CITY OF SOUTH JORDAN

PLANNING COMMISSION MEETING AGENDA

CITY COUNCIL CHAMBERS

TUESDAY, OCTOBER 22, 2024 at 6:30 PM

Notice is hereby given that the South Jordan City Planning Commission will hold a Planning Commission Meeting on Tuesday, October 22, 2024, in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah with an electronic option via Zoom phone and video conferencing. Persons with disabilities who may need assistance should contact the City Recorder at least 24 hours prior to this meeting.

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

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

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

Instructions on how to join the meeting virtually are below.

Join South Jordan Planning Commission Electronic Meeting October 22, 2024 at 6:30 p.m.
- Join on any device that has internet capability.
- Zoom link, Meeting ID and Meeting Password will be provided 24 hours prior to meeting start time.
- Zoom instructions are posted https://www.sjc.utah.gov/254/Planning-Commission

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

A. **WELCOME AND ROLL CALL – Commission Chair Michele Hollist**

B. **MOTION TO APPROVE AGENDA**

C. **APPROVAL OF THE MINUTES**

C.1. October 08, 2024 - Planning Commission Meeting Minutes

D. **STAFF BUSINESS**

E. **COMMENTS FROM PLANNING COMMISSION MEMBERS**

F. **SUMMARY ACTION**

G. **ACTION**

H. **ADMINISTRATIVE PUBLIC HEARINGS**

H.1. **DAYBREAK VILLAGE 11A PLAT 8 AMENDED SUBDIVISION AMENDMENT**
Address: Lots 671 through 675
File No: PLPLA202400177
Applicant: Perigee Consulting

H.2. **DAYBREAK SOUTH STATION PLAT 4 PRELIMINARY SUBDIVISION**
Address: Generally east of the future Salt Lake Bees Stadium
File No: PLPP202400141
Applicant: Perigee Consulting on behalf of Miller Family Real Estate

I. **LEGISLATIVE PUBLIC HEARINGS**

I.1. **BESS DENTAL OFFICE LAND USE AMENDMENT AND REZONE**
Address: 9828 S Temple Drive and 9816 S Temple Drive
File No: PLZBA202400175
Applicant: Shea Bess & Ben Purdue

I.2. **TEXT AMENDMENT - AMENDING SECTION 16.30.040**
Ordinance No: 2024 - 24
Applicant: City of South Jordan

J. **OTHER BUSINESS**

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)
: §
COUNTY OF SALT LAKE)

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

Dated this 17th day of October, 2024.
Cindy Valdez
South Jordan City Deputy Recorder

CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
October 8, 2024

Present: Chair Michele Hollist, Commissioner Steven Catmull, Commissioner Nathan Gedge, Commissioner Sam Bishop, Commissioner Ray Wimmer, City Manager Dustin Lewis, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, Deputy City Engineer Jeremy Nielson, IS Systems Administrator Ken Roberts, IS Specialist Michael Erickson, GIS Coordinator Matt Jarman, IT Director Matthew Davis, Meeting Transcriptionist Diana Baun

Others: Ivan Klotovich, Elisabeth Olschewski, John Warnick, Bennion Gardner, John Gust

Absent: Commissioner Laurel Bevans

6:32 P.M.
REGULAR MEETING

A. WELCOME AND ROLL CALL – *Chair Michele Hollist*

Chair Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting. She excused Commissioner Bevans who was absent tonight.

B. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to approve tonight's agenda as published. Chair Hollist seconded the motion; vote was 5-0, unanimous in favor. Commissioner Bevans was absent from the vote.

C. APPROVAL OF THE MINUTES

C.1. September 24, 2024 - Planning Commission Meeting Minutes

Commissioner Catmull asked for a clarifying statement to be added to the minutes from the last meeting, that was sent via email and is attached to tonight's minutes (Attachment A), as well as to the September 24, 2024 minutes. He asked for the following statement to be added to the minutes in his email:

> "Commissioner Catmull stated that the Flag Lot Overlay Zone code enforces all City Code requirements, except for lot size, unless modified or waived in the development agreement. He found no provisions in the agreement to prevent the spread of flag lots

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along a street. Both Commissioner Catmull and Ryan Loose agreed that enforcing intent language is challenging."

Commissioner Gedge motioned to approve the September 24, 2024 Planning Commission Meeting Training Meeting Minutes as published, with the additional clarifying comments from Commissioner Catmull attached. Chair Hollist seconded the motion; vote was 5-0, unanimous in favor. Commissioner Bevans was absent from the vote.

D. STAFF BUSINESS - *None*

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Commissioner Catmull encouraged the other commissioners to listen to the audio from the Study Session they attended with the City Council regarding short-term rentals, suggesting staff have a draft legislation before the weekend, so the commissioners can spend time studying it before it is presented in a meeting. Chair Hollist seconded the suggestion.

City Planner Greg Schindler responded that it is looking like that will not be under the zoning code, but under the business licensing, and therefore will not be presented to the commission during a meeting for a recommendation before going before the City Council. He did offer to forward a copy when completed to the commissioners for their information.

Commissioner Nathan Gedge shared he will no longer be absent the second meeting in October, and is planning to attend.

F. SUMMARY ACTION – *None*

G. ACTION - *None*

H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. DAYBREAK SOUTH STATION PLAT 3 CONDOMINIUMS PHASE 2B PRELIMINARY SUBDIVISION
Address: 5263 W. Reventon Drive
File No.: PLPP202400155
Applicant: Daybreak Communities

City Planner Greg Schindler reviewed background information from the Staff Report and his prepared presentation (Attachment B).

Commissioner Nathan Gedge asked the distance from the new Downtown Daybreak area, noting the allowed street parking was before the plans for the ballpark/Trax station, and asked how that will be factored in. He has concerns about the off-site parking for these housing units along with parking for other events and light rail station.

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Planner Schindler responded that other events shouldn't be taking up street parking, there are already plans for around 1000 parking spaces for the stadium and megaplex.

Chair Hollist invited the applicant forward to speak.

John Warnick (Applicant Representative) shared this is between two light rail stops, almost right in the middle between the two. The parking is all contained within the condominium development, and should not interfere with anything being planned in Downtown Daybreak.

Chair Hollist asked if they had similar product in Daybreak, allowing them to comment on parking and if the model has worked.

Mr. Warnick responded this is an extension of the Holmes Homes condominiums, being built as Phase 2. There have been no complaints about parking and when asked whether they make it clear to potential residents that they only have one parking spot on-site, he responded that is in their declarations when the units are sold. It is also obvious in the Daybreak declarations as well, and he noted he has a family member that lives right across the street from this project and she has not had any complaints over parking either.

Chair Hollist asked for the bedroom counts on these units.

Mr. Warnick responded he believes this building is two bedrooms.

Commissioner Ray Wimmer asked about the number of parking spaces and units in Phase 1 of this development.

Mr. Warnick responded he did not have that information available at the moment.

Planner Schindler was able to share that Phase 1 has 66 units as well, located directly east of this project.

Chair Hollist opened the Public Hearing for comments; there were no comments and the hearing was closed. She noted that she shares the concerns for parking, but it does meet the requirements for the zone. She is glad to hear there will be additional parking included for the commercial/recreational future projects in the area and doesn't see any reason this should not be passed.

Commissioner Gedge motioned to approve File No. PLPP202400155, Preliminary Subdivision, based on the Staff Report and discussion this evening; subject to the following: All South Jordan City requirements are met prior to recording the plat. Chair Hollist seconded the motion.

Roll Call Vote
Yes – Commissioner Gedge

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Yes – Chair Hollist
Yes – Commissioner Bishop
Yes – Commissioner Catmull
Yes – Commissioner Wimmer
Absent – Commissioner Bevans

Motion passes 5-0, unanimous in favor; Commissioner Bevans was absent from the vote.

H.2. DAYBREAK URBAN CENTER PLAT 2 PRELIMINARY SUBDIVISION
Address: Generally south and west of the future Salt Lake Bees Stadium
File No.: PLPP202400050
Applicant: Perigee Consulting on behalf of Miller Family Real Estate

City Planner Greg Schindler reviewed background information from the Staff Report and his prepared presentation (Attachment C).

Commissioner Nathan Gedge asked about connection to adjoining streets.

Planner Schindler responded there will be access to what will become the frontage road, currently Mountain View.

Commissioner Gedge asked if these will have right turn only access, specifically asking about traffic flow when it becomes a frontage road far west of these dedicated properties.

Deputy City Engineer Jeremy Nielson responded it will tie into the northbound segment of Mountain View Corridor with a right-in/right-out access. He also believes the city already has the permits to make both of those connections from UDOT; that has been in the works for quite a while.

Commissioner Gedge asked if UDOT and/or the city has already looked into potential conflicts with Lake Avenue, to the south of the Mountain View Corridor Access, to avoid slow down of traffic.

Engineer Nielson responded yes, that has been looked at extensively with UDOT.

Commissioner Steven Catmull asked if Mountain View Corridor going to travel under this.

Engineer Nielson responded there will be slip ramps coming off the mainline in that vicinity, which has caused some of the complications with these accesses, making sure there aren't strange weave patterns being created for traffic. The mainline will be about the same grade as the frontage roads at that location due to those slip ramps.

Commissioner Sam Bishop asked about any right turn lanes, perhaps widening of the frontage road at that point, to allow for easier traffic flow.

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Engineer Nielson could not recall if UDOT required that and suggested asking Mr. Warnick about any planned acceleration/deceleration ramps.

Chair Hollist asked if the two sections missing in this application had already been turned over to the city.

Planner Schindler responded they will not be turned over to the city, but there will be easements recorded there so travel is allowed across the Rocky Mountain property.

Engineer Nielson confirmed that is correct, the city is currently working to get that worked out with Rocky Mountain Power. He added that with the UDOT piece, the city does have a right of entry with UDOT, allowing entry across that segment to the north; that right-of-way dedication is currently being worked out with UDOT.

Mr. Warnick added those will be right-in and right-outs with a small accel and decel lane going in. If you look at the current work being done on Mountain View, in the median between the two frontage roads, the U-turns and right connections are being put in right now. Engineer Nielson was correct that the permits have been given by UDOT, and noted that these will probably be paved in the next few weeks and it's all part of the engineering plan behind getting access in and out of downtown Daybreak.

Chair Hollist opened the Public Hearing for comments.

Bennion Gardner (Resident) – I wanted to add a comment here, I'm not asking for anything in particular, but just sharing a little bit. I was hit by a vehicle last year on Mountain View and South Jordan Parkway, was out for a jog and because of that I have started a petition asking for a pedestrian and cyclist bridge across Mountain View Corridor right in this area. Mainly, that is because I am looking at these plans and seeing this and hearing some of the concerns at this meeting tonight that there is a lot of concern over traffic and what to do with all the vehicles that will be coming and going from this area. What I am looking and asking for is for some balance in the planning. The city has agreed to meet with our group pushing this petition, which I am excited for, and I am hoping to learn more information. If you want traffic and vehicles, then you will make it easy for cars to get to this area; adding more roads, lots of parking lots in the area, that will bring lots of cars to the area. If you want to reduce traffic and reduce parking issues, then we need to make it easy to get to these games and get to this area on foot or on bike. Not everybody owns a car either and wants to get around by vehicle. I am hoping as the planning goes forward and plans are made, that we can have more of a balanced approach than what I have been seeing so far and make it safe for people to get around in Daybreak. Daybreak is known as a walkable community, but it seems like that has kind of gone to the wayside here in this area. I know the plan eventually is to build overpasses for Mountain View, but that wouldn't have helped me in my situation as the car that hit me was turning right on to Mountain View. Two weeks ago a mom and her four year old were hit by a vehicle exiting Mountain View, and now here we are adding two more on and off ramps basically to Mountain View. It is not a freeway yet, it is a frontage road still, and those access points create hazards for people on bikes

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or on foot. That is my ask, we work to make it safe for everyone that wants to get to the games and make it easy for those who don't want to drive a car so traffic and parking is reduced.

Chair Hollist closed the hearing and asked staff to comment on concerns shared, specifically any plans for walkability and pedestrian/cyclist access to this area.

Engineer Nielson responded there are a number of things being done for multimodal opportunities at the ballpark. There is a new Trax station being built right on the east side of the ballpark that will make it very easy to access it via transit. Lake Avenue has a center running cycle track that will allow access, as well as South Jordan Parkway having that center running cycle track for similar access. They have found that many of these pedestrian accidents occurring are due to right turning vehicles, because when they are making a right turn they are looking left and the pedestrian is on the right side. In fact, 90% of the pedestrian accidents on Mountain View in South Jordan are exactly that conflict. The crossings on South Jordan Parkway and Lake Avenue are center running, crossing in the middle of the intersection which eliminates that right turn conflict. There will also be some grade separated crossings at the drainage basins at Bingham Creek on the north end of the city, as well as at Midas Creek on the south end of the city. He also added that the city is only aware of the petition referenced through the media, they have not received a formal petition. The City Manager has reached out to Mr. Bennion and there is a meeting scheduled this week.

Commissioner Catmull asked if the pedestrian access issue would be something UDOT would delegate to the city if additional structures or access were desired.

Engineer Nielson responded he didn't know, as those are UDOT facilities currently.

Commissioner Catmull noted that those issues are probably beyond this application anyway, since they are only looking at the subdivision and whether it meets the current requirements.

Commissioner Gedge asked for the next steps towards dedication to the city, does it go to City Council, or just city staff.

Planner Schindler responded this will be dedicated through the recorded plat, just like any other street.

Commissioner Gedge asked, because part of these roads will be easements and not actually property owned by the city, what happens in terms of maintenance and liability.

Engineer Nielson responded that situation comes up in many areas of the city, the easement allows the city to operate and maintain the roadway.

Commissioner Wimmer asked what caused the city to decide that an easement was the best option here versus ownership.

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Planner Schindler responded that was Rocky Mountain Power's decision, not the city's; they don't want the city to own property that is part of their whole property, and will require the city to maintain the roads.

Commissioner Gedge asked if the city has the option to use eminent domain for something like this, or if that was impossible due to this being a regulatory agency.

Engineer Nielson responded the city could use eminent domain if desired, but the first approach is always to try and make things work for both parties. He also noted that generally, whoever owns the property first retains the property and grants easements for whoever crosses it in the future. That is how the city handles park properties if a power line or something similar crosses the property, the city would grant an easement without allowing the entity to buy the property.

Commissioner Catmull motioned to approve File No. PLPP202400050, Preliminary Subdivision; subject to the following: All South Jordan City requirements are met prior to recording the plat. Chair Hollist seconded the motion.

Roll Call Vote
Yes – Commissioner Catmull
Yes – Chair Hollist
Yes – Commissioner Bishop
Yes – Commissioner Gedge
Yes – Commissioner Wimmer

Motion passes 5-0, unanimous in favor; Commissioner Bevans was absent from the vote.

H.3. SOUTH JORDAN COMMERCIAL PRELIMINARY SUBDIVISION
Address: Generally located along the north side of South Jordan Parkway between Grandville Avenue and Mountain View Corridor (10850 S. 5675 W.)
File No.: PLPP202200141
Applicant: Trish Smith – Arbor Commercial/Residential

City Planner Greg Schindler reviewed background information from the Staff Report and his prepared presentation (Attachment D).

Chair Michele Hollist asked about a parcel for a road.

Planner Schindler responded this will be a private roadway going through, and he was unsure if, when the north side developed, they would add another segment of the parcel to make it wider. There is one road being dedicated as public, the rest are drive aisles and similar things that will be private.

Chair Hollist noted there were two acreages listed, one at 5 acres and one at 8.1 acres.

Planner Schindler responded it is 8.1 acres, the 5 acre measurement was a mistake.

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Chair Hollist invited the applicant forward to speak.

John Gust (Applicant Representative) is the President of Arbor Commercial/Residential Properties. He asked staff if the traffic signal was still listed in the requirements. He continued, noting they are in agreement with the Staff Report as presented, noting a concern with the signal issue previously being worked out. They will begin construction early next year, the architect is doing several renderings for his approval currently and they are trying to come up with something different to be a good entrance to that area.

Chair Hollist noted that his answer would not impact the commission's decision tonight, and asked if Mr. Gust could share anything about the future plans for the properties.

Mr. Gust responded it will be commercial. They are next to the University of Utah and currently have 17 acres there on the odd shaped north piece. The University has 80-90 acres to the north and they have been negotiating with them to include 15 acres of their property. They have worked an agreement out with Daybreak in the last 60 days, selling 10 acres across the street to them so they could have the cohesive development to the north where the ballpark is. As part of that whole agreement, it was agreed that he could work with the University to bring in 15 acres of their land if they could come together with a development they all like.

Chair Hollist asked about potential tenant information.

Mr. Gust responded they get calls every day. They are going to own the whole development, they will not be selling anything there, and will be building it out as the owners. They feel it is one of their most valuable pieces of property, and as a result will be taking their time to make sure it is done right and he hopes the city will like it; he thinks they will.

Chair Hollist asked for the purpose of the specifically designated section labeled as "parcel".

Mr. Gust responded that is just an access road, so after entrance visitors can leave via different accesses and allow for better traffic flow.

Chair Hollist opened the Public Hearing for comments; there were no comments and the hearing was closed.

Commissioner Steven Catmull noted that with commercial developments like this there are vehicle access minimum widths between lots for vehicle access, and asked if those also apply to the CC Zone. He didn't see anything called out in the Staff Report, but also didn't see anything that looked inappropriate.

Planner Schindler responded these properties may have separate accesses from South Jordan Parkway, those accesses would have to be granted by the city and there are limitations on how close they can be on collector streets.

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Mr. Gust added that parking and movement of traffic will be under the future development agreements with each tenant; everybody will be granted access to those access points and parking, and those will be shown on future site plans submitted.

Commissioner Sam Bishop noted that his first concern upon seeing this application was connectivity, and he appreciates the thought put into providing that here.

Commissioner Gedge motioned to approve File No. PLPP202200141, Preliminary Subdivision; subject to the following: All South Jordan City requirements are met prior to recording the plat.

Commissioner Gedge then asked to confirm that this file number is from 2022, and whether there are any statute of limitations/timelines that need to be considered before approval.

Planner Schindler responded that once approved there will be time limits, but there is nothing in the code related to this submission in terms of time limits. The city knew what the issues were here, and why it wasn't moving forward; however, if it was a different project that had no updates they would have contacted the applicant and inquired about going further with their application or clearing it from the system. In this case, there were good reasons for the delays.

Chair Hollist seconded the motion.

Roll Call Vote
Yes – Commissioner Gedge
Yes – Chair Hollist
Yes – Commissioner Bishop
Yes – Commissioner Catmull
Yes – Commissioner Wimmer
Absent – Commissioner Bevans.

Motion passes 5-0, unanimous in favor; Commissioner Bevans was absent from the vote.

I. LEGISLATIVE PUBLIC HEARINGS - *None*

J. OTHER BUSINESS

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

Chair Michele Hollist noted that Commissioner Steven Catmull has done a lot of legwork finding examples and sharing those with the commission via email. After reviewing the materials shared, she feels the Santaquin City Planning Commission Bylaws (Attachment E) were a good place to start. The commission reviewed the referenced bylaws together, with her noting she liked their outline on how meetings run, with the standard procedures they follow; those would be nice to have, especially for a new commissioner, to help define what they mean when they say they

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follow Robert's Rules in general. Her hope is to have a working copy by the commission's last meeting in November to allow a copy to be given to Attorney Simonsen for feedback; she noted they would appreciate Attorney Simonsen's input greatly, due to both his legal background and helping a planning commission in the past do something similar.

Assistant City Attorney Greg Simonsen was willing to offer any help possible.

Commissioner Sam Bishop asked for clarification regarding remote attendance and participation by commissioners during meetings.

Chair Hollist shared her preference would be to require in-person participation, but she is also open to following the council's rules on the subject.

Commissioner Steven Catmull noted that was his question, if they only chose to follow the City Council's procedures for remote participation, why would they follow Santaquin's procedures for everything else.

The commission discussed whether or not our City Council has their own rules of procedure or bylaws, agreeing that would be a good place to start. She noted that the Santaquin example appears to follow the template from the League of Cities and Towns, which was a little more involved than the ones they discussed from Murray. Commissioner Gedge added that the Santaquin example was very similar to West Jordan's.

Attorney Simonsen noted the city does have guidelines for boards and the like, but they specifically exclude the planning commission. He believes the reason for that can be explained by looking at Section 17.16.010, sub part 1, where it lays out specifically what the planning commission can do, and gives the commission a lot of discretion. He noted the commission's limits are going to be pretty obvious, as the code already gives the commission rules on how they conduct their business. However, he gave the extreme example of if the commission decided in the name of efficiency that they were going to cut public comment in a way not allowed by the code, or do anything else that infringes on constitutional due process, obviously the code would already limit that. As long as the commission's motivation is to get fair process for people, allowing them to feel heard, as well as incorporating efficiency in meetings, those things should be okay. He believes that, even though nothing is written currently, the commission does have some rules already. Some examples of that were seen tonight, telling those speaking they have three minutes, which is not written down officially anywhere. The way our commission responds to questions is a little unusual, but he feels it is done in a good way, taking all the public comment, writing down all the questions and responding at the end; does the commission want to officially write that down as a rule that will be continued to be followed, or not.

Chair Hollist asked if they wanted to discuss this further tonight, or take the paperwork home to review. The subject she always struggles with finding an orderly way to proceed with, especially on a hot topic item, is how to handle the question/issue where they could have an opportunity to clarify, or the answer to the question brings up another question. Another thing the council currently does that the commission does not, that can be discussed, is having an open comment

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section at the beginning of the meetings. That has not been done in the past for various reasons, and it has been discussed with Director Schaefermeyer.

Commissioner Gedge noted that if they want this done in November, they should probably add reviewing the draft as an action item on the next agenda, noting they need to leave time for possible approval by the city council or other issues.

Attorney Simonsen invited the commissioners to review Section 17.16, noting that he would interpret that to say the commission's rules on conducting their own business is in their domain. The council can do things as noted in that section, like removing a commissioner, but in terms of setting rules there is room for broad discretion under the code.

Chair Hollist asked if they are allowed to discuss this over email, as long as the results are presented in public.

Attorney Simonsen would prefer that wasn't done. If group discussions start happening it begins to conflict with Public Meeting requirements. If a discussion is started, he asked to be copied on those emails to ensure there are no potential problems down the road.

Commissioner Catmull asked about creating a subcommittee of less than the majority, if they could then draft something up and share it with the rest of the group.

Attorney Simonsen noted that there is still time with another meeting in October, and a meeting in both November and December to present drafts. The ordinance allows the commission to make changes at any time, not just the first of the year, if more time is needed. It would be good for both the commission and city as a whole for any discussions to be open for anyone to hear.

Chair Hollist asked if it would be appropriate for one commissioner to take on the task of creating the first draft, or even just an outline for the next meeting.

Attorney Simonsen didn't see any other way of beginning the process.

Chair Hollist asked if it would be more complicated if more than one person worked on that, or would it be better to just have discussion noting what specifically they would like to keep/remove from the example, noting why in a group setting.

Commissioner Catmull feels it would be best to have one or two people take the previously given suggestions and create something for everyone to review.

Planner Schindler noted that would be a better process, using the example of the last city council meeting where they discussed the short-term rentals. The Legal Department came to the council in an open meeting and helped the council start drafting that ordinance by bringing up each point and asking what they'd like to include. If each commissioner could come up with a list of what they'd like to see in the ordinance, they could have a similar discussion in the next meeting regarding what they want in the rules with everyone participating.

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Commissioner Ray Wimmer asked specifically to address a mechanism to ask questions of public commenters. He has felt many times that the ability to ask a simple clarifying question could have avoided a heated discussion, and there is currently no mechanism for that.

Attorney Simonsen additionally noted that he'd like to avoid a group of emails being written outside of the public's view, and those things being brought to a future meeting where the commission has already reached a consensus but the public hasn't had a chance to give their input.

Commissioner Catmull asked if they could have a work session where they worked on a Google Doc to share and present those ideas.

Attorney Simonsen responded yes, as long as it is noticed properly.

Planner Schindler reviewed the items expected on the next meeting's agenda, noting that he will be absent and Planner Miguel Aguilera will be presenting items in his absence.

Attorney Simonsen shared some insight from the city's code regarding commission rules and regulations, noting it says they may be modified or amended at any time by the planning commission, at any of its regular meetings. He doesn't know if that excludes noticing of special meetings or not, but to be safe he thinks it would be good to keep it in the regular meetings and be especially careful about avoiding any private meetings related to the topic.

Chair Hollist recommended adding it to the agenda for their next meeting, similar to how it was done for this meeting, and allotting up to one hour for that discussion. She would also like to see the example submitted tonight to be slightly edited to have South Jordan on the top and published with the next meeting's packet as the working copy they will be using for their discussion that night, allowing for the public to give input beforehand.

Attorney Simonsen believes it is okay for the commissioners to speak to city attorneys, as well as have verbal discussions with each of their council representatives, which might yield additional helpful suggestions.

Commissioner Catmull suggested making that discussion a standard agenda item for a few future meetings to prioritize the election of specific positions within the commission and keep things moving.

Chair Hollist agreed, noting that prioritizing the election of those "special positions" at the beginning of the year would be helpful, expediting the discussion of rules for that process. The commission agreed that at the next meeting they will prioritize discussing the appointments for the beginning of the year, traditionally a Chair, Vice Chair, and Art's representative; also inviting suggestions for additional elections.

ADJOURNMENT

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Chair Hollist motioned to adjourn the October 8, 2024 Planning Commission Meeting. Commissioner Gedge seconded the motion. Vote was 5-0, unanimous in favor; Commissioner Bevans was absent from the vote.

The October 8, 2024 Planning Commission Meeting adjourned at 7:53 p.m.

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SOUTH JORDAN CITY
PLANNING COMMISSION REPORT

Meeting Date: 10-22-2024

Issue: DAYBREAK VILLAGE 11A PLAT 8 AMENDED SUBDIVISION AMENDMENT
Address: Lots 671 through 675
File No: PLPLA202400177
Applicant: Perigee Consulting

Submitted By: Greg Schindler, City Planner
Chris Clinger, Senior Engineer

Staff Recommendation (Motion Ready): Approve File No. PLPLA202400177

BACKGROUND

ACREAGE	0.491 Acre
CURRENT LU DESIGNATION	Residential Development Opportunity (RDO)
CURRENT ZONING	PC
CURRENT USE	Single Family Homes

STANDARDS FOR SUBDIVISION AMENDMENT REVIEW

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision amendment. The Planning Commission may approve the amendment if it finds good cause to amend the subdivision, and the amendment complies with City Code Chapter 16.14, other City ordinances, and sanitary sewer and culinary water requirements. The Planning Commission may only deny the amendment if there is no good cause for amending the subdivision and the proposed amendment does not meet all provisions of City Code Chapter 16.14, other City ordinances, and sanitary sewer and culinary water requirements.

ANALYSIS

Perigee Consulting, on behalf of Larry H. Miller Real Estate, has filed an application to amend the Daybreak Village 11A Plat 8 Subdivision. The proposed amendment, if approved will accomplish the following:

1. Adjust the lot lines between lots 671 through 675.

The reason for the application is to create lots that will accommodate the foot print of the housing product proposed to be constructed on the lots. There will be no change to the number of lots within the subdivision. Two of the lots proposed already have home constructed on them. The lot line shifts will bring those lots and homes into conformance with required setbacks.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- Good cause exists for the amendment since the lot dimensions must be able to accommodate the footprint of the current and future structures and their minimum setback requirements.
- The proposed amendment meets all of the provisions of South Jordan Municipal Code Section 16.14 in regards to amendments to subdivisions.
- The proposed amendment is consistent with the PC zone and Kennecott Master Subdivision requirements.
- All State subdivision amendment review requirements have been followed.

Conclusions:

- The proposed amended subdivision remains consistent with both the Community Structure Plan and Daybreak Development Plan.

Recommendation:

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

FISCAL IMPACT:

- None.

ALTERNATIVES:

- Approve the subdivision amendment.
- Deny the subdivision amendment.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Map
- Proposed Amended Plat
- Original Recorded Plat

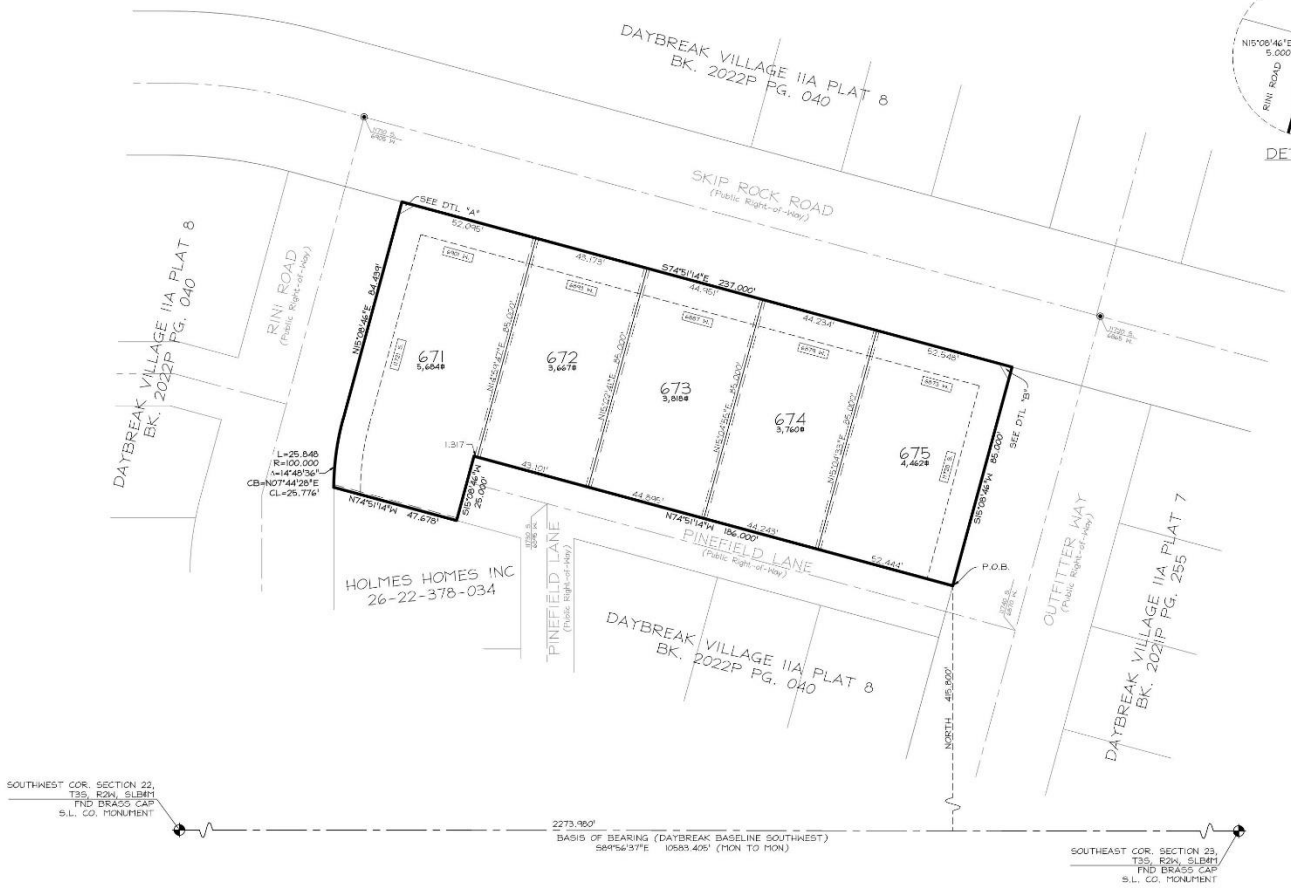
Location Map

SIDEWALK EASEMENTS

DETAILS "A" & "B" - SIDEWALK EASEMENTS FOR HANDICAP RAMP TO BE MAINTAINED BY SOUTH JORDAN CITY

DETAIL "A"
N.T.S.

DETAIL "B"
N.T.S.



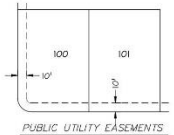
PROPERTY CORNERS

PROPERTY CORNERS TO BE SET WILL BE REBAR & CAP OR NAILS SET IN THE TOP OF CURB OR ALLEY ON THE EXTENSION OF SIDE LOT LINES.

PERIGEE CONSULTING
CIVIL • STRUCTURAL • SURVEY
9089 SOUTH 1300 WEST, SUITE 160 WEST JORDAN, UT 84088
801.628.6024 TEL 801.590.6611 FAX WWW.PERIGEECIVIL.COM

LEGEND

- FOUND SALT LAKE COUNTY SECTION CORNER
- EXISTING STREET MONUMENT
- SPE 3A — ADDRESS WITH ABBREVIATION OF STREET OR LANE
- 1' DRAINAGE EASEMENT PARALLEL TO LOT LINE (UNLESS NOTED OTHERWISE)



PUBLIC UTILITY EASEMENTS
TYPICAL
(UNLESS OTHERWISE NOTED)

DAYBREAK VILLAGE IIA PLAT 8 AMENDED
AMENDING LOTS 671-675 OF THE DAYBREAK VILLAGE IIA PLAT 8

Located in the Southwest quarter of Section 22, T3S, R2W, Salt Lake Base and Meridian

SALT LAKE COUNTY RECORDER — RECORDED #

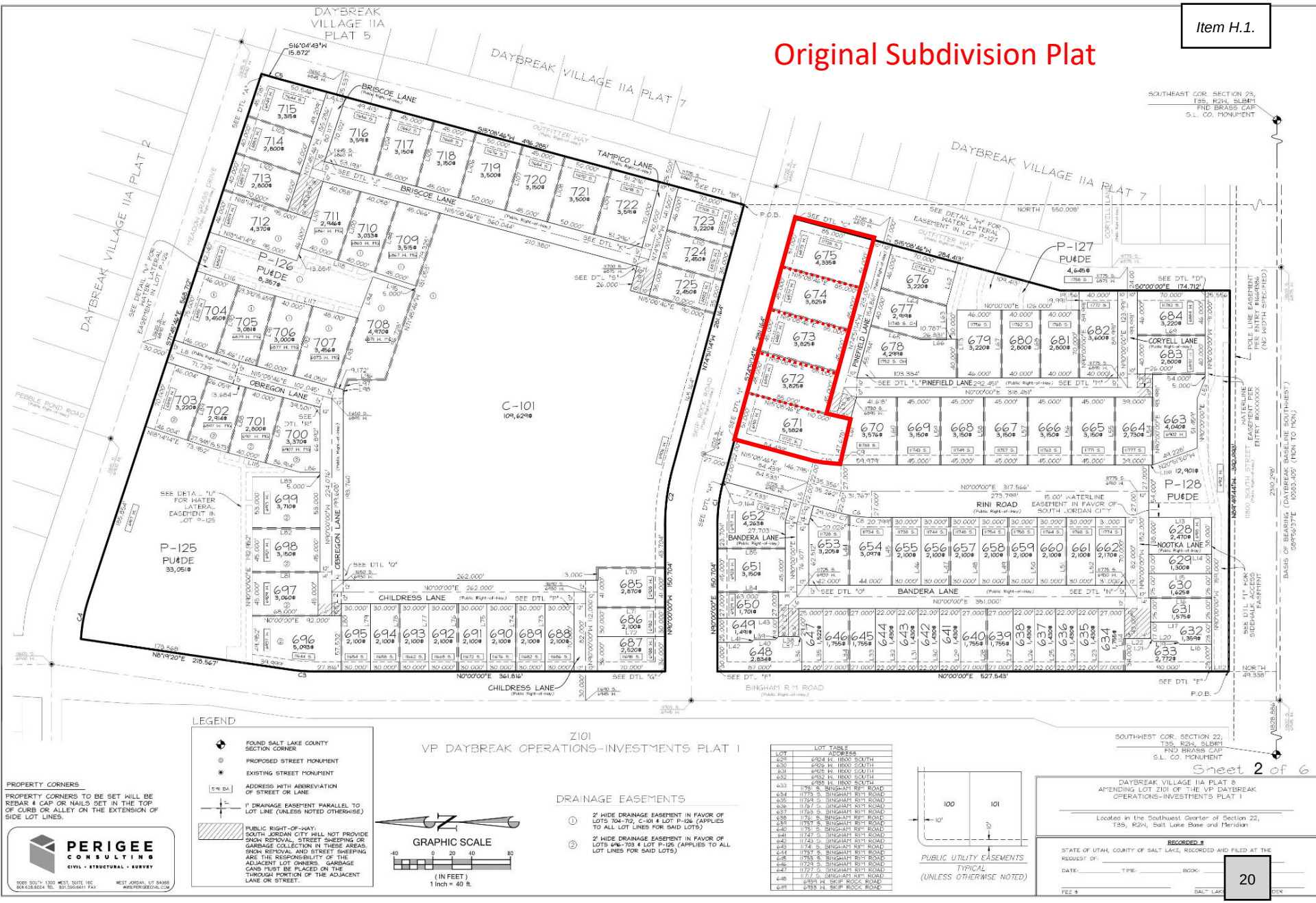
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE $ _____ DEPUTY, SALT LAKE COU

Item H.1.

Original Subdivision Plat



LOT	ADDRESS
LOT TABLE	
629	6924 W. 11800 SOUTH
630	6926 W. 11800 SOUTH
631	6928 W. 11800 SOUTH
632	6932 W. 11800 SOUTH
633	6938 W. 11800 SOUTH
	11751 S. BINGHAM RIM ROAD
634	11773 S. BINGHAM RIM ROAD
635	11769 S. BINGHAM RIM ROAD
636	11767 S. BINGHAM RIM ROAD
637	11763 S. BINGHAM RIM ROAD
638	11761 S. BINGHAM RIM ROAD
639	11757 S. BINGHAM RIM ROAD
640	11751 S. BINGHAM RIM ROAD
641	11747 S. BINGHAM RIM ROAD
642	11743 S. BINGHAM RIM ROAD
643	11741 S. BINGHAM RIM ROAD
644	11737 S. BINGHAM RIM ROAD
645	11733 S. BINGHAM RIM ROAD
646	11729 S. BINGHAM RIM ROAD
647	11727 S. BINGHAM RIM ROAD
648	11717 S. BINGHAM RIM ROAD
	6939 W. SKIP ROCK ROAD
649	6933 W. SKIP ROCK ROAD

SOUTH JORDAN CITY
PLANNING COMMISSION REPORT Meeting Date: 10-22-2024

Issue: DAYBREAK SOUTH STATION PLAT 4
PRELIMINARY SUBDIVISION
Location: Generally east of the future Salt Lake Bees Stadium
Project No: PLPP202400141
Applicant: Perigee Consulting on behalf of Miller Family Real Estate
Submitted By: Greg Schindler, City Planner
Chris Clinger, Senior Engineer

Staff Recommendation (Motion Ready): Approve Project No. PLPP202400141 subject to the following:

1. That all South Jordan City requirements are met prior to recording the plat.

STANDARDS FOR SUBDIVISION REVIEW

The Planning Commission shall receive public comment at a public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the proposed subdivision does not meet City ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application.

BACKGROUND

ACREAGE	0.962 Acre
ZONING	Planned Community (P-C)
CURRENT USE	Vacant

Perigee Consulting on behalf of Miller Family Real Estate, has filed an application for preliminary subdivision Daybreak South Station Plat 4. The reason for the subdivision is not to create any new parcels or lots, but to dedicate right-of-way to the City. The proposed dedication will extend existing streets, Split Rock Drive and Center Field Drive, further to the east of Grandville Avenue.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- All PC zone and Kennecott Master Subdivision requirements will be met regarding the preliminary subdivision plat.
- All State and Local subdivision review requirements have been followed.
- The proposal meets all City ordinances and complies with the General Plan.
- The extension of both streets will enhance the traffic circulation within the urban center "Downtown Daybreak."

Conclusions:

- The proposed subdivision is consistent with both the Daybreak Community Structure Plan the South Jordan General Plan and meets the standards of review for subdivisions in the P-C zone.

Recommendation:

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

FISCAL IMPACT:

- Minimal.

ALTERNATIVES:

- Approve the preliminary subdivision.
- Deny the preliminary subdivision.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Map
- Proposed Subdivision Plat

Location Map

PROPERTY CORNERS

PROPERTY CORNERS TO BE SET WILL BE REBAR & CAP OR NAILS SET IN THE TOP OF CURB OR ALLEY ON THE EXTENSION OF SIDE LOT LINES.

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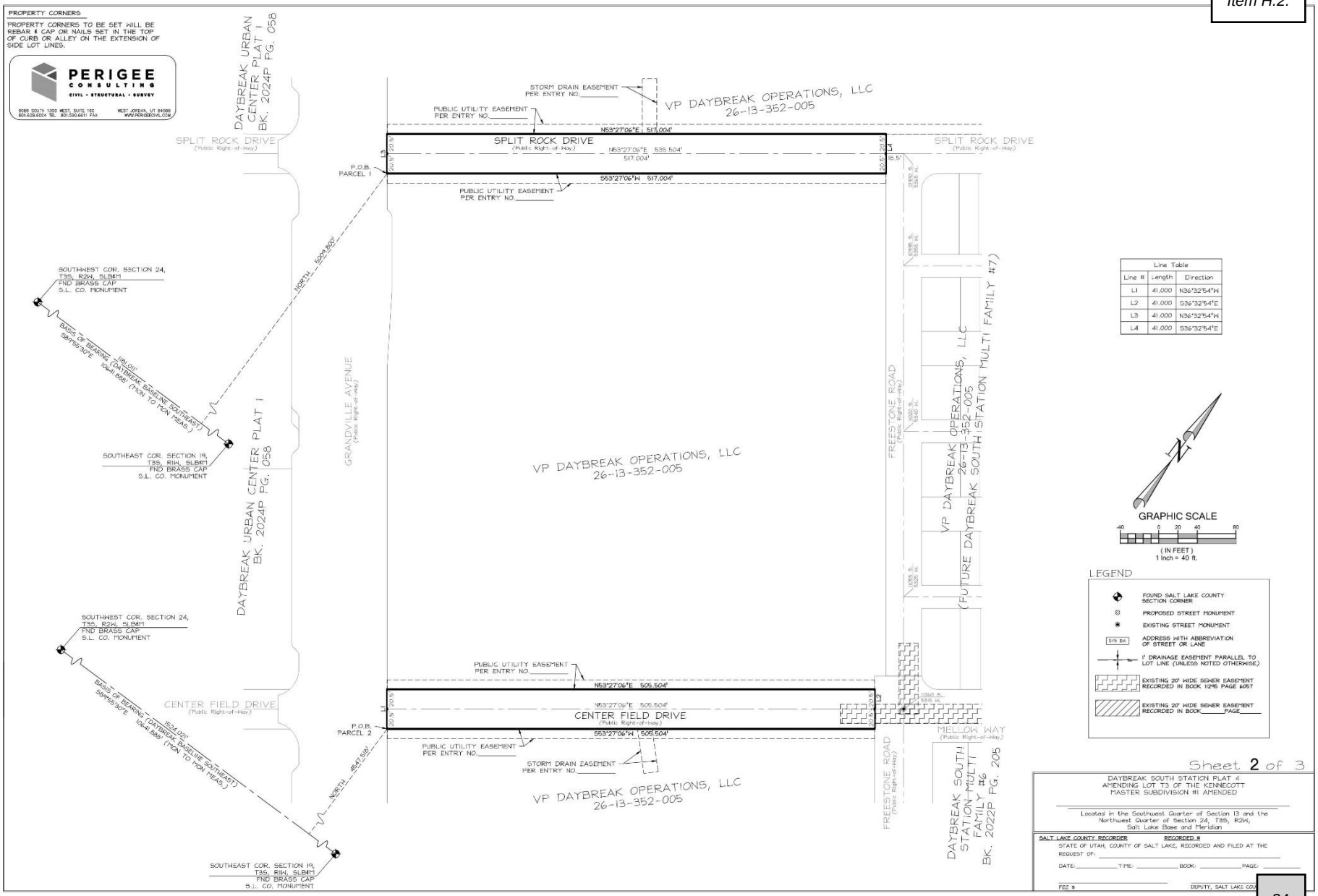


Line Table		
Line #	Length	Direction
L1	41.000	N36°32'54"W
L2	41.000	S36°32'54"E
L3	41.000	N36°32'54"W
L4	41.000	S36°32'54"E

SOUTH JORDAN CITY
PLANNING COMMISSION REPORT

Meeting Date: 10/22/2024

Issue: **BESS DENTAL OFFICE LAND USE AMENDMENT AND REZONE**
Land Use Amendment from Stable Neighborhood (SN) to Economic Center (EC); Rezone from Single-Family Residential (R-2.5) & Agriculture (A-5) to Professional Office (P-O)

Address: **9828 S Temple Drive and 9816 S Temple Drive**
File No: **PLZBA202400175**
Applicant: **Shea Bess & Ben Purdue**

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

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

- Resolution R2024-44 approving the change is land use designation from Stable Neighborhood to Economic Center.
- Ordinance No. 2024-09-Z approving the zone change from Single-Family Residential (R-2.5) and Agriculture (A-5) to Professional Office (P-O).

ACREAGE:	Approximately 1.1 acres
CURRENT ZONE:	Single-Family Residential (R-2.5) & A-5
CURRENT USE:	Vacant/Utilities
FUTURE LAND USE PLAN:	Stable Neighborhood
NEIGHBORING ZONES/USES:	North – R-2.5/Single-family residential South – R-3/ Single-family residential West – R-2.5/Single-family residential East – R-1.8/ Single-family residential

STANDARD OF APPROVAL

1. LAND USE AMENDMENT:

The general plan may be amended by resolution of the city council as follows:

A. The process to amend the general plan and future land use map may be initiated by members of the City Council, by the City Manager or Planning Director, or by the owner of a subject property or his or her agent. A general plan land use or text amendment which is not initiated by the City may not be reinitiated for an amendment which was considered within the previous year without a majority vote of the City Council. A land use amendment should not impair the development potential of the subject parcel or neighboring properties.

B. The Planning Commission shall hold a public hearing, as required by state law, after which the commission may modify the proposed general plan amendment. The Planning Commission shall then forward the proposed general plan amendment to the City Council.

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

(City Code § 17.12.030)

2. REZONE:

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

A. The parcel to be rezoned meets the minimum area requirements of the proposed zone or if the parcel, when rezoned, will contribute to a zone area which meets the minimum area requirements of the zone.

B. The parcel to be rezoned can accommodate the requirements of the proposed zone.

C. The rezoning will not impair the development potential of the parcel or neighboring properties.

(City Code § 17.22.020)

BACKGROUND:

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

The rezoning of the three properties would meet the one acre minimum size requirement for the P-O zone area. The applicant provided a sample site plan showing a dental office project. Only one building is proposed in the concept with the rest of the project proposed to be parking and landscaping. The sample concept also does not include development in the entire rezoned area. Only the properties owned by applicant Shea Bess of Spectrum, LLC are proposed to have development. The property owned by Jordan Valley Water Conservancy District (applicant Ben Purdue) are included in the rezone application so that the minimum zone area is met.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- There is no development agreement associated with this rezone.

- The dental office is a not permitted use under the existing zoning designations, but is a permitted use in the Professional Office zone.
- The properties zoned A-5 are considered nonconforming lots. With the new zone change, they will come into compliance as the P-O zone does not have a minimum lot size.
- To the north of the three properties associated with this application is a Questar Gas Company property. This will provide a 60 foot wide buffer between the proposed P-O zone and the residences to the north.
- The application meets the rezone standards of approval of the City Code.

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

Recommendation:
Based on the findings and conclusion listed above, Staff recommends that the Planning Commission take comments at the public hearing and **recommend approval** of the rezone application, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:
- Recommend approval of an amended application.
- Recommend denial of the application.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:
- Aerial Map
- Land Use Map
- Zoning Map
- Concept Plan
- Ordinance No. 2024-08-Z
  - Exhibit 'A' – Proposed concept
- Resolution R2024-42

Approved by:

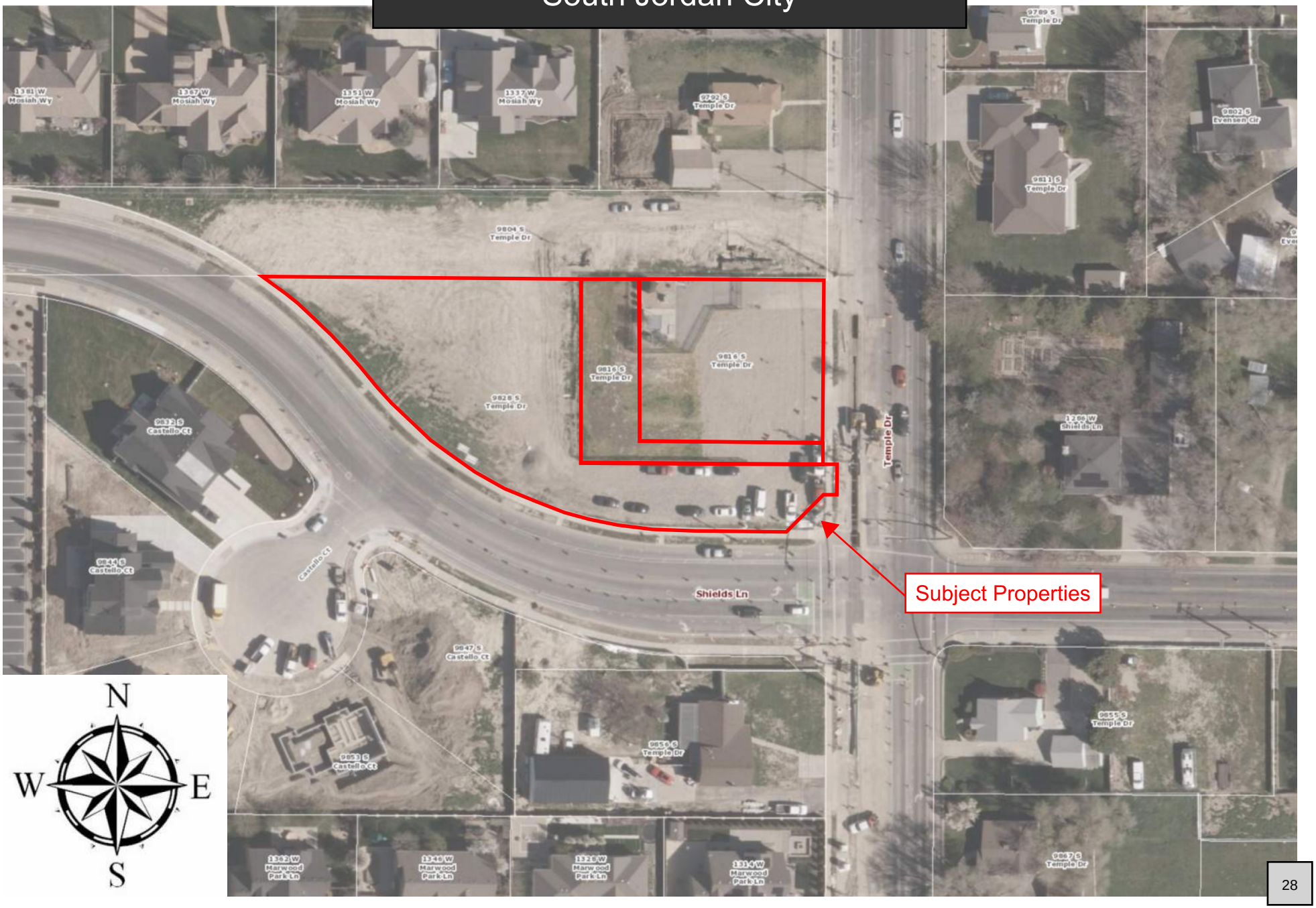
Miguel Aguilera
Miguel Aguilera (Oct 16, 2024 14:04 MDT)

Miguel Aguilera
Planner I, Planning Department

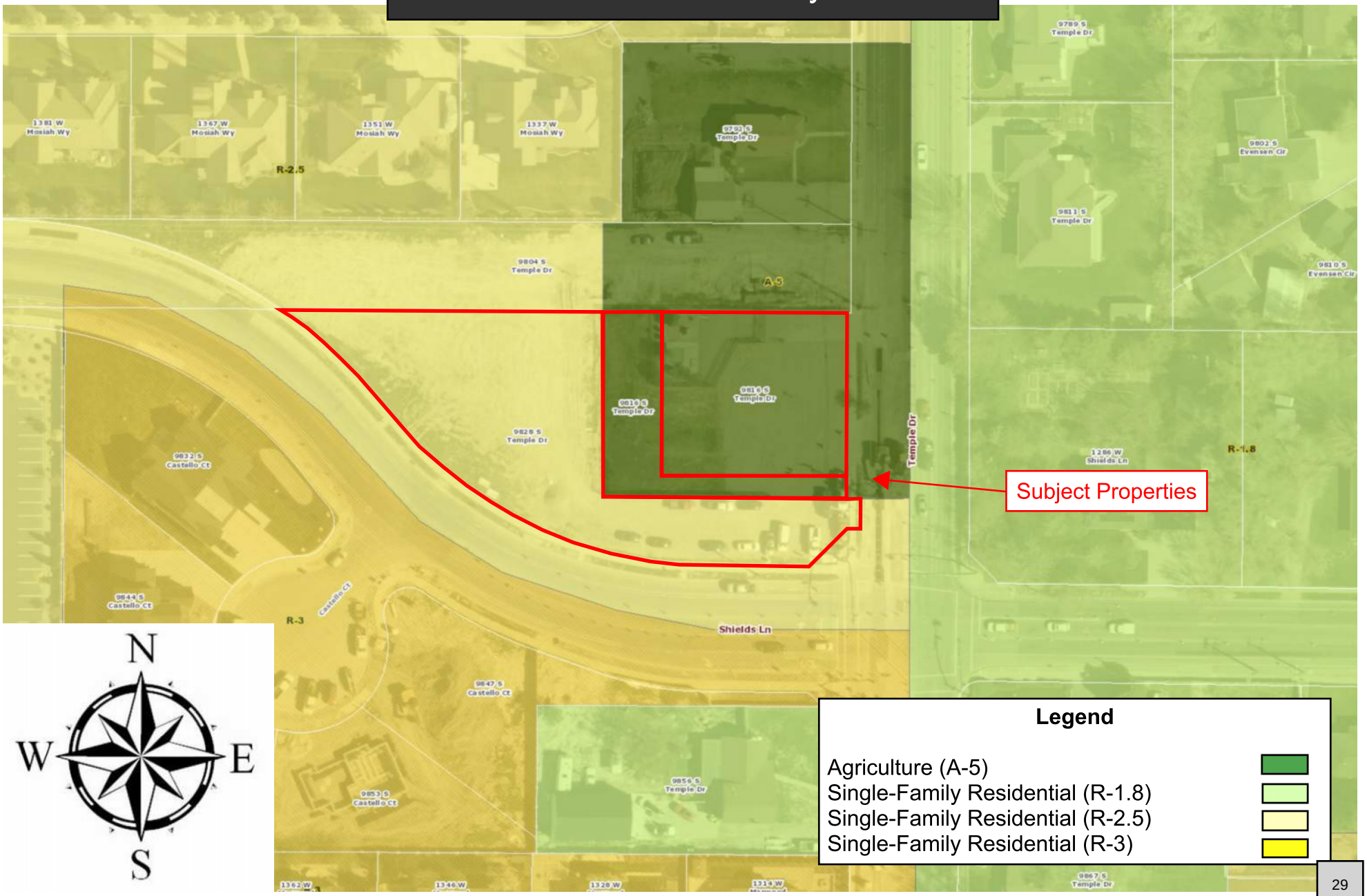
Steven Schaefermeyer
Steven Schaefermeyer (Oct 16, 2024 15:14 MDT)

Steven Schaefermeyer
Director of Planning

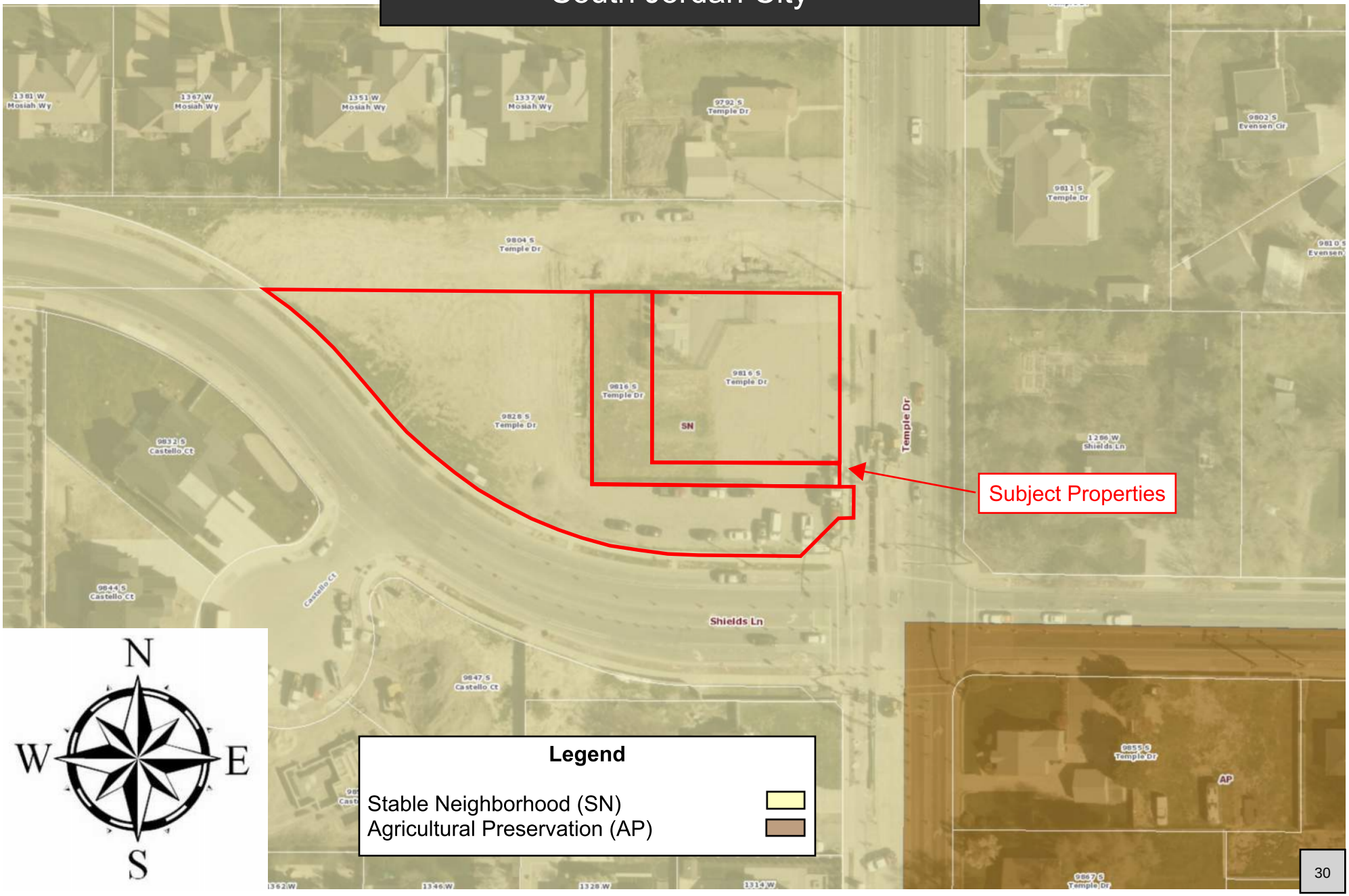
Location Map
Bess Dental Office
South Jordan City

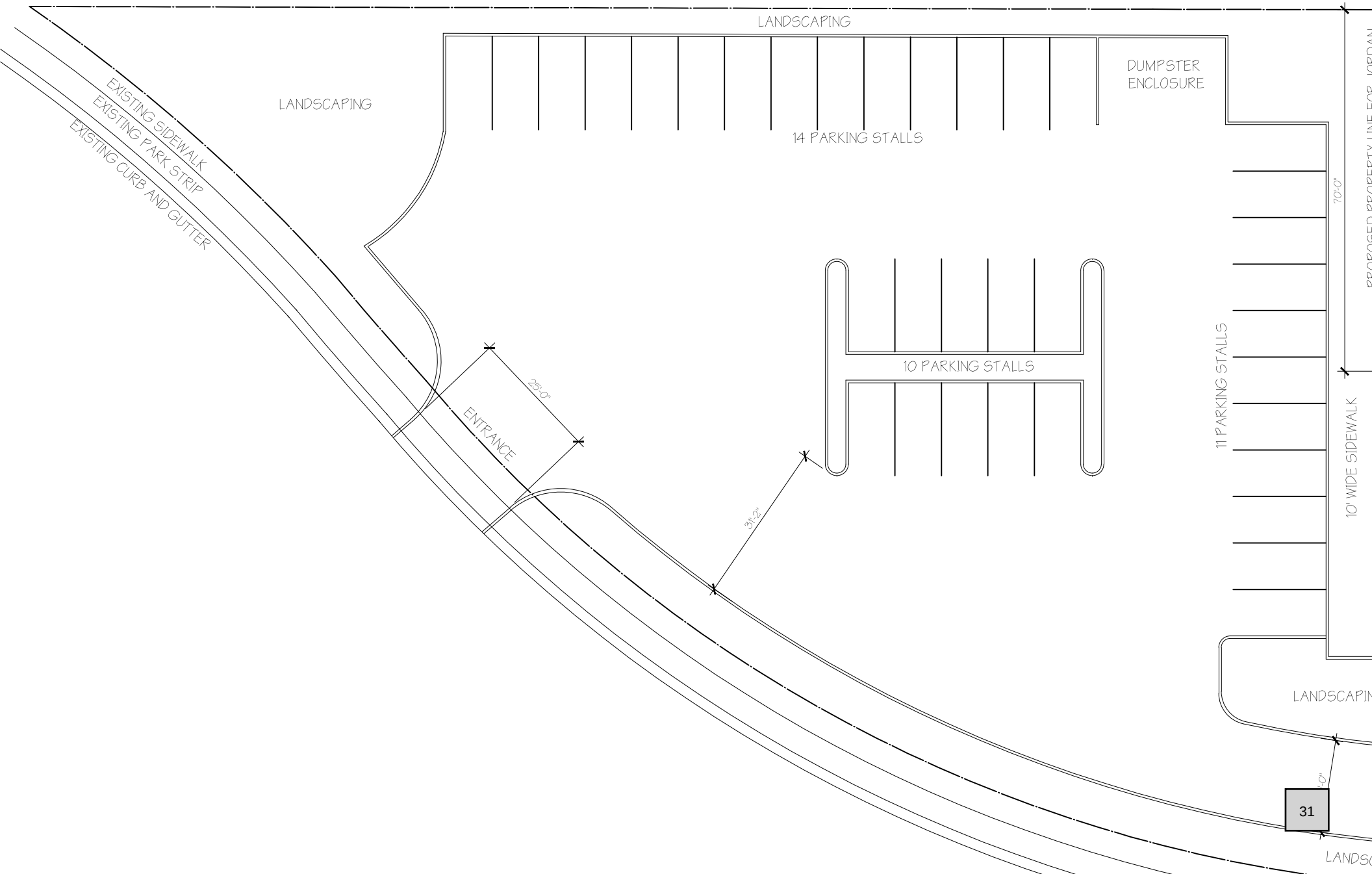


Zoning Map
Bess Dental Office
South Jordan City



Land Use Map
Bess Dental Office
South Jordan City




LANDSCAPING
LANDSCAPING
DUMPSTER ENCLOSURE
14 PARKING STALLS
EXISTING SIDEWALK
EXISTING PARK STRIP
EXISTING CURB AND GUTTER
70'-0"
10 PARKING STALLS
11 PARKING STALLS
10' WIDE SIDEWALK
25'-0"
ENTRANCE
31'-2"
LANDSCAPIN
LANDSC

RESOLUTION R2024 - 44

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

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

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

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

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

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

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

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

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

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

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

_____
Office of the City Attorney

Exhibit A

(Property Description and Land Use Map)

SN Land Use to EC Land Use

PARCEL NUMBER: 27-10-429-003

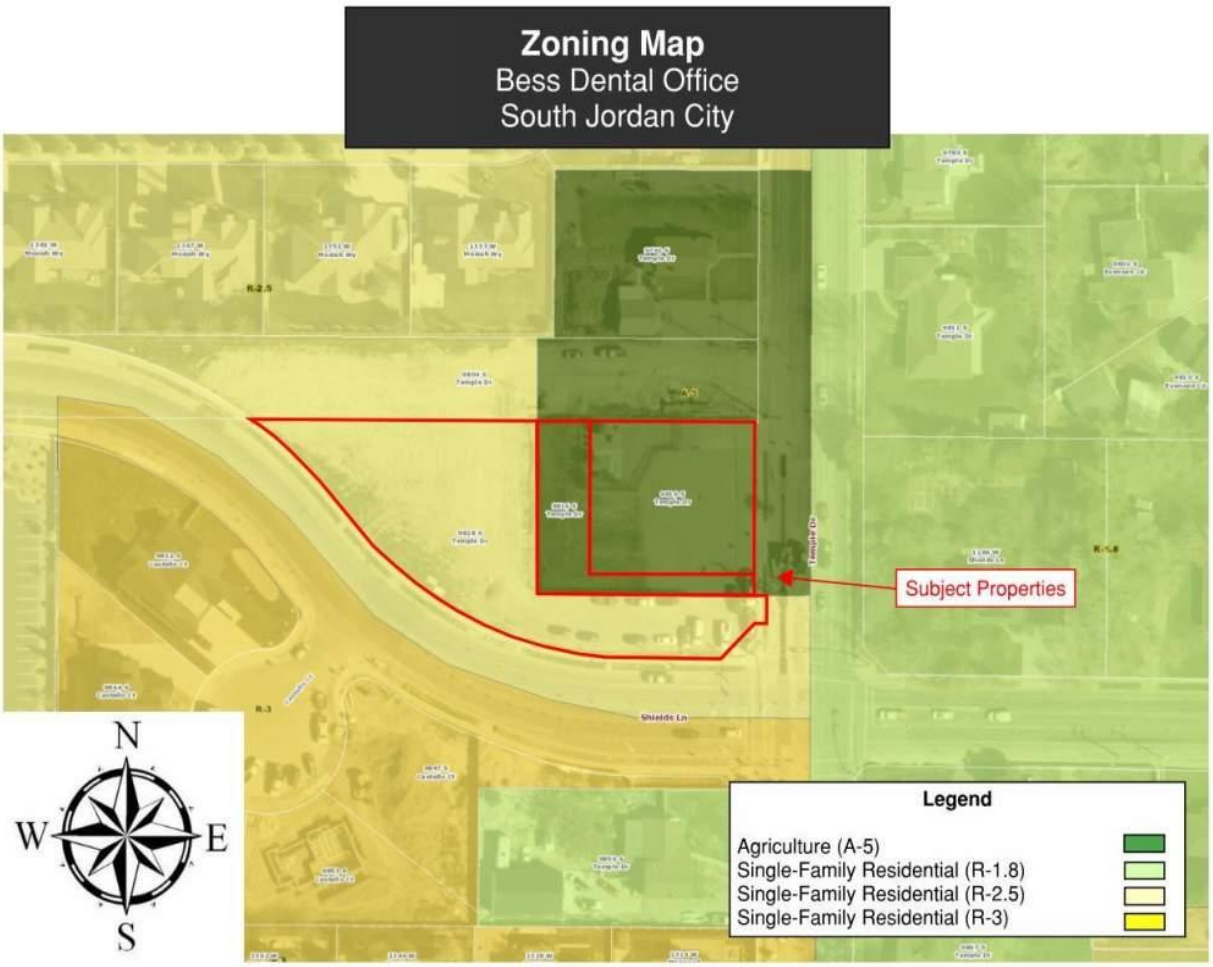
LOT 1, 9800 SOUTH CHURCH SUBDIVISION. 9266-8467

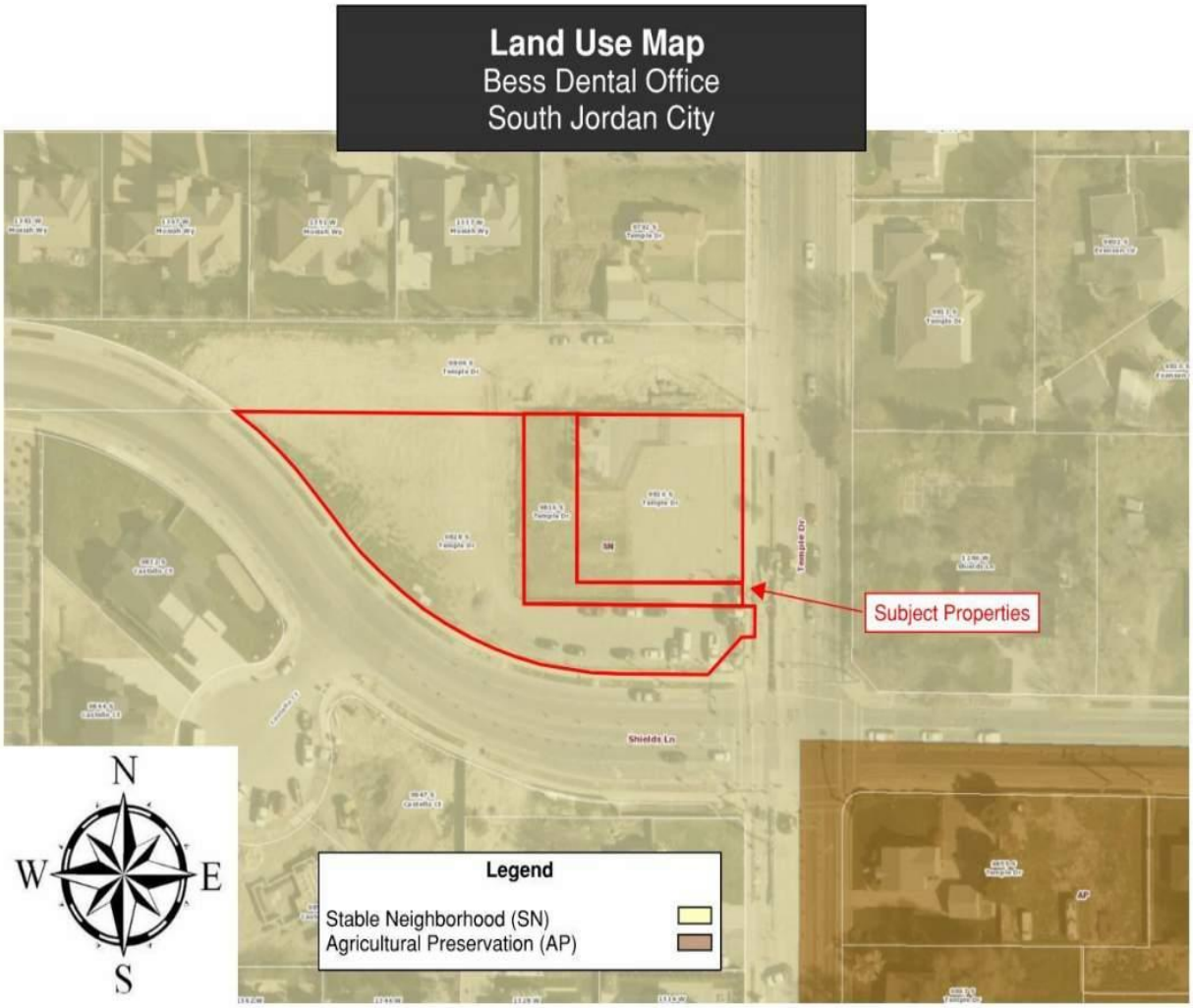
PARCEL NUMBER: 27-10-429-006

BEG S 0¿09' E 185 FT & N 89¿56'23" W 42.50 FT FR E 1/4 COR SEC 10, T 3S, R 1W, SLM; N 89¿52 28" W 164.74 FT; N 0¿05 05"E 125 FT; S 89¿52 28" E 40 FT; S 0¿05 05" E 110 FT; S 89*52'28" E 124.79 FT; S 0¿09' E 15 FT TO BEG. 0.16 AC 6292-0753 9203-9630

PARCEL NUMBER: 27-10-429-007

BEG S 0¿09' E 60 FT & N 89¿56'23" W 42.50 FT FR E 1/4 COR SEC 10, T 3S, R 1W, SLM; S 0¿09' E 110 FT; N 89¿52 28" W 124.79 FT; N 0¿ 05 05" W 110 FT; S 89¿52 28" E 124.79 FT TO BEG, 0.32 AC 4687-156 6292-751, 753 6360-1088 6731-1875 9203-9628


Zoning Map
Bess Dental Office
South Jordan City
Subject Properties
Shields Ln
N
W
E
S
Legend
Agriculture (A-5)
Single-Family Residential (R-1.8)
Single-Family Residential (R-2.5)
Single-Family Residential (R-3)


Land Use Map
Bess Dental Office
South Jordan City
Subject Properties
Shields Ln
Temple Dr
SN
AP
N
W
E
S
Legend
Stable Neighborhood (SN)
Agricultural Preservation (AP)

ORDINANCE NO. 2024-09-Z

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

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

WHEREAS, the Applicants, Shea Bess and Ben Purdue, proposed that the City Council amend the Zoning Map by rezoning the property described in the attached **Exhibit A**; and

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

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

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

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

SECTION 1. Rezone. The property described in Application PLZBA202400175 filed by Shea Bess and Ben Purdue, located at 9828 S Temple Drive and 9816 S Temple Drive, are hereby reclassified from the R-2.5 (Single Family Residential) and A-5 (Agricultural) Zones to the P-O (Professional Office) Zone, on property described/shown in the attached **Exhibit A**.

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

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

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

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

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

Mayor:_____
Dawn R. Ramsey

Attest:_____
City Recorder

Approved as to form:

_____

EXHIBIT A

(Property Description and Zoning Map)

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

PARCEL NUMBER: 27-10-429-003

LOT 1, 9800 SOUTH CHURCH SUBDIVISION. 9266-8467

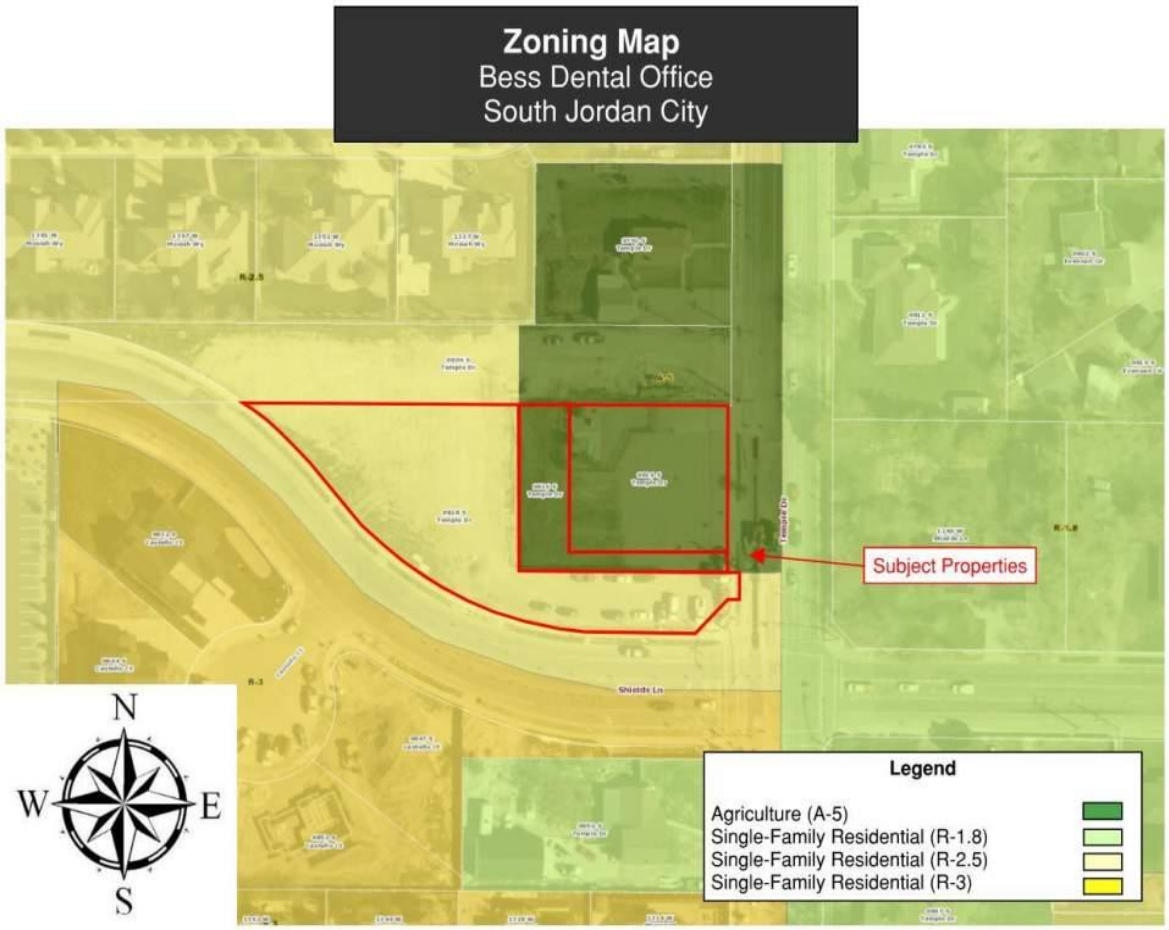
PARCEL NUMBER: 27-10-429-006

BEG S 0¿09' E 185 FT & N 89¿56'23" W 42.50 FT FR E 1/4 COR SEC 10, T 3S, R 1W, SLM; N 89¿52 28" W 164.74 FT; N 0¿05 05"E 125 FT; S 89¿52 28" E 40 FT; S 0¿05 05" E 110 FT; S 89*52'28" E 124.79 FT; S 0¿09' E 15 FT TO BEG. 0.16 AC 6292-0753 9203-9630

PARCEL NUMBER: 27-10-429-007

BEG S 0¿09' E 60 FT & N 89¿56'23" W 42.50 FT FR E 1/4 COR SEC 10, T 3S, R 1W, SLM; S 0¿09' E 110 FT; N 89¿52 28" W 124.79 FT; N 0¿ 05 05" W 110 FT; S 89¿52 28" E 124.79 FT TO BEG, 0.32 AC 4687-156 6292-751, 753 6360-1088 6731-1875 9203-9628

(Zoning Map)


Zoning Map
Bess Dental Office
South Jordan City
Subject Properties
N
W
E
S
Legend
Agriculture (A-5)
Single-Family Residential (R-1.8)
Single-Family Residential (R-2.5)
Single-Family Residential (R-3)

SOUTH JORDAN CITY
PLANNING COMMISSION REPORT

Meeting Date: 10/22/2024

Application: **TEXT AMENDMENT - AMENDING SECTION 16.30.040 (OUTDOOR LANDSCAPING STANDARDS) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO PROHIBIT LAWN OUTSIDE OF ACTIVE RECREATION AREAS IN ALL COMMERCIAL, INDUSTRIAL AND MULTI-FAMILY DEVELOPMENT COMMON AREA LANDSCAPES.**

Ordinance No.: 2024 - 24
Applicant: City of South Jordan

Submitted By: Steven Schaefermeyer, Director of Planning

Staff Recommendation (motion ready): I move that the Planning Commission recommend to the City Council that it **approve** Ordinance No. 2024 - 24 amending Section 16.30.040 of the South Jordan City Municipal Code.

BACKGROUND:

In mid-2020, the Jordan Valley Water Conservancy District Board ("the District") adopted new Water Efficiency Standards (the "Standards") for all new development within its service area. In April 2021 the City Council adopted Ordinance 2021 – 09, which implemented the Standards with the goal of reducing overall per capita water use within the City.

Since 2021, South Jordan's water needs have continued to change, including the need secure water for the Kennecott property on the City's southwest side that the City annexed in 2023. As discussions between the City, the property owner and the District about how to provide water for that annexed area has progressed, the District is requiring the City to further restrict lawn in new or renovated commercial, industrial and multi-family developments.

ANALYSIS:

The proposed text amendment modifies Subsection 16.30.040.B.8 of the South Jordan City Municipal Code (the "City Code") as follows:

> In commercial, industrial, institutional, and multi-family development common area landscapes, lawn **is prohibited**~~areas shall not exceed twenty percent (20%) of the total landscaped area~~, outside of active recreation areas.[1]

[1] City Code § 16.30.020 defines "lawn" as "[g]round that is covered with grass or turf that is regularly mowed," and defines "active recreation areas" as "[a]reas of the landscape dedicated to active play where lawn may be used as the playing surface (ex. sports fields and play areas)."

This new restriction would apply to all *new* commercial, industrial and multi-family residential developments. Existing commercial, industrial and multi-family residential developments would only be required to come into compliance with the modified Standards if they make changes to a development that necessitates a new or amended site plan.

STAFF FINDINGS & CONCLUSIONS:

Facts & Findings:

- Utah Code § 10-9a-102 grants the City Council a general land use authority to enact regulations that it considers necessary or appropriate for the use and development of land in the City, including maintaining the aesthetics of the City and protecting the tax base, and the City Council has the power to amend its land use regulations. (*See* Utah Code § 10-9a-501 *et seq*.)
- The changes proposed in this text amendment are consistent with the City's Growth Goal 5 on page 69 of the General Plan to "reduce excessive water use in the City."
- The changes proposed in this text amendment are consistent with the following City Strategic Priorities:

  BRE-1: Develops effective, well-balanced, and consistently applied ordinances and policies.

  BRE-2: Implements ordinances and policies that encourage quality community growth and development.

  DAOS-5: Partners with community stakeholders to maintain and expand park, art and recreational opportunities.

  SG-2: Creates and supports environmentally sustainable programs including water conservation, recycling, energy conservation, and air quality improvement to ensure the financial well-being and long-term sustainability of the community.

  SG-3. Develops future water resources through a variety of innovative methods
- In addition to this change allowing the City to ensure the availability of sufficient water resources for the Kennecott annexation property, it will also further the City's efforts to ensure sufficient water resources are available to all City residents and property owners.
- Even before the City adopted the Standards in 2021, City staff noticed that commercial, industrial and multi-family developments were voluntarily designing their developments with fewer lawn areas. Further restricting lawn areas in these developments ensures that trend will continue.

Conclusion:

- Approval of Ordinance 2024 - 24 will strengthen the City's efforts to conserve water and ensure sufficient water resources are available to the City and its residents.
- Further restricting the use of lawn in commercial, industrial and multi-family development landscaping is not burdensome to the City's existing and future businesses.

Recommendation: based on the information in this report and discussion during the public hearing, City staff recommends that the Planning Commission recommend to the City Council that it **approve** Ordinance No. 2024 - 24.

ALTERNATIVES:

- Recommend approval of Ordinance No. 2024 - 24 with changes.
- Recommend denial of Ordinance No. 2021 - 24.

SUPPORT MATERIALS:

- Ordinance No. 2024 - 24

ORDINANCE NO. 2024 - 24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTION 16.30.040 (OUTDOOR LANDSCAPING STANDARDS) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO PROHIBIT LAWN OUTSIDE OF ACTIVE RECREATION AREAS IN ALL COMMERCIAL, INDUSTRIAL AND MULTI-FAMILY DEVELOPMENT COMMON AREA LANDSCAPES.

WHEREAS, Utah Code § 10-9a-102 grants the City of South Jordan (the "City") authority to enact ordinances that the South Jordan City Council (the "City Council") considers necessary or appropriate for the use and development of land within the City; and

WHEREAS, the Jordan Valley Water Conservancy District, which includes the City in its service area, requires the City to limit lawn areas in commercial, industrial and multi-family developments before providing the City additional water resources for newly annexed areas; and

WHEREAS, water is a limited resource and the recommended change to the City's Outdoor Landscaping Standards for commercial, industrial and multi-family residential development will result in the conservation of water and help keep water rates reasonable for City residents; and

WHEREAS, the majority of new commercial, industrial and multi-family residential developments already choose to only landscape with lawn in active recreation areas; and

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

WHEREAS, the City Council finds that the subject text amendment will enhance the public health, safety, and welfare, and will promote the water conservation goals of the General Plan.

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

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

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

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

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

_____
Office of the City Attorney

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

16.30.040: OUTDOOR LANDSCAPING REQUIREMENTS

A. Applicability: All new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects within the front and side yards, and homeowner provided landscape improvements within the front and side yards of single and two-family dwellings shall comply with the landscaping standards below. It is recommended and encouraged, but not mandated, that rear yard landscape improvements of single and two-family dwellings comply with these same standards.

B. Landscaping Requirements:

1. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.

2. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and planting beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.

3. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.

4. At least three to four inches (3 - 4") of mulch, permeable to air and water, shall be used in planting beds to control weeds and improve the appearance of the landscaping.

5. At maturity, landscapes are required to have enough plant material (perennials and shrubs) to create at least fifty percent (50%) living plant cover at maturity at the ground plane, not including tree canopies.

6. Lawn shall not be installed in park strips, paths, or on slopes greater than twenty-five percent (25%) or 4:1 grade. Lawn area shall not be less than eight feet (8') wide at its narrowest point. To the extent reasonably practicable, lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).

7. In residential landscapes, the landscaping shall adhere to the following localscapes requirements and shall be properly labeled on the landscape plan submitted to the City for review:

   a. If size permits, the landscaped areas of the front yard and back yard shall include a designed central open shape created by using lawn, hardscape, groundcover, gravel, or mulch.

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

b. Gathering areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without lawn, gathering areas may function as the central open shape.

c. Activity zones shall be located outside of the central open shape and shall be surfaced with materials other than lawn.

d. Paths shall be made with materials that do not include lawn, such as hardscape, mulch, or other groundcover.

e. Lawn areas shall not exceed the greater of two hundred fifty (250) square feet, or thirty-five percent (35%) of the total landscaped area.

f. Small residential lots, which have no side yards or back yards, where the total landscaped area is less than two hundred fifty (250) square feet, and where the front yard dimensions cannot accommodate the minimum eight foot (8') wide lawn area requirement of the landscaping requirements in section F. are exempt from the eight foot (8') minimum width lawn area requirement.

8. In commercial, industrial, institutional, and multi-family development common area landscapes, lawn **is prohibited**~~areas shall not exceed twenty percent (20%) of the total landscaped area,~~ outside of active recreation areas.

9. The City Engineer may allow or require exceptions from the slope limitations and other elements of the landscaping requirements in public utility infrastructure landscape areas upon the applicant’s showing of good cause (a reason rationally related to the development) and in the best interest of the City.

10. These outdoor standards are not intended to be in conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may be in conflict with Utah law, such conflicting requirements shall not apply.