT & S 89°54'55" W 42.50 FT FR E 1/4 COR SEC 10, T3S, R1W, SLM; S 0°05'05" E 70.94 FT; N 89°52'28" W 128.69 FT; N 0°35'39" E 70.95 FT; S 89°52'28" E 127.85 FT TO BEG.



Land Use Map Bess Dental Office South Jordan City



ORDINANCE NO. 2025-06-Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT 9828 S TEMPLE DRIVE, 9822 S TEMPLE DRIVE, AND 9816 S TEMPLE DRIVE FROM R-2.5 (SINGLE FAMILY RESIDENTIAL) & A-5 (AGRICULTURAL) ZONES TO P-O (PROFESSIONAL OFFICE) ZONE. SHEA BESS & BEN PURDUE (APPLICANTS).

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 City Code) with the accompanying Zoning Map; and

WHEREAS, the Applicants, Shea Bess and Ben Purdue, 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 PLZBA202400175 filed by Shea Bess and Ben Purdue, located at 9828 S Temple Drive, 9822 S Temple Drive, and 9816 S Temple Drive, are hereby reclassified from the R-2.5 (Single Family Residential) and A-5 (Agricultural) Zones to the P-O (Professional Office) Zone, on property described/shown in the attached **Exhibit A**.

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

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

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

[SIGNATURE PAGE FOLLOWS]

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

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

EXHIBIT A

(Property Description and Zoning Map)

R-2.5 & A-5 Zones to P-O Zone

Parcel: 27-10-429-003

LOT 1, 9800 SOUTH CHURCH SUBDIVISION. 9266-8467

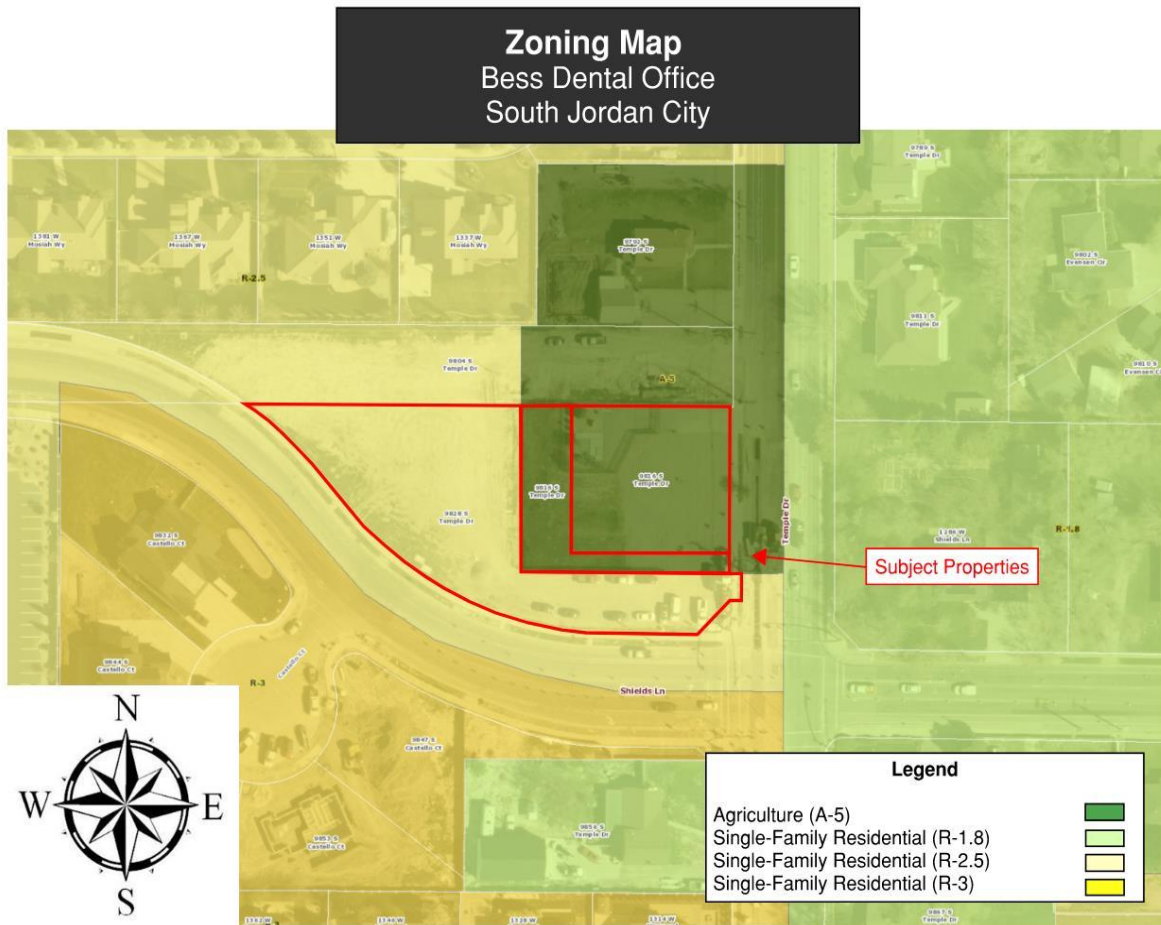
Parcel: 27-10-429-008

BEG S 0°05'05" E 130.86 FT & S 89°54'55" W 42.50 FT FR E 1/4 COR SEC 10, T3S, R1W, SLM; S 0°05'05" E 54.06 FT; N 89°52'28" W 164.79 FT; N 0°05'05" E 125 FT; S 89°52'28" E 36.57 FT; S 0°35'39" W 70.95 FT; S 89°52'28" E 128.69 FT TO BEG.

Parcel: 27-10-429-009

EG S 0°05'05" E 59.92 FT & S 89°54'55" W 42.50 FT FR E 1/4 COR SEC 10, T3S, R1W, SLM; S 0°05'05" E 70.94 FT; N 89°52'28" W 128.69 FT; N 0°35'39" E 70.95 FT; S 89°52'28" E 127.85 FT TO BEG.

(Zoning Map)



BESS DENTAL OFFICE DEVELOPMENT AGREEMENT

The City of South Jordan, a Utah municipal corporation (the “City”), and Spectrum, LLC and Jordan Valley Water Conservancy District (the “Developers”), enter into this Development Agreement (this “Agreement”) this ____ day of _____, 20____ (“Effective Date”), and agree as set forth below. The City and the Developers are jointly referred to as the “Parties” and each may be referred to individually as “Party.”

RECITALS

WHEREAS, the Developers are the owners of certain real property identified as Assessor’s Parcel Number(s) 27-10-429-003, 27-10-429-008, 27-10-429-009 specifically described in attached Exhibit A (the “Properties”) and intends to develop the Property consistent with the Concept Plan and Renderings (Exhibit B), the requirements of the proposed zoning designation except as limited by the provisions of Section D of this Agreement; and

WHEREAS, the City, acting pursuant to (1) its authority under Utah Code Annotated 10-9a-102(2) et seq., as amended, and (2) the South Jordan City Municipal Code (the “City Code”), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, the City has made certain determinations with respect to the proposed development of the Property and in exercise of its legislative discretion has elected to enter into this Agreement; and

WHEREAS, the Properties are currently subject to the Planning and Land Use Ordinance of South Jordan City and are within the Residential R-2.5 and Agricultural A-5 zones. A copy of the provisions of such zone designations in the City Code is attached as Exhibit C; and

WHEREAS, the Developer desires to make improvements to the Property in conformity with this Agreement and desires a zone change on the Property from the Residential Zones to the Professional Office Zone (the “P-O Zone”). A copy of the provisions of the P-O Zone designation in City Code is attached as Exhibit D; and

WHEREAS, the Developer and the City acknowledge that the development and improvement of the Properties pursuant to this Agreement will provide certainty useful to the Developers and to the City in ongoing and future dealings and relations among the Parties; and

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

WHEREAS, this Agreement shall only be valid upon approval of such by the South Jordan City Council (the “City Council”), pursuant to Resolution R-2025-41, a copy of which is attached as Exhibit D; and

WHEREAS, the City and the Developers acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developers relative to the Properties shall vest only if the City Council, in its sole legislative discretion, approves a zone change for the Property currently zoned as the Agricultural and Residential Zones to a zone designated as the P-O Zone.

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

TERMS

A. Recitals; Definitions. The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the Planning and Land Use Ordinance of South Jordan City.

B. Enforceability. The City and the Developers acknowledge that the terms of this Agreement shall be enforceable, and the rights of the Developers relative to the Property shall vest, only if the City Council, in its sole legislative discretion, approves a zone change for the Property currently zoned as the Residential Zones to a zone designated as the P-O Zone.

C. Conflicting Terms. The Properties shall be developed in accordance with the requirements and benefits provided for in relation to the P-O Zone under the City Code as of the Effective Date. In the event of a discrepancy between the requirements of the City Code, including the P-O Zone, and this Agreement, this Agreement shall control.

D. Developer Obligations:

1. **Zoning Requirements.** The Developers agree to construct the development consistent with the requirements of City Code Titles 16 and 17, the P-O Zone, and the restrictions outlined in this Section D.

2. **Concept Plan:** The developers agree to construct the project consistent with the concept plan and renderings (Exhibit B) and the requirements set forth in this Agreement and City Code.

3. **Building Location.** Any building constructed on the Properties shall be located as close to the corner of Shields Lane (9800 South) and Temple Drive (1300 West) as possible given other site constraints, including parking, and other requirements of the City Code.

4. **Architecture.** The developers agree to construct a one-story office building. The maximum building height shall be no taller than 35 feet. Architectural materials will be high quality and durable, and architecturally consistent with the design of nearby residential neighborhoods.

5. **Lighting.** All lighting shall comply with City Code § 17. 62. 020.K. In addition, the following lighting requirements shall apply:

a. All parking lot and wall light fixtures shall be “full cutoff” or “fully shielded” to prevent glare onto adjacent properties.

b. A photometric plan shall be submitted showing no light intrusion onto adjacent properties.

c. Lighting used to highlight landscape features and walking paths shall be low to the ground accent lighting.

d. As defined in City Code § 16.36.020, “Animated Sign” and “Time or Temperature Sign” sign types are prohibited, and a “Wall Sign” is prohibited on the north façade of any building on the Property.

6. Uses. Only the primary land uses listed below, which are defined by City Code § 17.18.060, are permitted on the Property. Other primary uses not specifically listed below are prohibited.

a. Utility services

b. Medical/dental office or clinic

c. Office

d. Professional services

e. Personal services are prohibited as a primary use and are only allowed as an accessory use to one of the primary permitted uses listed above.

E. City Obligations:

1. Development Review. The City shall review development of the Property in a timely manner, consistent with the City’s routine development review practices and in accordance with all applicable laws and regulations.

F. Vested Rights and Reserved Legislative Powers.

1. Vested Rights. Consistent with the terms and conditions of this Agreement, City agreed Developer has the vested right to develop and construct the Property in accordance with: (i) the P-O Zone (Exhibit C) zoning designation; (ii) the City Code in effect as of the Effective Date and; (iii) the terms of this Agreement.

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

and, unless in good faith the City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine. The notice required by this paragraph shall be that public notice published by the City as required by State statute.

G. General Provisions.

1. Notices. All notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least 10 days before the date on which the change is to become effective:

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

If to Developer: Shea Bess, Spectrum LLC
 10073 Copper King Lane
 South Jordan, UT 84095

2. Mailing Effective. Notices given by mail shall be deemed delivered 72 hours following deposit with the U.S. Postal Service in the manner set forth above.

3. No Waiver. Any party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

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

5. Authority. The parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants it is fully formed and validly existing under the laws of the State of Utah, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Developer and the City warrant to each other that the individuals executing this Agreement on behalf of their respective parties are authorized and empowered to bind the parties on whose behalf each individual is signing. Developer represents to the City that by entering into this Agreement

Developer has bound all persons and entities having a legal or equitable interest to the terms of the Agreement as of the Effective Date.

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

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

8. Severability. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developer's ability to complete the development of the Property as set forth in the Concept Plan is not defeated by such severance.

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

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

11. Attorney's Fee and Costs. If any party brings legal action either because of a breach of the Agreement or to enforce a provision of the Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs.

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

13. No Agency Created. Nothing contained in the Agreement shall create any partnership, joint venture, or agency relationship between the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

CITY OF SOUTH JORDAN,
a Utah Municipal Corporation

APPROVED AS TO FORM:

By: _____
Dawn. R. Ramsey, Mayor

Attorney for the City

State of Utah)
:ss
County of Salt Lake)

On this ____ day of _____, 20____, personally appeared before me, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the Mayor of the City of South Jordan, a Utah municipal corporation, and said document was signed by him/her on behalf of said municipal corporation by authority of the South Jordan Municipal City Code by a Resolution of the South Jordan City Council, and he/she acknowledged to me that said municipal corporation executed the same.

Notary Public
My Commission Expires:

Spectrum, LLC, a limited liability company

By: _____

Name: _____ (*printed*)

Title: _____

State of Utah)
:ss
County of Salt Lake)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, the _____ of Spectrum, LLC, a Utah Limited Liability Company, on behalf of the LLC. Witness my hand and official seal.

Notary Public
My Commission Expires:

Jordan Valley Water Conservancy District

By: _____

Name: _____ (*printed*)

Title: _____

State of Utah)

:ss

County of Salt Lake)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, the _____ of Jordan Valley Water Conservancy District. Witness my hand and official seal.

Notary Public

My Commission Expires:

EXHIBIT A

(Legal Description of the Properties)

Parcel: 27-10-429-003

LOT 1, 9800 SOUTH CHURCH SUBDIVISION. 9266-8467

Parcel: 27-10-429-008

BEG S 0°05'05" E 130.86 FT & S 89°54'55" W 42.50 FT FR E 1/4 COR SEC 10, T3S, R1W, SLM; S 0°05'05" E 54.06 FT; N 89°52'28" W 164.79 FT; N 0°05'05" E 125 FT; S 89°52'28" E 36.57 FT; S 0°35'39" W 70.95 FT; S 89°52'28" E 128.69 FT TO BEG.

Parcel: 27-10-429-009

EG S 0°05'05" E 59.92 FT & S 89°54'55" W 42.50 FT FR E 1/4 COR SEC 10, T3S, R1W, SLM; S 0°05'05" E 70.94 FT; N 89°52'28" W 128.69 FT; N 0°35'39" E 70.95 FT; S 89°52'28" E 127.85 FT TO BEG.

EXHIBIT B
(Concept Plan and Elevations)

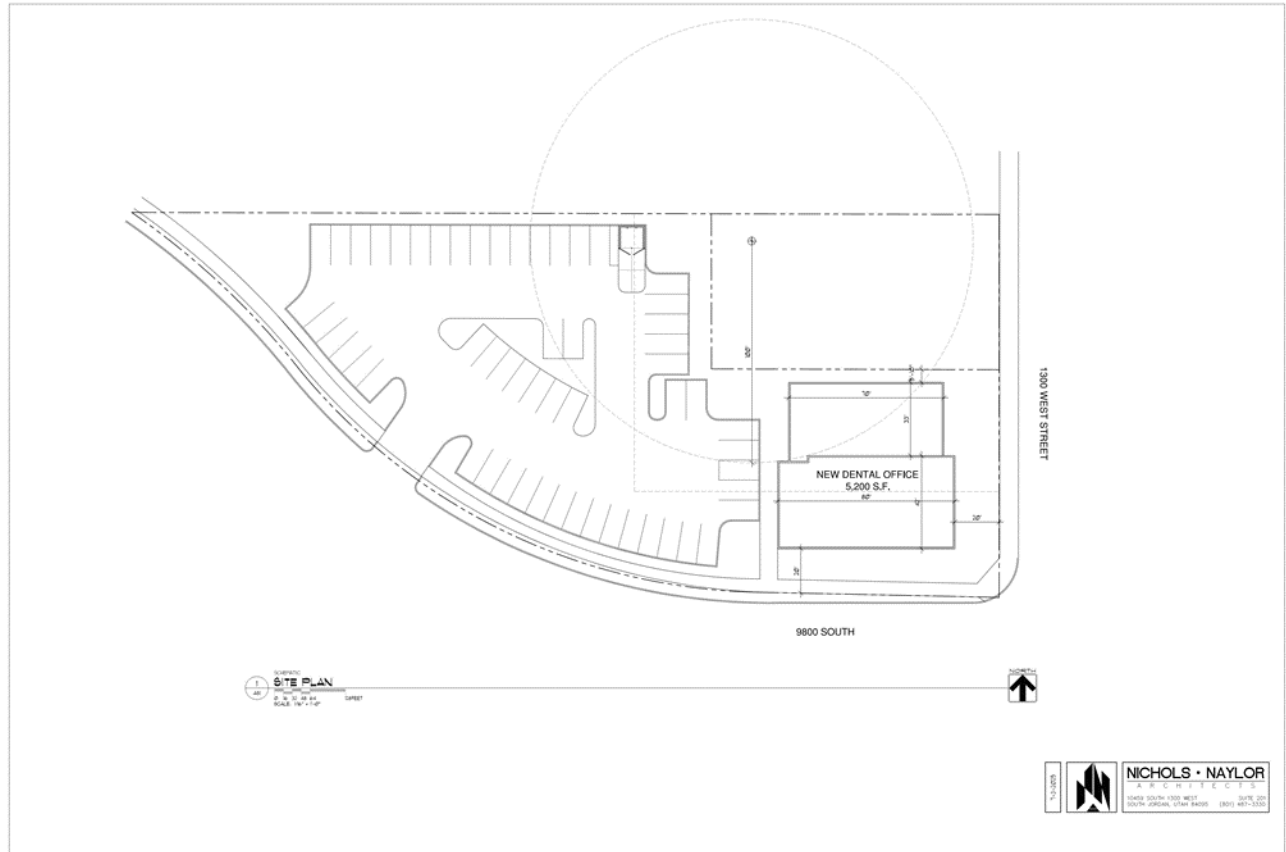


EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions****CHAPTER 17.30 AGRICULTURAL ZONES****17.30.010: PURPOSE****17.30.020: DEVELOPMENT AND DESIGN STANDARDS****17.30.030: OTHER REQUIREMENTS****17.30.010: PURPOSE**

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 agricultural areas in a growing suburban city. This chapter shall apply to the following agricultural zones as established in chapter 17.20, "Zone Establishment", of this title: A-5 and A-1 zones. Uses may only be conducted in agricultural zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and associated use regulations may be found in chapter 17.18, "Uses", of this title.

17.30.020: DEVELOPMENT AND DESIGN STANDARDS

1. Development Review: Uses proposed in agricultural 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 agricultural 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 agricultural 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 (Acres)
A-5	5
A-1	1

3. Lot Density: Only one single-family primary dwelling may be placed on a lot or parcel of land in an agricultural zone.
4. Lot Width And Frontage: Each lot or parcel in an agricultural 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

EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions**

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)
A-5	100'	100'	60'
A-1	100'	100'	60'

5. Lot Coverage: The area of lot, parcel or private ownership area in an agricultural 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
A-5	20%
A-1	30%

6. Yard Area: The yard area (setback) requirements below shall apply in all Agricultural 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. Minimum Yard Area Requirements

Zone	Front Yard (Interior And Corner Lots)	Front Garage	Front Yard (Cul-De- Sac Lots)	Side Yard (Standard)	Side Yard (Corner Lot Street Side)	Rear Yard (Interior Lot)	Rear Yard (Corner Lot)
A-5	30'	30'	25'	10'	25'	25'	10'
A-1	30'	30'	25'	10'	25'	25'	10'

2. Minimum Yard Area Requirements For Accessory Buildings:

EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions**

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 no greater 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 or boundary.
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').
3. 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.
4. Projections: The following may be erected on or projected into any required yard space in Agricultural Zones:
 1. Fences and walls in conformance with this Code.
 2. Agricultural crops, landscape or garden 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 no 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 Agricultural 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 Agricultural Zones.
 1. Utility Screening: In nonresidential and nonagricultural developments, all mechanical equipment, antennas (where possible), loading areas and utility areas

EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions**

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 an Agricultural 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 Agricultural Zones:
 1. General Architectural Standards:
 1. All building materials shall be high quality, durable and low maintenance.
 2. The exteriors of buildings in Agricultural Zones shall be properly maintained by the owners or owners' association.
 3. Signs shall meet the 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.

EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions**

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 an accessory building in Agricultural Zones shall not exceed the footprint of the main building, including the footprint of an attached garage, except as approved by the Planning Commission as a conditional use permit.
 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 subject 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 over a majority of the structure.
 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 Agricultural Zones. Landscaping in Agricultural 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. Improvements shall include 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 Agricultural 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 at least 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

EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions**

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 residential or agricultural, the following landscaping requirements shall also 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 sport or play areas, is required. At least thirty percent (30%) of all required trees shall be minimum seven foot (7') evergreens. 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 right-of-way areas 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 developments that have a principal use that is not agricultural or residential.
 2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions**

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 Agricultural Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in Agricultural Zones.

17.30.030: OTHER REQUIREMENTS

1. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel.
2. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.
3. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.
4. Common Areas: All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually owned and maintained by the property owners of the development or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City.
5. Prior Created Lots: Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of an Agricultural 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 an owners' 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 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:

EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions**

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 required by section 17.04.300 of this title.

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.

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

EXHIBIT C
A-5 & R-2.5 ZONE City Code Provisions

R-3	10,000
R-4	8,000
R-5	6,000
R-M	5,000

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

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

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

EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions**

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%

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

Zone	Front Yard (Interior And Corner Lots)	Garage Opening¹ (Front Or Street Side)	Front Yard (Cul- De-Sac Lots)	Side Yard (Standard)	Side Yard (Corner Lot Street Side)	Rear Yard (Interior Lot)	Rear Yard (Corner Lot)
R-1.8	30'	30'	25'	10'	30'	25'	10'
R-2.5	25'	30'	20'	10'	25'	25'	10'
R-3	25'	30'	20'	10'	25'	25'	10'
R-4	20'	25'	20'	8'	20'	20'	10'
R-5	20'	25'	20'	8'	20'	20'	10'
R-M-5	20'	25'	20'	8'	10'	20'	10'
R-M-6	20'	25'	20'	8'	10'	20'	10'

2. **Note:**

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

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

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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

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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.

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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

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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.

EXHIBIT C**A-5 & R-2.5 ZONE City Code Provisions****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.

17.40.030: OTHER REQUIREMENTS

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

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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.

EXHIBIT D**P-O ZONE City Code Provisions****CHAPTER 17.62 OFFICE ZONE****17.62.010: PURPOSE****17.62.020: DEVELOPMENT AND DESIGN STANDARDS****17.62.030: OTHER REQUIREMENTS****17.62.010: 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 office areas in the City. This chapter shall apply to the P-O Zone, established in chapter 17.20, "Zone Establishment", of this title. Uses may only be conducted in the P-O Zone 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. P-O Zone: The purpose of the P-O Zone is to provide areas where large and small scale offices and office parks can be located in the City. Smaller office developments should be harmoniously integrated with surrounding residential areas and serve as residentially compatible buffers to heavier uses such as commercial and industrial businesses and major roadways. Large office buildings should be well buffered from residential areas with landscaped open space. Buildings and signs should be coordinated with high quality materials and architecture.

17.62.020: DEVELOPMENT AND DESIGN STANDARDS

1. Development Review: Uses proposed in the P-O Zone may only be established in conformance with the City's development review procedures of the City. Applicants shall follow the procedures and requirements of this Code regarding development review in the preparation and review of development proposals in the P-O Zone. 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. Office condominiums may be approved in accordance with State law and City ordinances.
2. Area Requirements: The following area requirements shall apply in the P-O Zone:
 1. The minimum zone area shall be one acre.
 2. The minimum project area in the P-O Zone shall be one acre. "Project" is defined as any development in the OS Zone for which an application has been submitted or approval has been granted for a preliminary plat or site plan.
 3. There shall be no minimum lot area in the P-O Zone.
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, in the P-O Zone.
4. Lot Width And Frontage: No minimum lot width is required for lots in the P-O Zone. 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 shall apply to lots or parcels in the P-O Zone:
 1. The following minimum yard area requirements apply to main and accessory buildings:
 1. The required yard area for front, side, and rear yards shall extend a

EXHIBIT D**P-O ZONE City Code Provisions**

- 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.
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, except that the required yard area adjacent to residential or agricultural zones shall be twenty feet (20') per story for three-story or higher buildings.
 2. The required yard area for a lot or parcel adjacent to a residential or agricultural zone, as required in subsection E1 of this section may be reduced if the adjacent residential or agricultural zoned property has a future land use designation that is not residential or agricultural and the reduction is approved by the Planning Commission with site plan review.
 3. The following may be projected into any required yard area in the P-O Zone:
 1. Fences and walls in conformance to City codes and City 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 the P-O Zone shall comply with title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title and title 10, "Vehicles And Traffic", of this Code.
 7. **Fencing, Screening, And Clear Vision Areas:** The fencing, screening and clear vision requirements of this section shall apply to the P-O Zone:
 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.
 2. The boundary of an office zone which is not in or adjacent to a public right-of-way and which 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

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fencing may be used in unusual circumstances such as when the office 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 the P-O Zone, 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 the P-O Zone:
 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 shall be submitted.
 2. All building materials shall be high quality, durable and low maintenance.
 3. 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.
 4. All sides of buildings shall receive design consideration.
 5. Signs shall meet requirements of title 16, chapter 16.36 of this Code and shall be constructed of materials which complement the buildings which they identify.
 6. The maximum building height in the P-O Zone shall be six (6) stories or seventy feet (70'), whichever is less.
 7. The exteriors of buildings in the P-O Zone shall be properly maintained by the owners.
9. Grading And Drainage: All developments shall be graded to comply with subsection 16.10.040E9 of this Code and 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.
10. Landscaping: The following landscaping requirements and standards shall apply in the P-O Zone. Landscaping in the P-O Zone is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.
 1. A minimum of fifteen percent (15%) landscaped open space, which may include required landscaped yard areas, shall be provided with each development in the P-O Zone.
 2. 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') for buildings not exceeding two (2) stories and shall not be less than twenty feet (20') for buildings with three (3) stories or more, except that no yard landscape area

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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.
3. All areas of lots in the P-O Zone not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other live 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.
4. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in the P-O Zone 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.
5. All collector streets and other public and private park strips in the P-O Zone 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.
6. Trees shall not be topped and required landscape areas shall not be redesigned or removed in the P-O Zone 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.
7. 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 in double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum thirty foot (30') intervals and no farther than six feet (6') from the parking area.
 3. Minimum five foot (5') landscaped planters shall be provided around building foundations except at building entrances, drive-up windows and loading and utility areas.
 4. All landscaped areas adjacent to parking areas shall be curbed.
8. 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.
9. All required landscaping shall be installed (or escrowed due to season) prior to

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occupancy.

10. 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 the P-O Zone:
 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.

17.62.030: OTHER REQUIREMENTS

1. Private Covenants: The developer of a condominium project in an office 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 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 which legally existed or were created by a preliminary or final plat approval prior to the establishment of the P-O Zone shall be brought into conformance with the requirements of this chapter prior to development.

EXHIBIT E

Item I.1.

RESOLUTION R – 2025-41