

**CITY OF SOUTH JORDAN
CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, FEBRUARY 18, 2025 at 6:30 p.m.**



Notice is hereby given that the South Jordan City Council will hold a meeting at 6:30 p.m. on Tuesday, February 18, 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. The agenda may be amended, and an executive session may be held at the end of the meeting. Times listed are approximate and may be accelerated or delayed.

In addition to in-person attendance, individuals may join virtually using Zoom. Attendees joining virtually may not comment during public comment; virtual participants may only comment on items scheduled for a public hearing. Video must be enabled during the public hearing period. Attendees wishing to present photos or documents to the City Council 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.

The ability to participate virtually depends on the individual's internet connection. To ensure that comments are received regardless of technical issues, please submit them in writing to City Recorder Anna Crookston at acrookston@sjc.utah.gov by 3:00 p.m. on the day of the meeting. Instructions on how to join virtually are provided below.

Join South Jordan City Council Meeting Virtually:

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

Regular Meeting Agenda: 6:30 p.m.

- A. Welcome, Roll Call, and Introduction:** By Mayor, Dawn R. Ramsey
- B. Invocation:** By Council Member, Don Shelton
- C. Pledge of Allegiance:** By Assistant City Manager, Jason Rasmussen
- D. Minute Approval:**
 - [D.1.](#) January 21, 2025 City Council Study Meeting
 - [D.2.](#) January 21, 2025 City Council Meeting
 - [D.3.](#) January 29, 2025 City Council Budget Meeting
 - [D.4.](#) February 4, 2025 City Council Study Meeting
 - [D.5.](#) February 4, 2025 City Council Meeting

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

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

This is the time and place on the agenda for any person who wishes to comment. Any person or group wishing to comment on any item not otherwise scheduled for public hearing on the agenda may address the City Council at this point by stepping to the microphone, and giving their name and address for the record. Note, to participate in public comment you must attend City Council Meeting in-person. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Chair. Groups wishing to comment will be asked to appoint a spokesperson. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council Meeting. Time taken on non-agenda items, interrupts the process of the noticed agenda.

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

- G.1. Presenting Neil Rasmussen with the APWA Outstanding Drinking Water System Professional Award. *(By APWA Utah Chapter Board, Dan Johnson)*
- G.2. Presenting Cameron Browning with the APWA Outstanding Storm Drain Maintenance Professional Award. *(By APWA Utah Chapter Board, Dan Johnson)*
- G.3. Art's Council Annual Update. *(By Chair, Laura Gaillard)*

H. Action Items: 7:30 p.m.

- H.1. **Resolution R2025-06**, Appointing Lori Harding to the South Jordan Planning Commission. *(By Director of Planning, Steven Schaefermeyer)*
- H.2. **Resolution R2025-07**, Approving the agreement for installation of sewer improvements along 1055 West with Jordan Basin Improvement District. *(By City Engineer, Brad Klavano)*
- H.3. **Resolution R2025-08**, Amending the City Wide Policy 500-01 relating to Public Infrastructure Districts. *(By Director of City Commerce, Brian Preece)*
- H.4. **Resolution R2025-09**, Authorizing the Mayor of the City of South Jordan to enter into a Development Agreement with Mulberry Cottage, LLC and WHDTMR, LLC pertaining to property located at 10537 S. 3010 W. and 10555 S. 3010 W. *(By Director of Planning, Steven Schaefermeyer)*

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

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

COUNTY OF SALT LAKE)

I, Anna Crookston, the duly appointed City Recorder of South Jordan City, Utah, certify that the foregoing City Council Agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body and also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on South Jordan City's website at www.sjc.utah.gov. Published and posted February 14, 2025.

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

January 21, 2025

Present: Mayor Pro Tempore Kathie Johnson, Council Member Patrick Harris, Council Member Don Shelton, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Planning Steven Schaefermeyer, Director of City Commerce Brian Preece, Director of Public Works Raymond Garrison, CFO Sunil Naidu, City Engineer Brad Klavano, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, Battalion Chief Michael Richards, Director of Recreation Janell Payne, Director of Strategy & Budget, Don Tingey, Communications Manager Rachael Van Cleave, CTO Matthew Davis, Systems Administrator Ken Roberts, GIS Coordinator Matt Jarman, Long-Range Planner Joe Moss, City Recorder Anna Crookston, Information Center Agent II, Jackson Gedge

Absent: Mayor Dawn R. Ramsey, Council Member Tamara Zander

Others:

4:40 P.M.
STUDY MEETING

Council Member Shelton motioned to appoint Council Member Johnson as Mayor Pro Tempore in Mayor Ramsey's absence. Council Member McGuire seconded the motion; vote was 4-0, unanimous in favor. Council Member Zander was absent from the vote.

A. Welcome, Roll Call, and Introduction: *By Mayor Pro Tempore, Kathie Johnson*

Mayor Pro Tempore Johnson welcomed everyone present and introduced the meeting. She noted that Mayor Dawn Ramsey and Council Member Zander was unable to attend tonight's meeting.

B. Invocation: *By Council Member, Don Shelton*

Council Member Shelton offered the invocation.

C. Mayor and Council Coordination

Council Member McGuire mentioned the Utah League of Cities and Towns (ULCT) Local Officials Day tomorrow, January 22, 2025 and the Chinese New Year Celebration will be January 23, 2025 at Mountain Creek Middle School.

D. Discussion/Review of Regular Council Meeting

Presentation Item:

- South Jordan Water Conservation Program Update.

Action Item:

- **Resolution R2025-04**, Authorizing the Mayor of the City of South Jordan to sign a Franchise Agreement with Cablevision Lightpath, LLC.

E. Discussion Items

E.1. Historic Preservation. *(By Director of Strategy & Budget, Don Tingey)*

Director Tingey explained the Certified Local Government (CLG) Grant Program, a state-managed initiative funded by the National Historic Preservation Fund. The program provides grants to communities for historic preservation projects. The city had previously received approximately \$50,000 for restoration work on Aunt Mame's. Last year, a grant application for the Salt Lake County TRCC grant was prepared, with plans to match it with a CLG grant. However, during discussions with the state, it was discovered that the city needed to recertify its local government status. The recertification process revealed that the city code was not compliant with federal guidelines, specifically lacking the inclusion of the word "district" in relation to district sites and facilities. The state requested that the city amend its code to include this term in order to align with the requirements for certification. He shared that the state has been working systematically with communities that need to recertify their historic preservation status, citing Spanish Fork as an example, which completed its recertification last year. He noted that the CLG grants have a maximum amount of \$10,000 per year and require a 50/50 matching contribution. These grants are significant for smaller projects. The grant cycle occurs annually, with urban cities typically being eligible one year and rural cities the following year, depending on available funding and project types. For the Aunt Mame's project, the city was able to secure funding over a multi-year period—three to five years—due to the availability of funds and the limited number of projects being requested at the time. Each year, the city had to reapply for the grant, with different aspects of the Aunt Mame's project being funded separately. For example, the roof and windows were funded as distinct projects, with the \$10,000 applied to the overall restoration work.

Council Member Harris asked how much has been spent on Aunt Mame's so far.

Director Tingey responded the seismic retrofitting and exterior restoration of the home amounted to approximately \$1.5 million, while the park restoration cost around \$2 million. Regarding the CLG process, he explained that when the CLG was initially incorporated into the city code, it was placed under Title 17, which requires that changes go through the Planning Commission. Over time, the city has made adjustments to commission and board structures, including placing the Historic Preservation Committee's responsibilities under Title 2, which includes the relevant bylaws and requirements for these committees. He suggested moving the CLG language from Title 17 to Title 2, aligning it with other historic preservation responsibilities. This change would simplify the process and ensure consistency in the city's historic preservation efforts, particularly with state and federal guidelines regarding inventory and other preservation tasks. If the council agrees with this proposal, the next steps would include initiating an ordinance change to add the word "district" and to shift the CLG language to Title 2. This process would involve a review by the Planning Commission before the ordinance and resolution are presented to the city council.

He clarified that while there is no intent to create a district, the National Park Service requires the inclusion of the word "district" in the city code in order for the city to be eligible for funding.

Council Member Shelton inquired about the original placement of the historic preservation language with the Planning Commission and its practical purpose. Director Tingey explained that in larger cities like Salt Lake City, the Planning Commission became more involved in restoration projects, seeking greater control over whether a project was a district or single-site restoration. The city followed their lead, which is why the language was placed in Title 17.

Council Member Shelton noted that the city was very different in 1987 and asked whether moving the language from Title 17 to Title 2 would result in any significant changes. Director Tingey confirmed that the language would remain the same, only relocated.

Council Member Shelton asked whether a historical preservation project, such as the roof restoration at Aunt Mame's, would require approval from the Planning Commission under the current structure. Director Tingey clarified that, based on their understanding, such projects would not need to go before the Planning Commission for a vote.

Director Schaefermeyer said he speculates that part of the reason historic preservation was originally placed in Title 17 was because many cities treat historic preservation similarly to zoning and land use ordinances. In larger cities, such as Salt Lake City's Harvard Yale district, homeowners may face additional requirements when renovating their homes based on how the property is classified. However, in South Jordan, where there are fewer historic sites, there is less need for a land-use component. After reviewing the ordinance, he noted that there are no land-use requirements in the city's historic preservation code. For example, the idea of requiring oversight from the Planning Commission for changes like a roof restoration is not included in the current ordinance. He clarified that there is no trigger to take historic preservation matters before the Planning Commission. At the staff level, there is no requirement for review by the Planning Commission, as the process was set up to be managed by the Historic Preservation Committee. He explained that there is no compelling reason for it to be a Planning Commission function, especially when compared to other boards and commissions in the city. He acknowledged that as the city works through the details of the ordinance, there may be a few elements that remain in Title 17, but these would be clearly addressed if they arise. He emphasized that the focus is on the functioning and designation of historic sites through the committee process, which the Planning Commission has not traditionally been involved in.

Council Member Shelton asked how the process of designating a historic site would function under the current ordinance and how it would change if the ordinance were modified.

Director Tingey explained that the Historic Preservation Committee, operating under rules established by the National Park Service and the CLG grant program, would create and maintain an inventory of potential historic sites. He noted that the previous committee had already developed a robust inventory and emphasized that the 50-year timeline for historic designation means new sites, such as those from 1974 and 1975, are now becoming eligible. The committee

will maintain a current list of such sites in the community and would be involved if a project arises concerning any of these designated sites.

Council Member Shelton inquired whether the committee would have the authority to designate a site as historic directly. Director Tingey clarified that the designation would not be finalized by the committee alone. Instead, the committee would make a recommendation to the council, and the council would vote on it. The process does not involve the planning commission.

Director Schaefermeyer provided an example of a change in Title 17 involving home occupations. He explained that home occupations were found to have more of a business licensing aspect than a zoning aspect. As a result, most regulations concerning home occupations were moved from Titles 17 and 16 to Title 5, which deals with business licensing. While some use regulations remain in Title 17, as they would for any business, the primary regulation of home occupations now falls under Title 5. Schaefermeyer noted that the regulations themselves did not change significantly, but moving them to Title 5 prevents the creation of land use rights tied to the property, which are typically associated with Title 17.

Council Member Shelton inquired if designating a property as a historic site is effectively a land use decision.

Director Schaefermeyer clarified that designating a site as historic is not necessarily a land use decision. The National Register and the state register operate independently. Currently, the city does not impose land use regulations specific to historic structures unless a formal scheme is developed. While the city's general plan includes a "historic land use designation," it has not resulted in the creation of a district or additional land use regulations for historic structures.

Mayor Pro Tempore Johnson noted the distinction between designating an individual property, such as a single building, and broader historic districts found in larger towns. She mentioned that some cities, like Park City, have entire neighborhoods subject to specific historic preservation codes. For example, homeowners in these areas may be required to maintain original architectural features, such as windows.

Attorney Loose explained that Salt Lake City refers to these areas as Historic Preservation Zones. In these zones, there are zoning regulations with underlying density and land use rules. Additionally, there are historic preservation requirements layered on top, which mandate maintaining specific historic elements, such as windows. This creates a two-tiered system of zoning regulation.

Mayor Pro Tempore Johnson remarked that in cases where homeowners in historic districts do not wish to comply with preservation regulations or face challenges, they typically must go through an appeals process. She noted that this is likely when a planning commission becomes involved. She added that when dealing with a single property and where the city is providing funding or assistance, there is generally more say and control over the process. She also acknowledged that this has traditionally been the approach in such situations.

Director Schaefermeyer explained that the city has not actively encouraged property owners to pursue historic preservation designations. He mentioned the "purple church" on 1300 West as an example, noting that the property was recently appraised, and there was some confusion regarding whether it had ever been designated as historic and how that related to land use. This confusion raised concerns about potential complications. He clarified that the church's owners, had never sought historic designation for the property. While there may have been council members who expressed interest, the city has generally left such decisions to property owners. He added that other property owners in the city have obtained historic designation, but this has been done through the National Register rather than through a city-managed process or overlay.

Director Tingey recommended moving the historic preservation responsibilities to Title 2 and placing them under the duties of the Historic Preservation Committee, removing them from the land use section. He emphasized that, for the most part, the process would remain unchanged. The language from the state's guidelines has been used word-for-word in drafting the ordinance, with the only substantive change being the inclusion of the term district. He noted that there would be amended bylaws for the Historic Preservation Committee, which would reference the new chapter in Title 2, ensuring everything aligns.

Council members agreed to have it moved to Title 2.

Director Tingey discussed the recent grant application for the interior restoration of Aunt Mame's, which was unfortunately denied due to the broad nature of the proposed use for the facility. The TRCC required a more specific proposal, particularly a focus on public use, which the application lacked. The Newbold family have rekindled interest in restoring the interior and have started working on establishing a 501(c)(3) to pursue grants. The city's involvement has mainly been with the exterior restoration, with the understanding that interior funding would come through grants or family contributions. He asked for guidance from the council on how to define the facility's future use, suggesting a resolution or direction to help secure funding and grants for the project. He noted over the years, discussions during strategic planning sessions have reaffirmed that the property should not transition to private use, such as becoming a private business like an insurance agency. Instead, the focus has consistently been on preserving its public function and accessibility, which should guide any future restoration and funding efforts. The questions raised by the TRCC committee regarding Aunt Mame's, particularly whether it would function as a city-owned wedding venue, a leased venue, or something else entirely, highlight the importance of clearly defining its intended use. This lack of clarity seems to have influenced the grant application's outcome. Historically, Zions Bank conducted a study exploring potential uses for historic homes like Aunt Mame's across the country. That research suggested a broad range of possibilities, emphasizing flexibility and innovation. In alignment with these findings, the city included Aunt Mame's in its arts master plan, envisioning it as a potential arts-focused facility. One model discussed involved city ownership with operational management by a nonprofit organization, making it a resident arts space or similar community-oriented venue. This approach would align with the city's desire to maintain public accessibility while leveraging partnerships to support programming and operations sustainably.

Council Member McGuire said with the Newbold family wanting to start a 501(c)(3) to help with the restoration, do they have something in mind that they're wanting to see the city restore it to, or are they just really trying to make sure it gets fully preserved.

Don Tingey explained that while no specific use for Aunt Mame's had been identified, discussions had remained broad. Suggestions included private-use concepts that could generate revenue to support both restoration efforts and ongoing maintenance. The importance of maintaining public accessibility was also emphasized. The idea of a bed and breakfast was raised but dismissed due to potential complications, particularly given recent community discussions surrounding short-term rentals. Questions were raised about the property's layout and accessibility. Director Tingey clarified that the facility has two levels, a main floor and an upper level. Half of the upstairs was historically used as living space, while the north side consists of an unfinished attic. Accessibility challenges were acknowledged, leading to the installation of a staircase on the north side to ensure ADA compliance. Further discussion included the broader implications of ADA requirements for the property's future use.

Council Member Harris commented that the Newbold family had hoped the city would complete the restoration, and some individuals believed the city was obligated to do so. He added that, ideally, the city council at the time of the property transfer should have required the family to fully preserve the property before the city assumed responsibility for its maintenance. He described this as a missed opportunity, emphasizing that the city had already invested \$1.5 million in the exterior, while the interior remained unfinished and required significant work. He shared concerns about the building's suitability for public use, citing challenges related to the layout, stair access, and potential fire code limitations. He suggested that the structure's design likely precluded larger gatherings, such as weddings, inside the house, as occupancy would need to remain minimal.

Council Member McGuire inquired about the scope of the restoration for Aunt Mame's property. He asked whether the intention was to fully recreate the home as it was when originally built or if the focus would be on preserving specific architectural elements, such as molding around windows and doors, without fully furnishing the interior. He questioned whether there was a need to reinstall features like a kitchen or if those areas could remain unfinished.

Director Tingey explained that determining the level of restoration will be part of the scope of work planned with the architects, who will be tasked with providing estimates for both historically accurate restoration and more basic renovations for office or public space use. He agreed with Council Member Harris's earlier comments, noting that in Utah, historic preservation funding typically comes through historic tax credits, benefiting builders and developers. He provided an example from Brigham City, where a family restored a historic home, donated it to the city, and the city now rents the property to fund its ongoing maintenance. The family covered the initial restoration costs, while rental income sustains the property's upkeep.

Council Member Shelton asked what happens if we sold it?

Director Tingey noted that the Conservation Easement includes specific terms, including a reversionary clause that returns the property to the family under certain conditions. However, the family does not have the option to sell the property. He added that aside from the Newbold family, there has not been significant public interest in restoring the interior of the property. While it is one of the most photographed and visited sites in the city, there has been little demand for accessing or using the interior of the facility. Noting the park is occasionally reserved for events. The Newbold family has held weddings at the site, and the city has also hosted events there.

Council Member Harris questioned whether sufficient grant funding would be available over time to complete the interior restoration. He inquired about the potential timeline if the city continued to pursue grants for the project.

Director Tingey stated that the restoration could not be completed solely with CLG funding. He emphasized the need to secure support from larger foundations, such as the Eccles or Larry H. Miller foundations. He mentioned discussions with Russ Newbold, a historic restoration professional based in New York, who specializes in projects in Massachusetts and Connecticut. Russ Newbold had previously provided detailed work for the city's restoration of Aunt Mame's at a discounted cost and contributed design work for homes in the related subdivision. He explained that the plan was to complete the architectural planning, divide the home into manageable phases, and then approach potential donors like the Eccles and Larry H. Miller foundations for additional funding.

Council Member Shelton questioned how the city could proceed with planning for the restoration without having a clear purpose or intended use for the facility in mind. He said that determining a clear purpose for the facility is necessary before proceeding with any restoration planning. Suggesting the Historical Committee could consider potential uses, or the council might need to explore other options, including possibly transferring ownership of the property.

Council Member Harris suggested the possibility of returning the property to the Newbold family, allowing them to finish the restoration on their own and potentially live in the home, considering it could serve as a residential space.

Council Member Shelton expressed that, outside of a compelling public purpose, he would lean that direction.

Director Tingey mentioned that the city had previously explored various potential uses for the property, such as offices for Parks and Recreation, and the Gale Center. However, none of these options proved to be sustainable, leading to the current situation.

A discussion was held regarding the possibility of giving the property back to the Newbold family for private use. However, adjustments to the conservation easement would be required since it currently mandates public accessibility. The council explored the idea of potentially carving out a portion of the lot for public use while allowing the family to finish the interior

restoration. It was noted that the private use would require compensation or consideration, though specific solutions were not yet determined.

Council Member Harris suggested that if the property were used as a private residence, and it be possible for the family to live there while still utilizing the surrounding grounds. This would prevent the home from remaining empty. He said that, as long as the public retained access to the exterior of the property, local residents would likely be satisfied with the arrangement. He inquired about the estimated overall cost to complete the project.

The discussion centered around the cost of fully restoring the property. Estimates suggested that completing the interior could cost an additional \$1.5 million, bringing the total to about \$3 million, which could potentially be used to build a new structure with modern amenities. There were concerns about the feasibility of the family completing the restoration without financial resources, as the city had initially partnered with them for that purpose. Some suggested offering the property back to the family, allowing them to use it as a private residence, but to where the public can still have access to some of the amenities. Concerns about the conservation easement and potential future issues were raised. There was a proposal to explore possible uses, such as an arts studio, which could provide a more sustainable option without fully restoring the property.

Council members agreed that the council should continue exploring options and consult with the arts community to determine demand and feasibility, with no immediate rush to make a decision. The general direction was to gather more information before proceeding.

E.2. Flag Lot Overlay Zone. (By Director of Planning, Steven Schaefermeyer)

Director Schaefermeyer introduced Long Range Planner Joe Moss, who was present to provide an update and lead the discussion on flag lots. Director Schaefermeyer provided context, noting the evolution of the city's flag lot ordinance. Initially, flag lots were not permitted but were later allowed on lots that were twice the average size of the surrounding subdivision. Subsequently, a flag lot floating zone was created, requiring applicants to request a rezone with a development agreement if they did not meet the large lot requirement. This approach was intended to give the council flexibility to evaluate individual circumstances. However, challenges arose during the first formal application of the ordinance, prompting a need for review. He explained that a pending ordinance had been passed to temporarily pause new applications or their vesting in the process, allowing time to reassess and address concerns. He noted that one application was pending, with several potential applicants awaiting the outcome of the ordinance review. A related application was scheduled for further discussion at the next council meeting.

Planner Moss shared that when reviewing flag lot regulations, staff took a broader approach by examining not only South Jordan but also several surrounding communities. They found that South Jordan is unique in having both an administrative and a legislative process for approving flag lots. In contrast, most other communities only allow flag lots if they meet established standards without a separate approval process. He explained that while the administrative option is relatively standard in flag lot approvals, the legislative option involves additional requirements, such as a development agreement and enhanced noticing. For the legislative

process, notifications are sent not only to those within a 300-foot radius but to everyone in the subdivision as well. Additionally, a preliminary subdivision application can be submitted concurrently but cannot be approved until both the zoning and development agreements have passed. This ensures that all necessary approvals are in place before finalizing the project. Planner Moss reviewed prepared presentation (Attachment A).

Director Schaefermeyer explained that typically, a zoning approval is required before submitting a subdivision application. However, the PD floating zone ordinance allows for a process where a subdivision application can be submitted at the applicant's own risk, prior to zoning approval. In a recent case, the Planning Commission hesitated to approve a subdivision subject to the city council's approval of both the zoning and development agreement. They felt uncomfortable moving forward without knowing if the zoning would be granted, leading to the Planning Commission tabling the decision. This approach has proven to be challenging, at least in the case of that particular application.

Planner Moss outlined the different tools available for regulating flag lots, categorized into three areas: eligibility criteria, design standards, and administrative features. For the administrative process, applicants must meet the three criteria. The lot must be at least twice the average size of other lots in the subdivision, the applicant must meet all requirements of the underlying zone, including density, which is calculated based on the original platted subdivision. Not all lots may qualify due to density restrictions, and there must be no other feasible way for the property to connect to a future street. In contrast, the legislative process does not have these requirements but mandates a minimum of 125 feet of street frontage. The city council determines unique circumstances for legislative flag lot applications.

Director Schaefermeyer clarified that the legislative process would include the second administrative requirement, where applicants must meet the density requirements. However, it would not include the first requirement.

Planner Moss explained that different communities regulate flag lots in various ways. Some communities only allow flag lots when private right-of-way is not an option, and some have different standards for private right-of-way compared to public right-of-way, suggesting that a private right-of-way might not need to be as wide. Another approach involves limiting the number of flag lots allowed within a subdivision, such as restricting flag lots to two per subdivision or only allowing them in subdivisions with fewer than 20 lots. Additionally, some communities have caps on the number of lots that can be created from the original parcel, such as allowing only two lots to be subdivided into four. There are also regulations to ensure that flag lots do not inhibit the development of neighboring parcels, such as restrictions on access or whether they can be located on arterial or collector streets versus cul-de-sacs. Zoning restrictions can also play a role, with some communities allowing flag lots only in specific zones, such as agricultural zoning.

Council Member Shelton asked if the regulations discussed were drawn from a list of neighboring cities. Planner Moss confirmed that they were.

Mayor Pro Tempore Johnson inquired if any cities were found that do not allow flag lots. Planner Moss responded he did not, not in the Salt Lake area.

Council Member Harris asked if any cities had deed restrictions to prevent flag lots from being turned into rentals. Planner Moss responded that they hadn't found any cities with such restrictions, noting that most regulations focus on single-family dwellings, and issues like accessory dwelling units or rental restrictions haven't been included in other codes they've reviewed.

Council Member Harris suggested that this could be a topic for future discussion, given concerns about increased rental units impacting the neighborhood. He emphasized the need for more housing but expressed concerns about subdividing lots and creating additional rentals.

Mayor Pro Tempore Johnson questioned the need for flag lots, suggesting that with the option for accessory lots, they essentially serve the same purpose. She noted that with accessory units, there is more control by the homeowner, and once the property is sold off, that control diminishes. She added that the two types of lots might be redundant.

Director Schaefermeyer explained the difference between a detached accessory dwelling unit (ADU) and a flag lot lies in factors such as driveway width and fire access. When it's a separate lot, these requirements come into play. However, with a detached ADU, those requirements are not as stringent because the primary property owner is still in control of the property.

Planner Moss continued reviewing prepared presentation Attachment A, providing an overview of potential design standards for flag lots, noting several factors that communities often regulate. He mentioned fire safety requirements, such as the need for a hammerhead turnaround if the access road exceeds a certain length. Additionally, there are often regulations on the minimum width and maximum length of the access strip to ensure it remains accessible. Driveway paving materials and grade are also considered, with a focus on ensuring safety and accessibility. Address markers must be posted at the street for public safety to easily locate the flag lot. Another consideration is the separation distance between driveways and neighboring homes to avoid any conflicts. He highlighted the minimum lot size for flag lots could be based on the base zoning rather than the average subdivision size, as the latter requires substantial research. Some communities, such as Millcreek, use a percentage of the underlying zone district, excluding the access strip from the calculation, to determine the lot size. In terms of setbacks, additional regulations might apply to accessory buildings, and some communities limit the number of stories or reduce the maximum lot coverage for flag lots. Some cities also prohibit guest houses on flag lots, though this is relatively uncommon, as internal ADUs are more difficult to regulate due to state legislation. He noted that some communities require fencing or screening along the driveway, and in some cases, even fire hydrant installation may be required. He concluded by stressing the importance of evaluating which standards would be appropriate for flag lots in the community and which might not make sense in the local context.

Director Schaefermeyer emphasized that while many options have been presented, the goal is to identify what is most important to the Council. These options can then be used to develop a draft

ordinance for review. He specifically noted the guest house issue, which was raised during the previous application and feels unresolved. He invited further discussion, particularly regarding concerns about deed restricting rentals on flag lots, as mentioned by Council Member Harris. Director Schaefermeyer stressed that understanding the Council's concerns would allow them to tailor the ordinance to address those issues, as each option is designed to address specific community concerns related to the impact of flag lots.

Council Member Harris expressed support for deed-restricting flag lots to for-sale housing, as there is a need for more housing options. He acknowledged that this approach could help address the housing shortage. However, he voiced concerns about flag lots being used primarily for rental income, fearing that this could negatively impact the neighborhood. He stated that while he understands the need for additional housing, he would be hesitant to support flag lots if they were left open-ended and used for rentals, as this could lead to significant changes in the neighborhood.

Council Member Shelton expressed support for the guest house prohibition, noting that it makes sense to prevent adding guest houses in flag lots. He pointed out that creating additional density by subdividing a lot and then allowing a guest house on top of that would significantly increase the density in an already established subdivision, which could further complicate the situation.

Council Member McGuire suggested that a minimum width requirement for the frontage of the access strip should be established, and that the code should include clear guidelines on the minimum width for access strips, especially to ensure that fire trucks can safely navigate the area. He suggested adopting standard driveway paving requirements similar to what would be required for regular driveways and agreed on the importance of having address markers visible from the street. Additionally, he proposed establishing a minimum separation distance between newly created driveways and neighboring homes to maintain privacy and prevent potential disruptions, such as having a driveway too close to a bedroom. He noted the need to address height and number of stories for buildings on flag lots, as these concerns often arise when new structures are built in the backyard, such as large sheds or other tall buildings. He agreed with the previous points raised about guest houses.

Director Schaefermeyer noted that from the last discussion it seemed that Council Member Zander was more comfortable with the idea of two properties sharing a driveway rather than each new flag lot adding its own separate driveway. The ordinance currently requires adjacent lots, when large enough, to share a driveway for flag lots.

Mayor Pro Tempore Johnson raised a concern about the potential issue of two properties not being developed simultaneously. Noting that if the second property came in later, it might not have the space to share a driveway, especially if the garage of the second property is on the opposite side of the home.

Council Member McGuire shared his experience of living in a house with a shared driveway, mentioning that while it can be a good idea in theory, it can be challenging to manage. He noted

that he likes the idea of shared driveways when it's practical, especially if someone is developing two lots at the same time.

Mayor Pro Tempore Johnson said she is not in favor of flag lots and shared a handout (Attachment B). She shared her past experience on the Planning Commission with a subdivision called Lucas Dell. Initially, the area consisted of large lots, but over a period of two to three years, a developer purchased the lots and redeveloped the area. She explained that the development led to higher tax revenue, new streets, and a fresh development, which she believes ultimately avoided many potential issues. She clarified that a developer acquired several lots, some of which had existing houses. The developer packaged and redeveloped the area, transforming it into a larger subdivision. Within a few years, the area experienced significant growth. She acknowledged the importance of offering a variety of housing options, and noted that while people with larger lots may want properties with more space, flag lots typically don't sell as well. She added that flag lots tend to be discounted compared to properties with regular street frontage, and that selling larger properties outright often provides homeowners with a greater financial return.

Council Member McGuire added that one of the concerns with flag lots is the sense of isolation they can create. People may feel disconnected from the community because their property is hidden, lacking street frontage, and not integrated into the neighborhood.

Mayor Pro Tempore Johnson emphasized that while there is pressure to create more housing, it is important to consider the variety of housing options needed. Pointing out that some homeowners can utilize ADUs or rent out parts of their homes, providing alternatives to subdividing their properties. She acknowledged the concerns of those with limited financial resources, but argued that ADUs and other options can offer solutions without resorting to flag lots.

Council Member McGuire asked Mayor Pro Tempore Johnson if she would prefer to completely eliminate flag lots altogether. Mayor Pro Tempore Johnson said yes.

Council Member Harris asked for an assessment of how the legislature might affect flag lots in the future, wondering if cities would be expected to adopt flag lots as part of housing solutions moving forward.

Attorney Loose shared that there isn't any major legislative push for flag lots at the moment. However, there has been significant discussion regarding ADUs and their potential for creating more rental housing. While rental market growth has slowed, there is an ongoing focus on ADUs, particularly in areas where they are allowed, as they are seen as a way to increase housing density and provide financial benefits for homeowners. He noted that flag lots are not being pushed as a primary solution and that administrative processes for flag lots have been more tailored to specific situations, leaving it up to the council to decide whether to rezone properties for flag lot development.

Mayor Pro Tempore Johnson asked if the city still allows property owners, particularly those on corners, to divide their property if they wish to do so.

Director Schaefermeyer explained that corner properties do not qualify for flag lots. He referenced an example where a developer bought older homes, particularly those on corner lots, and subdivided them into two properties. This allowed the properties to remain part of the neighborhood's fabric, maintaining the density requirements. Though not common, there have been a few cases where developers bought multiple homes, creating private drives or other streets for access from a corner. This method still adheres to zoning requirements for subdivisions.

Council Member Shelton expressed concern that if the city becomes the only one in Salt Lake County that doesn't allow flag lots, it might create problems, potentially leaving the city as an outlier.

Director Schaefermeyer asked the council whether they preferred to have the regulations brought forward in a legislative setting, assuming they find acceptable regulations, or if they would prefer to make the rules administrative. The goal would be to create clear rules without complications such as development agreements and multiple hearings.

Council Member Harris shared that city council meetings often become very emotional, especially for long-term residents on larger lots who fear the change that comes with flag lots, particularly with the possibility of turning properties into rentals. He expressed a preference for handling flag lot regulations administratively, without the need for emotional debates during meetings. However, he recommended some guidelines for flag lots, including the restriction of these lots to deed-restricted, for-sale properties only. He also suggested prohibiting ADUs on flag lots to avoid turning them into rental properties. He emphasized his desire for clear, administrative rules that provide consistency and clarity for residents and developers, rather than making decisions in emotionally charged meetings.

Mayor Pro Tempore asked if they are allowed to restrict ADUs.

Attorney Loose said for external ADUs yes. He clarified that for internal ADUs, the primary zoning would typically be residential, and these ADUs would still need to meet certain requirements, such as owner occupancy and at least one off-site parking space. While future legislative changes are possible, he noted that the current legislature seems comfortable with maintaining owner-occupancy rules for internal ADUs. Additionally, even if both internal and external ADUs were allowed, the total number of units would still likely be fewer than with flag lots, which could allow for multiple ADUs and result in a higher total (three versus four units).

Council Member Harris suggested that it should be one or the other: a flag lot or an external ADU, allowing individuals to choose which option they prefer, but not both. This approach would streamline the decision-making process and ensure clarity for property owners regarding their development options.

Attorney Loose confirmed that, under the current regulations, it would be possible to draft the ordinance in such a way that property owners could choose between a flag lot or an external

ADU, but not both. However, he noted that this approach could be subject to future changes in legislation.

Council Member Shelton reflected that, over time, as the population grows and land becomes more limited, there will be increasing pressure for more density. He emphasized that this is an inevitable trend and suggested that the key challenge is determining what is acceptable to the community at present, given the current circumstances.

Mayor Pro Tempore Johnson stated that, if the city is going to move in the direction of increased density, flag lots may not be acceptable to residents.

Council Member Harris mentioned that, in many cases, flag lots seem to be used by property owners who want to create a separate home for a family member, rather than building an ADU. He noted that while it's not always the case, there seems to be a trend where larger lots allow for this type of development. He expressed concern about restricting this too tightly, as he believes people with larger properties might want to provide a separate space for a family member, and there should be flexibility in such situations.

Director Schaefermeyer explained that the other pending application involves a similar situation, where the applicant wishes to build a home behind their parents' house. He noted that, while things may change in the future, this type of scenario is one that many people will likely encounter. He acknowledged that when dealing with individual, emotional situations, it can be challenging for the council to make decisions. He emphasized that one advantage of having clear and consistent rules is that they apply evenly to all cases, eliminating ambiguity. This approach also relieves the council from the pressure of making decisions they may not be comfortable with in specific situations.

Council Member Harris asked if the council was comfortable with the idea of offering a choice between having either an ADU or a flag lot, but not both. He proposed that if someone chooses to go the flag lot route, the property must be owner-occupied. If they are looking to have rental options, they would need to pursue the ADU option instead.

Council Member Shelton expressed discomfort with the idea of being the only city to completely reject flag lots. While agreeing that redeveloping larger pieces of land is a better approach, he suggested that the process could be made administrative if the regulations were refined enough. He proposed that staff come back with suggested restrictions, and if they were implemented, the Planning Commission would handle the decisions, taking on the responsibility for any public reaction.

Director Schaefermeyer explained that the approval process for flag lots might not necessarily need to go through the Planning Commission; it could be handled at the staff level. He expressed appreciation for the discussion and for Planner Moss's work in bringing forward some options. He suggested that if the council wanted to move forward with an administrative process, it could still be tied to the floating zone. The key would be ensuring upfront expectations are met before coming to the council.

Council Member Shelton pointed out that from a legislative perspective, the process seems overly burdensome for small developments, given the amount of work required from staff, the council, and the planning commission. He expressed concern about the extensive work involved, such as development agreements, for small-scale projects. If the legislative process is to be kept, he suggested revisiting the fees associated with it to ensure they align with the scale of the development.

Council Member Harris emphasized the need for clear parameters that consider both property owners' desires to utilize larger lots and the impact on their neighbors. He advocated for avoiding further involvement of the planning commission or council in these decisions.

Mayor Pro Tempore Johnson pointed out that by moving towards an administrative process, it could deny neighbors the opportunity to voice their concerns, which may be valid and important. Noting that this could potentially lead to frustration and anger among the residents who feel their input is being overlooked.

Director Schaefermeyer explained that any lot that's two times the size still requires subdivision approval, which currently goes through the planning commission. If flag lot subdivisions were handled by staff, it would be an exception to this standard process. While neighbors can voice concerns, the planning commission is required to approve the application if it meets the rules. Though public comment can sometimes influence developers to make compromises, it can also lead to frustration when the planning commission must approve the application despite objections. He noted that the city has chosen to maintain public comment and notice for subdivisions, though it is not legally required.

Attorney Loose clarified that state law allows municipalities to forgo public comment and notice for certain subdivisions. However, the city has opted to maintain these processes, a decision made by the council, though it is not a legal requirement.

Council Member Harris expressed concern about the subjectivity involved in allowing emotional pleas to influence decisions. He prefers a more standardized approach where there are clear, consistent expectations for flag lots, similar to traditional homes, rather than leaving room for arbitrary decisions based on public opinion at meetings. He suggested evaluating flag lots based on specific parameters, providing residents with clear expectations, and avoiding emotional debates in the process.

ADJOURNMENT

Council Member Shelton motioned to adjourn the January 21, 2025 City Council Study Meeting. Council Member Harris seconded the motion; vote was 4-0 unanimous in favor. Council Member Zander was absent from vote.

The January 21, 2025 City Council Study meeting adjourned at 6:31 p.m.

SOUTH JORDAN CITY
CITY COUNCIL MEETING

January 21, 2025

Present: Mayor Pro Tempore Kathie Johnson, Council Member Patrick Harris, Council Member Don Shelton, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Planning Steven Schaefermeyer, Director of City Commerce Brian Preece, Director of Public Works Raymond Garrison, CFO Sunil Naidu, City Engineer Brad Klavano, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, Battalion Chief Michael Richards, Director of Recreation Janell Payne, Communications Manager Rachael Van Cleave, CTO Matthew Davis, Systems Administrator Ken Roberts, GIS Coordinator Matt Jarman, City Recorder Anna Crookston, Associate Director of Public Works Joey Collins, Water Conservation Coordinator Connor Oswald, Water Manager Brandon Crookston

Absent: Mayor Dawn R. Ramsey, Council Member Tamara Zander

Others: Tim Hansen, Jim Kros, Michelle Leach, Justin Beary, Carl Wengel, Robin Pierce, Jack Fenn, Caden Fisher, Kyle Sipple, Keaton Harword, Suzanne Wood, Joseph Bowman, Kaeliegh Bowman, Bryan Gutierrez, Elise's iPhone, Francheska, sthig, Brea DeVitt, Sarai Negrete, Bobby Shawhan, Maya Gutierrez, Nick Gutierrez, Oran Amaud Marc Henri de Baritault, Schylia, Cesar, Breana Reichert, Veronica Gutierrez, 823410, Liliana's iPhone

6:40 P.M.

REGULAR MEETING

A. Welcome, Roll Call, and Introduction - *By Mayor Pro Tempore, Kathie Johnson*

Mayor Pro Tempore Johnson welcomed everyone present and introduced the meeting. She noted that Mayor Dawn Ramsey and Council Member Zander was unable to attend tonight's meeting.

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

Director Tingey offered the invocation.

C. Pledge of Allegiance – *By Director of Strategy & Budget, Don Tingey*

Director Tingey led the audience in the Pledge of Allegiance.

D. Minute Approval

D.1. January 7, 2025 City Council Study Meeting

D.2. January 7, 2025 City Council Meeting

City Recorder Anna Crookston noted two corrections to the minutes. One on page 14 of the study meeting minutes, she pointed out that Council Member Zander was absent from the adjournment motion vote and needed to be reflected in the minutes. She also mentioned a correction to the spelling of Grant Howarth's last name, which would be updated in the city council minutes.

Council Member McGuire motioned to approve the January 7, 2025 City Council Study Meeting and January 7, 2025 City Council Meeting minutes with the amendments. Council Member Harris seconded the motion; vote was 4-0, unanimous in favor. Council Member Zander absent from the vote.

E. Mayor and Council Reports

Council Member Jason McGuire

- Met with the Arts Council for the monthly meeting; things are progressing well.
- Attended the legislative town hall with Senator Lincoln Fillmore, Representative Tracy Miller, and Representative Jordan Teuscher.
- Legislative session started today, advised keeping an eye on it and contacting legislators if needed.
- Attended the State of the City address.
- Met with a Cub Scout Troop in Daybreak, which includes members from Riverton, West Valley, South Jordan, and Herriman. Discussed city government and presented them with scenarios involving legislative actions.

Council Member Patrick Harris

- Attended several events, including the State of the City, which was well-organized by the mayor, invited speakers, and city staff. Acknowledged the effort that went into preparing for the event and thanked city staff for their hard work.
- City staff met with state representatives and gave them a tour of South Jordan to help them better understand the city.
- Participated in the SoJo Race Series 5k on Saturday, despite cold weather and snow. Appreciated the efforts to clear and salt the Jordan River Trail to make it safe for runners.

Council Member Don Shelton

- Attended a Legislative Policy Committee (LPC) meeting as part of the Utah League of Cities and Towns, learning about pending and proposed legislation.
- Attended the State of the City address and appreciated the perspectives shared by panelists and the mayor.
- Met with Chief Financial Officer, Sunil Naidu, to discuss the budget, reviewing the current fiscal year's budget and the proposed budget for the upcoming year. Expressed appreciation for the CFO's help in understanding the budget and commended staff for their diligence in managing the city's resources.

Mayor Pro Tempore Kathie Johnson

- Attended the funeral of former council member Larry Short, noting that it was very well attended.

F. Public Comment

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

Suzanne Wood (Resident) - I just wanted to come tonight to introduce myself. I'm new on the Jordan School District Board, having filled Tracy Miller's seat. I look forward to working with all of you.

Bryan Gutierrez (Taylorsville Resident) – It has come to my attention that during my time coming here and exercising my constitutional rights, there's a story that is untold, it's a good story, and it's one I want to share with you. It starts with the question: Why am I here? Why do I keep coming back? The obvious answer, and the root of the problem, is sitting in the corner of this room. It's Jeff Carr. It's obvious that Jeff Carr is the root of this problem and the main reason why I'm here. For those who don't know, Jeff Carr's team put holes in my loved one, shot him to death in the South Jordan parks. Jason Rasmussen I don't know if you've heard of this. Don Tingey, I don't know if you've been to the site where he was murdered, but he was shot to death and bled in our parks. I watched the department wash his blood off the sidewalks. It was very traumatic and disturbing. That's the obvious answer. But before I forget, Jeff Carr, please resign from your post. Two Utahns are dead because of your team, and that's two too many. As often as someone should get their teeth cleaned, your department is killing Utahns. Resign from your post please, South Jordan deserves better, Utah deserves better, and the badge deserves better. On your website, there's a pledge for citizens. Will you pledge to follow laws and ordinances? Jeff, will you pledge to resign from your post and stop killing Utahns? I really hope you can do that. I don't think you can. The trend is there. The results are there. The metrics are there, two dead Utahns in six months. But I digress. Let's go back to why I'm here. The answer is because I wanted to have these conversations behind doors with this council and you all failed to do your job, especially you, Don Shelton, especially you. Not only did you deflect and run away during our phone call, but you insulted me. How dare you. You should resign as well. I don't know how you're holding this position. Seriously Don, resign from your post. You have some really good colleagues here, and there are other careers out there where you can excel. This one is not for you. Patrick Harris, you are to blame as well. I wanted to have these conversations behind closed doors, but both of you deflected, ran away from your duties, and failed. Simply put. Patrick Harris, do you remember our phone call? You may not, and that's okay. But I do. You ran, you deflected, and you failed to uphold your responsibilities. Find another career, Patrick. You are not capable of fulfilling this one. I was hurting, and you insulted me. You ran away and didn't talk to me. Thank you for my time.

Kyle Sipple (Resident) – I grew up in South Jordan, and I live in South Jordan now. I'm here to reaffirm my support for Bryan, a dear friend of mine, and his family, who deserve answers. It's been seven months, and they've been given no answers. I've been lucky enough to grow up in a stable situation, both mentally and emotionally. But I know plenty of people—some very close to me and others I don't know—who aren't as lucky as I am. Someone going through a moment of crisis in their life does not deserve to have that life taken from them. Every measure should be taken to protect that life. I hope that all of us, in our lowest moments, are not treated the way Bryan's brother was. Marcelo deserved more than that. I will continue to stand by and support Bryan and his family. Thank you.

Michelle Leach (Salt Lake City) - I'm going to be reading from a speech because my thoughts tend to get very frazzled. Good evening, council members. I'm here today to stand in solidarity with my friend Bryan Gutierrez and his family as they seek the answers they've been denied regarding the death of his younger brother, Marcelo. Seven months ago, a life was unfairly taken, a family was broken, and they've been left with questions that remain unanswered. I understand that investigations take time, but this prolonged silence—the refusal to release body cam footage and the lack of detailed explanations—has only deepened the pain for Bryan and his family. I want to take a moment to talk about Bryan, who I've had the privilege of being friends with for three years. One of the things I've always admired most about Bryan is how deeply he loves and cares for his family. He's also the kind of person who radiates positivity with his huge smile, warm personality, and incredible ability to make anyone feel welcome. It's a shame you haven't gotten to know that version of him. Since Marcelo's death, Bryan has been carrying a weight that no one should have to bear. He's tried to stay strong, but the unjust death of his brother has left a hole that can never be filled. Today, you see a man that you probably view as angry and demanding resignations. But can you blame him? I can't. Bryan wakes up every morning with the tragic reality that his brother is still gone. He's been left to grieve for over seven months without the answers his family deserves. As a teacher of 12 years, I understand what it means to have a responsibility to others. Every day, I strive to create an environment where my students feel safe, supported, and valued. Council members, I imagine you took on your roles with similar intentions—to protect, serve, and uplift this community. But how can you genuinely say that you're doing that when families like Bryan's are left feeling forgotten, with no answers and no accountability? How can you build a strong community when officers entrusted to protect us are not adequately trained to respond to the needs of people like Marcelo, who suffered from mental illness? Multiple bullets ended Marcelo's life. Was that truly the only option? Were the officers involved equipped with the tools, training, and understanding needed to de-escalate the situation without lethal force? The answer to that question is crucial—not just for Bryan's family, but for every family in this community who entrusts their safety to you. If Mayor Ramsey were here, or if she listens back to this, I'd say: as the leader of this city, this is the moment to stand for accountability. Advocate for the release of the footage. Demand a thorough and transparent investigation. Show Bryan, his family, and this community that their voices matter, that their pain has not gone unnoticed, and that justice is more than a promise—it's a practice. Marcelo was a real person. His life mattered. His story matters. Bryan's courage to come to these meetings month after month is a testament to the love he had for his brother and the hope he has for change. To Bryan and your family—you are not alone. We see you, and we stand with you. Thank you.

Keaton Howard (West Valley City) - About one week before Marcelo's death, I had the chance to meet him. He was not well. He wasn't in a good headspace—he was going through a crisis. He came to our house very upset and bothered. I want to paint a bit of a picture here, and I apologize to the family if this is uncomfortable or feels insulting, but we're talking about someone who was not just mentally unwell, but physically unwell. Marcelo was very overweight, had trouble walking, and couldn't run farther than anyone in this room. If your department cannot handle someone who can barely walk, you are not capable of protecting this community. This community deserves better from its officers. Nobody in this room should feel safe with these people being the ones watching out for us. There are better ways to handle problems than putting bullets in people—multiple times. Now, we're seeing that as the go-to

option. This is a trigger-happy department that needs to be put under control. Thanks for the time.

Mayor Pro Tempore Johnson closed the public comment portion of the meeting.

Attorney Loose noted that over the last several months, he's been asked to respond to this, and my response remains consistent. The investigation was conducted by an outside agency and concluded in August. After that, it was turned over to the District Attorney's office. I understand that the Gutierrez family has been in contact with the District Attorney, as they are the ones responsible for determining whether any criminal action took place. At this time, the case is still under their review. We have pushed for the release of information multiple times, and the family has as well. We absolutely agree that enough time has passed and that it should be released. However, out of respect for the District Attorney's process, we, like every other city in Salt Lake County—except for Salt Lake City—do not release body camera footage until the District Attorney has made their decision. There are several reasons for this, but primarily it's to avoid biasing any potential juries if charges are filed against the officers involved. From our standpoint, the matter is being fully investigated, but it is completely out of our hands at this point. It is with the District Attorney's office, and they are prepared to address it. The District Attorney's office also maintains a website where they track officer-involved shootings, including timelines under statute and explanations if the review process extends beyond those timelines. We've been in communication with the Gutierrez family's attorney on multiple occasions. He has expressed that, based on his experience in multiple states, the time this investigation has taken is not unusual, although we all feel that this should have been resolved and a decision made much sooner.

Mayor Pro Tempore Johnson asked Attorney Loose if this is how all situations like this are handled.

Attorney Loose responded that yes, there is a process in place in Salt Lake County and across Utah, when there's an officer-involved critical incident. An outside agency is responsible for conducting the investigation. In Salt Lake County, there are four protocol teams, and cases are assigned to these teams on a rotating basis. Once the assigned team completes its investigation, the case is then turned over to the District Attorney's Office for further review. The District Attorney's Office has its own investigative team that thoroughly examines the case. From an investigative standpoint, the process is handled entirely outside of the city and does not involve city personnel. The legal review is conducted independently by the District Attorney and their office, ensuring an impartial assessment of the incident.

Mayor Pro Tempore Johnson asked Attorney Loose what is the purpose of this?

Attorney Loose said there was a critical incident where, unfortunately, someone lost their life. As a result, the District Attorney's Office is reviewing the case to determine whether or not to file criminal charges. They are carefully examining the actions of the officers involved to assess whether those actions were within the bounds of the law. If it's determined that the officers' actions were not lawful, the District Attorney would proceed with filing charges against them.

Mayor Pro Tempore Johnson asked Attorney Loose is that not so it's independent, and not influenced by the city?

Attorney Loose responded yes, we have no role in that at all. We don't investigate it and we don't review it for whether or not should be criminally charged.

G. Presentation Item

G.1. South Jordan Water Conservation Program Update. (*By Water Conservation Coordinator, Connor Oswald*)

Water Conservation Coordinator Oswald introduced himself and expressed appreciation for the opportunity to present the annual conservation report. He shared that he enjoys his role with the city, highlighting that the most rewarding aspect of his job is making a meaningful impact on daily operations and the lives of residents throughout the city. He reviewed prepared presentation Attachment A.

Council Member McGuire asked whether an issue from the past year regarding residents being penalized for participating in the "Flip the Strip" and turf removal programs had been resolved. They mentioned that residents seemed unable to capture as much reimbursement per square foot compared to those who applied directly through Jordan Valley Water Conservancy District (JVWCD) and sought clarification on the matter.

Director of Public Works Raymond Garrison confirmed that the previous direction was to continue receiving \$68,000 annually, which other residents are receiving \$3 per square foot for turf removal. He noted that he, along with Assistant City Manager Jason Rasmussen and Coordinator Oswald, recently met with representatives from JVWCD and planned to consult the state's water conservation department to explore potential administrative changes that could secure additional funding. He emphasized that while they were actively pursuing these options, they were currently maintaining the existing arrangement of \$68,000.

Council Member McGuire agreed with maintaining the current approach and expressed hope that the issue could be resolved in the future.

Director Garrison added that the city had benefited from significant funding over the past year. Projects such as the dugout and pickleball courts were fully funded by JVWCD at \$3 per square foot, with no city funds required. Additionally, the city received a \$1.5 million non-matching grant from the state to convert park strips. Emphasizing that multiple avenues were being pursued to secure grants and funding for these projects.

H. Action Item

H.1. Resolution R2025-04, Authorizing the Mayor of the City of South Jordan to sign a Franchise Agreement with Cablevision Lightpath, LLC. RCV (*By Director of Strategy & Budget, Don Tingey*)

Director Tingey reported that Cablevision had contacted the city with plans to install fiber optics in the community, requiring a franchise agreement to proceed. The city provided Cablevision with its standard franchise agreement template, which the company reviewed and approved. The necessary information was submitted for the council's consideration. He noted that the city currently has about a dozen similar franchise agreements for broadband installation. He acknowledged concerns from staff, particularly regarding repeated digging for installations, but recognized the growing demand for internet access and the importance of allowing residents to choose their providers.

Council Member Shelton requested clarification on the franchise agreement, asking if it authorizes the company to install fiber optics and the specific locations where installations would be permitted.

Director Tingey explained that installations are typically done behind the curb within the city's right-of-way. The company must follow the encroachment permit process and coordinate with the engineering department. They are required to pay applicable fees, ensure state registration, and provide franchise fees to the city. Installations usually occur in park strips or are tunneled under roads, based on approvals from the engineering department.

Director Klavano said that the majority of the infrastructure for the project is installed underground, with bore pits and receiving pits located along the way. Due to the federal Telecommunications Act, the city cannot prevent the work, though efforts are made to coordinate with the project. It was noted that, with the exception of Google Fiber, no other installations involve cutting through the roads. Most of the work is conducted in the right-of-way behind the curb, except where installations cross the road perpendicularly.

Director Tingey noted that the project is crossing Bangerter and that the team has notified the relevant parties about the situation at 9800 South. The project team is aware of the circumstances and is currently processing encroachment permits with UDOT. He added that it would be beneficial for the work to be completed before the specified timeline and has communicated that to Cablevision.

Council Member Shelton motioned to approve Resolution R2025-04, Authorizing the Mayor of the City of South Jordan to sign a Franchise Agreement with Cablevision Lightpath, LLC. Council Member McGuire seconded the motion.

Roll Call Vote

Council Member Shelton - Yes

Council Member McGuire- Yes

Council Member Harris - Yes

Council Member Johnson - Yes

Council Member Zander - Absent

The motion passed with a vote of 4-0. Council Member Zander was absent from the vote.

I. Staff Reports and Calendaring Items

Attorney Loose informed the council that the details for the Youth Council visit were sent via email and text. Youth Council members will begin with breakfast at 8:00 a.m., followed by activities at the Capitol until 10:00 a.m., after which they will head to the Salt Palace Convention Center. There will be legislative floor debates and panels at the Salt Palace, with a legislative preview at 11:00 a.m. and lunch from 12:00 p.m. to 2:00 p.m. He added that he will be reaching out to legislators to invite them to sit with the group during lunch. Nine youth and three adults will be attending, and efforts will be made to coordinate seating with legislators, with council members encouraged to assist in guiding them to their seats. He also provided an update on the Salt Lake County Justice Court. Senate Joint Resolution (S.J. Res.) was presented to dissolve the court at the request of Salt Lake County. If approved, cases from the Salt Lake County Justice Court will be transferred to state district courts by June 30, 2026. The City Council had previously made a motion to close the South Jordan Justice Court, with all cases being moved to the Salt Lake County Court. He confirmed that the city has made a petition to the Judicial Council requesting that South Jordan's cases also be transferred on the same timeline, should the resolution pass. The situation will be monitored, and further coordination with the courts will follow.

City Manager Lewis provided an update on the annual report, stating that it has been finalized and sent to the printer. The reports are expected to be mailed by the end of this week and should reach residents' homes by early next week. Council members were advised to watch for the report in their mailboxes.

Council Member Shelton motioned to adjourn the January 21, 2025 City Council Meeting. Council Member Harris seconded the motion; vote was 4-0, unanimous in favor. Council Member Zander was absent from the vote.

ADJOURNMENT

The January 21, 2025 City Council Meeting adjourned at 7:40 p.m.

SOUTH JORDAN CITY
CITY COUNCIL BUDGET MEETING

January 29, 2025

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Assistant to the City Manager/Mayor Melanie Edwards, Director of City Commerce Brian Preece, Director of Public Works Raymond Garrison, CFO Sunil Naidu, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, Fire Chief Chris Dawson, Director of Recreation Janell Payne, Communications Manager Rachael Van Cleave, Director of Human Resources Teresa Cook, Associate Director of Human Resources Corinne Thacker, CTO Matthew Davis, City Recorder Anna Crookston

Absent:

Others:

5:07 P.M.
BUDGET MEETING

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

Mayor Ramsey welcomed everyone present.

B. Invocation – *By Director of City Commerce, Brian Preece*

Director Preece offered the invocation.

C. Discussion Item:

C.1. Fiscal Year 2025-26 Budget. (*By City Manager, Dustin Lewis*)

City Manager Lewis began his presentation by noting a change in the traditional format of the meeting. Typically, department directors would present individual reports on their respective departments. However, this year, he explained that he would be the sole presenter, walking the Council through the budget preparations that had been underway for the past five months. He explained that the process of preparing for this meeting began in September, when he assigned all department heads to evaluate their department's needs. He emphasized that, given the tight budget, the focus was on analyzing programs and personnel requirements. Each department head was asked to submit their requests for operational cost increases and staffing needs. These submissions were then reviewed by the city's human resources team, led by Human Resource Director Teresa Cook and Associate Director Corinne Thacker.

City Manager Lewis continued by explaining the extensive work conducted with department heads to review their budget submissions. Meetings were held with himself, CFO Sunil Naidu, and Assistant City Manager Jason Rasmussen, as well as with each department's deputies and managers. Throughout this process, there were in-depth discussions about the necessity of requested positions and resources. He compared the city's approach to budgeting with other municipalities that may ask for a larger number of positions or funding, knowing that cuts will be made. In contrast, he emphasized that the city's departments do not request items unless there is clear justification and a genuine need behind those requests.

Council Member Zander expressed appreciation for the straightforward and honest communication within their discussions. She acknowledged that in many situations, particularly in business, people often ask for more than they need in anticipation of negotiation. However, she noted her gratitude for the trust established in their work, where requests are made based on genuine needs rather than strategic overstatements.

City Manager Lewis emphasized that all budget requests presented were legitimate, necessary, and supported by data. He assured that nothing was excessive or unnecessary. He outlined the plan for the meeting, which included an overview of initial budget projections, a review of staffing requests, and a discussion on operational cost increases.

City Manager Lewis provided an overview of the staffing and compensation requests in the budget planning process. He noted that 27 new positions were requested citywide, including 10 full-time and 17 part-time roles, with a total estimated cost of \$2.2 million. He also discussed performance-based pay increases, which would recognize employees who consistently exceed expectations, with department directors submitting detailed justifications for these requests totaling approximately \$85,000. Additionally, he highlighted the city's career ladder program, which allows employees to advance through structured career paths by obtaining certifications and demonstrating proficiency in key skills. Examples included firefighters progressing from Firefighter I to Senior Firefighter or maintenance workers advancing through skill-based tiers. If all eligible employees were to move up in their career ladders, the estimated cost would range between \$545,000 and \$580,000. To ensure transparency and predictability, department directors were asked to identify potential career ladder advancements in their budget requests.

Council Member Zander asked for clarification on whether the budget included the full \$580,000 for career ladder advancements.

City Manager Lewis clarified that the budget request for career ladder advancements ranged from \$545,000 to \$580,000, representing the maximum possible cost if every eligible employee qualified. However, he acknowledged that not all employees might meet the necessary requirements, such as passing certification tests or demonstrating the required skill proficiency.

Council Member Zander inquired about the existence and history of career ladders within the city. She asked whether the city has had these career ladders for a long time and requested information on the amount spent on career ladders in the previous year.

City Manager Lewis stated that he would ask staff to review historical data for comparison. He explained that the number of employees qualifying for career ladder advancements varies each year. Factors influencing this include employee experience levels and turnover. Most career ladders have three levels, with the goal of employees reaching the third and highest level of proficiency. He provided an example from the water department, noting that if all employees were already at the highest level, no career ladder advancements would occur that year. However, if new employees were hired due to turnover, they could potentially qualify for advancement.

Council Member Zander asked, if the career ladder system is already in place, what percentage of employees take advantage of this opportunity?

City Manager Lewis responded that almost all employees work toward advancing in the career ladder if it is available to them. He noted that it provides a slight pay increase and makes employees more valuable by enhancing their skills and reliability.

Council Member Zander asked if there is any commitment required from employees who receive a base pay increase through the career ladder, such as an obligation to remain employed with the city for so many months.

City Manager Lewis explained that there is no required commitment from employees who receive a pay increase through the career ladder program, unlike tuition reimbursement programs that require a minimum service period. He emphasized that the program is designed to develop employees to be highly skilled, which can make them attractive to other cities. To mitigate this, the city provides competitive pay increases to retain talent. He further discussed the importance of market adjustments to ensure competitive compensation. To bring police and fire personnel up to the top tier among neighboring cities, the city would need to allocate approximately \$1 million. The general pay plan for other employees is in a better position, requiring an estimated \$65,000 to \$94,000 to maintain market competitiveness. Additionally, cost of materials and services, including paper, software subscriptions, asphalt, and other necessary resources, has risen. The requested increase for these operational expenses totals approximately \$1.3 million, reflecting about a 10% increase in costs. He outlined the essential budget requirements for the upcoming fiscal year. Currently, the city's personnel costs within the general fund amount to \$52.5 million, which equates to just over \$1 million per week to compensate employees who operate city services. Operational costs, which include necessary supplies, equipment, and services, total \$11.2 million. Additionally, the city is required to make \$3.4 million in debt payments. Altogether, in order to maintain the city's current level of services and operations for the next budget year, the total estimated funding required is \$67.1 million.

City Manager Lewis noted that CFO Naidu has been extensively analyzing financial data to refine these projections. Explaining that CFO Naidu has been diligently working to finalize the city's end-of-year budget, including the Comprehensive Annual Financial Report (CAFR) and other critical financial tasks. As part of this process, CFO Naidu has been analyzing projected revenues. One challenge in revenue forecasting is fluctuating sales tax revenue. Recent data from January 2025 compared to January 2024 showed a 20% decrease in sales tax revenue for the city. This trend was seen across multiple cities, with an overall average decline around 21%.

City Manager Lewis provided an update on the budget process, highlighting key financial figures and considerations. The anticipated revenue for the fiscal year is \$68,621,772 resulting in approximately \$1.5 million in available new funding after addressing existing obligations. However, departmental requests totaled approximately \$5.5 million, necessitating careful prioritization. One of the primary budget challenges is the anticipated increase in costs related to insurance and workers' compensation. He noted that while the city has not yet received its new experience modification rate (eMod), the shift in the calculation year suggests an expected increase in costs. Based on prior trends, the city anticipates an increase of just over \$100,000 to maintain coverage. Additionally, the cost of operating expenses has increased by approximately \$1.3 million, with \$663,000 attributed to non-discretionary expenses such as vendor contracts, utility costs, and software subscriptions. These increases must be accounted for within the budget. After covering these fixed cost increases, approximately \$836,000 remains for discretionary budget allocations. He outlined potential approaches to utilizing these funds, emphasizing the importance of maintaining market competitiveness in employee compensation. Initial considerations included a flat 3% pay increase for all employees, including police, fire, public works, and general staff. However, after reviewing strategic priorities and fiscal responsibility guidelines, he recommended a structured approach that focuses on step increases, market adjustments, and career ladder funding. For employees on step plans (police, fire, and public works), he recommended funding step increases, which would provide eligible employees with a 3% pay raise at a total cost of approximately \$264,000. Additionally, he suggested a 1% adjustment to the general pay plan, costing approximately \$159,000. These adjustments would take effect at the beginning of the fiscal year in July. Further, he proposed implementing mid-year market adjustments to both the step plan and general pay plan. Adjusting the step plan mid-year would cost approximately \$183,000, while the general pay plan adjustment would require an additional \$33,000. The career ladder program would also be funded, with salary adjustments for eligible employees taking effect at mid-year, costing approximately \$219,000. The total cost of these personnel-related budget adjustments is projected at \$859,000, which slightly exceeds the available discretionary funding but remains within a reasonable range as final numbers are refined. Regarding service levels, overall operations would continue at current levels. However, as the city grows, minor impacts may be observed in areas such as park maintenance and street sweeping due to increased infrastructure demands. In public safety, the focus will be on filling existing vacancies rather than adding new positions. The police department, which typically has between four and seven openings, will concentrate on achieving full staffing. Future growth may necessitate the addition of new officers in subsequent budget cycles. City Manager Lewis emphasized that this budget approach maintains market competitiveness, prioritizes workforce retention, and allocates resources strategically to minimize turnover costs. He acknowledged the complexity of these decisions and invited questions from the council.

Council Member Zander stated the step plan is more robust for the public works, police, and fire.

City Manager Lewis provided background on the step plan, explaining that it is designed to ensure employees progress through their pay scale efficiently. For example, a water maintenance worker can reach the top of their pay range within ten years. Unlike cities that use general pay grades, which require employees to work for an extended period to reach top pay, the step plan allows structured movement through the pay scale. He clarified that employees at Step 10, the top of the pay scale, would not receive a raise unless the mid-year market adjustment increases

the scale. The step plan primarily benefits frontline employees such as public works staff, police officers, and firefighters—those responsible for essential city services like repairing water leaks, patrolling neighborhoods, and responding to emergencies. Higher-ranking positions, such as department chiefs, are not included in the step plan but instead fall under the general pay plan. The step plan targets roles with the highest turnover rates, which also incur the highest costs when employees leave. For example, significant investments are made in police officer training, academy fees, and uniforms. Replacing a police officer carries a much higher cost than replacing a utility billing clerk, highlighting the importance of maintaining competitive pay for these critical positions.

Council Member Shelton asked for clarification on the mid-year.

City Manager Lewis stated that the mid-year market adjustments would likely occur in January or early February, depending on pay periods and final budget calculations. If the proposed concept is approved, the final calculations will determine whether the adjustments take effect in the first or second pay period of January or the first pay period of February. Each pay run every two weeks costs just over \$2 million, so the timing of the adjustment will help balance the budget. He noted that the current estimated cost is approximately \$859,000, while available funds are around \$836,000. These figures are still being refined, and the timing of the adjustments will help reconcile the difference. He also acknowledged that Council Member Shelton had previously met with CFO Naidu to review the budget in detail. Additional meetings are being scheduled for other council members who wish to review line-by-line budget details. The discussion during the meeting focused on the overall philosophy of the budget approach and recommendations for balancing personnel costs while maintaining service levels.

Council Member Shelton asked for the general turnover rate and will a six month delay have a significant impact on turnover.

City Manager Lewis stated that the city's retirement rate last year was approximately 12%, which he noted is a healthy level for an organization. While turnover is natural and beneficial to some extent, maintaining a balance is crucial, too low a rate can indicate stagnation, while a rate of 20–30% would be costly. He acknowledged that some employees might leave for slightly higher wages in neighboring cities, but others have chosen to join South Jordan even at a lower rate because they value the team culture and organizational environment.

Council Member McGuire emphasized the importance of ensuring that employees understand the city is committed to funding the adjustments. While there may be a six-month delay, the intent is to follow through and make it happen.

City Manager Lewis explained that a flat 3% raise across the board would not account for career ladders, market adjustments, or performance-based increases. He emphasized that the proposed approach ensures market competitiveness, particularly for police and fire, positioning them closer to the middle of comparable cities. He clarified that the city benchmarks against municipalities it competes with for employees, such as Riverton, Herriman, Sandy, Draper, West Valley, and West Jordan, rather than cities like St. George, where employee movement is minimal. He acknowledged that the City has fallen slightly below market for police and fire

salaries. He attributed this to last year's budget decisions, noting that several neighboring cities implemented tax increases and allocated those funds to public safety wages, allowing them to surpass South Jordan in pay. He added the significant wage increases in public safety over the years, noting that the starting wage for a police officer has risen from around \$18–\$19 per hour to approximately \$30 per hour. He attributed this increase to the competitive nature of hiring within the region, where cities must compete for the same pool of candidates due to a declining interest in government careers. He stressed the importance of maintaining competitive wages to avoid losing employees to neighboring cities, as recruitment has become a matter of cities poaching from one another. He pointed out that broader economic factors, including sales tax revenue trends, will likely impact other cities' ability to sustain aggressive wage increases in the future.

Mayor Ramsey expressed concern over the 20% decrease, emphasizing that this issue aligns with the council's long-standing concerns over the past five years. She acknowledged that the decline reflects broader consumer spending trends but questioned whether the drop was specific to South Jordan rather than a general economic slowdown. She pointed out that a neighboring city has reported consistent double-digit revenue increases since a new development was introduced, with surplus funds being used to pay down debt. This raised concerns about whether South Jordan was losing potential revenue to nearby developments and what could be done to address the shift in spending patterns.

City Manager Lewis noted that all the neighboring cities have bigger drops.

Council Member McGuire inquired about software subscriptions, specifically whether an in-depth audit is conducted to ensure efficiency in licensing. He raised concerns about potential redundancy, questioning whether efforts are made to consolidate licensing as much as possible.

City Manager Lewis confirmed that software audits have been a major focus. He explained that a dedicated committee on technology, conducts a thorough audit to identify duplicate licenses, unused software, and opportunities to consolidate systems. He emphasized that the committee is developing a multi-year roadmap to improve efficiency and streamline software use. This includes bringing in solutions that can replace various one-off programs and optimizing the city's overall technology strategy. In addition to software, he noted that efforts are being made to upgrade hardware to improve speed and security. He credited Chief Technology Officer Matthew Davis and his team for their work in driving these improvements and ensuring a more efficient and secure technological future for the city.

Council Member McGuire clarified that the concern isn't necessarily about which specific software programs are being used but rather ensuring that the city avoids "licensing creep." He emphasized the importance of monitoring software licenses to prevent situations where outdated or retired equipment still has active licenses being paid for unnecessarily.

Mayor Ramsey expressed appreciation for the additional efforts on security, emphasizing its critical importance. She noted the significant breaches that have occurred in other public entities over the past couple of years and stressed that the city must take all necessary precautions to

avoid similar incidents. She thanked the team for their diligence in strengthening security measures.

Council Member Shelton inquired about the availability of funds for capital projects.

City Manager Lewis responded that the next meeting in February will focus on capital projects and the Capital Improvement Plan (CIP). He noted that while there are some available funds, this will be the shortest list of CIP projects in a long time. CFO Naidu has been working on identifying priority projects, and the upcoming discussion will cover the strategy and plan for moving forward. Additionally, acknowledging that there are other significant projects in progress, and efforts are ongoing to determine how best to fund and complete them.

Council Member Shelton noted that the council typically authorizes hiring three or four new officers each year and raised a concern about not doing so this time.

City Manager Lewis explained that the City will not authorize new police officer positions this year but will focus on ensuring all existing positions are filled. Looking ahead to the next budget year, the City may need to add six to eight new positions or phase in additional hires over multiple years. Instead of hiring three officers per year, as in previous cycles, the City may need to hire four per year over the next two years to maintain adequate staffing levels. For the Fire Department, current vacancies will be filled, but the next major hiring effort will coincide with the construction of Fire Station 65 or the staffing of an additional battalion at Station 64. Either scenario would require hiring 21 to 22 personnel. Since building Station 65 is expected to take two to two and a half years, staffing and funding plans must be in place well in advance. A phased hiring approach, similar to the one used for Station 64, may be necessary, bringing on half the personnel in one budget year and the remainder in the next. Long-term planning also includes procurement of fire apparatus, as fire trucks now require an order placement nearly four years in advance. The City is aligning its hiring and equipment acquisition strategies to ensure resources are available when new stations become operational.

Mayor Ramsey inquired about the potential impact of proposed legislation that would eliminate the City's ability to collect impact fees. She noted that she had received questions about this issue and sought clarification on how such a change would affect the City's financial planning and ongoing projects.

City Manager Lewis acknowledged the uncertainty surrounding potential unfunded mandates from the legislature in the coming weeks. If the City loses the ability to collect impact fees, he suggested that the responsibility for infrastructure construction would likely shift to developers, as the City would lack the necessary funds to build it. He questioned how the legislature expects municipalities to provide infrastructure without impact fees and noted that development agreements and planning processes would have to be adjusted accordingly. He expressed hope that if the legislature eliminates impact fees, they might offer a compensatory measure, such as allowing cities to maintain a constant property tax rate without requiring a truth-in-taxation process. This would enable cities to capture inflationary growth rather than having tax rates automatically adjusted downward each year. Without such a measure, the City would need to reconsider its financial strategies to ensure infrastructure needs are met.

Council Member Shelton inquired whether the City would be able to contribute to a rainy day fund in this budget year.

CFO Naidu explained that while the current balanced budget does not include a direct allocation to the rainy day fund, surplus funds at the end of the fiscal year could be used for this purpose. He noted that even a small increase, such as half a percent, would be beneficial. Allocating a portion of savings to the rainy day fund alongside capital projects has been a past practice. He also mentioned that credit rating agencies, such as Fitch, are closely monitoring financial stability, including factors like cybersecurity plans. Ensuring strength in these areas is critical to maintaining the City's AAA rating. He stated that if possible, the City would like to contribute to the rainy day fund at the end of the fiscal year, potentially adding around \$150,000 to \$200,000. The goal is to gradually increase reserves, as the City is allowed by code to hold up to 35% in the fund. Currently, the rainy day fund sits at approximately 28.8%, which is considered a healthy level.

Council Member Zander sought clarification on the staffing proposal, referencing the 10 full-time and 17 part-time positions totaling 27 jobs and \$2.2 million previously mentioned.

City Manager Lewis clarified that the recommendation is not to hire any new positions this year. Requests for new positions included a billing clerk to manage increasing utility accounts due to growth, four police officers (one sergeant and three officers), two full-time parks maintenance workers, four seasonal parks maintenance workers, and a part-time driver for the senior center. Additionally, ten of the requested positions were concessions and customer service roles, expected to be self-funded through concession revenue. Other requests included a cybersecurity specialist, an additional Information Services position, and an associate director in Administrative Services. However, given budget constraints, the plan is to maximize existing staff and resources rather than approving new hires.

CFO Naidu noted that of the 27 requested positions, two or three are tied to enterprise funds and are already accounted for within the existing fee structure. These positions may still be proposed for approval since their funding is self-sustaining and does not impact the general budget.

City Manager Lewis clarified that certain positions, such as a water maintenance worker, are funded through enterprise funds rather than the general fund. These positions are accounted for within the rate structures set for water and other utilities, ensuring that anticipated personnel needs are included in the budgeting process. While the general fund will not be adding new positions this year, some roles within enterprise funds may still appear in the tentative budget since they are already funded through collected fees.

Mayor Ramsey expressed frustration that the City is unable to fully staff necessary positions each year, comparing it to deferred maintenance. She noted that staff repeatedly request additional positions, but budget constraints prevent those requests from being fulfilled. She also sought clarification on sales tax revenue, asking if the reported 2% decrease this year follows an 18% decline from the previous year.

City Manager Lewis clarified that the reported sales tax figures represent a snapshot of collections for a single month, comparing January 2025 to January 2024, though the data reflects revenue collected in November. He cautioned against focusing on a single month's numbers, as sales tax revenue fluctuates.

Mayor Ramsey emphasized the need for a long-term strategy to address the City's ongoing budget challenges, particularly the inability to fund necessary staff positions each year. She noted that consistently denying staffing requests could send a message to employees that their support needs are not a priority, leading to increased workloads and potential burnout. Acknowledging that property tax is just one component of the City's revenue, she advocated for a comprehensive discussion on diversifying revenue sources beyond property and sales taxes. While recognizing the extensive planning already in place for the upcoming year, she stressed the importance of developing a sustainable financial strategy to avoid continually deferring critical needs. She clarified that this is not about excessive taxation but about finding viable solutions to ensure the City can adequately support its workforce and operations.

City Manager Lewis highlighted the importance of balancing the City's revenue sources, comparing them to the legs of a stool. He noted that the City's sales tax revenue is disproportionately large compared to other revenue streams, making it highly susceptible to economic fluctuations. In downturns, this instability can quickly impact the City's financial position. While economic development remains a key focus, maintaining a balanced approach is essential. He emphasized the importance of fee rate adjustments to support financial stability and suggested exploring ways to capture property tax growth to keep that revenue source sustainable. Additionally, he cautioned that the City must remain attentive to potential changes in state tax distribution policies that could further impact revenue.

Mayor Ramsey noted the ongoing discussions about potentially eliminating the City's ability to collect certain fees. She emphasized that the City takes a more balanced and transparent approach to revenue collection compared to neighboring municipalities. The City deliberately chose to maintain the property tax method rather than switching to a fee-based system, ensuring greater transparency and public input. Unlike fees, which can be set with minimal public oversight, property tax adjustments require a formal process that allows for community engagement.

City Manager Lewis highlighted the importance of closely monitoring legislative changes to sales tax distribution, which is influenced by both population and geography. He noted that the state continues to adjust the formula, potentially impacting the City's share of revenue. Additionally, he cautioned against the state limiting local tools for tracking and incentivizing development, referencing past concerns over zoning for dollars. Without these tools, cities lose the ability to compete for economic development.

Council Member McGuire noted the importance of maintaining a balanced approach to revenue generation, noting that the Legislature is considering limits on how much taxing entities can increase property taxes. He agreed with the mayor's stance against excessive taxation but cautioned against keeping property taxes so low that future increases become restricted by state

law. He stressed the need for proactive financial planning to avoid potential legislative constraints that could hinder the City's ability to fund essential services.

Council Member Harris inquired whether any areas have been identified where efficiencies can be created.

City Manager Lewis confirmed that the Strategy and Budget division has been actively analyzing efficiencies. The team has been working closely with department directors to assess program costs, staff assignments, and potential areas for optimization. Efforts are ongoing to identify and implement efficiencies wherever possible.

Council Member Harris referenced previous discussions by Council Member Zander about utilizing volunteers to support certain city functions. He suggested exploring opportunities where volunteers could assist in filling gaps and providing support in appropriate areas.

City Manager Lewis acknowledged that while volunteers are valuable, there are costs associated with managing them.

Assistant City Manager added that efficiency improvements are an ongoing process within the city's culture rather than a one-time effort. Over the past several years, departments have continually worked to eliminate waste and enhance efficiency.

Council Member Zander highlighted that payroll is a significant expense, totaling approximately \$2 million every two weeks. While emphasizing the importance of retaining well-trained staff, she suggested exploring opportunities to supplement certain roles with volunteers to help manage costs. She proposed the creation of a Recreation Council, similar to existing arts and senior councils, to support the city's recreation department. Acknowledging past staff concerns about overseeing volunteers, she noted that residents have expressed interest in contributing to city events and suggested establishing a structured way for them to get involved, such as volunteering for Summer Fest.

City Manager Lewis responded that while the city welcomes volunteers, reliability is often a challenge. He noted that salaried staff frequently step in to fill gaps when volunteers are unavailable, without additional compensation. While the city does have some volunteers, he emphasized that more would be beneficial if they could be consistently relied upon to support events effectively.

Council Member Johnson noted that Summer Fest was previously run by volunteers but faced significant challenges in one particular year, leading to the decision to shift its management to city staff.

Council members and staff discussed the role of volunteers in supporting city events and projects. While volunteer participation can supplement staffing needs, ensuring consistent commitment and follow-through remains a challenge. Staff noted that many city-led events, such as Arts Council programs and Veterans Day activities, require significant staff coordination even with volunteer involvement. Council members highlighted that volunteers are generally more effective when organized through committees, which provide structure and accountability.

Examples such as the Memorial Day event and the Day of Service were cited as successful models, though both require extensive planning. The discussion also included the potential use of platforms like JustServe to connect volunteers with smaller projects. However, staff noted that coordinating these efforts often requires significant administrative time, sometimes equaling or exceeding the effort of completing tasks internally. While volunteer programs offer community engagement benefits, staff emphasized the importance of balancing these efforts with operational efficiency.

Mayor Ramsey asked if there were any additional questions.

Council Member Johnson inquired whether the proposed six-month period would be sufficient to accumulate the necessary funds to reduce the amount paid within the fiscal year.

City Manager Lewis explained that the six-month period serves as a safeguard to ensure that revenue growth can sustain the proposed budget changes in the long term. He emphasized that these adjustments are ongoing commitments rather than one-time figures. By implementing changes mid-year, the city can assess whether projected revenues materialize as expected. If economic conditions shift, such as a decline in revenue, an unfunded state mandate, or federal funding freezes, the city retains flexibility to delay or adjust commitments before finalizing the next fiscal year's budget. Conversely, if revenue growth is strong, the city may have additional funds available for future initiatives.

Council Member McGuire expressed discomfort with the current budget approach, emphasizing that while he trusts staff's conservative estimates, he wishes the city were in a position to generate additional revenue to fund hiring and wage increases. However, given economic uncertainties, he does not believe it is the right time to pursue a tax increase. He acknowledged the financial pressures on residents, including rising costs from other sources, and reiterated his concerns about the city's ability to balance its needs while maintaining fiscal responsibility.

Mayor Ramsey acknowledged the broader economic challenges, noting the rising costs of goods and their impact on residents' spending abilities. She emphasized that while the city is experiencing financial pressures, these cost increases are part of a broader economic cycle.

City Manager Lewis highlighted the challenge of shifting spending patterns due to rising costs. He explained that while families continue to spend money, they may shift purchases from higher-taxed services, such as dining out, to lower-taxed necessities, like groceries. This change affects the city's revenue, as the overall tax collected may decrease despite continued consumer spending.

Mayor Ramsey pointed out that spending tax dollars in Salt Lake City results in higher tax collection there compared to South Jordan, due to recently passed increases in sales tax. She emphasized the importance of considering local economic impacts when making purchasing decisions.

Council Member Zander requested scheduling a deep dive discussion on economic development in a future meeting.

City Manager Lewis mentioned an upcoming change to the Public Infrastructure District (PID) process, which will be presented in the next work session. He noted that this adjustment aims to improve the tool's effectiveness and aligns with discussions from previous sessions on enhancing financial strategies. He also referenced an upcoming ordinance related to the PD overlay floating zone, previously discussed in a work session. He emphasized that these efforts are part of a broader strategy to equip the city with tools that support long-term planning and development.

Mayor Ramsey highlighted ongoing legislative efforts, particularly through the League and the LPC, to ensure cities retain the necessary tools for effective governance. She emphasized that with neither the state nor municipalities operating with a surplus, it is crucial to preserve local control and financial flexibility.

City Manager Lewis pointed out that businesses are also facing economic challenges, leading them to scale back. This makes it more difficult for the city to attract new commercial development, as companies are hesitant to invest in new locations. He emphasized that the city is navigating multiple challenges in balancing economic growth and financial sustainability.

Mayor Ramsey suggested focusing on attracting bright young graduates from local universities, such as BYU and the University of Utah, to establish tech startups in the city. She highlighted Utah's strong track record of producing new millionaires and mentioned the potential for South Jordan to support and retain homegrown talent in fostering economic growth.

Council Member Zander stated we know there's going to be increased spending in the Department of Defense and at the Point of the Mountain. Is there anything we should focus on proactively to draw some of those jobs and opportunities here?

City Manager Lewis noted the challenges of attracting new businesses, particularly in industries like defense and technology. He stated that the city does not own available land to develop commercial projects, meaning private property owners must be willing to sell or build facilities that align with business needs. However, property owners often see higher returns from residential development rather than commercial projects like warehouses or office spaces. He highlighted the importance of collaboration, stating that attracting businesses requires coordination among property owners, city leaders, and zoning decisions that support commercial development. Additionally, he pointed out that the city's ability to offer incentives is limited, making it more challenging to compete with other locations. Proposed changes to policies like the Public Infrastructure District (PID) process and zoning regulations aim to provide the city with better tools to support commercial growth.

Council Member Zander suggested assembling a team of key economic stakeholders to explore opportunities for attracting businesses to the city. She acknowledged the current involvement of the Larry H. Miller group in city projects as a positive factor and inquired whether there are other influential individuals or organizations within the state that could contribute to economic development efforts. She referenced a previous conversation with Aaron Stark, who had encouraged forming an economic team to strategize and coordinate business recruitment.

City Manager Lewis questioned what assembling an economic team would entail and what specific expectations stakeholders have for the city's role in that process. He emphasized the need for clarity on what resources or incentives the city is expected to provide, given its limitations in owning property or offering financial incentives. He pointed out that while the city can help facilitate discussions and create a business-friendly environment, successful economic development requires collaboration with property owners and private sector partners willing to invest in commercial projects.

Director Brian Preece added the long-term nature of economic development efforts, emphasizing that many initiatives, such as the HTRZ program and Downtown Daybreak, are investments in future growth. He noted that while projects like these help attract businesses by creating desirable locations, it often takes time for them to yield financial benefits, especially when property tax revenue is deferred due to incentive structures. He also acknowledged the challenge of securing the first major tenant in a development, as success tends to build momentum for further growth. Despite these delays, he pointed to potential revenue increases from upcoming projects and events, underscoring the importance of strategic planning and sustained investment.

City Manager Lewis revisited a previous discussion about implementing a hotel tax to support tourism efforts in Utah. He noted that the council had declined the proposal about a year ago, with the understanding that it would not be reconsidered for five years. However, given recent interest in hosting more events in South Jordan, he asked whether the council would be open to reengaging with tourism officials to explore the possibility of implementing the tax. While the funds would not go directly to the city, they could be used by Tourism Utah to attract and support events that drive visitors and economic activity to the area.

Council Member McGuire expressed concerns about the previous hotel tax proposal, noting that one of the main issues was the lack of a clear illustration of how it would directly benefit the city. He suggested that if Tourism Utah could now provide concrete examples of events they had to turn away and demonstrate the potential economic impact, such as increased visitors to local restaurants and businesses, the council might be more open to reconsidering. While past social and political factors influenced the original decision, he emphasized that the primary concern was the inability to see tangible local benefits from the tax.

City Manager Lewis acknowledged the challenge of quantifying the direct financial impact of tourism-related events. While organizations promoting these events often claim they generate significant revenue, the actual benefit to the city is difficult to pinpoint. He noted that while such events do bring visitors, accurately measuring their economic contribution, especially in terms of local tax revenue and business activity, remains a challenge.

Council Member McGuire clarified that while exact financial figures may be difficult to determine, a more tangible example of missed opportunities would be helpful. If the tourism organization could present specific instances, such as the Junior PGA at Glenmoor or other events that sought support but were turned away due to the city's non-participation, it would provide a clearer understanding of the potential benefits of joining the program.

Mayor Ramsey pointed out that if the hotel tax is too high, visitors may choose to stay in a neighboring city where the tax is lower, ultimately reducing local hotel bookings. She

emphasized that while the tax could fund tourism initiatives, there is a balance to consider, potential savings for visitors might outweigh the benefits if it drives them to other areas.

Council members and City Manager Lewis discussed whether to revisit the hotel tax that was previously voted down. There are concerns over whether the tax would directly benefit the city or primarily serve as a funding mechanism for an external tourism body. Council members are open to reconsidering if there is concrete evidence that the tax has brought significant events and economic benefits to neighboring cities. City Manager Lewis is willing to investigate whether reopening the discussion is possible and to gather data on how the tax has impacted other municipalities. Council members expressed interest in seeing specific examples of events that were secured due to the tax, particularly in cities like Sandy, which have implemented it. They also raised concerns about funds collected in South Jordan being spent in other areas without direct local benefits. Overall, the council is open to exploring the idea further, particularly in the context of attracting more events and hotels to the city. However, they want more concrete data before inviting Tourism Utah back for formal discussions.

Council Member Zander motioned to adjourn the January 29, 2025 City Council Budget Meeting. Council Member Johnson seconded the motion.

ADJOURNMENT

The January 29, 2025 City Council Budget Meeting adjourned at 6:33 p.m.

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

February 4, 2025

Present: Mayor Dawn Ramsey, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Planning Steven Schaefermeyer, Director of City Commerce Brian Preece, Director of Strategy & Budget Don Tingey, Director of Public Works Raymond Garrison, CFO Sunil Naidu, City Engineer Brad Klavano, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, Deputy Police Chief Rob Hansen, Fire Chief Chris Dawson, Director of Recreation Janell Payne, Communications Manager Rachael Van Cleave, CTO Matthew Davis, Senior Systems Administrator Phill Brown, GIS Coordinator Matt Jarman, Planner Miguel Aguilera, Long Range Planner Joe Moss, City Recorder Anna Crookston

Absent:

Others: Travis Barton, Laurel Bevans, Dan Milar, Lori Harding

4:36 P.M.
STUDY MEETING

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

Mayor Ramsey introduced the meeting and welcomed everyone present.

B. Invocation: *By Council Member, Jason McGuire*

Council Member McGuire offered the invocation.

C. Mayor and Council Coordination

Council Member Shelton mentioned he will be appointed this week to serve as the Chair of the Jordan River Commission.

Mayor Ramsey noted that a few potential discussion items may be addressed at the next meeting due to the full agenda for this session. She also provided an update on her upcoming travel, stating that she will be in Washington, D.C., starting Sunday with the Wasatch Front Regional Council (WFRC) to attend the National Association of Regional Councils conference. During the trip, she will meet with the Utah delegation on Wednesday to discuss transportation priorities. She also shared an update regarding her role with the Wasatch Front Regional Council (WFRC). She noted that the full WFRC met last Thursday, during which the nominating committee made its recommendations. That meeting marked the conclusion of her two-year term as chair. However, for the first time in the organization's history, the committee nominated the same

person to serve a consecutive second term as chair, making it her first day of a second term. She emphasized the importance of South Jordan maintaining a strong presence in regional decision-making, ensuring the city remains informed and engaged in key discussions regarding transportation and other priorities.

Attorney Loose asked whether he should plan on voting at the Legislative Policy Committee (LPC) meeting.

Mayor Ramsey said for Attorney Loose to plan on voting in her place as she'll be attending the conference.

D. Discussion/Review of Regular Council Meeting:

Public Hearing Item:

- **Ordinance 2025-06**, Amending Section 17.130.050 (Planned Development Floating Zone) of the South Jordan Municipal Code to include the area east of the FrontRunner rail line in eligible areas for density greater than eight dwelling units per acre.

E. Presentation Item: 4:35 p.m.

E.1. Planning Commission member appointment. (*By Director of Planning, Steven Schaefermeyer*)

Director Schaefermeyer introduced Lori Harding and mentioned that Ms. Harding has been nominated by Council Member Shelton to fill his current vacancy.

Lori Harding noted she has been a resident of South Jordan City for over 20 years. She currently works as a Welfare and Self-Reliance Manager for The Church of Jesus Christ of Latter-day Saints. In this role, she supports the entire city of South Jordan and its congregations by helping those in need find resources. She also works directly with the city on emergency response efforts to maintain strong communication. She expressed enthusiasm about the opportunity and welcomed any questions.

Council Member Shelton shared that he first met Ms. Harding through her work and church involvement. He noted that as a self-reliance specialist in his stake, he has personally benefited from her support and found her to be very effective and helpful in her role. He also highlighted her extensive experience serving on various boards and commissions, inviting her to share more about her civic service.

Ms. Harding said she considers herself as a recovering banker, sharing that she transitioned to her current role at the Church of Jesus Christ of Latter-day Saints after spending over 20 years with Zions Bank. Her background includes extensive experience in real estate, loans, and business funding. She also highlighted her commitment to civic service, mentioning that she currently serves on the board of the YWCA and is involved with Raise the Future, an organization dedicated to finding homes for older children in foster care, a cause close to her heart, as all three of her children were adopted. Additionally, she has previously been involved in various boards and committees, including the Utah State PTA, reflecting her passion for

education and community engagement. While she has shifted her focus more toward the YWCA in recent years, her broad experience in service and advocacy continues to shape her work.

Mayor Ramsey acknowledged Ms. Harding's extensive contributions to the community through volunteer work and her dedication to important causes. She also noted that Ms. Harding had undergone a thorough interview with Council Member Shelton, where she had the opportunity to sit down and discuss her background and qualifications in depth.

Council Member Shelton acknowledged that he had interviewed both Ms. Harding and another highly qualified candidate for the position. He noted that it was a difficult decision given the talent and experience of both applicants. However, Ms. Harding's extensive background in service, along with her experience on various boards and committees, made her an outstanding choice for the Planning Commission. He expressed gratitude for her willingness to serve and remarked on the difference between participating in discussions as a concerned citizen and taking on the responsibility of decision-making in a leadership role.

Mayor Ramsey outlined the process for appointments, explaining that after discussions among the council, a decision would be communicated to the candidate later that evening. She expressed appreciation to Ms. Harding for coming and meeting the Council.

F. Discussion Items: 4:45 p.m.

**F.1. Wheadon Acres Flag Lot Overlay Zone and Development Agreement. (By
Director of Planning, Steven Schaefermeyer)**

Director Schaefermeyer provided background on the flag lot overlay zone application, noting that it was the first request using this tool. The Planning Commission had given a positive recommendation in September. Since the zone requires a development agreement to be utilized, the applicant presented the request to the City Council in October and again in December. The Council approved the rezone in December with a 3-2 vote but did not approve the development agreement, with a 2-3 vote. Since then, a pending ordinance has been passed to evaluate potential changes to the flag lot overlay zone, including a prohibition on detached accessory dwelling units (ADUs) and a possible shift from a legislative to an administrative approval process. Staff is working on these updates and will seek Council direction after Planning Commission review.

Director Schaefermeyer introduced Miguel Aguilera, the assigned planner, who distributed handouts (Attachment A) outlining the developer's obligations in the agreement, including plat maps. He highlighted a key provision, prohibiting detached ADUs, which was added between the first and second City Council meetings in response to concerns. He stated that the purpose of the discussion was to clarify Council concerns regarding the development agreement. Since the rezone was approved but the agreement was not, staff needed direction on any necessary revisions before bringing it back for a vote. He requested input from the Council to help the applicant understand and address any issues.

Mayor Ramsey clarified that while the rezone has been approved, it cannot take effect or be utilized without an approved development agreement.

Director Schaefermeyer introduced applicant Dan Milar and his consultant Laurel Bevans.

Mayor Ramsey asked the Council if there was a specific issue in the development agreement that led to its failure, despite the rezone being approved. She suggested identifying any concerns and exploring whether adjustments could be made to align with the Council's expectations. She also recalled that the vote on the development agreement was 3-2.

Council Member Shelton noted that the development agreement appeared standard, except for bullet point D3, which prohibits exterior accessory dwelling units (ADUs). He supported this provision because the subdivision's density was already increasing, and allowing detached ADUs could lead to an even greater density increase beyond what was initially planned. He also mentioned wanting to avoid a situation where a future council might take a different approach that significantly alters the subdivision's character. He believed Council Member Zander shared a similar viewpoint.

Council Member Zander sought clarification on the restriction, asking if the prohibition applied only to detached accessory dwelling units (ADUs) in this specific development. She wanted to confirm that internal ADUs would still be allowed and that this restriction was not being applied citywide. She expressed general support for detached ADUs but was comfortable limiting them to internal units in this particular case.

Director Schaefermeyer explained that the flag lot overlay zone was designed with a development agreement requirement to allow the council to evaluate specific situations rather than applying a blanket approval. The intent was to prevent unintended conflicts with neighbors, especially when subdividing an existing lot into a flag lot. He noted that while the tool had been in place for several years, this was the first time it was being used, prompting a reevaluation of its effectiveness. Moving forward, planning staff is working on more defined standards to address concerns like lot size, accessory structures, and placement of buildings to provide greater certainty for both applicants and the city.

Council Member Zander expressed support for the project, emphasizing that it is a thoughtful and respectful use of the land. She noted that the proposed home is well-planned and that an internal ADU is a better fit for the area, as it avoids adding another roofline. She also pointed out that ADUs are already common throughout the city, with many homeowners having unpermitted units. Given that the applicant, Mr. Milar, was transparent about his intentions, she felt the council should not penalize him for his honesty and supported moving the development forward.

Mayor Ramsey invited the three council members who voted against the development agreement to share their concerns and reasoning. She emphasized the importance of understanding whether changes could be made to address their concerns or if their opposition was firm.

Council Member Johnson asked Attorney Loose whether it would be consistent to vote in favor of the development agreement after having voted against the ordinance. She questioned whether the same logic that led to voting against the rezoning should apply to the development agreement as well.

Attorney Loose explained that the consistency of a council member's votes depends on their reasoning. If someone voted against the development agreement but for the rezone, it suggests they support flag lots at this location but had issues with specific terms in the development agreement, such as detached ADUs or other conditions. In that case, once the agreement is revised to their satisfaction, they could vote to approve it. If someone voted against both the rezone and the development agreement, it implies they don't believe this location is appropriate for a flag lot at all, meaning even a revised development agreement wouldn't change their position. If someone voted for the rezone but against the agreement, they are okay with the flag lot but not with the conditions set in the agreement. If someone voted for both, then they're fine with both the zone change and the agreement's terms. Council Member Johnson confirmed that this explanation aligned with how he felt.

Council Member McGuire agreed, stating that he did not see any major issues with the development agreement itself but did not believe the lots in this subdivision should be converted into flag lots.

Council Member Harris shared his perspective, noting that many residents in South Jordan have large lots that can be difficult to maintain, particularly as they age. He acknowledged that some of these lots are not well-kept and, in some cases, may be considered an eyesore by neighbors. At the same time, he recognized the need for new housing and stated that, when done correctly, flag lots can be a sensible solution. However, he expressed concerns about legislating accessory dwelling units (ADUs) through development agreements, emphasizing that such decisions should be handled administratively rather than legislatively. He noted that in the past, the city has not used development agreements to restrict ADUs, and he felt the approach in this case was somewhat arbitrary. This concern influenced his initial vote against the development agreement. Since then, Council discussions have provided more clarity, and he indicated that he would be willing to approve the agreement if it aligns with the broader administrative direction the city is taking regarding ADUs.

Council Member Johnson pointed out that the new administrative direction regarding ADUs would not apply to this particular case, as it was initiated prior to those discussions.

Council Member Shelton clarified that Council Member Harris is saying he would be okay with approving it if the development agreement is consistent with the direction the Council is now giving staff on an administrative basis.

Attorney Loose confirmed that the goal is to amend the development agreement so that it aligns with what was discussed in the notice of the pending ordinance meeting. Council Member Harris said that is what he is comfortable with.

Mayor Ramsey asked whether potential state legislation on ADUs could override the city's current discussions and decisions. Specifically, if the state were to pass a law allowing detached ADUs broadly, would that render the city's development agreement restrictions irrelevant?

Attorney Loose acknowledges that the potential state legislation on ADUs is still in early discussions and hasn't been fully developed. He compared it to a previous bill on internal ADUs, which initially had broad allowances but was later refined with more restrictions. At this point, he hasn't seen a fully formed proposal regarding detached ADUs and isn't sure how far that discussion has progressed. He explained that if state legislation on external ADUs follows the same pattern as the internal ADU law, it would apply broadly and override existing city regulations. However, since the bill is still in negotiation, its final form is uncertain. It could be narrowed to include restrictions such as minimum lot sizes or specific zoning requirements. Without a passed bill, it's difficult to predict its full impact on local ADU policies.

Mayor Ramsey acknowledges the importance of the decision at hand while also recognizing the possibility that state legislation could override it in the near future. She emphasizes the need to move forward based on the city's current authority and decision-making process while remaining aware of potential legislative changes.

Attorney Loose clarifies that while future legislation may impact ADUs, agreements made through development agreements can still impose specific restrictions, even if state law changes. He explained that property owners can voluntarily agree to limit their use of ADUs in exchange for approval of flag lots, which are not currently being considered in legislative discussions. He also points out that without flag lots, the existing two lots could still potentially have ADUs under new state laws, leading to a similar number of living units but with different zoning controls. However, if flag lots are approved and ADUs become more broadly permitted, the total number of units on the properties could increase significantly.

Director Schaefermeyer added that when the internal ADU legislation was passed, it also invalidated HOA restrictions on ADUs.

Attorney Loose added the legislation states that HOA contracts are not enforceable in this regard. No one has challenged this under contract law, but he noted that the person who included that provision in the legislation has a legal interpretation that he personally disagrees with.

Director Schaefermeyer continued, noting that the legislation did not go as far as addressing development agreements and other similar restrictions. He mentioned that this is a frequent point of debate, citing ongoing discussions with individuals like Daybreak. He emphasized the uncertainty surrounding how these regulations interact with existing agreements and the need to navigate these complexities as they arise.

Attorney Loose clarified that development agreements remain enforceable unless legislation explicitly states otherwise. The internal ADU legislation did not address development agreements, similar to how it impacted HOA restrictions. He noted that if the state were to invalidate development agreements, cities would have little incentive to use them, which could significantly impact planning and negotiation processes. He also mentioned that major

developers rely on these agreements to work through project details and generally prefer having them in place.

Mayor Ramsey acknowledged the additional context provided and emphasized the importance of hearing all perspectives in the discussion. She summarized the council's positions, noting that two members feel one way, two feel another, and Council Member Harris has shared his stance. She then asked staff and the applicant whether they have the necessary information to draft a potential proposal for the council's consideration.

Director Schaefermeyer confirmed that Long-Range Planner Joe Moss has already started working on the revisions, ensuring they align with the discussion. He clarified that the council has not committed to any ordinance changes yet but that staff will translate the input received into a proposed ordinance. The likely approach will be an administrative one with specific requirements, including a provision prohibiting ADUs on flag lots. This provision may be included either as a legislative floating zone with restrictions or as an administrative regulation. He stated that staff plans to present this revised agreement (Attachment A) to the council and will coordinate with the applicant to determine an appropriate time for its inclusion on the council agenda.

Mayor Ramsey emphasized that council decisions should never feel arbitrary. While recognizing that some cases may involve unique circumstances, she agreed that broad policies, such as the one under discussion, are best handled with consistency and clear guidelines.

Council Member Harris acknowledged the value of the city staff's research and the in-depth discussion on how other cities handle similar issues. He noted that many councils face emotional pleas from residents when making these decisions, but he prefers a clear administrative approach where guidelines dictate the outcome. Reflecting on the work session, he reiterated that the discussion narrowed down to an either-or decision: properties could either have a flag lot or an ADU, but not both. He expressed confidence in both this conclusion and the overall process.

Attorney Lewis clarified that if the city allows flag lots without explicitly prohibiting ADUs in the development agreement, future state legislation could override local regulations. If the state later permits external ADUs under specific conditions, and the flag lot or the original lot meets those conditions, external ADUs would be allowed regardless of the city's initial intent.

Director Schaefermeyer explained that the city can advocate for addressing any legislative concerns as they arise. Meanwhile, there are multiple applications at different stages of the process. One application vested before the pending ordinance and contains similar provisions in its proposed development agreement, though it has yet to go before the Planning Commission. Another application in the same neighborhood was submitted after the pending ordinance, leaving it in limbo until the city finalizes its approach.

Mayor Ramsey emphasized that the city should not delay any ongoing processes or hold up applications while waiting for potential legislative changes. She reaffirmed that the council has the authority to make decisions based on the current situation. If adjustments are needed due to

future legislation, the city can adapt accordingly, but in the meantime, the established schedule should continue as planned.

Director Schaefermeyer clarified that no formal vote was taken during the meeting. Instead, the discussion provided direction on what should be brought back for the council's consideration in a future meeting.

Attorney Loose clarified that the bill being referenced throughout the discussion is HB 88, sponsored by Representative Raymond Ward, with the Senate floor sponsor being Senator Lincoln Fillmore.

Applicant Dan Milar expressed his admiration for the work being done by the council and staff. Though he works in the industry, he noted that he has had limited exposure to this process and appreciates the careful thought and effort put into it. While the matter impacts him directly, he is not in a rush and understands that these things take time. He acknowledged the well-reasoned approach taken by Council Member Harris, Council Member McGuire, and others, as well as the guidance provided by Attorney Loose. He concluded by thanking everyone for their work and for allowing him to participate in the meeting.

Mayor Ramsey expressed appreciation for Dan Milar's comments and noted that she wished more people had the opportunity to see how thoroughly the council vets issues. She emphasized that the council is far from a rubber-stamp body, as each member takes the time to carefully analyze, understand, and articulate the reasoning behind their decisions. She thanked Mr. Milar for attending and for his acknowledgment of their efforts.

F.2. Statistical Trends in Law Enforcement. *(By Chief of Police, Jeff Carr)*

Police Chief Jeff Carr reviewed prepared presentation (Attachment B) noting crime reporting changes, highlighting the shift from the FBI's Uniform Crime Reporting (UCR) system to the National Incident-Based Reporting System (NIBRS) in 2021. He explained that prior to 2021, crime rates were calculated based on only eight major offenses, four crimes against persons (homicide, robbery, rape, aggravated assault) and four crimes against property (burglary, larceny, motor vehicle theft, arson). Under NIBRS, additional crimes are now included in the calculations, making the crime rate more comprehensive but also causing an increase in reported rates across the board. Chief Carr presented 2019 data under the old system, showing a crime rate of 15.26 per 1,000 residents. In contrast, 2021, the first full year under NIBRS showed a rate of 34 crimes per 1,000 residents. He noted that this increase was due to the expanded reporting criteria rather than an actual rise in crime. Similarly, Salt Lake City's crime rate jumped from 63 per 1,000 in 2019 to 152 per 1,000 in 2021, illustrating the broader impact of the reporting change. He also shared that despite searching for updated data, crime reports for 2022 and 2023 have not yet been published. Upon inquiring with the Commissioner of Public Safety, he learned that efforts to create a new crime data dashboard had delayed the release of statewide reports. As a result, there is currently no way to compare recent crime rates across cities in Utah. Chief Carr pointed out that while some key metrics are improving, such as the overall decrease in calls and fewer 911 hang-ups, other areas remain concerning. The rise in arrests over the past four years suggests increased enforcement efforts or potentially more criminal activity requiring

intervention. Similarly, the increase in reckless driving incidents is something the department is monitoring closely. He emphasized that fluctuations in crime data are normal, but the department continues to analyze these trends to determine underlying causes and adjust strategies accordingly. The goal is to maintain a proactive approach to crime prevention while ensuring resources are allocated effectively to address emerging concerns.

Council Member McGuire asked what defines reckless driving.

Chief Carr explained that reckless driving often involves incidents like road rage and typically includes multiple moving violations, usually around three. He noted that laws regarding reckless driving have been strengthened, particularly in relation to road rage incidents over the past year. He then provided an overview of crime trends, highlighting that misdemeanors are up while felonies are down. He expressed a preference for this trend, as felonies generally involve more severe crimes. Additionally, priority one to three calls, such as traffic accidents with injuries or crimes in progress, are decreasing, which is a positive sign. However, he pointed out a concerning trend is an increase in calls requiring three or more officers to respond, which has risen by about 15% from the previous year. These types of calls often involve high-risk situations like active domestic disputes or suspicious vehicle reports.

Deputy Police Chief Rob Hansen added that often, the need for additional officers at a scene is to manage behavior effectively. He explained that in certain situations, one officer may need to actively intervene while another monitors the surroundings or searches for additional concerns.

Chief Carr continued reviewing crime trends, highlighting key statistics from the city's records. He noted that the city's jail bookings have steadily increased over the past few years, rising from 371 in 2022 to 426 in 2024. Among the 43 agencies that booked individuals into jail last year, the city ranked fourteenth. He also pointed out that the average booking process takes approximately 28 minutes, plus travel time, meaning an officer is typically out of the city for at least 90 minutes, sometimes longer, depending on the time of day. In some cases, officers opt for a cite-and-release approach to maintain staffing levels within the city. Moving on to crime trends, he explained that while certain violent crime numbers have increased, the overall figures remain relatively low. For example, kidnapping cases, mostly related to domestic disputes and custodial interferences, rose from three in 2023 to nine in 2024. Reported rapes increased by 24%, while robberies doubled from six to 12. Aggravated assaults were also up, suggesting a slight rise in violent crime, but he cautioned against drawing conclusions from small data sets. On the positive side, some crime categories have seen notable declines. Burglary rates, for instance, have dropped significantly from 148 cases in 2021 to just 54 in 2024. He attributed this to advancements in home security technology, such as smartphones, security cameras, and doorbell cameras, which act as deterrents. He recalled working burglary cases in the late 80s and early 90s, when monthly residential burglary counts were much higher. Regarding shoplifting, he mentioned that the number of reported cases often depends on how actively loss prevention staff at stores like Walmart and Target enforce theft policies. Last year, a noticeable increase in shoplifting incidents at Walmart suggested a change in loss prevention strategies, though the department was not formally informed of any new policies.

Deputy Chief Hansen explained that one of the key concerns was how local crime trends compare to national patterns. He noted that the city's data closely mirrors trends seen across the country, which is largely influenced by shifting demographics. He pointed out that law enforcement traditionally sees higher crime involvement among male's aged 18 to 24, but societal changes have altered their behaviors and living situations. Unlike past generations, when young adults were expected to leave home for college, work, or missions, many now remain at home longer due to financial constraints or personal choices. He highlighted the role of social media in changing youth behavior. In previous years, teens might have attended large gatherings that sometimes led to criminal activity. Now, with digital connectivity, much of their social interaction happens online, reducing incidents like vehicle burglaries and other crimes that were more common in the past. He emphasized that the incentives for certain offenses have diminished, contributing to the downward trend in some categories of crime.

Council Member Harris asked whether data was available on how many of the more serious crimes were committed by residents versus individuals coming into the city.

Deputy Chief Hansen responded that the division of serious crimes between residents and non-residents is approximately 50/50. He explained that in most cases, there is some connection to South Jordan, whether through the victim, the suspect, or other factors. Regarding arrests, he acknowledged that an increase in arrests might raise concerns from a council perspective, but from a law enforcement standpoint, it is a positive indicator. Higher arrest numbers suggest that officers are effectively stopping criminal behavior and addressing issues proactively. He noted that law enforcement efforts in neighboring cities, such as West Jordan, also have a positive impact on South Jordan, as crime prevention and enforcement often extend beyond city boundaries. He emphasized that with officers responding to approximately 40,000 calls per year, the number of arrests and overall crime trends suggest that South Jordan remains in a strong position regarding public safety.

Chief Carr added that even when looking at crime rates from 2021, South Jordan remains in the lower half of the county in terms of overall crime. He noted that as the city continues to grow, and as other areas of the county expand and transition into suburbs, crime trends naturally shift. He explained that crime rates tend to decrease as one moves farther from the center of Salt Lake City, a pattern that has been consistent over time. However, with the rapid development between Ogden and Provo, the entire region is evolving into a larger metropolitan area, which may bring new challenges and considerations for public safety.

Council Member Zander asked how the increased need for mental health support among officers is reflected in the crime data. She acknowledged that while mental health issues may not directly correlate with crimes like robberies, she wondered if there has been an increase in crimes committed between individuals as a result of mental health challenges.

Chief Carr responded that there are not enough mental health resources to meet the growing demand. He mentioned that while initiatives like the 988 crisis line have been beneficial, reportedly resolving 80-90% of calls without police intervention, there is still a significant gap in support. He highlighted the Mobile Crisis Outreach Teams (MCOT), which are intended to assist in mental health emergencies. However, due to limited resources, officers often end up handling

these situations themselves, as wait times for MCOT can stretch to two or three hours. He also discussed the development of receiving centers, which are designed to provide immediate care for individuals in crisis. One such facility is being completed near the jail, operating as a no-refusal center where law enforcement can take individuals who need help, ensuring they receive care rather than being taken to jail. He stressed that this will help in some cases but noted that, nationwide, the availability of mental health resources is still far behind what is needed.

Deputy Chief Hansen added that the department frequently issues what are called pink sheets, a legal process that allows officers to take individuals to a medical facility when they are deemed unable to care for themselves, present a danger to others, or are experiencing suicidal ideation. Officers make many hospital runs, typically to Jordan Valley, the U of U, Riverton, Lone Peak, facilities that are close enough to allow officers to remain available for other calls. He also noted the challenge when individuals refuse treatment. In such cases, officers may not have legal grounds to detain them under a pink sheet, and property owners may instead request that the person be removed. This often results in trespass notices rather than arrests, leaving individuals to continue struggling without immediate intervention. He emphasized that officers do not simply walk away from these situations. In about 90% of cases, if someone is considered a danger, officers will ensure they are taken to the hospital. However, this sometimes results in physical encounters when individuals resist assistance, making it a delicate balance for law enforcement. He highlighted ongoing training efforts to help officers recognize signs of crisis and work effectively with fire and medical personnel, who often assist with transport in these situations.

Council Member Johnson asked whether there is any outreach to the families of individuals in crisis to help connect them with resources.

Chief Carr stated that outreach efforts depend on the type of case. The department's victim advocates assist in certain situations, and officers have information on available programs and resources that they can provide to individuals and families in need. However, access to adequate support systems remains a challenge.

Council Member Johnson noted the importance of providing resources to families of individuals in crisis. She said that while law enforcement may not always have the ability to intervene directly, family members who have ongoing contact with the individual could play a key role in connecting them to available support services.

Deputy Chief Hansen responded that officers do try to connect families with resources when possible, especially in cases where individuals have a history with law enforcement. He explained that family involvement is often the best-case scenario, as it provides a support system for the individual. However, many cases involve people who refuse help or whose families have already exhausted their options, making intervention more challenging. He noted that when individuals haven't committed a crime and refuse assistance, it becomes a difficult balance for law enforcement.

Chief Carr added that as the city continues to grow, ensuring adequate police staffing remains a concern. To address this, the department has implemented several initiatives, including the

Online Reporting System (Case Service), which allows residents to report certain incidents online, reducing officer workload. He also highlighted Draft One, an AI-assisted reporting tool that helps officer's complete reports more efficiently by generating documentation from body camera interactions. Additionally, the department has hired its first Community Services Officer (CSO), who handles parking violations, abandoned vehicles, and other non-emergency issues. This helps free up officers for higher-priority calls and improves response times to community concerns. He emphasized that these efforts enhance efficiency and improve overall service to residents.

Mayor Ramsey expressed appreciation for the data presented, noting that while the city continues to grow, crime rate percentages have remained stable, with several categories showing a decline. She highlighted this as a positive trend, acknowledging that while not perfect, it reflects progress. She reiterated Deputy Chief Hansen's earlier statement that approximately 50% of more serious crimes involve individuals from outside South Jordan who come into the city for various activities. She sought clarification to confirm her understanding of that statistic.

Deputy Chief Hansen confirmed the statistic and acknowledged that as the city grows, law enforcement becomes familiar with new residents over time. He stated that he does not believe the department is behind in addressing crime trends and expressed appreciation for the resources provided. He emphasized the importance of efficiency in policing efforts and noted that proactive enforcement and officer presence play a key role in deterrence. He reiterated that the department's focus is on maintaining efficiency and ensuring officers are available to respond effectively.

Chief Carr emphasized the importance of officer visibility and stated that the department has a program called "On Every Street," which aims to have officers present on every street in the city at least once per quarter. He commended the officers for their efforts in maintaining visibility, noting that their presence serves as an effective deterrent to crime. He concluded by reaffirming the department's commitment to this approach.

Mayor Ramsey expressed gratitude to Chief Carr, Deputy Chief Hansen, and the entire South Jordan Police Department for their dedication and hard work. She asked them to extend the City Council's appreciation to the entire team, recognizing their efforts in keeping the community safe and upholding the law.

F.3. Public Infrastructure District (PID) policy amendments. *(By Director of City Commerce, Brian Preece)*

City Commerce Director Brian Preece provided an overview of Public Infrastructure Districts (PIDs), a financing tool authorized by the state legislature in 2019. PIDs function as special districts, similar to water or sewer districts, and require City Council approval. The city has an established process where a district advisory committee vets applications before they reach the Council to ensure they are viable and complete. He explained that the city has received one application and has been evaluating it while identifying potential improvements to the PID policy. Originally, PIDs were intended for unique enhancements beyond standard infrastructure requirements, such as special features in developments. However, through the current application

process, it became apparent that the policy might need adjustments, particularly for commercial projects. He emphasized that these changes would not apply to residential developments, as he and many Council members believe residential PIDs are problematic due to concerns about inequitable tax burdens among homeowners. He proposed a two-path system, similar to the previous Special Assessment Area (SAA) approach, where commercial properties could continue paying assessments after development, while residential properties would settle obligations before development to prevent disparities in tax rates. For commercial projects, he suggested broadening the scope of eligible infrastructure improvements to include utilities, roads, parking, public transportation, and even potential inland ports. He noted that while an inland port does not currently qualify due to an existing Community Development Area (CDA), it could become viable once the CDA expires in the future, potentially supporting manufacturing growth. He also referenced infrastructure projects related to environmental remediation efforts, such as the shoreline redevelopment, as another possible application for PIDs. He explained that the approval process for PIDs would remain largely unchanged. Applicants would still submit an initial proposal, which the city would vet to ensure it meets established criteria. However, even if a proposal meets the requirements, the city is not obligated to approve it if it is deemed unnecessary or not in the city's best interest. He highlighted how legislative changes, specifically HB 151, have eliminated many of the traditional tools the city previously used for economic development, such as tax increment financing and Redevelopment Agency (RDA) funding. While some of these programs are still active, many are reaching the end of their lifespans. The city can still use certain tools for commercial projects, but retail and sales tax-based developments now have fewer options for financial support. Given the city's limited remaining land for retail development, he suggested that PIDs could help fill financial gaps in projects where some assistance is needed to make them viable. He emphasized that the funding for PIDs comes from self-imposed taxes by the property owners within the district, rather than an additional tax burden on the city. Additionally, financing through PIDs allows developers to access better loan rates without impacting the city's overall tax capacity or credit rating.

Attorney Loose explained that the concept of unique enhancements was a key factor in how PIDs were initially introduced and justified to cities. While the statute itself broadly allows for PIDs, cities were often presented with the idea that these districts would only be used for unique public enhancements, and most cities adopted policies reflecting that approach. When considering PIDs for commercial developments, he pointed out that they offer unique financial advantages compared to residential projects. Unlike residential properties, where the city only receives a portion of property tax revenue, typically around 55%, commercial properties provide the city with the full amount of property tax. Additionally, commercial developments generate sales tax revenue, further benefiting the city. He argued that commercial projects involve sophisticated developers who understand the financial structures they are entering into, unlike residential homeowners who may be confused by varying tax rates. Because of these differences, he suggested that it makes sense to separate the process for commercial PIDs from residential ones, ensuring a more tailored approach that aligns with the distinct financial impacts and benefits of each type of development.

Director Preece explained that whether a commercial property is leased or purchased, potential buyers or tenants will conduct financial analyses, including performance evaluations, before

committing. If the property is part of a PID, those analyses will factor in the associated costs, as the PID creates an encumbrance on the property. This added financial obligation could slightly lower the property's value, as buyers must account for the additional burden when determining whether the investment is viable.

Attorney Loose explained that a previous council used a similar approach with the Special Assessment Area (SAA) for Daybreak, which allowed for the accelerated installation of water and road infrastructure. While the SAA was a different financing tool, it provided access to bond markets. At the time, the council was clear that residential properties should not be impacted long-term. As a result, residential assessments were required to be paid in full at the time of building permit issuance. In contrast, commercial properties continued to pay their assessments over time until the SAA was fully paid off, typically over a 20 to 30 year bond period. He noted that PIDs could follow a similar long-term financing structure.

Council Member Harris commented that it would be interesting to see how the use of PIDs develops in Utah. He noted that the developers utilizing this tool are typically very sophisticated and wondered whether it would primarily be Utah-based developers taking advantage of it or if venture capital groups from outside the state would seek opportunities to maximize their investments in Utah's growing market.

Mayor Ramsey acknowledged that PIDs have been slow to take off, citing Herriman's experience with a few approved PIDs that took time to secure funding. She noted that while some progress has been made, the bond market has not fully opened for these projects. She pointed out that the state of Utah is using PIDs to fund all infrastructure in phase one at The Point and that the statute includes specific language allowing municipalities to use this tool. She recalled a past discussion where the council strongly opposed PIDs in residential areas due to concerns about unequal tax burdens on similar homes. While she remains hesitant about PIDs in general, she recognized their potential as an additional tool for economic development, particularly for infrastructure funding in commercial projects. Given the limited options for economic development financing, she expressed support for adding PIDs to the city's toolbox as a resource that could be considered on a case-by-case basis.

City Manager Lewis emphasized that while the city isn't required to use PIDs, having them as an option allows flexibility. If the right project comes along and a PID is the appropriate tool, it would be beneficial to have it available.

Mayor Ramsey acknowledged the other side of the argument, noting that there are projects where, without a tool like a PID, a developer simply wouldn't have the financial means to install necessary infrastructure. In cases where no existing infrastructure is available, a PID might be the only viable option to move a project forward.

Council Member Harris shared insights from a public sewer board meeting, noting how developers evaluate funding options, including PIDs, reimbursements, and impact fees. He observed that PIDs can provide additional financial leverage, allowing developers to move forward with projects that might otherwise be constrained by existing rules or funding

limitations. This flexibility can help address infrastructure needs while maintaining financial feasibility for developers.

City Manager Lewis compared PIDs to the way the city funds its own projects, by combining various funding sources like general funds, impact fees, federal funds, and state funds. Similarly, developers explore multiple financing options to make projects viable. He emphasized that a PID is just one more tool in that process and reassured the council that they have full discretion over when and how it is used.

Director Preece summarized by comparing PIDs to other economic development tools the city has used in the past. While the city still has tools for office buildings and similar developments, they can no longer be applied to retail. The city has always been selective in granting such incentives, ensuring they meet the city's priorities. He concluded by stating that if the council is comfortable, staff will bring back a resolution to adopt a new or revised policy.

Council Member McGuire motioned to recess the City Council Study Meeting agenda to move to Executive Closed Session to discuss the character, professional competence, or physical or mental health of an individual. Council Member Harris seconded the motion; vote was 5-0 unanimous in favor.

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

G. Executive Closed Session: 6:10 p.m.

- G.1. Discuss the character, professional competence, physical or mental health of an individual.

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL STUDY MEETING

Council Member Zander motioned to adjourn the Executive Closed Session and move back to the City Council Study Meeting. Council Member Johnson seconded the motion; vote was 5-0 unanimous in favor. vote.

ADJOURNMENT

Council Member Zander motioned to adjourn the February 4, 2025 City Council Study Meeting. Council Member McGuire seconded the motion; vote was 5-0 unanimous in favor.

The February 4, 2025 City Council Study meeting adjourned at 6:36 p.m.

SOUTH JORDAN CITY
CITY COUNCIL MEETING

February 4, 2025

Present: Mayor Dawn Ramsey, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Planning Steven Schaefermeyer, Director of City Commerce Brian Preece, Director of Strategy & Budget Don Tingey, CFO Sunil Naidu, City Engineer Brad Klavano, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, Deputy Police Chief Rob Hansen, Fire Chief Chris Dawson, Director of Recreation Janell Payne, Communications Manager Rachael Van Cleave, CTO Matthew Davis, Senior Systems Administrator Phill Brown, GIS Coordinator Matt Jarman, City Recorder Anna Crookston, Police Sergeant Adrian Montelongo

Absent:

Others: Laurel Bevans, Brooke Bevans, Shari Harris, Maria Scott, Isaac Scott, Robin Pierce, Camille Grimshaw, Erin Grimshaw, Ben Sorenson, Noah Christensen, Sandy Christensen

6:40 P.M.
REGULAR MEETING

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

Mayor Ramsey welcomed everyone present and introduced the meeting.

B. Invocation – *By Council Member, Patrick Harris*

Council Member Harris offered the invocation.

C. Pledge of Allegiance – *By Director of Recreation, Janell Payne*

Director Payne led the audience in the Pledge of Allegiance.

D. Mayor and Council Reports

Due to meeting starting late council members were in agreement to skip reports for the sake of time. Mayor Ramsey noted that while council members typically provide reports on recent activities, the legislative session has been particularly busy, and there will be more to report in the coming weeks.

E. Public Comment

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

F. Public Hearing Item

F.1. Ordinance 2025-06, Amending Section 17.130.050 (Planned Development Floating Zone) of the South Jordan Municipal Code to include the area east of the FrontRunner rail line in eligible areas for density greater than eight dwelling units per acre. (*By Long Range Planner, Joe Moss*)

Planner Moss reviewed prepared presentation Attachment A, explaining that while the area north of South Jordan Parkway is included in the station area, the area to the south is not. This ordinance change would allow the council to consider planned developments with residential components exceeding eight units per acre. The modification aligns with the general plan by supporting residential uses that complement commercial development. Due to shifting market conditions, many commercial projects now require a residential component for feasibility.

Mayor Ramsey opened the public hearing. There were no public comments. Mayor Ramsey closed the public hearing.

Council Member Shelton asked for clarification on the area under consideration, asking whether it is located south of the FrontRunner station but north of South Jordan Parkway. Director Schaefermeyer clarified it is north of 11400 South.

Council Member Harris asked whether projects in the proposed area would primarily be commercial with a residential component or if fully residential developments could also be considered.

Planner Moss explained that the proposed modification would allow the council to consider PD requests, which could include residential-only or mixed-use developments. While the area is currently zoned for commercial use, any residential component would require a rezoning process, likely through a PD request. This change would enable the council to evaluate such requests on a case-by-case basis.

Mayor Ramsey noted that the area in question is a key commercial zone located near I-15. While it has primarily been designated for commercial use, the proposed modification would allow for flexibility in development. Similar to the existing station area plan near the FrontRunner zone, this change would enable consideration of projects that incorporate both commercial and residential components. The intent is to support commercial development while allowing residential elements that could help facilitate project completion.

City Manager Lewis noted that mixed-use developments incorporating residential and commercial elements are becoming more common. Similar approaches are being used in the urban center near the ballpark and in neighboring jurisdictions along the same corridor. Allowing

residential components can help make projects financially viable, and this modification would provide the council with flexibility to consider such proposals in the future.

Council Member Harris expressed support for mixed-use developments that incorporate both commercial and residential elements. However, he sought clarification on whether approving the proposed modification would allow a residential-only project to bypass the City Council and go directly to the Planning Commission or if all such proposals would still require council approval.

Director Schaefermeyer acknowledged the concern about residential-only projects and noted that staff closely considers council expectations when reviewing applications. He explained that while the general plan designates the area for commercial use, the expectation is that developments would include a commercial component. To reinforce this, the ordinance could be amended to specify that residential projects exceeding eight units per acre in this area must also include a commercial element.

Council Member Harris said that the land is prime for commercial use and should not be solely used for residential projects. However, he expressed support for commercial developments that incorporate residential components. He requested that any motion include language ensuring that residential projects in this area must be integrated with commercial development.

Mayor Ramsey noted that the intent behind previous discussions was to ensure that residential developments in the area include a commercial component. They expressed support for incorporating this requirement into the ordinance to align with the council's original expectations.

Council Member Johnson emphasized the importance of preserving the city's limited commercial space. She expressed support for the proposal only if it encourages additional commercial development but opposed any changes that would reduce existing commercial opportunities.

Council Member Harris is in agreement with Council Member Johnson for the majority of a project to be commercial rather than residential.

Council Member McGuire stated that any new development in the area should enhance the existing commercial zone. While some residential components could support commercial viability, the intent is not to allow standalone residential projects but rather to ensure a mixed-use approach that strengthens the commercial presence.

Council Member Johnson provided an example of an apartment complex in the community on 9800 South, which included only a small daycare as its commercial component. She expressed concern that such developments do not align with the intent of maintaining a strong commercial presence in designated areas.

Director Schaefermeyer explained the distinction between legislative and administrative processes regarding zoning. Any residential development in the area would require a zone change. Currently, residential-only projects with densities under eight units per acre could be proposed. The proposed ordinance would allow for higher densities but could include language

clarifying that the area is primarily commercial, with residential components intended to support commercial development. The council would retain the authority to determine whether a proposal aligns with this intent and to reject projects that do not meet the standard, such as those with minimal commercial elements.

Council Member Shelton expressed agreement with Director Schaefermeyer's suggestion to clarify in the ordinance that the area is primarily commercial and that residential components should support commercial development. Shelton also acknowledged Council Member Harris's concerns, stating that the proposed addition would help ensure projects align with the council's intent.

Council Member Zander agreed with the proposed clarification and emphasized that the council would still have the authority to review and approve developments on a case-by-case basis.

Director Schaefermeyer explained that the PD floating zone process follows the standard rezone procedure. Applicants first present their proposals in a study meeting with the council before proceeding to the Planning Commission and returning to the City Council for final approval.

Council Member Zander motioned to approve Ordinance 2025-06, Amending Section 17.130.050 (Planned Development Floating Zone) of the South Jordan Municipal Code to include the area east of the FrontRunner rail line in eligible areas for density greater than eight dwelling units per acre with an amendment to the proposed Ordinance to add "primarily commercial". Council Member Harris seconded the motion.

Roll Call Vote

Council Member Zander - Yes

Council Member Harris - Yes

Council Member Johnson - Yes

Council Member Shelton - Yes

Council Member McGuire – Yes

The motion passed with a vote of 5-0.

Mayor Ramsey expressed appreciation for those in attendance, including Planning Commissioners, Youth Council members, volunteers, and engaged residents. She acknowledged their time and participation, emphasizing the importance of community involvement in city decisions and thanking them for their support.

G. Staff Reports and Calendaring Items

City Engineer Brad Klavano provided an update on traffic changes at Bangerter and 9800 South, where UDOT has rerouted traffic onto future on- and off-ramps. Due to safety and congestion concerns, particularly during peak hours, he recommended removing the right-on movement and associated signal for the remainder of construction. He noted significant traffic backups, potential safety risks, and increased congestion on 4000 West as drivers seek alternate routes. He suggested discussing the change with Elkridge Middle School and confirmed that the full

interchange, including permanent signals, is expected to be completed by October. If there were no major objections, he planned to consult with UDOT about implementing this adjustment.

Mayor Ramsey expressed concern over the unexpected return of the traffic signal at Bangerter and 9800 South. She noted her initial confusion as a driver and emphasized that while congestion is frustrating for commuters, safety remains the top priority.

City Engineer Klavano acknowledged that while some congestion will remain due to lane reductions, removing the signal should help alleviate the severe traffic backup. He reiterated concerns about safety, emphasizing that in the event of an emergency, limited space could lead to full road closures, further complicating traffic flow.

Council Member Johnson expressed concern about the impact on nearby businesses, specifically how customers and employees will be able to exit the area if the right-turn movement is eliminated.

City Engineer Klavano said it sounds like the main impact will be on vehicles trying to leave the business and head northbound. A hard closure would likely extend just beyond their driveway, but a soft closure with detour signage placed further back could help manage traffic flow. It may also be helpful for UDOT's PIO to contact the business directly with alternative route instructions. Since other movements are already restricted, the number of affected drivers may be relatively small, but ensuring clear communication will be important.

Mayor Ramsey acknowledged the challenges posed by the temporary signal at 9800 South and Bangerter Highway. She emphasized that safety has been a longstanding concern as Bangerter transitions to a full freeway. A stoplight at this location is not viable long-term due to the high speeds of traffic. While removing the signal may be frustrating for drivers and businesses, it is a necessary step to improve safety until construction is complete. She noted that the alternative of allowing the signal to remain, would continue to cause severe traffic congestion, with backups extending to 7800 South.

Council members and staff discussed that drivers were previously able to turn right onto Bangerter without a signal, but with traffic now shifted onto the ramps, that option no longer exists. The area is now narrower, with only two lanes available, contributing to significant backups. There was general agreement that closing certain movements during the remainder of construction would be the safest approach.

Council Member Johnson emphasized the importance of reaching out to affected businesses, particularly the medical office on the northeast corner, to explore possible solutions for access.

City Engineer Klavano clarified that the main restriction would impact those needing to travel northbound from the medical office. Alternative routes and detour signage would be necessary, likely directing traffic to 3200 West. He acknowledged the challenges posed by multiple ongoing construction projects, including work at 13400 South, 2700 West, and sewer upgrades at 11800 South. UDOT representatives have expressed similar concerns about backups, and staff will

coordinate with them on potential adjustments. Council requested updates as discussions progress, recognizing that ultimate decisions rest with UDOT.

Director Payne extended an invitation to anyone interested in participating in the upcoming SoJo Race Series run on February 15.

City Manager Lewis reminded the council about the Chamber State of the Chamber Luncheon on February 12 from 11:30 a.m. to 1:00 p.m. All council members are currently registered, and those unable to attend were asked to notify him so their spot could be filled. Mayor Ramsey noted she would be meeting with the congressional delegation in Washington, D.C., on February 12 to discuss regional transportation. Due to travel, she will be unable to attend the Chamber State of the Chamber Lunch but expressed regret about missing it.

Attorney Loose provided an update on legislative matters, including LPC discussions, land use, canals, and elections. Noting SB 154, sponsored by Representative Brady Brammer, would allow the state auditor to bypass attorney-client privilege during audits, granting access to privileged emails, records, and conversations. The bill does not specify how the obtained information could be used or whether it would become public. The Utah Bar Association has opposed the bill, and the Utah League of Cities and Towns is also recommending opposition. The bill is scheduled for committee discussion tomorrow, with Senator Fillmore on the committee. Attorney Loose emphasized that attorney-client privilege is a fundamental legal protection and urged council members to consider the implications. He clarified that the state auditor's authority extends beyond financial audits and includes compliance audits, such as reviewing the legal disposal of real property or closed meetings. Given the broad scope of the auditor's powers, the proposed bill raises concerns about breaching attorney-client privilege. He reiterated that once the privilege is breached, it cannot be undone. His recommendation is that the council oppose SB 154 and communicate their concerns to Senator Fillmore. However, he added that the privilege belongs to the council, and if directed, he would disclose the information.

Council Member Johnson asked whether, under the current process, if the state auditor had a question, they would go through an attorney to obtain the necessary information.

Attorney Loose explained that under current law, if the state auditor conducted an audit requiring access to privileged conversations or attorney work products, they would not be able to obtain them unless a court reviewed the request and determined it met specific legal exceptions. These exceptions include instances where legal advice involves committing a crime or when the discussion pertains purely to policy without legal guidance. He added that legal advice given in confidence, including recent discussions such as conflict forms, remains privileged and confidential.

Council Member Harris asked whether the discoverable portion would include only written or recorded materials or if there was a possibility that someone could be subpoenaed and required to disclose the discussion.

Attorney Loose explained that under the proposed bill, if requested by the Legislative Auditor General, an attorney must provide information, materials, or resources related to the

representation of an entity. The bill cites the Code of Judicial Administration, which would make it a disciplinary offense for an attorney to refuse. This means privileged conversations could be disclosed without the usual requirement of judicial review. He clarified that under current law, an attorney could refuse to disclose privileged information unless ordered by a judge. However, under the proposed legislation, if the state auditor requested such information, the attorney would be required to comply. This could include discussions related to conflict-of-interest forms or other legal matters, making it difficult to maintain attorney-client privilege.

Council Member Harris expressed concern that discussions with the city attorney often involve seeking clarification on complex issues, weighing pros and cons, and understanding nuances. He noted that without proper context, such conversations could be misinterpreted if disclosed under the proposed legislation. He sees a risk of statements being taken out of context, which could lead to misunderstandings or misrepresentations of intent.

Attorney Loose clarified that the proposed legislation would directly impact city councils and other governmental entities by allowing the state auditor to access privileged attorney-client communications. Noting that both the Utah Bar Association and the League of Cities and Towns oppose the bill and plan to speak against it in committee. He suggested that council members consider reaching out to Senator Fillmore, who serves on the committee reviewing the bill, as well as Senator Cullimore, who represents nearby areas.

Council Member Harris asked which government bodies does this impacts.

Attorney Loose explained that the bill states a lawyer "shall provide information" related to the representation of an entity. He sought clarification on the definition of "entity," noting that it includes government organizations and "receiving organizations." Upon review, he determined that a receiving organization refers to an entity that receives public funds but is not a government organization. He acknowledged that this definition could extend to various publicly funded entities and said that while the bill directly affects attorneys, its greater impact would be on their clients. He explained that if passed, it would extend beyond just city attorneys, requiring any attorney providing legal counsel to a government entity to disclose privileged information if the subject were under audit.

Mayor Ramsey expressed concern about creating broad policies that apply statewide based on a single incident. She emphasized that there are more precise ways to address specific issues rather than implementing sweeping measures. She noted that this bill is not the only one of its kind and referenced other legislation that appears to stem from individual grievances rather than broad policy needs. She highlighted the importance of legal counsel, stating that the council relies on Attorney Loose for accurate information to ensure compliance with the law and fairness in decision-making. She warned that such legislation could set a precedent for further overreach in the future. As a result, her intention is to text Senator Fillmore and request that he vote against the bill in committee.

Attorney Loose stated that the proposed solution seems flawed. Currently, the process requires obtaining a court order, with a judge reviewing the matter before attorney-client privilege can be pierced, but the bill's sponsor is unwilling to accept that safeguard. Instead, the sponsor seeks to

expand the legislature's ability to audit not just the situation but also privileged communications, making it easier to bypass legal protections.

Mayor Ramsey expressed support for maintaining the existing legal structure, which has been in place for a long time and allows for checks and balances through judicial review. She emphasized that if a concern arises, it can be addressed by a judge, who can determine whether privileged information should be disclosed. She stated that the proposed bill goes too far and is in opposition of the bill. She requested that information be shared with those interested in contacting Senator Fillmore regarding the proposed bill. She emphasized the importance of presenting a unified message, noting that conflicting opinions from different cities have, in the past, led legislators to disregard input altogether. To ensure effectiveness, she advised coordinating outreach efforts to maintain consistency in messaging.

Attorney Loose emphasized that the privilege at stake belongs to elected officials, not the attorneys themselves. While attorneys support maintaining attorney-client privilege because it enhances their ability to provide candid legal advice, it is ultimately the clients—elected officials—who hold the right to waive or protect that privilege. He suggested that outreach to Senator Fillmore would be most effective if it came directly from elected officials rather than attorneys, as legal opposition might be perceived as self-serving, even though it is intended to protect the interests of their clients.

Mayor Ramsey expressed gratitude to Attorney Loose for his efforts in representing the city and spending significant time on legislative matters. She specifically noted his involvement in the transportation revisions bill, particularly with the canal connectivity proposal, where he was among the first to be added to the working group. She acknowledged the extra time and effort being put into these issues and thanked everyone for their contributions.

Council Member Zander took a moment to recognize and appreciate two mothers in attendance with their daughters. She highlighted Camille Grimshaw, a talented chalk artist who, alongside her daughter Erin, has contributed stunning artwork at SummerFest, often winning or creating standout pieces. She also acknowledged Laurel Bevans for her dedicated service on the Planning Commission and praised her daughter, Brooke, for her involvement. Council Member Zander expressed admiration for these women and their daughters, calling them future leaders and commending the mothers for raising strong, inspiring young women.

Council Member McGuire took a moment to recognize Erin Grimshaw for her outstanding achievement in the arts. He shared that she won first place for the Fourth Congressional District at the Springville Museum of Art's All-State High School Art Show—an impressive accomplishment. Her winning piece will be displayed in Washington, D.C., for a year before eventually making its way back home, where her mother might finally get to hang it up. He acknowledged that Erin might not want the spotlight, but her achievement was worth celebrating.

Mayor Ramsey encouraged the Grimshaw's to take the opportunity to visit Washington, D.C., and see her artwork displayed in the Capitol. She explained that since Erin will be representing District Four as the winner, she should reach out to Congressman Owens' office to arrange a visit. Given the security clearances required to access the exhibit, the congressman's office could

assist in making it happen. Mayor Ramsey noted that while visitors can't walk right up to the artwork due to protective barriers, they can still view it along the hallway and take photos. She acknowledged that trips to D.C. are often whirlwind visits but emphasized that it would be a meaningful experience if Erin and her family decided to go.

Council Member Zander shared that her daughter is currently an intern for Congressman Blake Moore and is giving tours at the U.S. Capitol in Washington, D.C. She encouraged anyone visiting the Capitol in the coming months to contact Congressman Moore's office and request a tour with Ms. Zander. She noted that while Utah residents don't have to be in Moore's district to arrange the tour through his office, her daughter is a trained Capitol guide who can take visitors to unique spots beyond the standard tour, including lesser-known areas like the chapel.

Council Member Johnson motioned to adjourn the February 4, 2025 City Council Meeting. Council Member Zander seconded the motion. Vote was 5-0, unanimous in favor.

ADJOURNMENT

The February 4, 2025 City Council Meeting adjourned at 7:32 p.m.

RESOLUTION R2025-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, APPOINTING LORI HARDING TO THE SOUTH JORDAN PLANNING COMMISSION.

WHEREAS, South Jordan City Municipal Code § 17.16.010 (“City Code”) requires the Mayor of the City of South Jordan (“Mayor”) and each member of the City Council of the City of South Jordan (“City Council”) to nominate a member of the South Jordan Planning Commission (“Planning Commission”); and

WHEREAS, City Code § 17.16.010 also provides that the City Council appoints each member of the Planning Commission by a majority vote of the City Council; and

WHEREAS, Council Member Don Shelton has nominated Lori Harding to be appointed as a member of the Planning Commission; and

WHEREAS, the City Council desires to appoint Lori Harding to the Planning Commission and to reaffirm the term length for each member of the Planning Commission.

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

SECTION 1. Reappointment of Planning Commissioners. The City Council hereby appoints Lori Harding as a member of the Planning Commission.

SECTION 2. Planning Commission Term Lengths. The term length for each member of the Planning Commission is set forth as follows:

City Council District & Mayor’s Appointee	Planning Commissioner	Appointment or Reappointment	Term Expiration
District 1 (P. Harris)	Nathan Gedge	January 16, 2024	December 31, 2027
District 2 (K. Johnson)	Michele Hollist	January 16, 2024	December 31, 2027
District 3 (D. Shelton)	Lori Harding	February 4, 2025	December 31, 2025
District 4 (T. Zander)	Steve Catmull	January 16, 2024	December 31, 2027
District 5 (J. McGuire)	Laurel Bevans	January 18, 2022	December 31, 2025
Mayor’s Appointee (D. Ramsey)	Sam Bishop	February 6, 2024	December 31, 2025

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

SOUTH JORDAN CITY CITY COUNCIL REPORT

Council Meeting Date: February 18, 2025

Issue: Resolution 2025-07, Approving the Agreement for Installation of Sewer Improvements along 1055 West with Jordan Basin Improvement District.

Submitted By: Brad Klavano Department: Engineering

Staff Recommendation (Motion Ready): Approve Resolution 2025-07, approving the Agreement for Installation of Sewer Improvements along 1055 West with Jordan Basin Improvement District.

BACKGROUND: The City has hired a contractor to replace the existing transite (asbestos-cement) waterline with an 8-inch PVC waterline. Jordan Basin Improvement District desires to install a new sewer line in 1055 West from 10808 South to 10677 South. In working with the District it became apparent to both the City and the District that it would be in the best interest of the Public to have the City hired contractor for the waterline work also install the sewer line at the same time.

This resolution will authorize the Mayor to sign the agreement between the City and the District. The District will remit to the City \$340,615.32 for the sewer line work and \$47,620.00 towards the re-paving of the roadway.

In addition to the work on the utility's, City Staff is in process of working with the property owners along this stretch of roadway to acquire small strips of right of way so that the road can be re-paved to City Standards of 20 feet of asphalt. At this time no curb, gutter or sidewalk will be installed.

TEAM FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

FINDINGS: The City Council has recognized that installing the sewer line with the same contractor installing the City Water Line is in the best interest of the public.

CONCLUSIONS: City staff has negotiated an Agreement with Jordan Basin Improvement District and that it is in the best interest of the citizens of South Jordan City and the General Public to execute this agreement.

RECOMMENDATIONS: City staff is recommending that the City Council approve Resolution 2025-07; approving the agreement for installation of sewer improvements along 1055 West with Jordan Basin Improvement District.

FISCAL IMPACT: This Agreement is obligating Jordan Basin Improvement District to pay \$340,615.32 for the sewer line improvement and \$47,620.00 towards the replacement of the roadway asphalt.

ALTERNATIVES: Deny Resolution 2025-07.

City Council Action Requested: Brad Klavano
Brad Klavano (Feb 13, 2025 10:02 MST)
Department Head

2/13/2025
Date

RESOLUTION R2025-07**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, APPROVING THE AGREEMENT FOR INSTALLATION OF SEWER IMPROVEMENTS ALONG 1055 WEST WITH JORDAN BASIN IMPROVEMENT DISTRICT**

WHEREAS, Jordan Basin Improvement District “JBID”, wants to install a new sewer main at 1055 West from approximately 10808 South to 10677 South.

WHEREAS, City has a contract with RDJ Construction, Inc. for the installation of an 8-in PVC waterline to replace the existing transite (asbestos-cement) waterline, which work will start in March 2025.

WHEREAS, City wants to amend the existing contract with RDJ Construction to add the construction of the sewer improvements in 1055 West to meet both City’s and JBID’s construction schedule and minimize construction impacts to the property owners at 1055 West.

WHEREAS, JBID has agreed to compensate the City 100% for the costs incurred by the construction of the sewer improvements along 1055 W from approximately 10808 South to 10677 South.

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

Section 1. That the aforementioned agreement is approved and the Mayor is authorized to execute the same.

Section 2. **Effective Date.** This resolution will be effective immediately upon passage.


APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, STATE OF UTAH, ON THIS 18 DAY OF FEBRUARY 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:



AGREEMENT FOR INSTALLATION OF SEWER IMPROVEMENTS ALONG 1055 WEST

This Agreement is made as of _____, 2025 (the “Effective Date”), between the Jordan Basin Improvement District, a wastewater collection and treatment district organized and existing under Utah law (the “District”), and South Jordan City, a municipality organized and existing under Utah law (the “City”).

RECITALS:

- A. The District is a wastewater collection and treatment district organized and existing pursuant to the laws of the State of Utah for the purposes, among others, of the collection and distribution of sewage effluent within the entities of Bluffdale, Draper, Riverton, South Jordan, Herriman, southern portion of Sandy, a small portion of West Jordan City and the unincorporated portions in the southwest area of the Salt Lake Valley (including Copperton);
- B. The City is a municipality organized under the laws of the State of Utah;
- C. The District desires to install approximately 590 feet of sewer pipeline in the City at 1055 West from approximately 10808 South to 10677 South, (hereinafter referred to as the “sewer improvements”);
- E. As part of a separate project the City has contracted with RDJ Construction to replace transite pipe (asbestos cement), mill, and overlay, (hereinafter referred to as “street improvements”), along 1055 West from 10550 South to approximately 11065 South;

F. To minimize construction impacts to the property owners at 1055 West, and to meet both the District's and the City's construction schedules the City and District desire to have the City amend its contract with RDJ Construction so as to add construction of the Sewer Improvements to RDJ Construction's scope of work. If the City is able to amend the contract with RDJ Construction to add installation of the Sewer Improvements to RDJ Construction's scope of work the cost of constructing and installing the Sewer Improvements as shown on District construction plans, shall be paid for by the District. The District will provide its own engineering inspection during the construction of the District's sewer improvements.

TERMS:

The parties agree as follows:

1. The City will prepare and negotiate a contract amendment with RDJ Construction to construct the Sewer Improvements in addition to the Street Improvements. Plans and specifications for the proposed Sewer Improvements are attached as Exhibit A and are incorporated in this contract by this reference

2. The District shall compensate the City the lump sum amount of Three Hundred Forty Thousand Six Hundred Fifteen Dollars and Thirty Two Cents (\$340,615.32) for the Sewer Improvements and Asphalt Repair of Forty Seven Thousand Six Hundred Twenty Dollars and Zero Cents (\$47,620.00). This sum reflects the additional amount charged by RDJ Construction of the greater scope of work as reflected in the RDJ Construction amended contract, a copy of which is attached as Exhibit B to this Agreement and is incorporated by this reference. The District shall pay this sum within thirty business

days following the execution of this Agreement. If any additional costs are incurred during the construction of the Sewer Improvements, the District shall reimburse the City such expenditures once the City submits invoices to the District.

3. All Sewer Improvements shall be installed on City Right-of-Way property. The District shall own, operate, maintain, repair, and replace the Sewer Improvements in accordance with City's policies, rules, and regulations.

4. To the extent this Agreement is governed by the Utah Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-101 et seq. (the "Act"), the parties represent that they have complied with all applicable provisions of the Act, including but not limited to:

(a) Each party's governing body has authorized this Agreement by resolution;

(b) Each party has obtained the approval of this Agreement by its authorized attorney; and,

(c) Each of the parties agrees to file a copy of this Agreement with the keeper of records for that party and to comply with any notice or publication requirements of the Act.

5. This Agreement, including exhibits, attachments, and references to incorporated documents, specifically including the District's Plans and Specifications, constitute the entire agreement between the parties and supersedes all prior understandings, representations, or agreements of the parties regarding the subject matters contained in this Agreement.

6. The parties shall perform those acts and/or sign all documents required by this Agreement or which may be reasonably necessary to effectuate the terms of this Agreement.

7. Neither party may assign this Agreement, or any of its rights, duties, or obligations under this Agreement, without the prior written consent of the other, which consent shall not be withheld unreasonably, except that either party may make an assignment to its successor in interest. Any assignment made in violation of this paragraph or in violation of law shall be void. Notwithstanding the foregoing, either party may pledge or assign this Agreement as security for its bonding or other financing activities.

8. This Agreement does not create any kind of joint venture, partnership, agency, or employment relationship between the parties.

9. The parties shall comply with all applicable federal, state, and local laws and ordinances in the performance of this Agreement. Any terms which the parties as governmental entities are mandated by law to include in this Agreement shall be considered part of this Agreement.

10. This Agreement cannot be amended except by a written instrument signed by the parties.

11. If any legal action is brought to enforce this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs incurred in that action, in addition to any other relief to which it may be entitled.

12. In the event a court, governmental agency, or regulatory agency with proper jurisdiction determines that any provision of this Agreement is unlawful, that provision shall terminate. If a provision is terminated, but the parties can legally, commercially, and

practicably continue to perform this Agreement without the terminated provision, the remainder of this Agreement shall continue in effect.

13. Neither party shall be deemed in violation of this Agreement if it is prevented from performing any of its obligations by reason of earthquakes or other natural disaster; strikes or other labor unrest; power failures; civil or military emergencies; acts of legislative, judicial, executive, or administrative authorities; or any other circumstances which are not within its reasonable control.

14. Any notice, communication, or payment required or allowed by this Agreement shall be mailed or hand-delivered to each party as follows:

If to the District, to:

Jordan Basin Improvement District
Attn: Engineering Department Manager
 1253 W. Jordan Basin Lane
 Bluffdale, UT 84065

If to South Jordan City , to:

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

With a copy to:

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

Each party may change the designation of the addressee or the address for that party by providing written notice of the change.

15. Each individual executing this Agreement does hereby represent and warrant that he or she has been duly authorized to sign this Agreement in the capacity and for the entities identified.

16. The parties intend that this Agreement benefit only them, and they do not intend there to be any third-party beneficiaries.

“District”:

APPROVED:

Jordan Basin Improvement District

By: _____
As Authorized Attorney for
the Jordan Basin Improvement
District

By: _____

Its Chair

“City”:

APPROVED:

South Jordan City

By: 
As Authorized Attorney for
South Jordan City

By: _____

Its: _____

STATE OF UTAH)
 :ss.
 COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by _____ as Chair of the Jordan Basin Improvement District.

Commission expires: _____

 NOTARY PUBLIC
 Residing in _____

STATE OF UTAH)
 :ss.
 COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by _____ as _____ of _____.

Commission expires: _____

 NOTARY PUBLIC
 Residing in _____

EXHIBIT A

Plans and specifications for the proposed Sewer Improvements

1055 WEST SEWER EXTENSION

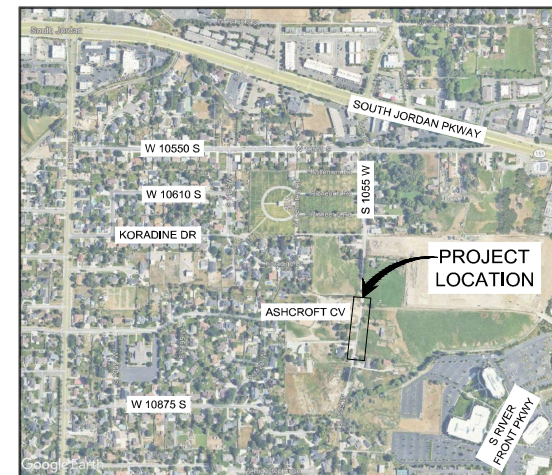
JORDAN BASIN IMPROVEMENT DISTRICT

January 2025



JORDAN BASIN
IMPROVEMENT DISTRICT

PROJECT NO. 83-24-027



VICINITY MAP

SHEET INDEX

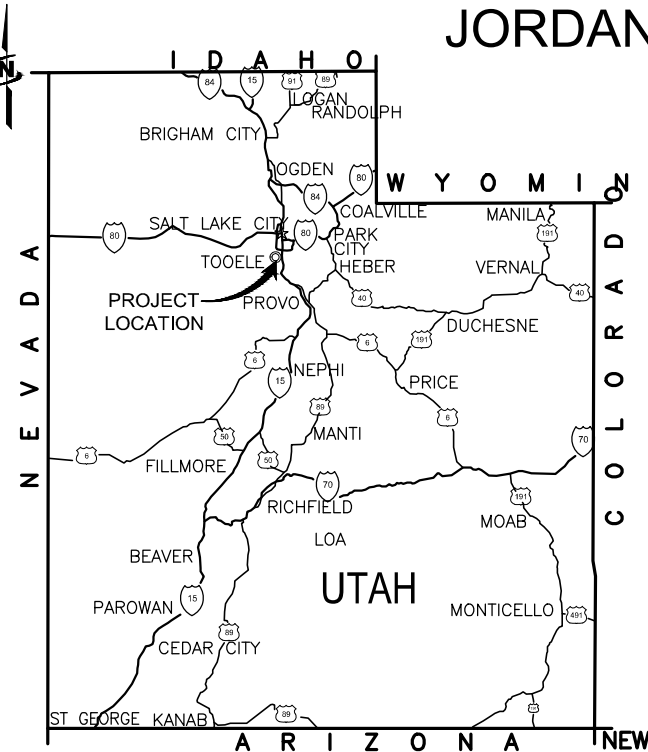
Sheet Number	Sheet Title
G-001	COVER
G-002	GENERAL NOTES
G-003	SPECIFICATION REFERENCE TABLE
G-004	LINE LEGEND & DETAIL KEY
C-201	SEWER PLAN & PROFILE
C-501	JBID STANDARD DETAILS
C-502	JBID STANDARD DETAILS



APPROVED

JORDAN PUGMIRE, P.E.
PROJECT ENGINEER

LAST UPDATED: 2/11/2025
SHEET NUMBER:
G-001



AREA MAP

REUSE OF DOCUMENTS

J-U-B grants to CLIENT a nonexclusive, non-transferable license to use the Drawings, Specifications and/or Contract Documents (Documents) as follows:

CLIENT may make and retain copies of the Documents for reference, but J-U-B shall retain all common law, statutory and other reserved rights, including the copyright thereto, and the same shall not be reused on this Project or any other Project without J-U-B's prior written consent. Distribution of Documents to meet regulatory or permitting requirements, or for similar purposes, in connection with the Project, including but not limited to distribution to contractors or subcontractors for the performance of their work, is not to be construed as publication adversely affecting the reserved rights of J-U-B. The Documents are not intended for use in creating dtm for grading or earthwork, survey staking layout (unless specifically identified as such in the documents), or property boundary layouts.

Any reuse without written consent by J-U-B, or without verification or adoption by J-U-B for the specific purpose intended by the reuse, will be at CLIENT's sole risk and without liability or legal exposure to J-U-B. The CLIENT shall release, defend, indemnify, and hold J-U-B harmless from any claims, damages, actions or causes of action, losses, and expenses, including reasonable attorneys' and expert fees, arising out of or resulting from such reuse.

If the Documents are provided in electronic format, the electronic documents are subject to the provisions of J-U-B's "electronic document/data limited license" found at edocs.jub.com.



Know what's below.
Call before you dig.

**CALL 2 BUSINESS DAYS IN ADVANCE BEFORE
YOU DIG, GRADE, OR EXCAVATE FOR THE
MARKING OF UNDERGROUND MEMBER
UTILITIES**



J-U-B ENGINEERS, INC.

392 E. Winchester St., Suite 300, Salt Lake City, UT 84107
p 801.886.9052 w www.jub.com



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

J-U-B FAMILY OF COMPANIES

SPECIFICATION REFERENCE TABLE

BID ITEM	JBID SPECIFICATIONS	JBID STANDARD	OTHER
FURNISH AND INSTALL 8-INCH PVC GRAVITY SEWER PIPE	1. SECTION 02535 - SANITARY SEWER SYSTEM 2. SECTION 02312 - TRENCH EXCAVATION 3. SECTION 02316 - TRENCH BACKFILL AND COMPACTION	1. 401.01 - MINIMUM REQUIREMENTS 2. 402.02 - POLYVINYL CHLORIDE (PVC) PIPE 3. 407.01 - BEDDING MATERIAL 4. 407.02 - BACKFILL MATERIAL 5. 406.01 - MAIN LINE PIPE COUPLINGS 6. 504.01 - GENERAL 7. 504.03 - TRENCHING 8. 506.01 - GENERAL 9. 506.02 - PIPE LAYING 10. 512.02 - TRENCHING 11. 512.03 - PIPE INSTALLATION 12. 518.01 - GENERAL	C-501 (SS-1A), STANDARD SEWER TRENCH DETAIL
FURNISH AND INSTALL 4-INCH PVC GRAVITY SEWER LATERAL PIPE	1. SECTION 02535 - SANITARY SEWER SYSTEM 2. SECTION 02312 - TRENCH EXCAVATION 3. SECTION 02316 - TRENCH BACKFILL AND COMPACTION	1. 401.01 - MINIMUM REQUIREMENTS 2. 402.02 - POLYVINYL CHLORIDE (PVC) PIPE 3. 407.01 - BEDDING MATERIAL 4. 407.02 - BACKFILL MATERIAL 5. 406.01 - MAIN LINE PIPE COUPLINGS 6. 504.01 - GENERAL 7. 504.03 - TRENCHING 8. 506.01 - GENERAL 9. 506.02 - PIPE LAYING 10. 506.04 - INSTALLING PRIVATE LATERAL STUBS 11. 512.02 - TRENCHING 12. 512.03 - PIPE INSTALLATION 13. 518.01 - GENERAL 14. 519.01 - GENERAL	C-501 (SS-1A), STANDARD SEWER TRENCH DETAIL C-502 (SS-3A), STANDARD SEWER SERVICE CONNECTION & CLEAN-OUT DETAIL
FURNISH AND INSTALL 48-INCH DIAMETER SANITARY SEWER MANHOLE	1. SECTION 02640 - MANHOLES AND COVERS 2. SECTION 03300 - CAST-IN-PLACE CONCRETE	1. 303.08 - MANHOLES 2. 404.02 - PRECAST CONCRETE BASES 3. 509.01 - GENERAL 4. 509.02 - SUBGRADE 5. 509.07 - ADJUSTMENT OF MANHOLE FRAME AND COVER TO FINAL GRADE 6. 512.04 - MANHOLE CONSTRUCTION	C-501 (SS-2A), STANDARD MANHOLE



J-U-B ENGINEERS, INC.
392 E. Winchester St.
Suite 300
Salt Lake City, UT 84107
Phone: 801.886.9052
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JUB SHALL RETAIN ALL COPYRIGHTED MATERIAL, INCLUDING BUT NOT LIMITED TO, THE DESIGN, CONSTRUCTION AND MAINTENANCE OF THE PROJECT. NO PART OF THIS DOCUMENT SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF JUB ENGINEERS, INC. A RELEASE OF LIABILITY FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT SHALL BE OBTAINED FROM THE CLIENT.

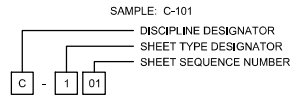
1055 WEST SEWER EXTENSION
JORDAN BASIN IMPROVEMENT DISTRICT

SPECIFICATION REFERENCE TABLE

FILE: 1055-007-001X
JUB PROJECT: 1055-007-001X
DESIGNED BY: JUB
CHECKED BY: JUB
AT FULL SIZE, IF NOT ONE
LAST UPDATED: 11/10/2023
SHEET NUMBER:

G-003

SHEET NUMBERING



DISCIPLINE DESIGNATORS		
DISCIPLINE	DESIGNATOR	DESCRIPTION
GENERAL	G	ALL GENERAL
	GI	GENERAL INFORMATION
	GC	GENERAL CONTRACTUAL
	GR	GENERAL RESOURCE
SURVEY/MAPPING	V	ALL SURVEY
GEOTECHNICAL	B	ALL GEOTECHNICAL
CIVIL	C	ALL CIVIL
LANDSCAPE	L	ALL LANDSCAPE
STRUCTURAL	S	ALL STRUCTURAL
ARCHITECTURAL	A	ALL ARCHITECTURE
EQUIPMENT	Q	ALL EQUIPMENT
MECHANICAL	M	ALL MECHANICAL
ELECTRICAL	E	ALL ELECTRICAL
PLUMBING	P	ALL PLUMBING
PROCESS	D	ALL PROCESS
RESOURCE	R	ALL RESOURCE

SHEET TYPE DESIGNATORS	
DESIGNATOR	SHEET TYPE
0	GENERAL (SYMBOLS, LEGENDS, NOTES, ETC.)
1	PLANS (HORIZONTAL VIEWS)
2	ELEVATIONS, PROFILES, COMBINED PLAN & PROFILES
3	SECTIONS (SECTIONAL VIEWS)
4	LARGE-SCALE VIEWS (PLANS, ELEVATIONS, ECT.)
5	DETAILS OR COMBINED DETAILS AND SECTIONS
6	SCHEDULES AND DIAGRAMS
7	USER DEFINED
8	USER DEFINED
9	3D REPRESENTATIONS (ISOMETRICS, PERSPECTIVES, PHOTOS)

SECTION AND DETAIL IDENTIFIERS

NOTE:
A DASH MAY BE PLACED IN THE LOWER PORTION
OF THE IDENTIFIER IF THE DETAIL DRAWING OR
SECTION VIEW IS LOCATED ON THE SAME SHEET.

SECTION IDENTIFICATION		DETAIL IDENTIFICATION	
CALLOUT			
	SHEET NUMBER WHERE SECTION DRAWING IS LOCATED		
LABEL			
	SECTION LETTER		

LINE LEGEND

LINE DESCRIPTION	PROPOSED LINE	EXISTING LINE
POWER / COMMUNICATIONS		
OVERHEAD POWER	— OHP —	— OHP —
UNDERGROUND POWER	— UP —	— UP —
OVERHEAD TELEPHONE	— OHT —	— OHT —
UNDERGROUND TELEPHONE	— UT —	— UT —
FIBER OPTIC	— FO —	— FO —
CABLE TELEVISION	— CTV —	— CTV —
UNDERGROUND POWER, TEL, CABLE TV	— P.T.GTV —	— P.T.GTV —
UNDERGROUND POWER, TEL, CABLE TV, GAS	— P.T.GTV.G —	— P.T.GTV.G —
STORM DRAIN		
STORM DRAIN (GENERAL)	— SD —	— SD —
STORM DRAIN	— X'SD —	— X'SD —
ROOF DRAIN	— RD —	— RD —
LAND DRAIN	— LD —	— LD —
SANITARY SEWER		
SANITARY SEWER (GENERAL)	— SS —	— SS —
SANITARY SEWER	— X'SS —	— X'SS —
SANITARY SEWER SERVICE	— SS — SS —	— SS — SS —
SEWER FORCE MAIN	— FM —	— FM —
WATER		
WATER (GENERAL)	— W —	— W —
WATER (SPECIFIED SIZE)	— X'W —	— X'W —
WATER SERVICE	— WS — WS —	— WS — WS —
IRRIGATION		
IRRIGATION	— IRR —	— IRR —
GRAVITY IRRIGATION	— GIRR —	— GIRR —
PRESSURE IRRIGATION	— PIRR —	— PIRR —
POTABLE WATER	— PW —	— PW —
NON-POTABLE WATER	— NPW —	— NPW —
GAS		
NATURAL GAS	— G —	— G —
NATURAL GAS SERVICE	— G — G —	— G — G —
HIGH PRESSURE GAS	— HPG —	— HPG —
LIQUID GAS	— LG —	— LG —
UTILITY		
CHLORINE LINE	— CHL —	— CHL —
INDUSTRIAL WASTE WATER	— IWW —	— IWW —
DRAIN LINE	— DL —	— DL —

LINE DESCRIPTION	PROPOSED LINE	EXISTING LINE
BOUNDARY		
PROPERTY LINE	— P/L —	— P/L —
PROPERTY LINE	— — — — —	— — — — —
RIGHT OF WAY	— R/W —	— R/W —
TEMPORARY EASEMENT	— T/E —	— T/E —
PERMANENT EASEMENT	— P/E —	— P/E —
TOWNSHIP AND RANGE	— — — — —	— — — — —
SECTION LINE	— — — — —	— — — — —
QUARTER SECTION LINE	— — — — —	— — — — —
1/16 SECTION LINE	— — — — —	— — — — —
STATE LINE	— — — — —	— — — — —
COUNTY LINE	— — — — —	— — — — —
SITE		
FENCE	— X —	— X —
MAJOR CONTOUR	— 2521 —	— — — — —
MINOR CONTOUR	— — — — —	— — — — —
GRADE BREAK	— — — — —	— GB —
TOP OF BANK	— — — — —	— TOB —
TOE OF SLOPE	— — — — —	— TOE —
CUT LIMITS	— — — — —	— — — — —
CUT LIMITS	— CUT —	— — — — —
FILL LIMITS	— — — — —	— — — — —
FILL LIMITS	— FILL —	— — — — —
DITCH	— — — — —	— — — — —
STORM SWALE	— — — — —	— — — — —
EDGE OF WATER	— — — — —	— — — — —
HIGH WATER	— — — — —	— — — — —
WETLAND	— — — — —	— WET —
WETLAND BOG	— — — — —	— BOG —
WETLAND MARSH	— — — — —	— MARSH —
WETLAND SWAMP	— — — — —	— SWAMP —
ROADWAY		
ROAD SHOULDER	— — — — —	— — — — —
ROAD CENTERLINE	— — — — —	— — — — —
ROAD ASPHALT	— — — — —	— EP —
ROAD GRAVEL	— EG —	— EG —
TOP BACK OF CURB	— — — — —	— — — — —
LIP OF GUTTER	— — — — —	— — — — —
LANDSCAPING LIMITS	— LS —	— LS —



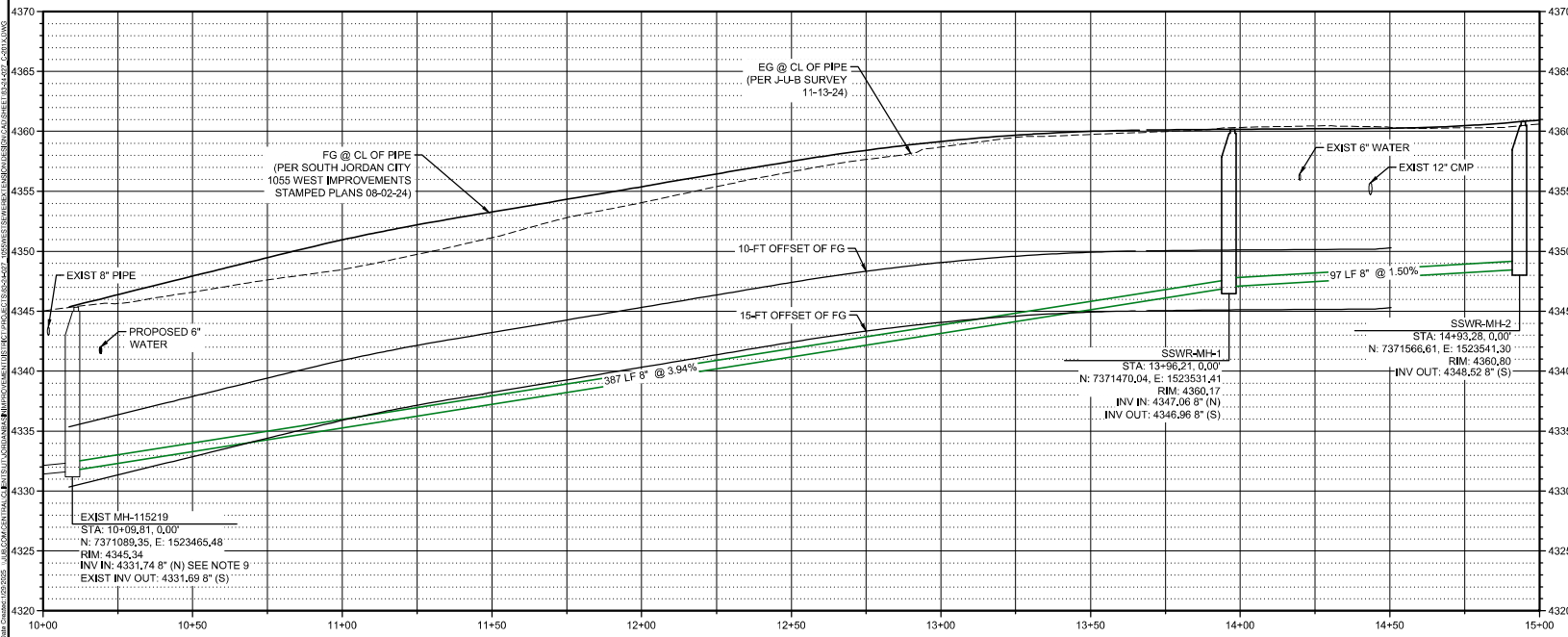
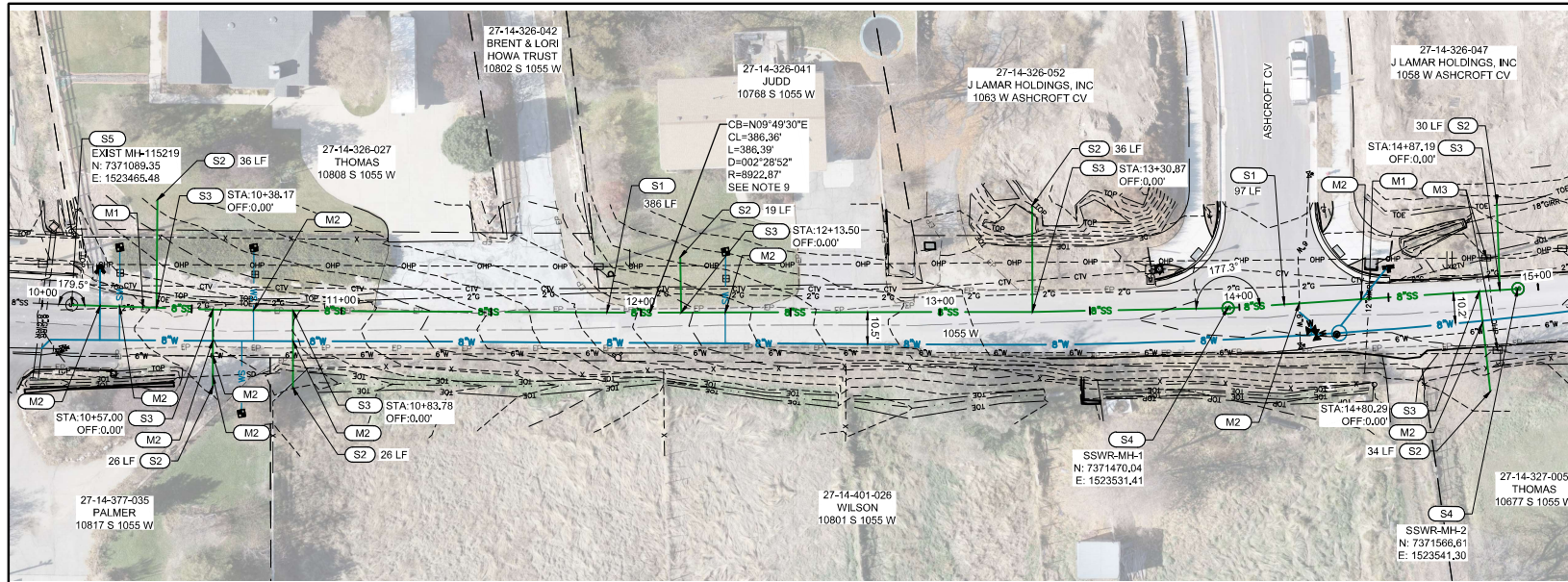
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Suite 300
Salt Lake City, UT 84107
Phone: 801.886.9052
www.jub.com



REVISIONS	
NO.	DESCRIPTION

1055 WEST SEWER EXTENSION
JORDAN BASIN IMPROVEMENT DISTRICT

FILE: 1055-007-0001X
JUB PROJECT: 1055-007-0001X
DRAWN BY: WJC
DESIGN BY: CDS
CHECKED BY: JPB
DATE: 10/1/2023
AT FULL SIZE, IF NOT ONE
LAST UPDATED: 10/1/2023
SHEET NUMBER:
G-004



SEWER KEY NOTES:

- (S1) 8" PVC ASTM D3034, SDR 35 GRAVITY SEWER PIPE. SEE JUB STD DWG SS-1A, SHEET C-501
- (S2) 4" PVC ASTM D3034, SDR 35 GRAVITY SEWER LATERAL PIPE @ 2% SLOPE (CAP AT PROPERTY LINE). SEE JUB STD DWG SS-3A, SHEET C-502. RESTORE SURFACE TO PRE-CONSTRUCTION CONDITIONS (INCIDENTAL)
- (S3) 4" GRAVITY SEWER SERVICE DIRECT NOSE-ON CONNECTION TO MAIN. SEE JUB STD DWG SS-3A, SHEET C-502
- (S4) 48" PRECAST SEWER MANHOLE. SEE JUB STD DWG SS-2A, SHEET C-501
- (S5) CONNECT TO EXIST GRAVITY SEWER MANHOLE. REMOVE STUB, INSTALL 6" PVC ASTM D 3034, SDR 35 GRAVITY SEWER PIPE. SEE JUB STD DWGS SS-2A, SHEET C-501.

MISCELLANEOUS KEY NOTES:

- (M1) PRESERVE & PROTECT MISCELLANEOUS UTILITY (INCIDENTAL)
- (M2) POTABLE/NON-POTABLE CROSSING (INCIDENTAL)
- (M3) PRESERVE & PROTECT MISCELLANEOUS OVERHEAD UTILITY (INCIDENTAL) CONTRACTOR TO COORDINATE WITH APPROPRIATE JURISDICTION ON SAFETY AND CONSTRUCTION REQUIREMENTS

GENERAL SEWER NOTES:

1. PIPE LENGTHS AND SLOPES ARE MEASURED FROM CENTER OF MANHOLE TO CENTER OF MANHOLE. SEWER ALIGNMENT STATIONINGS BASED ON CENTERLINE OF GRAVITY SEWER.
2. PROTECTION OF ALL UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. THE EXACT LOCATION AND/OR ELEVATION OF EXISTING UTILITIES SHOWN ON THESE DRAWINGS IS APPROXIMATE AND IS NOT TO BE RELIED ON AS EXACT OR COMPLETE. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO POT-HOLE AND VERIFY THE LOCATIONS AND/OR ELEVATIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS IN THE FIELD AND THE INFORMATION SHOWN ON THESE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE PROJECT ENGINEER, JORDAN BASIN IMPROVEMENT DISTRICT, AND SOUTH JORDAN CITY PRIOR TO PROCEEDING WITH CONSTRUCTION.
3. EXISTING SEWER INVERTS ARE APPROXIMATE BASED ON FIELD DATA. CONTRACTOR TO FIELD VERIFY PRIOR TO CONSTRUCTION AND IMMEDIATELY NOTIFY PROJECT ENGINEER OF ANY DISCREPANCIES.
4. ALL WORK SHALL BE CONFINED TO THE RIGHTS-OF-WAYS, PERMANENT EASEMENTS, AND TEMPORARY EASEMENTS SHOWN ON THE PLANS. CONTRACTOR IS RESPONSIBLE FOR SECURING ANY CONSTRUCTION STAGING AREAS AND TEMPORARY CONSTRUCTION EASEMENTS THAT MAY BE REQUIRED TO CONSTRUCT THE PROJECT.
5. UNLESS OTHERWISE NOTED, PRESERVE AND PROTECT ALL EXISTING FEATURES. REFER TO GENERAL NOTES FOR ADDITIONAL ITEMS.
6. ALL EXCESS MATERIAL EXCAVATED AND NOT REUSED MUST BE DISPOSED OF OFFSITE IN APPROVED LOCATION.
7. THE LOCATIONS OF THE PROPOSED SANITARY SEWER SERVICES AS SHOWN ON THE PLANS ARE APPROXIMATE. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR OR TO COORDINATE WITH THE PROPERTY OWNER TO FINALIZE THE LOCATION DURING CONSTRUCTION. CONTRACTOR TO INSTALL SEWER LATERAL 10'FT BEYOND THE PROPERTY LINE.
8. REFER TO SOUTH JORDAN CITY 1055 WEST IMPROVEMENTS' STAMPED PLANS FOR WATER LINE ALIGNMENT AND ROADWAY IMPROVEMENTS.
9. SEWER ALIGNMENT SHOWN IS DEFLECTED AT EACH JOINT FROM EXIST SSWR-MH-15129 TO SSWR-MH-1. CURVE INFORMATION PROVIDED FOR CLARITY. CONTRACTOR TO INSTALL SEWER ALONG CURVE AS SHOWN.



CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES

DESIGNED BY: JUB
CHECKED BY: JUB
LAST MODIFIED: 01/16/2025

AT FULL SIZE, IF NOT ONE
LAST MODIFIED: 01/16/2025

SHEET NUMBER:
C-201

HORIZ 0 20 40
VERT 0 5 10
SCALE IN FEET



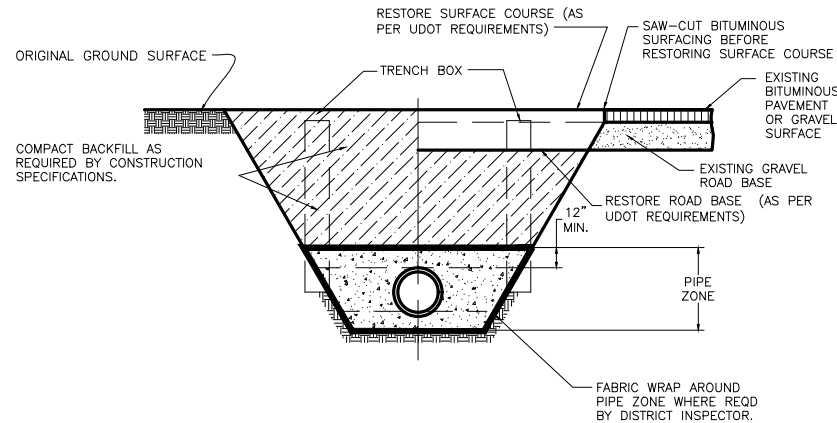
J-U-B ENGINEERS, INC.
392 E. Winchester St.
Suite 300
Salt Lake City, UT 84107
Phone: 801.886.9052
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NO.	DESCRIPTION	BY	DATE
1	REVISION		
2	REVISION		
3	REVISION		
4	REVISION		
5	REVISION		
6	REVISION		
7	REVISION		
8	REVISION		
9	REVISION		
10	REVISION		

1055 WEST SEWER EXTENSION
JORDAN BASIN IMPROVEMENT DISTRICT
SEWER PLAN & PROFILE

FILE: 01/16/2025 - C-201
JUB PROJECT: 1055-2025
DRAWN BY: JUB
DESIGNED BY: JUB
CHECKED BY: JUB
LAST MODIFIED: 01/16/2025
AT FULL SIZE, IF NOT ONE
LAST MODIFIED: 01/16/2025
SHEET NUMBER:
C-201



CROSS-SECTION: TYPICAL TRENCH

NOTES:

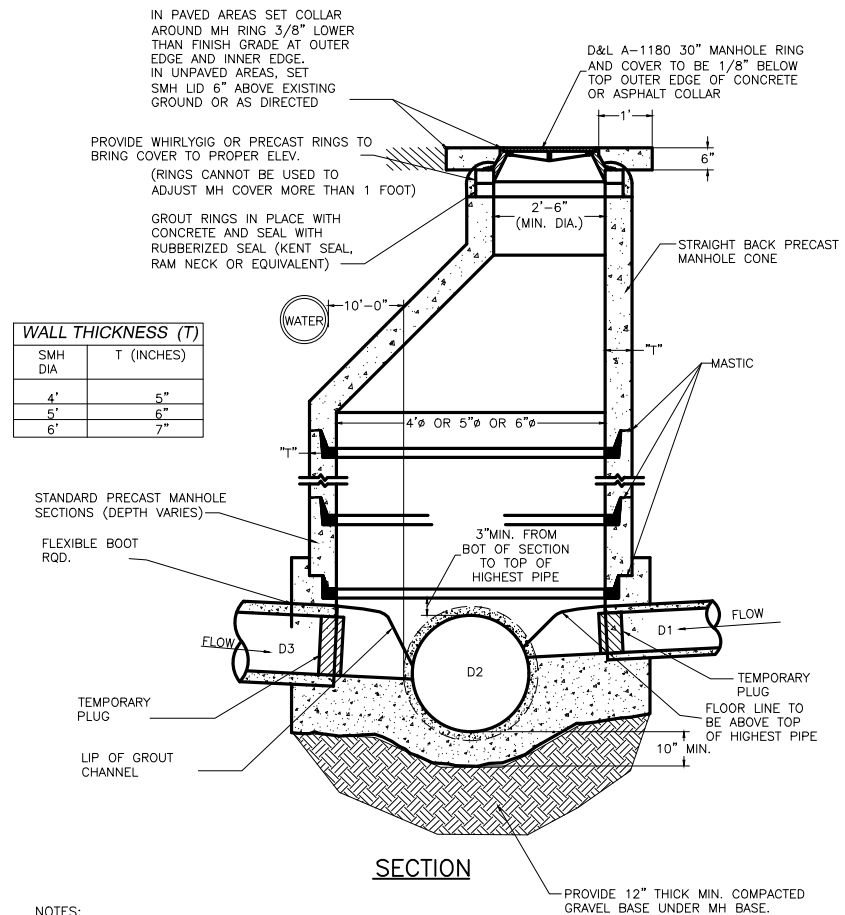
1. ALL SEWER LINES TO BE INSTALLED IN PUBLIC RIGHT-OF-WAY OR RECORDED SEWER EASEMENT UNLESS OTHERWISE APPROVED BY SOUTH VALLEY SEWER DISTRICT.
2. THE DISTRICT RECOMMENDS CONTRACTOR MEET ALL OF THE REQUIREMENTS ESTABLISHED FOR SAFE TRENCHING. (SEE OSHA AND UOSH REQUIREMENTS, LATEST EDITIONS).
3. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES BEFORE LAYING PIPE WITHIN 50' OF SAID UTILITIES WHICH MAY BE EXPOSED, DAMAGED OR CROSSED AS SHOWN ON THE DRAWINGS OR AS "BLUE STAKED". THE CONTRACTOR WILL MAKE ARRANGEMENTS WITH THE UTILITY COMPANY TO MOVE THE UTILITY IF NECESSARY OR OBTAIN PERMISSION FROM THE DISTRICT ENGINEER TO MODIFY GRADE OF PIPELINE IN ORDER TO GO AROUND UTILITIES.
4. TESTING: ALL NEW SANITARY SEWERS TO BE "TELEVIEWED" AND NECESSARY REPAIRS MADE BEFORE ACCEPTANCE. ALL LINES SHALL BE PRESSURE TESTED TO 4.0 psi MIN. FOR 5 MINUTES. A MANDROL OR BALL CAN BE USED TO VERIFY DEFORMATION OF A PIPE AS DETERMINED FROM THE VIDEO UNLESS SPECIFIED OTHERWISE. ALL SEWER LINES SHALL BE PRESSURE TESTED IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS FOR ASTM F1417-98 AND UPPA UNI-B-6.
5. ASPHALT RESTORATION SHALL MATCH EXISTING TO A MAXIMUM OF 6" AND SHALL INCLUDE A 6" UNTREATED BASE COURSE AND 12" GRANULAR BORROW COURSE AS PER UDOT STANDARDS.

NO SCALE



STANDARD SEWER TRENCH DETAIL

DRAWN:	DESIGNED:	CHECKED:	APPROVED:
DATE: AUG 2024	FILE NAME:		DRAWING NAME: SS-1A



SECTION

NOTES:

1. IF GRADE ALLOWS, INVERTS OF D1 & D3 SHALL MATCH THE 0.75 DEPTH POINT OF D2. OTHERWISE AS APPROVED BY DISTRICT.
2. AFTER ALL GRADING AROUND MANHOLE HAS BEEN COMPLETED AND FINAL SURFACING IS IN PLACE, REMOVE DEBRIS AND TEMPORARY PLUGS OR PLYWOOD FROM INSIDE OF MANHOLES.
3. SET MANHOLE FRAME AND COVER TO 1/8" BELOW FINISH GRADE AFTER FINAL STREET GRADING IS COMPLETE.
4. CONE AND WALL SECTIONS TO CONFORM TO ASTM C-478
5. PILE OUTLET OF DOWNSTREAM MANHOLE UNTIL CONSTRUCTION IS COMPLETE.

NO SCALE



STANDARD MANHOLE DETAIL

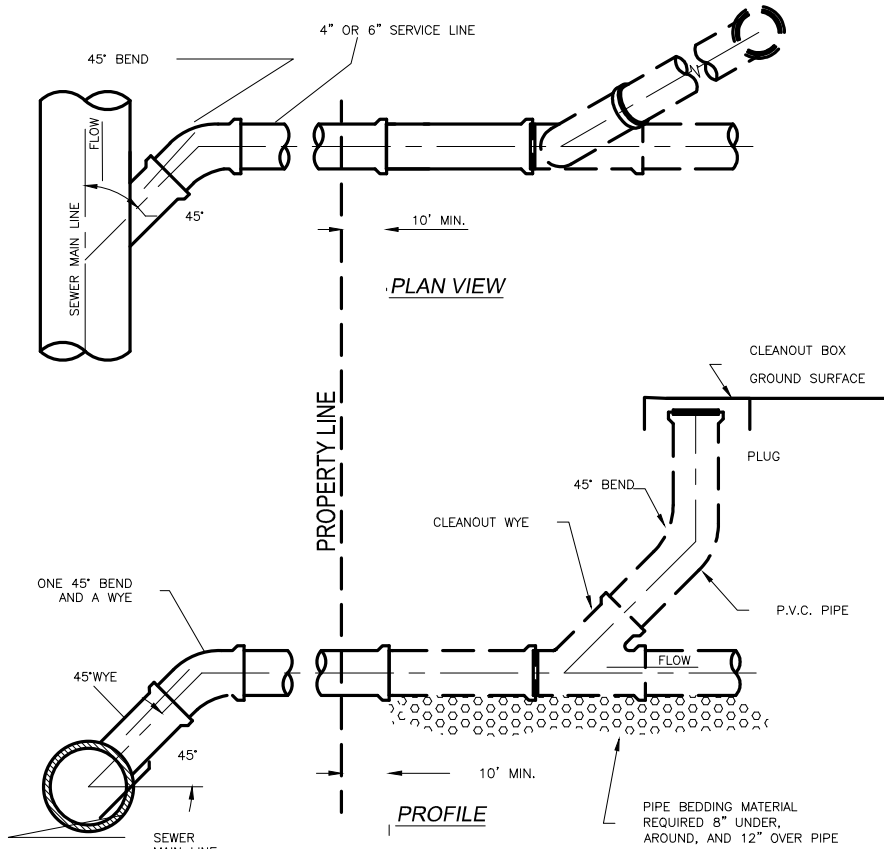
DRAWN:	DESIGNED:	CHECKED:	APPROVED:
DATE: AUG 2024	FILE NAME:	DRAWING NAME: SS-2A	

[illegible]

JBID STANDARD DETAILS

FILE: 83-24-027 C-501X
SUB PROJ. #: 83-24-027
DRAWN BY: WVD
DESIGN BY: CAS
CHECKED BY: JPB

LAST UPDATED: 2/11/2025
SHEET NUMBER:
C-502



NOTES:

1. ALL SERVICES SHALL BE 4" DIAMETER MINIMUM, UNLESS DIRECTED OTHERWISE AND SHALL BE EXTENDED FROM MAIN LINES TO 10' INSIDE OF PROPERTY LINES.
2. MINIMUM SLOPE: 1/4" PER FOOT (2%) OR WHERE APPROVED BY THE DISTRICT 1/8" PER FOOT(1%).
3. CLEAN-OUTS SHALL BE NO MORE THAN 100 FEET APART MEASURED FROM THE UPSTREAM ENTRANCE OF THE CLEANOUT.
4. ALL 90° CONNECTIONS TO MAIN MUST BE CONSTRUCTED WITH ONE 45° BEND AND A WYE.
5. 90° FITTINGS ARE NOT ALLOWED. 90° SHALL BE MADE WITH TWO 45° BENDS OR A COMBO WYE AND 45° BEND.
- 6.. DIRECT NOSE-ON CONNECTIONS ARE USED WHEN CONNECTING TO EXISTING MAIN LINE. ALL NOSE-ON WORK IS TO BE DONE BY DISTRICT PERSONNEL.

NO SCALE



STANDARD SEWER SERVICE CONNECTION & CLEAN-OUT

DRAWN	DESIGNED	CHECKED	APPROVED
DATE	FILE NAME	DRAWING NAME	
AUG 2024		SS-3A	

Exhibit B

RDJ Construction Cost Estimate for Sewer Improvements at 1055 West from approximately 10808 South to 10677 South.

CHANGE ORDER FORMCHANGE ORDER #: 1 CURRENT CONTRACT #: 2024-0186PROJECT: 2024 TRANSITE REPLACEMENT 10200 S AREA & 1055 WCONTRACTOR: RDJ Construction, IncDATE: February 11, 2025

Final Contract to Purchasing:

Yes ☒ N/A ☐

CIP/Project Strings:

Yes ☒ N/A ☐

OWNER:

South Jordan City
1600 West Towne Center Drive
South Jordan, UT 84095

GL Account/Project String:

TBD

Amount:

\$ 388,235.32

\$ -

\$ -

\$ -

Project Manager/Engineer: Ana M. Paz

You are directed to proceed promptly with the following change(s) in the Contract Documents.

Project Description:

Installation of sewer improvements (\$340,615.32) and asphalt repair (\$47,620.00).

Purpose of Change Order:

See Resolution R2025-07.

Attachments (list documents supporting change):

RDJ Construction Cost Estimate for Sewer Improvements.

CHANGE IN CONTRACT PRICE:

Original Contract Price	\$ 3,001,579.34
Previous Change Orders No. - to No. -	\$ N/A
Contract Price Prior to this Change Order	\$ 3,001,579.34
Net (Increase/Decrease) of this Change Order	\$ 388,235.32
Contract Price with all Approved Change Orders	\$ 3,389,814.66

CHANGE IN CONTRACT TIME:

Original Contract Time	
Net Change from Previous Change Orders	
Contract Time Prior to this Change Order	
Net (Increase/Decrease) of this Change Order	
Contract Time with all Approved Change Orders	

Article I. CITY APPROVAL:

RECOMMENDED:

Project Owner / Project Manager Signature

Department Director Signature

APPROVED:

N/A

Contractor Signature

City Recorder Signature

Office of City Recorder Only:

CHANGE ORDER CONTRACT #: _____

SECTION 00310 BID SCHEDULE

BIDDER

1. Bidder's name and address:

RDJ Construction
P.O. Box 889
Riverton, UT 84065

Bidder's Telephone Number: 801-254-6032

Bidder's Fax Number: 801-254-5072

Bidder's Email Address: rdjconst@gmail.com

Bidder's Tax Identification Number: 45-3149931

Bidder holds license number 250021-5501 issued by the Utah State Department of Commerce, Occupational and Professional Licensing Division, on the 12 day of July, 201999. Bidder is licensed to practice as a general contractor. License renewal date is the 30 date of Nov, 2025.

CONSTRUCTION CONTRACT

A. Name of Project: 1055 WEST SEWER EXTENSION

B. Project Number: 45-49-954

SCHEDULE TO BE ADDED TO THE AGREEMENT

- A. This Bid Schedule is incorporated into Bidder's Bid. This Bid Schedule contains the schedule of prices which will be incorporated into the Agreement by reference to the Bidder's Bid and/or Bid Schedule.

SALES AND USE TAXES

- B. The Bidder agrees that all sales and use taxes are included in the stated Bid prices for the Work.

SCHEDULE OF PRICES

No.	Bid Item	Unit Measure	Quantity	Unit Price	Bid Amount
1	Mobilization/Demobilization	LS	1	\$22,995.56	22,995.56
2	Furnish & Install 8-Inch PCV Gravity Sanitary Sewer Pipe	LF	484	\$307.23	148,699.32
3	Furnish & Install 4-Inch PVC Gravity Sanitary Sewer Service Direct Nose-On Connection to Main	EA	7	\$8,830.19	61,811.33
4	Furnish & Install 4-Inch PVC Gravity Sanitary Sewer Lateral Pipe	LF	207	\$329.29	68,163.03
5	Furnish & Install 48-Inch Diameter Sanitary Sewer Manhole	EA	2	\$8,633.20	17,266.40
6	Connect to Existing Sanitary Sewer Manhole	EA	1	\$9,558.47	9,558.47
7	Traffic Control	LS	1	\$12,121.21	12,121.21
TOTAL BID PRICE				\$	340,615.32

RESOLUTION R2025-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CITY WIDE POLICY 500-01 RELATING TO PUBLIC INFRASTRUCTURE DISTRICTS.

WHEREAS, the Utah Legislature adopted the Public Infrastructure District Act which allows a city to adopt a policy detailing under what circumstances and how a city would consider allowing the creation of a Public Infrastructure District (“PID”) to assist in financing development; and

WHEREAS, public infrastructure districts are a financing tool for development which requires that the developer enhance and provide public infrastructure improvements in a project for the benefit of the development’s residents and customers; and

WHEREAS, the City of South Jordan has used several different financing tools to assist in development when those tools and the development is in the best interest of South Jordan citizens generally and a specific development directly; and

WHEREAS, the South Jordan City Council finds it in the best interest of South Jordan citizens to amend the policy to allow for separate guidelines for the creation of commercial and residential public infrastructure districts.

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

SECTION 1. Amendment of City Wide-Wide Policy 500-01. City of South Jordan City- Wide Policy 500-01, is hereby amended.

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

[SIGNATURE PAGE FOLLOWS]

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS 18th DAY OF FEBRUARY, 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
City of South Jordan
City-wide Policy 500-01
First Amendment
Public Infrastructure Districts

City of South Jordan
City-wide Policy 500-01
1st Amendment
Public Infrastructure Districts

The purpose of this policy statement (“Policy”) is to provide criteria under which the City of South Jordan (“City”) will consider letters of intent and application (“Letter”) for the establishment of a Public Infrastructure District (“District”). Compliance with these criteria shall not obligate the City to approve formation of a District. The decision to allow for the creation of a PID shall be in the sole discretion of the City. The criteria are intended to serve as guidelines for the review of Letters and governing document (“Governing Document”).

The magnitude of local and regional infrastructure needed in the City’s new development and redevelopment areas requires the availability of a broad range of financing tools. The Utah State Legislature adopted the Public Infrastructure District Act (SB228) in the 2019 General Session to permit the use of this financing tool with the approval and support of the local entity.

The policy statement has five sections:

- I. Definitions
- II. Process for applying including fees charged
- III. The City’s decision-making criteria
- IV. Governing Document requirements
- V. Submittal instructions

I. Definitions

For purposes of this Policy, the following definitions shall apply:

- A. A Public Infrastructure District (“PID”) is defined as a separate taxing entity established under the Utah Public Infrastructure District Act (SB228) in the 2019 General Session. The purpose of a District is to provide a financing tool for the development and/or redevelopment of certain areas of the City as approved by the City Council.
- B. Public Infrastructure is defined as the basic structures and facilities required for the development based on the zone and demand as determined by the City. Examples may include but are not limited to streets and utility systems. For commercial PID projects, Public Infrastructure improvements may include:
 - 1. Facilities, lines, or systems that provide:
 - a. Water, chilled water, or steam; or
 - b. Sewer, storm drainage, natural gas, electricity, energy, clean energy, microgrids, or telecommunications service;
 - 2. Streets, roads, curb, gutter, sidewalk, walkways, solid waste facilities, parking facilities, rail lines, intermodal facilities, multimodal facilities, and public transportation facilities;
 - 3. An inland port; and

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4. Infrastructure improvements, facilities, or buildings that are developed as part of a remediation project.

- C. Publicly-dedicated Amenities are defined as features or facilities of a development which are not considered Public Infrastructure and are accepted as dedicated to the City upon completion. Examples may include but are not limited to open space, improved parks, trails, signage and street furniture.
- D. Unique Enhancements are defined as the difference between the cost of the zone's required Publicly- dedicated Amenities and the City's determined value of a developer's additional obligated publicly- dedicated amenities. Unique enhancements do not consider Public Infrastructure and must benefit both the District and the City as a whole.

II. Process and Fees

Any proposed District will be considered in relation to the best interests of the City. Such interests include using the most appropriate financing mechanism for the type and magnitude of the improvements to be financed and appropriate governance mechanism. If through the review process a District is determined to be the most appropriate mechanism, the process, the criteria, and requirements provided herein will apply, unless otherwise waived by the City.

- A. Letter of Intent to form a Public Infrastructure District: A party proposing that the City create a District (“Applicant”) shall submit a letter of intent (“Letter”) containing the information detailed below in summary form. The Letter will be used by staff to make a preliminary determination about the appropriateness of a District and must be submitted prior to submittal of a draft Governing Document. A positive staff response to the Letter does not assure approval of a Governing Document. At minimum a Letter shall include the following:
1. Description of the District area including size, location, area context (significant natural and man- made features, major public improvements, adjacent development), development history, and proposed development;
 2. Summary of Public Infrastructure and Publicly-dedicated Amenities (“Improvements”):
 - a. Currently expected development scenario;
 - b. Required local and regional Improvements for such development;
 - c. Proposed District-provided local and regional Improvements;
 - d. Estimated construction costs for the proposed District Improvements;
 - e. Plan of ownership and/or maintenance of the Improvements;
 - f. General description of phasing of construction based on development projections;
 - g. Proposal of net proceeds from the issuance of debt, debt term, and mill levy; and
 - h. A sample plan of finance depicting the possible sources and uses of funds for the District.
 3. Proposed timeline for District creation.
 4. Disclosure of any intent to overlap with any existing public infrastructure district(s) and any provisions related to such overlapping boundaries.
 5. Summary, description, and cost of Unique Enhancements. Unique Enhancements shall benefit both the District and the City as a whole. The value of Unique Enhancements will serve as the measurement of how much debt issuance may be authorized. This limit represents net proceeds of the debt. The amount of debt authorized may be adjusted to compensate for the cost of issuance, capitalized interest, discounts, and legal fees paid to establish a District.

6. Acknowledgement that a petition must be signed prior to the hearing date for the Governing Document by all property owners and registered voters, if any, within the proposed District boundaries approving of the creation of the proposed District and consenting to the issuance of debt in an amount sufficient for the proposed plan of financing.
7. Disclosure of any conflicts of interest between the Applicant and the officers and employees of the City.
8. Copies of signed engagement letters between the Applicant and applicable consultants and legal counsel retained by the City or the proposed District, or both, whereby Applicant agrees to pay fees related to the review of the Letter and the Governing Document.

B. Review Process

1. The District Advisory Committee (“DAC”) is a City committee that advises the Mayor, City Council and other policymakers about District issues. The DAC must include representatives from the Office of the City Manager, and the Office of the City Attorney, and may include other agencies and/or departments as determined by the City Manager.
2. The DAC will review the Letter based upon the criteria set forth in Article II below to determine whether to direct the Applicant to proceed with preparation of a draft Governing Document for submittal. Conceptual approval does not assure approval of the governing document.

C. Governing Document

1. If the concept for the District as contained in the Letter is approved, the Applicant may begin to work on a draft Governing Document with legal counsel selected by the City (and paid for by Applicant). Upon final drafting and approval of the draft Governing Document by legal counsel, the Applicant shall submit a draft Governing Document to the Office of the City Manager.
2. The draft Governing Document will be reviewed by the DAC for compliance with the criteria and requirements contained herein. The DAC will discuss issues that arise during this drafting period with appropriate policymakers to have such issues resolved.
3. The final Governing Document will be forwarded to City Council for action through the standard legislative processes.

D. Fees: No request to create a District shall proceed until the fees set forth in the City’s Fee Schedule are provided for. All checks are to be made payable to the City and remitted to the Finance Department.

1. PID Letter of Intent Review Fee. Concurrent with the submittal of a Letter, the PID Letter of Intent Review Fee (as listed in the City’s Fee Schedule) shall be paid to cover the cost of staff review.

2. PID Governing Document Review Fee. Concurrent with the submittal of a draft Governing Document, the PID Governing Document Review Fee (as listed in the City's Fee Schedule) shall be paid to cover the cost of staff review.
3. Other Expenses. In the event the costs of review are estimated in the sole discretion of the City to exceed an application fee, the Applicant shall be required to fund an escrow account for the payment of all consultant, legal, and other fees and expenses incurred by the City. The Applicant shall fund the escrow account in an amount equal to the City's reasonable estimate of additional expenses, but in no event may the Applicant initially fund the account in an amount less than \$15,000. If the account balance drops below \$10,000, the Applicant will be required to deposit additional funds in the account to replenish the account to the initial \$15,000 before any further services arising out of or related to the District will be provided.

III. Conditions and Criteria for Evaluating Proposed Public Infrastructure Districts

A. Public Benefit

1. Residential PID

~~1-a.~~ Formation of a Residential District must provide public benefit in the form of Unique Enhancements consistent with the City's policy goals.

~~2-b.~~ For purposes of ~~this/these~~ criteria, public benefit is defined as the Unique Enhancements.

2. Commercial PID

a. Formation of a Commercial District must provide public benefit in the form of public infrastructure and improvements consistent with the City's policy goals.

b. For purposes of these criteria, public benefit is defined as the Public Infrastructure and Improvements.

c. Public Infrastructure and Improvements, means facilities or buildings that:

i. A. are owned by a public entity or a utility;
B. benefit the public; and
C. are built according to applicable city design and safety standards; or

ii. A. are privately owned;
B. benefit the public;
C. as determined by the City Council, provide a substantial benefit to the development and operation of a project area; and
D. are built according to applicable city design and safety standards.

B. Condition of Approval: All PIDs shall conform to the following conditions before approval may be granted:

1. Proposed districts must not include land that is already included within the boundaries of another public infrastructure district without express provision in an adopted Governing Document. In such cases, the relationship with the existing districts must be addressed in the Governing Document.

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2. When an overlapping proposed District boundary is justified, the sum of the mill levies for the proposed and current Districts combined must not exceed highest of the authorized levies of the individual districts.
 3. Proposed districts with any residential taxpayers may levy to an amount equal to four (4) mills for repayment of the limited tax bonds with sufficient justification as to the levy being requested.
 4. Proposed districts with exclusively commercial taxpayers may levy up to fifteen (15) mills for repayment of the limited tax bonds with sufficient justification as to the levy being requested.
 5. Proposed districts must not include a debt term in excess of the life of the infrastructure being financed up to a maximum of 30 years.
 6. Proposed districts must not propose issuance of debt in excess of the value of unique enhancements- or of commercial public infrastructure and improvements. This limit represents net proceeds of the debt. The amount of debt authorized by the City may include costs allowed by law, including the cost of issuance, capitalized interest, discounts, premiums, legal fees, and other administrative overhead expenses related to the issuance of debt.
- C. Evaluation of Applicant: The following criteria relating to the Applicant and the development will be considered:
1. Historical performance of the Applicant (within and outside of the City);
 2. The current proposed plan of finance of the District;
 3. The current development plans relationship to the master plans of the City;
 4. The regional or overall benefits to the City from the proposed plan of finance; and
 5. The credit worthiness of the Applicant.

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IV. Governing Document Requirements

In addition to statutory requirements, a Governing Document memorializes the understandings between the District and the City, as well as the considerations that compelled the City to authorize the formation of the District. The Governing Document for the proposed District shall not contain and will be reviewed for compliance with the following policies and requirements.

A. District Description

1. Description of District area including size, location, area context (significant natural and man-made features, major public improvements, adjacent development), development history, and proposed development scenario (land uses by type and intensity and general urban design character);
2. Description of the public benefit resulting from the creation of the District and its undertakings;
3. Description of proposed development within the boundaries of the

proposed District including general distribution of land uses and densities and phasing of development;

4. If the District boundaries overlap with another district, an explanation of the relationship between the districts;
5. Itemization and description of all needed infrastructure (both regional and local) and facilities in the District's area;
6. Estimated construction costs of such infrastructure;
7. General description of phasing of construction based on development projections and phasing;
8. Provide the following financial plan information:

- a. Proforma financial overview of total costs and total revenues of the proposed District from all revenue sources;
 - b. An example plan of finance showing a proposal of how the proposed financing might take place, recognizing that the actual financing terms and structure will be approved by the board of trustees of the District (the “Board”) within the parameters of this Governing Document;
 - c. Anticipated maximum or fixed maximum mill levy required to meet debt service of the District;
 - d. Analysis of proposed mill levies in light of outstanding debt and mill levies of other taxing entities affecting the area;
 - e. Comparison of the mill levies of similar taxing entities in the area;
 - f. Proposed operating budgets for the District’s first three years of existence; and
 - g. Any other forms of public financing and assistance being sought, including assessment areas.
- 9. Description of the ultimate ownership and provision for the ongoing operating and maintenance costs for infrastructure.
 - 10. Description of any proposed divisions and an inclusion/exclusion process as appropriate.
 - 11. Proposed governance plan, including Board structure and to transition from appointed Board to elected Board.

B. Requirements and Expectations

- 1. The planned ownership of the improvements, including any relationship with an existing statutory district must be addressed in the Governing Document.
- 2. All debt issued by the District for which a tax is pledged to pay the debt service shall meet the requirements of all applicable statutes.
- 3. Land, easements or improvements to be conveyed or dedicated to the City and any other local government entity shall be conveyed in accordance with the related standards at no cost to the City.
- 4. All improvements within the District which will be connected to the City’s public infrastructure or is dedicated and owned by the City shall be subject to all design and inspection requirements and other standards of the City. The City must approve the improvements before any dedication to the City may occur. The City shall not be liable or responsible for not approving the improvements for dedication.
- 5. The District shall not pledge as security any land, assets or funds to be transferred to the City.

6. The District shall be subject to City zoning, subdivision, building codes, and all other applicable City ordinances and regulations. Approval of the Governing Document shall not bind the City to approve other matters which the District or developer may request.
 7. The District shall pay all fees and expenses as provided in the Governing Document.
 8. The District may not double tax, whether by mill levy, assessment, impact fees, or any combination thereof; any end user for the costs of improvements.
 9. The District shall agree to utilize the City's bond and disclosure counsel with respect to the District bonds to ensure proper issuance and compliance by a competent and nationally recognized law firm specializing in the issuance of government-related and tax-exempt bonds.
- C. Disclosure and Reporting Requirements: Disclosure of the existence of the District to property owners and potential property owners within the District is important and the following actions to be taken by each District shall be included in the Governing Document.
1. Within 30 days after the formation of the District, the Board shall record a notice with the county recorder:
 - a. Containing a description of the boundaries of the District;
 - b. Stating that a copy of the Governing Document is on file at the South Jordan City Recorder's office;
 - c. Stating that the District may finance and repay infrastructure and other improvements through the levy of a property tax;
 - d. Stating the maximum rate that the District may levy; and
 - e. If applicable, stating that the debt may convert to general obligation debt and outlining the provisions relating to conversion.
 2. At least annually following the formation of the District, the District shall notify (by mail, e-mail, or posting to the District's website) property owners in the District of the existence of the District and of the next scheduled meeting of the Board of the District. Such meeting shall occur at least 30 days and not more than 60 days following the date of the notice. Such notification shall include names and addresses of the Board of Directors and officers, the address, telephone and fax numbers, and e-mail address of the District, and shall include reference to the existence of a District file maintained by the City as described below.
 3. The District shall provide the following information to the City Recorder's Office on an annual basis, and the District shall create and maintain a file for public review of the following information.
 - a. Annual District budget;
 - b. Annual audited financial statements of the District;
 - c. Total debt authorized and total debt issued and presently planned debt issuances;

- d. Names and terms of Board members and officers and progress towards milestones required for transition to elected Board;
 - e. Rules and regulations of the District regarding bidding, conflict of interest, contracting, and other governance matters, if changed;
 - f. List of current interlocal agreements, if changed (to be delivered to the City upon request);
 - g. List of all current contracts for services or construction (to be delivered to the City upon request);
 - h. Official statements of current outstanding bonded indebtedness, if not previously received by the City;
 - i. Current approved Governing Document, if changed; and
 - j. District Office contact information.
4. The following shall be considered significant changes to the Governing Document, thereby requiring approval by the City:
- a. Exclusion or inclusion of property without the Governing Document and statutorily required approvals;
 - b. Change in the maximum mill levy;
 - c. Consolidation with any other district; and
 - d. Change in the dissolution date.

V. Submittal Instructions

Information and/or documents should be submitted as follows.

- A. Annual Financial Information: Submit one copy of each of the annual financial information, as described in Section IV-C-3-b.
- B. All other documents: Submit letters of intent, draft Governing Documents, and all other documents (with the required number of copies).
- C. Further Information: For further information.

City of South Jordan
 Attn: City Commerce Director
 1600 W Towne Center Drive
 South Jordan, Utah 84095
 (801) 254-3742

SOUTH JORDAN CITY COUNCIL STAFF MEMO

MEETING DATE: FEBRUARY 18, 2025

FILE OVERVIEW

Item Name	Wheadon Acres Flag Lot Overlay Rezone & Agreement
Address	10537 S 3010 W
File Number	PLZBA202400056
Applicant	GORDON MILAR CONSTRUCTION LLC
Staff Author	Miguel Aguilera, Planner I

ITEM SUMMARY

The City Council first discussed this proposal for a flag lot overlay rezone on October 15, 2024. After that first public hearing the City Council tabled the proposal and requested that the property owner come to a future meeting to discuss the Council's concerns about allowing accessory dwelling units (ADUs) on the properties in the proposed flag lot subdivision. The property owner returned for another public hearing on December 3, 2024 with an amended development agreement that restricts detached ADUs in the subdivision, but not internal ADUs. The Council voted in favor of the rezone in a 3-2 vote but rejected the development agreement in a 3-2 vote. The decision on the agreement was due to concerns about the ADU guesthouse prohibition and a desire to develop a consistent policy to be applied to all flag lots.

On January 21, 2024 the City Council discussed Flag Lot Floating Zone and pending ordinance changes, and how the City should be regulating flag lots in general. During that meeting City Council directed staff to draft changes to how the City regulates flag lots, including prohibiting detached ADUs in flag lot subdivision. In light of the pending ordinance, the Applicant returned to the City Council study meeting on February 4, 2025 where they discussed the proposed agreement and concerns about the guesthouse prohibition. Based on that discussion, the Applicant requests that the City Council approve the proposed development agreement, which is the same agreement from the December 3 public hearing that prohibits detached ADUs. If the City Council approves the agreement, then the applicant can move forward with its plan to develop the proposed flag lot subdivision.

Attached to this memo is the agreement and the December City Council staff report. Staff is recommending the Council approve the proposed agreement.



Required Action:

Approval by the City Council

Scope of Decision:

This is a legislative item that is decided by the City Council.

Motion Ready:

I move that the City Council approve Resolution R2025-09 approving the Wheadon Acres Subdivision Amendment Flag Lot Overlay Development Agreement

Alternatives:

1. Approve an Amended Agreement.
2. Deny the Agreement.
3. Schedule the item for a decision at some future date.

SUPPORTING MATERIALS

1. Resolution R2025-09
2. Wheadon Acres Flag Lot Overlay Rezone Development Agreement
3. December City Council Staff Report



Dawn R. Ramsey, *Mayor*
Patrick Harris, *Council Member*
Kathie L. Johnson, *Council Member*
Donald J. Shelton, *Council Member*
Tamara Zander, *Council Member*
Jason T. McGuire, *Council Member*



PH: 801.446-HELP @SouthJordanUT

November 25, 2024

TO: South Jordan City Council
FROM: Miguel Aguilera, Planner I
ISSUE: Wheadon Acres Flag Lot Overlay Rezone
ADDRESS: 10537 S & 10555 S 3010 W South Jordan, UT 84009
FILE NO.: **PLZBA202400056**
APPLICANT: Gordon Milar Construction

The Wheadon Acres Flag Lot Overlay Rezone application is being brought again before the City Council after the Council first reviewed it on October 15, 2024. The Council tabled this application for a variety of reasons, including concerns about accessory dwelling units (ADUs) on the properties and asked the applicant to consider changes to the agreement that would address their concerns. The property owner also was not at the October meeting and the Council wanted an opportunity to discuss the proposal directly with the property owner. The property owner responded in writing to the Council addressing specifically the ADU question.

The property owner's response to the Council is attached to this memo. In his response, he explains why he believes it is important for him to have the option of having ADUs on his properties and asks that the Council allow him to have internal ADUs, but has agreed to prohibit detached ADUs (called a "guesthouse" by City Code). The proposed agreement has been updated to include a prohibition on external ADUs.

Attached to this memo is a letter from the property owner to the City Council, the City Council staff report provided to the City Council in October, and an updated development agreement that includes a prohibition on external ADUs.

Daniel Milar
10696 Bison View Cove
South Jordan, UT 84095
danmilar@gmail.com

October 25, 2024

City of South Jordan
Planning Department & City Council

Dear City of South Jordan Council and Planning Department,

I am writing to respectfully ask for reconsideration of the council's request on October 15, 2024 during the city council meeting to remove all Accessory Dwelling Units (ADUs) on the four lots included in the Wheadon Acres Lots 14 & 15A rezone application to allow for the creation 2 flag lots. Allowing ADUs on these lots is essential to address our city's growing housing needs, support multigenerational family living, and achieve affordability—all while having minimal impact on neighborhood character and density. While it is not my intent to build and rent out multiple ADUs on these four proposed properties I cannot in good conscience agree to never put a single ADU into any of them.

As you know, affordable housing is a major concern across South Jordan and the Salt Lake Valley. ADUs present a viable solution to this issue by offering flexible, affordable housing options that allow families to support one another. This flexibility helps us accommodate aging parents, young adults, or other family members who may need a more accessible living arrangement and those who desire to stay in our community but cannot afford a home on their own.

The South Jordan City Council and Planning Commission have always been strong advocates for affordable housing and property rights even when it wasn't the most popular or desired choice amongst residents. We as a city have a reputation for working with homeowners and property developers to invest in the future, allowing for new and different ideas to take root in neighborhoods and communities where we have so much room for growth. That growth can be done beautifully, and fairly for all parties involved. Change is hard, but growth requires change. The city of South Jordan needs growth and change to continue developing strong communities that cross cultural, generational, class and socio-economic boundaries. We need growth that introduce our city residents to a whole new level of community by allowing ADUs, Flag lots and other housing products to mix with existing housing.

See attached "Exhibit B" for projects approved within the last three years that mix housing products and bring diversity to the existing community that surround them. This includes three flag lot applications where approval has no conditions on the property owner's ability to place an ADU. This also includes two housing developments that were proposed for existing and well-established neighborhoods. And although the neighbors

did not all support the idea of these new developments the city council saw the investment in the future and the need for affordable housing products to provide opportunity for all residents.

It is worth noting that flag lots are uniquely suited to accommodate ADUs with minimal impact on neighbors. Their layout generally allows for setbacks from main roads and additional privacy, preserving neighborhood aesthetics. Due to the layout of flag lots, ADUs built on these properties are often out of direct view from the main street, maintaining neighborhood harmony without increasing visible density or disrupting the existing character. Furthermore, flag lots often include enough space for parking and are naturally buffered, reducing concerns around noise and congestion.

It is important to recognize that while some neighbors may have expressed concerns about ADUs and flag lots, these opinions do not reflect the broader community's view. In fact, many homeowners in South Jordan are likely open to the concept of ADUs as a means to support family members, increase housing options, and adapt to our city's growing needs. In any community, there may be a handful of vocal opponents; however, they do not necessarily represent the perspective of the majority, especially given that many neighborhoods will experience significant turnover in the coming 10 to 20 years.

With this generational turnover, it is likely that new residents, as well as current owners, will seek to subdivide larger lots, creating additional flag lots that could benefit from ADU flexibility. Establishing a restrictive precedent now by disallowing ADUs on flag & parent lots may limit the ability of these future residents to build ADUs, potentially impacting housing affordability and community cohesion down the line. By taking a proactive and inclusive approach now, the City Council can ensure that the proper use of flag lots and ADUs remain a viable housing option for South Jordan residents in the years to come

With regard to the neighborhood in question, the council should be aware of the following:

1. There is an existing flag lot directly to the northeast of the two lots in question. No ADU restrictions have been imposed on that lot (See map listed as "Exhibit A")
2. There are several neighbors on this street and many within the neighborhood who have family members residing in basement or other areas of their homes essentially living with ADUs without the formal title of ADU.
3. As noted in the city council meeting by many of the residents, and one council member, this neighborhood is aging. Many of the residents are elderly. The likelihood of the neighborhood turning over to a younger generation in the next 10 years is highly likely. Many of those in the younger generations have already expressed interest in subdividing and creating more housing opportunity for the South Jordan Community we all love and enjoy.
4. While the Wheadon Acres Plat has room for 8-10 more lots this "neighborhood" consists of 53 lots in Wheadon Acres, five lots in Burkhart

Estates (includes amended) and approximately nine other lots not included on any subdivision plat. At least eight of the thirteen buildable lots listed outside of the Wheadon Acres Plat are large enough to subdivide. There are four existing lots which are the result of subdividing two original lots.

5. At least one other homeowner has plans working plans to subdivide in the near future. (See map listed as "Exhibit A"

My goal in creating the two additional flag lots on lots 14 & 15A of Wheadon Acres is to provide housing opportunities for my six children as well as my aging in-laws and other family members. As my children grow and become adults my wife and I want to ensure they have access to affordable housing. We want them to have the ability to stay in the community they were raised in if they so desire. By restricting our ability to build ADUs on our property it is restricting our ability to provide housing for our family in the future.

I am not an investor or businessman purchasing lots in this residential neighborhood to make money. I am a resident of this area. These are my neighbors. I purchased this property to stay in the community I love, while providing for my family both now and in the future. I also purchased these particular lots because I believe in the same value of community my neighbors have. I don't have a desire to change the neighborhood dynamics. I don't want to take down the crash gate. I don't want to change the streets with curb, gutter & sidewalk. That was a large sticking point for me in my early meetings with city staff. I want to maintain the beauty and character of the neighborhood. That is why I ultimately chose not to tear down the two existing homes that front 3010 W. I am fully agreeable to adding an amendment to the development agreement prohibiting external ADUs from these four properties.

While I fully understand the concern of some of the neighbors have, we all share the same goal. Provide affordable housing for our families and building a community where our future generations want to stay and more importantly can afford to stay.

I respectfully urge the Council to approve this rezone application allowing ADUs on all four lots, acknowledging the minimal neighborhood impact and the evolving needs of our community. This would align with the values of family, community, and economic sustainability while maintaining South Jordan's character. Thank you for your consideration and your commitment to fostering a more adaptable, inclusive housing policy in South Jordan. I would be happy to discuss this matter as requested by any member of the council or staff.

Sincerely,
Daniel Milar
801-205-7589

Exhibit A

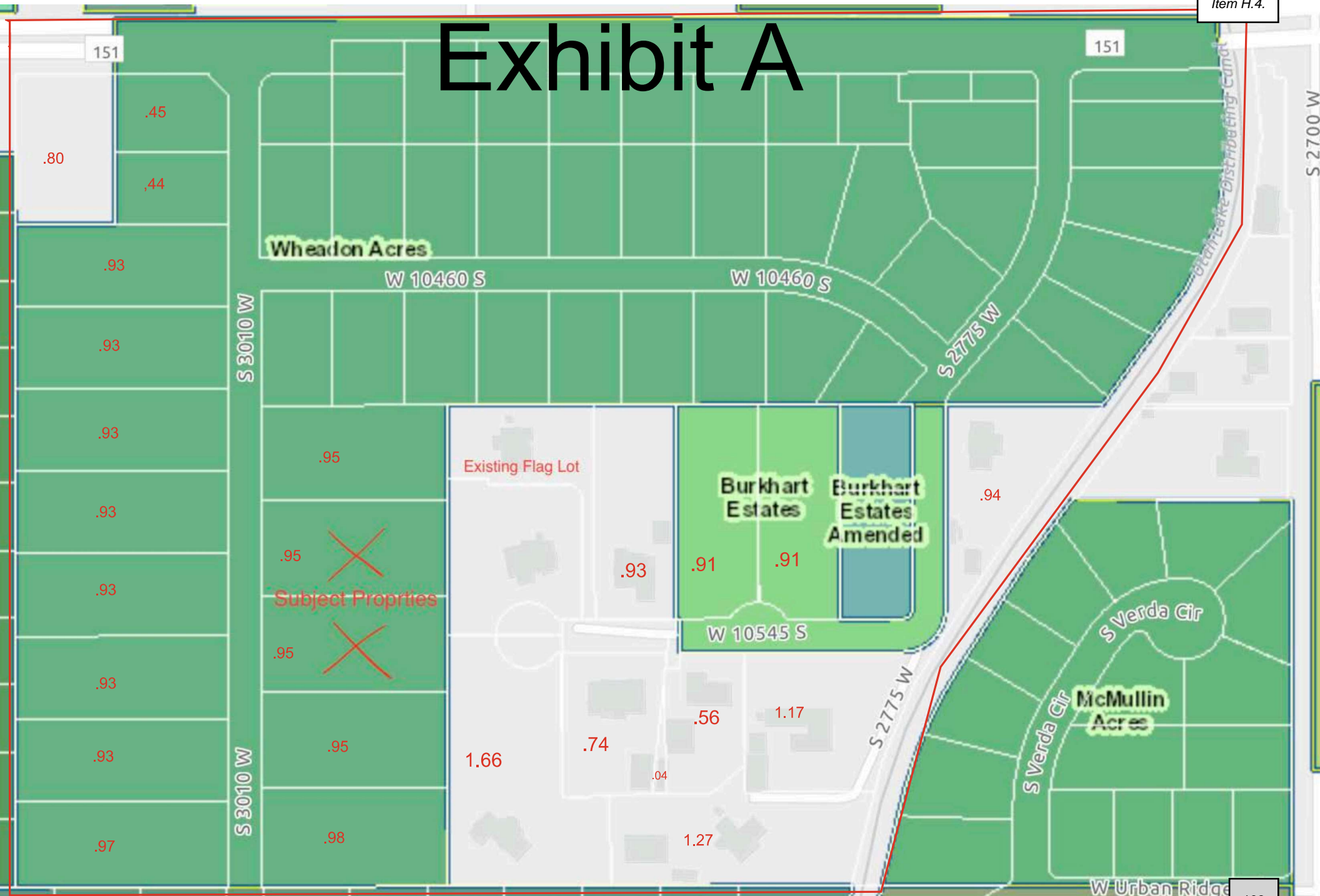


EXHIBIT B

Flag Lot Creation

RIDGECREST ESTATES SUBDIVISION AMENDMENT

Address: 892 W Brookcrest Circle

File No.: PLPLA202100128

SOJO 2700 SUBDIVISION, PRELIMINARY SUBDIVISION PLAT

Address: 10216 S. 2700 W.

File No.: PLPP202200204

COUNTRY ROADS SUBDIVISION SECOND AMENDMENT PRELIMINARY SUBDIVISION AMENDMENT

Address: 10067 S. Single Jack Circle

File No.: PLPLA20240061

Other Housing Product

SJC Townhomes proposed development

Address: 11147 S. Redwood Road

File No.: Resolution R2023-25 and Zoning Ordinance 2023-03-Z

Rise Development

Address: 10657 South 1055 West.

File No.: Resolution R2022-39, Resolution R2022-40, and Zoning Ordinance 2022-07-Z

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 10/15/2024

Issue: **WHEADON ACRES LOTS 14 & 15A FLAG LOT OVERLAY REZONE**
Rezone from Single-Family Residential (R-1.8) to Single-Family Residential (R-1.8) with the Flag Lot Overlay Zone

Address: **10537 S 3010 W and 10555 S 3010 W South Jordan, UT 84095**

File No: **PLZBA202400056**

Applicant: **GORDON MILAR CONSTRUCTION LLC**

Submitted by: **Miguel Aguilera, Planner I**
Shane Greenwood, Supervising Senior Engineer

Staff Recommendation (Motion Ready): I move that the City Council **approve** the following:

- Resolution R2024-42 approving the Wheadon Acres Subdivision Amendment Flag Lot Overlay Development Agreement.
- Ordinance No. 2024-08-Z approving the zone change from Single-Family Residential (R-1.8) to Single-Family Residential (R-1.8) with the Flag Lot Overlay Zone for lots 14 & 15A of the Wheadon Acres Subdivision.

ACREAGE:	Approximately 1.9 acres
CURRENT ZONE:	Single-Family Residential (R-1.8)
CURRENT USE:	Single Family Homes
FUTURE LAND USE PLAN:	Stable Neighborhood
NEIGHBORING ZONES/USES:	North – R-1.8/Single-family residential
	South – R-1.8/ Single-family residential
	West – R-1.8/Single-family residential
	East – R-1.8/ Single-family residential

STANDARD OF APPROVAL

1. REZONE:

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

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

(City Code § 17.22.020)

2. FLAG LOT OVERLAY:

- A. Concept: Applicants are encouraged to submit a concept plan and work with staff prior to application to understand the surrounding area, the goals and policies of the City's General Plan, and to ensure the minimum requirements of the FL can be met.
- B. Rezone: An FL shall only be established upon approval by the City Council as a rezone according to the provisions of Chapter 17.22, "Zoning Amendments", of this Title and as may be required elsewhere in this Title. City Council rezone approval of the FL shall be by development agreement.
- C. Concurrent Preliminary Subdivision (Optional): At the applicant's option and with the approval of the Planning Director, the applicant may submit a preliminary subdivision application to be processed concurrently with an FL rezone. In the case of concurrent applications, Planning Commission approval of a concurrent preliminary subdivision shall be contingent on the City Council's approval of the FL rezone.

(City Code § 17.130.060.020)

BACKGROUND:

The applicant is requesting a Flag Lot Overlay rezone for two properties located at 10537 S 3010 W and 10555 S 3010 W. This rezone request *will not* change the property's base zone (Residential R-1.8 Zone), and the lots in the development will comply with the requirements of that zone, including lot size and density. The City Council adopted this overlay zone in 2020 based on a desire to allow flag lots in limited circumstances, where such development may be reasonable and appropriate. Although this Application is not the only flag lot overlay rezone application, it is the first being presented to the Planning Commission and City Council.

In conjunction with this rezone Application, the applicant also filed a subdivision amendment application to subdivide the properties into four lots, two of which will be flag lots. City Code defines flag lots as “[a] lot having a larger area or ‘body’ at the rear (resembling a flag or pan) and which is connected to the street by a narrower portion (resembling a flagpole or handle) which does not meet the lot width or frontage requirements of the zone.” (City Code § 16.04.160.)

The lots in question do not meet the flag lot requirements found in City Code § 16.04.160. The Flag Lot Overlay Zone provides another way the property owner can divide the lots. Both existing lots 14 and 15A have a frontage of approximately 140 feet, exceeding the 125-foot minimum requirement for the overlay zone. The development agreement associated with this Application requires all lots in the amended subdivision to comply with the standards of the Residential R-1.8 Zone and according to the concept plan, with some adjustments to fencing requirements and animal rights.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- A development agreement is required by the Flag Lot Overlay Zone code. The following are key provisions of the agreement that provide some predictability for how the lots will develop:
 1. All lots created in the rezone and subdivision amendment applications will remain single family residential.
 2. There is an alteration to the fencing requirement, which stipulates that masonry fencing will not be required to be erected between any of the properties within the amended subdivision and in turn, farm animal rights on the subject properties will be restricted.
 3. The placement of the homes in the concept plan shows that they will meet the required setbacks for front, side, and rear yards.
- The Application meets the City Code rezone standards of approval for the R-1.8 and the Flag Lot Overlay Zones.
- This rezone Application will not change the underlying R-1.8 zone.
- This rezone Application will allow the applicant to subdivide the two existing lots and create two flag lots using the Flag Lot Overlay Zone. This is an appropriate use of this code as the subject properties meet the standards established by the Flag Lot Overlay Zone code.
- The Planning Commission reviewed this application on September 24, 2024 and recommended the City Council approve the rezone.

Conclusion:

Based on the findings, the Application, if approved, will be consistent with the goals and policies of the General Plan and the City's Strategic Priorities, and as such, should be approved.

Recommendation:

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

ALTERNATIVES:

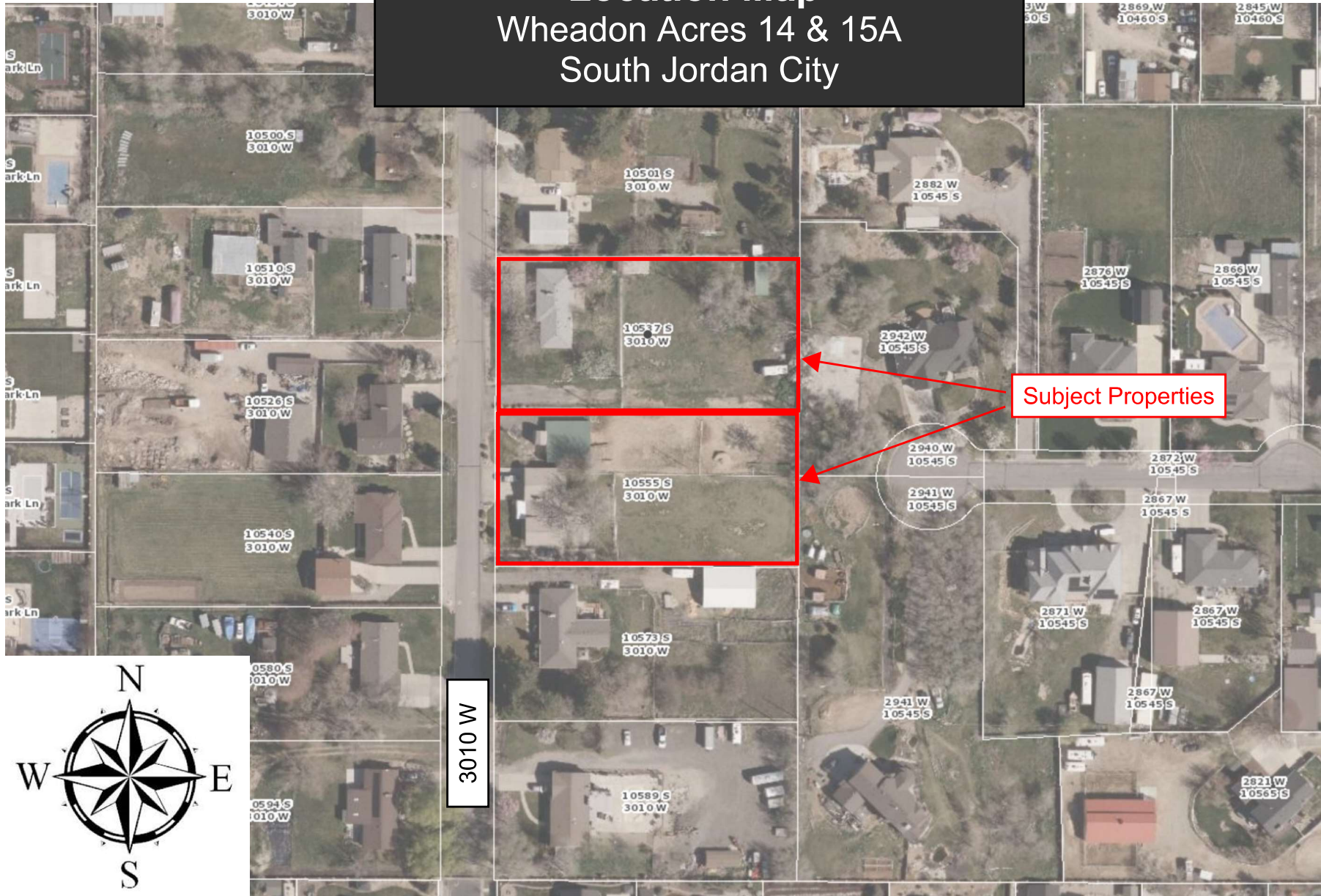
- Approval of an amended Application.
- Denial of the application.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- | | |
|---|---|
| <ul style="list-style-type: none"> • Aerial Map • Zoning Map • Concept Plan • Development Agreement • Justification Letter | <ul style="list-style-type: none"> • Ordinance No. 2024-08-Z <ul style="list-style-type: none"> • Exhibit A – Proposed concept • Resolution R2024-42 <ul style="list-style-type: none"> • Exhibit 1 - Agreement |
|---|---|

Location Map

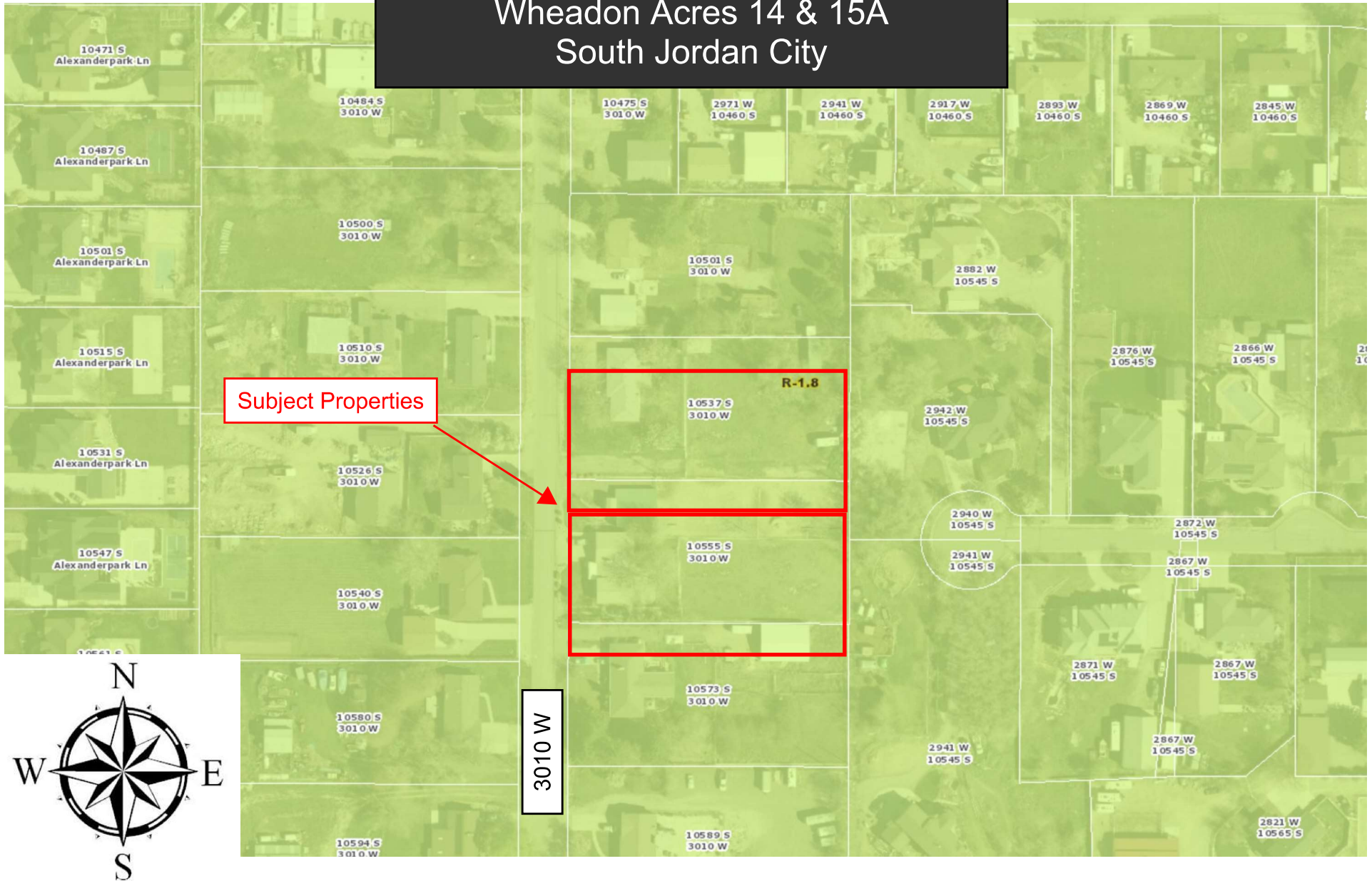
Wheadon Acres 14 & 15A
South Jordan City



Zoning Map

Wheadon Acres 14 & 15A

South Jordan City





VICINITY MAP N.T.S.

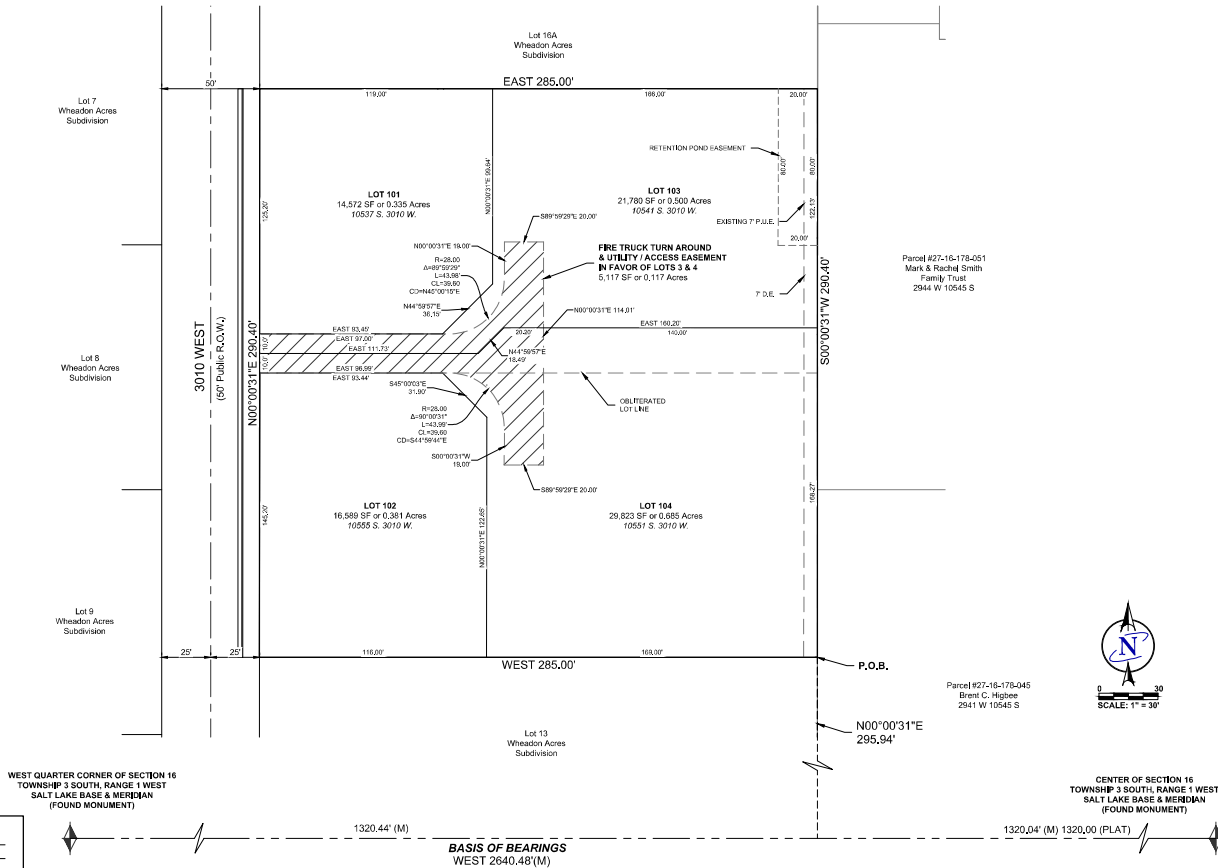
WHEADON ACRES LOTS 14 & 15A AMENDED FINAL PLAT

LOCATED IN THE NORTHWEST QUARTER OF
SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE & MERIDIAN,
SOUTH JORDAN, UTAH

- LEGEND**
- SECTION CORNER (FOUND)
 - STREET MONUMENT (FOUND)
 - SECTION LINE
 - CENTERLINE
 - BOUNDARY LINE
 - EASEMENT LINE
 - SETBACK LINE
 - MEASURED (M)
 - RECORD (R)
 - SET REBAR AND CAP (PROTERRA)

GENERAL NOTES:

- THIS PLAT IS SUBJECT TO A DEVELOPMENT AGREEMENT WITH SOUTH JORDAN CITY.



SURVEYOR'S CERTIFICATE:

I, JARED ASHTON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NO. 12411560 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREINAFTER KNOWN AS:

WHEADON ACRES LOTS 14 & 15A AMENDED

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



JARED ASHTON
UTAH PROFESSIONAL LAND SURVEYOR
LICENSE NO. 12411560

PROPERTY DESCRIPTION DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WEST 1320.04 FEET AND NORTH 00°00'31" EAST 295.94 FEET FROM THE CENTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 14, WHEADON ACRES SUBDIVISION ON RECORD AT THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY #2317193, THENCE ALONG THE SOUTH LOT LINE OF SAID LOT 14 WEST 285.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, SAID POINT ALSO BEING ON THE EASTERN RIGHT OF WAY LINE OF 3010 WEST STREET, THENCE ALONG SAID RIGHT OF WAY NORTH 00°00'31" EAST 290.40 FEET TO THE NORTHWEST CORNER OF LOT 15A OF SAID WHEADON ACRES SUBDIVISION, THENCE ALONG THE NORTH LINE OF SAID LOT 15A EAST 285.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 15A, THENCE ALONG THE EAST LINE OF SAID LOTS 14 & 15A SOUTH 00°00'31" WEST 290.40 FEET TO THE POINT OF BEGINNING.

CONTAINS 82,764 SF OR 1.90 ACRES MORE OR LESS

OWNER'S DEDICATION AND CONSENT TO RECORD:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREINAFTER KNOWN AS:

WHEADON ACRES LOT 14 & 15A AMENDED

AND DO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HERETO SET OUR HANDS THIS ____ DAY OF ____, 20__

OWNER

OWNER'S ACKNOWLEDGEMENT:

STATE OF _____)
COUNTY OF _____)

ON THE ____ DAY OF ____, 20__, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____ IN THE STATE OF _____, _____ WHO AFTER BEING DULY SWORN, SIGNED THE FOREGOING OWNERS DEDICATION WHO DULY ACKNOWLEDGED BEFORE ME THAT HE/SHE DID EXECUTE THE SAME FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSION IN UTAH
RECORD IN _____ COUNTY

MY COMMISSION NO. _____ PRINTED FULL NAME OF NOTARY

WHEADON ACRES LOTS 14 & 15A AMENDED

SITUATED IN THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH

OWNER / DEVELOPER
DANIEL MEAR



SHEET
PL1

10400 South 2700 West, South Jordan, Utah 84095
Phone: (801) 253-0248 Fax: (801) 253-0277

SALT LAKE COUNTY RECORDER

RECORDED NO. _____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED
AT THE REQUEST OF: _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE \$ _____ DEPUTY SALT LAKE COUNTY RECORDER

PUBLIC UTILITY APPROVAL

CENTURYLINK: _____ DATE: _____
COMCAST: _____ DATE: _____
DOMINION ENERGY: _____ DATE: _____
ROCKY MTN. POWER: _____ DATE: _____
OTHER: _____ DATE: _____

CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

SOUTH JORDAN CITY ENGINEER

SOUTH VALLEY SEWER DISTRICT

APPROVED THIS ____ DAY OF ____, A.D., 20__.

SOUTH VALLEY SEWER DISTRICT

HEALTH DEPARTMENT

APPROVED THIS ____ DAY OF ____, A.D., 20__.

REPRESENTATIVE

OFFICE OF THE CITY ATTORNEY

APPROVED AS TO FORM THIS ____ DAY OF ____, A.D., 20__.

ATTORNEY FOR SOUTH JORDAN CITY

CITY PLANNER

APPROVED AS TO FORM THIS ____ DAY OF ____, A.D., 20__.

CITY PLANNER

SOUTH JORDAN CITY MAYOR

APPROVED AS TO FORM THIS ____ DAY OF ____, A.D., 20__.

ATTEST: CITY CLERK _____ MAYOR



ORDINANCE NO. 2024-08-Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT 10537 S 3010 W AND 10555 S 3010 W FROM R-1.8 (SINGLE FAMILY RESIDENTIAL) ZONE TO R-1.8 WITH THE FLAG LOT (FL) OVERLAY ZONE. GORDON MILAR CONSTRUCTION, LLC (APPLICANT).

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

WHEREAS, the Applicant, Gordon Milar Construction, LLC, 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 properties described in Application PLZBA202400056 filed by Gordon Milar Construction, LLC, located at 10537 S 3010 W and 10555 S 3010 W, are hereby reclassified from the R-1.8 (Single Family Residential) Zone to R-1.8 with the Flag Lot (FL) Overlay 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 3 DAY OF December, 2024 BY THE FOLLOWING VOTE:

YES NO ABSTAIN ABSENT

Patrick Harris
Kathie Johnson
Donald Shelton
Tamara Zander
Jason McGuire

<u>X</u>			
	<u>X</u>		
<u>X</u>			
<u>X</u>			
	<u>X</u>		

Mayor Pro Tempore:

Patrick Harris
Patrick Harris

Attest:
City Recorder

Anna Cross

Approved as to form:

John A. Lee



EXHIBIT A

(Property Description)

R-1.8 Zone to R-1.8 with the FL Overlay Zone**PARCEL NUMBERS:** 27-16-178-011 and 27-16-178-012

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

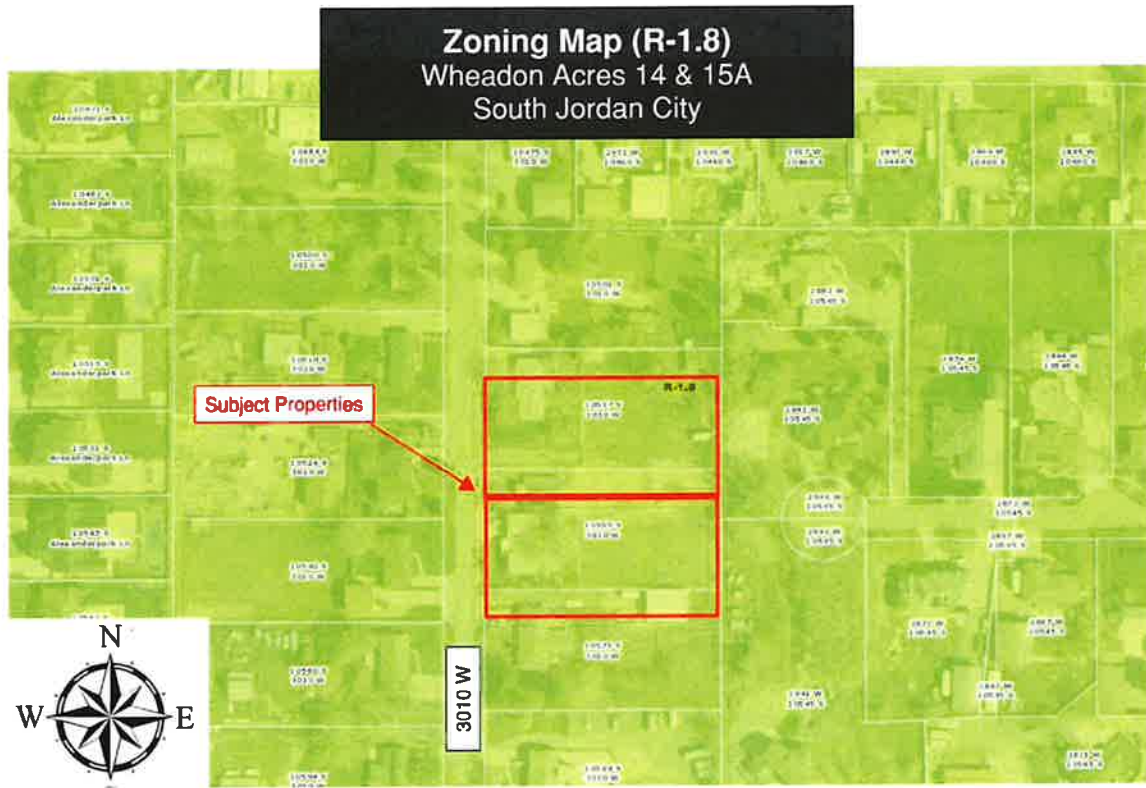
BEGINNING AT A POINT WEST 1320.04 FEET AND NORTH 00°00'31" EAST 295.95 FEET FROM THE CENTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 14, WHEADON ACRES SUBDIVISION ON RECORD AT THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY #2317193; THENCE ALONG THE SOUTH LOT LINE OF SAID LOT 14 WEST 285.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF 3010 WEST STREET; THENCE ALONG SAID RIGHT OF WAY NORTH 00°00'31" EAST 290.40 FEET TO THE NORTHWEST CORNER OF LOT 15A OF SAID WHEADON ACRES SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID LOT 15A EAST 285.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 15A; THENCE ALONG THE EAST LINE OF SAID LOTS 14 & 15A SOUTH 00°00'31" WEST 290.40 FEET TO THE POINT OF BEGINNING.

CONTAINS 82,764 SF OR 1.90 ACRES MORE OR LESS



Exhibit A to Ordinance 2024-08-Z

(Zoning Map)



Dan Mila
Property Owner – Applicant
04/02/2024

South Jordan City,

I am the owner of both properties located at 10537 S 3010 W (.95 acre) and 10555 S 3010 W (.95 acre), hereto within referred to as “the property(s)”. I currently reside about ¼ mile to the south in Bison Ridge. My family and I enjoy our neighborhood and community we have here and intend to be residents long into the future.

One aspect that particularly resonated with me when these two properties came up for sale is that I am already a neighbor and friend within this community and intend to keep all four lots of the property for my family. This personal investment demonstrates a genuine commitment to the well-being and prosperity of our neighborhood. All efforts will be to minimize impact on neighboring properties. This is achieved by properly maintaining the construction and development sites, providing oversight and being actively involved and available to neighbors should any issue arise. The impact is also minimized since all four directly affected lots will be owned and maintained by me.

Adding additional lots to the neighborhood and investing in the two existing homes will bring a greater value to the surrounding properties. Creating these two flag lots will also allow me to provide a home for my in-laws, build a new home for my family, and provides an investment in the future to build a fourth home as needed.

Thank you,

Dan Mila

Dan Mila

RESOLUTION R2025-09

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 MULBERRY COTTAGE LLC AND WHDTMR LLC PERTAINING TO PROPERTY LOCATED AT 10537 S 3010 W AND 10555 S 3010 W.

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, Mulberry Cottage LLC and WHDTMR LLC now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property it owns at 10537 S 3010 W and 10555 S 3010 W (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 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:


Rwan W. Loose (Feb 14, 2025 05:15 MST)

Office of the City Attorney

Exhibit 1

(Development Agreement)

DEVELOPMENT AGREEMENT

The City of South Jordan, a Utah municipal corporation (the “City”), and Mulberry Cottage LLC and WHDTMR LLC (the “Developer”), enter into this Development Agreement (this “Agreement”) this _____ day of _____, 20____ (“Effective Date”), and agree as set forth below. The City and the Developer are jointly referred to as the “Parties”.

RECITALS

WHEREAS, the Developer is the owner of certain real property identified as Assessor’s Parcel Number(s) 27-16-178-011 and 27-16-178-012 specifically described in attached Exhibit A (the “Property”) and intends to develop the Property consistent with the Concept Plan attached as Exhibit B (the “Concept Plan”); 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 Property is currently subject to the City Code and is within the Single-Family Residential R-1.8 zone (the “R-1.8 Zone”). A copy of the provisions of such zone designation 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 R-1.8 to R-1.8 with the Flag Lot Overlay (the “The R-1.8 (FL) Zone”). A copy of the provisions of the Flag Lot Overlay Zone designation in the City Code is attached as Exhibit D; and

WHEREAS, the Developer and the City acknowledge that the development and improvement of the Property pursuant to this Agreement will provide certainty useful to the Developer 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, pursuant to Resolution R2024-42 a copy of which is attached as Exhibit E; and

WHEREAS, the City and the Developer acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the

South Jordan City Council, in its sole legislative discretion, approves a zone change for the Property currently zoned as R-1.8 to a zone designated as R-1.8 (FL) 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 City Code.

B. Enforceability: The City and the Developer acknowledge that the terms of this Agreement shall be enforceable, and the rights of the Developer relative to the Property shall vest, only if the South Jordan City Council in its sole legislative discretion approves a zone change for the Property currently zoned as R-1.8 to a zone designated as R-1.8 (FL) Zone.

C. Conflicting Terms. The Property shall be developed in accordance with the requirements and benefits provided for in relation to an R-1.8 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 R-1.8 zone, and this Agreement, this Agreement shall control.

D. Developer Obligations:

1. Concept Plan. The Developer agrees to construct the development consistent with the Concept Plan and the requirements set forth in this Agreement and the City Code.
2. Single Family Housing. Only single-family detached housing shall be allowed in the Wheadon Acres Lots 14 and 15A Amended Subdivision.
3. Accessory Dwelling Units. Internal Accessory Dwelling Units (IADUs) are permitted under this agreement. Guesthouses as defined in Section 17.08.010 of the City Code will be prohibited on the property and Developer agrees to execute further documents that may be necessary such as plat restrictions or deed restrictions that will be recorded and run with the land to memorialize and enforce this restriction.
4. Public Right of Way. The Developer will give to the City cash in-lieu of constructing the required future road improvements in the amount of \$32,098.00.
5. Fencing. The Developer agrees that there are no animal rights on the subject properties pursuant to City Code § 17.130.040 in exchange for not being required to erect masonry walls along the property lines between Lots 101 and 102 and Lots 103 and 104 of the Wheadon Acres Lots 14 and 15A Amended Subdivision. The developer agrees and acknowledges this

restriction will be noted on the official recorded amended subdivision plat. Should future property owners of the amended subdivision plat want to restore animal rights under the Farm Animal Floating Zone, they will need to apply to the City to amend the subdivision plat and comply with the City Code as it exists at that time. This agreement does not change the incompatible land use fencing requirements between the properties of the Wheadon Acres 14 and 15A Amended Subdivision and properties outside of said amended subdivision.

6.

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. .

G. Vested Rights and Reserved Legislative Powers.

1. Vested Rights. Consistent with the terms and conditions of this Agreement, City agrees Developer has the vested right to develop and construct the Property in accordance with: (i) the R-1.8 and Flag Lot Overlay (Exhibits C and D) 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

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

I. 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
 Attention: City Recorder

If to Developer:

Mulberry Cottage LLC & WHDTMR LLC
 10696 S Bison View Cv
 South Jordan, Utah 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 Third Party Rights. The obligations of the Developer and the City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise provided herein.

14. Assignment. Developer may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement and Developer shall be deemed released of its obligations in connection with this Agreement; provided, however, that Developer shall provide the City with notice of the assignment of this Agreement within a reasonable time after the occurrence of such assignment.

15. 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 follow on next page}

CITY OF SOUTH JORDAN,
a Utah Municipal Corporation

APPROVED AS TO FORM:

By: _____
Dawn R. Ramsey
Mayor


Rwan W. Loose (Feb 14, 2025 05:15 MST)
Attorney for the City

State of Utah)
)
County of Salt Lake) :ss

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

Notary Public

MULBERRY COTTAGE LLC
a Utah limited liability company

By: _____

Name: Daniel T. Milar

Title: President

On the _____ day of September, 2024 personally appeared before me Daniel T. Milar who being by me duly sworn, did say that he, the said Daniel T. Milar is the President of MULBERRY COTTAGE LLC, a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Daniel T. Milar duly acknowledged to me that said corporation executed the same.

Notary Public

WHD TMR LLC
a Utah limited liability company

By: _____

Name: Daniel T. Milar

Title: President

State of Utah)
:ss

County of Salt Lake)

On the _____ day of September, 2024 personally appeared before me Daniel T. Milar who being by me duly sworn, did say that he, the said Daniel T. Milar is the President of WHDTMR LLC, a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Daniel T. Milar duly acknowledged to me that said corporation executed the same.

Notary Public

Exhibit A

(Legal Description of the Property)

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WEST 1320.04 FEET AND NORTH 00°00'31" EAST 295.95 FEET FROM THE CENTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 14, WHEADON ACRES SUBDIVISION ON RECORD AT THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY #2317193; THENCE ALONG THE SOUTH LOT LINE OF SAID LOT 14 WEST 285.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF 3010 WEST STREET; THENCE ALONG SAID RIGHT OF WAY NORTH 00°00'31" EAST 290.40 FEET TO THE NORTHWEST CORNER OF LOT 15A OF SAID WHEADON ACRES SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID LOT 15A EAST 285.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 15A; THENCE ALONG THE EAST LINE OF SAID LOTS 14 & 15A SOUTH 00°00'31" WEST 290.40 FEET TO THE POINT OF BEGINNING.

CONTAINS 82,764 SF OR 1.90 ACRES MORE OR LESS

Exhibit B

CONCEPT PLAN

[illegible]



Exhibit C

R - 1.8 ZONE City Code Provisions**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.

HISTORY

Repealed & Replaced by Ord. 2016-05 on 5/3/2016

17.40.020: DEVELOPMENT AND DESIGN STANDARDS

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

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

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 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%

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 Opening ¹ (Front Or Street Side)	Front Yard (Cul-De-Sac Lots)	Side Yard (Standard)	Side Yard (Corner Lot Street Side)	Rear Yard (Interior Lot)	Rear Yard (Corner Lot)
R-1.8	30'	30'	25'	10'	30'	25'	10'
R-2.5	25'	30'	20'	10'	25'	25'	10'
R-3	25'	30'	20'	10'	25'	25'	10'
R-4	20'	25'	20'	8'	20'	20'	10'
R-5	20'	25'	20'	8'	20'	20'	10'
R-M-5	20'	25'	20'	8'	10'	20'	10'
R-M-6	20'	25'	20'	8'	10'	20'	10'

- 2.

1. Accessory Buildings: Minimum yard area requirements for accessory buildings

are as follows:

1. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.
2. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings less than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line.
3. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').
2. 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.
3. 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.

G. 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.

1. H. Fencing, Screening And Clear Vision : The fencing, screening and clear vision requirements of this section shall apply in Residential Zones.
 1. Utility Screening: In nonresidential developments, all mechanical equipment,

antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.

2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.
3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in Clear Vision Areas, according to Section 16.04.200 (J). A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.
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.

I. Architecture: The following exterior materials and architectural standards are required in Residential Zones:

1. General Architectural Standards:
 - a. All building materials shall be high quality, durable and low maintenance.
 - b. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.
 - c. 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.
 - d. Main buildings shall be no greater than thirty five feet (35') high.
2. Architectural Standards For Main Buildings:
 - a. 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).
 - b. 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.

- c. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.

3. Architectural Standards For Accessory Buildings:

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.

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

- 1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area

covered in acceptable live plant material unless otherwise approved with a conditional use permit.

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

6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300, "Deferred Improvements", of this Code.
 7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public rights-of-way that are not maintained by the City.
 8. Required trees may not be topped and required landscape material may not be removed in Residential Zones without City approval.
 9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.
1. 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.
 2. 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 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

Flag Lot Overlay ZONE City Code Provisions

17.130.060.010: PURPOSE

The purpose of the Flag Lot Overlay Zone (FL) is to allow for the creation of a flag lot in an existing subdivision that does not meet the minimum area requirement in subsection 16.04.160D of Title 16. The FL may be applied to an existing lot under unique circumstances as determined by the City Council and its consideration of following provisions.

HISTORY

Adopted by Ord. 2020-03 on 9/15/2020

17.130.060.020: ESTABLISHMENT

1. Procedure:
 1. Concept: Applicants are encouraged to submit a concept plan and work with staff prior to application to understand the surrounding area, the goals and policies of the City's General Plan, and to ensure the minimum requirements of the FL can be met.
 2. Rezone: An FL shall only be established upon approval by the City Council as a rezone according to the provisions of Chapter 17.22, "Zoning Amendments", of this Title and as may be required elsewhere in this Title. City Council rezone approval of the FL shall be by development agreement.
 3. Concurrent Preliminary Subdivision (Optional): At the applicant's option and with the approval of the Planning Director, the applicant may submit a preliminary subdivision application to be processed concurrently with an FL rezone. In the case of concurrent applications, Planning Commission approval of a concurrent preliminary subdivision shall be contingent on the City Council's approval of the FL rezone.
2. Application Requirements:
 1. The subject lot shall have a minimum lot width not less than one hundred twenty-five feet (125') as measured along the property line adjacent to the public right-of-way.
 2. The applicant shall provide a letter that justifies the establishment of the FL and addresses any efforts to limit the impact of development on neighboring properties.
 3. The applicant shall provide a concept plan that shall include a preliminary subdivision layout showing the location, footprint and building elevations of the proposed house.
 4. Notices of the public hearing shall be sent in accordance with the requirements in Subsection 16.04.060 of Title 16 and the Utah Code Annotated, except that:
 1. The area requirement for notices shall include all property owners within the subdivision and adjacent to the subject property.
3. Effect Of Approval:
 1. All of the provisions of this Code, including those of the base zone, shall be in full force and effect (with the exception of the flag lot requirement contained in subsection 16.04.160D1a in Title 16), unless such provisions are expressly waived or modified by the approved development agreement.

2. An approved FL shall be shown on the zoning map by a "-FL" designation after the designation of the base zone district.
3. The city shall not issue permits for development within an approved FL unless the development complies with the approved development agreement.

HISTORY

Adopted by Ord. 2020-03 on 9/15/2020

17.130.060.030: AMENDMENTS

Any application to amend an approved FL shall be processed as a zone text amendment. Any amendment to an approved FL requires that the corresponding development agreement also be amended.