



THE CITY OF WEST JORDAN CITY COUNCIL MEETING May 08, 2024

8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

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CITY COUNCIL MEETING 6:00 PM

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PUBLIC COMMENT**

Please address comments to the Council Chair without expecting debate or response. It is our desire that each person attending a meeting feel safe, respected, and comfortable participating in their government. We hope commenters will have the same goal striving to keep comments respectful, professional, and free from profanity, personal attacks, and indecency. Please provide your full name and limit your remarks to three (3) minutes. Alternatively written comments may also be submitted.

- 4. REPORTS TO COUNCIL**
 - a. City Council Reports
 - b. Council Office Report
 - c. Mayor's Report
 - d. City Administrator's Report

- 5. PUBLIC HEARINGS**
 - a. **Ordinance No. 24-15** amendments to West Jordan City Code Section 8-5-2 regarding the costs of sidewalk, curb, and gutter maintenance, repair, and

replacement in the city right of way.

b. **Ordinance No. 24-22** amending West Jordan City Code Section 13-5L-7 regarding Townhomes in PCH Zone (Planned Community Hillside) regulations for minimum interior lot widths (frontages) and minimum building side yard setbacks.

6. BUSINESS ITEMS

a. Acceptance and receipt of the Mayor's Tentative Budget for the City of West Jordan, Utah for Fiscal Year 2025.

7. CONSENT ITEMS

Items not requiring public discussion or which have previously been discussed may be adopted by one single motion. Council Members may request to pull an item for further discussion and consideration.

a. Approve Meeting Minutes

- April 10, 2024 – Regular City Council Meeting
- April 10, 2024 – Committee of the Whole Meeting
- April 24, 2024 – Regular City Council Meeting

8. ADJOURN

UPCOMING CITY COUNCIL MEETINGS

- Wednesday, May 15, 2024 – Committee of the Whole Meeting – 6:00p
- Wednesday, May 22, 2024 – Regular City Council Meeting – 6:00p
- Wednesday, June 5, 2024 – Regular City Council Meeting – 6:00p
- Wednesday, June 12, 2024 – Committee of the Whole Meeting – 6:00p
- Wednesday, June 26, 2024 – Regular City Council Meeting – 6:00p

Interested parties may contact the Council PRIOR to the meeting in one of the following ways: (your comment will not be part of the meeting but will be provided to all members of the entire City Council)

- Call the 24-hour Public Comment Line PRIOR to the meeting and leave a message: **(801) 569-5052**. Please include your name and phone number.
- Send an email to councilcomments@westjordan.utah.gov. Please include your name and phone number.

You can follow the City Council on Facebook @WestJordanCityCouncil

In accordance with the Americans with Disabilities Act, the City of West Jordan will make reasonable accommodations for participation in the meeting. Request for assistance can be made by contacting the West Jordan City Council Office at 801-569-5017, providing at least three working days' advance notice of the meeting.

ELECTRONIC PARTICIPATION

One or more council members may participate electronically in this meeting using online video conferencing technology per Utah Code (§52-4-207) and West Jordan City Code 1-13-1-E. Participation will be broadcast and amplified so all present in the meeting will be able to hear or see the communication.

INTELLECTUAL PROPERTY PERMISSION NOTICE

By attending this meeting/event, you consent to the use of your photograph, voice, likeness, and image in broadcasts of this meeting/event, and in subsequent productions drawn from video or audio recordings of this meeting/event, in the sole and absolute discretion of the City of West Jordan. The city retains copyright for all video and audio recordings. Video and audio recordings may not be modified, manipulated, or distributed in any way without the express written consent of the City Administrator.

CERTIFICATE OF POSTING

I certify that the foregoing agenda was posted at the principal office of the public body, on the Utah Public Notice website <https://www.utah.gov/pmn/>, on West Jordan City's website <https://westjordan.primegov.com/public/portal>, and notification was sent to the Salt Lake Tribune, Deseret News, and West Jordan Journal.

Please note: agenda items are subject to change and may be reordered or tabled in order to accommodate the needs of the City Council, staff, and the public.

Posted and dated May 2, 2024 Cindy M. Quick, MMC, Council Office Clerk



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 05/08/2024

Presenter: Brian Clegg

Deadline of item : 05/08/2024

Applicant:

Department Sponsor: Public Works Admin

Agenda Type: PUBLIC HEARINGS

Presentation Time: 5 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 24-15 amendments to West Jordan City Code Section 8-5-2 regarding the costs of sidewalk, curb, and gutter maintenance, repair, and replacement in the city right of way.

2. EXECUTIVE SUMMARY

The City Council originally discussed proposed amendments to Section 8-5-2 during the Committee of the Whole meeting on March 20, 2024. The Council expressed support for proposed amendments. The Planning Commission reviewed the proposed code on April 2, 2024.

The Council is being asked to amend West Jordan City Code Section 8-5-2. The purpose of the proposed amendment is to shift the material and labor costs for sidewalk maintenance, repair, and replacement to the City (excluding circumstances in which the sidewalk condition is the result of misuse or abuse of the abutting property and/or sidewalk by the abutting property owner). The proposed amendment also removes a provision concerning maintenance of sidewalk, curbs, and gutters in state highway right of-ways which is inconsistent with state statute and regulations. If approved, the proposed amendment would provide the Public Works Department greater flexibility in addressing potentially hazardous sidewalks which pose a risk of liability to the City without having to pursue the abutting property owner for the costs.

3. TIME SENSITIVITY / URGENCY

With the construction season starting the approval of the proposed amendment is urgent to allow staff to make needed repairs as needed, rather than asking the resident to pay for the concrete and slowing down needed repairs.

4. FISCAL NOTE

Additional costs of sidewalk maintenance, repairs, and replacement will be funded from the safe sidewalk fund currently in place. Additional funding may come from Class C Roads miscellaneous curb, gutter, sidewalk account. Public Works will plan for costs accordingly with each annual budget. The costs will vary from year to year depending on what work needs to be completed. The proposed amendment will save some money due to fewer mobilizations, staff time in obtaining bids and working with the resident for final resolution on repairs, fewer light load charges when ordering concrete, and overall staff efficiency.

5. PLANNING COMMISSION RECOMMENDATION

The planning and zoning commission gave a positive recommendation on April 2, 2024 for the proposed amendment to the West Jordan City Code Section 8-5-2 regarding the costs of sidewalk, curb, and gutter maintenance, repair, and replacement in the city right of way.

6. STAFF ANALYSIS

Under the current code, before conducting maintenance, repairs, or replacement of sidewalks, staff is required to:

- (1) prepare an estimate for the cost of the maintenance, repair, or replacement work;
- (2) make contact with the abutting property owner;
- (3) get the abutting property owner to pay the estimate.

Staff has had substantial difficulty in successfully getting abutting property owners to pay any costs associated with the maintenance, repair, or replacement of potentially hazardous sidewalk and can be met with hostility. These efforts have been a significant drain on staff time and interfere with the staff's ability to address potential liability risks. With the proposed code amendment staff would be able to take quicker action on repairing many sidewalk issues in the city.

7. MOTION RECOMMENDED

Move to approve Ordinance No. 24-15 amendments to West Jordan City Code Section 8-5-2 regarding the costs of sidewalk, curb, and gutter maintenance, repair, and replacement in the city right of way.

8. MAYOR RECOMMENDATION

The Mayor recommends approval of Ordinance No 24-15.

West Jordan City Council Meeting

Council Staff Review



Item Name: Ordinance 24-15; Sidewalks, Curbs, and Gutter Maintenance

Department: Public Works

Action Needed: Approve/Not Approve Ordinance

ITEM SUMMARY

Citing difficulties under the current code, council is requested to revise West Jordan Code Section 8-5-2, as it relates to the maintenance, repair, and replacement of sidewalks, curbs, and gutters.

The revised ordinance would provide public works staff more flexibility as it seeks to address sidewalks, curbs, and gutters that pose potential risks of hazard and city liability.

POSSIBLE COUNCIL ACTIONS

Council may choose to take one of the following actions:

1. Approve the ordinance as written and as proposed OR with stated amendments;
2. Not Approve the ordinance;
3. Continue the item to a future specified date;
4. Move the item to an unspecified date;
5. Refer the item back to a Committee of the Whole Meeting, Council Subcommittee, or an Ad Hoc Committee;
6. Refer the item back to Council Staff or Administrative Staff.

BACKGROUND & TIMELINE

This item was discussed with staff during the March 20, 2024 Committee of the Whole meeting.

COUNCIL OFFICE ANALYSIS

With no revisions to the ordinance, staff would continue to subject themselves to difficulties in working with property owners for repairs and maintenance and associated cost recovery.

As mentioned within the staff report, approving this ordinance would create a fiscal impact. Staff have indicated that there are existing funds available for them to use in the immediate future, and that they will further budget accordingly moving forward.

A summary of the proposed changes is found below:

- Lines 7-12: revised for more accurate definition.
- Lines 15-19: removing the property owner as financially responsible for labor and material costs.

West Jordan City Council Meeting

Council Staff Review



- Lines 20-23: removing the city as obligated for repair, replacement and/or maintenances within public right-of-way of a state highway.
- Lines 24-30: revised as to clarify that the city does not admit to defective or unsafe conditions as a result of repairs, replacements, or maintenance.

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This Council Staff Review (CSR) has been created to complement the existing Request for Council Action (RCA) form submitted for the respective item.

While appropriate details may be repeated or referenced within a CSR, please refer to the RCA for department staff analysis and reporting, Planning Commission and/or Mayoral recommendations, fiscal impact, and other helpful information, as appropriate.

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 24-15

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
SECTION 8-5-2 REGARDING COSTS FOR MAINTENANCE AND REPAIR OF
SIDEWALK, CURB, AND GUTTER**

9 WHEREAS, the City of West Jordan ("City") adopted West Jordan City Code ("City Code") in
10 2009; and

11 WHEREAS, the City Council of the City ("Council" or "City Council") desires to amend certain
12 sections of the City Code, regarding and related to costs for maintenance and repair of sidewalk, curb,
13 and gutter ("proposed City Code amendments"); and

14 WHEREAS, the City Council held a public meeting on May 8, 2024 regarding the proposed City
15 Code amendments; and

16 WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and
17 welfare of the residents of the City to adopt the following proposed City Code amendments.

18 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN,
19 UTAH AS FOLLOWS:

20 **Section 1. Amendment of Code Provisions.** City Code Section 8-5-2 are amended to read as
21 shown on Attachment 1 to this Ordinance.

23 **Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court
24 of competent jurisdiction, the remainder shall not be affected thereby.

25 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting
26 or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council
27 duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the
28 Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

30 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 10TH DAY OF
31 APRIL 2024.

CITY OF WEST JORDAN

By: _____

Zach Jacob

Council Chair

37 ATTEST:

40 Cindy M. Quick, MMC
41 Council Office Clerk

(continued on the next page)

Voting by the City Council		"YES"	"NO"
45	Council Chair Zach Jacob	<input type="checkbox"/>	<input type="checkbox"/>
46	Council Vice-Chair Chad Lamb	<input type="checkbox"/>	<input type="checkbox"/>
47	Council Member Bob Bedore	<input type="checkbox"/>	<input type="checkbox"/>
48	Council Member Pamela Bloom	<input type="checkbox"/>	<input type="checkbox"/>
49	Council Member Kelvin Green	<input type="checkbox"/>	<input type="checkbox"/>
50	Council Member Kent Shelton	<input type="checkbox"/>	<input type="checkbox"/>
51	Council Member Kayleen Whitelock	<input type="checkbox"/>	<input type="checkbox"/>
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53			
54			
55			
56	PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____.		
57			
58	Mayor's Action: <input type="checkbox"/> Approve <input type="checkbox"/> Veto		
59			
60			
61	By: _____	_____	
62	Mayor Dirk Burton	Date	
63			
64	ATTEST:		
65			
66			
67	_____ Tangee Sloan, CMC		
68	City Recorder		
69			
70			
71			
72	STATEMENT OF APPROVAL/PASSAGE (check one)		
73			
74	<input type="checkbox"/> The Mayor approved and signed Ordinance No. 24-15.		
75			
76			
77	<input type="checkbox"/> The Mayor vetoed Ordinance No. 24-15 on _____ and the City Council timely		
78	overrode the veto of the Mayor by a vote of ____ to ____.		
79			
80			
81	<input type="checkbox"/> Ordinance No. 24-15 became effective by operation of law without the Mayor's approval		
82	or disapproval.		
83			
84			
85			
86	_____ Tangee Sloan, CMC		
87	City Recorder		
88			
89			
90	<i>(continued on the next page)</i>		
91			

Attachment 1

[Attachment to ORDINANCE NO. 24-15]

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
SECTION 8-5-2 REGARDING COSTS FOR MAINTENANCE AND REPAIR OF
SIDEWALK, CURB, AND GUTTER]**

A. ~~A.~~ ~~Repairs Required: Except for those curbs, gutters and sidewalks covered by a current improvement guarantee and except as provided in subsection B of this section, the city administrator will cause defective curbs, gutters and sidewalks which expose the city to liability for personal injuries to be repaired as soon as possible, subject to availability available of funds, budgeted for that purpose, the city will repair potentially hazardous curbs, gutters and sidewalks, except:~~

1. Curbs, gutters and sidewalks covered under a current improvement guarantee; or
2. As provided in Subsection B

B. ~~B.~~ ~~Costs:~~

1. City. The city will pay the materials and labor costs for the ~~maintenance, repair or replacement of sidewalks, curbs, and gutters sections.~~

- a. The city will pay the labor costs for the repair or replacement of defective sidewalks; the adjacent property owner will be responsible for the payment of pay the materials and labor costs to repair or replace defective sidewalks, curbs, and gutters where the defect was the result of abuse, improper use by the adjacent property owner or its guests and invitees.
- b. Notwithstanding the provisions of this subsection, the adjacent property owner will be responsible for pay all materials and labor costs for the repair or replacement of defective concrete within the property owner's driveway (whether such be sidewalk, curb, gutter or drive approach) and park strip. The adjacent property owner will be responsible for the complete labor and materials costs for the repair or replacement of defective sidewalk where the defective condition was caused by the abuse or improper use of the sidewalk by the adjacent property owner, his guests, licensees or invitees.

~~C. State Highway: Nothing in this section shall obligate the city for the repair, replacement and/or maintenance of curb, gutter and/or sidewalk located within the public right-of-way of a state highway; such repair, replacement and/or maintenance is the sole responsibility of the state department of transportation.~~

~~DC.~~ Nonliability of City: Nothing in this section, ~~nor any maintenance, repair, or replacement of potentially defective sidewalks, curbs, or gutters.~~ shall be construed as an admission by the city that any of its ~~sidewalks, curbs, or gutters or sidewalks~~, or any other public improvement within the public right-of-way, is in a defective or unsafe condition. ~~Any repairs to any curb, gutter and/or sidewalk or other improvement within the public right of way shall not be deemed to be an admission that such improvement was defective or in an unsafe condition prior to the repair.~~ (2001 Code § 74-1-102; amd. Ord. 19-48, 12-11-2019, Effective at 12 noon on January 6, 2020)

1 8-5-2: MAINTENANCE OF SIDEWALKS:

2 A. Repairs: Subject to available funds, the city will repair potentially hazardous curbs,
3 gutters, and sidewalks, except:

4 1. Curbs, gutters, or sidewalks covered under a current improvement guarantee; or
5 2. As provided in Subsection B.

6 B. Costs:

7 1. City. The city will pay the materials and labor costs for the maintenance, repair, or
8 replacement of sidewalks, curbs, and gutters.

9 2. Adjacent Property Owners.

10 a. The adjacent property owner will pay the materials and labor costs to repair or replace
11 defective sidewalks, curbs, and gutters where the defect was the result of abuse or
12 improper use by the adjacent property owner or its guests and invitees.

13 b. Notwithstanding the provisions of this subsection, the adjacent property owner will pay
14 all material and labor costs for the repair or replacement of defective concrete within the
15 property owner's driveway approach and park strip.

16 C. Nonliability of City: Nothing in this section, nor any maintenance, repair, or
17 replacement of potentially defective sidewalks, curbs, or gutters, shall be construed as an
18 admission by the city that any of its sidewalks, curbs, or gutters, or any other public
19 improvement within the public right-of-way, is in a defective or unsafe condition. (2001
20 Code § 74-1-102; amd. Ord. 19-48, 12-11-2019, Effective at 12 noon on January 6, 2020)

**MINUTES OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD
APRIL 2, 2024 IN THE WEST JORDAN CITY COUNCIL CHAMBERS**

PRESENT: George Winn, Tom Hollingsworth, John Roberts, Trish Hatch, Ammon Allen, Jay Thomas, and Emily Gonzalez.

STAFF: Larry Gardner, Duncan Murray, Mark Forsythe, Julie Davis, Paul Brockbank, Brian Clegg

The briefing meeting was called to order by George Winn with a quorum present. The agenda was reviewed. Brian Clegg and Larry Gardner explained the purposes for the proposed text amendments.

The regular meeting was called to order at 6:00 p.m. with a quorum present.

1. Approve Minutes from March 19, 2024

MOTION: **Jay Thomas moved to approve the minutes of March 19, 2024. The motion was seconded by Ammon Allen and passed 7-0 in favor.**

2. Taco Bell – West Highland; 5786 West 7800 South; Preliminary Site Plan and Conditional Use Permit for Restaurant, Fast Food; SC-2 Zone; Legends Studio, Inc./Paul Snyder (applicant) [#31313, 31314; parcel 20-26-476-004]

Chris Poulsen, Benchmark Engineering, gave an overview of the proposal. Building placement provides separation from the neighboring tire shop. Landscaping is at 39%, exceeding the 15% minimum requirement. The building design includes parapets on the east and west sides that will break up the façade. Building materials include cement Hardiboard and metal siding. Trees will be located on the south side to provide additional screening along 7800 South. The building will connect to existing utilities. Access is from an existing drive approach and driveway that also services the tire center. The parking requirement has been met. ADA parking stalls and ramps for pedestrian connections are made to the building and to the public rights-of-way on 7800 South and Highlands Loop Road.

Mark Forsythe said the approvals tonight are for a preliminary site plan and conditional use permit for the fast-food restaurant use, which is appropriate for the SC-2 zone. There is a single access off Highlands Loop Road, which should be sufficient given the circular traffic pattern for the site. There is no access from 7800 South due to the proximity to the corner. The code requires at least 6 vehicle stacking spaces in the drive-through lane, and the site shows 8 spaces from the pickup window to the beginning of the drive aisle. Les Schwab Tire does have access to 7800 South that could be used in the unlikely event that traffic becomes an issue. The Design Review Committee reviewed the project and recommended that the south elevation that faces 7800 South either be enhanced architecturally or a row of evergreen trees be planted to screen the utility boxes and improve the aesthetics. The applicant has chosen to provide the evergreen trees.

Based on the findings analyzed and explained in this staff report, staff recommended that the Planning Commission grant approval for the Preliminary Site Plan and the Administrative Conditional Use

Permit for Taco Bell located at 5786 West 7800 South in the SC-2 zone with the Requirements of Approval listed.

Preliminary Site Plan - Requirements of Approval

1. Provide a solid row (at maturity) of evergreen trees along the south building façade to screen the utility panels and blank wall as recommended by the Design Review Committee. Each evergreen tree shall be at least 8 feet in height at planting to provide sufficient screening.

Administrative Conditional Use Permit - Conditions of Approval

There are no conditions of approval suggested by staff because staff has not identified any reasonably anticipated detrimental effects of this use. If the Planning Commission disagrees with staff's analysis and/or identifies any reasonably anticipated detrimental effects of this use, reasonable conditions should be identified, which, if imposed, would reasonably relate to and substantially mitigate each of the reasonably anticipated detrimental effects of the use, and which would comply with existing law. Such information should be clearly included in any motion made by and subsequent decision of the Planning Commission relative to the Application. Any Planning Commission decision will supersede any conflicting analysis or opinions of the Staff stated in this Report or otherwise presented to the Planning Commission.

Ammon Allen asked if any property will be needed from this site for the expansion of 7800 South.

Brian Clegg said that all of the right-of-way needed for 7800 South had already been dedicated.

Ammon Allen asked if there was a concern that customers might use the Les Schwab parking lot and access going to 7800 South.

Mark Forsythe said there hadn't been any concerns raised from Les Schwab. The site was designed as a shared access and the access is open.

George Winn said that the recommendation from the Design Review Committee was helpful.

George Winn opened the public hearing.

Further public comment was closed at this point for this item.

MOTION: **Ammon Allen moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to approve the Preliminary Site Plan for Taco Bell (West Highland) located at 5786 West 7800 South in the SC-2 zone with the Requirements of Approval listed in the staff report. The motion was seconded by Trish Hatch and passed 7-0 in favor.**

MOTION: **Ammon Allen moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to approve the Administrative Conditional Use Permit for a restaurant, fast food limited for Taco Bell (West Highland) located at 5786 West 7800 South in the SC-2 zone with no Conditions of Approval as explained in the staff report. The motion was seconded by Trish Hatch and passed 7-0 in favor.**

3. Text Amendment – Maintenance of Sidewalks; Ordinance No. Amend Section 8-5-2 of the 2009 West Jordan Municipal Code, which addresses the costs of sidewalk, curb, and gutter maintenance, repair, and replacement; City-wide applicability; City of West Jordan (applicant)

Brian Clegg, Public Works Director, reviewed the purpose of the revision, which is to shift the material and labor costs for sidewalk repairs back to the city. He explained the current process, which requires the property owner to pay for materials. This change will address efficiency and liability issues. With this change, streets crews can complete the work without waiting for permission or funding from residents. The only repairs not covered by this change would be damages due to negligence by the homeowner.

Staff recommended that the Planning Commission forward a positive recommendation to the City Council for the Text Amendment regarding Maintenance of Sidewalks.

There was a discussion regarding funding and comparisons to other cities. Most cities do not require the resident to pay. The ordinance only applies to sidewalks in the public right-of-way. Costs can vary but an average could be \$300 for replacing two sections. The city has a safe sidewalk fund for repair and replacement, but the current process hinders using the funds for replacements. There are new work orders submitted daily for these types of repairs.

Trish Hatch felt that the proposal made sense.

Ammon Allen also felt that this change sends a good message and is an overall benefit to the community.

Duncan Murray addressed the issue of liability. This amendment puts the city in a better position, since we are the ones paying for and doing the work and we can do it in a timelier way. Having an overall policy also further reduces the liability.

George Winn opened the public hearing.

Jason Duffin, Public Works Operations Manager, explained how this amendment would benefit the community as the city can use the sidewalk money more efficiently and in a timely manner, especially where repairs such as horizontal cutting are not an option. The current process is very time-consuming. He said they have been working for a long time on this amendment to make safer sidewalks.

Further public comment was closed at this point for this item.

MOTION: Jay Thomas moved to forward a positive recommendation to the City Council for the Text Amendment regarding Maintenance of Sidewalks. The motion was seconded by Ammon Allen and passed 7-0 in favor.

4. **Text Amendment – Planned Community Hillside Zone; Amend the 2009 West Jordan Municipal Code Section 13-5L-7A changing Townhome Unit minimum interior lot frontage from twenty-two feet (22') to twenty feet (20'); Amending 13-5L-7B changing Townhome Building minimum side yard width from ten feet (10') to five feet (5'); City-wide applicability; City of West Jordan (applicant)**

Larry Gardner explained that the first amendment in the PCH code changes the lot frontage for townhomes only from 22 feet to 20 feet. He explained that each townhome is a separate parcel. Secondly, the minimum side yard setback for each building is being amended from 10 feet to 5 feet, which provides a total of 10 feet between buildings. The ordinance was originally intended to read as it is being proposed tonight, and the change will clear up some of the design issues that have been created. Also, the amendment will currently only affect the Terraine West Bench (Wood Ranch) development because it is the only land within the PCH zoning district at this time.

Based on the analysis and findings contained in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council for the Text Amendment regarding the Planned Community Hillside zoning district amending townhome lot width and side yard setbacks.

Tom Hollingsworth asked if the change would have any impact for the fire department.

Paul Brockbank, Fire Marshal, said it would not.

John Roberts wanted to state for the record that in the pre-meeting it was said that the amendment would not change the actual density of the subdivision, but it pushes the green space into the common areas.

Larry Gardner said that was correct. Also, the development is capped at a certain density.

George Winn opened the public hearing.

Scott Chapple, West Jordan resident speaking remotely, said he had not realized that the amendment was only for townhomes, which he was okay with. His concern was if it were for single-family homes because of the issues with houses and driveways being so close have created within the Sycamores.

Further public comment was closed at this point for this item.

MOTION: Ammon Allen moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to forward a positive recommendation to the City Council for the Text Amendment regarding the PCH Zone as presented. The motion was seconded by John Roberts and passed 7-0 in favor.

MOTION: Jay Thomas moved to adjourn.

The meeting was adjourned at 6:33 p.m.

GEORGE WINN
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development Department

Approved this _____ day of _____, 2024

DRAFT



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 05/08/2024

Presenter: Larry Gardner

Deadline of item : 04/23/2024

Applicant: West Jordan City

Department Sponsor: Community Development

Agenda Type: PUBLIC HEARINGS

Presentation Time: 5 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 24-22 amending subsections 13-5L-7A and 13-5L-7B of Article L Planned Community Hillside zone.

2. EXECUTIVE SUMMARY

In the August 11, 2021 City Council Meeting, the Planned Community Hillside Zoning Ordinance (PCH) was approved to guide the development of the Terraine (recently named "Wood Ranch") master planned community. This PCH adopted a lot width of twenty-two feet, and a ten-foot side yard setback.

Plans for townhomes within the Terraine MDA, however, were designed for lot widths of twenty-feet with five-foot side yard setbacks. Accordingly, the Terraine MDA was proposed to and approved by council in the December 15, 2021 City Council Meeting (Ordinance 21-42).

In order to fix the conflicting requirements, council is requested to consider Ordinance No. 24-22, which will amend appropriate subsections within Article L of the PCH, establishing consistent twenty-foot lot width and five-foot side yard setback requirements in city code and the Terraine MDA.

According to planning staff, the townhome product constructed in Terraine, with the twenty-foot lot width and five-foot setback, will be a mirror to what has been constructed hundreds of times in the Daybreak development in South Jordan City. The plan reduction of the lot width (22' to 20') and side yard setback (10' to 5') will not affect parking and will not have a discernible impact upon the development.

3. TIME SENSITIVITY / URGENCY

Urgent. Approval of a plat on the May 21, 2024, Planning Commission meeting is dependent upon ordinance approval.

4. FISCAL NOTE

No fiscal impact.

5. PLANNING COMMISSION RECOMMENDATION

Ammon Allen moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to forward a positive recommendation to the City Council for the Text Amendment regarding the PCH Zone as presented. The motion was seconded by John Roberts and passed 7-0 in favor.

6. STAFF ANALYSIS: As the Council deliberates on the matter, please consider the following information.

The proposed ordinance amendment is attachment A. The developer of Terraine has given the following explanation for the proposed amendment:

1. *13-5L-7: Table A – minimum townhome unit width to be 20'. Table A calls for 22'. We remember reviewing and discussing this dimension and for whatever reason it was never changed prior to final approval. Our land plan has always contemplated 20-ft wide townhomes and those dimensions can generally be seen in the exhibits in the MDA.*
2. *13-5L-7: Table B – in the setback table the minimum side yard width for a townhome building is called out as 10'. We would like to this be changed to 5'. The intent was to have at least 10' of separation between buildings, and not 10' from the property line to the building. Our land plan has contemplated this spacing from the beginning and those dimensions can generally be seen in the exhibits in the MDA.*

Zoning Text Amendment: The Planning Commission considered the criteria below in making a positive recommendation to the City Council.

Criteria 1: *The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan and future land use map;*

Discussion: A guiding principle of the land use portion of the General Plan states: Land use designs must promote quality of life, safety, and good urban design. Terraine is a deliberately planned community that has been under rigorous design for the last six years. The developer has purposely planned each and every neighborhood and has determined how the housing fits together in a cohesive manner. All of the homes in Terraine are rear loaded from alleys so there is not the possibility of vehicles straddling or pedestrian conflicts with those using the sidewalks. The proposed changes are in harmony with the developer's vision for Terraine and will not affect any other community in West Jordan.

Finding: The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan and future land use map.

Criteria 2: The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;

Discussion: Terraine is a deliberately planned community that has been under rigorous design for the last six years. The developer has purposely planned each and every neighborhood and has determined how the housing fits together in a cohesive manner. All of the homes in Terraine are rear loaded from alleys so there is not the possibility of vehicles straddling or pedestrian conflicts with those using the sidewalks. The proposed changes are in harmony with the developer's vision for Terraine and will not affect any other community in West Jordan.

Finding: The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title.

Criteria 3: The proposed amendment will not create a conflict with any other section or part of this title or the general plan;

Discussion: The proposed amendment will only impact the PCH zone. Staff has not found, at this point, any conflicts with any other sections of the 2009 City Code or the general plan.

Finding: The proposed amendment will not create a conflict with any other section or part of this title or the general plan.

Criteria 4: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.

Discussion: The draft ordinance as written will only impact the PCH zone and will correct the ordinance to be in harmony with the developer's vision of Terraine. The amendment will not relieve a particular hardship or grant special privileges to any one person or entity but will result in a harmonious development. The proposed changes are in harmony with the developer's vision for Terraine and will not affect any other community in West Jordan.

Finding: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.

7. MOTION RECOMMENDED

Move to approve Ordinance No. 24-22 amending subsections 13-5L-7A AND 13-5L-7B of Article L Planned Community Hillside zone.

West Jordan City Council Meeting

Council Staff Review



Item Name: Ordinance No. 24-22; Planned Community Hillside Amendments

Department: Public Works

Action Needed: Approve/Not Approve Ordinance

ITEM SUMMARY

The proposed ordinance amendments will adopt a twenty-foot lot width and a five-foot side yard setback, instead of twenty-two feet and 10 feet, respectively, as they relate to the Planned Community Hillside Zoning Ordinance (PCH).

POSSIBLE COUNCIL ACTIONS

Council may choose to take one of the following actions:

1. Approve the ordinance as written and as proposed OR with stated amendments;
2. Not Approve the ordinance;
3. Continue the item to a future specified date;
4. Move the item to an unspecified date;
5. Refer the item back to a Committee of the Whole Meeting, Council Subcommittee, or an Ad Hoc Committee;
6. Refer the item back to Council Staff or Administrative Staff.

BACKGROUND & TIMELINE

The PCH was approved in the August 21, 2021 City Council Meeting to guide the development of the Terraine (recently called “Wood Ranch”) master planned community, with twenty-two-foot lot widths and 10-foot side yard setbacks.

Despite the adopted ordinance, townhomes within the Terraine were planned with twenty-foot lot widths and five-foot side yard setbacks. The oversight was recently noticed by planning staff, who requests the urgent consideration of action on this ordinance.

While the proposed ordinance will align the MDA/MDP with city code, a plat on the May 21, 2024 Planning Commission meeting agenda is contingent on its approval.

COUNCIL OFFICE ANALYSIS

Within the community master plan (approved by council in the December 15, 2021 City Council Meeting), townhomes within Terraine were designed with a 20 foot lot width with a five-foot side yard setback. The previous PCH ordinance (approved in the August 21, 2021 City Council Meeting) established width and setback requirements for 22' and 10', respectively. The proposed amendment will align city code and the PCH to a twenty-foot lot width and a five-foot side yard setback.

West Jordan City Council Meeting

Council Staff Review



Council staff reached out to Scott Langford, the city's Community Development Director, who confirmed the Terraine (Wood Ranch) MDA had plans for 20' wide townhome lots.

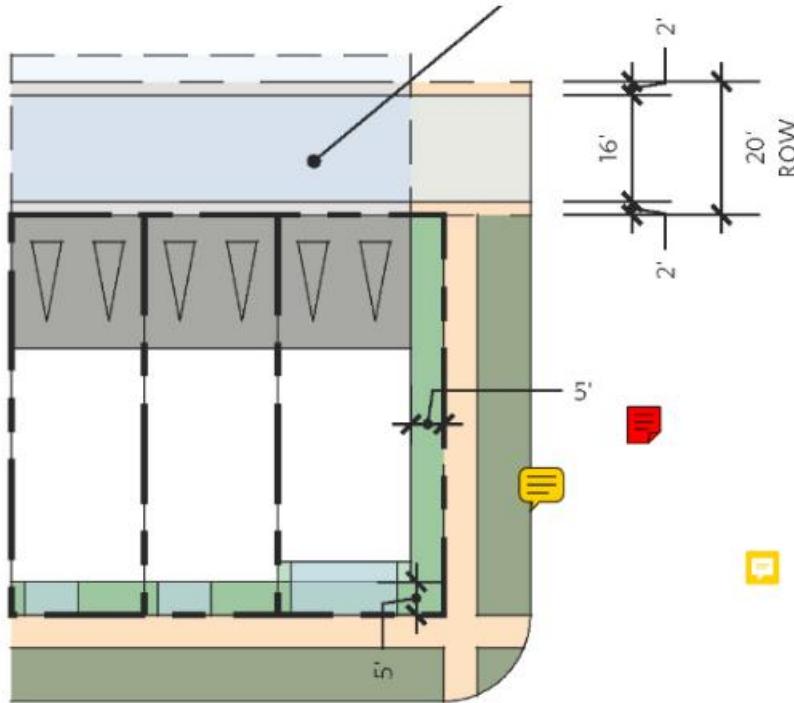
Mr. Langford provided the map below, which can be found on page 82 of the approved MDA/MDP, shows 642 townhome/flat lots that are 20'x75'.



The image on the following page, also provided by Mr. Langford, shows the expectations of 5-foot side yard setbacks for townhome lots.

West Jordan City Council Meeting

Council Staff Review



Townhouse

This Council Staff Review (CSR) has been created to complement the existing Request for Council Action (RCA) form submitted for the respective item.

While appropriate details may be repeated or referenced within a CSR, please refer to the RCA for department staff analysis and reporting, Planning Commission and/or Mayoral recommendations, fiscal impact, and other helpful information, as appropriate.

THE CITY OF WEST JORDAN, UTAH
ORDINANCE NO. 24-22

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(TOWNHOMES IN PCH ZONES – REGULATIONS FOR MINIMUM INTERIOR
LOT WIDTHS [FRONTAGES] AND MINIMUM BUILDING SIDE YARD SETBACKS;
AMENDING SUBSECTIONS 13-5L-7A AND 13-5L-7B)**

8 WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“**City Code**”)
9 in 2009; and the City Council of the City (“**Council**” or “**City Council**”) desires to amend Subsections
10 13-5L-7A and 13-5L-7B (“**proposed City Code amendments**”); and

WHEREAS, the Planning Commission of the City (“**Planning Commission**”) held a public hearing and provided a recommendation on April 2, 2024, regarding the proposed City Code amendments, which are all land use regulations in the land use titles; and determined the following, pursuant to City Code Section 13-7D-6B:

15 1. The proposed City Code amendments conform to the General Plan and are consistent with the
16 adopted goals, objectives and policies described therein;

17 2. The proposed City Code amendments are appropriate given the context of the request and
18 there is sufficient justification for a modification to the land use titles;

19 3. The proposed City Code amendments will not create a conflict with any other section or part
20 of the land use titles or the General Plan; and

21 4. The proposed City Code amendments do not relieve a particular hardship, nor do they confer
22 any special privileges to a single property owner or cause, and they are only necessary to make a
23 modification to the land use titles in light of corrections or changes in public policy; and

24 WHEREAS, the City Council held a public hearing on May 8, 2024, regarding the proposed
25 City Code amendments, and finds it to be in the best interest of the public health, safety, and welfare
26 of the residents of the City to adopt the following proposed City Code amendments.

27 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
28 WEST JORDAN, UTAH AS FOLLOWS:

29 **Section 1. Amendment of City Code Provisions.** City Code Subsections 13-5L-7A and 13-
30 5L-7B is amended as shown in Attachment 1 (legislative version) to this Ordinance.

31 **Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court
32 of competent jurisdiction, the remainder shall not be affected thereby.

33 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting
34 or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council
35 duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto
36 the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

40
41
42 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
43 DAY OF _____ 2024.
44

45 CITY OF WEST JORDAN
46

47 By: _____
48 Zach Jacob
49 Council Chair

50 ATTEST:
51

52 _____
53 Cindy M. Quick, MMC
54 Council Office Clerk
55
56
57

58 **Voting by the City Council**

"YES" "NO"

Council Chair Zach Jacob	<input type="checkbox"/>	<input type="checkbox"/>
Council Vice-Chair Chad Lamb	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Kelvin Green	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Pamela Bloom	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Kent Shelton	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Kayleen Whitelock	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Bob Bedore	<input type="checkbox"/>	<input type="checkbox"/>

68
69 **PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____.**

70
71 Mayor's Action: _____ Approve _____ Veto
72

73
74 By: _____
75 Mayor Dirk Burton Date
76
77

78 ATTEST:
79
80

81
82 _____
83 Tangee Sloan, CMC
84 City Recorder
85

86
87
88 **STATEMENT OF APPROVAL/PASSAGE (check one)**

89
90 The Mayor approved and signed Ordinance No. 24-22.
91
92

93 The Mayor vetoed Ordinance No. 24-22 on _____ and the
94 City Council timely overrode the veto of the Mayor by a vote of _____ to _____.
95
96

97 Ordinance No. 24-22 became effective by operation of law without the
98 Mayor's approval or disapproval.
99
100

101 _____
102 Tangee Sloan, CMC
103 City Recorder
104
105
106

107 **CERTIFICATE OF PUBLICATION**

108 I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that
109 a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the
110 _____ day of _____ 2024. The fully executed copy of the ordinance is
111 retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.
112

113 _____
114 _____
115 Tangee Sloan, CMC
116 City Recorder
117
118

119 *(Attachment on the following pages)*
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Attachment 1 to

ORDINANCE NO. 24-22

135 **AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE**
136 **(TOWNHOMES IN PCH ZONES – REGULATIONS FOR MINIMUM INTERIOR**
137 **LOT WIDTHS [FRONTAGES] AND MINIMUM BUILDING SIDE YARD SETBACKS;**
138 **AMENDING SUBSECTIONS 13-5L-7A AND 13-5L-7B)**

139
140
141

(See the following pages)

1 **13-5L-7: LAND USE REGULATIONS:**

2 The PCH zone allows for the development of several different product types associated with specific uses. Each product type subject to
 3 distinct zoning regulations, and separate phasing requirements.

4 A. Minimum Lot Size and Building Orientation, by Product Type: For each product type, the minimum lot area, frontage,
 5 and depth are as follows:
 6

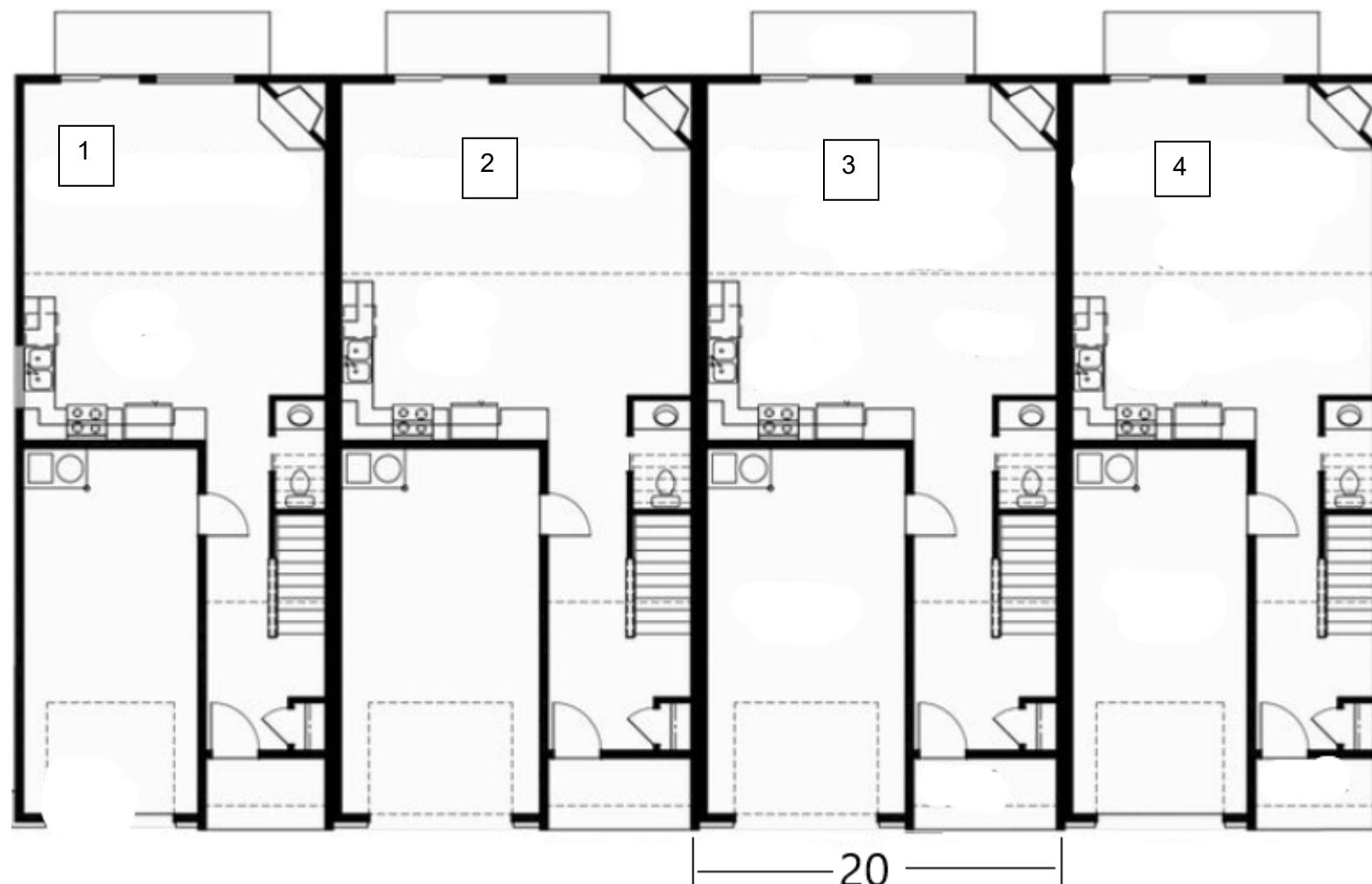
Product Type	Min Interior Lot Area	Min Interior Lot Frontage	Min. Lot Depth	Min Corner Lot Area
Product Type	Min Interior Lot Area	Min Interior Lot Frontage	Min. Lot Depth	Min Corner Lot Area
Single Family Detached				
Wide Lot	6,750 ft ²	75'	90'	7,750 ft ²
Medium Lot	4,500 ft ²	50'	90'	5,500 ft ²
Narrow Lot	2,625 ft ²	35'	75'	3,625 ft ²
Green Court Lot	1,500 ft ²	30'	50'	N/A
Flag Lot	1,500 ft ²	30'	50'	N/A
Multi-family				
Townhome Unit	1,100 ft ²	22' 20'	50'	2,100 ft ²
Tuck Under Lot	6,000 ft ²	60'	100'	8,000 ft ²
Podium Building Lot	10,000 ft ²	100'	100'	11,000 ft ²
Commercial				
Small	1,875 ft ²	25'	75'	2,875 ft ²
Large	25,000 ft ²	150'	150'	26,000 ft ²
Institutional	5 acres	300'	300'	5 acres
Community Use	10,000 ft ²	75'	90'	11,000 ft ²
Mixed Use	5,000 ft ²	90'	50'	6,000 ft ²

B. Minimum setbacks, height, by product type: For each product type, the minimum setbacks and maximum height are as follows:

Product Type	Min Front Yard Depth	Min Corner Side Yard	Min Side Yard Width	Min Rear Yard Depth	Maximum Height ¹	Maximum Stories
Product Type	Min Front Yard Depth	Min Corner Side Yard	Min Side Yard Width	Min Rear Yard Depth	Maximum Height ¹	Maximum Stories
Single Family Detached						
Wide Lot	11'	11'	5'	4'	30'	2.5
Medium Lot	10'	10'	5'	4'	30'	2.5
Narrow Lot	10'	10'	5'	4'	30'	2.5
Green Court Lot	10'	5'	3'	2'	30'	2.5
Flag Lot	10'	5'	3'	2'	30'	2.5
Multi-family						
Townhome Building	10'	10'	10'-5'	4'	40'	4
Tuck Under Building	10'	5'	5'	4'	60'	5
Podium Building	10'	5'	5'	4'	60'	5
Commercial						
Small	10'	5'	0'	2'	24'	2
Large	10'	10'	18'	2'	36'	3
Community Use	10'	10'	10'	2'	30'	2.5
Mixed Use	10'	10'	10'	2'	60'	5
Institutional	10'	10'	10'	10'	N/A	N/A

¹ A gable, hip, barrel, or similar pitched roof, may extend up to five feet (5') above the maximum height if the roof pitch is 4:12 or greater (Pitched Roof Height Bonus). A Pitched Roof Height Bonus shall not be added to the allowed maximum height for the purposes of calculating building envelope or volumetrics.

Each Townhome will have a twenty foot lot width as shown on lot 3. This plan is a representation only and not an actual plan from Terraine.



The setback from each townhome to the property line is five feet. This will result in ten feet between buildings.



**MINUTES OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD
APRIL 2, 2024 IN THE WEST JORDAN CITY COUNCIL CHAMBERS**

PRESENT: George Winn, Tom Hollingsworth, John Roberts, Trish Hatch, Ammon Allen, Jay Thomas, and Emily Gonzalez.

STAFF: Larry Gardner, Duncan Murray, Mark Forsythe, Julie Davis, Paul Brockbank, Brian Clegg

- 1. Text Amendment – Planned Community Hillside Zone; Amend the 2009 West Jordan Municipal Code Section 13-5L-7A changing Townhome Unit minimum interior lot frontage from twenty-two feet (22') to twenty feet (20'); Amending 13-5L-7B changing Townhome Building minimum side yard width from ten feet (10') to five feet (5'); City-wide applicability; City of West Jordan (applicant)**

Larry Gardner explained that the first amendment in the PCH code changes the lot frontage for townhomes only from 22 feet to 20 feet. He explained that each townhome is a separate parcel. Secondly, the minimum side yard setback for each building is being amended from 10 feet to 5 feet, which provides a total of 10 feet between buildings. The ordinance was originally intended to read as it is being proposed tonight, and the change will clear up some of the design issues that have been created. Also, the amendment will currently only affect the Terraine West Bench (Wood Ranch) development because it is the only land within the PCH zoning district at this time.

Based on the analysis and findings contained in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council for the Text Amendment regarding the Planned Community Hillside zoning district amending townhome lot width and side yard setbacks.

Tom Hollingsworth asked if the change would have any impact for the fire department.

Paul Brockbank, Fire Marshal, said it would not.

John Roberts wanted to state for the record that in the pre-meeting it was said that the amendment would not change the actual density of the subdivision, but it pushes the green space into the common areas.

Larry Gardner said that was correct. Also, the development is capped at a certain density.

George Winn opened the public hearing.

Scott Chapple, West Jordan resident speaking remotely, said he had not realized that the amendment was only for townhomes, which he was okay with. His concern was if it were for single-family homes because of the issues with houses and driveways being so close have created within the Sycamores.

Further public comment was closed at this point for this item.

MOTION: Ammon Allen moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to forward a positive recommendation to the City Council for the Text Amendment regarding the PCH Zone as presented. The motion was seconded by John Roberts and passed 7-0 in favor.



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 05/08/2024

Presenter: Danyce Steck

Deadline of item : 05/08/2024

Applicant:

Department Sponsor: Admin. Services

Agenda Type: BUSINESS ITEMS

Presentation Time: 15 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Acceptance and receipt of the Mayor's Tentative Budget for the City of West Jordan, Utah for Fiscal Year 2025.

2. EXECUTIVE SUMMARY

Utah State Code 10-6-111 requires the Mayor's tentative budget be filed with the governing body for each fund for which a budget is required. This action will confirm and meet the State requirement.

The proposed budget includes a recommendation for a 3.5% property tax increase.

1. If the Council supports a property tax increase, the Council will have until June 26th to adopt a tentative budget followed by a public hearing on August 13, 2024 and adoption of a final budget by no later than August 31, 2024.
2. If the Council does not support a property tax increase, the Council will need to adopt a tentative budget, hold a public hearing on the budget, and adopt a final budget by June 26, 2024.

This action formally receives the city budget under the purview of the city council for any amendments the council body can agree. State law has specific timelines on the budget process for the council to follow.

3. TIME SENSITIVITY / URGENCY

Utah State Code 10-6-111 requires the Mayor's tentative budget be filed with the governing body for each fund for which a budget is required on or before the first regularly scheduled meeting of the governing body in May of the current period.

4. FISCAL NOTE

See the attached budget for further details

5. PLANNING COMMISSION RECOMMENDATION

N/A

6. STAFF ANALYSIS

Staff recommends acceptance of the Mayor's Tentative Budget.

7. MOTION RECOMMENDED

Move to accept the Mayor's Tentative Budget for the City of West Jordan, Utah for the Fiscal Year 2025.

8. MAYOR RECOMMENDATION

The Mayor recommends the Council accept the Mayor's Tentative Budget for the City of West Jordan, Utah for the Fiscal Year 2025.

9. PACKET ATTACHMENT(S)

10. OTHER INFORMATION

N/A



**MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING
Wednesday, April 10, 2024 – 6:00 pm
*Waiting Formal Approval***
8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

1. CALL TO ORDER

COUNCIL: Chair Zach Jacob, Vice Chair Chad Lamb, Bob Bedore (joined at 6:01 pm), Pamela Bloom, Kelvin Green, Kayleen Whitelock

STAFF: Council Office Director Alan Anderson, Mayor Dirk Burton, City Attorney Josh Chandler, Public Works Director Brian Clegg, Policy Analyst & Public Liaison Warren Hallmark, Community Development Director Scott Langford, City Administrator Korban Lee, Fire Chief Derek Maxfield, Council Office Clerk Cindy Quick, Deputy Police Chief Jeremy Robertson, Business Retention/Expansion Manager Marc Summers

Chair Jacob called the meeting to order at 6:00 pm and noted that Council Member Kent Shelton was absent.

2. PLEDGE OF ALLEGIANCE

Deputy Chief Jeremy Robertson led participants in the Pledge of Allegiance.

3. PUBLIC COMMENT

Chair Jacob informed the public of an error in a public hearing notice regarding Jones Landing North. He said the public were welcome to comment that evening on that item, but it would not be discussed by the Council until the next Council meeting on April 24, 2024.

Chair Jacob opened the public comment period at 6:03 pm.

Comments:

Darren Atkinson, Draper resident, said he observed a West Jordan Police Department SUV from the K9 Unit drive in the HOV lane on I-15, which was not allowed. He reported the occurrence by phone. Mr. Atkinson read aloud from a transcript he received and stated that nothing was done to the officer despite the risk to other drivers. He said all communication had been done by email, with nothing done in person as far as he knew.

Jennifer Sorensen, West Jordan resident on 1950 West, said she wanted the Council to understand her concern for traffic with proposed development that would make 1950 West a through street from Sugar Factory to Gardner Lane. She said that only four families had received notification of the public meetings and many people were frustrated with the history of incorrect notifications.

Chad Maines, West Jordan resident just off 1950 West, expressed concern that not all residents

of the subdivision had been informed of the first public meeting. Mr. Maines asked what communication efforts were made, and asked what traffic study was done. He said there was a reason for the speed bumps already placed on 1950 West, and asked if more would be installed if the street were extended. Mr. Maines expressed the opinion that a bridge should be placed on 2200 West whether or not 1950 West was extended. He believed higher density meant more vehicles on the street and more vehicles parked on the side of the street, and felt the planned street was too narrow. Mr. Maines asked how the neighborhood would handle the construction traffic. He was thankful the developer had gone with single-family homes.

Wes Timet, West Jordan resident on 1950 West, said his main concern was that traffic would become congested if 1950 West were the only access for the approximately 180 existing homes and 55 more planned homes. He suggested second access should be provided and agreed that more speed bumps should be added to slow traffic.

Ted Slaymaker, West Jordan resident and small business owner, requested a zoning change to allow tattoo shops in the M-1 Zone in the manufacturing district on Airport Road. He believed there had been an oversight for that Manufacturing Zone where manufacturing and flex spaces were concerned and asked how to go about requesting an ordinance change. He had experienced landlord discrimination in areas of the City in which his shop would currently be allowed.

Daryl Moore, West Jordan resident on 1950 West, suggested two access points for the new neighborhood, with his street being a dead-end so traffic did not go through. He expressed concern for the safety of children in his neighborhood. Mr. Moore commented on the number of vehicles parked on the street.

Rachael Day, West Jordan resident in the Park Port Subdivision just off 1950 West, requested 1950 West become a dead-end street. She was worried about traffic and crime as well. Ms. Day would appreciate if no big trucks were going through the neighborhood.

Jennifer Bedore thanked the Council for providing the community with a theater.

John Maddox, West Jordan resident on 1950 West, said it was his understanding that the current development plans did not include speed bumps, and spoke in favor of having speed bumps all along 1950 West for the safety of kids playing in the neighborhood. He said drivers went through the neighborhood driving 55-60 miles per hour and was frustrated with the length of time it had taken to get the existing speed bumps in the neighborhood.

Alexandra Eframo said she was 91 years young and missed attending Council meetings in person. She asked everyone to take a minute to count their blessings. Ms. Eframo felt blessed to live in the USA and read aloud a poem about courage.

Chair Jacob closed public comments at 6:32 pm.

4. REPORTS TO COUNCIL

a. City Council Reports

Council Member Whitelock thanked the Parks Department and Events Department for the recent Easter egg hunt. She thanked the Human Resources Department for employee training efforts.

Council Member Bloom voiced appreciation for the Arts Center groundbreaking, describing it as a special moment.

Council Member Green expressed gratitude for the support from Senator Harper and Representative Atkin at the Arts Center groundbreaking. He thanked the Mayor and staff for their thoughtful preparations for the Easter egg event, particularly for helping the Council accommodate those who arrived late. He encouraged the continuation of the area designated for children with disabilities. Council Member Green was unable to attend the recent Municipal Councils meeting.

Council Member Bedore thanked staff for the care put into the Easter egg free-for-all. He said it had been fun to shovel dirt at the recent Arts Center groundbreaking, and expressed the opinion that the time it took to get things done needed to improve.

Chair Jacob reported the recently approved Tentative Budget for the Jordan Valley Water Conservancy District included a 6.2% water rate increase for the City.

b. Council Office Report

Council Office Director Alan Anderson provided an update on continued finishing touches at City Hall.

c. Mayor's Report

Mayor Dirk Burton reported brick and stucco work was completed on the Justice Center and would begin on the Senior Center. He reported on the Arts Center groundbreaking, spoke of an opportunity to get a passport without an appointment on April 27, and spoke of upcoming Dumpster Days.

d. City Administrator's Report

Deputy Police Chief Jeremy Robertson reported on a new Lights On public outreach program that would be partially funded by grants.

e. ChamberWest Report

Marc Summers, Business Retention Manager for West Jordan, spoke of his interaction with ChamberWest, and said partnering with ChamberWest expanded opportunities for the City to serve and provide resources to West Jordan businesses. Barbara Riddle, ChamberWest President, provided an update on ChamberWest activities, and answered questions from the Council.

5. BUSINESS ITEMS

a. Ordinance No. 24-16 amending West Jordan City Code Sections 6-3B-1 and 6-3C-5 addressing animal impound duration and licensing renewal timing

Animal Service Manager Dan Eatchel oriented the Council with proposed amendments that would bring City Code Sections 6-3B-1 and 6-3C-5 into compliance with State Code

regarding impound duration and allow renewal of pet licenses annually from the date of licensure instead of at the end of the calendar year. He said pet licensing had shifted completely to his department, and the proposed change would spread the workload out through the year and increase the time the licenses would last. Mr. Eatchel answered questions from the Council.

Council Member Whitelock suggested the late-renewal penalty currently in place might result in decreased compliance. Council Member Green suggested renewal should be possible online and suggested incentivizing a second-quarter renewal next year to help spread out the workload, since most licenses would still be due in January. Mayor Burton said such an option would be available if the Council approved the proposed amendments and said staff would consider the options.

Council Member Green expressed the opinion that 6-3C-5 contained poor wording and pointed out specific examples. He said he would prefer to postpone approval to clean up the wording.

MOTION: Vice Chair Lamb moved to APPROVE Ordinance No. 24-16 amends West Jordan City Code Sections 6-3B-1 and 6-3C-5 addressing animal impound duration and licensing renewal timing.

Council Member Bedore seconded the motion.

Vice Chair Lamb said he was in favor of approving the changes presented that evening, with additional changes brought back later. Council Member Bloom said she agreed with moving forward with proposed changes, and agreed additional wording changes were needed. Council Member Whitelock said the Council had previously expressed a desire for all language to be reviewed when portions of City Code were presented for amendment. She asked that staff not present amendments without looking at the whole Code.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kayleen Whitelock

NO:

ABSENT: Kent Shelton

The motion passed 6-0.

b. *Ordinance No. 24-19 amending West Jordan City Code Title 2 – Executive Branch Committees*

Council Office Director Alan Anderson said the Council previously discussed amendments to City Code Title 2. He reported changes requested by the Council were made. The Council discussed proposed language.

MOTION: Council Member Bloom moved to APPROVE Ordinance No. 24-19 amending West Jordan City Code Title 2 – Executive Branch Committees.

Vice Chair Lamb seconded the motion.

The vote was recorded as follows:

YES: **Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kayleen Whitelock**

NO:

ABSENT: Kent Shelton

The motion passed 6-0.

c. Ordinance No. 24-04 amending West Jordan City Code Title 1, Chapter 8 – Municipal Administration, including Departments

Council Office Director Alan Anderson reported changes requested by the Council during previous discussion of Title 1, Chapter 8 had been made. Council Member Bloom thanked staff for their hard work.

MOTION: Council Member Green moved to APPROVE Ordinance No. 24-04 amending West Jordan City Code Title 1, Chapter 8 – Municipal Administration, including Departments.

Council Member Bloom seconded the motion.

The vote was recorded as follows:

YES: **Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kayleen Whitelock**

NO:

ABSENT: Kent Shelton

The motion passed 6-0.

d. Ordinance No. 24-10 amending West Jordan City Code Title 6, Chapter 3, Article E. Ownership and Maintenance of Fowl

Council Office Director Alan Anderson said the Council previously discussed proposed amendments to the definition of “fowl” in City Code to specify prohibited fowl and expand the definition of permitted fowl. He said staff had worked with Mr. Eatchel and Mr. Davenport to comply with EPA Standards. Council Member Green thanked the City Attorney’s Office for working through proposed changes. He expressed concern that bird licensing was done through the business license division, yet dogs and cats were licensed through animal control, and asked the Mayor to look at the issue.

Council Member Bloom said she was excited for all fowl enthusiasts. She expressed concern with some of the cleaning requirements included and explained that litter methods varied.

MOTION: Council Member Green moved to APPROVE Ordinance No. 24-10 amending West Jordan City Code Title 6, Chapter 3, Article E. Ownership and Maintenance of Fowl.

Council Member Whitelock seconded the motion.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kayleen Whitelock

NO:

ABSENT: Kent Shelton

The motion passed 6-0.

6. CONSENT ITEMS

a. Approve Meeting Minutes

- *March 20, 2024 – Committee of the Whole Meeting*

MOTION: Council Member Green moved to APPROVE the consent agenda as listed.

Council Member Whitelock seconded the motion.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kayleen Whitelock

NO:

ABSENT: Kent Shelton

The motion passed 6-0.

7. ADJOURN

Chair Jacob adjourned the meeting at 7:39 pm.

I hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on April 10, 2024. This document constitutes the official minutes for the West Jordan City Council meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this ____ day of ____ 2024



**MINUTES OF THE CITY OF WEST JORDAN
COMMITTEE OF THE WHOLE
Wednesday, April 10, 2024 – 6:15 pm**
Waiting Formal Approval
8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

1. CALL TO ORDER

COUNCIL: Chair Zach Jacob, Vice Chair Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kayleen Whitelock

STAFF: Council Office Director Alan Anderson, Community Engagement & Government Affairs Director Tauni Barker, Mayor Dirk Burton, City Attorney Josh Chandler, Assistant City Administrator Jamie Davidson, Policy Analyst & Public Liaison Warren Hallmark, City Administrator Korban Lee, Council Office Clerk Cindy Quick

Chair Jacob called the meeting to order at 7:48 pm, and noted that Council Member Shelton was absent.

2. DISCUSSION TOPICS

- a. *Discussion regarding efforts and process to have a State Liquor Store in West Jordan*
Government Affairs Director Tauni Barker oriented the Council with the process to obtain a State liquor store. She reported the portions of West Jordan that fell in State-designated District 48 (Herriman area) currently met requirements to qualify for a liquor store. The District 48 area was currently number seven on the State's priority list for new liquor store locations. The Utah Department of Alcoholic Beverage Services (DABS) already identified 9000 South and 4000 West by Smith's as a potential location, with the Dry Creek Highlands area off U-111, and the Olympia Hills area as second and third possibilities. Ms. Barker said two groups had been actively lobbying for the liquor store to be in the Olympia Hills area.

Ms. Barker explained liquor stores were funded by the Legislature, and said recent focus of the DABS had been on process improvement and online sales. Responding to a question from Council Member Green, Ms. Barker said she believed the District 48 location would move up the priority list if the DABS did not need to acquire land, but would most likely not move all the way to priority spots 1, 2, or 3. Council Member Green referred to a specific plot of land owned by the Redevelopment Agency. Ms. Barker responded that population was a significant factor, and expressed the opinion that population in the area referred to was probably not expected to grow enough for a District 48 liquor store to become a higher priority.

Ms. Barker reported sales at existing liquor stores in Herriman and West Valley were not performing up to average. The DABS estimated annual sales tax revenue from a liquor store located in West Jordan would be approximately \$50,000. Ms. Barker spoke of the lobbying cost associated with pursuing a liquor store. She proposed three investment

options, with the first being \$35,000-\$50,000 in addition to what the City currently spent on lobbying, and no promise of a liquor store in the next five years. Council Member Bloom expressed the opinion that a liquor store would provide a service to the community and would be willing to explore land options to make the area more appealing to the DABS.

Ms. Barker proposed a second investment option that would involve the City pushing the issue more than it had been, but with less financial investment than the first option, and with potential to obtain a liquor store in perhaps 8-10 years. She presented a third option of not pursuing an increase in priority.

It was suggested that it was common for a developer or a city to donate land for a liquor store. Ms. Barker explained a current priority for DABS was increasing the number of liquor licenses for restaurants rather than increasing the number of liquor stores. Responding to a question from Chair Jacob, Ms. Barker estimated even if the land and a ready-to-go structure were donated, West Jordan was looking at 4-5 years to obtain a store. She emphasized the process would take time.

Mayor Burton would like to see the City move forward with pursuing a liquor store despite that FY 2025 would be a tight budget year. Council Member Whitelock viewed a liquor store as a service to the community. City Administrator Korban Lee noted that the sales tax revenue would be similar to landing a well-performing fast-food restaurant.

Council Member Bloom was in favor of pursuing the first option presented. Council Member Green said West Jordan was the third-largest city in the state, but did not have many of the features a city that size should have. He was willing to look at donating land for the store.

Ms. Barker advised that the City needed to spend money on the issue for it to move forward, and had reached out to four different lobbyists/specialists asking about rates (\$35,000-\$50,000). Council Member Green wanted the City to be at the table. Ms. Barker suggested the Council budget the funds so the City could strategically move forward and spend the money if the right opportunity arose. Chair Jacob did not want West Jordan to opt out of having a seat at the table. He summarized that a majority of the Council appeared to support moving forward with the first option.

Council Member Whitelock asked if a question about a potential liquor store could be added to the survey being prepared for distribution to residents. Chair Jacob and Council Member Bloom did not want the liquor store included on the survey.

Chair Jacob asked the Mayor and staff to identify more “tables” that West Jordan should be sitting at to avoid being overlooked. Ms. Barker believed West Jordan was well represented as a city, and asked the Council to identify areas they perceived the City was lacking.

3. ADJOURN

Council Member Whitelock moved to adjourn the Committee of the Whole and with no objection, the motion passed by unanimous vote (6-0).

The meeting adjourned 8:32 pm.

I certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on April 10, 2024. This document constitutes the official minutes for the West Jordan Committee of the Whole meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this ____ day of ____ 2024

DRAFT



**MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING
Wednesday, April 24, 2024 – 6:00 pm
*Waiting Formal Approval***
8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

1. CALL TO ORDER

COUNCIL: Chair Zach Jacob, Vice Chair Chad Lamb, Bob Bedore, Kelvin Green, Kent Shelton, Kayleen Whitelock

STAFF: Council Office Director Alan Anderson, Police Lieutenant Richard Bell, Mayor Dirk Burton, Community Outreach Manager Ariel Campos, City Attorney Josh Chandler, Public Utilities Director Greg Davenport, Assistant City Administrator Jamie Davidson, City Planner / Zoning Administrator Larry Gardner, Policy Analyst & Public Liaison Warren Hallmark, Senior Planner Tayler Jensen, Community Development Director Scott Langford, City Administrator Korban Lee, Fire Chief Derek Maxfield, Senior Management Analyst Jeremy Olsen, Council Office Clerk Cindy Quick, Administrative Services Director Danyce Steck, Police Chief Ken Wallentine

Chair Jacob called the meeting to order at 6:00 pm, and noted that Council Member Bloom was absent.

2. PLEDGE OF ALLEGIANCE

Scott Langford led participants in the Pledge of Allegiance.

3. SPECIAL RECOGNITION

a. Recognition of West Jordan Police Department

Police Chief Wallentine recognized Detective Sullivan for being nominated by his peers to be named Officer of the Year, Officer Trujillo for receiving a purple heart, and Officer Miguel Rodriguez for receiving second place at a national K9 Officer competition. The Chief thanked the officers for dedicated service in the community, and the Council offered congratulations.

b. Recognition of Copper Hills Girls Wrestling Team for taking State in Region 6A

Chair Jacob recognized the Copper Hills Girls Wrestling Team for taking first place in the 6A State Championship. The Coach spoke proudly of the team and their hard work and sportsmanship. The Council offered congratulations.

4. PUBLIC COMMENT

Chair Jacob opened the public comment period at 6:12 pm.

Comments:

Wes Jemmett, West Jordan resident, asked if a particular rezone had been approved, and asked to see on a map where 1950 West would extend to Gardner Lane. Mr. Jemmett commented that the glass recycling bin that used to be near the public pool was no longer there, and Chair Jacob responded the bin was now at the Public Works Building.

Chair Jacob closed public comments at 6:14 pm.

5. REPORTS TO COUNCIL

a. City Council Reports

Council Member Whitelock said the Council received an email regarding Meals on Wheels, and asked if the Council wanted to add a discussion of the program to a future agenda.

Council Member Green voice appreciation in attending a recent Utah League of Cities and Towns (ULCT) Conference with other Council Members. He encouraged students in attendance to apply to participate on the West Jordan Youth Council. Council Member Green conveyed best wishes to Fire Chief Dave Bower who recently retired.

Chair Jacob spoke of the recent ULCT Conference in St George and shared his key takeaway was inspired by keynote speaker Noelle Pikus Pace: "You go where you look." He found new resolve to focus on where the city wants to go.

b. Council Office Report

Policy Analyst & Public Liaison Warren Hallmark announced the City was recruiting for next year's Youth Council. The current Youth Council was scheduled to present a report at the May 22, 2024 City Council meeting.

c. Mayor's Report

Mayor Dirk Burton reported that the Sikh Temple of Utah presented an award to the City at a recent Vaisakhi Celebration. The Mayor showed a photograph of new secure bike racks inside City Hall and reported on a Truck Ranch groundbreaking. Mayor Burton provided updates on road construction projects and Google Fiber and Century Link projects and spoke of upcoming events in the community.

d. City Administrator's Report

Fire Chief Maxfield invited the Council to upcoming Fire Department events. Council Member Green commented that May 4, 2024 was West Jordan Fire Fighters Day.

City Administrator Korban Lee announced an Art in the Park event on Saturday, April 27, 2024. Mr. Lee provided an update regarding the status of air conditioning in City Hall.

6. PUBLIC HEARINGS

a. Ordinance No. 24-17 a petition by McArthur Homes requesting a rezone of 16.36 acres of property from A-1 Zone (Agriculture 1-acre lots) to R-1-8C Zone (Single-family Residential 8,000 square foot lots) for Pierson Farms located at 1996 and 1986 West Gardner Lane

Associate Planner Mark Forsythe oriented the Council with a request to rezone property located at 1996 and 1986 West Gardner Lane from A-1 Zone (Agriculture 1-acre lots) to R-1-8C Zone (Single-family Residential 8,000 square foot lots). He said staff believed the request was in line with the Future Land Use Map, and said the Planning Commission forwarded a positive recommendation. The proposed development would not be a planned community, and would need to meet existing City ordinances. Mr. Forsythe emphasized that the decision that evening was limited to the requested rezone, and said road and traffic impact issues would be addressed later at the Planning Commission level.

Council Member Green said the Council changed City ordinance to require submission of a concept plan with a rezone request, and asked that the concept plan be displayed for the benefit of citizens in attendance. Council Member Whitelock commented that the "C" should not have been included with the "R-1-8" in the packet, and Community Development Director Scott Langford agreed, stating the "C" referred to minimum house sizes, which the City no longer had authority to enforce. Responding to a question from Chair Jacob, Mr. Forsythe said the concept plan was not binding at the rezone stage.

Chair Jacob opened a public hearing at 6:50 pm.

Comments:

Janna Pierce, West Jordan resident, lives next to the proposed development. She said most houses/lots in the area were larger and said she would like the lots in the proposed development to be larger as well. She asked if the builder planned to install a fence to keep dust down and control rodents.

Jen Sorensen, West Jordan resident, lives at the north end of the subject property. She said she believed it was important for the Council to be aware of the type of houses that would be built when making the decision. Ms. Sorensen expressed concern for traffic if the proposed plan went forward and asked the Council not to approve the R-1-8 Zone.

Bernell Kirkman, West Jordan resident, said he owned property adjoining the proposed development. He said he had driven through communities built by the developer, said the developer was a first choice for him for the project, and said he believed affordability was a big deal in the current market. Mr. Kirkman expressed support for the proposed rezone.

Andrea Cristianson, West Jordan resident, said she lived in the subject neighborhood. She pointed out different sizes of homes in the area, and said she believed lots in the proposed development should be at least a fifth of an acre but would prefer quarter acre lots. Ms. Cristianson expressed the opinion that homes were not affordable in the current market and said the neighbors did not want 8,000 square foot lots on the subject property. She expressed the opinion that 1950 West should not go through.

Chad Maines, West Jordan resident in the subject neighborhood, said his major concern was for traffic flow. He asked about public zoning notices and expressed the opinion that proposed zoning changes needed to be publicly noticed. Mr. Maines said he would like to see more speed bumps on 1950 West if the proposed zoning was approved.

Jeff Bigelow, West Jordan resident in the subject neighborhood, said he lived on an 8,000 square foot lot and had for 30 years. Mr. Bigelow said he did not believe the proposed 8,000 square foot lots were an issue. He said he believed the concerns about 1950 West were valid, and said he believed speed bumps would address the problem. Mr. Bigelow said he believed most of the traffic would go to Gardner Lane, and said he supported the proposed McArthur Homes community.

Chair Jacob closed the public hearing at 7:03 pm.

John Gassman with McArthur Homes agreed that affordability was an issue. He said the proposed development would not be entry-level homes. He said two developments that were similar to the planned development with the same zoning were Bateman Farms and Boulder Ranch. Mr. Gassman said a traffic study had already been done and the developer was aware that traffic calming features would be needed. He said McArthur Homes wanted to add to the neighborhood and build quality homes for West Jordan families.

Referring to a public comment, Council Member Whitelock asked if a construction barrier would be put up to minimize dust and rodents. Mr. Gassman described the initial construction stages and said there was a chance some kind of silt fence would be installed. He said the developer wanted to be a good neighbor. He said concerns of one neighboring horse property owner about child safety had been noted. Responding to a question from Council Member Whitelock, Mr. Gassman said the plan was for McArthur Homes to build the homes. He said McArthur Homes did not plan on putting anything in place to control rentals but did not anticipate that homes in the high \$800,000s would end up as rental properties. Mr. Gassman said the plan was for some of the lots to include ADUs, but not the majority.

Vice Chair Lamb said a previous subdivision approved by the Council was sold by the developer and turned into rental units, and said he hoped McArthur Homes would not do the same. Vice Chair Lamb asked about phasing, and Mr. Gassman said the plan was to design for two phases, split north/south, and said the phasing would be dependent on the economy and needs of the current owners. He said the intention was for McArthur Homes to build single-family homes.

Council Member Green said he lived in an R-1-8 Zone and felt R-1-8 was a good zone. He said the proposed development was the type of development that could help the housing crisis and would not make things worse. He said the Legislature wanted more density per acre. Council Member Green said he understood the concerns about 1950 West, and pointed out that a curve would be necessary, which was a built-in traffic calming feature. He said he was adamant that traffic calming features would be necessary on 1950 West and asked that the developer incorporate traffic calming features into the design even though the City could not impose such a condition. Council Member Green said he felt the proposed development would be great.

Vice Chair Lamb said he was encouraged that the proposal was for R-1-8 homes instead

of townhomes. He said he lived in an R-1-8 Zone, and felt it was a good fit for the subject area.

Council Member Bedore said the subject property was in his District. He said two of his previous homes had been adjacent to fields that were eventually developed with homes and said he could relate to how the residents felt. Council Member Bedore said he currently lived in a duplex situation that was basically R-1-8 on Fairway Drive, and he dealt with a lot of traffic. He emphasized that the proposed change was more desirable than what the Legislature wanted cities to approve and expressed concern that if the Legislature saw West Jordan deny R-1-8, the State would possibly force higher density. Council Member Bedore said he believed the proposed rezone was a responsible change and said he would work with the residents going forward to ensure the safest details.

Council Member Whitelock said she believed R-1-8 was the right zone, but said she was concerned that she had not often seen the Planning Commission go against what staff recommended. She said she was concerned the development would not get the traffic calming measures needed. Council Member Whitelock said she had been encouraged to hear the Governor recently say what was needed in Utah were single-family homes where residents could build wealth. She said most of the concerns she had heard were related to traffic. She said she personally believed the R-1-8 Zone was right for the subject property, but also believed she was the residents' voice.

MOTION: Council Member Green moved to APPROVE Ordinance No. 24-17, a rezone of 16.36 acres of property from A-1 to R-1-8C Zone for Pierson Farms located at 1996 and 1986 West Gardner Lane, amending lines 27 and 41 removing the "C" so it reads only R-1-8.

Council Member Shelton seconded the motion.

Responding to concern expressed by Vice Chair Lamb, City Attorney Josh Chandler concurred that removing the "C" designation was fine because it was not enforceable. He said he felt leaving it in would not cause a problem, but removing it provided greater clarity.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Kelvin Green, Kent Shelton

NO: Kayleen Whitelock

ABSENT: Pamela Bloom

The motion passed 5-1.

b. Ordinance No. 24-18 a petition by Robbie Thomson/Utah Land Company for a rezone of 9.75 acres of property from A-5 Zone (Agriculture 5-acre minimum lots) to R-1-8 Zone (Single-family residential 8,000 square foot minimum lots) for Taylor Farms located at 7218 South Temple Drive (1300 West)

Senior Planner Tayler Jensen oriented the Council with the proposed rezone from A-5 to R-1-8 for Taylor Farms located at 7218 South Temple Drive and showed that R-1-8

matched surrounding properties. He said the application did not involve subdivision, complied with the General Plan, and was compatible with neighboring properties. Mr. Jensen said the existing veterinary office was considered legal non-conforming, and the rezone would not increase the non-conformity. He showed a concept map, and said roads and lot layout would be addressed at the subdivision stage. He said the Planning Commission reviewed the petition and recommended approval. Mr. Jensen suggested the planned development would increase connectivity in the neighborhood.

Council Member Green said he did not like non-conforming uses, and asked if there was a way to make the veterinary office a conforming use. Mr. Jensen said the use would need to be added as a permitted use in the R-1-8 Zone.

Vice Chair Lamb said he lived just south of the subject neighborhood. He commented that a school access for Heartland Elementary had been closed off at the location years ago, and asked if the access could be opened again with the development.

Chair Jacob opened a public hearing at 7:41 pm.

Comments:

Sam Crop, West Jordan resident, said he lived on the corner of the field. He said he was not opposed to the rezone. He said he would like to see a happy medium between the concept map shown and the surrounding neighborhoods. Mr. Crop said traffic was a concern, and suggested 1470 West end in a cul-de-sac.

Debbie Rubberman, West Jordan resident, said she lived next to the subject property. She said she understood the property owner had the right to develop. Ms. Rubberman said the property was probably one of the premier places to develop in West Jordan, and said she believed the development should include green space.

Lyn, West Jordan resident, said she was concerned about the height of the homes. She said she liked the park idea.

Jeremy Brewster, West Jordan resident, said he had nothing against the rezone, but had an issue with the proposed traffic flow. Mr. Brewster expressed concern that nothing would be done to slow traffic. He questioned the City's public notice practices.

Jacob Barns, West Jordan resident north of the proposed development, said he appreciated the proposed minimum of 8,000 square feet for lots. He expressed concern regarding water in the neighborhood and the potential for flooding.

Chris McConnehey, West Jordan resident, spoke in favor of the proposed rezone, he believed it fit with the surrounding neighborhoods and felt it would help with several existing issues in the area. Mr. McConnehey thanked the developer for pitching something reasonable.

Chair Jacob closed the public hearing at 7:52 pm.

Robbie Thomson, representing the property owner, said it was his job to protect the property owner's rights, request zoning for the highest and best use, and then go to the market for a builder. Mr. Thomson said he would prefer an R-1-6 Zone but acknowledged that R-1-6 was not in line with the General Plan. He said he believed R-1-8 would allow for a great project that would benefit the neighborhood and said he would talk to the eventual builder about a cul-de-sac.

Vice Chair Lamb asked that Taylor Farms not become a rental development. Council Member Whitelock said she appreciated that the property owners would look for a builder to build single-family homes for people to buy, not rent. Council Member Green said the Council was sensitive to ground water issues, and said staff were aware of what was required to handle storm water correctly. He asked the Planning Commission and staff to make sure traffic safety measures were included. Council Member Green commented that Taylor Farms would be the type of neighborhood in which the Council could not require green space. Council Member Shelton said he liked the suggestion for a cul-de-sac at the west end of the development.

MOTION: Council Member Shelton moved to APPROVE a rezone of 9.75 acres of property from A-5 to R-1-8 Zone for Taylor Farms located at 7218 South Temple Drive.

Council Member Whitelock seconded the motion.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Kelvin Green, Kent Shelton, Kayleen Whitelock

NO:

ABSENT: Pamela Bloom

The motion passed 6-0.

c. *Resolution No. 24-016 authorizing a waiver of fees in the amount of \$562.50 for Tiny Tim's Foundation for Kids a non-profit 501(c)3 organization*

Chair Jacob explained the applicant had canceled the event, and a fee waiver would not be needed. A public hearing had been noticed and would be held.

Chair Jacob opened a public hearing at 8:03 pm.

Comments:

Chris McConnehey said he appreciated the Tiny Tim's Foundation and was sad to hear the event was canceled. He suggested the Foundation submit for service in lieu of fees in the future as they provided a great deal of service to the community.

Chair Jacob closed the public hearing at 8:05 pm.

MOTION: Council Member Whitelock moved to TABLE Resolution No. 24-016 approving a fee waiver of park rental fees at Veteran's Memorial Park in

the amount of \$562.50 to Tiny Tim's Foundation for Kids for a Car Show to be held on June 8, 2024.

Vice Chair Lamb seconded the motion.

Council Office Director Alan Anderson clarified that a motion to table was appropriate in the situation. Council Member Whitelock said Tiny Tim's was a great organization, and said she also favored service in lieu of fees. Responding to a question from Vice Chair Lamb, Mr. Anderson said the event was cancelled with no indication it would be held later in the year.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Kelvin Green, Kent Shelton, Kayleen Whitelock

NO:

ABSENT: Pamela Bloom

The motion 6-0.

d. Resolution No. 24-017 approving the Annual Action Plan for the Community Development Block Grant 2024 Program Year and authorizing the Mayor to sign all associated program agreements.

Senior Management Analyst Jeremy Olsen oriented the Council with the Annual Action Plan for the CDBG 2024 Program Year. Council Member Whitelock said she appreciated all the work that went into the program and asked if staff had reached out to the Olene Walker Housing Loan Fund. Mr. Olsen said they had not reached out to the Olene Walker Housing Loan Fund and said changes would occur to the program in the next year.

Chair Jacob opened a public hearing at 8:09 pm.

Comments:

Josie White, Development Director at South Valley Services (SVS), expressed appreciation for the recommendation to fund SVS for another year. She provided an update on SVS.

Chair Jacob closed the public hearing at 8:11 pm.

MOTION: Council Member Green moved to APPROVE Resolution No. 24-017 approving the Annual Action Plan for the Community Development Block Grant 2024 Program Year and authorizing the Mayor to sign all associated program agreements.

Council Member Whitelock seconded the motion.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Kelvin Green, Kent Shelton, Kayleen Whitelock

NO:

ABSENT: Pamela Bloom

The motion passed 6-0.

e. *Resolution No. 24-015 authorizing the Mayor to execute a lease agreement with South Valley Services to utilize space in City Hall*

Community Outreach Manager Ariel Campos said it had been a pleasure to work with SVS in preparation for the group leasing space at City Hall. He said the space was remodeled with SVS in mind and said SVS would reimburse the City for construction costs incurred during the remodel by monthly installments over a period of ten years.

Council Member Green felt a less-than-fair-market-value lease amount was similar to a fee waiver, and asked if the Council Office had a record of the value of the lease to use in calculating total waivers granted. It was noted that the amount was \$18,000 per year.

Chair Jacob opened a public hearing at 8:17 pm.

Comments:

Josie White with SVS said the City Hall location would enable SVS to serve thousands of survivors, in addition to the 500 served at the shelter. She said it was a prime location, enabling many people to get help.

Nitu Boyd, SVS Program Director, said he was grateful to the Council for allowing SVS to use the space, and grateful to the Mayor for visiting SVS staff.

Chris McConnehey, West Jordan resident, said he agreed that City Hall was in a prime location in the Salt Lake Valley, and encouraged Council support. He said SVS had done so much good for so many people.

Chair Jacob closed the public hearing at 8:21 pm.

Mayor Burton spoke of the advantages of the City Hall location.

MOTION: Vice Chair Lamb moved to APPROVE Resolution No. 24-015 authorizing the Mayor to execute a lease agreement with South Valley Services to utilize space in City Hall.

Council Member Shelton seconded the motion.

Vice Chair Lamb thanked Ms. White for the service she provided the community.

The vote was recorded as follows:

YES: **Zach Jacob, Chad Lamb, Bob Bedore, Kelvin Green, Kent Shelton, Kayleen Whitelock**

NO:

ABSENT: **Pamela Bloom**

The motion passed 6-0.

7. BUSINESS ITEMS

a. *Resolution No. 24-018 adopting fireworks restrictions for 2024*

Deputy Fire Chief Chris Trevino presented the fireworks restriction map currently available on the City website, and said his department recommended keeping the same restrictions for the 2024 fireworks season.

Council Member Whitelock said the City now had a lot of people living west of 5600 West, and many had reached out to her to express that the City used the same map over and over again, and did nothing about enforcement, so the residents went ahead with fireworks in the restricted neighborhoods. She said she knew there had been a restrictions map that included areas west of 5600 West in the past, and asked if the Fire Department would consider amending the map to include some areas west of 5600 West.

Chief Trevino said a zig zag line could be drawn, but enforcement would become more difficult. He said he would be happy to take the question back to the Fire Marshal for discussion. Chief Trevino said the information was due at the State by May 1st. Council Office Director Alan Anderson said Council Leadership had asked that the topic be brought back after the summer season for further dialogue and deliberation. He confirmed the May 1, 2024, deadline.

Council Member Green asked if there were places in the City, such as designated parking lots, where fireworks could be allowed for those who lived in restricted areas. Chief Trevino said he did not have a definite answer but supposed it could be possible anywhere that fireworks were not restricted. Council Member Shelton expressed support for continuing discussion after the summer season. Vice Chair Lamb said he suspected there were just as many residents not wanting fireworks west of 5600 West as were in favor. Chair Jacob said the map needed to be carefully reviewed and discussed at a later time but needed to be passed for the 2024 season.

MOTION: Chair Jacob moved to APPROVE Resolution No. 24-018 prohibiting the use of ignition sources, including fireworks, explosive devices, and open flames, in certain areas that historically constitute a hazardous environmental condition.

Vice Chair Lamb seconded the motion.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Kelvin Green, Kent Shelton, Kayleen Whitelock

NO:

ABSENT: Pamela Bloom

The motion passed 6-0.

8. CONSENT ITEMS

a. *Approve Meeting Minutes*

- *March 27, 2027 – Regular City Council Meeting*

- *March 27, 2027 – Committee of the Whole Meeting*

MOTION: Council Member Green moved to APPROVE Consent Items as listed.

Council Member Whitelock seconded the motion.

The vote was recorded as follows:

YES: **Zach Jacob, Chad Lamb, Bob Bedore, Kelvin Green, Kent Shelton, Kayleen Whitelock**

NO:

ABSENT: Pamela Bloom

The motion passed 6-0.

9. ADJOURN

Seeing no further business on the agenda, Chair Jacob adjourned the meeting at 8:40 pm.

I hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on April 24, 2024. This document constitutes the official minutes for the West Jordan City Council meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this____ day of____ 2024