

SOUTH JORDAN CITY
CITY COUNCIL MEETING

December 1, 2015

Present: Mayor David Alvord, Councilman Steve Barnes, Councilman Chuck Newton, Councilman Chris Rogers, Councilman Mark Seethaler, Councilman Don Shelton, CM Gary Whatcott, City Attorney Ryan Loose, Administrative Services Director Dustin Lewis, Police Chief Jeff Carr, Strategic Services Director Don Tingey, Development Services Director Brad Klavano, COS Paul Cunningham, City Commerce Director Brian Preece, Finance Director Sunil Naidu, IS Director John Day, Public Works Director Jason Rasmussen, City Council Secretary MaryAnn Dean

Others: Attachment A

REGULAR MEETING – 6:00 PM

A. Welcome and Roll Call – *Mayor David Alvord*

Mayor Alvord welcomed everyone present. All members of the City Council are present.

B. Invocation – *By Councilman Chuck Newton*

Steve King, resident, offered the invocation.

C. Pledge of Allegiance

Cannon Lambert led the audience in the Pledge of Allegiance.

Mayor Alvord recognized all of the scouts that were present.

D. Minute Approval

1. November 17, 2015 Board of Canvass
2. November 17, 2015 Study Meeting
3. November 17, 2015 Regular Meeting

Councilman Seethaler made a motion to approve the November 17, 2015 Board of Canvass meeting minutes, the November 17, 2015 study meeting minutes, and the November 17, 2015 regular meeting minutes, as printed. Councilman Shelton seconded the motion. The vote was unanimous in favor.

E. Public Comment

Scott Osborne, thanked the City Council for their service. He also recognized and thanked city staff.

Paul Hammer, 10252 S. 3570 W., said regarding Walmart, the letter of the law was met, but not the spirit of the law. It let down their neighborhood tremendously. There is another issue on the agenda tonight that will also impact the neighborhood. It could potentially affect all of the City Council districts one day.

F. Presentations:

1. Proclamation: Recognition of Coach Joel Sato for the National High School Baseball Coaches Association Hall of Fame

Coach Sato was recognized for being in the National High School Baseball Coaches Association Hall of Fame.

- G. Action Item:** Appeal AP-2015.11, Katie Rae Kourt and Jones Lane Subdivisions Fence Appeal to not require a masonry fence between properties at 10120 South 1100 West. Terry King, Steve & Beatriz Jones – Applicants. *(By Planner, Brad Sanderson)*

Planner Brad Sanderson reviewed the background information on this item.

Councilman Seethaler said he is fine with a vinyl fence. There was a subdivision to the west that had the same proposal to not put in a solid fence, and they were denied. What is the difference between the two applications? Planner Sanderson said the Stone Haven subdivision was a conditional use permit, and had a reduced setback, and that put them close to the farm application. Because it was a Conditional Use Permit, the City Council was not comfortable being that close to the line. In this case, there is a stub road, a retention pond, and a requirement that staff is suggesting that the new lot stay 25 ft. from the property line. Staff is suggesting they require a 25 ft. setback regardless of how the house is oriented.

Councilman Seethaler noted that the adjacent property qualifies for farm animals. Is there concern from staff that animals could be introduced to that property? Planner Sanderson said they feel that the vinyl fence is sufficient if animals are introduced. They don't feel a masonry fence is warranted in this instance.

Councilman Seethaler asked about the ditch and if it would be appropriate to pipe the ditch. Mr. Sanderson said the ditch sits close to the property line so a fence of any kind would be problematic. As the ditch moves east, it separates itself from the property line. He said there has been a request for the ditch to be piped.

Councilman Barnes made a motion to approve Appeal AP-2015.11. Councilman Rogers seconded the motion.

Councilman Seethaler asked to address the applicants. He asked about the piping of the ditch.

Beatriz Jones, 1082 W. 10120 S., introduced herself. She said they have a letter from Mr. King and Steve Mabey. She has talked to Mr. Mabey about the fence, the ditch, the pipe, etc. Councilman Seethaler read the following from a letter, "Steve Mabey, owner of the property north of Katie Rae Kourt, does not need a masonry fence and has agreed to move the ditch onto his property where it meanders onto Katie Rae Kourt. There is discussion about having his ditch piped where it borders the new subdivision." He asked if the Jones's or Mr. King has had discussions about piping the ditch and at whose expense? His concern is that the Mabey's needs or desires are being addressed.

Terry King, 1051 W. 10250 S., said he had a conversation with Steve Mabey. Mr. Mabey is okay with having no fence put up. He said he would like the ditch piped if possible. If it's not possible, he understands. He said the fence won't affect Mr. Mabey's ditch.

Councilman Seethaler said it is a private deal that the City does not need to get involved with.

Roll call vote. The vote was unanimous in favor.

H. Action Item: Appeal AP-2015.12, Del Taco – Sign Appeal. Application for the proposed menu board sign, providing that the menu board sign does not exceed the dimensions as proposed at 11507 S. 4000 W. (*By Planner, Brad Sanderson*)

Planner Brad Sanderson reviewed the background information on this item. It was noted that some other menu signs have been appealed in the city, some were pre-existing before the code.

Councilman Barnes asked if they need to revisit this part of the code? Mr. Sanderson said they can. It is not urgent as these are not common.

Development Services Director Klavano said next year, they will be bring back an Ordinance to address a lot of sign issues.

Paul Hitzelberger, Oquirrh Mountain Marketplace, said they have a menu sign that the franchisor provides to them. No light will shine towards residential. Without this change, there is no way to provide all of the menu items to their guests. He said he owns 28 locations, but does not own the other South Jordan Del Taco location. He said the other location has the same menu sign as they are proposing.

Councilman Seethaler made a motion to approve Appeal AP-2015.12. Councilman Barnes seconded the motion. Roll call vote. The vote was unanimous in favor.

I. Public Hearing: Resolution R2015-73, First Amendment to the Highridge Estate Phase II Development Agreement. David Freiss; Freiss Development Group – Applicant. (*By Planner, Brad Sanderson*)

Planner Brad Sanderson reviewed the background information on this item.

Mayor Alvord opened the public hearing.

Roger Rugg, 11523 S. 3600 W, said on the map provided, it states “when the road goes through”. He would like the wording changed because there is no current plan to have the road go all the way through. He would like it to say if and when the road goes through. He also expressed concern about his property line being lower by 2 ½ feet, and he said he would like to understand the plans to prevent flooding of his basement. He noted that he also represents other neighbors who are out of town. If the developer buys the property to extend the road, they have no objection to the road going through.

It was noted that the proposed plan is a concept plan. CM Whatcott said when a site plan is proposed, it will go through the engineering department to address grade differences. Drainage will be considered to ensure there is no property damage.

Lewis Welch, 11527 S., said they have worked with the developer in the past, and the city refused to give him the zoning he wanted because it was only three properties. Now they are ready to develop it, are they going to get the zoning when they develop the three properties? He said right now, they are going through contracts, and their contract is contingent on the city allowing the zoning for what they want. If the city does not allow the zoning, the contract will fail. They have had many promises from the city that haven't happened.

Councilman Seethaler said their contract is a private negotiation. None of them can make a statement at the moment as to what might happen in the future with a rezone. That would be speculative. Mr. Welch noted that the developer wants RM6.

Councilman Seethaler said if staff comes forward with a recommendation for a certain zoning, the city goes with that recommendation more often than not. The key is to get the planners on board and present something with their recommendation.

Harry Bigalow, 11473 S. 3420 W., asked if the amendment is to change the commercial to residential?

City Attorney Loose is the amendment is to allow single family detached homes in the area. The zone stays the same. This only amends the agreement. In the end, the developer is looking for an RM6 zone.

Mr. Bigalow expressed concern about the heavy trucks that are up and down their road. He said they do not care about the sign that says no construction traffic. Do the agreements that they are doing even matter? Is this going to change to RM-8? The big trucks in his subdivision violate the agreement. He indicated on a map where the trucks are driving, and again expressed concern about construction workers not obeying the sign. He said the City Engineer was directed to talk to fire, and the fire department didn't allow the road to be blocked. There was no enforcement. Where is the faith in this agreement?

Susan Rugg, 11523 S. 3600 W., showed their property on a map. She also showed a gravel road that also has a lot of heavy trucks. She said with the buildout of 11400 South, and the usage of that property for the road base, UDOT was better neighbors than the construction vehicles for the

new neighborhood. Whatever decision is made regarding buildout, they are the direct recipients of trucks and dirt in the house.

Mayor Alvord closed the public hearing.

Development Services Director Klavano said they have read the development agreement many times. There is nothing that restricts access into the existing subdivision streets. They talked to the developer about trying to access from 3600 West as much as possible. He said when they were paving the new subdivision there was a lot of asphalt equipment brought through the existing subdivision because it would have been difficult to be done otherwise. When the homes started to be built, they had no choice but to open one access for emergency vehicles. They have tried to keep the construction equipment out of the existing subdivision, but the contractors have the right to public streets. The fire department was hesitant about putting a chain over the open access, so that didn't happen. When there is occupancy of one of the homes, they will have to completely open one of the streets.

Councilman Newton asked if it is possible as the site plan is developed, that the 3600 West access be prioritized? Mr. Klavano said if the RM-6 rezone is approved, that will likely move up the 3600 West access.

Dave Freiss, Freiss development group, 10757 S. Riverfront Parkway, introduced himself.

Councilman Shelton asked why not pursue the original plan? Mr. Freiss said the market has changed significantly, and they have found that it will be 7-10 years before more assisted living projects are needed. It is an overdeveloped market and they are looking for another use on that property that would work.

Mr. Freiss said regarding the construction traffic, they told the city they would do their best to keep the construction people out of the existing neighborhood. He said they are supposed to be accessing it on 3600 West. All of the contractors have been told no construction traffic through the subdivision, and it has still happened. There are some trucks that cannot get in on the 3600 West access because of the turning radius so they are forced to go through the existing neighborhood.

Councilman Shelton asked if they have talked to the residents about this change? Mr. Freiss said he has talked to a few residents.

Councilman Rogers said he understands that SoJo Drive will be built before construction of any of the units in this area. Mr. Freiss concurred. Councilman Rogers said for the new construction of the homes, they will use the new road. Mr. Freiss concurred.

Councilman Newton asked if the plan is for RM6? Mr. Freiss said he is not sure. He said they have told the residents that they could piggy back on them and they are willing to submit it as a second phase. He said they were going to do that as a courtesy to the residents.

Councilman Newton asked what would be done to deal with land disturbance? Mr. Freiss said the engineers review that. He said flooding is a valid issue and they are aware of those issues.

Councilman Seethaler asked about the accusations that the agreements have been disregarded? Mr. Freiss said when they present a proposal to the city it may or may not be viable down the road. He said the speed of implementation is important. If the market changes, they have to bend and mold with the market. They do their best to explain what they want to do. They promised to buffer the old high ridge estate homes with similar size homes, which they did. They also promised no high density, and they kept that.

Councilman Seethaler said it is within the law and the developer's property rights to request the change.

It was noted that the average sales price of the homes would be \$400,000.

Councilman Seethaler said there were similar concerns when his subdivision was built, and now the concerns are gone.

Councilman Shelton made a motion to approve Resolution R2015-73. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous in favor.

The City Council took a brief recess.

- J. Public Hearing: Ordinance 2015-09, adding chapters 17.60 and 17.90, amending chapter 17.18 and section 5.68.050, and repealing existing chapters 17.52, 17.56, 17.60, 17.64, and 17.68. *(By Planner, Jake Warner)*

Planner Warner reviewed the background information on this item. He reviewed a prepared presentation (Attachment B). He reviewed areas in the city where a gas station would or would not be allowed. He also reviewed exceptions to the 300 ft. restriction.

Councilman Rogers asked why the exceptions? CM Whatcott said it is to protect existing residential properties. It was noted that the change would require the gas station to be on a big parcel.

Mr. Warner said staff is recommending approval.

Mayor Alvord opened the public hearing.

Terry Lutz, 3427 W. 10305 S., submitted a statement from an expert that endorsed the buffer zone between gas stations and residential. He also reviewed other background information (Attachment C). He applauded the proposed gas station buffer. He noted other areas that are doing similar restrictions, based on results of recent studies. He said they are elected to represent the community, not out of state interests. He encouraged them to pass the regulation regarding buffers for gas stations.

Wallace Jensen, 3482 W. 10235 S., VP and Treasurer of the Jones Farm HOA, which consists of 83 homes. The proposal for a gas station next to their property affects the economic value and desirability of living in the neighborhood. He is pleased to see the City Council's ordinance prohibiting a gas station from going in their back yard. The 83 residents of their neighborhood are in favor of the city moving forward with this ordinance.

David Smart, 2298 W. 10305 S., concurred with Mr. Jensen. He said they are not trying to lock out gas stations in the city. There isn't a resident that would have to go more than a mile to hit a gas station. They are not against gas stations, but the proposal is wise for their health and wellbeing, as well as property value issues. He encouraged the passage of the ordinance.

Tyler Wilson, 3574 W. 10305 S., concurred with the previous comments. He noted that vacant gas stations often don't get rebuilt because they are contaminated sites. He said he is in favor of the 300 ft. buffer.

Krystle Sims, 3411 W. 10305 S., said she took to heart that they were still going to do the 300 ft. buffer. Now she has an offer to sell her home and she would feel horrible if she lost that sale because of the change in the 300 ft. buffer. She feels sorry for the gas station people but they need to consider people's health.

Jackie Muterspaugh, 3534 W. 10305 S. said he understood that the tank for the fueling station would be 20-30 ft. from his back fence. That is close. He asked that they consider upholding the 300 ft. buffer requirement.

Manjinder Singh, 3443 W. 10305 S. concurred with the previous comments. He expressed concern with health and contamination concerns.

Christopher Hill, Attorney with Kurt and McConkey, representing Murphy USA, said this sounds like a land use application hearing. Every comment has been about a project that they don't want in their backyard. He said the proposal would be extremely limiting in allowing gas stations in the city. He said health effect has been one argument, but if they feel a road is a sufficient buffer, it is not about health. He said the previously proposed 100 ft. buffer was appropriate and did protect their health. He said there was also concern about the property value. He said what they really have is the residents asking the City Council to increase their property value. The zoning that would allow a gas station was in place when they bought their homes. He said the property values were really impacted when the Walmart went in; the gas station will not cause a greater decrease. He said they are happy to work with concerns of the residents. Murphy USA is willing to make significant concessions for health or the visual nature of the gas station. He asked why are they amending the zoning to categorically deny this project from this site? The not in my back yard reasoning is arbitrary and capricious. He suggested the city address that in the planning process as an application is submitted, and not in this meeting.

Mayor Alvord closed the public hearing.

Councilman Newton asked if it is reasonable for the residents to expect the governing body to provide amenities that enhances their quality of life and property values, rather than destroying

it? Planner Warner said yes, they balance that with other uses and needs that the city has. It was noted that in the planning process, they take into account the health and safety of the residents. Tonight, at the study session, they discussed a safety issue relative to transportation across the Mountain View Corridor.

Councilman Newton asked what is the normal width of secondary collector roads? Development Services Director Klavano said minor collectors have a 71 ft. right of way; major collectors have an 84 ft. of right of way.

Councilman Newton asked why staff initially recommended a 100 ft. buffer? Planner Warner said in his personal research, he had a hard time finding one number that is safe to have a gas station from a residential home. Staff's opinion that between 100-300 feet is acceptable. He feels this is in line with the direction that the city started moving more than a year ago. He said they have considered a lot of issues and done a lot of research relative to this change. Councilman Newton said as other communities are making these restrictions law, South Jordan should consider that for the health and welfare of their residents.

Councilman Barnes said what is right for one state isn't always right for another, as they learned in their earlier Trans Jordan landfill discussion.

The City Council discussed the residential protection area exemptions. Planner Warner said he looked at what other cities are doing as part of this, including cities in the area and outside the state. He said many cities have gas stations as a conditional use permit, and they mitigate the impact through that. Staff has taken a pro-active step in codifying the conditions for impacts that may be associated with a use.

Mayor Alvord asked if they feel that they want to provide additional health guarantees now and in the future, all over the city, are they doing anything inappropriate by enacting this change? City Attorney Loose said no. They are under legislative standard. He is comfortable with the decision either way. Mayor Alvord said he is not just thinking about one parcel, he is considering changes for the entire city. Mr. Loose explained that they were aware of needed changes, and that is why the notice of pending Ordinance was done. He said that notice lasts until the first part of February. This has been in works for a long time. The process that they followed is a regular process that the city has observed.

Councilman Rogers said there is no constitutional right to build a gas station. As a legislative body, they have extreme discretion and broad authority to implement what they feel is in the best interest of South Jordan. If the City Council feels something is in the best interest of South Jordan, they can decide to do that, if they comply with the state and United States constitution. He feels that the 300 ft. restriction is best for South Jordan, based on the input he has received. They have absolute discretion in their legislative authority. This law will apply to all gas stations in South Jordan that would submit an application. They have exceptions in place. He said they do not need to justify themselves, in terms of their legislative function. They are elected by the residents and can decide what is in the best interest of South Jordan.

Councilman Seethaler asked if this makes them more vulnerable to claims? What is the expectation that they would be legally exposed in either case, either by the oil companies or the residents? City Attorney Loose said staff feels comfortable in their ability to defend the decision of either a 100 ft. or 300 ft. buffer.

Councilman Seethaler asked if the notice of pending ordinance was issued in advance of any formal application by Murphy Oil? City Attorney Loose said yes.

Councilman Seethaler asked if they are dealing with zoning on something that should be a land use issue? Mr. Warner said this has been a common process this year, and more zone text amendments are forthcoming. He reviewed the internal review that happens with each text amendment. This was processed the same as other text amendments.

Councilman Seethaler expressed concern that the definition of the word gas could be confusing and possibly not restrictive enough because people could think it doesn't include natural gas, propane, or diesel fuel.

Mayor Alvord said they could change the definition to anything that fuels a vehicle.

Councilman Seethaler asked if there are health concerns with businesses such as dry cleaners or other businesses that deal with chemicals? He said there would be those that would be concerned for health reasons. Mr. Warner said uses where there may be impacts beyond what they have considered can be mitigated as a Conditional Use Permit. He said there are things in the impact control measures section that addresses uses with large quantities of hazardous materials.

The City Council determined to change the word gasoline to fuel in the definition of gas stations.

Councilman Barnes asked if most cities regulate through conditional uses in lieu of a distance requirement? Mr. Warner said that is correct. Councilman Barnes said if they go to 300 ft. with no exemptions, they are basically outlawing gas stations in the city. Mr. Warner said yes, except in big box stores that have hundreds of feet of parking around it. Councilman Barnes asked if the exemptions in the proposal are sufficient? Mr. Warner said they took a big step implementing the impact control measures. They have to balance how restrictive the city wants to be. Councilman Barnes asked how much acreage would gas stations be allowed in the city, with the exemptions? Mr. Warner said he is not sure. Councilman Barnes said he is concerned if they are making it harder to open up a gas station in the city versus a sexually oriented business (SOB). He doesn't want to put an undue hardship on a business, if they don't have to. The health and safety of the residents should also be considered. Mr. Warner said any large undeveloped area could have a gas station. In the SOB Ordinance, there are only 3 zones that it is allowed, with multiple restrictions. He said SOB's also have extra constitutional protection.

Councilman Barnes clarified that this would not apply to existing gas stations. Mr. Warner said existing gas stations would be grandfathered. He said currently, the restrictions apply to zones integrated into the uses chapter. Other zones will be forthcoming. It was noted that gas stations would still be allowed in large commercial areas.

Councilman Shelton, Councilman Newton and Councilman Rogers all indicated support for staff's proposal regarding gas stations.

A change to increase the amount of office allowed in the CN zone was allowed.

Councilman Newton asked about the lighting plan for the C-F zone. Mr. Warner said not a lot will change in terms of what they are doing, but they are putting the wording in the Ordinance.

Councilman Newton asked about the provision for live plants. What happens if the plant dies? Mr. Warner said a landscape plan will have to be approved. After that, it is a code enforcement issue.

Councilman Seethaler reviewed the areas where a SOB could be located.

Mr. Warner discussed performance development. He said it is a tool that allows flexibility in the Ordinance. It has only been used so far to allow residential in a commercial zone. Staff respects that the City Council might have concern about the discretion given to staff. They will come back and address performance development at a later date.

Councilman Rogers said given all of the restrictions and amendments, this change does not make it more restrictive to put a gas station in the city over an SOB. Not even close.

Councilman Rogers said in section 17.18 regarding uses, under 17.18.20, line 4, there is a reference to subsection A2 and it should be B2.

Councilman Barnes asked if there is more acreage in the city that would allow SOB's versus a gas station? Mr. Warner said no. Councilman Rogers said it is extremely unlikely that the SOB's would have more available real estate than a gas station in South Jordan.

It was reiterated that in the definition of gas station, the word gasoline would be changed to fuel.

Councilman Rogers made a motion to approve Ordinance 2015-09, with the following amendments, that they approve alternative revision 1 regarding 17.18.030.10, regarding SOBs, and to approve alternative revision 2 regarding 17.60.030 regarding performance developments, and that they amend chapter 17.18.020a, line 4, change a2 to b2, and to replace the word gas with fuel in the definition section. Councilman Newton seconded the motion.

Councilman Seethaler said with the SOB provisions, can they legally be more restrictive than is being proposed? City Attorney Loose said this is a conservative and defensible approach. They could push the boundaries more, but he would advise against that.

Roll call vote. The vote was 4-1 in favor, with Councilman Barnes opposed.

Kelly Halstead, Murphy Oil USA, said she appreciates their courtesy.

K. **Reports and Comments:** *(Mayor, City Council, City Manager, and City Attorney)*

Mayor Alvord said there has been conversation that there is a lot of repetition between his COM and COG meetings. They may be looking to restore the original concept of COM in which that meeting is only for Mayor's. It would not include representatives from the County, UTA, and UDOT.

Mayor Alvord said the sewer district is reporting that they are on their way to having more connections than in 2007, so this end of the valley is growing.

Councilman Newton thanked the public works department for cutting some trees around the street lights at approximately 10000 South. He also complimented staff for a sign indicating the speed limit in an area where a girl was hit by a car. He said there is a problem with speeding along 3200 West.

The City Council talked about the rooster Ordinance and determined to have the issue brought up with the next City Council.

Councilman Newton noted the recent opening of Oquirrh Mountain marketplace. He also noted the upcoming opening of Potbelly's.

Councilman Barnes said the mosquito abatement district meeting is next Monday.

Councilman Rogers said the historical committee is on board to relocate the bus monument to the cemetery and the founder's monument to the central city plaza.

Councilman Seethaler noted a Resolution he is presenting for a first reading (Attachment D). He asked that it be put on the agenda in two weeks. He reviewed the proposed Resolution.

Administrative Services Director Lewis noted the upcoming Light The Night activity Friday at 6:30. The City Council will meet in the lobby at 6:15.

ADJOURNMENT

Councilman Newton made a motion to adjourn. Councilman Barnes seconded the motion. The vote was unanimous in favor.

The December 1, 2015 City Council meeting adjourned at 10:25 pm

This is a true and correct copy of the December 1, 2015 Council Meeting minutes, which were approved on December 15, 2015.

Ana M. West
South Jordan City Recorder

SOUTH JORDAN CITY
City Council Meeting
December 1, 2015
6:00 P.M.

**ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS**

PRINT NAME	PRINT ADDRESS
Eric Hitzelberger DeTaco	Clayton Mtn Marketplace 11507 S 4000 W.
SCOTT OSBORNE	10156 S CHATEL CIR.
Paul Hamner	10222 South 3570 West So. Jo.
Susan Rugg	11523 S 3600 W 84095
ROGER RUGG	11523 S 3600 W 84095
Ren Myers	11455 S 3420 W 841095
Jaime Parker	2762 Lizzi Cove South Jordan.
Brendan Parlow	2762 Lizzi Cove, S. Jordan.
Leslie & David Carr	3523 W 10305 So.
Kelly Adstead	El Dorado Dr
Chris Hill	50 E. South Temple, 4th Fl., SLC
Terry Lutz	3427 W 10305 S, S. Jordan
JOSH JORG	11744 LIZZI COVE
ANDY JORG	11744 LIZZI COVE
Jeff Lyon	11313 S. Apple Grove Ln
Brent Taylor	Nelson Farms
Dakota Montague	" "
Jack England	" "
Kayden Casey	" "
Terry C. King	1051 W 10250 S.
Patricia Drea	3367 W. 10235 S.
Craig Clayton	3473 W 10305 S
Betsy Clayton	3473 W 10305 S

SOUTH JORDAN CITY
City Council Meeting
December 1, 2015
6:00 P.M.

ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS

PRINT NAME	PRINT ADDRESS
Richard Holt-Frutter	3507 W 10305 S
Anthony Rodriguez-Baez	3507 W 10305 S
Rick Frutter	3507 W 10305 S
Micah Nelson	1244 W Koridine
Kelly Nelson	1244 W Koridine
Manjinder Singh	3443 W 10305 S
Nandeep Kang	3443 W 10305 S
Santokh Singh	3443 W 10305 S
Rachint Singh	3443 W 10305 S
Krystle Sims	3411 W 10305 S
Tom Sims	3411 W 10305 S
Natalie Materspaugh	2534 W. 10305 S.
Jackie Materspaugh	2534 W. 10305 S.
Steve Jones	1082 W. 1012 S.
Betty Jones	1082 W 1012 S
Hong Bui	11473 S 3420 W
Kandi Bui	11473 S 3420 W
RONALD BECIC	3356 W. SNOW MOON PL
WALLACE JENSON	3492 W 10285 S

For

**ZONE TEXT AMENDMENT:
COMMERCIAL AND
INDUSTRIAL ZONES**

Ordinance No.
2015-09

Dec. 1, 2015

1

PURPOSE

- **Integrate**
 - Commercial and Industrial zones added to Uses Chapter
- **Consolidate**
 - Five zone chapters reduced to two chapters
- **Repeal**
 - Five existing zone chapters
- **Revise**
 - Miscellaneous content revisions

2

CONSOLIDATE COMMERCIAL AND INDUSTRIAL ZONES

- **Commercial Zones Chapter (17.60)**

- **Zones:**

- Commercial-Neighborhood (C-N)
- Commercial-Community (C-C)
- Commercial-Freeway (C-F)

- **Industrial Zones Chapter (17.90)**

- **Zones:**

- Light Industrial-Freeway (I-F)
- Commercial-Industrial (C-I)

3

REPEAL EXISTING COM. & IND. ZONES

- **Existing Commercial Zone Chapters**

- 17.52 (Commercial-Community Zone)
- 17.56 (Commercial-Neighborhood Zone)
- 17.60 (Commercial-Industrial Zone)

- **Existing Industrial Zone Chapters**

- 17.60 (Commercial-Industrial Zone)
- 17.68 (Light Industrial-Freeway Zone)

4

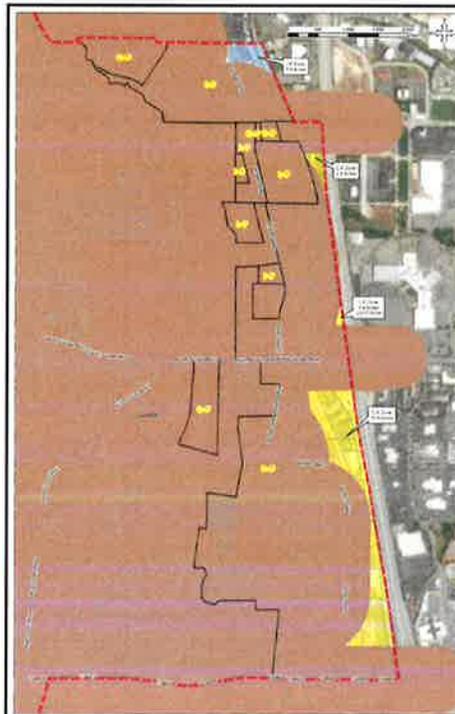
REVISE MISCELLANEOUS CONTENT

■ USES CHAPTER

- Religious Assembly & Worship use
- Adult businesses*
- Office buildings (C-N zone)
- Gas stations*

*additional slides

5



ADULT BUSINESS RESTRICTIONS

Business Licensing

- 1000' to other adult business
- 1000' to residence, church, park, library, school, daycare
- 1000' to agricultural or residential zone boundary

Proposed

- 500' to gateway corridors
 - South Jordan Pkwy., Shields Ln., 11400 S.

6

ALTERNATE REVISION #1

- SOB's
(Uses Chapter 17.18.030.10)

F. Sexually oriented businesses are ~~prohibited~~ allowed in the C-N, C-C, I-F, all agricultural, and all residential C-F, C-I, and I-F zones. ~~In zones where s~~ Sexually oriented businesses are allowed, they shall be located no less than five hundred (500) feet from the right of way line of South Jordan Parkway, Shields Lane, and 11400 S. to any buildings, signage, or other activities associated with the applicable use.

7

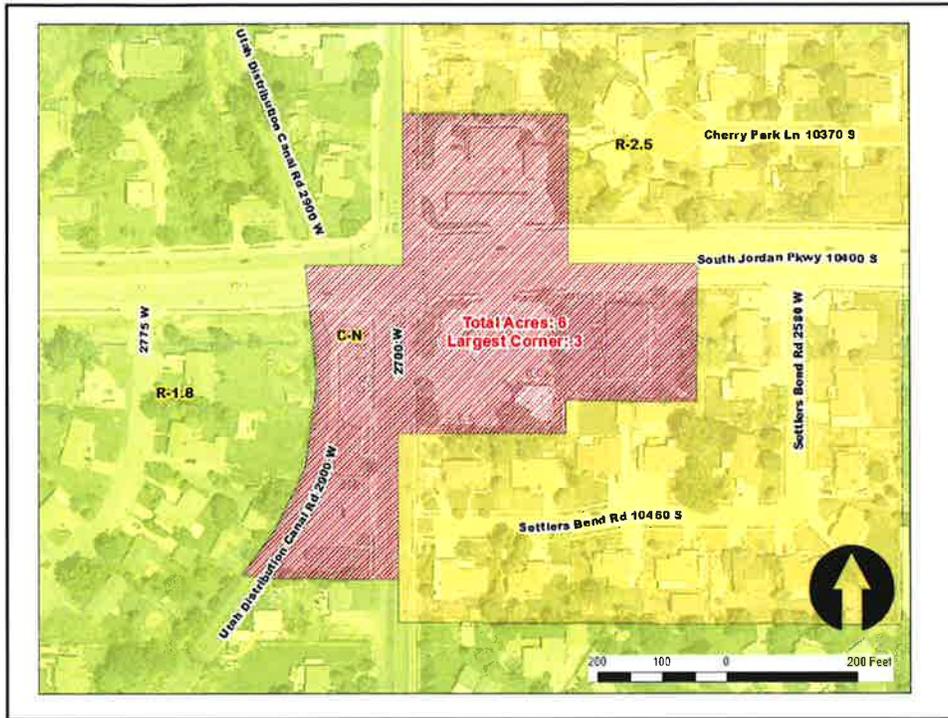




REVISE MISCELLANEOUS CONTENT

■ COMMERCIAL ZONE CHAPTER

- C-N zone area*
- Minimum lot width
- Street fronted buildings
- Parking requirements
- Building height (C-N zone)
- Landscape plans
- Live plant material
- Lighting plan criteria
- Tree requirement (C-N zone)
- Performance Development*



PERFORMANCE DEVELOPMENT

"...standards...may be waived...by the planning commission, only with the positive recommendation of city staff, with a conditional use permit."

"...demonstrates superior design and function."

"...based on additional enhancements provided by the development and the desirability of the proposed development..."

"The following provisions will govern the review of a proposed development:

(17.52.055(A))

■ **Existing Provision #5**

5. Integrated residential use with "village" style design, building height, architecture, and connectivity, and office uses may be incorporated as components of mixed use commercial development."

(17.52.055(A)(5))

■ **Proposed Provision #5**

5. Residential and industrial uses are prohibited in the C-N and C-C zones. Residential uses that incorporate pedestrian and vehicular connections, determined by the City to be reasonably feasible and advantageous, to surrounding properties may be allowed in the C-F zone with a development agreement.

(17.60.030(A)(5)) 12

ALTERNATE REVISION #2

■ Performance Development
(Commercial Zones Chapter 17.60.030)

A. The land use standards of this chapter and of any other section of this title or of the development code pertaining to development in a C-C or C-F zone may be altered or waived for a "performance development" by the ~~planning commission City Council with an approved development agreement, only with the positive recommendation of city staff, with a conditional use permit. A conditional use permit/site plan application for the "performance development" shall be reviewed by the Planning Commission for consistency with the approved development agreement.~~ "Performance development" shall be defined as any development in a commercial zone which is exempted from certain land use and development requirements but which demonstrates superior design and function. Variations in the standard requirements of a commercial zone will be based on additional enhancements provided in the development and the desirability of the proposed development relating to one or more of the following: amenities, economic benefit, additional architectural features, resolution of neighbors' concerns, and the development's contribution to principles of quality growth suggested by "Envision Utah's Urban Planning For Quality Growth". The following provisions will govern the review of a proposed performance development:

13

ALTERNATE REVISION #2 (CONTINUED)

1. The minimum area of a performance development shall be five (5) acres unless otherwise ~~recommended by city staff and approved by the planning commission expressly altered by an approved development agreement.~~

2. The ~~conditional use permit/site plan application~~ development agreement shall delineate the requested exceptions and variations from city ordinances and the offsetting upgrades and benefits proposed. Possible exceptions may include, but are not limited to, unlisted uses, yard requirement reduction, building height increase, alternative screening technique, and reduced parking requirements. Possible upgrades may include, but are not limited to, improved landscape design, architectural enhancements and coordination with adjoining development. Staff will make a determination as to the reasonableness of the proposed exceptions and upgrades and make recommendations to the ~~planning commission~~ the City Council. Proposed upgrades and enhancements must clearly exceed what would normally be expected for development in a commercial zone.

14

ALTERNATE REVISION #2 (CONTINUED)

3. Uses which significantly diverge from the character and purpose of a commercial zone, such as industrial uses, are prohibited.

4. All nonretail uses proposed shall be supportive of retail uses in the development as described in section 17.60.010 of this chapter.

5. Residential and Industrial uses are prohibited in the C-N and C-C zones. Residential uses that incorporate pedestrian and vehicular connections, determined by the City to be reasonably feasible and advantageous, to surrounding properties, and may only be allowed in the C-F zone if stipulated in an approved with a development agreement.

6. Sexually oriented businesses are prohibited.

15

REVISE MISCELLANEOUS CONTENT

■ INDUSTRIAL ZONE CHAPTER

- Similar to Commercial Zone changes
 - Minimum lot width
 - Landscape plans
 - Live plant material
 - Lighting plan criteria

16

Alternate Revision #1

17.18.030.10 General Use Regulation

- F. Sexually oriented businesses are ~~prohibited~~ allowed in the ~~C-N, C-C, I-F,~~ all agricultural, and all residential ~~C-F, C-I, and I-F~~ zones. In zones where s Sexually oriented businesses are allowed, they shall be located no less than five hundred (500) feet from the right of way line of South Jordan Parkway, Shields Lane, and 11400 S. to any buildings, signage, or other activities associated with the applicable use.

Alternate Revision #2

17.60.030: PERFORMANCE DEVELOPMENT

A. The land use standards of this chapter and of any other section of this title or of the development code pertaining to development in a C-C or C-F zone may be altered or waived for a "performance development" by the ~~planning commission~~ City Council with an approved development agreement, ~~only with the positive recommendation of city staff, with a conditional use permit. A conditional use permit/site plan application for the "performance development" shall be reviewed by the Planning Commission for consistency with the approved development agreement.~~ "Performance development" shall be defined as any development in a commercial zone which is exempted from certain land use and development requirements but which demonstrates superior design and function. Variations in the standard requirements of a commercial zone will be based on additional enhancements provided in the development and the desirability of the proposed development relating to one or more of the following: amenities, economic benefit, additional architectural features, resolution of neighbors' concerns, and the development's contribution to principles of quality growth suggested by "Envision Utah's Urban Planning For Quality Growth". The following provisions will govern the review of a proposed performance development:

1. The minimum area of a performance development shall be five (5) acres unless otherwise ~~recommended by city staff and approved by the planning commission~~ expressly altered by an approved development agreement.
2. The ~~conditional use permit/site plan application~~ development agreement shall delineate the requested exceptions and variations from city ordinances and the offsetting upgrades and benefits proposed. Possible exceptions may include, but are not limited to, unlisted uses, yard requirement reduction, building height increase, alternative screening technique, and reduced parking requirements. Possible upgrades may include, but are not limited to, improved landscape design, architectural enhancements and coordination with adjoining development. Staff will make a determination as to the reasonableness of the proposed exceptions and upgrades and make recommendations to the ~~planning commission~~ the City Council. Proposed upgrades and enhancements must clearly exceed what would normally be expected for development in a commercial zone.
3. Uses which significantly diverge from the character and purpose of a commercial zone, such as industrial uses, are prohibited.
4. All nonretail uses proposed shall be supportive of retail uses in the development as described in section 17.60.010 of this chapter.
5. ~~Residential and industrial uses are prohibited in the C-N and C-C zones. Residential uses that incorporate pedestrian and vehicular connections, determined by the City to be reasonably feasible and advantageous, to surrounding properties, and may only be allowed in the C-F zone if stipulated in an approved with a development agreement.~~
6. Sexually oriented businesses are prohibited.

Attachment C
12-1-15
C.C.Mtg.
Would YOU allow a gas station in YOUR backyard/neighborhood?

At least 150 dead after gas station explosion in Ghana capital

Published June 04, 2015

FoxNews.com

Facebook0 Twitter0 livefyre Email Print

At least 150 people are dead following an explosion at a gas station in Ghana's capital where many people were taking shelter from torrential rain and flooding, President John Dramani Mahama said Thursday.

Mahama told journalists Thursday evening that the country would observe three days of mourning for the victims and that the government would allocate about \$12 million for relief operations and to repair damaged infrastructure.

Billy Anaglate, a spokesman for Ghana Fire Service, said crews were recovering charred bodies at the scene Thursday morning.

Lightning blamed for fuel tank explosion at Ohio gas station

Published August 04, 2015

Associated Press

Facebook0 Twitter0 Email Print

FAIRFIELD, Ohio – Investigators say lightning has sparked a fuel tank explosion that left a crater 40 feet wide at an Ohio gas station.

The blast and fire Monday evening prompted a temporary evacuation near the Gas Depot in Fairfield, about 15 miles north of Cincinnati. People nearby described seeing a flash of lightning and then a fireball higher than the trees.

Leaking Underground Storage Tanks: A Threat to Public Health & Environment

<http://www.csu.edu/cerc/documents/LUSTThreattoPublicHealth.pdf>

This report details the threats to public health from leaking underground storage tanks (UST) and key facts on federal and state UST programs. Leaking USTs are a grave threat to America's groundwater. Gas stations, industries and other entities use USTs to hold toxic material such as gasoline and oil that contain dangerous substances, including benzene, toluene and heavy metals that can cause cancer and harm developing children. USTs can threaten communities as their walls corrode by silently leaking toxins into our drinking water supplies, homes and businesses. **There are 680,000 USTs and a backlog of 130,000 cleanups; 9,000 new leaks are discovered annually. (story continued further at online link)**

Small Spills at Gas Stations Could Cause Significant Public Health Risks Over Time

Soil and groundwater may be imperiled more than previously understood

A new study suggests that drops of fuel spilled at gas stations — which occur frequently with fill-ups — could cumulatively be causing long-term environmental damage to soil and groundwater in residential areas in close proximity to the stations.

Few studies have considered the potential environmental impact of routine gasoline spills and instead have focused on problems associated with large-scale leaks. Researchers with the Johns Hopkins Bloomberg School of Public Health, publishing online Sept. 19 in the *Journal of Contaminant Hydrology*, developed a mathematical model and conducted experiments suggesting these small spills may be a larger issue than previously thought. Continued.....

<http://www.jhsph.edu/news/news-releases/2014/small-spills-at-gas-stations-could-cause-significant-public-health-risks-over-time.html>

LEAKING UNDERGROUND STORAGE TANK LEAK DANGERS FROM E.P.A. WEB SITE

EPA's federal underground storage tank (UST) regulations require that leaking underground storage tank (LUST) sites must be cleaned up to restore and protect groundwater resources and create a safe environment for those who live or work around these sites. These sites were found to be contaminated not just from leaking underground storage tanks, but also from spills and overfills.

USTs leak for a variety of reasons. Some tanks are made of steel, which is likely to corrode over time, causing tank contents to leak into nearby soils and groundwater. Faulty installation, negligence, or inadequate operation and maintenance of UST systems also can cause a leak or a spill.

N.Y. ATTORNEY GENERAL ERIC SCHNEDERMAN: The dangers of leaking underground storage tanks

Oil spills from leaking underground storage tanks at homes and gas stations are the largest single threat to groundwater quality in the United States today.¹⁰ An estimated 1.2 million tanks nationwide, many of which were installed prior to new regulations in 1988, are a concern because tanks corrode quickly when buried unprotected in the soil. Corrosion, and other factors such as improper installation, spills during product delivery, and piping failures, have already caused more than 400,000 confirmed underground storage tank leaks nationwide.¹¹

Petroleum products can contaminate water with chemicals that are very difficult to clean to drinking water standards. Gasoline spills are particularly troublesome. A 1998 survey by the DEC found that gasoline spills contaminated more than 800 private wells. Forty-seven public water supply wells in New York State were contaminated with the gasoline additive MTBE. This additive generally travels through groundwater faster than the rest of the gasoline components and is therefore an early indicator of contamination. The presence of MTBE at a site is estimated to increase cleanup costs by 20%-50%.¹²

The EPA estimates that cleanup of petroleum spilled underground could cost upwards of \$32 billion. In New York State alone, DEC reports that in fiscal year 1999-2000 there were oil spills at more than 3,500 private homes, 1,000 gasoline stations and 1,200 other businesses.¹³ The Oil Spill Fund, administered by the Office of the State Comptroller, pays for cleanups and relocations in New York State. Since 1995, the Fund spent nearly twenty million dollars each year to clean up spills where a responsible party failed to perform the necessary cleanup. DEC estimates that these amounts represent only 5 to 10 percent of actual clean up costs for all spills statewide, since the majority of spills are cleaned up by the responsible parties, whose costs are not included in the total. Thus, oil spills in New York State probably cost over \$200 million per year in cleanup costs alone. No one has tried to calculate the cost of potential human health or ecological injuries.

Living near a petrol station is 'bad for your health' as fuel pollutants found to travel 100m

By DAILY MAIL REPORTER

UPDATED: 20:38 EST, 7 February 2011

(300 FEET)

Dangerous airborne organic compounds can travel as far as 100m from petrol stations

They found dangerous airborne pollutants from garages could contaminate buildings as far as 100m away.

The scientists said a 'minimum' distance of 50 metres should therefore be maintained between petrol stations and housing, and 100 metres for 'especially vulnerable' facilities such as hospitals, health centres, schools and old people's homes.

Study co author Marta Doval, said: 'Some airborne organic compounds - such as benzene, which increases the risk of cancer - have been recorded at petrol stations at levels above the average levels for urban areas where traffic is the primary source of emission.'

The study, published in the Journal of Environmental Management, shows the air at petrol stations and in their immediate surroundings is especially affected by emissions stemming from evaporated vehicle fuels. This includes unburnt fuel from fuel loading and unloading operations, refuelling and liquid spillages.

The research team measured the levels of 'typical traffic' pollutants in different parts of the urban area of Murcia. They then calculated the quotients for the levels of an aromatic compound (benzene) and a hydrocarbon (n-hexane) at three Murcia petrol stations - near the petrol pumps and surrounding areas - to find the distance at which the service stations stop having an impact.

In the three cases studied a maximum distances of influence of close to 100 metres was found although the average distance of contamination was around 50 metres.

Is It Safe to Live Near a Gas Station?

<http://www.scientificamerican.com/article/is-it-safe-to-live-near-gas-station/>

The health concerns for you or your family with living by the pump

April 14, 2009

Getty Images

Dear EarthTalk: I am looking at possibly buying a house that is very close to a gasoline station. Is it safe to live so close to a gas station? What concerns should I have? I have toddler and infant babies.

-- *Ranjeeta, Houston, TX*

Despite all the modern health and safety guidelines they must follow, gas stations can still pose significant hazards to neighbors, especially children. Some of the perils include ground-level ozone caused in part by gasoline fumes, groundwater hazards from petroleum products leaking into the ground, and exposure hazards from other chemicals that might be used at the station if it's also a repair shop.

Ozone pollution is caused by a mixture of volatile organic compounds, some of which are found in gasoline vapors, and others, like carbon monoxide, that come from car exhaust. Most gas pumps today must have government-regulated vapor-recovery boots on their nozzles, which limit the release of gas vapors while you're refueling your car. A similar system is used by the station when a tanker arrives to refill the underground tanks. But if those boots aren't working properly, the nearly odorless hydrocarbon fumes, which contain harmful chemicals like benzene, can be released into the air.

Higher ozone levels can lead to respiratory problems and asthma, while benzene is a known cancer-causing chemical, according to the National Institutes of Health (NIH). The quest to reduce ozone levels has led the state of California to implement a more stringent vapor-recovery law, effective April 1, 2009, which requires that all gasoline pumps have a new, more effective vapor-recovery nozzle.

Underground gasoline storage tanks can also be a problem. The U.S. Environmental Protection Agency (EPA) estimates that there are some 660,000 of them from coast-to-coast. Many a lawsuit has been filed against oil firms in communities across the country by people whose soil and groundwater were fouled by a gas station's leaking underground storage tank. In the past, most tanks were made of uncoated steel, which will rust over time. Also, pipes leading to the tanks can be accidentally ruptured.

When thousands of gallons of gasoline enter the soil, chemicals travel to groundwater, which the EPA says is the source of drinking water for nearly half the U.S. If buying a home, consider its potential loss in value if a nearby underground storage tank were to leak. Gasoline additives such as methyl tertiary-butyl ether (MTBE), which has been outlawed in some states, make the water undrinkable—and that is only one of 150 chemicals in gasoline. Repeated high exposure to gasoline, whether in liquid or vapor form, can cause lung, brain and kidney damage, according to the NIH's National Library of Medicine.

Spilled or vaporized gasoline is not the only chemical hazard if the station is also a repair shop. Mechanics use solvents, antifreeze and lead products, and may work on vehicles that have asbestos in brakes or clutches. Auto refinishers and paint shops use even more potentially harmful chemicals.

In today's car-centric world, we can't escape exposure completely, because these chemicals are in our air just about everywhere. But by choosing where we live, keeping an eye out for spills, and pressuring the oil companies to do the right thing for the communities they occupy, we can minimize our exposures. **CONTACTS:** U.S. EPA, www.epa.gov; National Institutes of Health, www.nih.gov.

ROWE APPRAISAL GROUP

Location or Neighborhood: The neighborhood you live in can have a drastic effect on your properties value. Your home's proximity to public transportation (CTA or Metra stations) as well as restaurants, shopping, grocery

stores, quality schools, parks, etc all affect value. Conversely, **having a location with noise pollution can have an adverse effect on your home's value** (directly across from train tracks, on a busy street, **next to a gas station**, etc.)

FIRES AT U.S. SERVICE STATIONS

NFPA members

NFPA members can download free PDF copies of One-Stop Data Shop reports. All reports are also available for sale. To order, e-mail [Nancy Schwartz](mailto:Nancy.Schwartz@nfpa.org) or call +1 617 984-7450. Not an NFPA member? [Join today](#).

Executive Summary

During the five-year period of 2004-2008, **NFPA estimates that U.S. fire departments responded to an average of 5,020 in service or gas station properties per year. These fires caused an annual average of two civilian deaths, 48 civilian fire injuries, and \$20 million in direct property damage.** The majority of the fires in this category were vehicle fires. Reported fires in this occupancy group fell 46% from 7,860 in 1980 to 4,280 in 2008.

According to the U.S. Census Bureau, there were 117,000 gasoline stations in the United States in 2007¹. Fires in these occupancies represent a variety of incidents, including structure fires, vehicle fires, outdoor fires and other fires. The majority of incidents are vehicle fires (61%), but the majority of the property damage (59%), results from structure fires. Outside trash or rubbish fires account for 12% of the fires reported to local fire departments at this type of property.

Twelve percent of fires reported to local fire departments in these properties were structure fires. The most common items first ignited in structure fires at service stations were flammable and combustible liquids and gases, piping or filter (22% of structure fires), followed by rubbish, trash, or waste (18%) and electrical wire or cable insulation (13%).

Most vehicle fires (82%) occurred in passenger vehicles, these fires accounted for nearly half of the total number of civilian injuries that occurred in service station fires of any kind (structure, vehicle, outside, other). The most common type of material first ignited in a vehicle fire was gasoline (28%).

Outside and other fires accounted for 15% of incidents at service stations. Natural vegetation fires accounted for 42% of these incidents. The most common heat source for outside fires was smoking materials (21%).

- See more at: <http://www.nfpa.org/research/reports-and-statistics/fires-by-property-type/business-and-mercantile/fires-at-us-service-stations#sthash.oJb9ceRI.dpuf>

Halt gas stations near neighborhoods, Indy planners say



John Russell, john.russell@indystar.com 8:11 p.m. EST March 4, 2015

Too many gas stations are popping up near residential areas, and it's time to put a halt to it, city development officials say. The Indianapolis Metropolitan Development Commission is recommending that the City-County Council impose a moratorium on new gas stations in commercial areas alongside neighborhoods.

Those areas, zoned as C-3, typically contain restaurants, shopping centers and office buildings.

The commission voted 8-1 Wednesday to recommend that the city prohibit any more gas stations in such areas.

RESOLUTION R2015-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, TO CONSCIENTIOUSLY GROW ITS LEGALLY-AUTHORIZED RESERVE FUND TO THE STATE LIMIT OF 25% OF GENERAL FUND REVENUES

WHEREAS, on June 4, 2013 the South Jordan City Council passed Resolution R2013-22 supporting a continuation of retaining the maximum-allowable reserve balance and citing the recently-issued SB 158 *Municipal General Fund Amendments*, permitting excess fund balances to be retained up to 25% of annual General Fund Revenues; and

WHEREAS, through the fiscal year ended June 2012 the City of South Jordan had maintained the maximum amount (18% of General Fund revenues) in reserve fund balance for the prior 12 years; and

WHEREAS, the increased maximum amount of fund reserve from 18% to 25% presented an opportunity for the City to retain up to 3-months of operational expenditures for unforeseen events, revenue offsets, and other purposes as authorized through the budgeting process; and

WHEREAS, retaining the maximum-permitted amount (approximately 3-months of general fund requirements) as a reserve fund, has been and continues to be, a prudent and financially responsible practice for the City; and

WHEREAS, due to the growth in City population, commerce, and real estate values, total City revenues have grown, resulting in a 'moving target' to achieve the 25% reserve balance; and

WHEREAS, an anticipated addition of \$500,000 to the Reserve Fund in December 2015 will bring the Fund total to \$7,288,667 which represents only 17.9% of our Fiscal 2016 General Fund revenues; and

WHEREAS, despite the City's annual contributions to the Reserve Fund, the current reserve is proportionally lower in terms of meeting ongoing operational expenditures than it was in 2011; and

WHEREAS, the inadequacy of saving an appropriate amount to meet emergency needs or critical one-time expenditures that may be required is imprudent.

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

SECTION 1. Immediate Contribution. That \$750,000 is allocated from the Fiscal 2015 surplus to the Reserve Fund in December 2015, bringing the total to \$7,538,667, or 18.5% of current-year General Fund Revenues.

SECTION 2. Annual Contribution. That in the event of an annual budget surplus (final, audited excess of General Fund revenues over General Fund expenditures for the fiscal year ending each June 30th), a minimum Reserve Fund contribution to total a ½% current-value increase (from the prior year) be contributed to the fund annually, according to the following schedule, providing that –

- A) The Reserve Fund contribution does not exceed the available budget surplus.
- B) Any disbursements from the Reserve Fund as authorized by the City Council from time to time be taken into consideration to re-establish the base amount from which the ½% new contribution is calculated.

Schedule of minimum Reserve Fund totals, by December of each year

2015 18.5%	2018 20.0%	2021 21.5%	2024 23.0%	2027 24.5%
2016 19.0%	2019 20.5%	2022 22.0%	2025 23.5%	2028 25.0%
2017 19.5%	2020 21.0%	2023 22.5%	2026 24.0%	Maintain 25.0%

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS _____ DAY OF _____, 2015 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler	_____	_____	_____	_____
Chuck Newton	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Steve Barnes	_____	_____	_____	_____
Christopher Rogers	_____	_____	_____	_____

Mayor: _____
David L. Alvord

Attest: _____
City Recorder

Approved as to form:

Office of the City Attorney

Message from Sunil Naidu,
City of South Jordan Chief Financial Officer
12/1/15

As you are aware, Fitch Ratings recently upgraded our revenue bonds to AA+. One of the “Key Drivers” was the “Strong Financial Profile”. The “Strong Financial Profile” refers to the City’s General Fund unrestricted reserved fund balance. As of last year (FY2014), it was 19.4%, a clear indication of the Council’s plan to increase and reach the maximum 25%. Your schedule showing yearly increase in the resolution is exactly what I need to convince the rating agency’s the Council’s plan – which they ask every year as they perform annual surveillance on City finances. The better the rating, the more we save taxpayer dollars when issuing debt.