



CITY OF SOUTH JORDAN
CITY COUNCIL ELECTRONIC MEETING AGENDA
October 20, 2020
6:30 PM

NOTICE IS HEREBY GIVEN THAT THE SOUTH JORDAN CITY COUNCIL WILL HOLD ITS MEETING **ELECTRONICALLY, VIA ZOOM PHONE AND VIDEO CONFERENCING WITH NO ANCHOR LOCATION**, ON TUESDAY, OCTOBER 20, 2020. PERSONS WITH DISABILITIES WHO MAY NEED ASSISTANCE SHOULD CONTACT THE CITY MANAGER STAFF AT (801) 254-3742, AT LEAST 24 HOURS PRIOR TO THIS MEETING.

I, Dawn R. Ramsey, the Mayor of the City of South Jordan and Chair of the South Jordan City Council Meetings, hereby determine that conducting South Jordan City Council Meetings at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. The President of the United States, The Governor of Utah, the County Health Department and Mayor, the Mayor of South Jordan City, and the World Health Organization have all recognized a global pandemic exists related to the new strain of the coronavirus, SARS- CoV-2 and outbreaks of the coronavirus disease COVID-19 that has now spread globally including in Utah. Due to the State of emergency caused by the global pandemic, the current situation in Utah and specifically in Salt Lake County, and the manner in which the COVID-19 virus spreads in groups, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present at the anchor location. According to information from State Epidemiology, the State is currently in an acceleration phase, which has the potential to threaten the State's healthcare system. This determination not to meet in an anchor location shall be valid for thirty days.

In the event an electronic meeting is disrupted in any way that the City in its sole discretion deems in appropriate, including the posting of offensive pictures, remarks, or making offensive statements, the City reserves the right to immediately remove the individual(s) from the meeting and, if needed, end the electronic meeting with or without a motion and vote. If a meeting is ended prior to all items being addressed, any items not addressed shall be moved to the next regularly scheduled meeting or a special meeting whichever is first.

Attendees will be allowed to join via phone or video, using Zoom phone and video conferencing. Note, public comment will be accessed through video conferencing, and a participant must have their video on and working to speak. Those who join via phone may listen, but not comment. Ability to connect and comment is dependent on an individual's internet connection, not the City. To ensure your comments are taken regardless of technical issues, please have them submitted in writing to the City Recorder, Anna Crookston, at Acrookston@sjc.utah.gov by 5:00 p.m. on October 20, 2020.

Instructions on how to join the meeting electronically are below.

Join South Jordan City Council Electronic Meeting October 20, 2020 at 6:30 p.m.

Join on any device, with mobile and desktop availability

Visit: www.sjc.utah.gov/meeting-agenda-minutesarchive-center/

Zoom link, Meeting ID and Meeting Password will be provided 24 hours prior to meeting start time.

Zoom instructions are posted www.sjc.utah.gov/meeting-agenda-minutesarchive-center/

Regular Meeting

6:30 p.m. **A. Welcome, Roll Call and Introduction to Electronic Meeting - By Mayor Dawn R. Ramsey**

B. Invocation – By Council Member Don Shelton

C. Pledge of Allegiance – By Engineering Director, Brad Klavano

D. Minute Approval

D.1. October 6, 2020 Council Study Meeting

D.2. October 6, 2020 City Council Meeting

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

6:50 p.m. **F. Public Comment:** This is the time and place for any person who wishes to comment on items not scheduled on the Agenda for Public Hearing. Any person or group wishing to comment on any item not otherwise scheduled for Public Hearing on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Mayor. Groups wishing to comment will be asked to appoint a spokesperson. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting. Time taken on non-agenda items, interrupts the process of the noticed Agenda. In rare cases where it is determined appropriate to address items raised from Public Comments, these items will be noted and may be brought back at the conclusion of the printed agenda.

7:05 p.m. **G. Presentation:** Annual Rocky Mountain Power update and introduction of the new Community Manager. *(By Lisa Romney)*

7:20 p.m. **H. Public Hearing: Ordinance 2020-13,** Text Amendment – Amending Chapter 17.18.030.030 and creating Chapter 5.39 of the South Jordan City Municipal Code regulating model homes. *(By Planning Director, Steven Schaefermeyer)*

7:50 p.m. **I. Staff Reports and Calendaring Items**

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)
COUNTY OF SALT LAKE)

I, Anna Crookston, the duly appointed City Recorder of South Jordan City, Utah, certify that the foregoing City Council Agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body and also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on South Jordan City's website at www.sjc.utah.gov. Published and posted October 19, 2020.

D.1. CITY COUNCIL STUDY SESSION MEETING MINUTES

SOUTH JORDAN CITY
CITY COUNCIL ELECTRONIC STUDY MEETING
October 6, 2020

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Jason McGuire, Council Member Tamara Zander, City Manager Gary Whatcott, ACM Dustin Lewis, City Attorney Ryan Loose, Engineering Director Brad Klavano, Police Chief Jeff Carr, Administrative Services Director Spencer Kyle, Planner Director Steven Schaefermeyer, Public Works Director Jason Rasmussen, CFO Sunil Naidu, City Recorder Anna Crookston, Communications Manager Rachael VanCleave, City Commerce Director Brian Preece, Strategic Services Director Don Tingey, Associate Director of Public Works Ray Garrison, Fire Chief Chris Dawson, IT Director Jon Day, City Council Secretary MaryAnn Dean

Others: Attendance electronically via Zoom.

4:30 PM
STUDY MEETING

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

Mayor Ramsey welcomed everyone present. She excused Council Member Shelton. She introduced the electronic meeting.

B. Invocation: *By Council Member Brad Marlor*

Council Member Marlor offered the invocation.

C. Mayor and Council Coordination

Mayor Ramsey said the ULCT Board is working with the state and county on a third round of Cares Act funding. The state will be distributing money. In the past 2 rounds, Salt Lake County and Utah County distributed funds to the municipalities in their counties and the state distributed to the rest of the municipalities. Salt Lake County is not on board with that plan this time. They would like to use the money to put together an economic recovery package. She said they are working with staff, legislative leadership, and Salt Lake County leadership on what the Cares Act money can be spent on. She said they will continue to work on the issue, and she will keep the Council informed.

City Attorney Loose said the money is distributed federally, per person. They do not think that communities in Salt Lake County should be left out.

Mayor Ramsey noted that Salt Lake County has no legal obligation to share the money. She reiterated that the state would like the third distribution to be done like the other two, but that is

not the County's plan currently. The state is holding off on the distribution until the issue is figured out.

D. Discussion/Review of Regular Council Meeting

The Council briefly discussed Action Item G. on the agenda. CM Whatcott said the state officials said their water conservation plan is one of the best that they have received, and they wish it could be a model for other communities in the state.

CM Whatcott noted that item G. on the work session agenda is an update from Daybreak, including home sales this year and an update on what is happening there.

E. Staff Item: Budget Review (By CFO, Sunil Naidu)

CFO Naidu reviewed a prepared presentation (Attachment A).

Council Member Harris said he was surprised at the figures for restaurants. CFO Naidu said restaurants were able to adjust how they provided their services to customers. He said South Jordan has a lot of fast food restaurants, and that may be why it continued to do better.

Council Member Marlor asked if they have an idea how many businesses went under this year due to Covid? City Commerce Director Preece said they don't know of any that went directly out of business, but some are in trouble. He also knows of some businesses that received Cares relief funding.

Council Member Harris asked if the city was getting their online sales money? Mr. Naidu said the city has been receiving their portion; those taxes flow through the sales tax commission. CM Whatcott said the distribution is not as equal as if they bought locally.

CM Whatcott said the restaurants with drive-up, curb side pickup, or delivery services have done well. South Jordan does not have a lot of high end sit down restaurants. Council Member Zander said Zao in South Jordan is doing the best in the state for that chain. Their sales have increased. It was noted that ma and pa type restaurants and those that are dependent on the office crowds are struggling more. Chain restaurants are doing better.

Council Member Harris asked about the sales tax budget vs the actual numbers. Mr. Naidu said they did not spend their full expenditures and they were able to generate enough revenue.

Council Member Harris asked for the overall impact of Covid to the health of the city. Mr. Naidu said they did not see an impact. They are monitoring the new fiscal year; July's numbers were normal. They hope it continues.

Council Member Harris said it is remarkable that the city has been able to weather this so well. Mayor Ramsey concurred. She said they have had challenges, but things are going well. The businesses are faring better than anticipated.

Council Member Zander said the residents have been blessed generally financially. When they were told to eat out and support local businesses, they took it seriously. There was a concerted effort to support those businesses.

Council Member Marlor said staff also budgeted conservatively and that also contributed.

CM Whatcott said the employees have picked up extra loads when all of the jobs were not filled. He concurred that when people shop locally, it helps the community.

City Commerce Director Preece said they are blessed with a diversified portfolio of businesses. That has helped them through several downturns.

Mayor Ramsey also recognized the hard work of the South Jordan Chamber of Commerce.

Council Member Marlor asked how other cities are faring? CFO Naidu said he has not seen numbers, but has heard other communities complaining about being short on money and looking for ways to get more money. He said growth cities such as Lehi are faring well. Mayor Ramsey said resort communities like Park City and Moab have been hit hard. St. George has also experienced a shortfall.

CM Whatcott said South Jordan's high median income also helps. Mayor Ramsey concurred.

F. Discussion Item: Redeveloping the Draper Prison Site. *(By Point of Mountain State Land Authority, Alan Matheson)*

Mayor Ramsey introduced Alan Matheson, Executive Director of the Point of Mountain State Land Authority. He said they have 700 acres, and this is a great development opportunity. He said this is one of the top development opportunities in the country. They want to make sure they do it right. He said this is a statewide project, and is intended to benefit the entire state. He said they had a press conference a couple of weeks ago. They are transitioning from the vision phase to planning phase. They have hired a planning director and planning firm. They have 5 working groups looking at various development aspects for this project. They have established 6 guiding principles of the development 1- Promote the public good 2-Set the standard 3- Think regionally 4-Take the long view 5-Be open and transparent 6- Act with integrity.

Mr. Matheson noted a survey that is available for the development. He said they are anxious to get going and to do this right. Mayor Ramsey said the survey is open through October 16th. They want to make sure the land will be beneficial to the residents.

Mr. Matheson said all 700 acres are part of the city of Draper. He outlined when their board and working group meetings are held. Mayor Ramsey said the meeting schedule is outlined on the website.

Council Member Zander asked that they get an update on this project in the early part of next year.

CM Whatcott asked how long the planning phase will last. When do they anticipate construction? Mr. Matheson said prisoners are scheduled to be moved in the middle of 2022. He said they want the master plan done July 2021. He said this will be a phased project.

G. Presentation: Daybreak Annual Update. *(By Rulon Dutson)*

Rulon Dutson, Daybreak Representative, introduced Cameron Jackson, Director of Marketing in Daybreak. Mr. Jackson reviewed a prepared presentation (Attachment B). He thanked the city for keeping their business moving. It has had huge implications for them.

Mr. Jackson indicated that they are starting to see residents of Daybreak bring business to the area. He noted that lack of housing drives the price of housing up. They are looking for opportunities for smaller, more affordable homes.

Council Member McGuire asked for an update on the north shore commercial/condominium project, and an update on the County library and the commercial center along Mt. View Corridor.

Mr. Jackson said the north shore commercial project is underway currently. The Harmons and the first housing is planned to open Fall 2021. He said the library is also under way and scheduled to open late next year. He said regarding downtown Daybreak, housing is demand driven. Commercial development is dependent on third parties. He said they are trying to create a new urban center with downtown Daybreak. He said commercial development looks at rooftops so that growth also contributes.

Mr. Dutson said support from the city is helpful in situations like attracting the Salt Lake County library. Also engaging in conversations with UTA regarding trax stations.

Council Member Zander said 2 weeks ago, they took a bike tour through Daybreak as part of the ULCT conference. The bike paths were praised on that tour. She noted that on the northeast corner of the lake, there is a spot on the trail where the sidewalk goes from wide to narrow. She said she hopes they will widen that trail the entire distance.

Council Member Zander asked about the delay in building in Daybreak. Mr. Jackson said their work has doubled because of the increase in home sales. They have not added additional staff because they are not sure they will continue growing at the same rate. He said the builders are also strapped because they are selling so many homes. The builders are submitting plans that are not complete or something was overlooked, such as a setback.

Council Member Zander expressed an interest in getting the cell towers built in Daybreak. She said anything they can do to encourage the cell phone providers because the coverage is horrible.

Mr. Dutson said they have identified 4 sites for cell towers. At this time, they have pushed the issue as far down the road as they can. Until the demand is there, the cell phone carriers won't make the investment.

Mayor Ramsey clarified that the schools are not funded by the legislature. The School District is required to bond for needed schools.

ADJOURNMENT

Council Member Zander made a motion to adjourn. Council Member McGuire seconded the motion. The vote was 4-0 in favor.

UNAPPROVED

D.2. CITY COUNCIL MEETING MINUTES

SOUTH JORDAN CITY
CITY COUNCIL ELECTRONIC MEETING
October 6, 2020

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Jason McGuire, Council Member Tamara Zander, City Manager Gary Whatcott, ACM Dustin Lewis, City Attorney Ryan Loose, Engineering Director Brad Klavano, Police Chief Jeff Carr, Administrative Services Director Spencer Kyle, Planner Director Steven Schaefermeyer, Public Works Director Jason Rasmussen, CFO Sunil Naidu, City Recorder Anna Crookston, Communications Manager Rachael VanCleave, City Commerce Director Brian Preece, Strategic Services Director Don Tingey, Associate Director of Public Works Ray Garrison, Fire Chief Chris Dawson, IT Director Jon Day, City Council Secretary MaryAnn Dean

Others: Attendance electronically via Zoom.

6:30 PM
REGULAR MEETING

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

Mayor Ramsey called the meeting to order. She excused Council Member Shelton from the meeting. She introduced the electronic meeting.

B. Invocation – *By Council Member Jason McGuire*

Council Member McGuire offered the invocation.

C. Pledge of Allegiance – *By Council Member Tamara Zander*

Council Member Zander led the audience in the Pledge of Allegiance.

D. Minute Approval

- D.1. September 15, 2020 Council Study Meeting
- D.2. September 15, 2020 City Council Meeting

Council Member Harris made a motion to approve the September 15, 2020 Council Study meeting minutes, and the September 15, 2020 City Council meeting minutes, as printed. Council Member Zander seconded the motion. The vote was 4-0 in favor.

E. Mayor and Council Reports

Council Member McGuire said the city's art show is currently going on at the community center. He said he attended a meeting regarding snow event parking hosted by the public works department. There was not a great turnout, but they did get some feedback from the residents.

Council Member Zander said they did not have good attendance, but they did get good feedback from the residents regarding the snow event ordinance. She noted the recent bike tour of Daybreak as part of the ULCT conference. She noted a story of a fire fighter, who stopped at a hospital and helped a lady in need. She shared the story on social media. The story was well received. She said the wife of one of the fire fighters in the city contacted her and elaborated how highly they think of Chief Dawson. She thanked Fire Chief Dawson for his efforts. She also noted a police officer who recently helped her find her cell phone.

Council Member Harris said many businesses in the city are weathering the Covid crisis well. Everyone is coming together including the residents, Mayor, the City Council and the City Manager to make sure that the city stays strong.

Council Member Marlor said he met with the architectural review committee. He said it seems like they are seeing less buildings going up. He met with a real estate developer, and he met with the compensation committee where they discussed attracting and keeping their great employees.

Mayor Ramsey noted that the city received the Utah Ethical Leadership Award for government. She noted the recent ULCT virtual conference. She noted that she has been elected president elect of Utah League of Cities and Towns. She said she attended an EDCUtah meeting. She has been named the public sector vice chair of EDCUtah. She noted that she attended the gubernatorial debate. She said she filmed the city's economic development video. She said she attended the Jordan District Education Foundation and noted that Tracey Miller received the Friend of Children award from the Utah PTA. She said they held a press conference for the Point of the Mountain State Land Authority. She said they also gave the annual corporate citizen award to the U of U clinic. She noted that the VA clinic is open.

F. Public Comment:

None.

G. Action Item: Resolution 2020-24, adopt a 5-year City Water Conservation Plan (By Public Works Director, Jason Rasmussen)

Jordan Allen, Water Conservation Manager, presented the water conservation plan (Attachment A).

Council Member Harris asked in general, how are the reservoirs in the State of Utah? Mr. Allen said overall, it's looking pretty good. Deer Creek is at 88 percent capacity, but if they get some snow, it should be up to full capacity. Deer Creek is a water source for the city.

Council Member Zander asked if residents in Daybreak are allowed to flip their strip? Mr. Allen said it depends. He said the changes are allowed, but they have to get certain approvals from the HOA managers.

Council Member Zander asked about the city's goal to make city owned properties be more water wise. Are they flipping those park strips? Public Works Director Rasmussen said they are at the start of that project. Currently, they are identifying areas in park properties that do not need turf grass. The next step is to see what is feasible with the park department to replace the turf with water wise plants.

Mayor Ramsey said South Jordan has done more flip your strips than the rest of Jordan Valley Water Conservancy District combined. She said JVWCD also gets water from Jordanelle and the Provo river. She said Deer Creek is an important source.

Council Member Marlor made a motion to approve Resolution R2020-24. Council Member McGuire seconded the motion. The vote was 4-0 in favor.

H. Staff Reports and Calendaring items

CM Whatcott indicated that he would not be present at the next City Council meeting.

City Attorney Loose said there will not be a City Council meeting the 1st Tuesday in November because of the election.

ADJOURNMENT

Council Member Zander made a motion to adjourn. Council Member Harris seconded the motion. The vote was 4-0 in favor.

The October 6, 2020 City Council meeting adjourned at 7:45 p.m.

H. PUBLIC HEARING: ORDINANCE 2020-13, TEXT AMENDMENT - AMENDING CHAPTER 17.18.030.030 AND CREATING CHAPTER 5.39OF THE SOUTH JORDAN CITY MUNICIPAL CODE REGULATING MODEL HOMES.

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 10/20/2020

Application: TEXT AMENDMENT - AMENDING CHAPTER 17.18.030.030 AND CREATING CHAPTER 5.39 OF THE SOUTH JORDAN CITY MUNICIPAL CODE REGULATING MODEL HOMES

Ordinance No.: 2020-13

Applicant: South Jordan City

Submitted By: Meadow Wedekind, Long Range Planning Intern

Staff Recommendation (Motion Ready):

I move that the City Council **approve** Ordinance No. 2020-13 amending Chapter 17.18.030.030 and creating Chapter 5.39 of the South Jordan City Municipal Code regulating Model Homes.

BACKGROUND:

The City has recently identified a need for increased clarity in the City Code regulating model homes in order to prevent model homes from becoming permanent sales centers in built out residential neighborhoods. This amendment is consistent with the City's Live Goal 3.2 on page 35 of the General Plan to "put proper zoning in place to allow for appropriate growth of existing neighborhoods with new housing units."

This ordinance amends language in both Chapter 17.18.030.030 "Residential Use Regulations" and Title 5 "Business Licenses and Regulations" of the City Code. Upon adoption of this amendment, the majority of regulations for model homes would be contained in Title 5 of the City Code, which regulates business licensing. A reference to Title 5 would be added to the City's Planning and Zoning Code in Chapter 17.18.030.030.

ANALYSIS:

If approved, the proposed text amendment would require model homes to obtain a business license that may be renewed yearly until a building permit is issued for the last remaining lot in the development. Once a building permit is issued for the last remaining lot in the development, the business license will expire and the use of the model home as a sales office must be discontinued within one hundred twenty (120) days. This regulation prevents model homes from becoming permanent sales centers.

Additionally, if approved the amendment clarifies that model homes may not be used to design homes or sell properties or units located in another subdivision or property located outside of the development site. This regulation ensures that the model home is not used by builders as a general sales center for their other developments outside of the development where the model home is located.

The proposed amendment would also require that model homes comply with all standards and conditions of approval for the development, including building materials, setbacks, and landscaping.

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 proposed text amendment adds clarity to the City’s regulation of model homes, preventing model homes from becoming permanent sales centers in built out neighborhoods.

Conclusions:

- The changes proposed in this text amendment are consistent with the City’s goal to “put proper zoning in place to allow for appropriate growth of existing neighborhoods with new housing units” without detrimentally impacting the City.

Recommendation:

- The proposed text amendment was presented at a public hearing and reviewed by the Planning Commission on 10/13/2020. The Planning Commission made a positive recommendation in favor the proposed amendment (4-0).
- Staff recommends that the City Council **approve** Ordinance No. 2020-13 amending Chapter 17.18.030.030 and adding Chapter 5.39 of the South Jordan City Municipal Code regulating Model Homes.

ALTERNATIVES:

- Approve Ordinance No. 2020-13 with changes.
- Deny Ordinance No. 2020-13.

SUPPORT MATERIALS:

- Ordinance No. 2020-13
 - Exhibit “A” – Proposed Text Amendment

City Council Action Requested:

Steven Schaefermeyer
Steven Schaefermeyer (Oct 15, 2020 15:26 MDT)

Director of Planning

Date

ORDINANCE NO. 2020-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CHAPTER 17.18.030.030 AND CREATING CHAPTER 5.39 OF THE SOUTH JORDAN CITY MUNICIPAL CODE.

WHEREAS, Utah Code § 10-9a-102 grants the City Council of the City of South Jordan (the “City Council”) authority to enact ordinances that it considers necessary or appropriate for the use and development of land in the City of South Jordan (the “City”), including the City’s aesthetics; and

WHEREAS, the City Council has adopted Title 17 (Planning and Zoning Code) and Title 5 (Business Licenses and Regulations) of the City of South Jordan Municipal Code (“City Code”); and

WHEREAS, the City Council desires to amend City Code § 17.18.030.030 (Residential Use Regulations) of Title 17, and create City Code Chapter 5.39 (Model Homes) of Title 5, to set forth regulations governing the use and operation of model homes in the City; and

WHEREAS, the South Jordan Planning Commission held a public hearing, and reviewed and made a recommendation concerning the proposed amendment to § 17.18.030.030; and

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

WHEREAS, the City Council finds that the subject text amendments will enhance the public health, safety and welfare, and will 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. Amendment. City Code § 17.18.030.030 (Residential Use Regulations) is amended and City Code Chapter 5.39 (Model Homes) is created as shown in Exhibit A to this Ordinance.

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 and 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 _____, 2020 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley G. Marlor	_____	_____	_____	_____
Donald J. Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason T. McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:



Office of the City Attorney

Exhibit “A”

(Deletions in ~~strikethrough~~ new language in **bold underline**)

17.18.030.030: RESIDENTIAL USE REGULATIONS:

A. General Residential Use Regulations:

1. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles. Containers or enclosures containing said items shall not be located in a front yard area, except for temporary use as needed for construction or disposal.
2. Home occupations may be licensed in an approved residential dwelling and according to the provisions of title 5, chapter 5.38, "Home Occupations", of this Code.
3. Farm animals may be allowed as regulated in sections 17.130.020, "Residential Chickens Floating Zone", and 17.130.040, "Farm Animal Floating Zone", of this title.
4. Household pets may be allowed as regulated by title 6, "Animals", of this Code.
5. **Model homes may be allowed as regulated by title 5, chapter 5.39, "Model Homes", of this Code.**

CHAPTER 5.39 MODEL HOMES

Unless otherwise defined in this Chapter, definitions in Title 17, Chapter 17.08 of this Code shall apply.

A model home shall be allowed for use as a sales facility only. For the purpose of this Code, a unit within a multi-family residential building used for the same purposes identified herein shall be considered a model home. Sales of properties or units may not be conducted or facilitated from any trailer, nonpermanent structure, or permanent structure not permitted as a model home. The following standards shall apply to all model homes:

1. **Location: Model homes are only allowed within City approved and recorded residential developments and must be located on a platted lot or site within the development.**
2. **Homes in Other Developments: Model homes may not be used to design homes or sell properties or units located in another subdivision or property located outside of the development site.**
3. **Construction Standards: Model homes must comply with all standards and conditions of approval for the development, including building materials, setbacks,**

and landscaping. They must comply with all applicable residential dwelling construction standards before and after the discontinued use as a sales office.

4. Licensure and Permitting: Model homes shall not be constructed without the application for, approval of, and issuance of a building permit as regulated by section 16.04.340 "Building Permits and Certificates of Occupancy Required" of this Code. Requirements above and beyond those normally associated with a residential structure may be required by the building division for a model home. Model homes may not operate as such without the application for, approval of, and issuance of a business license for such at that location.
5. Duration: The business license to operate a model home may be renewed yearly until a building permit is issued for the last remaining lot within the development. The business license shall expire and the use of the model home as a sales office shall be discontinued within one hundred twenty (120) days after a building permit is issued for the last remaining lot within the development.