CITY OF SOUTH JORDAN

CITY COUNCIL & REDEVELOPMENT AGENCY MEETING AGENDA

CITY COUNCIL CHAMBERS

TUESDAY, DECEMBER 07, 2021 at 6:30 PM

Notice is hereby given that the South Jordan City Council will hold a Combined City Council and Redevelopment Agency Meeting on Tuesday, December 7, 2021, in person in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah virtually via Zoom phone and video conferencing. Persons with disabilities requesting assistance should contact the City Recorder at least 24 hours prior to the meeting. The Agenda may be amended and an Executive Session may be held at the end of the meeting. Times listed are approximate and may be accelerated or delayed.

In addition to in-person attendance, individuals may join via phone or video, using Zoom. Note, attendees joining virtually may comment during public comment or a public hearing virtually. To comment during public comment or public hearing virtually, the individual must have their video on and working during their comments. Attendees who wish to present photos or documents to the City Council must attend in person. Those who join via phone may listen, but not participate in public comment or public hearings.

In the event the meeting is disrupted in any way that the City in its sole discretion deems inappropriate, the City reserves the right to immediately remove the individual(s) from the meeting and, if needed, end virtual access to the meeting. Reasons for removing an individual or ending virtual access to the meeting include but are not limited to the posting of offensive pictures, remarks, or making offensive statements, disrespectful statements or actions, and other any action deemed inappropriate.

Ability to participate virtually is dependent on an individual's internet connection. To ensure comments are received regardless of technical issues, please have them submitted in writing to the City Recorder, Anna Crookston, at acrookston@sjc.utah.gov by 3:00 p.m. on the day of the meeting.

Instructions on how to join the meeting virtually are below.

Join South Jordan City Council Electronic Meeting December 7, 2021 at 6:30 p.m.

- Join on any device that has internet capability.
- Zoom link, Meeting ID and Password will be provided 24 hours prior to meeting start time.
- Zoom instructions are posted www.sjc.utah.gov/meeting-agenda-minutesarchive-center/.

Regular Meeting Agenda:

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

B. Invocation: By Resident, Shannon Golladay

C. Pledge of Allegiance: Mayor, Dawn R. Ramsey

D. Minute Approval

D.1. November 16, 2021 City Council Special Board of Canvass Meeting

D.2. November 16, 2021 City Council Study Meeting

D.3. November 16, 2021 City Council Meeting

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

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

This is the time and place 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 or if joining electronically by raising their hand and giving his or her name for the record. Note, if joining electronically photos or documents will not be accepted through Zoom and you must attend City Council in-person. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Chair. Groups wishing to comment will be asked to appoint a spokesperson. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting. Time taken on non-agenda items, interrupts the process of the noticed agenda. 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.

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

G.1. Utah Independent Redistricting Commission Recognition of Matt Jarman's Service. *(By Executive Director UIRC, Gordon Haight)*

G.2. Officer Cross Awards. *(By Chief of Police, Jeff Carr)*

H. Consent Action Items: 7:40 p.m.

H.1. **Resolution R2021-37**, Authorizing the Mayor and City Manager to sign the South Jordan City Annual Moderate Income Housing Report. *(By Planning Long Range Intern, Meadow Wedekind)*

H.2. **Resolution R2021-38**, Approving the issuance by the Public Finance Authority of bonds on behalf of Roseman University of Health Sciences. *(By CFO, Sunil Naidu)*

H.3. **Resolution R2021-39,** Authorizing the Mayor to sign an amendment to the Interlocal Agreement delaying the transfer of the Recreation Center until substantial completion of the Bingham Creek Regional Park. *(By Director of Strategic Services, Don Tingey)*

I. Action Item: 7:45 p.m.

I.1. **Resolution R2021-34**, Authorizing the City and the Developer to enter into a Development Agreement pertaining to the development of the property generally located at 1500 West 11400 South. Applicant Jake Ackerman. *(By Director of Planning, Steven Schaefermeyer)*

J. Public Hearing Item: 7:55 p.m.

J.1. **Resolution R2021-33**, Amending the Future Land Use Plan Map of the General Plan of the City of South Jordan from Economic Center (EC) and Stable Neighborhood (SN) to Residential Development Opportunity (RDO) on property generally located at 1500 West

11400 South. Applicant Jake Ackerman. *(By Director of Planning, Steven Schaefermeyer)* ***RCV***

J.2. **Zoning Ordinance 2021-10-Z**, Rezoning property generally located at 1500 West 11400 South from the A-5 Zone, R1.8 Zone, and R-2.5 Zone to the R-M-PD Zone. Applicant Jake Ackerman. *(By Director of Planning, Steven Schaefermeyer)* ***RCV***

J.3. **Zoning Ordinance 2021-11-Z**, Rezoning property located at 10620 S. River Front Parkway from P-O Zone to the C-C Zone. Applicant, Gina Jensen. *(By Director of Planning, Steven Schaefermeyer)* ***RCV***

J.4. **Ordinance 2021-21**, Vacating a portion of Right-of-Way along the south side of Docksider Drive, immediately east of Watercourse Road, located at 11420 South 6680 West. *(By Director of Planning, Steven Schaefermeyer)* ***RCV***

RECESS CITY COUNCIL MEETING AND MOVE TO REDEVELOPMENT AGENCY MEETING

J.5. **Resolution RDA 2021-06**, Authorizing the preparation of a draft project area plan & budget, and directing necessary action by the agency. *(By Director of City Commerce, Brian Preece)* ***RCV***

ADJOURN REDEVELOPMENT AGENCY MEETING AND RETURN TO CITY COUNCIL MEETING

K. Staff Reports and Calendaring Items: 8:55 p.m.

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

COUNTY OF SALT LAKE)

I, Anna Crookston, the duly appointed City Recorder of South Jordan City, Utah, certify that the foregoing City Council Agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body and also posted on the Utah State Public Notice Website http://www.utah.gov/pmn/index.html and on South Jordan City's website at www.sjc.utah.gov. Published and posted December 3, 2021.

SOUTH JORDAN CITY
CITY COUNCIL SPECIAL BOARD OF CANVASS MEETING

November 16, 2021

Present: Mayor Dawn R. Ramsey, Council Member Brad Marlor, Council Member Don Shelton, Council Member Jason McGuire, Council Member Tamara Zander, Council Member Patrick Harris, City Manager Gary Whatcott, Assistant City Manager Dustin Lewis, Director of Planning Steven Schaefermeyer, CFO Sunil Naidu, Director of Commerce Brian Preece, Director of Strategic Services Don Tingey, City Attorney Ryan Loose, Director of Government Affairs Melinda Seager, IT Director Jon Day, GIS Coordinator Matt Jarman, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun

Others:

4:06 P.M.
SPECIAL BOARD OF CANVASS MEETING

A. Call to Order - *By Mayor Dawn R. Ramsey*

Mayor Ramsey welcomed everyone present and explained that we are still waiting for some data from the Salt Lake County Elections Division.

Council Member Shelton motioned to recess the Special Board of Canvass Meeting until they receive the data from the Salt Lake County Elections Division. Council Member Zander seconded the motion, vote was unanimous in favor.

4:41 P.M.
SPECIAL BOARD OF CANVASS MEETING RECONVENED

The Board of Canvass meeting reconvened.

B. Business Items

B.1. Convene as the Board of Canvassers and review the attached tabulation of election returns, Identified as "Exhibit A," of the November 2, 2021 Municipal General Election provided by the Salt Lake County Election Division.

City Recorder Anna Crookston discussed Resolution R2021-35 (Attachment A) and went over the election numbers from Exhibit A (Attachment B). The council was given an older version of Exhibit A that was missing the breakdown with reasons why some ballots went uncounted; the updated version (Attachment B) is attached. She explained that the resolution needs to be signed, but there is also a Letter of Certificate for the election that every individual of the board has to sign tonight.

Mayor Ramsey asked if we needed to read the results of the election.

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City Attorney Ryan Loose suggested that in the motion, they need to note they are replacing the second page with the new information provided by the Salt Lake County Elections Division.

Mayor Ramsey said we had three seats open this time, which is the case every two years. This time we had Mayor of the City of South Jordan and she, Dawn R. Ramsey, won the election and will continue serving as Mayor. For South Jordan Council District 3 we had Don Shelton with 100% of the vote, he will continue serving in the seat he currently is holding in Council District 3. Jason McGuire also won with 100% of the vote, he will continue serving in Council District 5.

B.2. **Resolution R2021-35**, accepting and approving the attached tabulation of 2021 Municipal Election returns, identified as "Exhibit A" and included as part of this resolution is adopted. *(By City Recorder, Anna Crookston)* **RCV**

Mayor Dawn Ramsey introduced Resolution R2021-35, with the note that we are going to update the information on Page 2, which was just received from Salt Lake County Elections Division.

Council Member McGuire motioned to adopt Resolution R2021-35, accepting and approving the attached tabulation of the 2021 Municipal General Election Results. Council Member Shelton seconded the motion. **Roll Call Vote was 5-0, unanimous in favor.**

C. Council Remarks

Mayor Ramsey said the City Council for the City of South Jordan has accepted and approved the tabulation of the 2021 results. She congratulated those who won, and thanked Mr. Fonua, who also ran as a candidate to serve in the City of South Jordan.

Council Member Don Shelton said he was curious about the numbers, so he called the Salt Lake County Clerk's Office and he discovered a few things. The difference between the number of votes that were cast and the total votes that he received, which was over 500 ballots where they simply didn't mark the box; they voted for the mayor, but didn't mark the box to vote for him. He looked at the Riverton City Council, who were all running unopposed as well, and they were all at over 20% that didn't mark the box to vote. He only had about 15% that didn't mark the box to vote for him when submitting their vote for the mayor.

Council Member Patrick Harris asked what the voter turnout was.

Recorder Crookston said the turnout was 28.5% citywide.

Council Member Tamara Zander asked if we knew how this compares to other cities throughout the state.

Recorder Crookston said she can pull those numbers for her and send them by email.

Mayor Ramsey said 28.5% of registered voters voting is not a staggering number, but this was also not a national election with federal or even state officials on the ballot; we also didn't have an abundance of candidates on the ballot. She is grateful for the 13,000 plus who did choose to vote.

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Council Member Brad Marlor said that before mail-in ballots the numbers were much lower than that, down in the 18-19% range as he remembers.

Mayor Ramsey said we can see there were not many who voted in person, most of the people did mail-in ballots.

Attorney Loose said it is interesting that West Valley City, which has a population quite larger than ours, had about the same number of votes cast for both of their final candidates as we had votes cast just for Mayor Ramsey. Anecdotally, we had a better turnout than West Valley per capita.

Council Member Zander thanked the candidates who ran in this past election, she is so grateful they all chose to run again.

Mayor Ramsey said she appreciates the chance to continue working with everyone here for four more years, trying to get as many good things done for the residents of South Jordan as we can, and this is the right group to do that.

Council Member Marlor motioned to adjourn the Special Board of Canvass Meeting. Council Member Zander seconded the motion; the vote was unanimous in favor.

ADJOURNMENT

The November 16, 2021 City Council Board of Canvass Meeting adjourned at 4:51 p.m.

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SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

November 16, 2021

Present: Mayor Dawn R. Ramsey, Council Member Tamara Zander, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Don Shelton, Council Member Jason McGuire, CM Gary Whatcott, Assistant City Manager Dustin Lewis, City Attorney Ryan Loose, Planning Director Steven Schaefermeyer, Director of Administrative Services Spencer Kyle, CFO Sunil Naidu, Strategic Services Director Don Tingey, City Commerce Director Brian Preece, IT Director Jon Day, GIS Coordinator Matt Jarman, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun, Mulligan's Business Manager Jacob Druce

Others: Alan Matheson

4:51 PM
STUDY MEETING

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

Mayor Dawn Ramsey welcomed everyone present and introduced the meeting.

B. Invocation: *By Council Member Tamara Zander*

Council Member Tamara Zander offered the invocation.

C. Mayor and Council Coordination

Mayor Ramsey discussed the dedication and grand opening for 10400 South and Bangerter Highway on Friday at 9:00 a.m. She also gave a quick update on what's going on with the Economic Opportunities Commission. They continue to move forward, had a League board meeting and Legislative Policy Committee (LPC) meeting yesterday and everyone can share what they got out of it. She thinks everyone will be happy to hear that as they continue to work through the policy revisions on incentives there is another element that was voted on unanimously, that she thinks is exciting news. The state is going to take the lead on a messaging campaign and listening to understand what residents of the State of Utah want, along with an educational campaign about the growth that is happening and coming, where it's coming from and that three-quarters of it is our children and grandchildren growing up. We can't stop the growth and need to plan well so we can maintain our quality of life that we love here. In partnership, they are going to coordinate with Envision Utah and bring in some stakeholders to help with that messaging and listening as well. The infrastructure bill has passed, Senator Romney helped broker that deal however the other representatives from Utah voted against it, even though the house members have all said they are supportive of infrastructure funding for the state. This is just some party politics and people trying to tie it to other unrelated things, that's the process and how this goes. There has been a great deal of support, with a great article

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in the Deseret News today about it, from organizations and people of the Salt Lake Chamber and UTA and lots of other organizations and stakeholders across the State of Utah as the fastest growing state. This is going to help us going forward.

Council Member Tamara Zander asked if Mayor Ramsey had a chance to meet with Senator Romney when she was traveling and if he knows we have our eyes on this.

Mayor Ramsey said yes she did meet with him, and that he is aware. His office reached out and asked for a statement of support, which she gave and was tweeted. They also received our letter of support and she believes that's why they asked for a statement, they know we are one of the fastest growing cities and that this money is going to be valuable.

City Manager Gary Whatcott said $50 billion dollars of that money went to water reuse projects in the western states. He thinks they are going to try to apply for the grant to do a plan regarding how to get the water from the reuse plant to South Jordan, so we can get all those studies done and a plan prepared, and down the road we will know how we can actually use the water.

D. Discussion/Review of Regular Council Meeting

- Proclamation: Small Business Saturday

Mayor Ramsey said this is always the Saturday after Thanksgiving, it is honored every year at this time.

E. Staff Item

E.1. Introduction to the new Mulligans Business Manager, Jacob Druce. ***(By Director of Administrative Services, Spencer Kyle)***

Director of Administrative Services Spencer Kyle talked about the changes made to the Mulligans Business Manager job description, and what they were looking for when they did their recruiting. They had 139 applications, there were a couple rounds of interviews, and they finally decided on Jake Druce as the new Business Manager for Mulligans.

Mulligan's Business Manager Jake Druce introduced himself to everyone present. He grew up here in South Jordan, his family has lived here for 30 years. He went to South Jordan Middle School and Bingham High School where he played baseball. He took that baseball career to Grand Junction, CO and was able to get his undergraduate degree in Sport Management within three years. He figured that while someone else was paying for that education he might as well further it and he got his MBA. He has been looking for something new, he and his wife decided it was time to come back. His wife was a schoolteacher there in Grand Junction and what goes on in those schools is very different from what happens here. They want to start having kids and building a family, so they felt South Jordan was the best place to do that. He is excited to be back and be reminded of all the memories he has, a lot of them from around Mulligans and learning to golf, high school dates; Mulligans was a centerpiece for a lot of his life growing up.

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Mayor Ramsey said she knows this was a highly sought after position, and him being chosen means he rose to the top of an impressive pool, that speaks volumes. Recently she has only had one person ask if she has changed her mind about her feelings towards Mulligans and she has not.

Council Member Patrick Harris mentioned that Mulligan's is in his district, so he gets a lot of feedback on it from residents. People see it as a well-maintained, successful, beautiful place and he thinks people will want to keep that there. He encouraged Mr. Druce to find ways to accomplish that, each day look around at what might be off so he can work on fixing it. When cars drive by and they see things that are visually off, what should be something beautiful in the city could become an eyesore quickly. He will have the council's support as he works to make Mulligans thrive.

Mr. Druce said one of the first items on his list is to bring back the curb appeal.

Council Member Zander loves his background with both sports management and an MBA, also that he is from South Jordan and understands and appreciates the history and hard work behind Mulligans. He can look at things from a business sense and be wise with the money and budgets, but he also has that sports piece. Many people refer to Mulligans as the "Gateway to the City" and she wants to keep it that way, as it's really the first thing you see driving into the city from the freeway.

F. Presentation Item

F.1. The Point presentation. *(By The Point of the Mountain State Land Authority Executive Director, Alan Matheson)*

Alan Matheson reviewed his prepared presentation and videos (Attachment A).

Council Member Zander mentioned the River to Range Parks, it was mentioned that they will hook into the Jordan River Trails as well as Corner Canyon. She can see where they will hook into Jordan River pretty easily, but how will they connect to Corner Canyon.

Mr. Matheson explained that there would be a bridge over the I-15 Freeway that would allow people and wildlife to get across and access those regional trails that go into Lehi, and eventually to Provo Canyon and the Bonneville Shoreline Trail.

Council Member Zander asked if since this land is state owned, and they carry no debt on it, will the infrastructure be funded by the state or are they looking for a developer to do that. Transportation is everyone's buzzword, so this is exciting but she wonders who will pay to get it done.

Mr. Matheson said it would be a combination. The state will put in some money for the backbone infrastructure, like the park and major roads. The developers will have to bring money and they expect some international investors will be interested in demonstrating some of the smart city sustainability options here. There will be a bridge over the I-15 for transit to go over

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Bangerter and into the site, as well as over I-15 and down. There will probably be a separate pedestrian bridge because the gradient doesn't meet ADA standards.

Council Member Don Shelton asked if this was all within the Draper City Boundaries.

Mr. Matheson said yes, they have been working very closely with them to make sure their roads meet the city standards, so that when they get turned over it will be a seamless transition.

Council Member Brad Marlor asked about the estimated population of the residential community within this area.

Mr. Matheson said based on the framework plan, they think it will be right around 13,000-15,000 people. With regards to jobs, potentially 35,000-40,000 jobs.

Council Member Zander asked about authority for this new development, because it's within Draper City boundaries will they be the ones overseeing this, or will this be its own entity.

Mr. Matheson explained the statute that created The Point of the Mountain State Land Authority gave land use authority to this organization. They will be making the decisions on planning, approvals, buildings, etc., but they want to make sure they work closely on the design guidelines with Draper so that they are as close as possible. Draper will have responsibility for municipal services like fire and snow, and they will be compensated for that. They want it to be a very close, tight relationship.

Council Member Zander asked to clarify if it might not necessarily be a part of Draper City, could it operate like Daybreak in South Jordan.

Mr. Matheson said it is within Draper City boundaries, however he is not very familiar with Daybreak. State land is not subject to local land use authority.

Mayor Ramsey said that South Jordan had a say in the parameters under which Daybreak could work as part of the development agreement. The state is autonomous, the city council can't supersede anything that goes on here.

City Attorney Ryan Loose said it's more like the 90 acres that the University of Utah bought in Daybreak for the University of Utah campus itself. They are state owned so they have the authority to zone and do all that within their state owned land.

Mr. Matheson said they will probably have a Division of Facilities, Construction and Management that does engineering reviews and issues building permits.

Council Member Zander said this is exciting. When you've got all these bright minds working together, you don't want a city council in the future overstepping and not respecting the original intentions of this project.

Mayor Ramsey explained who is on the board, which includes the Mayor of Draper at all times. She is not there as the Mayor of South Jordan, she was appointed to represent Salt Lake County. There are many voices from various backgrounds on the board, and the Mayor of Draper being on it allows them to get valuable input from the city.

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Mr. Matheson said the University of Utah and the Gardner Policy Institute are doing some research on the economic impact of this project. They have looked at two scenarios, what happens if they put up a for sale sign here and let the highest bidder develop with what we see in the area and what the market would impose, or the current described plan and scenario. Under the baseline scenario there would be 4,100 jobs created, under the latter plan it would be 40,000 jobs created. The GDP under the baseline scenario would increase $500 million, under the latter scenario $6.9 billion (14 times more). There is real opportunity to generate revenues for education, social services and infrastructure; to create world class jobs here so our kids don't need to go to New York or San Francisco to have those opportunities.

G. Discussion Item

G.1. Council Redistricting discussion. *(By City Staff)*

Assistant City Manager Dustin Lewis talked about the maps, gave each council member and the mayor a copy (Attachment B) and explained what they will be looking at.

GIS Coordinator Matt Jarman reviewed prepared presentation (Attachment B).

Mayor Ramsey pointed out the population numbers shown are from April 2020, a year and a half ago. We are growing fast and those numbers are definitely changing. We have to go off the census numbers, even though we know we are one of the 10 fastest growing cities in America.

Mr. Jarman continued to review the prepared presentation and discussed each map (Attachment B). He also discussed legislators and some of the restrictions they have on drawing the lines.

Council Member Marlor asked if these are the same criteria that were also used when the house created their boundaries/districts.

Mr. Jarman said for the legislative committee, he believes they went with the plus or minus 5% and they stated in their public hearings that they did look at seated legislators. As far as the congressional lines, he's not sure if that was the case or not as they do not have to live in their district. For school boards, he doesn't know what their criteria is. With the Independent Redistricting Commission, they did not look at where current legislators were living, it was based on total population only and didn't have to be logical. He continued to go over the maps (Attachment B).

Assistant City Manager Lewis explained that when they did this 10 years ago, their council member lived on the east side; to get the number of people they had to go that far west to capture it.

Council Member Zander said the one area of our city that's already wrong compared to the census numbers is the west side. For that area it makes more sense to her to have those numbers as low as possible since they are going to have huge growth.

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City Attorney Ryan Loose said it doesn't matter that we know the population is going to explode in a specific area, or that the districts are going to be completely unbalanced before the next census. We have to redraw the districts based on the census numbers we currently have. If there was only expected to be a small amount of growth that would change it by a few percentage points then yes, he understands trying to get on that level. In our case, no matter what, those numbers will never be close because of the huge growth that will happen.

Council Member Zander pointed out that in Scenario C they have District 1 and District 2 with lower populations than District 4, who we know is already out of range.

ACM Lewis said that's part of the trading off that happens when moving the lines. They've tried to move the lines around to spread out the growth in Daybreak, and this is why they brought multiple scenarios; these five scenarios are moving the boundaries in ways that still work with the required parameters.

Council Member Shelton asked about District 3 on scenario B, what would happen if they only took what's north of South Jordan Parkway.

Mr. Jarman said if they took the north side and put it in District 3, District 4 would end up being short in population, and in turn would have to move into possibly District 5. Then, if you move them from District 2 to fill in District 5 they will end up needing more in District 2.

Attorney Loose said it would be easier to move these lines around if they had more roads or geographic landmarks in certain places, like just to the north of the existing houses, so District 3 could pick up vacant land.

ACM Lewis explained that they are beholden to census blocks, a predetermined block of space, and they have to draw lines around those spaces, as they cannot be split up. They can't cut up the census blocks and they are all different sizes. This is why in District 5 there are some really small census blocks, because there are a lot of people that live in that piece of real estate. However, in District 4 there are some really big blocks because it was empty.

Attorney Loose reinforced this rule and said that these "blocks" are created based on census numbers and geography, and the city cannot spilt them up when redrawing district lines.

Mayor Ramsey said she likes that several of the proposed scenarios break Daybreak up into multiple districts.

ACM Lewis said if they look at Scenario A, her current district would be short, almost to the limit of being legally compliant.

Attorney Loose said the "problem" of huge future population growth isn't a problem they can address today.

ACM Lewis said they had this same problem 10 years ago when they ended up making district 4. They knew that in 10 years they would have the chance to fix that.

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Mr. Jarman said Daybreak needed to be split up because it would not fit in a single district.

Council Member Zander said she thinks more than one council member should control the growth on the west side, but all of the proposed scenarios have one council member dealing with that growth.

Manager Whatcott said the problem is that the east part of the city is all built out, you can't adjust that area because you'll start pulling too many people into their unit by adjusting them to the west.

Council Member Zander respects all the work that has gone into this, she knows everyone has worked hard to come up with the current options. She just sees Council Member Shelton's dilemma now, passed on to another district, and that frustrates her because she believes everyone knows what is happening here. It doesn't matter whose district it is, her ideal of what she was going to see today was a few people sharing that growth.

Council Member Marlor said he prefers Scenario B, as it doesn't change District 2, 3 or 5 dramatically. His current district appears to have shrunk in population size because so many people had children move out.

Council Member Shelton said his preference would be to eliminate Scenarios A, D and E, which leaves Scenarios B and C. He prefers Scenario B because of the clean lines on the east side, but he could live with B or C.

Council Member Zander agrees with Council Member Shelton, Scenarios B and C are her top choices. Based on her own personal interests, Scenario B would be her first choice.

Council Member McGuire prefers Scenario C as it keeps things compact and with cleaner lines; he doesn't like Scenario B as it puts his district into a weird hammerhead shape.

Council Member Harris said that his choices for his district don't differ much, but based on the popular options available he would prefer Scenario C over B. In looking at the growth ahead, which will be in the tens of thousands, he would recommend to the council that they don't get caught up in the 1%-2% which equals 100 here and there when the real impact is so huge. He doesn't think that's going to make much of a difference now if it's off by a few hundred when we're talking tens of thousands in the future.

Council Member Marlor likes Scenario B because all the other districts take his previously east/west district into a north/south district; most of the other districts didn't have as much change.

Council Member McGuire asked Council Member Marlor why the direction mattered to him.

Council Member Marlor said it's the constituents in those areas, he prefers the area he would cover in Scenario B.

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Council Member Zander asked if they could ask staff to re-look at Scenarios B and C, see if they can make any changes based on those two being the most popular options.

Attorney Loose said they just need to adopt everything in the next few months.

Manager Whatcott said they could take Scenarios B and C and try to refine them with some more options, keeping in mind the comments about the west, and present them again in the near future.

Council Member Zander thanked the staff for listening to her frustrations.

City Manager Whatcott said they also could have future annexations that would affect the numbers, on top of the growing population.

The council agreed that they like the idea of staff taking Scenarios B and C back to the drawing board for a few more options.

ADJOURNMENT

Council Member Zander motioned to adjourn the Study Meeting. Council Member McGuire seconded the motion; vote was unanimous in favor.

The November 16, 2021 City Council electronic study meeting adjourned at 6:30 p.m.

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SOUTH JORDAN CITY
CITY COUNCIL MEETING

November 16, 2021

Present: Mayor Dawn Ramsey, Council Member Brad Marlor, Council Member Don Shelton, Council Member Jason McGuire, Council Member Tamara Zander, City Manager Gary Whatcott, City Attorney Ryan Loose, Strategic Services Director Don Tingey, CFO Sunil Naidu, GIS Coordinator Matt Jarman, City Recorder Anna Crookston, Director of Government Affairs Melinda Seager, Project Accountant Abagail Patonai, Director of Commerce Brian Preece, Director of Planning Steven Schaefermeyer, Meeting Transcriptionist Diana Baun

Others: Carolyn Walker, Brian Synan, Luann Jensen, gwing

6:43 P.M.
REGULAR MEETING

A. Welcome, Roll Call, and Introduction to Electronic Meeting - *By Mayor Dawn Ramsey*

Mayor Ramsey welcomed everyone present and introduced the electronic meeting.

B. Thought – *By Resident Carolyn Walker*

Ms. Walker offered a thought for the meeting.

C. Pledge of Allegiance – *By Council Member Patrick Harris*

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

D. Minute Approval

D.1. October 12, 2021 Strategic Planning Meeting

D.2. October 19, 2021 City Council Study Meeting

D.3. October 19, 2921 City Council Meeting

D.4. October 26, 2021 City Council Special Meeting

Don Shelton noted the October 12, 2021 Strategic Planning Meeting was a public meeting, but was not an electronic meeting. He also pointed out an error in the minutes during the same meeting where Assistant City Manager Dustin Lewis made a statement about the city of “Winfield”, it was actually the city of Midvale. City Recorder Anna Crookston made the above corrections to the appropriate minutes.

Council Member Shelton motioned to approve the October 12, 2021 Strategic Planning Meeting with the above changes; the October 19, 2021 City Council Study Meeting as printed; the October 19, 2021 City Council Meeting as printed; and the October 26, 2021 City Council

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Special Meeting minutes as printed. Council Member Harris seconded the motion; the vote was unanimous in favor.

E. Mayor and Council Reports

Council Member Patrick Harris congratulated those who were re-elected during our recent city election. He attended the Gale Center Theater Open House and appreciated the efforts being taken to keep the facility running, as well as the new displays. He had the chance to attend the South Valley Chamber Titan Awards meeting. He also attended one of his favorite events, the Veteran's Day Breakfast.

Council Member Brad Marlor attended the South Jordan Compensation Committee meeting where they discussed the current challenges the city is facing with fewer and fewer resources, but more demands. He attended the Wasatch Choice virtual workshop, which was very informative. He attended the Summerfest Planning Meeting and is looking forward to it this upcoming year. He attended the Election Party for Mayor Dawn R. Ramsey; he also congratulated the other council members who were re-elected. He attended the awards dinner honoring Fred Lampropoulos and others. He attended an Architectural Review Committee meeting, which included discussion of a new Ultradent building. On a personal note, he is thrilled to announce that he has acquired a new business condo here in South Jordan.

Council Member Don Shelton attended the Wasatch Front Regional Council virtual meeting. He enjoyed attending and helping judge the city's pumpkin carving contest. He attended a meeting for the Independent Redistricting Commission and testified there; the map outcomes were exactly what he expected. He also attended the Senior Advisory Committee, the Titan Awards, as well as Legislative Policy Committee (LPC) and Western Growth Coalition meetings. At the LPC meeting they discussed things in the works currently, at Western Growth Coalition they had a number of legislators come and speak to them. There were a few comments on redistricting and it was interesting to hear the minority leader of the senate's thoughts on redistricting, compared to Representative Teuscher. Representative Teuscher is excited about the fact that we get a new district in our city; House District 33 will include the western area of our city. He thanked staff for their help in handling a few resident issues over the past few weeks, it makes him feel like we are really in the business of trying to help people.

Council Member Tamara Zander congratulated those who were re-elected in our city, and thanked those who have previously served or are currently serving. She attended the South Valley Chamber Meeting; she loved hearing about the civic leaders and went home grateful to have heard former Governor Leavitt speak, as well as Fred Lampropoulos and another woman. She volunteered to host the Daybreak Realtor's Meeting and enjoyed being able to do that at her local office. The guest speaker at the meeting was our own City Manager Gary L. Whatcott, who did a terrific job. She attended the South Valley Mosquito Abatement District board meeting; everything there is fine, they continue to meet virtually on Zoom. Lastly, on a personal note, she had the chance to play pickleball at the Highland Park courts; she thanked the city staff for doing such an amazing job on those courts.

Council Member Jason McGuire attended the Gale Center Open House for the new exhibit. He is thankful to have that museum in our city and even his teenager enjoyed browsing the antique kitchen

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items and trying to identify them. He also attended the Veteran's Day Breakfast with his son, they both enjoyed being involved in that event. He was supposed to have an Arts Council meeting but it fell on Veteran's Day and was rescheduled for a later date.

Mayor Dawn Ramsey said she attended most of the same meetings and events reported by the council members. She thanked Luann Jensen for her amazing work on the Veteran's Day Breakfast, especially since she was unable to attend. She specifically thanked Ms. Jensen, members of our Historical Committee, the Scouts, our Youth Council, Mindy Taylor and her Counterpoint performing group, and everyone else who had a hand in making the breakfast a success. This breakfast is a very small way of expressing our gratitude for their service and sacrifice. She attended the Gale Center opening with the Youth Council, they have done a beautiful job. She met with the Managing Director of Kennecott at their corporate offices and they had a fantastic visit. She mentioned the Legislative Policy Committee, there is a great deal of work going on there. A lot of what came out of the board meeting is related to the Economic Opportunities Commission, which she gave an update on in the previous meeting. She had a subcommittee meeting today to follow up and take the next steps as a subcommittee on what was discussed yesterday. Tomorrow night there is a small dedication of Aspen Elementary and Bryce Dunford from the school board asked if she would speak; she was already committed to another event so she sent a video to represent the mayor and council. This morning she welcomed, and led in the Pledge of Allegiance, sod farmers from across the US and the world for the annual BioGrass Conference. She attended the first annual Major Brent Taylor Scholarship Gala. She was asked to serve on the Affordable Housing Commission of Utah and has decided to accept the invitation. This is an opportunity our city has not had in the past and she has been asked to serve as one of two public sector representatives on the Olene Walker Affordable Housing Commission for the State of Utah; she thinks this is a great opportunity for the city to have a seat at that table. On a personal note, her friend bought a home in Daybreak and Mayor Ramsey was able to take her on a little tour of the area, including visiting the fire station and some local firefighters. The next day, her friend's daughter accidentally locked her kids in the van and the same firefighters they met the day before were the ones who came to help. They were so grateful for how awesome our fire department was. Those firefighters were professional and compassionate, which was greatly appreciated in the situation. Lastly, she had a chance to go on a tour of the city with the governor and show him the growth we've experienced, what's still coming and some of the city's accomplishments and work in progress. She also mentioned the Special Board of Canvass Meeting this afternoon that was held to discuss and accept the election results. She thanked everyone, from staff to residents, who have supported her and helped the city be successful. She also thanked her family for their support and sacrifice, she is humbled at the outcome of the election.

F. Public Comment

Mayor Ramsey opened up the public comment portion of the meeting.

Luann Jensen (Resident) thanked the city for being willing to help and supply the funds for the Veteran's Day Breakfast; she greatly appreciates it. Forty two veterans attended, including a WWII Veteran who was 97 years old. When he was introduced, people stood up for two minutes and clapped for him. He was not in a wheelchair, he had a cane and walked out, and he was so appreciative; that made the whole day for everyone there, including herself, as it could have been her dad, her uncles, and it brought back a lot of memories. With the 42 veterans, their families and

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helpers, there were 100 people there. She was surprised, she didn't know how many would attend. They delivered a few flyers and put up a few banners; they had no idea who was going to show up. The mayor created and sent a video, everyone was very appreciative of that. Council Member Harris gave a talk that was short and to the point, as well as bringing his wife and kids. His wife and children greeted the veterans, happily filled in to write names on nametags when asked. She appreciated Council Member McGuire and his son coming, that was a pleasant surprise. She gave him a bottle of syrup and asked him to pour, he happily obliged. Community Center Supervisor Jamie Culbertson was great, she helped them so much at the Community Center; anything they needed she was right there giving it to them. The Youth Council was awesome, there were about seven of them that showed up and they jumped right in to wash and prepare fruit, helped with all the food and served the veterans. She jokingly mentioned that the mayor of the youth council could give Mayor Ramsey some competition. She had five of her Eagle Scouts there who are always welcome to help. They did the flag ceremony, served the beverages and were right there ready to serve; they love doing this and always come up to her at church before these kinds of holiday events to ask what help she needs. She feels bad that in about three years they'll all be on missions, but they'll find others to step in. The Historical Committee was there cooking and doing whatever else was needed. They had several people say they wanted to help. She has many people that call her and ask if they can please help her, and they really enjoy it. It truly is an honor to be there and be able to do that. City staff stepped up to help with some glitches here and there, they even took her around to go to Zurchers and Costco to purchase whatever she needed the day before. It worked out that they purchased the exact amount of food they needed, it was amazing and it worked out really well. Whatever is left over they always leave with Ms. Culbertson there at the Senior Center. As the mayor said, Mindy Taylor and her youth choir were happy to come perform and have already asked to come back next year. Ron Trantner, who used to be the commander of the Veterans of Foreign Wars (VFW) came. She had called him to ask if he'd like to be on the program, he replied that maybe he could do a poem or play the trumpet; she told him he could do anything he wanted, so he did both. He played Taps and it was very moving, everyone stood up. The veterans are so appreciative, and she is so glad that this city wants to do this. When they left, they said "we'll be here next year if we're above ground" and she said "me too." They were so appreciative; they would poke their heads in the kitchen and thank everyone there. While she was dropping off flyers to the different places, like the senior apartments and assisted living, there was a gentleman behind the law office off 10400 South who saw the flyer and showed up. He said he wasn't a veteran, but asked if he could come in the kitchen and help. He helped stir the pancake mix, which is hard to do, and he even did all the dishes so there was none left to do at the end. They had people coming in from off the street that wanted to help. She just wants to thank the city and she hopes that one day when she's six feet under, the city will continue to do this. People ask her why she's doing this, and she replies that if all she has to give is twice a year at the Memorial Day and Veteran's Day when these veterans have given their time away from their families, been in war, accumulated physical, mental and emotional problems, this is a spit in the ocean to what they've done.

Mayor Ramsey closed the public comment portion of the meeting.

G. Action Item

G.1. <u>Proclamation</u>: Small Business Saturday. *(By Mayor Dawn Ramsey)*

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Mayor Ramsey read the proclamation honoring Small Business Saturday, November 27, 2021.

H. Staff Reports and Calendaring Items:

Mayor Ramsey discussed the commemorative opening ceremony for the Bangerter and 10400 South intersection on Friday morning at 9:00 a.m.

Council Member McGuire mentioned the Light the Night Event coming up the first Friday in December.

Mayor Ramsey asked to be excused from Light the Night this year so she can spend time with her family. She asked if someone could stand in for her to welcome everyone and do the countdown for the event.

Assistant City Manager Dustin Lewis congratulated those who were re-elected, and reminded them that also means they need to re-appoint their board members to their committees and groups. He asked those re-elected to check in with the current appointees to see if they want to be re-appointed, or to let him know if they desired to appoint someone else. He will have them come in and meet with them during the work session before the January meeting.

Mayor Ramsey asked to have a conversation in January to look at the committees they are serving on to represent the city and see if everybody is still okay with how things are. That would be the time to make any changes that need to be made. There is one change specifically that she would like to make, as she is always unable to make the meetings.

CFO Sunil Naidu reminded everyone there is a budget meeting on November 30.

City Attorney Ryan Loose said everyone involved should have the information on breakfast with the legislators.

Director of Government Affairs Melinda Seager said the dates will be December 1from 8:30 a.m. to 10:00 a.m., and December 8 from 8:00 a.m. until 9:30 a.m. Representative Pulsipher has been called away, she will be moving from the 3 to the 8 and they will be rearranging some schedules for that. An invitation was also sent to Ken Ivory, so she is hoping he will be able to meet them on December 8. On December 1, they will have Senator Fillmore, Representative Teuscher, and she is trying to do some rearranging so they can have three available for each date.

Mayor Ramsey discussed the Jordan Education Foundation's Christmas for Kids and their need for volunteers. Volunteers get to accompany middle and high school kids in the Jordan School District while they shop for Christmas at Walmart on Saturday, December 11 early in the morning. Volunteers can sign-up on the Jordan Education Foundation website.

Council Member Marlor motioned to recess the combined City Council and Redevelopment Agency meeting and move to a combined City Council and Redevelopment Agency Executive Closed Session. Council Member McGuire seconded the motion; the vote was unanimous in favor.

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RECESS COMBINED CITY COUNCIL & RDA MEETING AND MOVE TO COMBINED CITYCOUNCIL & RDA EXECUTIVE CLOSED SESSION

I. **Executive Closed Session:** To discuss the purchase, exchange or lease of real property.

ADJOURN COMBINED CITY COUNCIL & RDA EXECUTIVE CLOSED SESSION AND RETURN TO COMBINEDCITY COUNCIL & RDA MEETING

Council Member Zander motioned to adjourn the combined City Council and RDA meeting. Council Member Marlor seconded the motion; the vote was unanimous in favor.

ADJOURNMENT

The November 16, 2021 City Council meeting adjourned at 10:31 p.m.

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UTAH

Memo

TO: Mayor, City Council, and City Manager **DATE:** December 7, 2021
SUBJECT: 2021 Annual Moderate Income Housing Report
FROM: Meadow Wedekind

Per Utah Code §§ 10-9a-408 and 10-9a-403, the South Jordan City Council must annually review the implementation of the moderate income housing plan element of South Jordan City's General Plan and prepare and publish a report on the findings of the review. The City adopted the moderate income housing plan element of the General Plan in November 2019. The following Moderate Income Housing Report is a review of this plan and of the City's efforts to address the need for moderate income housing.

Resolution R2021-37 will authorize the Mayor and City Manager to sign the following annual Moderate Income Housing Report. Per State Code requirements, the Report will then be sent to the Housing and Community Development Division of the Utah Department of Workforce Services (DWS), the Wasatch Front Regional Council (the City's Association of Governments), and published on the City's website.

As part of the report, the City is required to provide a revised estimate of the need for moderate income housing in the municipality for the next five years. The City has been instructed to use the data provided by DWS in their five year projection calculator to calculate these estimates. It is generally acknowledged that this data is out of date. DWS plans to restructure their calculator to improve next year's annual report.

DWS-HCD 899
Rev. 11/2020

State of Utah
Department of Workforce Services
Housing & Community Development

ANNUAL MODERATE-INCOME HOUSING REPORTING FORM

Under the Utah Code, Municipal legislative bodies must annually:

- Update 5-year estimates of moderate-income housing needs UCA 10-9a-408 and 17-27a-408.
- Conduct a review of the moderate-income housing element and its implementation; and
- Report the findings for updated planning to the Housing and Community Development Division (HCDD) of the Utah Department of Workforce Services and their Association of Government or Metropolitan Planning Organization no later than December 1 of each year.
- Post the report on their municipality's website.

In accordance with UCA 10-9a-401 and 17-27a-401 municipalities that must report regularly are:

- Cities of the first, second, third, and fourth class (or have 10,000 or more residents).
- Cities of the fifth class:
  - Having an estimated population greater than or equal to 5,000 residents; **AND**
  - That are located in a county with a population greater than or equal to 31,000 residents.
- Metro Townships:
  - Having an estimated population greater than or equal to 5,000 residents;
  - Having an estimated population less than 5,000 **BUT** is located in a county with a population greater than or equal to 31,000 residents.
- Not a town with fewer than 1,000 residents.

To find out if your municipality must report annually, please visit:
https://jobs.utah.gov/housing/affordable/moderate/reporting/

For additional moderate-income housing planning resources:
https://jobs.utah.gov/housing/affordable/moderate/index.html

MUNICIPAL GOVERNMENT INFORMATION:

Municipal Government: City of South Jordan

Reporting Date: December 1, 2021

MUNICIPAL GOVERNMENT CONTACT INFORMATION:

1600 W Towne Center Dr | 801-446-4357

South Jordan, UT 84095 | https://www.sjc.utah.gov/

Mayor's First and Last Name: Dawn Ramsey

Mayor's Email Address: dramsey@sjc.utah.gov

PREPARER CONTACT INFORMATION:

Preparer's First and Last Name: Meadow Wedekind

Preparer's Title: Long Range Planning Analyst

Preparer's Email Address: mwedekind@sjc.utah.gov

Preparer's Telephone: 801-446-4357 Extension: 1260

When did the municipality last adopt moderate-income housing element of their general plan?

November 19, 2019

Link to moderate-income housing element on municipality website:

https://www.sjc.utah.gov/wp-content/uploads/2020/03/Appendix-A-South-Jordan-Moderate-Income-Housing-Plan-November-2019.pdf

UCA 10-9a-403 (2)(b)(iii) and 17-27a-403 (2)(b)(ii) requires municipalities to include three or more strategies in their moderate-income housing element of their general plan. In addition to the recommendations required under 10-9a-403 (2)(b)(iii) and 17-27a-403 (2)(b)(ii), for a municipality that has a fixed guideway public transit station, shall include a recommendation to implement the strategies described in 10-9a-403 (2)(b)(iii)(G) or (H) and 17-27a-403 (2)(b)(ii)(G) or (H). Municipalities shall annually progress on implementing these recommendations.

STRATEGIES

***** Repeat questions 1-5 for each strategy listed in the moderate-income housing element of the general plan. Include additional strategies on a separate document. *****

1. State strategy municipality included in the moderate-income housing element of its general plan below.

   Allow accessory units in additional areas of the City (10-9a-403 (3)(b)(iii)(E))

2. Please state the municipality's goal(s) associated with the strategy

   Implement and publicize the City's recently amended ADU ordinance which outlines clearer requirements for ADUs and allows for greater flexibility. Provide affordable units in existing single family neighborhoods. Help aging homeowners remain in ther homes as costs increase. Accomodate varying family situations/needs.

3. What are the specific outcomes that the strategy intends to accomplish?

   Increasing understanding and awareness of the current ADU ordinance will allow the public and the City's elected/appointed officials to better understand what an ADU is, and how and where to build one in South Jordan and allow staff to more efficiently review and approve ADU permit applications.

4. Please describe how the municipality has monitored its annual progress toward achieving the goal(s).

   City staff have monitored progress by keeping amendments to the ADU ordinance at the forefront of the long-range planning efforts for the last two years and by tracking ADU permits in the year 2021. It is also important to contextualize South Jordan's efforts: South Jordan already allows attached ADUs in the majority of residential zones, and detached ADUs in several of its residential zones. ADUs are also allowed in the City's largest mixed-use zone where the Daybreak planned community is located.

5. In the boxes below, outline the following objectives associated with the goal(s) stated in item 2.
   a. Please identify the key tasks of each stage needed to accomplish the goal(s) stated in item 2.

      City staff identified the need to provide better information about the ADU ordinance to the public and appointed/elected officials in the form of an illustrative guide, which will eventually be posted on the City's website and distributed to those asking questions about the City's ADU policies and regulations. City staff will also work to understand and consistently apply the new ordinance to a variety of situations.

   b. Please identify the primary parties that are responsible for completing the key tasks of each stage identified in item 5a.

      City staff (primarily the Planning and the Communications Department staff) will be responsible for developing and distributing the illustrative guide for the ADU ordinance. They will also coordinate efforts to post this guide on the City website. Planning Department staff will administer the ordinance in a variety of situations.

c. Please describe the resources that the municipality must allocate to complete the key task of each stage identified in item 5a.

The main resource for all key tasks is Planning Department staff time to develop the illustrative guide and implement the ordinance. Communications Department staff time will also be used to publicize and distribute the information guide. Additionally increasing amounts of Planning Department staff time will be dedicated to reviewing and approving ADU permits and answering related questions.

d. Please state specific deadlines for completing the key tasks of each stage identified in item 5a.

There are no specific deadlines, only that South Jordan continues to work towards and prioritize its ADU goals and strategies, which this report demonstrates the City has done in 2021. Available staff time and resources will be dedicated to completing the illustrative guide in a timely manner to promote awareness and understanding of the ADU ordinance.

e. Which of the tasks stated in item 5a have been completed so far, and what have been their results?

On September 15, 2020, the City Council passed Ordinance 2020-10, which clarified the City's ADU ordinance and requirements. On August 17, 2021, the City Council passed Ordinance 2021-16 which increased flexibility of ADU regulations in the City by eliminating size and occupancy restrictions for internal ADUs and reducing parking requirements. Staff has also prepared a draft of the illustrative guide for the ADU ordinance.

f. How is the municipality addressing results described in 5e that deviate from the desired outcomes specified in item 3? What barriers has the municipality encountered during the course of implementation of said goals?

Results have not deviated from desired outcomes. The main barriers are time and resources of City staff to promote greater understanding and awareness of the new ADU ordinance.

g. (Optional) Have you considered efforts to use a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency within your community.

Yes, this is a strategy in South Jordan's moderate income housing plan that will be explained in the additional documents attached to this form (see attached "ADDITIONAL STRATEGIES").

PLEASE SUBMIT REQUISITE DOCUMENTATION FROM THE EVALUATION PERIOD THAT VALIDATES THE INFORMATION PROVIDED IN THIS REPORT.

Municipal legislative bodies are also required to review and submit the following:

UCA 10-9a-408(2)l(i): (*data should be from validated sources, like US Census, with verified methodologies*)

- A current estimate of the city's rental housing needs for the following income limits:
  - 80% of the county's adjusted median family income: 20
  - 50% of the county's adjusted median family income: 420
  - 30% of the county's adjusted median family income: 275

UCA 10-9a-103(41)(b): (*data should be from validated sources, like US Census, with verified methodologies*)

- An updated projection of 5-year affordable housing needs, which includes:
  - Projected growth of households (housing demand)
  - Projected housing stock (housing supply)
  - Projected median housing costs
  - Projected median household income

To complete the annual reporting requirements above, please download the state's FIVE YEAR HOUSING PROJECTION CALCULATOR: **https://jobs.utah.gov/housing/affordable/moderate/**

Submission Guidelines:

1. Moderate-income housing review reports are due on December 1 of each year.
2. Emails must include the following items as separate attachments:
   - ✓ An updated estimate of the municipality's 5-year moderate-income housing needs
   - ✓ A findings report of the annual moderate-income housing element review
   - ✓ The most current version of the moderate-income housing element of the municipality's general plan
     - Submitted moderate-income housing elements must include their adoption date on a cover page.
3. Acceptable electronic document formats include:
   (a) DOC or PDF
4. Emails MUST be addressed to: dfields@utah.gov.

AOG Contact Information:

Bear River AOG 170 N Main Logan, Utah 84321 Phone (435) 752-7242	**Six County AOG** 250 North Main Street, Richfield, Utah Phone: (435) 893-0712	**Uintah Basin AOG** 330 East 100 South Roosevelt, UT 84066 Phone: (435) 722-4518
Five County AOG 1070 W 1600 S Saint George, Ut 84770 Phone: (435) 673-3548	**Southeastern Utah AOG** 375 South Carbon Avenue Price, UT 84501 Phone: (435) 637-5444	**Wasatch Front Regional Council** 41 N. Rio Grande Street, Suite 103 Salt Lake City, UT 84101 Phone: (801) 363-4250
Mountainland AOG 586 E 800 N Orem, UT 84097 Phone: 801-229-3800		

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ADDITIONAL STRATEGIES

ADDITIONAL STRATEGY 1:

1. State strategy municipality included in the moderate-income housing element of its general plan below.

Provide a plan and opportunities for mixed-use development near transit that includes affordable housing (10-9a-403(3)(b)(iii)(G)).

2. Please state the municipality's goal(s) associated with the strategy

Capitalize on existing public transit infrastructure to provide more nearby affordable units by allowing a variety of housing types and higher densities than are allowed elsewhere in the City.

3. What are the specific outcomes that the strategy intends to accomplish?

Cohesive mixed-use developments around transit that create dynamic neighborhoods that seamlessly include affordable housing units and allow residents to more successfully rely on transit for their daily transportation needs and consequently live more affordably.

4. Please describe how the municipality has monitored its annual progress toward achieving the goal(s).

The City has prioritized discussion and planning efforts to build more housing units near the TRAX Red Line in Daybreak, and the FrontRunner station in the City's Jordan Gateway area.

5. In the boxes below, outline the following objectives associated with the goal(s) stated in item 2.

a. Please identify the key tasks of each stage needed to accomplish the goal(s) stated in item 2.

On February 2, 2021, the City Council approved an amendment to the General Plan to include a plan for two subareas. One of the areas included in the plan is the Jordan Gateway area, which includes a FrontRunner station and one bus line. This subarea plan proposes allowing additional housing in this area and re-purposing existing parking lots for additional development. This subarea plan will be implemented in the zoning code and will inform development proposals in the area. The City also has ongoing discussions about development opportunities in the town center area of the Daybreak community, which is entitled to build a variety of housing types (apartments, condominiums, and other attached housing and small-lot residential) along the existing TRAX Red Line. Several housing projects are currently planned or under construction in the town center. The Daybreak community also has new owners, the Larry H. Miller Group, and that there has been a renewed effort over the last year to discuss plans and explore ideas and partnerships that will have an effect on affordable housing.

b. Please identify the primary parties that are responsible for completing the key tasks of each stage identified in item 5a.

City staff, Planning Commission, City Council, private property owners and development partners.

c. Please describe the resources that the municipality must allocate to complete the key task of each stage identified in item 5a.

The main resource for all key tasks is City staff time and the time of the Planning Commission and City Council to review and approve development in the City. The City and the RDA also paid a consultant to work with City staff to create the Subareas plan.

d. Please state specific deadlines for completing the key tasks of each stage identified in item 5a.

Efforts to implement the plan have begun. There are no specific deadlines for the development of the Daybreak town center since the property is already entitled by a development agreement. That said, it continues to be the City's priority to discuss development opportunities with the developer, Daybreak Communities, and other partners. This is an ongoing development that will take years to complete, and its completion is dependent on third-parties and market forces.

e. Which of the tasks stated in item 5a have been completed so far, and what have been their results?

The Subareas plan was approved in February of this year, and implementation or the plan is now being prioritized. As for the Daybreak town center, conversations occur regularly and are ongoing. Additionally, housing is currently being development in or near the town center, including apartments.

f. How is the municipality addressing results described in 5e that deviate from the desired outcomes specified in item 3? What barriers has the municipality encountered during the course of implementation of said goals?

Results have not deviated from desired outcomes. The main barriers are time and resources. As mentioned, South Jordan is one of the fastest-growing communities in the state. Most City staff time, and appointed/elected officials' time, is consumed by keeping up with new development proposals and development/building currently underway.

ADDITIONAL STRATEGY 2:

1. State strategy municipality included in the moderate-income housing element of its general plan below.

Reduce parking requirements for transit oriented development (10-9a-403(3)(b)(iii)(H)).

2. Please state the municipality's goal(s) associated with the strategy

Capitalize on existing public transit infrastructure by making efficient use of land a priority and avoiding the excess costs and barriers created by unnecessary parking infrastructure.

3. What are the specific outcomes that the strategy intends to accomplish?

Cohesive mixed-use developments around transit that create dynamic neighborhoods that encourage and allow residents to live more affordably by being able to more successfully rely on transit as their primary form of transportation.

4. Please describe how the municipality has monitored its annual progress toward achieving the goal(s).

The City has prioritized discussion and planning efforts in TODs, including near the TRAX red line in Daybreak, and the FrontRunner station in the City's Jordan Gateway area. Parking requirements for each development in these areas is analyzed and progress toward achieving the goals is evident in the successful developments that are occurring in these areas.

5. In the boxes below, outline the following objectives associated with the goal(s) stated in item 2.

a. Please identify the key tasks of each stage needed to accomplish the goal(s) stated in item 2.

When a development, housing or otherwise, is proposed in a TOD area, the developer and City staff review the parking requirements and identify opportunities for reduced parking. During the approval process, parking can be reduced by approval from the City Council or through creating shared parking agreements (see South Jordan City Municipal Code § 16.26).

b. Please identify the primary parties that are responsible for completing the key tasks of each stage identified in item 5a.

City staff, Planning Commission, City Council, private property owners and development partners.

c. Please describe the resources that the municipality must allocate to complete the key task of each stage identified in item 5a.

The main resource for all key tasks is City staff time and the time of the City Council.

d. Please state specific deadlines for completing the key tasks of each stage identified in item 5a.

Because the code options to reduce parking are already available, deadlines are specific to each project.

e. Which of the tasks stated in item 5a have been completed so far, and what have been their results?

The tasks are completed with each project because the options to reduce parking already exist.

f. How is the municipality addressing results described in 5e that deviate from the desired outcomes specified in item 3? What barriers has the municipality encountered during the course of implementation of said goals?

Results have not deviated from desired outcomes. The main barriers are time and resources to explore creative development and parking solutions.

ADDITIONAL STRATEGY 3:

1. State strategy municipality included in the moderate-income housing element of its general plan below.

Utilize a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency (10-9a-403(3)(b)(iii)(V)).

2. Please state the municipality's goal(s) associated with the strategy

Create specific opportunities for affordable housing units and opportunities for people to afford existing housing in the City. Maintain existing and well-maintained single-family residential neighborhoods. Continue to maintain curbs, sidewalks, walkways, and street lighting to maintain walkability and install these features if existing neighborhoods lack such features.

3. What are the specific outcomes that the strategy intends to accomplish?

In 2019, the City partnered with Ivory Homes to use RDA funds to provide affordable, deed-restricted units in a new neighborhood along a major transportation corridor (11400 S). The resulting Bingham Court development is now completed and being leased. The development includes nine units designated as workforce housing that are deed-restricted to low- and moderate-income families. The nine units have now been sold to a mix of qualified City and school district employees. A hearing is scheduled for another development that would utilize RDA funds. The City is also in discussion to use more of the funds in other projects in various conceptual and development stages.

In November 2020, the City opened its Down Payment Assistance program to employees, using funds set aside for moderate-income housing from the RDA. The program is now open to anyone qualifying as low- and moderate-income. The goal of the DPA is to expand homeownership opportunities for eligible low- and moderate-income households and to increase home ownership within the City. The Program seeks to give assistance to households who otherwise would not be able to become homeowners, while ensuring home ownership as a successful long-term goal. This helps improve the quality of life for families and the quality of the community. Five of those who purchased homes in the Bingham Court Workforce Housing also used the DPA.

The City's Community Development Block Grant (CDBG) funds a partnership with Assist, a local non-profit that provides home repairs to LMI households. This partnership will wrap up soon, and the RDA will open an internally managed home repair program funded by the RDA. The desired outcome of these programs is allowing seniors and those with disabilities to stay in their homes, adding continuity to neighborhoods. Since March 2020, 3 households have been served.

Since May 2020, the City is using its RDA to provide rental assistance through a community partner, Utah Community Action. This keeps low- and moderate-income families housed during the pandemic. Twenty-two households have been served. The City also funds rental assistance through UCA using it CDBG-CV funds; twelve individuals have been served. Also using CDBG-CV funds, the City has provided mortgage assistance to one family.

The CDBG program is currently funding ADA ramp improvements to sidewalks throughout the City. In addition, several projects have been undertaken in low- and moderate-income neighborhoods to improve curbs, sidewalks, and walkways. These activities are funded through CDBG.

4. Please describe how the municipality has monitored its annual progress toward achieving the goal(s).

For RDA rental assistance, quarterly reports are submitted by UCA. As the Down Payment Assistance program begins, we are tracking data on race and income to monitor how grants are awarded.

All CDBG activities are subject to HUD's rigorous reporting requirements, including annual reports to the City Council, public comments periods, and substantial data gathering.

5. In the boxes below, outline the following objectives associated with the goal(s) stated in item 2.

a. Please identify the key tasks of each stage needed to accomplish the goal(s) stated in item 2.

In addition to the deed-restricted units in the Ivory development, the City is having ongoing discussions with other developers and land owners that are interested and able to use RDA money to build affordable, deed-restricted units.

The City is continually working with its Engineering and Public Works Departments to identify areas of needed improvements within neighborhoods.

Each year, a CDBG Annual Action Plan is submitted to the City Council and the public before going to HUD. Projects are identified through a competitive application process.

Starting the in-house Home Repair Program requires writing policy manuals, identifying eligible contractors, and then releasing info to the public.

b. Please identify the primary parties that are responsible for completing the key tasks of each stage identified in item 5a.

RDA staff, CDBG Coordinator, CDBG committee, Planning Department staff and other City officials.

c. Please describe the resources that the municipality must allocate to complete the key task of each stage identified in item 5a.

RDA and City staff time and RDA/CDBG funds.

d. Please state specific deadlines for completing the key tasks of each stage identified in item 5a.

The RDA Housing Repair project is being developed. Meetings with other cities will happen in October 2021. Policy development and an RFP are likely to be released in December.

CDBG annual actions plans are released in March, and the program year begins each July. Applications open in winter and close Jan. 31 of each year.

e. Which of the tasks stated in item 5a have been completed so far, and what have been their results?

CDBG is already happening for the year. Three projects to improve neighborhoods are currently being developed by city engineers. As stated, the RDA team is meeting about the repair program. The biggest achievement since last year's report is that our nine workforce housing units are now occupied by low- and moderate-income families.

f. How is the municipality addressing results described in 5e that deviate from the desired outcomes specified in item 3? What barriers has the municipality encountered during the course of implementation of said goals?

CDBG funds are often too inflexible in requirements to easily serve residents. This is why the City is transitioning housing efforts to its RDA funds. The City has also experienced challenges finding individuals who qualify as low- and moderate-income who can also meet the housing expense ratios required to pay for the workforce housing units.

APPROVED BY:

Mayor: _____ **City Manager: _____**
Dawn R. Ramsey **Gary L. Whatcott**

Section 1: Population by tenure in South Jordan city

Table B01003 Table B25008	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2026 Projection	Difference between 2017 and 2026
Total Population: (ACS Table B01003)	47,625	65,523	2,483	84,412	18,889
Total Population in occupied housing units (ACS Table B25008)	47,625	65,523	2,484	84,415	18,892
Total Population in owner-occupied housing (ACS Table B25008)	43,182	54,306	1,594	65,612	11,306
Total Population in renter-occupied housing (ACS Table B25008)	4,443	11,217	890	18,802	7,585

Source 1: U.S. Census Bureau. Table B01003: Total population. American Community Survey.

Source 2: U.S. Census Bureau. Table B25008: Total population in occupied housing units by tenure. American Community Survey.

Section 2: Supply of housing units by structure type in South Jordan city

Table B25001 Table B25032	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2026 Projection	Difference between 2017 and 2026
TOTAL HOUSING UNITS (ACS Table B25001)	13,102	20,214	974	27,595	7,381
Total occupied units (ACS Table B25032)	12,733	19,350	890	25,852	6,502
Owner-occupied structures (ACS Table B25032)	11,233	15,368	560	19,197	3,829
1 unit, detached	10,570	13,706	424	16,444	2,738
1 unit, attached	587	1,376	102	2,124	748
2 units	0	68	8	136	68
3 or 4 units	61	50	2	89	39
5 to 9 units	0	108	14	199	91
10 to 19 units	0	50	10	190	140
20 to 49 units	0	0	0	0	0
50 or more units	0	0	0	0	0
Mobile homes	15	0	-2	-10	-10
Boat, RV, van, etc.	0	10	2	25	15
Renter-occupied structures (ACS Table B25032)	1,500	3,982	330	6,655	2,673
1 unit, detached	753	1,345	85	2,026	681
1 unit, attached	197	240	11	349	109
2 units	24	65	6	122	57
3 or 4 units	37	30	-1	15	-15
5 to 9 units	120	256	28	533	277
10 to 19 units	119	426	56	1,093	667
20 to 49 units	0	625	72	1,148	[illegible]
50 or more units	250	979	73	1,333	[illegible]

Mobile homes	0	0	0	0	0
Boat, RV, van, etc.	0	16	2	35	0

Source 1: U.S. Census Bureau. Table B25001: Total housing units. American Community Survey.

Source 2: U.S. Census Bureau. Table B25032: Tenure by units in structure. American Community Survey.

Section 3: Housing occupancy in South Jordan city

Table B25003 Table B25081	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2026 Projection	Difference between 2017 and 2026
Total households in occupied housing units (ACS Table B25003)	12,733	19,350	890	25,852	6,502
Total households in owner-occupied housing (ACS Table B25003)	11,233	15,368	560	19,197	3,829
With a Mortgage (ACS Table B25081)	9,124	11,721	348	14,072	2,351
Without a Mortgage (ACS Table B25081)	2,109	3,647	212	5,125	1,478
Total households in renter-occupied housing (ACS Table B25003)	1,500	3,982	330	6,655	2,673

Source 1: U.S. Census Bureau. Table B25003: Tenure. American Community Survey.

Source 2: U.S. Census Bureau. Table B25081: Mortgage status. American Community Survey.

Section 4: Housing vacancy in South Jordan city

Table B25004	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2026 Projection	Difference between 2017 and 2026
Total vacant units (ACS Table B25004)	369	864	84	1,743	879
For rent (ACS Table B25004)	75	238	25	504	266
Rented, not occupied (ACS Table B25004)	26	8	-3	-27	-35
For sale only (ACS Table B25004)	115	323	28	571	248
Sold, not occupied (ACS Table B25004)	0	41	6	102	61
For seasonal, recreational, or occasional use (ACS Table B25004)	40	106	12	243	137
For migrant workers (ACS Table B25004)	0	0	0	0	0
Other vacant (ACS Table B25004)	113	148	17	350	202

Source 1: U.S. Census Bureau. Table B25003: Tenure. American Community Survey.

Section 5: Average household size in South

Table B25010	2009 American Community Survey	2017 American Community Survey	2026 Projection
Average Household Size (ACS Table B25010)	3.74	3.39	3.27
Average Owner Household Size (ACS Table B25010)	3.84	3.53	3.42
Average Renter Household Size (ACS Table B25010)	2.96	2.82	2.83

Source 1: U.S. Census Bureau. Table B25010: Average household size of occupied housing units by tenure. American Community Survey.

Section 6: Monthly housing costs in South Jordan city

Table B25088 Table B25064	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2026 Projection	Difference between 2017 and 2026
Total owner-occupied housing unit costs (ACS Table B25088)	$1,797	$1,658	-$25	$1,427	$ (231)
Units with a mortgage (ACS Table B25088)	$1,971	$1,896	-$18	$1,724	$ (172)
Units without a mortgage (ACS Table B25088)	$501	$536	$5	$578	$ 42
Median gross rent (ACS Table B25064)	$1,451	$1,405	-$8	$1,339	$ (66)

Source 1: U.S. Census Bureau. Table B25088: Median selected monthly owner costs (Dollars) by mortgage status. American Community Survey.

Source 2: U.S. Census Bureau. Table B25064: Median gross rent (Dollars). American Community Survey.

Section 7: Median household income in South Jordan city

Table B25119	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2026 Projection	Difference between 2017 and 2026
Median household income (ACS Table B25119)	$90,661	$99,856	$1,001	$104,632	$ 4,776
Owner-occupied income (ACS Table B25119)	$93,638	$110,213	$1,599	$119,318	$ 9,105
Renter-occupied income (ACS Table B25119)	$59,491	$70,718	$1,587	$81,727	$ 11,009

Source 1: U.S. Census Bureau. Table B25119: Median household income that past 12 months by tenure. American Community Survey

Section 8: Salt Lake County Area Median Income (AMI)*

Table B19019 **Table B19119**	2009 American Community Survey	2017 American Community Survey	Annual Growth Rate (Slope)	2026 Projection	Difference between 2017 and 2026
Median HOUSEHOLD income (ACS Table B19019)	$0	$67,922	$4,987	$114,666	$ 46,744
1-person household	$29,347	$35,234	$680	$40,080	$ 4,846
2-person household	$60,515	$70,072	$1,063	$77,175	$ 7,103
3-person household	$66,549	$79,895	$1,452	$89,209	$ 9,314
4-person household	$72,043	$88,785	$1,883	$101,618	$ 12,833
5-person household	$72,151	$87,250	$1,461	$94,382	$ 7,132
6-person household	$79,716	$92,268	$1,019	$94,560	$ 2,292
≥ 7-person household	$81,746	$96,814	$1,165	$98,474	$ 1,660
Median FAMILY income (ACS Table B19119)	$66,413	$78,828	$1,342	$87,210	$ 8,382
2-person family	$59,252	$68,991	$973	$75,172	$ 6,181
3-person family	$63,983	$78,081	$1,557	$88,951	$ 10,870
4-person family	$72,222	$88,255	$1,877	$100,959	$ 12,704
5-person family	$73,345	$87,065	$1,310	$92,457	$ 5,392
6-person family	$80,836	$92,594	$1,006	$94,650	$ 2,056
≥ 7-person family	$85,906	$95,705	$749	$92,534	$ (3,171)

Source 1: U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American Community Survey

Source 2: U.S. Census Bureau. Table B19119: Median family income in the past 12 months by family size. American Community Survey

*NOTE: AMI is calculated at the COUNTY level.

UCA 10-9a-408(2)(c)(i)

Calculate the municipality's housing gap for the current year by entering the number of moderate-income renter households, affordable and available rental units from TABLE 1 below:

2020 Shortage	Renter Households	Affordable Rental Units	Available Rental Units	Affordable Units - Renter Households	Available Units - Renter Households
≤ 80% HAMFI	1,225	2,170	1,205	945	-20
≤ 50% HAMFI	570	510	150	-60	-420
≤ 30% HAMFI	340	300	65	-40	-275

Calculate the municipality's housing gap for the previous annual by entering the number of moderate-income renter households, affordable and available rental units from TABLE 2 below:

2016 Shortage	Renter Households	Affordable Rental Units	Available Rental Units	Affordable Units - Renter Households	Available Units - Renter Households
≤ 80% HAMFI	935	1,320	710	385	-225
≤ 50% HAMFI	400	320	40	-80	-360
≤ 30% HAMFI	205	170	0	-35	-205

Subtract Table 2 from Table 1 to estimate progress in providing moderate-income housing

PROGRESS	Renter Households	Affordable Rental Units	Available Rental Units	Affordable Units - Renter Households	Available Units - Renter Households
≤ 80% HAMFI	290	850	495	560	205
≤ 50% HAMFI	170	190	110	20	-60
≤ 30% HAMFI	135	130	65	-5	-70

UCA 10-9a-408(2)(c)(ii)

Report the number of all housing units in the municipality that are currently subsidized by each level of government below:

Municipal Government:	9	Subsidized by municipal housing programs
State Government:	98	Subsidized by Utah's OWHLF multi-family program
Federal Government:	56	Subsidized by the federal Low-Income Housing Tax Credit (LIHTC) program

UCA 10-9a-408(2)(c)(iii)

Report the number of all housing units in the municipality that are currently deed-restricted for moderate-income households in the box below:

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RESOLUTION R2021 - 37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH AUTHORIZING THE MAYOR AND CITY MANAGER TO SIGN THE SOUTH JORDAN CITY ANNUAL MODERATE INCOME HOUSING REPORT.

WHEREAS, pursuant to Utah Code §§ 10-9a-408 and 10-9a-403, the South Jordan City Council (the "City Council") must annually review the moderate income housing plan element of the City of South Jordan's (the "City") General Plan, and prepare and publish a report on the findings of the review; and

WHEREAS, a shortage of moderate income housing is a concern in the State of Utah, and the City's General Plan addresses the need to develop more moderate income housing in the City; and

WHEREAS, the City has conducted the annual review of the moderate income housing element of the City's General Plan and prepared a report setting forth findings; and

WHEREAS, the City Council finds it in the best interest of the health, safety, and welfare of the residents to authorize that the annual report on moderate income housing be signed and published.

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

SECTION 1. Authorization to Sign. The City Council hereby authorizes the Mayor and City Manager to sign The South Jordan City Annual Moderate Income Housing Report, attached as Exhibit A.

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

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	____	____	____	____
Bradley Marlor	____	____	____	____
Donald Shelton	____	____	____	____
Tamara Zander	____	____	____	____
Jason McGuire	____	____	____	____

Mayor: _____ Attest: _____

Dawn R. Ramsey City Recorder

Approved as to form: _____

Office of the City Attorney

RESOLUTION NO. R2021-38

A RESOLUTION OF THE CITY COUNCIL OF SOUTH JORDAN, UTAH APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF BONDS ON BEHALF OF ROSEMAN UNIVERSITY OF HEALTH SCIENCES

WHEREAS, Roseman University of Health Sciences, a Nevada nonprofit corporation (the "Borrower"), has requested that the Public Finance Authority in the State of Wisconsin (the "Authority") issue its Revenue and Revenue Refunding Bonds (Roseman University of Health Sciences Project), Series 2022 (the "Bonds") in an amount not to exceed $70,000,000 for the following purposes: (1) to finance the costs of the acquisition of, capital improvements to, and related capital expenditures with respect to, an approximately 16.59 acre parcel of land bordered by South Hualapai Way, Discovery Drive, Breakthrough Way and West Twain Avenue, Las Vegas, Clark County, Nevada 89135 (the "New Money Portion"), to be used as part of the Borrower's educational facilities (2) to current refund (the "Refunding Portion") the Public Finance Authority Revenue Bonds (Roseman University of Health Sciences Project), Series 2012 which financed the acquisition, construction, expansion, rehabilitation, remodeling, renovation and equipping of all or a portion of the educational facilities of the Borrower as follows: (a) the acquisition of, capital improvements to, and related capital expenditures with respect to, the building known as RiverPark Ten located at 10920 South River Front Parkway, South Jordan, Utah 84095, (b) the acquisition of, capital improvements to, and related capital expenditures with respect to, approximately 12.0 acres of land located directly west and contiguous to 10920 South River Front Parkway, South Jordan, Utah 84095, (c) various capital improvement projects to the Borrower's main campus buildings and campus, which campus has a main address of 11 Sunset Way, Henderson, Nevada 89014, (d) the acquisition of, capital improvements to, and related capital expenditures with respect to, approximately 8.0 acres of land located directly to the east and contiguous to 11 Sunset Way, Henderson, Nevada 89014, (e) the acquisition of, capital improvements to, and related capital expenditures with respect to, approximately 1.99 acres of land located at 1791 Whitney Mesa Drive, Henderson, Nevada 89014, (f) to fund a debt service reserve fund for such bonds, (g) to fund interest on such bonds, and (h) to fund the payment of certain costs of issuance with respect to such bonds; (3) to fund a debt service reserve fund for the Bonds; (4) to fund interest on the Bonds; and (5) to fund the payment of certain costs of issuance of the Bonds (collectively, the "Project," and the property being financed or refinanced, the "Facilities"); and

WHEREAS, The Facilities financed and/or refinanced by the Bonds will be owned and principally used by the Borrower. The portion of the Bonds allocable to the New Money Portion will not exceed a maximum stated principal amount of $33,000,000, and the portion of the Bonds allocable to the Refunding Portion will not exceed a maximum stated principal amount of $37,000,000. All of the Facilities are, or will be, used by the Borrower's as part of its educational facilities for educational purposes, and as part of an integrated operation; and

WHEREAS, the Bonds or a portion thereof will be "private activity bonds" and "qualified 501(c)(3) bonds" for purposes of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the Bonds are required to be approved by the "applicable elected representative" of a governmental unit having jurisdiction over the entire area in which the Project is located, after a public hearing held following reasonable public notice; and

WHEREAS, the members of the City Council (the "Governing Body") of South Jordan, Utah (the "City") are the applicable elected representatives of the City; and

WHEREAS, the Borrower has requested that the Governing Body approve the financing of the Project and the issuance of the Bonds in order to satisfy the public approval requirement of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Chief Financial Officer, as designee of the Governing Body has, following notice duly given in the form attached hereto as Exhibit A (the "TEFRA Notice"), held a public hearing regarding the financing of the Project and the issuance of the Bonds, and now the Governing Body desires to approve the financing or refinancing, and the issuance of the Bonds relating to the South Jordan Projects;

NOW, THEREFORE, BE IT RESOLVED BY THE ABOVE-NAMED GOVERNING BODY AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. As set forth in the Report on Public Hearing attached hereto as Exhibit B, the Governing Body has been informed of the purpose for which the Bonds are proposed to be issued and the proceedings of the public hearing, and the Governing Body has been informed that no objections were raised with respect to the plan of finance, the proposed issuance of the Bonds and the financing or refinancing of the Facilities at the public hearing; and

Section 3. In order to comply with Section 147(f) of the Code, the Governing Body hereby ratifies the publication of the "Notice of Public Hearing" in a newspaper qualified to carry legal notices and having general circulation within the City and the holding of a public hearing on the Bonds, the plan of finance and the Project.

Section 4. The Governing Body hereby approves the issuance of the Bonds by the Authority for refinancing the South Jordan Projects. It is the purpose and intent of the Governing Body that this resolution constitute approval of the issuance of the Bonds by the applicable elected representative of the governmental unit having jurisdiction over the area in which the South Jordan Projects are located, in accordance with Section 147(f) of the Code, as amended, and in compliance with Section 66.0304(11)(a) of the Wisconsin Statutes, as amended.

Section 5. The Governing Body has not performed any due diligence with regard to the Project or the issuance of the Bonds. This Resolution shall not be construed (1) as an endorsement by the Governing Body of the Project or the actions of the Authority or the Borrower in connection therewith; or (2) to obligate the City, its Governing Body, officers, agents, and employees, to any financial obligation, including also any claims, judgments, or settlement costs, of any nature, arising out of or involved with the issuance of the Bonds or the existence pf or carrying out of the Project. This Resolution is based upon representations to the Governing Body by the Borrower

that approval of the issuance of the Bonds will have no impact on the City's bond rating. The representations of the Borrower to the Governing Body have been further affirmed by a letter agreement of indemnification and hold harmless executed by the Borrower in favor of the City.

Section 6. The officers of the Governing Body are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing approved hereby.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS ____ DAY OF _____, 2021 BY THE FOLLOWING VOTE:

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

Mayor: _____ Attest: _____
Dawn R. Ramsey City Recorder

Approved as to form:

_____
Office of the City Attorney

EXHIBIT A

FORM OF NOTICE OF PUBLIC HEARING

[Attached]

NOTICE OF PUBLIC HEARING
FOR THE SOUTH JORDAN, UTAH CITY COUNCIL
RELATING TO
AN AMOUNT NOT TO EXCEED $70,000,000 OF PUBLIC FINANCE AUTHORITY
REVENUE AND REVENUE REFUNDING BONDS
(ROSEMAN UNIVERSITY OF HEALTH SCIENCES PROJECT)
SERIES 2022

Notice is hereby given that on Wednesday December 1, 2021, a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), will be held by the Chief Financial Officer of South Jordan, Utah (the "City") with respect to the proposed plan of finance and the proposed issuance by the Public Finance Authority, Wisconsin (the "Authority") of its Revenue and Revenue Refunding Bonds (Roseman University of Health Sciences Project) Series 2022 in one or more series or issuances (the "Bonds"), in an aggregate principal amount not to exceed $70,000,000. The hearing will commence at 4:00 p.m. and will be held in the first floor classroom of the College of Dental Medicine building (RiverPark Eleven) located at 10894 South River Front Parkway, South Jordan, Utah 84095.

The Bonds are expected to be issued, as tax-exempt qualified 501(c)(3) tax-exempt bonds issued for educational purposes, pursuant to Section 66.0304 of the Wisconsin Statutes, as amended, and pursuant to the plan of finance the proceeds from the sale of the Bonds will be loaned by the Authority to Roseman University of Health Sciences, formerly known as University of Southern Nevada, a Nevada nonprofit corporation and 501(c)(3) organization (the "Borrower"), and used for the following purposes: (1) to finance the costs of the acquisition of, capital improvements to, and related capital expenditures with respect to, an approximately 16.59 acre parcel of land bordered by South Hualapai Way, Discovery Drive, Breakthrough Way and West Twain Avenue, Las Vegas, Clark County, Nevada 89135 (the "New Money Portion"), to be used as part of the Borrower's educational facilities (2) to current refund (the "Refunding Portion") the Public Finance Authority Revenue Bonds (Roseman University of Health Sciences Project), Series 2012 which financed the acquisition, construction, expansion, rehabilitation, remodeling, renovation and equipping of all or a portion of the educational facilities of the Borrower as follows: (a) the acquisition of, capital improvements to, and related capital expenditures with respect to, the building known as RiverPark Ten located at 10920 South River Front Parkway, South Jordan, Utah 84095, (b) the acquisition of, capital improvements to, and related capital expenditures with respect to, approximately 12.0 acres of land located directly west and contiguous to 10920 South River Front Parkway, South Jordan, Utah 84095, (c) various capital improvement projects to the Borrower's main campus buildings and campus, which campus has a main address of 11 Sunset Way, Henderson, Nevada 89014, (d) the acquisition of, capital improvements to, and related capital expenditures with respect to, approximately 8.0 acres of land located directly to the east and contiguous to 11 Sunset Way, Henderson, Nevada 89014, (e) the acquisition of, capital improvements to, and related capital expenditures with respect to, approximately 1.99 acres of land located at 1791 Whitney Mesa Drive, Henderson, Nevada 89014, (f) to fund a debt service reserve fund for such bonds, (g) to fund interest on such bonds, and (h) to fund the payment of certain costs of issuance with respect to such bonds; (3) to fund a debt service reserve fund for the Bonds; (4) to fund interest on the Bonds; and (5) to fund the payment of certain costs of issuance

of the Bonds (collectively, the "Project," and the property being financed or refinanced, the "Facilities").

The Facilities financed and/or refinanced by the Bonds will be owned and principally used by the Borrower. The portion of the Bonds allocable to the New Money Portion will not exceed a maximum stated principal amount of $33,000,000, and the portion of the Bonds allocable to the Refunding Portion will not exceed a maximum stated principal amount of $37,000,000. All of the Facilities are, or will be, used by the Borrower's as part of its educational facilities for educational purposes, and as part of an integrated operation.

The Bonds will be limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and certain funds and accounts established by the Indenture of Trust for the Bonds.

The public hearing will provide a reasonable opportunity to be heard for persons wishing to express their views on the merits of the Project, its locations, the issuance of the Bonds, the plan of finance or related matters. Persons with disabilities who may need assistance should contact Sunil Naidu, Chief Financial Officer at (801) 254-3742 or Terrell Sparks, Vice President for Operations of the Borrower at (801) 878-1494, at least 24 hours prior to the meeting.

Notice Published November 17, 2021 on the Public Notice Website https://www.utah.gov/pmn/

EXHIBIT B

REPORT ON PUBLIC HEARING WITH RESPECT TO PROPOSED ISSUANCE OF NOT TO EXCEED $70,000,000 PUBLIC FINANCE AUTHORITY REVENUE AND REVENUE REFUNDING BONDS (ROSEMAN UNIVERSITY OF HEALTH SCIENCES PROJECT) SERIES 2022

December 1, 2021

TO: City Council of South Jordan, Utah

FROM: Sunil Naidu, Chief Financial Officer/Budget Officer, City of South Jordan, Utah

I. Summary of Proposed Public Finance Authority Revenue and Revenue Refunding Bonds (Roseman University of Health Sciences Project), Series 2022

Issuer:	Public Finance Authority, Wisconsin
Bond Issue:	Not to Exceed $70,000,000 of Public Finance Authority Revenue and Revenue Refunding Bonds (Roseman University of Health Sciences Project), Series 2022 in one or more series
Borrower:	Roseman University of Health Sciences, a Nevada nonprofit corporation
Bond Counsel:	Kutak Rock LLP
Purpose of Issue:	A portion of the proceeds of the Bonds will be loaned to the Borrower to current refund the Public Finance Authority Revenue Bonds (Roseman University of Health Sciences Project), Series 2012 which financed the acquisition, construction, expansion, rehabilitation, remodeling, renovation and equipping of all or a portion of the educational facilities of the Borrower in Henderson, Nevada and South Jordan, Utah, including (a) the acquisition of, capital improvements to, and related capital expenditures with respect to, the building known as RiverPark Ten located at 10920 South River Front Parkway, South Jordan, Utah 84095, and (b) the acquisition of, capital improvements to, and related capital expenditures with respect to, approximately 12.0 acres of land located directly west and contiguous to 10920 South River Front Parkway, South Jordan, Utah 84095 (the "South Jordan Projects"), as more particularly set forth in the form of notice of public hearing attached to the Resolution as Exhibit A. The South Jordan Projects are owned, operated and principally used by the Borrower.

II. Report of Public Hearing

I hereby certify that a public hearing was held with respect to the plan of finance, the issuance of the Bonds and the South Jordan Projects on Wednesday, December 1, 2021, at 4:00 p.m., in the first floor classroom of the College of Dental Medicine building (RiverPark Eleven) located at 10894 South River Front Parkway, South Jordan, Utah 84095. Notice of such hearing was published on November 17, 2021 in the *Public Notice Website*. No one appeared to speak for or against the Project. The hearing was closed at approximately 4:15 p.m.

By _____
Sunil Naidu, Chief Financial Officer/Budget Officer

CERTIFICATE OF PUBLICATION

This Certificate of Publication is executed this day for the purposes of demonstrating compliance with Section 147(f) of the Internal Revenue Code of 1986, as Amended (the "Code") and applicable Treasury Regulations (the "Regulations"). The undersigned, as a duly qualified and appointed representative of the City Council of South Jordan, Utah (the "City Council"), hereby certifies as follows:

1. A Notice of Public Hearing, containing the language attached as Exhibit A, with respect to a plan of finance (the "Financing"), including the issuance of the Not to Exceed $70,000,000 of Public Finance Authority Revenue and Revenue Refunding Bonds (Roseman University of Health Sciences Project), Series 2022 in one or more series or issuances (the "Bonds"), and the project described therein (the "Project"), was published on the Utah Public Notice Website at https://www.utah.gov/pmn/ on November 17, 2021.

2. The Notice of Public Hearing was published on the Utah Public Notice Website which is used to inform the general public about events that could affect them, and which is clearly identified and accessible to members of the general public seeking information concerning the Financing, including the issuance of the Bonds and the Project.

3. The City Council will keep this Certificate of Publication as part of its books and records (which may be satisfied by keeping a copy of the transcript relating to the Bonds).

4. The Notice of Public Hearing remained continuously published on the Utah Public Notice Website for the entire period of at least 7 days from the date of the original publication described in Section 1 above to the hearing date described in the Notice of Public Hearing. The City Council held the hearing as described in the Notice of Public Hearing on the date and at the time as described therein.

5. Following the hearing, the Chief Financial Officer/Budget Officer of the City of South Jordan, Utah submitted the request for approval of the Bonds and the Project to the City Council as required by Section 147(f) of the Code and the Regulations.

Dated this 1st day of December, 2021.

CITY OF SOUTH JORDAN, UTAH

By _____
Sunil Naidu
Chief Financial Officer/Budget Officer

ROSEMAN UNIVERSITY
OF HEALTH SCIENCES

November 16, 2021

City of South Jordan, Utah
1600 West Towne Center Drive
South Jordan, Utah 84095
Attention: Mayor

Not to Exceed $70,000,000
Public Finance Authority (Wisconsin)
Revenue and Revenue Refunding Bonds
(Roseman University of Health Sciences Project)
Series 2022

Borrower's Indemnification Letter

Ladies and Gentlemen:

This letter agreement from Roseman University of Health Sciences, a Nevada nonprofit corporation (the "Company") to the City of South Jordan, Utah (the "City") is made in consideration of the hearing on up to $70,000,000 of bonds to be issued by Public Finance Authority, Wisconsin (the "Issuer") which the Chief Financial Officer of the City has agreed to hold on Wednesday, December 1, 2021 in connection with the Public Finance Authority Revenue and Revenue Refunding Bonds (Roseman University of Health Sciences Project), Series 2022 (the "Bonds").

1. The Company hereby releases the City from, and covenants and agrees that the City shall not be liable for, and covenants and agrees, to the extent permitted by law, to indemnify and hold harmless the City and its directors, officers, employees and agents from and against, any and all losses, claims, damages, liabilities or expenses, of every conceivable kind, character and nature whatsoever arising out of, resulting from or in any way connected with the hearing on the Bonds held on December 1, 2021 and the City's consideration of (and, if adopted, adoption of) a resolution approving the Bonds on December 1, 2021. The Company further covenants and agrees, to the extent permitted by law, to pay or to reimburse the City and its officers, employees and agents for any and all costs, reasonable attorneys' fees and expenses, liabilities or expenses incurred in connection with investigating, defending against or otherwise in connection with any such losses, claims, damages, liabilities, expenses or actions related to the Bonds and the City's consideration of the resolution on December 1, 2021. The provisions of this letter agreement shall survive the discharge of any indenture of trust or other instrument pursuant to which the Bonds are issued and the retirement of the Bonds.

ROSEMAN UNIVERSITY
OF HEALTH SCIENCES

2. The Company agrees to pay a $2,000 fee to the City to reimburse it for its internal costs in conducting the hearing and considering the resolution, and pay the other costs and expenses of the City in connection with the hearing and consideration of the resolution, including the City's legal fees. The Company hereby represents that there will not be any ongoing costs to the City in connection with conducting the hearing, considering the resolution or the issuance of the Bonds; however, to the extent any additional costs or expenses arise, the Company hereby agrees to reimburse the City for such costs and expenses.

The undersigned representative of the Company is duly authorized to execute this letter agreement on behalf of the Company.

Very truly yours,

ROSEMAN UNIVERSITY OF HEALTH SCIENCES

By: _____
Renee Coffman, PhD, RPh
President

RESOLUTION R2021 - 39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR TO SIGN AMENDMENT NO. ONE TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF SOUTH JORDAN AND SALT LAKE COUNTY.

WHEREAS, the South Jordan City Council adopted Resolution R2020-10 authorizing the Mayor to enter into two interlocal agreements, one of which was Interlocal Cooperation Agreement Between the City of South Jordan and Salt Lake County (the "Transfer Agreement"), for the transfer of the South Jordan Fitness and Aquatic Center (the "Center"); and

WHEREAS, in the Transfer Agreement the date set forth to convey the Center property was "on or before January 1, 2022"; and

WHEREAS, the County and the City desire to change the date of conveyance to correspond with the completion of the current phase of construction of the Bingham Creek Regional Park which is anticipated to occur on or before July 1, 2022; and

WHEREAS, the South Jordan City Council finds it in the best interest of the City to authorize the Mayor to sign Amendment No. One to the Interlocal Cooperation Agreement Between the City of South Jordan and Salt Lake County.

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

SECTION 1. Authorization to Sign. The South Jordan City Council authorizes Mayor Dawn R. Ramsey to sign Amendment No. One to the Interlocal Cooperation Agreement Between the City of South Jordan and Salt Lake County which extends the timing of the conveyance of the South Jordan Fitness and Aquatics Center property to Salt Lake County until substantial completion of the current phase of the Bingham Creek Regional Park anticipated to occur on or before July 1, 2022.

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

<<Signature on Following Page>>

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	____	____	____	____
Bradley Marlor	____	____	____	____
Donald Shelton	____	____	____	____
Tamara Zander	____	____	____	____
Jason McGuire	____	____	____	____

Mayor: _____ Attest: _____

Dawn R. Ramsey City Recorder

Approved as to form:

_____

Office of the City Attorney

Amendment No. One To The Interlocal Cooperation Agreement Between the City of South Jordan and Salt Lake County

The CITY OF SOUTH JORDAN, a state of Utah municipal corporation ("**City**"), and SALT LAKE COUNTY, a body corporate and politic of the state of Utah ("**County**"), hereby enter into this Amendment No. One to the Interlocal Cooperation Agreement (the "**Amendment**") and agree as set forth below.

RECITALS

A. The City and the County (the "Parties") entered into an Interlocal Cooperation Agreement effective as of February 4, 2020 (the "**Agreement**"), which Agreement is identified as Salt Lake County Contract No. CA0000000000722.

B. Section 3.2(g) of the Agreement permits the Agreement to be modified by an instrument in writing, signed by the Parties.

C. The Parties have determined that certain provisions of the Agreement should be modified as provided hererin.

AGREEMENT:

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the Parties hereby agree to the following:

1. The second sentence of Section 1.2 (Quitclaim Deed) is amended to read as follows:

Upon substantial completion by the County of the construction of the current phase of the Bingham Creek Regional Park, anticipated to occur on or before July 1, 2022, the City shall convey the Rec Center Property to the County via a Quitclaim Deed.

2. Except as set forth in this Amendment, the Agreement shall remain unchanged and in full force and effect.

3. The date this Amendment is signed by the last Party to sign it (as indicated by the date stated with that Party's signature) will be deemed the "Effective Date."

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the Effective Date.

CITY OF SOUTH JORDAN, a state of Utah municipal corporation

By:_____ _____
(Date)

_____
(Print name and title above)

APPROVED AS TO FORM:

_____
Attorney for City

SALT LAKE COUNTY, a body corporate and politic of the state of Utah

By:_____ _____
(Date)

_____
(Print name and title above)

APPROVED AS TO FORM:

_____
Attorney for County

SOUTH JORDAN CITY
CITY COUNCIL REPORT

Meeting Date: 12/07/2021

Issue: **SOJO TOWNHOMES AT 114TH**
LAND USE AMENDMENT AND REZONE
Land use amendment from SN (Stable Neighborhood) and EC (Economic Center) to RDO (Residential Development Opportunity), and a rezone from A-5 (Agricultural, min. 5 acre lot), R-1.8 (Single-Family Residential, 1.8 lots per acre) and R-2.5 (Single-Family Residential, 2.5 lots per acre) Zone to R-M-PD (Residential-Multiple-Planned Development Floating Zone) Zone

Address: **Approximately 1500 W. 11400 S.**
File No: **PLZBA202100089**
Applicant: **Jake Ackerman**

Submitted by: **Damir Drozdek, Planner III**
Jared Francis, Senior Engineer
Presented by: **Steven Schaefermeyer, Planning Director**

Staff Recommendation (Motion Ready):

1. Development Agreement—I move that the City Council **approve** Resolution R2021-34 authorizing the Mayor to sign the development agreement.

2. Land Use Amendment—I move the City Council **approve** Resolution R2021-33 approving the proposed land use amendment.

3. Zone Change—I move the City Council **approve** Ordinance No. 2021-10-Z approving the proposed zone change.

ACREAGE:	Approximately 3.5 acres
CURRENT ZONE:	A-5 (Agricultural, min. 5 acre lot), R-1.8 (Single-Family Residential, 1.8 lots per acre) and R-2.5 (Single-family residential, up to 2.5 lots per acre) Zone
CURRENT USE:	Single-family residences
FUTURE LAND USE PLAN:	SN (Stable Neighborhood) & EC (Economic Center)
NEIGHBORING ZONES/USES:	North – A-5 & R-2.5 / Single-family residences and LDS Chapel grounds South – MU-SOUTH (PD) & R-1.8 / 11400 South West – A-5 / LDS Chapel East – R-M (PD) / Bingham Court-townhomes and single-family residences

STANDARD OF APPROVAL:

1. LAND USE AMENDMENT:

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

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

B. The planning commission shall hold a public hearing, as required by state law, after which the commission may modify the proposed general plan amendment. The planning commission shall then forward the proposed general plan amendment to the city council.

C. After receiving the recommendation of the planning commission, the city council shall hold a public hearing, and may accept, accept with modifications, or reject the proposed general plan amendment.

(City Code § 17.12.030)

2. REZONE:

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

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

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

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

(City Code § 17.22.020)

BACKGROUND:

The applicant seeks to amend the Future Land Use Map and the Zoning Map on approximately 3.5 acres of property generally located at 1500 W. 11400 S. The land use is proposed to be amended from SN (Stable Neighborhood) and EC (Economic Center) to RDO (Residential Development Opportunity) category, and the zoning is proposed to be changed from the A-5 (agricultural, min. 5 acre lot), R-1.8 (single-family residential, up to 1.8 units/lots per acre) and

R-2.5 (single-family residential, up to 2.5 units/lots per acre) zones to the R-M-PD Zone (Residential-Multiple-Planned Development Floating Zone).

The project will consist of 30 residential units. 24 of those units will be townhome units while the remaining six units will be small lot single-family homes. Townhomes will be located along the south and the west project perimeter. Single-family homes will be located at the northeast end and along the east project boundary. Single-family homes will be front loaded. Townhomes will be rear loaded. The townhome units will face 11400 South along the south boundary and an LDS chapel along the west boundary. All townhome buildings will be two stories. Open space will be centrally located in the project surrounded by residential units from all sides.

All streets within the project will be private but will be built to sufficient width to provide for safe access and turn-around areas for emergency vehicles. The streets vary from 26 feet wide to 38 feet wide. There will be no alleys in this development. All homes will have a two-car garage. In addition, parking areas are provided around the project to provide for guest parking as well as to provide additional parking for townhome units. Single-family homes will also have a driveway of at least 18 feet deep, which is usually deep enough to accommodate additional parking space on the property.

The applicant intends to work with the RDA Board (the City Council) to allocate a portion of RDA housing funds to help construct three deed-restricted affordable townhomes. The program will preserve these homes as affordable and prevent future homeowners from selling the units at market rate. Those units will be evenly dispersed and indistinguishable from the market-rate townhomes.

A development agreement must accompany a PD Floating Zone application. Approval of a PD Floating Zone and development agreement will allow the underlying zone to be modified to accommodate development that may incorporate design elements and a mixture of housing types that represent a significant improvement in quality over what could otherwise be accomplished by the underlying zone. The attached development agreement will provide a general requirements for the development and include terms addressing public improvements, landscaping, architecture, amenities, circulation, and more. Some of the highlights of the agreement are:

- Developer shall construct a box culvert for the South Jordan Canal. The installation of the culvert will create a signalized intersection on 11400 South allowing for one central access point into the development.
- A walking trail will be constructed within the project boundaries and along the canal matching other City paved trails.
- An eight-foot decorative masonry wall will be constructed along the north project boundary, east of the canal.
- Amenities such as a tot lot and pickle ball court will be provided in the project.
- Building architecture and design requirements will include elements from the previous Zoning Code including, but not limited to, masonry, home and garage size, etc.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The Planning Commission voted to recommend approval of the application by a vote of 4-1. The commission chair, Michele Hollist, voted against recommending approval to the City Council. The applicant agreed to the following two stipulations at the meeting:
    - That an eight-foot decorative masonry wall be installed along the north project boundary, east of the canal, in place of the proposed six-foot decorative masonry wall; and
    - That only single-story homes or ramblers be constructed along the north project boundary on lots 3 and 4 as shown on the concept plan.
    - After the Planning Commission meeting, the applicant chose to make a few additional changes to the project:
        - Increase the access width from 33 feet to 38 feet;
        - Realign the pickleball court, tot lot, some guest parking and turnaround area at the west end of the project;
        - Decrease guest parking from 30 to 26 parking stalls.
- The Architectural Review Committee reviewed and unanimously recommended approval of the application on October 13, 2021.
- The application meets the rezone standards of approval of the City Code.
- Although the concept plan consists of housing types (townhomes) that are different from the adjacent single-family neighborhood to the north, the development agreement ensures that impacts from this project will be lower when compared to a typical commercial use (office or retail). The existing single-family homes to the north will abut comparable new development (small-lot single-family homes).
- The new development to the east, Bingham Court, is comparable to this project. It consists of similar housing units like townhomes and small lot single-family residential. Property to the west is an LDS chapel that will not be affected by the proposed development.
- The project does not include a road connection to any of the adjacent residential neighborhoods.
- The new development will clean-up properties that have not been well maintained and have not seen much interest from commercial or even new single-family residential development.
- The project may provide some affordable housing along a major transportation corridor.
- Commercial uses, and especially retail uses, will generate more significant impacts in terms of noise, lighting and traffic than a typical residential development.
- The "Residential Development Opportunity" land use designation is defined in the General Plan as follows: "Residential Development Opportunity identifies areas, generally located within existing residential areas, which are not yet fully developed, but would support a variety of residential land uses. These areas are suited to support additional residential development due to adjacency to municipal services such as utilities, roads, and amenities. Any new development, redevelopment, or rezoning within this designation shall be consistent with the surrounding land uses in order to maintain existing character and quality of life for adjacent property owners." (emphasis added)

Conclusion:
Based on the findings, the Application, if approved, will have a relatively low impact on the adjacent properties and will be consistent with the goals and policies of the General Plan.

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

FISCAL IMPACT:
A fiscal impact analysis table and graphics are attached to the report.

ALTERNATIVES:
- Approve an amended application.
- Deny the application.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:
- Aerial Map
- Future Land Use Map
- Zoning Map
- Sample Elevations
- Concept (Site) Plan / Creekside Commons – **Updated after Planning Commission**
- Concept F Site Plan – Plan presented to Planning Commission
- Fiscal Analysis
- Infrastructure Analysis
- Resolution R2021-34 and the Development Agreement
- Resolution R2021-33
  - Exhibit 'A'- Future Land Use
- Ordinance 2021-10-Z
  - Exhibit 'A' – Zoning Map

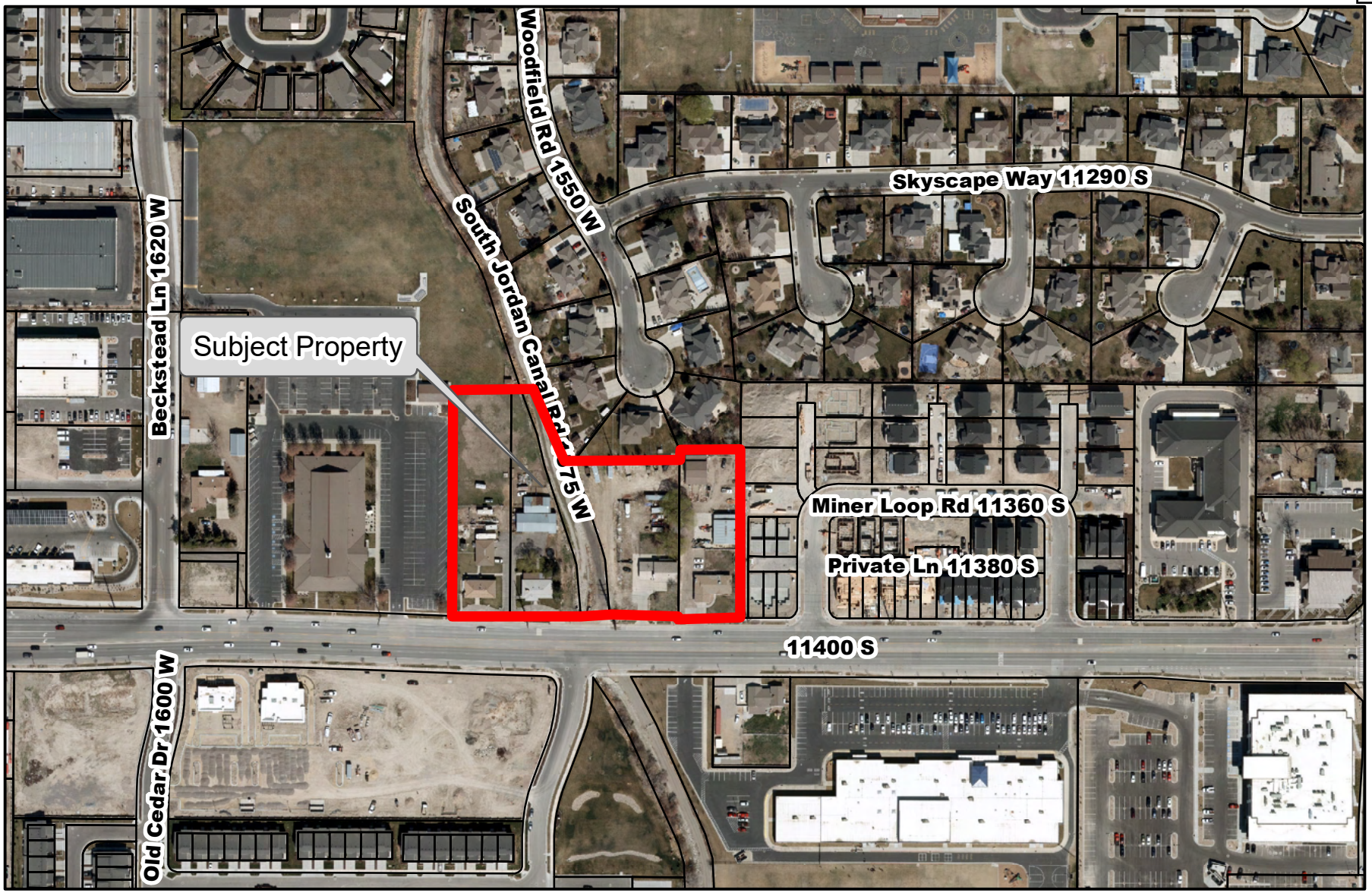


Damir Drozdek, AICP
Planner III
Planning Department

DEPARTMENT APPROVAL

Steven Schaefermeyer
Steven Schaefermeyer (Dec 1, 2021 12:19 MST)

Steven Schaefermeyer
Director of Planning



Legend

STREETS

PARCELS

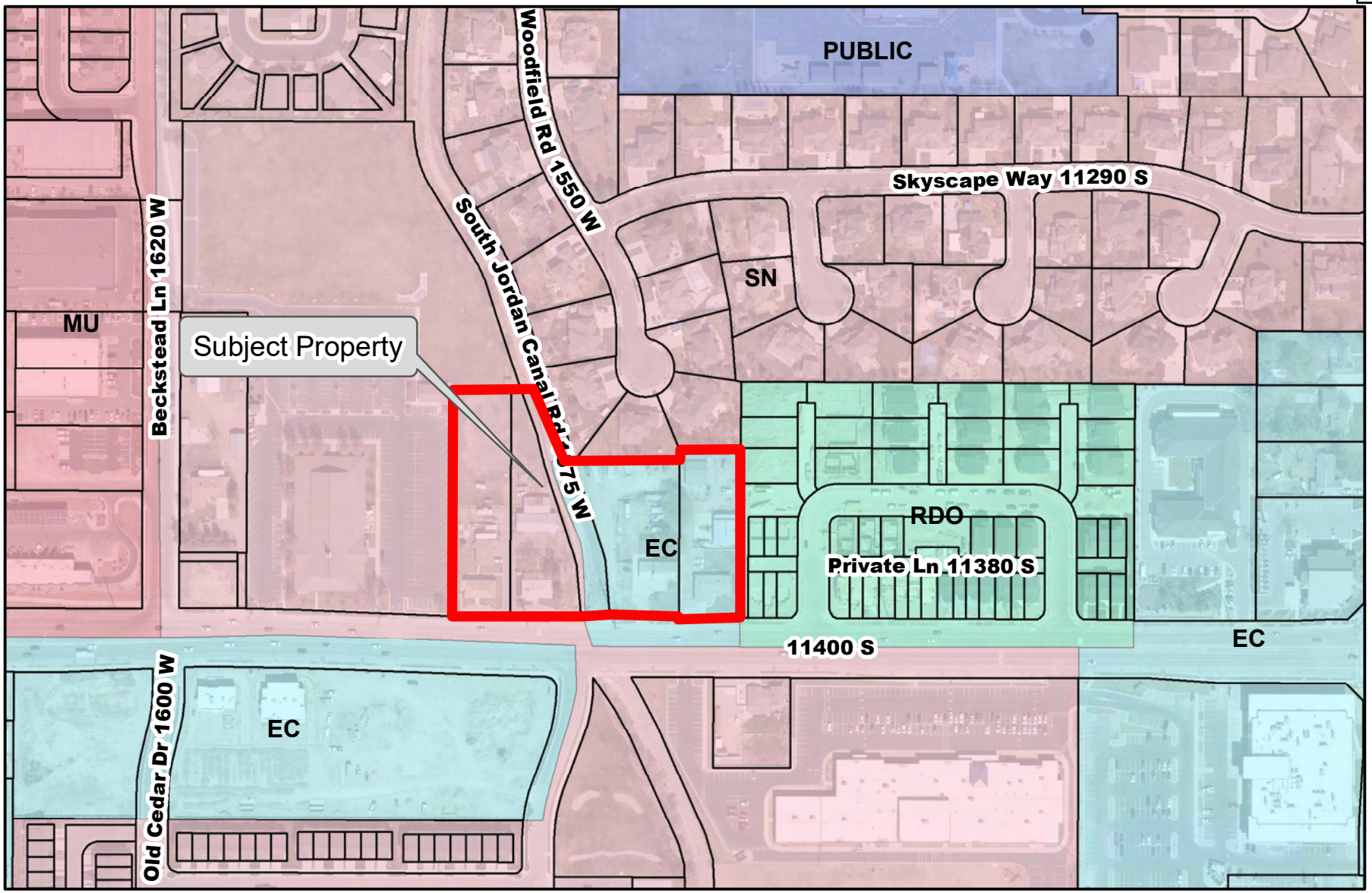
Aerial Map

City of South Jordan

0 80 160 320 480 640 Feet

Aerial Imagery
2021

ESRI



Legend

STREETS

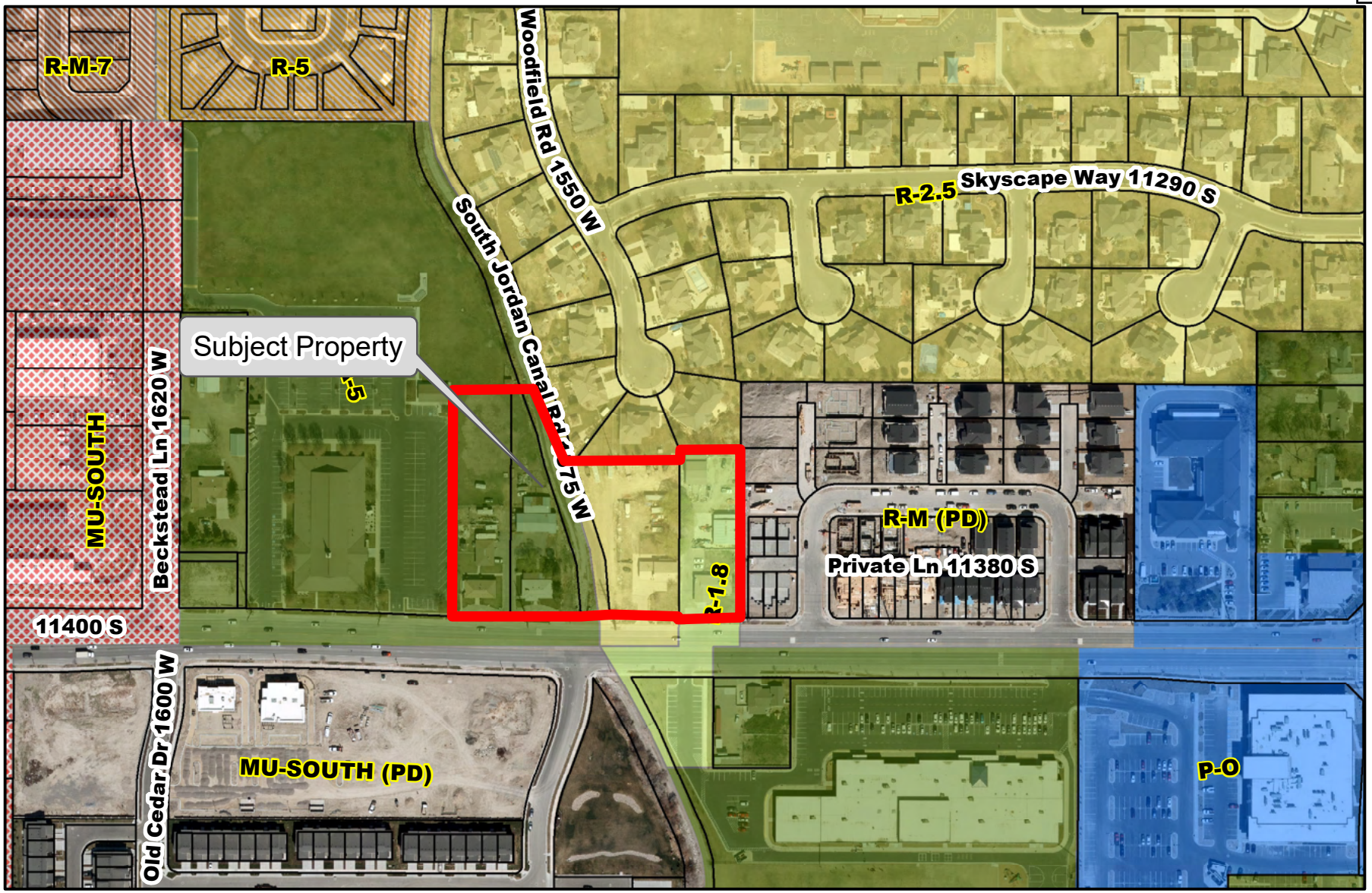
PARCELS

Future Land Use Map

City of South Jordan

0 80 160 320 480 640 Feet

Aerial Imagery
2021



Legend

STREETS

PARCELS

Zoning Map

City of South Jordan

0 80 160 320 480 640 Feet

Aerial Imagery
2021





6949 S. HIGH TECH DRIVE, SUITE 200
MIDVALE, UTAH 84047
PH: 801-352-0075 www.focusutah.com

CLIENT RESIDENCE
STREET
CITY, UTAH

DESIGNER:	XXX
DATE:	10/11/2021
SCALE:	1/4" = 1' (U.N.O.)
PROJECT #:	00-0000

SHEET
A-1.0

PERSPECTIVES

THIS PLAN SHALL BE USED FOR CONSTRUCTION OF THE HOME ON THE LOT SHOWN HEREON. ANY OTHER USE OF THIS PLAN WITHOUT PERMISSION FROM FOCUS ENGINEERING AND SURVEYING, INC. IS A FEDERAL CRIME UNDER SECTION 104 OF THE COPYRIGHT ACT.





FOCUS
ENGINEERING & SURVEYING, LLC
6949 S. HIGH TECH DRIVE, SUITE 200
MIDVALE, UTAH 84047
PH: 801-352-0075 www.focusutah.com

CLIENT RESIDENCE
STREET
CITY, UTAH

DESIGNER:	XXX
DATE:	10/4/2021
SCALE:	1/4" = 1' (U.N.O.)
PROJECT #:	00-0000

PERSPECTIVES

A1.2

THIS PLANS SHALL BE USED FOR CONSTRUCTION OF THE HOME ON THE LOT SHOWN HEREON. ANY OTHER USE OF THIS PLAN WITHOUT PERMISSION FROM FOCUS ENGINEERING AND SURVEYING, INC. IS A FEDERAL CRIME UNDER SECTION 104 OF THE COPYRIGHT ACT.



FOCUS
ENGINEERING & SURVEYING, LLC
6949 S. HIGH TECH DRIVE, SUITE 200
MIDVALE, UTAH 84047
PH: 801-352-0075 www.focusutah.com

CLIENT RESIDENCE
STREET
CITY, UTAH

DESIGNER:	XXX
DATE:	6/7/2021
SCALE:	1/4" = 1' (U.N.O.)
PROJECT #:	00-0000

PERSPECTIVES

A1.0

THIS PLAN SHALL BE USED FOR CONSTRUCTION OF THE HOME ON THE LOT SHOWN HEREON. ANY OTHER USE OF THIS PLAN WITHOUT PERMISSION FROM FOCUS ENGINEERING AND SURVEYING, INC. IS A FEDERAL CRIME UNDER SECTION 104 OF THE COPYRIGHT ACT.

PROPERTY OVERVIEW

TOTAL ACREAGE	±3.59 ACRES
CURRENT ZONING	A-5, R-2.5, & R-1.8

CONCEPT DESIGN

SINGLE FAMILY LOTS	6
TOWNHOME UNITS	24
AFFORDABLE UNITS	3 (10%)
TOTAL UNITS	30
TOTAL DENSITY	8.4 UNITS/ACRE

PARKING (TOWNHOMES)

REQUIRED	58 STALLS
GARAGE PARKING	48 STALLS
GUEST PARKING	26 STALLS
TOTAL	74 STALLS

PARKING (SINGLE FAMILY)

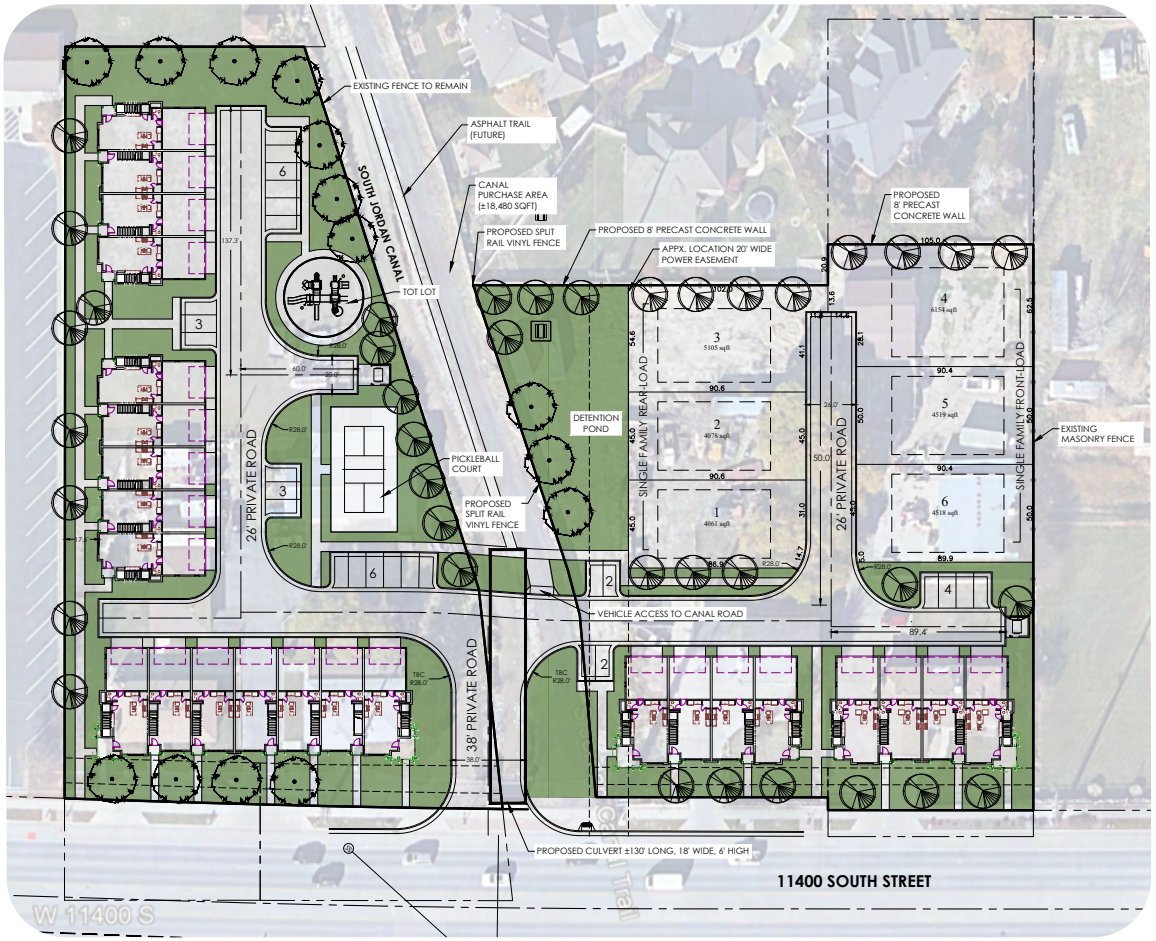
REQUIRED	N/A
GARAGE PARKING	12 STALLS
DRIVEWAY PARKING	12 STALLS
TOTAL PARKING	24 STALLS

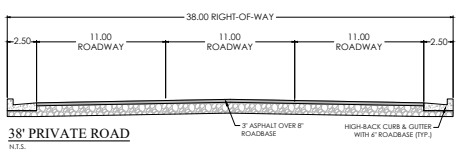
OPEN SPACE

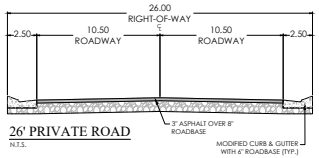
PROVIDED	±0.96 ACRES (26%)

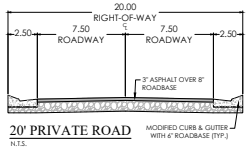
PROPOSED ZONING

ZONE	RM (PD OVERLAY)







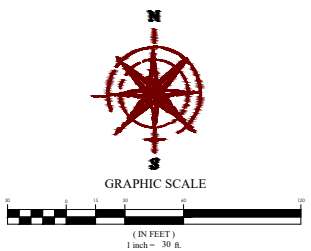


NOTES:
1. *DRIVEABLE ROAD WIDTH INCLUDES MODIFIED CURB AND GUTTER AS SHOWN IN 26' & 20' CROSS SECTION DETAILS.*
2. *ALL ROADS TO MEET CITY ENGINEERING AND CONSTRUCTION STANDARDS.*

Traffic Note:

The proposed access to this development is planned to align with the existing roadway to the development along the south side of 11400 South. This intersection is planned to be signalized and as part of this development, the north leg of the intersection will be constructed. Coordination with Utah Department of Transportation will take place so the improvements at this access are designed to meet UDOT requirements. This development is planned for 24 townhome units and 6 single family units, and is anticipated to generate 233 total daily trips on a typical weekday. It is projected 18 trips will occur during the AM peak hour of a typical weekday, and 22 trips will occur during the PM peak hour of a typical weekday. With such minimal traffic being generated by the planned 47 townhome units and the proposed access onto 11400 South aligning with an existing access to the development across the street and the access being signalized, vehicles will experience little delay entering and exiting this development.

NOTE: The president of South Jordan Canal Company, Gary Cannon, has given permission for the residential development (located at approx. 114th South and the South Jordan Canal) to move forward with the city approval process. Maintenance responsibilities associated with the proposed culvert extension will be determined upon city approval.



CREEKSIDE COMMONS in SOUTH JORDAN conceptual site plan

SOUTH JORDAN CITY, SALT LAKE COUNTY
11/24/2021

ENGINEERING AND SURVEYING, LLC

Z:_2021\21-0001\14th South Townhomes\design\21-0010\dwg\concept\21-0010 Concept Site Plan.dwg

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

PROPERTY OVERVIEW

TOTAL ACREAGE	±3.59 ACRES
CURRENT ZONING	A-5, R-2.5, & R-1.8

CONCEPT DESIGN

SINGLE FAMILY LOTS	6
TOWNHOME UNITS	24
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GUEST PARKING	30 STALLS
TOTAL	78 STALLS

PARKING (SINGLE FAMILY)

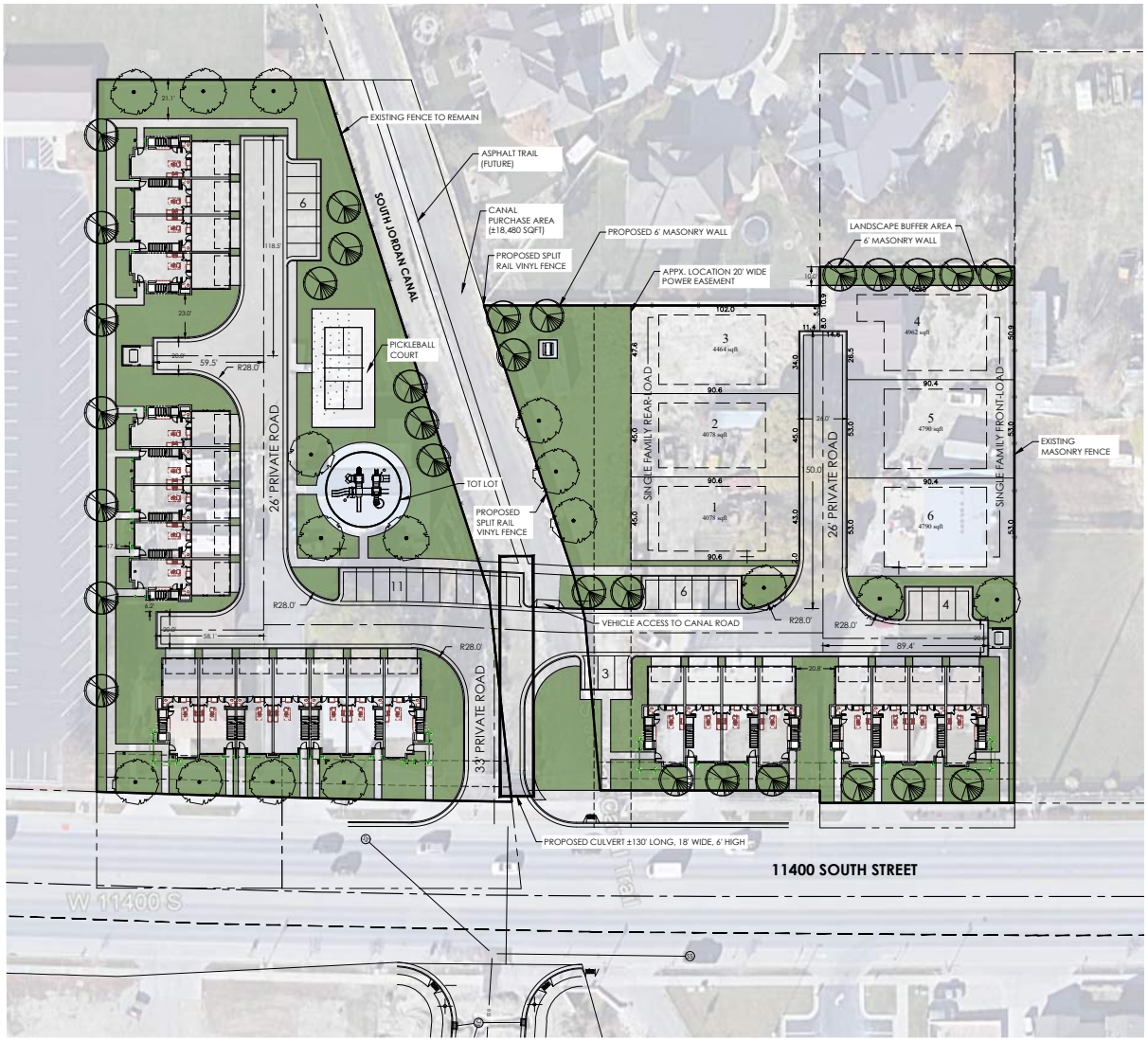
REQUIRED	N/A
GARAGE PARKING	12 STALLS
DRIVEWAY PARKING	12 STALLS
TOTAL PARKING	24 STALLS

OPEN SPACE

PROVIDED	±1.0 ACRES (30.2%)

PROPOSED ZONING

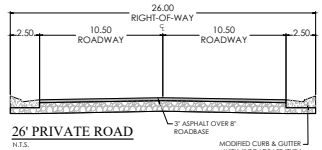
ZONE	RM (PD OVERLAY)

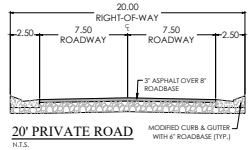


Traffic Note:

The proposed access to this development is planned to align with the existing roadway to the development along the south side of 11400 South. This intersection is planned to be signalized and as part of this development, the north leg of the intersection will be constructed. Coordination with Utah Department of Transportation will take place so the improvements at this access are designed to meet UDOT requirements. This development is planned for 47 townhome units and is anticipated to generate 344 total daily trips on a typical weekday. It is projected 26 trips will occur during the AM peak hour of a typical weekday, and 31 trips will occur during the PM peak hour of a typical weekday. With such minimal traffic being generated by the planned 47 townhome units and the proposed access onto 11400 South aligning with an existing access to the development across the street and the access being signalized, vehicles will experience little delay entering and exiting this development.

NOTE: The president of South Jordan Canal Company, Gary Cannon, has given permission for the residential development (located at approx. 114th South and the South Jordan Canal) to move forward with the city approval process. Maintenance responsibilities associated with the proposed culvert extension will be determined upon city approval.





NOTES:

1. *DRIVEABLE ROAD WIDTH INCLUDES MODIFIED CURB AND GUTTER AS SHOWN IN CROSS SECTION DETAILS.*
2. *ALL ROADS TO MEET CITY ENGINEERING AND CONSTRUCTION STANDARDS.*

114th SOUTH TOWNHOMES concept F

SOUTH JORDAN CITY, SALT LAKE COUNTY
9/24/2021

Note: This plan is for illustrative purposes only. Boundaries may be based on parcels obtained through public GIS data. It is recommended that a survey be performed to determine actual boundary size and dimensions as well as other potential boundary conflicts.

ENGINEERING AND SURVEYING, LLC

Z:_2021\21-0010 114th South Townhomes\Design 21-0010\dwg\concept\21-0010 114th South Townhomes - Concept F 092021_rec.vwf.dwg

Project Analysis

Project: 114th S Townhomes

October 27, 2021

Scenario Descriptions

Scenario 1: No Change - Various

No Change - A-5, R2.5, & R1.8

Scenario 2: R-M

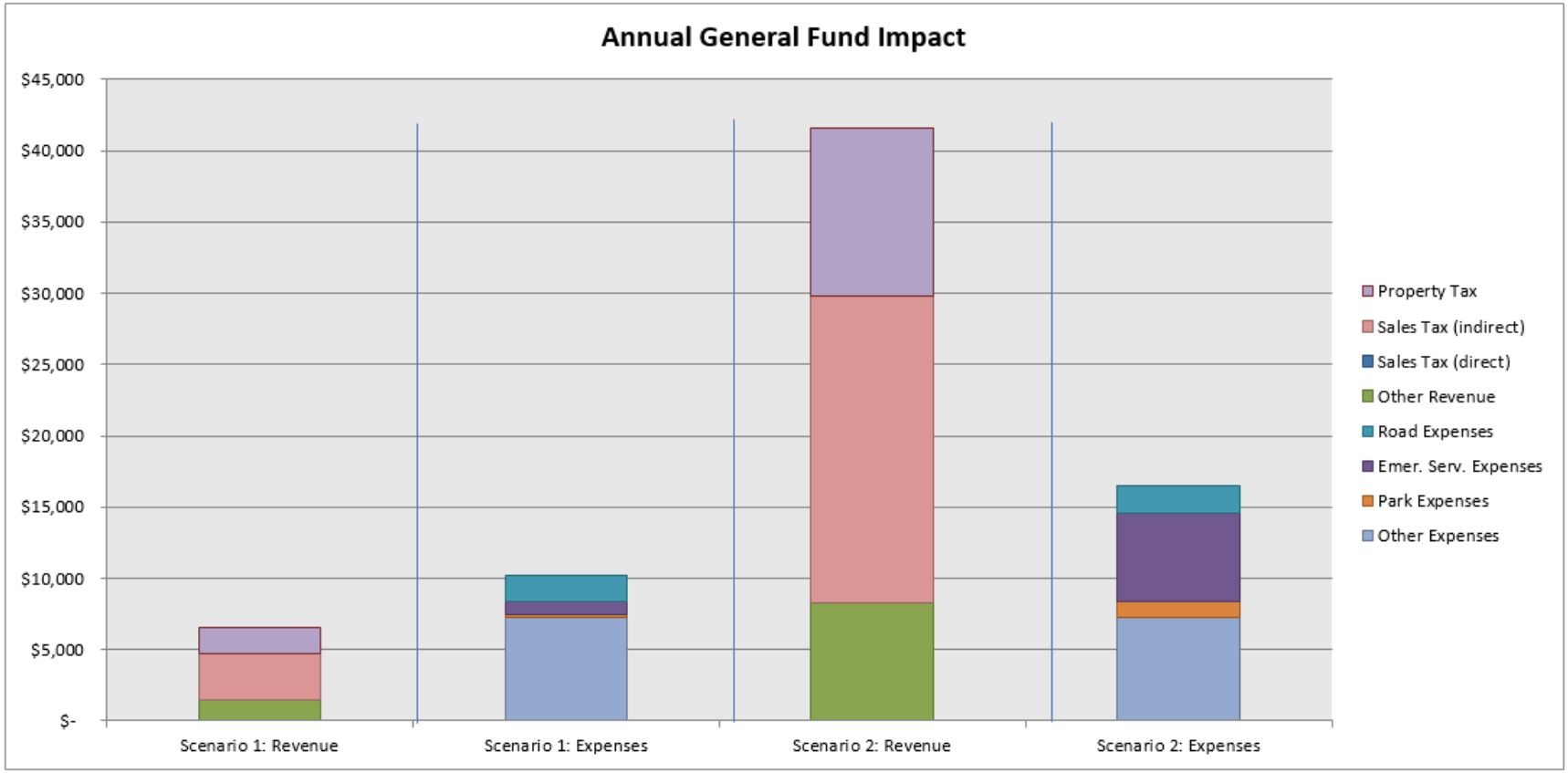
R-M

Financial Summary by Scenario

Direct Impact (General Fund)	No Change - Various	R-M
Revenue	**$ 3,262**	**$ 20,069**
Property Tax	$ 1,835	$ 11,792
Sales Tax (direct)	$ -	$ -
Other	$ 1,427	$ 8,277
Expenses	**$ 10,223**	**$ 16,468**
Roads	$ 1,886	$ 1,886
Emergency Serv.	$ 921	$ 6,235
Parks	$ 164	$ 1,069
Other	$ -	$ -
Total	**$ (6,960)**	**$ 3,601**
Per Acre	$ (1,413.40)	$ 1,522.79
Per Unit	$ (1,740.10)	$ 120.02
Per Person	$ (493.13)	$ 39.23
Indirect Impact		
Potential Retail Sales	**$ 325,531**	**$ 2,162,395**
Sales Tax (indirect)	$ 3,307	$ 21,505

*Other Revenue - Includes Permits, Licenses, Motor Vehicle Tax, Energy Sales & Use Tax, Telecommunications Tax, and Cable Franchise Tax.

** Other Expense - Includes all other General Fund Expenses excluding Roads, Emergency Services, and Parks.


Annual General Fund Impact
$45,000
$40,000
$35,000
$30,000
$25,000
$20,000
$15,000
$10,000
$5,000
$-
Scenario 1: Revenue
Scenario 1: Expenses
Scenario 2: Revenue
Scenario 2: Expenses
Property Tax
Sales Tax (indirect)
Sales Tax (direct)
Other Revenue
Road Expenses
Emer. Serv. Expenses
Park Expenses
Other Expenses

LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

Project Name/Number	1500 W. 11400 S. at the Canal - Rezone

Planner Assigned	Damir Drozdek
Engineer Assigned	Jared Francis

The Engineering Department has reviewed this application and has the following comments:

Transportation: ***(Provide a brief description of the access, transportation master plan and how this change affects Master Plan, condition/status of existing roadways. Determine whether a Traffic Study should be completed)***

The subject property will have a single access, from the north side of 11400 South at approximately 1500 West. To line up this access with Andover Road on the south side of 11400 South, the new development proposes to pipe a portion of the South Jordan Canal. The roads within the development are proposed to be private.

Culinary Water: ***(Provide a brief description of the water servicing the area, look into deficiencies, and determine if water modeling needs to be performed at this time, look at Water Master Plan and evaluate the change to the Master Plan)***

There is an existing City owned, 12" water main running across the frontage of the subject property. Depending on how the property is developed, it may be required to provide a looped water system. Fire hydrants will be required on site as per City standards. A water model will be required when the property develops.

Secondary Water: ***(Provide a brief description of the secondary water servicing the area, briefly look into feasibility)***

There doesn't appear to be a City owned secondary water system adjacent to the project. An engineer's cost estimate may be required to determine if it's feasible per City code for the new development to provide a functioning secondary water system.

Sanitary Sewer: ***(Attach letter from South Valley Sewer stating that this zone/land use change does not affect service and that any future project can be services by the District)***

There is a sewer main line in 11400 South. Connection requirements will be determined by the South Valley Sewer District.

Storm Drainage: ***(How will this area be services for storm drainage, kept on site, Master Storm Plan, etc. any other issues with drainage)***

In order to comply with State and City guidelines, the proposed development must retain on site, through use of approved low impact development devices and best management practices, all rainfall events less than or equal to the 80th percentile rainfall event. For storm events greater than the 80th percentile, the additional storm water must either be retained on site or discharged into an approved storm drain system. There is an existing storm drain system in 11400 South.

Other Items: ***(Any other items that might be of concern)***

Report Approved:

Jonah Francis
Development Engineer

11/3/2021
Date

Brad Klavano
Brad Klavano, PE, PLS
Director of Development Services/City Engineer

11/3/2021
Date

RESOLUTION R2021-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE CITY AND THE DEVELOPER TO ENTER INTO A DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF THE PROPERTY GENERALLY LOCATED AT 1500 W. 11400 S.

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah (the "City) and is authorized to enter into development agreements that it considers are necessary or appropriate for the use and development of land within the City pursuant to Utah Code § 10-9a-102, *et seq*.; and

WHEREAS, the City has entered into development agreements from time to time as the City has deemed necessary for the orderly development of the City; and

WHEREAS, the Developer now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property generally located at 1500 W. 11400 S.; and

WHEREAS, the City Council of the City of South Jordan (the "City Council") has determined that it is in the best interest of the public health, safety, and welfare of City to enter into a development agreement for the orderly development of the Property.

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

SECTION 1. Authorization to Sign Development Agreement. The City Council hereby authorizes the Mayor to sign the Development Agreement, attached hereto as **Exhibit 1**.

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

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

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	____	____	____	____
Bradley Marlor	____	____	____	____
Donald Shelton	____	____	____	____
Tamara Zander	____	____	____	____
Jason McGuire	____	____	____	____

Mayor: _____ Attest: _____

Dawn R. Ramsey City Recorder

Approved as to form:

Gregory Simonsen (Dec 1, 2021 13:49 MST)

Office of the City Attorney

EXHIBIT 1

(Development Agreement)

After recording, please send to:

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

Affected Parcel No(s): 27222760500000, 27222760260000, 27222510400000, and 27222510390000.

DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") is between the City of South Jordan, a Utah municipal corporation ("City") and Jacob Ackerman or his assigns (one of more Utah limited liability companies) ("Developer"). City and Developer are jointly referred to as the "Parties" and each may be referred to individually as "Party."

RECITALS

WHEREAS, Developer owns certain real property identified as Salt Lake County Assessor Parcel Number(s): 27222760500000, 27222760260000, 27222510400000, and 27222510390000, which are specifically described in attached **Exhibit A** (the "Property"); and

WHEREAS, the Property is subject to the Planning and Land Use Ordinance of South Jordan City and is located approximately at 1500 West 11400 South; and

WHEREAS, the Property is currently zoned Residential, 2.5 lots or units per acre (R-2.5 Zone) and Residential, 1.8 lots or units per acre (R-1.8 Zone) and Agricultural, minimum 5 acre lot (A-5 Zone), with a future land-use designation of SN (Stable Neighborhood) and EC (Economic Center); and

WHEREAS, Developer desires to develop the Property as a project to be known as Creekside Commons (the "Project") consistent with the concept plan attached as **Exhibit B** (the "Concept Plan"), and the concept elevations and floor plans attached as **Exhibit C** (the "Elevations and Floor Plans"); and

WHEREAS, in furtherance of Developer's desire to develop the Project, Developer has requested that the Property be rezoned with a base zoning of Residential-Multiple (the "R-M Zone") and further and subsequently rezoned and made subject to a Planned Development Floating Zone (the "PD Zone") to be known as the "R-M-PD Zone" (attached as **Exhibit D**); and

WHEREAS, the purpose of the PD Zone is "to allow for flexibility in the application of zoning regulations and development provisions of this title to advance a public interest through prescriptive requirements of a development plan and development agreement approved by the city council;" and

WHEREAS, Developer and City acknowledge that development in the PD Zone requires a development agreement specific to each area zoned as a PD Zone; and

WHEREAS, the City Council of the City of South Jordan (the "City Council"), acting pursuant to its authority under Utah Code § 10-9a-102(2) *et seq*., as amended, and the South Jordan City Municipal Code (the "City Code"), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, has elected to exercise its legislative discretion to enter into this Agreement for the purpose of establishing the R-M-PD Zone and regulating the development the Project pursuant to the R-M-PD Zone; and

WHEREAS, Developer and City acknowledge that the development and improvement of the Property pursuant to this Agreement comply with the requirements of the PD Zone and provide certainty useful to the Developer and to City in ongoing and future dealings and relations among the Parties pertaining to the development of the Project; and

WHEREAS, this Agreement shall only be valid upon approval of such by the City Council and pursuant to Resolution R2021-34 a copy of which is attached as **Exhibit E**; and

WHEREAS, City and Developer acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the City Council, in its sole legislative discretion, approves both the R-M Zone as the base zone for the Property and the R-M-PD Zone as the applicable PD Zone for the Property.

NOW THEREFORE, based on the foregoing recitals and in consideration of the mutual covenants and promises contained and set forth herein, the Parties agree as follows:

TERMS

A. **Recitals; Definitions**. The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the City Code.

B. **Enforceability**. City and Developer acknowledge that the terms of this Agreement shall be enforceable, and the rights of Developer relative to the Property shall vest, only if: (i) the City Council in its sole legislative discretion rezones the Property from the R-2.5, R-1.8 and A-5 Zones to the R-M Zone as the base zone and also rezones the Property with the R-M-PD Zone as the applicable PD Zone for the Property; and (ii) the City Council, acting as the South Jordan Redevelopment Agency ("RDA") Board, approves the use of RDA workforce housing funds to be used in the project in exchange for at least three (3) deed-restricted units.

C. **Effective Date**. This Agreement is effective on the date the last party executes this Agreement as indicated by the date stated under that party's signature line (the "Effective Date").

D. **Conflicting Terms**. The Property shall be developed in accordance with the requirements and benefits provided for in relation to the R-M Zone and the PD Zone under the City Code as of the Effective Date. If there is a discrepancy between the requirements of the City Code, including the R-M Zone or the PD Zone, and this Agreement, this Agreement shall control.

E. **Developer Obligations**.

a. Uses. Developer shall develop and use the Property in accordance with the Concept Plan.

b. Density. The overall density of the project will not exceed thirty (30) residential units.

c. Setbacks. All setbacks will meet RM-6 zoning requirements, with these exceptions: (1) for single family lots 1 – 6, minimum lot width will be 45 feet, setbacks will be 5 feet sideways, rear and front yards will be 12 feet, and minimum driveway length will be 18 feet; (2) single family lots 3 and 4 will have a north side setback of at least 12 feet from property boundaries; and (3) all buildings with multiple units will have 10 foot setbacks from all property boundaries.

d. Amenities. Developer will complete the common area and following amenities before the City will grant building permits for residential units 21 through 30: pickle ball court, tot lot, canal walking trail (matching other similar walking trails on or near canals in the City of South Jordan), split rail fence with child safety along the canal as shown in the Concept Plan.

e. Architecture. The architecture will be similar to the pictures submitted to the City and attached as Exhibit 'C', comply with requirements of City Code § 17.40. and the following architectural standards:

1. Main buildings shall be constructed with a minimum amount of brick or stone that is calculated by multiplying two (2) by the perimeter length of the foundation (including garage). (Ord. 2016-05, 5-3-2016)

2. Main buildings shall be constructed with a majority of the roof to be a minimum roof pitch of three to twelve (3:12), except that main buildings of a contemporary design with a parapet wall enclosing the roof deck may be constructed with a lower roof pitch when done so in compliance with applicable Building Codes. (Ord. 2017-22, 7-18-2017)

3. Residential main buildings shall include a minimum two car garage (minimum 22 feet by 22 feet, or an approved equivalent area).

4. The minimum total floor area, finished and unfinished, of any residential main building shall be two thousand four hundred (2,400) square feet.

5. Residential main buildings shall include architectural elements (i.e., main entrance, porch) that distinguish the side of the building oriented toward the front yard as the front of the house. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way. (Ord. 2016-05, 5-3-2016)

6. The building architecture and design will be reviewed by the City Architectural Review Committee and their recommendation will be taken forward to public hearings with the Planning Commission and the City Council.

7. Along the north boundary, lots 3 and 4, only single-story

homes or ramblers will be built.

f. Landscaping.

1. The landscaping will comply with the landscaping requirements of City Code § 17.40.020.J.

2. Developer shall work with the adjacent property owners in the Jordan Meadows Subdivision for thoughtful placement of the landscaping materials and locations between the two subdivisions. The purpose of this subsection is to create additional privacy between the two subdivisions. Ultimate approval of the landscaping materials and placement shall rest with the Planning Director and shall be installed before the City will issue certificates of occupancy on single-family Lots 3 and 4 and the common area east of the canal.

g. Walls. Developer will build a eight-foot masonry wall east of the canal along the entire north boundary of the project (single-family Lots 3 and 4, and common area east of the canal) that matches the existing masonry wall on the east boundary of the project.

h. Culvert. Developer shall construct a Box Culvert for the South Jordan Canal as shown on the Concept Plan. The installation of the Box Culvert will create an intersection as shown on the concept plan to be coordinated to align with the proposed signalized intersection as directed by the City Engineer, thus creating one signalized access point for the project.

i. Compliance with the R-M-6 Zone. The Project will comply with the R-M-6 Zone (included in Exhibit D), except where requirements are modified by this Agreement.

j. Parking Enforcement. Developer shall require that the Property's covenants, conditions, and restrictions (CC&Rs) outlines the City's parking standards and parking enforcement plan.

k. Plat Language. The final plat for the Project shall contain the following language in a note: *This plat is subject to that certain Development Agreement dated__ _____, by and between the City of South Jordan and_____, including all provisions, covenants, conditions, restrictions, easements, charges, assessments, liens or rights, if any, created therein and recorded _____as Entry No._____, in Book_____, at Page _____of the Official Records of Salt Lake County.*

l. Signalized Intersection. Developer shall dedicate any right-of-way or easements as may be required to install the signal at the intersection with 11400 South as directed by the City Engineer.

m. Subdivision Streets. The proposed streets within the Project shall be

private streets and built to the width as shown on the Concept Plan. In addition, the streets shall be constructed as outlined in the City Code for private streets. On-street parking may be restricted and developer will be required to place "No Parking" signs as directed by the City Engineer.

n. Walking Trail. The walking trail will be layed out and surfaced to match other similar walking trails on or near canals in the City of South Jordan, with a surface matching to the limit of the Project's north boundary to a standard as directed by the City Engineer.

F. **Minor Changes**. The Planning Department, after conferring with the City Manager, may approve minor modifications to the Developer Obligations in Section E which are necessary or advantageous in facilitating more desirable function and aesthetics of the Project.

G. **City Obligations**.

1. Review of City. City shall review development applications with respect to the Property in a timely manner, consistent with City's routine development review practices and in accordance with all applicable laws and regulations.

2. Signalized Intersection. City shall install the signal at the intersection of 11400 South. The timing of the installation will be at the discretion of the City of South Jordan and Utah Department of Transportation (UDOT).

H. **Vested Rights and Reserved Legislative Powers**.

1. Vested Rights. Consistent with the terms and conditions of this Agreement, City agrees Developer has the vested right to develop and construct the Project during the term of this Agreement in accordance with: (i) the R-M-PD Zone designation; (ii) the City Code in effect as of the Effective Date; and (iii) the terms of this Agreement.

2. Reserved Legislative Powers. Developer acknowledges that City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to City all of its police power that cannot be so limited. Notwithstanding the retained power of City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer under this Agreement and with respect to use under the zoning designations as referenced in this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Property shall be of general application to all development activity in City and Salt Lake County; and, unless in good faith City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine.

I. **Term**. This Agreement shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the parties mutually agree to extend the term, this Agreement shall not extend further than a period of ten (10) years from its date of recordation in the official records of the

Salt Lake County Recorder's Office.

J. **General Provisions**.

1. Notices. All Notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either Party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least ten days before the date on which the change is to become effective:

If to City: City of South Jordan
Attn: City Recorder
1600 West Towne Center Drive
South Jordan, Utah 84095

If to Developer: Storm Hold LLC
ATTN: Jake Ackerman
4080 S West Temple Street
Millcreek, UT 84107

2. Mailing Effective. Notices given by mail shall be deemed delivered seventy-two hours following deposit with the U.S. Postal Service in the manner set forth above.

3. No Waiver. Any Party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the Party intended to be benefited by the provisions, and a waiver by a Party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

4. Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any provision this Agreement.

5. Authority. The Parties to this Agreement represent that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants it is fully formed and validly existing under the laws of the State of Utah, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Developer and City warrant to each other that the individuals executing this Agreement on behalf of their respective Party are authorized and empowered to bind the Party on whose behalf each individual is signing. Developer represents to City that by entering into this Agreement Developer has bound all persons and entities having a legal or equitable interest to the terms of this Agreement as of the Effective Date.

6. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by City for the

Property contain the entire agreement of the Parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the Parties which are not contained in such agreements, regulatory approvals and related conditions.

7. Amendment. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the Parties or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.

8. Severability. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developer's ability to complete the development of the Property as set forth in the Concept Plan is not defeated by such severance.

9. Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of this Agreement. The Parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The Parties hereby expressly waive any right to object to such choice of law or venue.

10. Remedies. If either Party breaches any provision of this Agreement, the non-defaulting Party shall be entitled to all remedies available both at law and in equity.

11. Attorney's Fees and Costs. If either Party brings legal action either because of a breach of this Agreement or to enforce a provision of this Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and court costs.

12. Binding Effect. The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the Parties and their respective heirs, legal representatives, successors in interest and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

13. No Third Party Rights. The obligations of Developer and City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise provided herein.

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

15. No Agency Created. Nothing contained in this Agreement shall create any partnership, joint venture, or agency relationship between the Parties.

To evidence the Parties' agreement to this Agreement, each Party has executed it on the date stated under that Party's name, with this Agreement being effective on the date stated in Section C.

[SIGNATURE PAGE FOLLOWS]

CITY OF SOUTH JORDAN

Signature: _____

By: _____

Its: _____

Date: _____

Approved as to form:

Gregory Simonsen (Dec 1, 2021 13:49 MST)

Office of the City Attorney

State of Utah)
:ss
County of Salt Lake)

On this ____ day of _____, 20____., personally appeared before me _____ (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the Mayor of the City of South Jordan and that said document was signed by him/her in behalf of said Corporation by Authority of its Bylaws or by Resolution, and said _____ (name of document signer) acknowledged to me that said Corporation executed the same.

_____
Notary Public

DEVELOPER

JACOB ACKERMAN OR HIS ASSIGNS,

Signature: _____

By: _____

Its: _____

Date: _____

State of _____)

:ss

County of _____)

On this ____ day of _____, 20____., personally appeared before me _____ (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is a Manager of _____, a Utah limited liability company, the Manager of _____, a Utah limited liability company, and that said document was signed by him/her in behalf of said limited liability company by authority of its Operating Agreement or by Resolution, and said _____ (name of document signer) acknowledged to me that said limited liability company executed the same.

_____

Notary Public

EXHIBIT A

(Legal Description for the Property)

LEGAL DESCRIPTIONS
PREPARED FOR
114th SOUTH TOWNS
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH
(November 23, 2021)
21-0010
(TA)

COMPOSITE BOUNDARY DESCRIPTION FOR
PARCELS 27-22-251-039 & 27-22-251-040

A part of the NE1/4 of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, located in South Jordan City, Salt Lake County, Utah, being more particularly described as follows:

Beginning at a point on the easterly boundary line as determined by Survey, Survey Number S2014-06-0313 on file in the Salt Lake County Surveyor's Office, said point being S89°56'45"E 1,043.00 feet along the 1/4 Section line and N00°03'15"E 52.09 feet from the Center 1/4 Corner of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence along said Survey the following two (2) courses: (1) N00°03'15"E 384.40 feet; thence (2) S89°56'45"E 100.85 feet to the South Jordan Canal, as determined by survey and described by a deed, recorded December 21, 1883, Book "X", Pages 278-279; thence running southerly along said canal the following eight (8) courses: (1) S18°25'12"E 3.62 feet; thence (2) S20°23'14"E 82.06 feet; thence (3) S13°45'24"E 54.51 feet; thence (4) S18°23'52"E 9.35 feet; thence (5) S18°21'44"E 151.65 feet; thence (6) S14°46'19"E 16.03 feet; thence (7) S05°02'23"E 84.72 feet; thence (8) S00°03'15"W 3.58 feet to the northerly right of way line described in UDOT Survey for 11400 South, State to Bangerter, Survey Number S2012-05-0149 21 of 37, Sheet Number RW-18, on file in the Salt Lake County Surveyors Office; thence along said Survey the following two (2) courses: (1) Westerly along the arc of a non-tangent curve to the right having a radius of 7,949.50 feet (radius bears: N00°38'47"E) a distance of 149.22 feet through a central angle of 01°04'32" Chord: N88°41'13"W 149.22 feet; thence (2) N88°08'57"W 57.01 feet to the point of beginning.

Contains: 62,801.47 square feet or 1.44 acres+/-

COMPOSITE BOUNDARY DESCRIPTION FOR
PARCELS 27-22-276-026 & 27-22-276-050

A part of the NE1/4 of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, located in South Jordan City, Salt Lake County, Utah, being more particularly described as follows:

Beginning at a point on the westerly boundary line of JORDAN MEADOWS AT SOUTH JORDAN Subdivision, recorded as Entry Number 8315627 in Book 2002P at Page 209, said point being S89°56'45"E 1,315.17 feet along the 1/4 Section line and N00°03'15"E 53.54 feet from the Center 1/4 Corner of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence along said Subdivision the following six (6) courses: (1) N05°02'23"W 93.27 feet; thence (2) N14°46'19"W 23.72 feet; thence (3) N18°21'44"W 153.72 feet; thence (4) East 181.37 feet; thence (5) North 20.90 feet; thence (6) East 104.76 feet to a point on the westerly boundary line of BINGHAM COURT Subdivision, recorded as Entry Number 1336001 in Book 2020P at Page 196; thence along said Subdivision S00°03'15"W 289.93 feet to the northerly right of way line described in UDOT Survey for 11400 South, State to Bangerter, Survey Number S2012-05-0149 21 of 37, Sheet Number RW-18, on file in the Salt Lake County Surveyors Office; thence along said Survey N89°57'56"W 104.49 feet to a point on the easterly boundary line of said JORDAN MEADOWS AT SOUTH JORDAN Subdivision; thence along said Subdivision the following two (2) courses: (1) N00°09'08"E 7.11 feet; thence (2) N89°56'45"W 118.72 feet to the point of beginning.

Contains: 67,654 square feet or 1.55 acres+/-

LEGAL DESCRIPTION
PREPARED FOR
114th SOUTH TOWNS
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH
(November 19, 2021)
21-0010
(TA)

Less and Excepting the South Jordan Canal, as determined by survey and described by a deed, recorded December 21, 1883, Book "X", Pages 278-279, being Sixty-Six (66') feet in width, Thirty-Three feet (2 Rods) on each side of the centerline, being that portion of the canal located in the W1/2 of the NE1/4 of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point on the west side of South Jordan Canal, said point being located on the southerly line of Parcel No. 27-22-251-050 as determined by Survey, Survey Number S2014-06-0313 on file in the Salt Lake County Surveyor's Office, said point being S89°56'45"E 1,043.00 feet along the 1/4 Section line and N00°03'15"E 436.49 and S89°56'45"E 100.85 feet from the Center 1/4 Corner of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence easterly along said deed line and the extension thereof S89°56'45"E 70.30 feet to the west line of Jordan Meadows Subdivision, recorded as Entry Number 8315627 in Book 2002P at Page 209; thence along the easterly side of canal the following seven (7) courses: (1) S20°23'14"E 64.95; thence (2) S13°45'24"E 55.66 feet; thence (3) S18°23'52"E 6.71 feet; thence (4) S18°21'44"E 153.72 feet; thence (5) S14°46'19"E 23.72 feet; thence (6) S05°02'23E 93.27 feet; thence (7) S00°03'15"W 7.07 feet to the northerly right of way line of 11400 South Street described in UDOT Survey, Entry Number S2012-05-0149 21 of 37, Sheet Number RW-18, incident to the construction of Project No. SP-15-7(156)293, on file in the Salt Lake County Surveyors Office; thence along said right of way line along the arc of a curve to the right having a radius of 7949.50 for a distance of 66 feet through a central angle of 0°28'33" Chord: N89°27'45"W 66 feet to the west side of South Jordan Canal as determined by survey; thence along said canal line the following eight (8) courses: (1) N00°03'15"E 3.58 feet; thence (2) N05°02'23"W 84.72 feet; thence (3) N14°46'19"W 16.03 feet; thence (4) N18°21'44"W 151.65 feet; thence (5) N18°23'52"W 9.35 feet; thence (6) N13°45'24"W 54.51 feet; thence (7) N20°23'14"W 82.06 feet; thence (8) N18°25'12"W 3.62 feet to the point of beginning.

Canal Contains 0.69 acres +/-

EXHIBIT B

(Concept Plan)

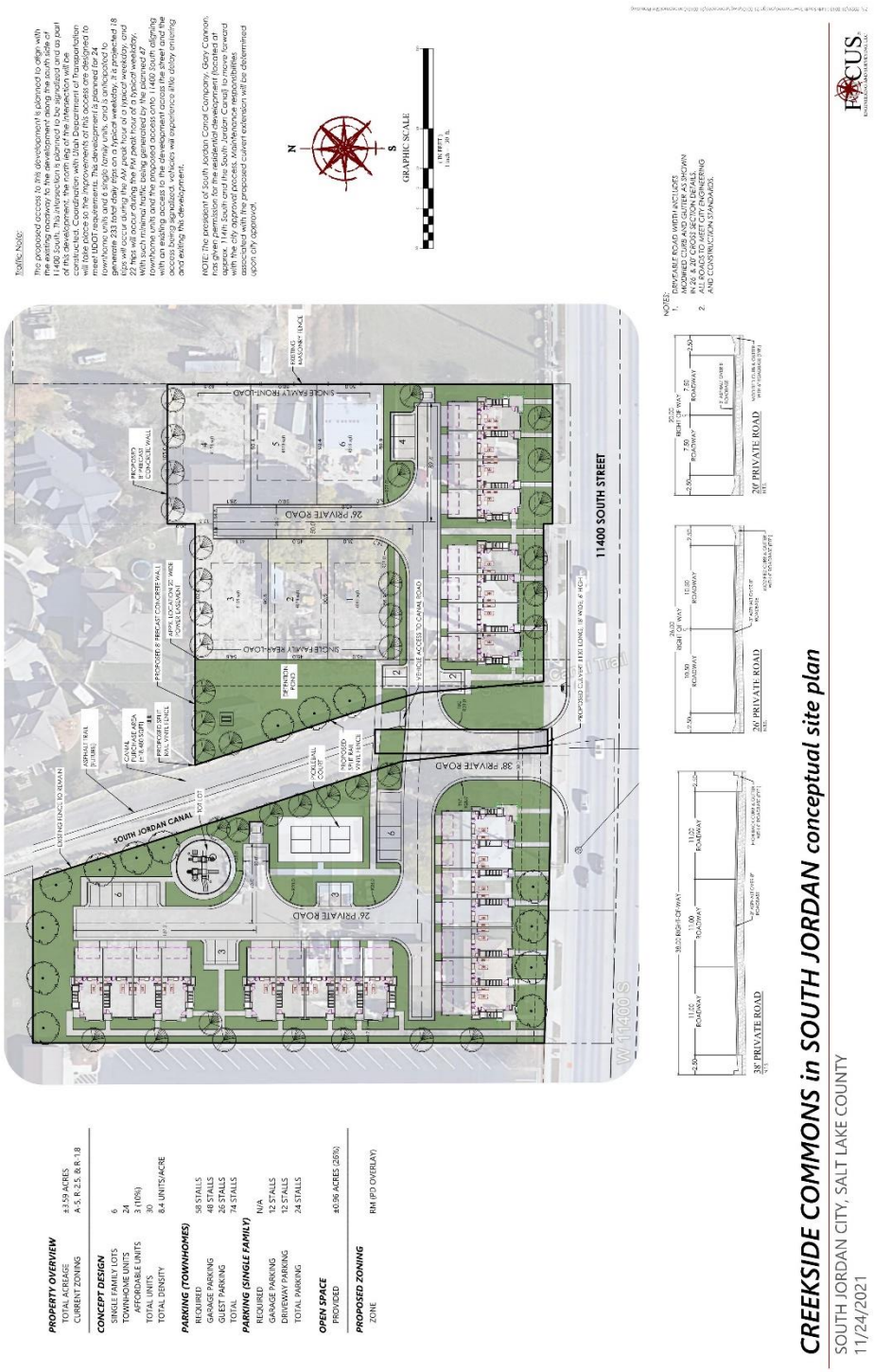


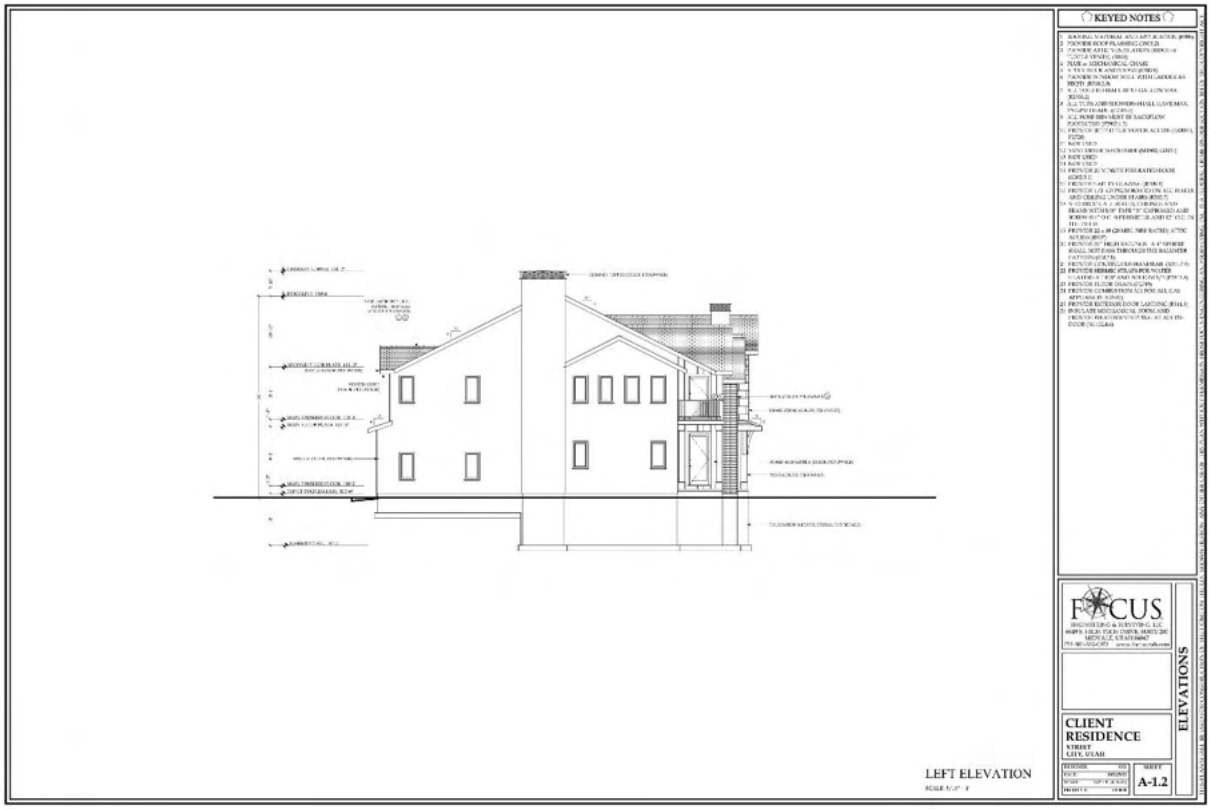
EXHIBIT C

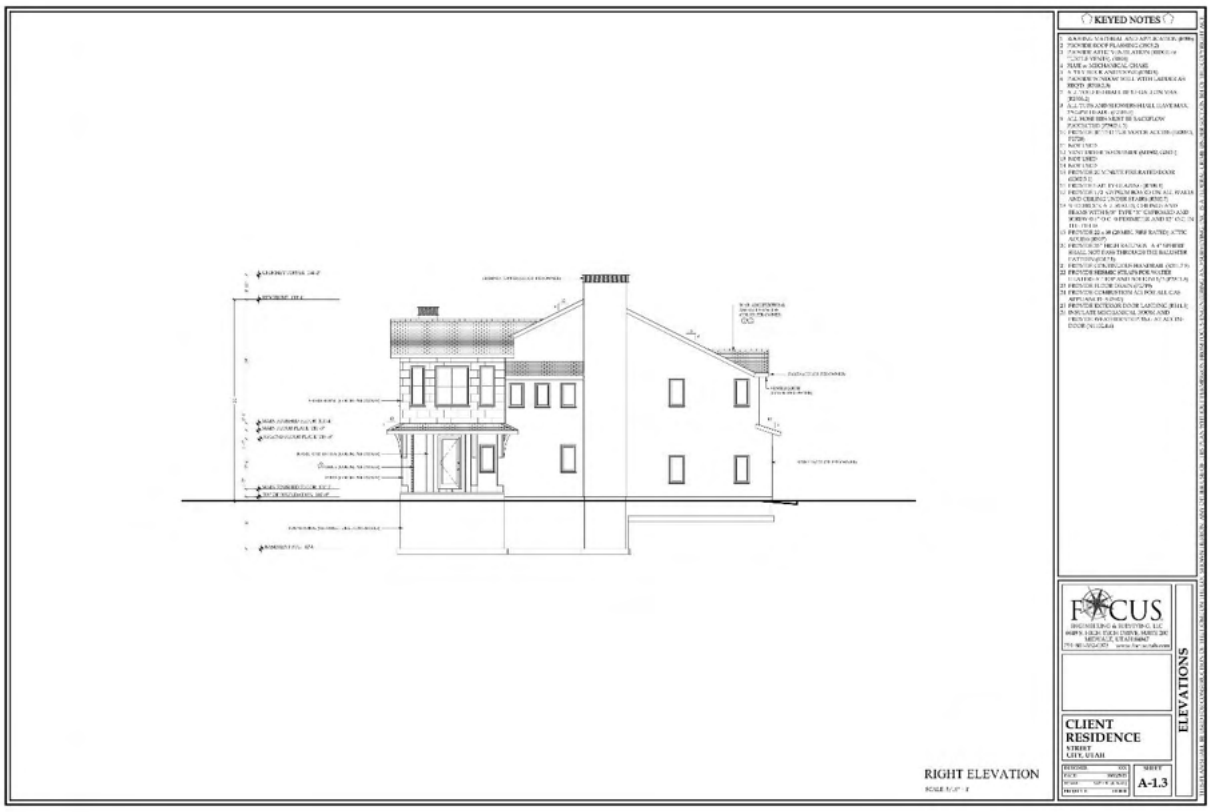
(Elevations and Floor Plans)

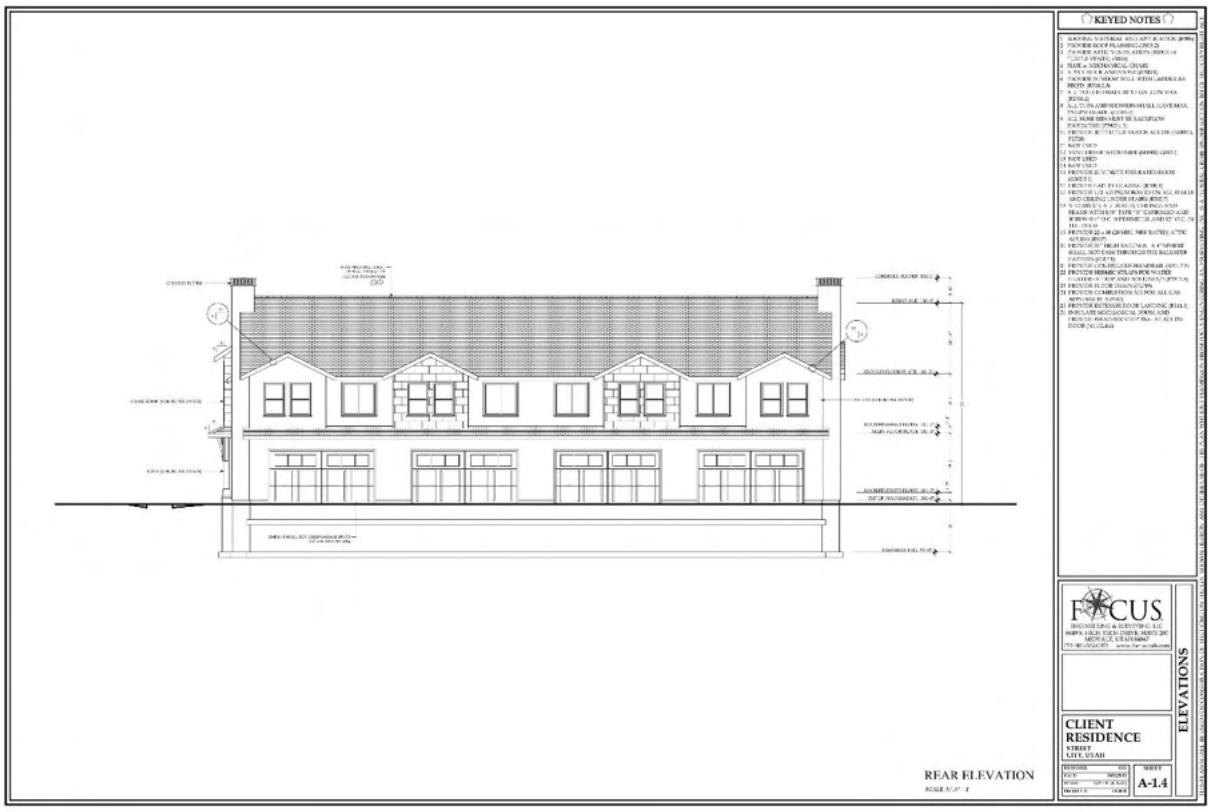


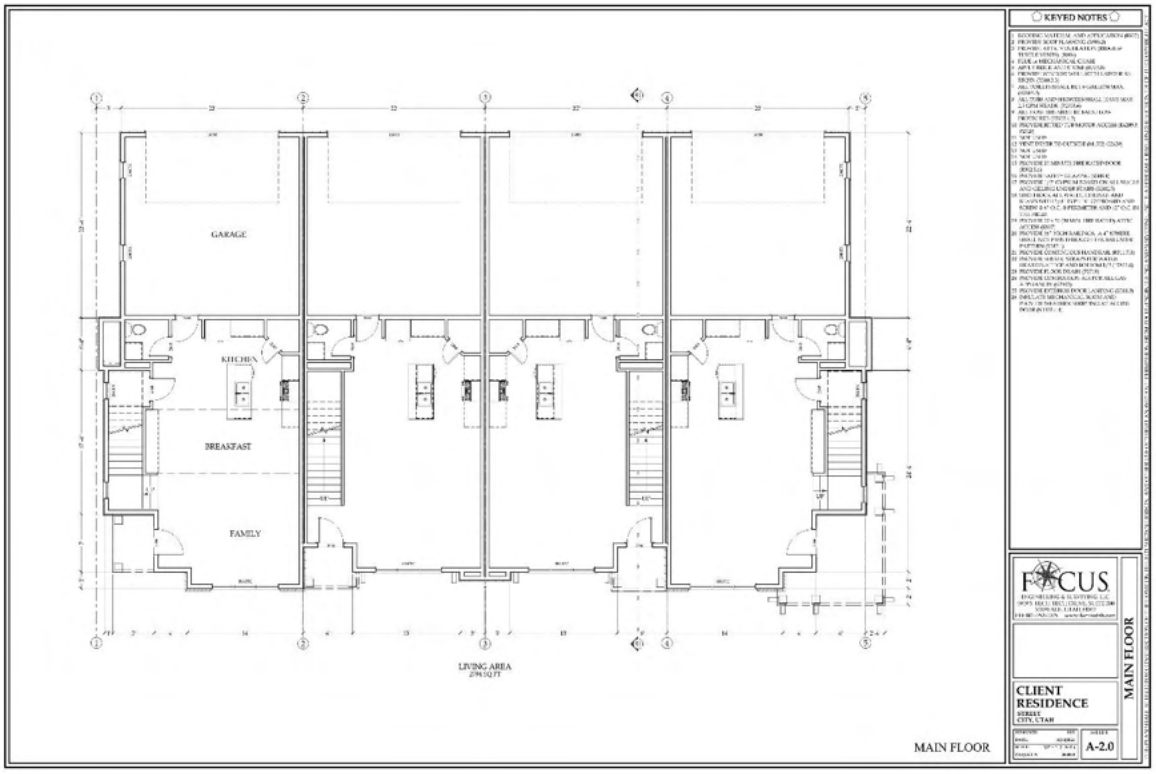


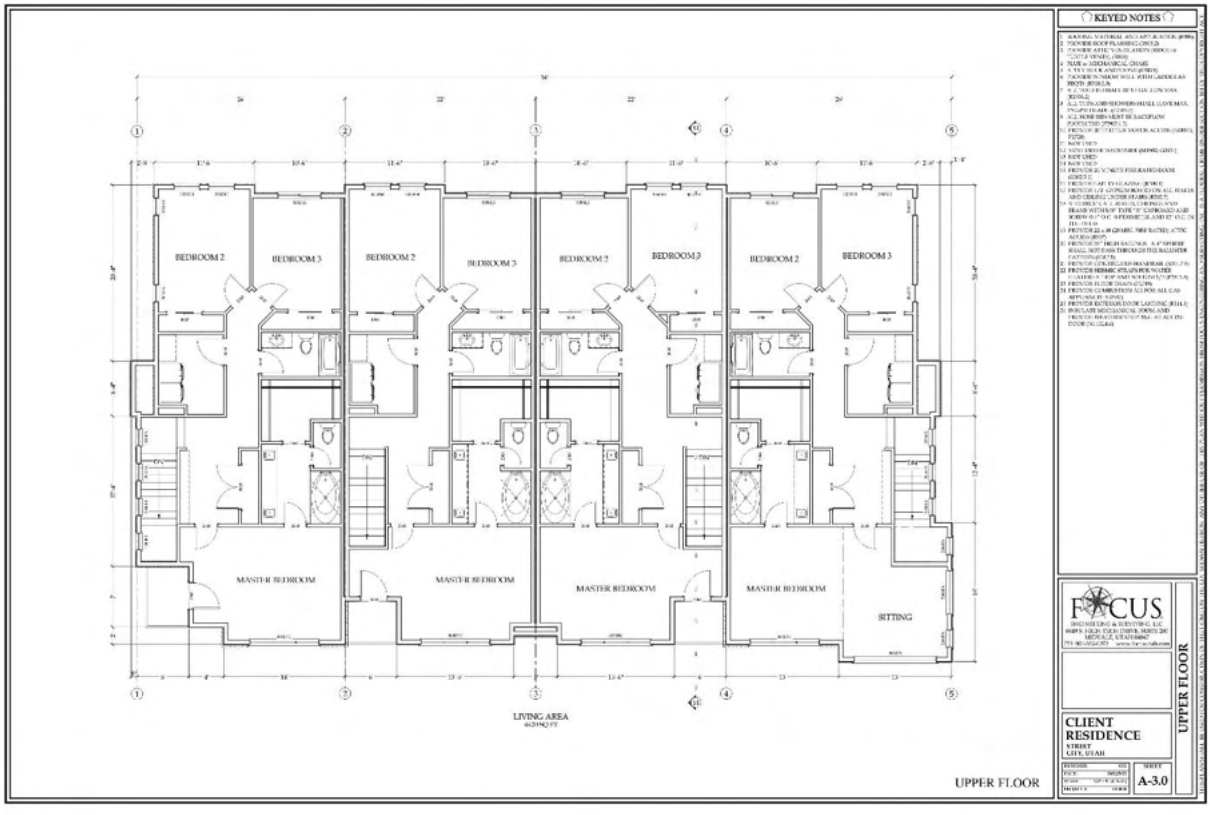

KEYED NOTES
FRONT ELEVATION
FOCUS
CLIENT
RESIDENCE
STREET
CITY, UTAH
ELEVATIONS
A-1.1

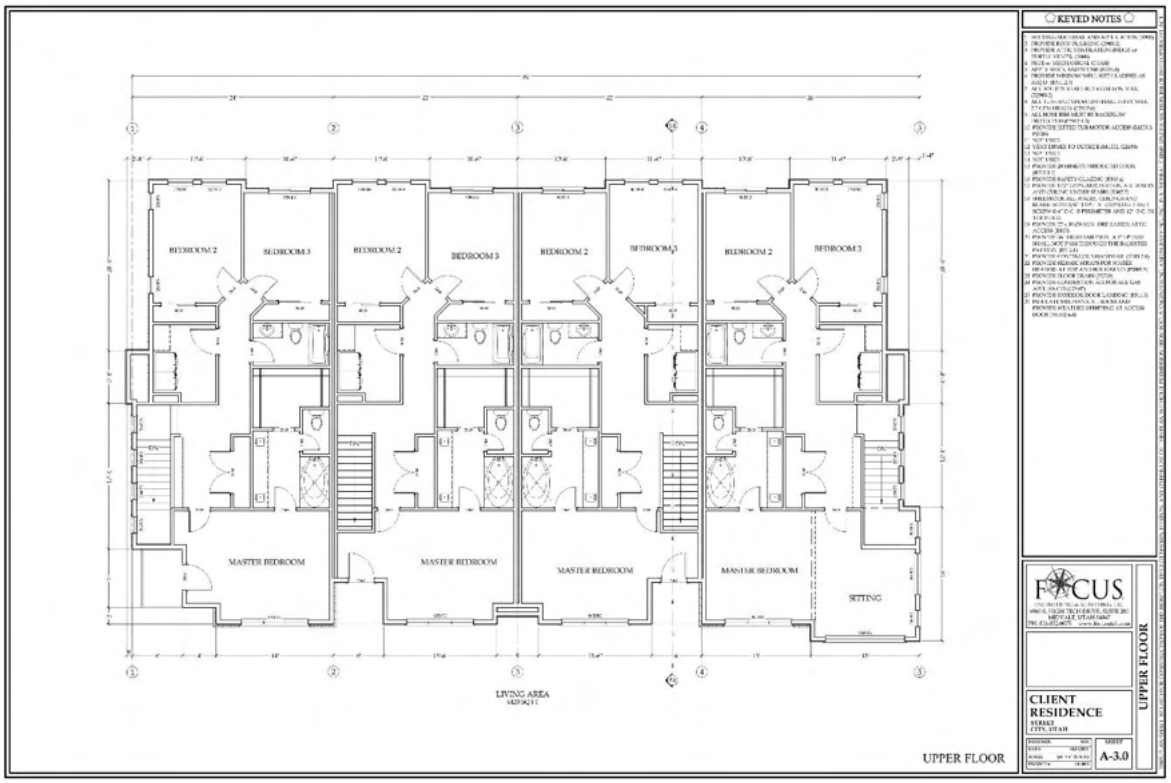

KEYED NOTES
LEFT ELEVATION
FOCUS
CLIENT
RESIDENCE
STREET
CITY, UTAH
ELEVATIONS
A-1.2

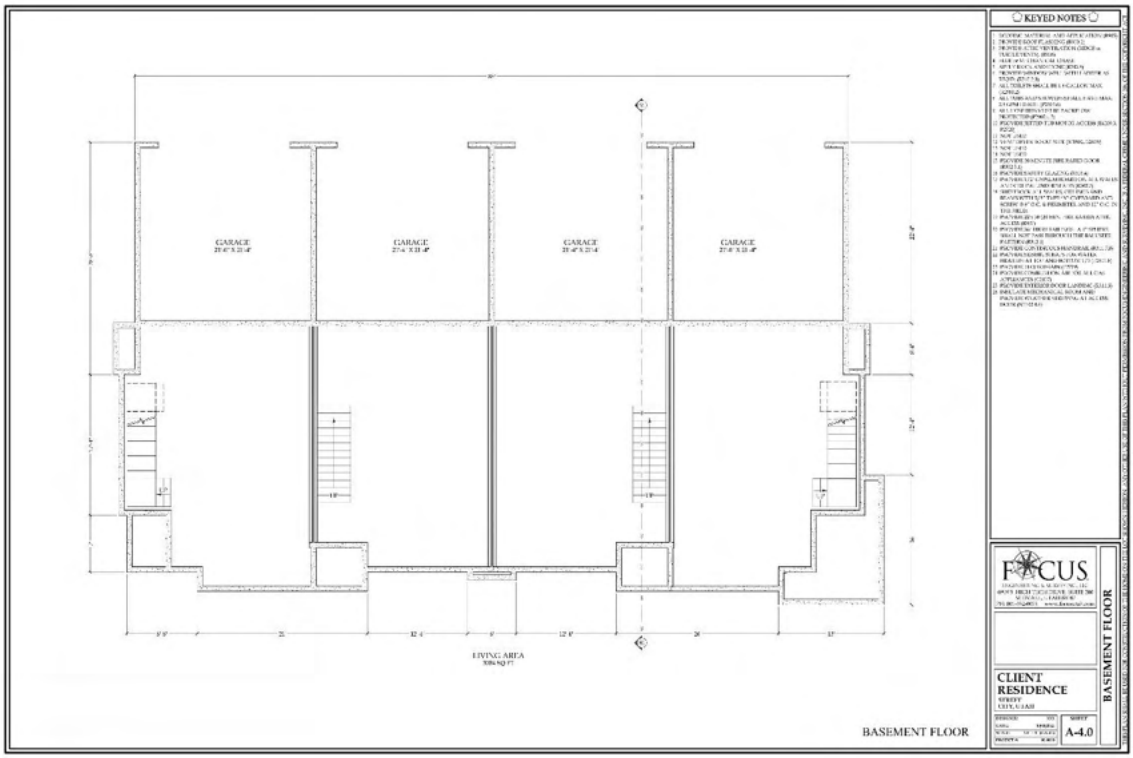

KEYED NOTES
RIGHT ELEVATION
FOCUS
CLIENT
RESIDENCE
STREET
CITY, UTAH
A-1.3
ELEVATIONS


KEYED NOTES
REAR ELEVATION
FOCUS
CLIENT
RESIDENCE
STREET
CITY, UTAH
A-1.4
ELEVATIONS


KEYED NOTES
GARAGE
KITCHEN
BREAKFAST
FAMILY
LIVING AREA
MAIN FLOOR
FOCUS
CLIENT
RESIDENCE
CITY, UTAH
MAIN FLOOR
A-2.0


KEYED NOTES
BEDROOM 2
BEDROOM 3
MASTER BEDROOM
SITTING
LIVING AREA
UPPER FLOOR
FOCUS
CLIENT
RESIDENCE
CITY, UTAH
UPPER FLOOR
A-3.0


KEYED NOTES
BEDROOM 2
BEDROOM 3
MASTER BEDROOM
SITTING
LIVING AREA
UPPER FLOOR
FOCUS
CLIENT RESIDENCE
UPPER FLOOR
A-3.0


KEYED NOTES
GARAGE
LIVING AREA
BASEMENT FLOOR
FOCUS
CLIENT RESIDENCE
BASEMENT FLOOR
A-4.0



CLIENT
RESIDENCE
STREET
CITY, UTAH

A-1.0

PERSPECTIVES

EXHIBIT D

Chapter 17.40
RESIDENTIAL ZONES

17.40.010: PURPOSE:

This chapter is established to provide standards and regulations, consistent with the city's general plan and the purposes and provisions of this title, for single-family residential areas in the city. This chapter shall apply to the following residential zones as established in chapter 17.20, "Zone Establishment", of this title: R-1.8, R-2.5, R-3, R-4, R-5, and R-M zones. Uses may only be conducted in residential zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and other associated use regulations may be found in chapter 17.18, "Uses", of this title. (Ord. 2016-05, 5-3-2016)

17.40.020: DEVELOPMENT AND DESIGN STANDARDS:

A. Development Review: Uses proposed in residential zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in residential zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as otherwise allowed under state law.

B. Lot Area: The area of any lot in residential zones shall not be less than the minimum lot area requirement identified in the minimum lot area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

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

C. Lot Density: The maximum gross density (number of lots or primary dwelling units per acre) in any residential development in a residential zone shall not exceed the density shown in the lot density table below. The primary dwelling density of each area zoned R-M shall be determined, according to the densities established in the lot density table, with approval of a rezoning application per chapter 17.22, "Zoning Amendments", of this title and indicated on the official zoning map with a numerical suffix matching the approved density.

Zone	Maximum Gross Density
R-1.8	1.8
R-2.5	2.5
R-3	3

R-4	4
R-5	5
R-M-5	5
R-M-6	6

D. Lot Width And Frontage: Each lot or parcel in a residential zone shall have a minimum lot width not less than the dimension in the minimum width column of the lot width and frontage table below. The minimum lot width shall be measured at the minimum front yard requirement (see subsection F of this section) that shall be determined from a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance not less than the dimension in the frontage (standard) column of the lot width and frontage table below, except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right-of-way or landscaped open space a minimum distance not less than the dimension in the frontage (diverged) column.

Zone	Minimum Width	Frontage (Standard)	Frontage (Diverged)
R-1.8	90'	90'	50'
R-2.5	90'	90'	50'
R-3	85'	85'	50'
R-4	80'	80'	50'
R-5	75'	75'	50'
R-M-5	65'	65'	40'
R-M-6	60'	60'	40'

E. Lot Coverage: The area of lot, parcel or private ownership area in a residential zone covered by buildings shall not exceed the percentage identified in the lot coverage table below of the total lot, parcel or private ownership area.

Zone	Maximum Building Coverage
R-1.8	40%
R-2.5	40%
R-3	40%
R-4	40%
R-5	50%
R-M	60%

F. Yard Area: The yard area (setback) requirements below shall apply in all residential zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of

the proposed accessory building and other information as needed shall be submitted for review. (Ord. 2016-05, 5-3-2016)

1. Main Buildings: Minimum yard area requirements for main buildings are as follows:

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

Note: 1. The garage opening minimum yard area requirement shall apply to garages when the garage opening faces the street, otherwise the front yard minimum yard area shall apply. The garage opening minimum yard requirement shall be 25 feet to any street-facing garage opening in a cul-de-sac. (Ord. 2017-22, 7-18-2017)

2. Accessory Buildings: Minimum yard area requirements for accessory buildings are as follows:

a. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.

b. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings less than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line.

c. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

3. Buildings Used To Shelter Animals: Buildings used for the housing or shelter of animals shall be located a minimum distance of forty feet (40') from any existing dwelling or neighborhood street right-of-way or, if approved with a conditional use permit, a minimum of twenty feet (20') from any collector street right-of-way line.

4. Projections: The following may be erected on or projected into any required yard space in Residential Zones:

a. Fences and walls in conformance with this Code.

b. Agricultural crops and landscape elements, including trees, shrubs and other plants.

c. Utility or irrigation equipment or facilities.

d. Decks not more than two feet (2') high.

e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

f. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

G. Parking And Access: Parking areas and vehicle access in Residential Zones shall meet the requirements of title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title, and title 10 of this Code (Traffic

Code). A driveway may only directly access a collector or arterial street with approval of the Utah Department of Transportation ("UDOT") for UDOT streets or with approval of the City Engineer for City streets. (Ord. 2016-05, 5-3-2016)

H. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Residential Zones. A permit shall be obtained from the Planning Department prior to construction of any fence in a Residential Zone. A completed fence application form that includes a diagram showing the location and height of the proposed fence, and a description of the proposed fence shall be submitted for review by the Planning Department. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)
1. Utility Screening: In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings. (Ord. 2017-22, 7-18-2017)
2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.
3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.
5. Clear Vision: Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the City Engineer based on traffic speeds, flow, volumes and other traffic related variables.
6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right-of-way in a Residential Zone shall be constructed according to section 16.04.200 of this Code.

I. Architecture: The following exterior materials and architectural standards are required in Residential Zones:
1. General Architectural Standards:
a. All building materials shall be high quality, durable and low maintenance.
b. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.
c. Signs shall meet requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.
d. Main buildings shall be no greater than thirty five feet (35') high.
2. Architectural Standards For Main Buildings:
a. Main buildings shall be constructed with a minimum amount of brick or stone that is calculated by multiplying two (2) by the perimeter length of the foundation (including garage). (Ord. 2016-05, 5-3-2016)
b. Main buildings shall be constructed with a majority of the roof to be a minimum roof pitch of three to twelve (3:12), except that main buildings of a contemporary design with a parapet wall enclosing the roof deck may be constructed with a lower roof pitch when done so in compliance with applicable Building Codes. (Ord. 2017-22, 7-18-2017)
c. Residential main buildings shall include a minimum two car garage (minimum 22 feet by 22 feet, or an approved equivalent area).
d. The minimum total floor area, finished and unfinished, of any residential main building shall be two thousand four hundred (2,400) square feet.
e. Residential main buildings shall include architectural elements (i.e., main entrance, porch) that distinguish the side of the building oriented toward the front yard as the front of the house. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way. (Ord. 2016-05, 5-3-2016)
3. Architectural Standards For Accessory Buildings:

a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high.
b. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M Zones shall not exceed sixty percent (60%) of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty percent (60%) but in no case shall exceed the footprint of the main building. In the R-1.8 Zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.
c. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:
(1) Openings (e.g., windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.
(2) The average wall height shall not exceed sixteen feet (16') above grade.
d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch in the R-1.8 Zone, and a minimum three to twelve (3:12) roof pitch over a majority of the structure in all other Residential Zones.
e. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting. (Ord. 2019-06, 3-19-2019)

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

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

K. Lighting:
1. A lighting plan shall be submitted with all new nonresidential developments in Residential Zones.
2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.
3. Lighting fixtures in all developments that have a principal use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.
4. Lighting fixtures on public property shall be approved by the City Engineer.

L. Streets: Streets in Residential Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in Residential Zones unless otherwise provided for in this chapter. (Ord. 2016-05, 5-3-2016)

17.40.030: OTHER REQUIREMENTS:

A. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

B. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.

C. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.

D. Common Areas: All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually owned and maintained by the property owners of the development or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City.

E. Prior Created Lots: Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a Residential Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.

F. Approval: Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this Code and the applicable plat recorded with the Salt Lake County Recorder's Office.

G. Open Space: Any open space provided within a subdivision to be jointly owned, maintained and preserved by a homeowners' association and/or special assessment area acceptable to the City shall be labeled and recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The City may determine the location of open space in a subdivision by considering topography, drainage or other land features. The City may require a cash bond or a letter of credit to guarantee installation of improvements.

H. Developer Requirements: Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants and restrictions ("CC&Rs") to the City for staff review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:
1. An opinion of legal counsel licensed to practice law in the State that the project meets requirements of State law.

2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to City conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by City staff and approved by the Planning Commission.
3. Language consistent with section 17.04.300 of this title. (Ord. 2016-05, 5-3-2016)

17.130.050: PLANNED DEVELOPMENT FLOATING ZONE:

17.130.050.010: PURPOSE:

The purpose of the Planned Development Floating Zone (PD) is to allow for flexibility in the application of zoning regulations and development provisions of this title to advance a public interest through prescriptive requirements of a development plan and development agreement approved by the City Council. The PD may be applied to specific geographical areas ("districts") in circumstances that address a unique situation, confer a substantial benefit to the City, or incorporate design elements or a mixture of uses that represent a significant improvement in quality over what could otherwise be accomplished by standard zoning and development provisions. Such circumstances may include, but are not limited to: improvements in open space and amenities, environmental and resource preservation, tree and vegetation protection, slope accommodations, improved infrastructure efficiency, exceptional and innovative site or building design, increased public benefits, and complementary integrated land uses. The City Council shall consider the purpose of the base zone and the impacts on and from surrounding properties when approving a PD District. (Ord. 2016-05, 5-3-2016)

17.130.050.020: ESTABLISHMENT:

A. Procedure:
1. Concept: A concept plan, that includes a preliminary site layout, basic sketches of proposed buildings, and a general understanding of proposed uses, shall be submitted for City Council review. Applicants are encouraged to work with staff prior to application to achieve an understanding of the surrounding area, the purpose of the base zone, and the goals and policies of the City's general plan. The Council shall provide advisory comments and recommendation regarding the concept plan to assist in the preparation of the development plan according to subsection B of this section. No action will be taken by the Council, and comments and recommendations will not obligate, compel, or constrain future action by the Council.
2. Rezone: A PD District shall only be established upon approval by the City Council as a rezone according to the provisions of chapter 17.22, "Zoning Amendments", of this title and as may be required elsewhere in this title, except that the requirement for a conceptual plan in subsection 17.22.030D of this title shall be replaced with a development plan according to subsection B of this section. The development plan shall be approved by development agreement in conjunction with the rezoning approval. (Ord. 2016-05, 5-3-2016)
3. Concurrent Site Plan Or Preliminary Subdivision (Optional): At the applicant's option and with the approval of the Planning Director, the applicant may submit a site plan application and/or preliminary subdivision application to be processed concurrently with a PD rezone. In the case of concurrent applications, Planning Commission approval of a concurrent site plan and/or preliminary subdivision shall be contingent on the City Council's approval of the PD rezone. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

B. Development Plan Requirements:
1. A written statement shall be provided that explains the intent of the proposal, explains how the PD provisions will be met, and identifies the requested revisions to standard zoning and development provisions.
2. A map and other textual or graphic materials as necessary to define the geographical boundaries of the area to which the requested PD District would apply.
3. A development plan shall also include:
a. Site plan/conceptual subdivision plan;
b. Circulation and access plan;
c. Building elevations, materials, and colors;
d. Landscape and open space plan;
e. Signage plan;
f. Lighting plan; and
g. Allowed uses.

C. Prohibited:
1. Sexually oriented businesses shall not be allowed in a PD District where otherwise prohibited by this Code.
2. A PD District shall not be approved in the P-C Zone or Single-Family Residential Zones (R-1.8, R-2.5, R-3, R-4, R-5).

D. Effect Of Approval:
1. All of the provisions of this Code, including those of the base zone, shall be in full force and effect, unless such provisions are expressly waived or modified by the approved development plan and/or development agreement.
2. An approved PD District shall be shown on the zoning map by a "-PD" designation after the designation of the base zone district.
3. No permits for development within an approved PD District shall be issued by the City unless the development complies with the approved development plan. (Ord. 2016-05, 5-3-2016)
4. The Planning Director may authorize minor deviations from an approved development plan to resolve conflicting provisions or when necessary for technical or engineering considerations. Such minor deviations shall not affect the vested rights of the PD District and shall not impose increased impacts on surrounding properties. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

E. Vested Rights:
1. A property right that has been vested through approval of a PD District shall remain vested for a period of three (3) years or upon substantial commencement of the project. A property right may be vested, or an extension of a vested property right may be granted, for a period greater than three (3) years only if approved by the City Council through an approved PD District. (Ord. 2016-05, 5-3-2016)
2. Substantial commencement shall be the installation of infrastructure, a building having started construction, or as determined by the Planning Director based on significant progress otherwise demonstrated by the applicant. A project that has not substantially commenced may, at the discretion of the property owner, develop according to the base zone. A project that has substantially commenced shall not deviate, in whole or in part, from the approved PD District, unless amended per section 17.130.050.030 of this section 17.130.050. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

17.130.050.030: AMENDMENTS:

Any application to amend an approved PD District shall be processed as a zone text amendment, except that an application to extend the district boundaries shall be processed as a rezone. Any amendment to an approved PD District requires that the corresponding development agreement also be amended. (Ord. 2016-05, 5-3-2016)

ORDINANCE NO. 2021 - 20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTIONS 17.08.010, 17.18.030.030, 17.30.020 AND 17.40.020 OF THE SOUTH JORDAN MUNICIPAL CODE REGULATING RESIDENTIAL USES AND DEVELOPMENT DESIGN STANDARDS.

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 Utah State Legislature recently passed House Bill 1003 ("H.B. 1003") "Government Building Regulation Amendments," which prohibit a municipality from regulating certain building design elements of one and two family dwellings; and

WHEREAS, the City Council has adopted Title 17 (Planning and Zoning Code) of the City of South Jordan Municipal Code ("City Code"); and

WHEREAS, the City Council desires to amend City Code Sections 17.08.010, 17.18.030.030, 17.30.020 and 17.40.020 of Title 17, regulating uses of land in residential zones and development and design standards in agricultural and residential zones, to bring those Sections in conformity with the newly enacted State law; and

WHEREAS, the South Jordan Planning Commission held a public hearing, and reviewed and made a recommendation concerning the subject text amendments; 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 Sections 17.08.010, 17.18.030.030, 17.30.020 and 17.40.020 of the South Jordan municipal code are amended 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 or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 5 DAY OF October, 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	X			
Bradley Marlor	X			
Donald Shelton	X			
Tamara Zander				X
Jason McGuire	X			

Mayor: Dawn R. Ramsey

Attest: City Recorder

Approved as to form:

Office of the City Attorney

City of South Jordan CORPORATE Seal State of Utah

EXHIBIT A

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

Chapter 17.08
DEFINITIONS GENERALLY

17.08.010 DEFINITIONS

CONTINUOUS FREE FLOW ACCESS: A continuous and open path between the primary dwelling area and the ~~second kitchen or~~ potential internal accessory dwelling unit contained in a primary dwelling unit. The access path shall allow two-way access through entryways (which shall not befinished to facilitate the addition of a door), open spaces, hallways, stairways, or other open access ways that remain uninhibited by doors, walls, or any other physical barrier. The path shall have openings of at least forty-eight (48) inches wide or the standard width of the connecting corridor so as not to limit or restrict access.

~~SECOND KITCHEN: A second kitchen, contained within the primary dwelling unit that provides continuous free flow access between the primary dwelling area and the second kitchen. Second kitchens are not considered accessory dwelling units as long as continuous free flow access is maintained.~~

Chapter 17.18
USES

17.18.030.030 RESIDENTIAL USE REGULATIONS

6. Single-Family, Detached: Lots or parcels may be occupied by only one single-family dwelling unit as the primary dwelling. Accessory dwelling units may be permitted according to the provisions of section 17.130.030, "Accessory Dwelling Unit Floating Zone", of this title. ~~A second kitchen, as defined in section 17.08.010 of this Title, is not considered an accessory dwelling unit and may be allowed as a permitted use in a single-family detached dwelling unit provided that it complies with the following:~~

~~a. Only one (1) second kitchen shall be permitted per lot.~~
~~b. The residence~~**Single-Family dwellings** shall have only one (1) front entrance, one (1) address, one (1) mailbox, and one (1) electrical meter.
~~c. Continuous free flow access shall be maintained at all times between the primary dwelling area and the second kitchen.~~
~~d. The second kitchen shall be contained within the primary dwelling so as to be one (1) unit and shall not be installed in an accessory building or detached from the primary dwelling.~~
~~e. Construction of any second kitchen shall meet standards of the current building codes adopted by the City.~~

~~f. Approval of a second kitchen within a single-family dwelling unit shall not be an approval of a second dwelling unit or accessory dwelling unit.~~
~~g. Upon request by the City, the owner shall allow inspection of the dwelling unit and second kitchen to determine compliance with this section.~~

Chapter 17.30
AGRICULTURAL ZONES

17.30.020 DEVELOPMENT AND DESIGN STANDARDS

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

1. General Architectural Standards:

   a. All building materials shall be high quality, durable and low maintenance.
   b. The exteriors of buildings in Agricultural Zones shall be properly maintained by the owners or owners' association.
   c. Signs shall meet the requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.
   d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

   ~~a. Main buildings, excluding main buildings used for agricultural uses, shall be constructed with a minimum amount of brick or stone that is calculated by multiplying two (2) by the perimeter of the foundation (including garage).~~
   ~~b. Main buildings shall be constructed with a majority of the roof to be a minimum five to twelve (5:12) pitch, except that roofs of agricultural main buildings may be constructed to be a minimum four to twelve (4:12) roof pitch over the majority of the building.~~
   a. ~~e.~~ Residential main buildings shall include a minimum two car garage (minimum 22 feet x 22 feet, or an approved equivalent area).
   b. ~~d.~~ The minimum total floor area, finished and unfinished, of any residential main building shall be ~~two~~**one** thousand ~~four hundred (2,400~~**1000**) square feet **not including a garage**.
   c. ~~e. Residential main buildings shall include architectural elements (i.e., main entrance, porch) that distinguish the side of the building oriented toward the front yard as the front of the house.~~ The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.

CHAPTER 17.40
RESIDENTIAL ZONES

17.40.020 DEVELOPMENT AND DESIGN STANDARDS

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

1. General Architectural Standards:

   a. All building materials shall be high quality, durable and low maintenance.
   b. The exteriors of buildings in Agricultural Zones shall be properly maintained by the owners or owners' association.
   c. Signs shall meet the requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.
   d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

   ~~a. Main buildings shall be constructed with a minimum amount of brick or stone that is calculated by multiplying two (2) by the perimeter length of the foundation (including garage).~~
   ~~b. Main buildings shall be constructed with a majority of the roof to be a minimum roof pitch of three to twelve (3:12), except that main buildings of a contemporary design with a parapet wall enclosing the roof deck may be constructed with a lower roof pitch when done so in compliance with applicable Building Codes.~~
   a. ~~c.~~ Residential main buildings shall include a minimum two car garage (minimum 22 feet by 22 feet, or an approved equivalent area).
   b. ~~d.~~ The minimum total floor area, finished and unfinished, of any residential main building shall be ~~two~~**one** thousand ~~four hundred~~ (~~2,400~~**1000**) square feet **not including a garage**.
   c. ~~e. Residential main buildings shall include architectural elements (i.e., main entrance, porch) that distinguish the side of the building oriented toward the front yard as the front of the house.~~ The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.

EXHIBIT E

(Resolution R2021-34 - To Be Inserted Once Executed)

DEVELOPER

JACOB ACKERMAN OR HIS ASSIGNS,

Signature: _____

By: Jacob J Ackerman

Its: Manager

Date: 11/24/2021

State of Utah)

County of Salt Lake) :ss

On this 24 day of November, 2021., personally appeared before me Jacob Ackerman (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is a Manager of Creekside Commons Utah limited liability company, the Manager of Creekside Commons, a Utah limited liability company, and that said document was signed by him/her in behalf of said limited liability company by authority of its Operating Agreement or by Resolution, and said Jacob Ackerman (name of document signer) acknowledged to me that said limited liability company executed the same.

_____
Notary Public

BRADLEY LORD
Notary Public, State of Utah
Commission # 698420
My Commission Expires On
January 10, 2022

RESOLUTION R2021 – 33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE FUTURE LAND USE PLAN MAP OF THE GENERAL PLAN OF THE CITY OF SOUTH JORDAN FROM ECONOMIC CENTER (EC) AND STABLE NEIGHBORHOOD (SN) TO RESIDENTIAL DEVELOPMENT OPPORTUNITY (RDO) ON PROPERTY GENARALLY LOCATED AT 1500 W. 11400 S.; JAKE ACKERMAN (APPLICANT).

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

WHEREAS, the Applicant requested that the City Council amend the Land Use Map by changing the land use designation on property located generally at 1500 W. 11400 S. from Economic Center and Stable Neighborhood to Residential Development Opportunity; and

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

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

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

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

SECTION 1. Amendment. The land use designation of the Land Use Map of a portion of property described in Application PLZBA202100089 , filed by Jake Ackerman, which is located generally at 1500 W. 11400 S. in the City of South Jordan, Utah, is hereby changed from Economic Center and Stable Neighborhood to Residential Development Opportunity as shown in **Exhibit A**.

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

SECTION 3. Effective Date. This Resolution shall become effective if the City Redevelopment Agency (RDA) approves funding to ensure that at least nine townhome units are deed restricted as workforce housing.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2021 BY THE FOLLOWING VOTE:

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

Mayor: _____ Attest: _____
Dawn R. Ramsey City Recorder

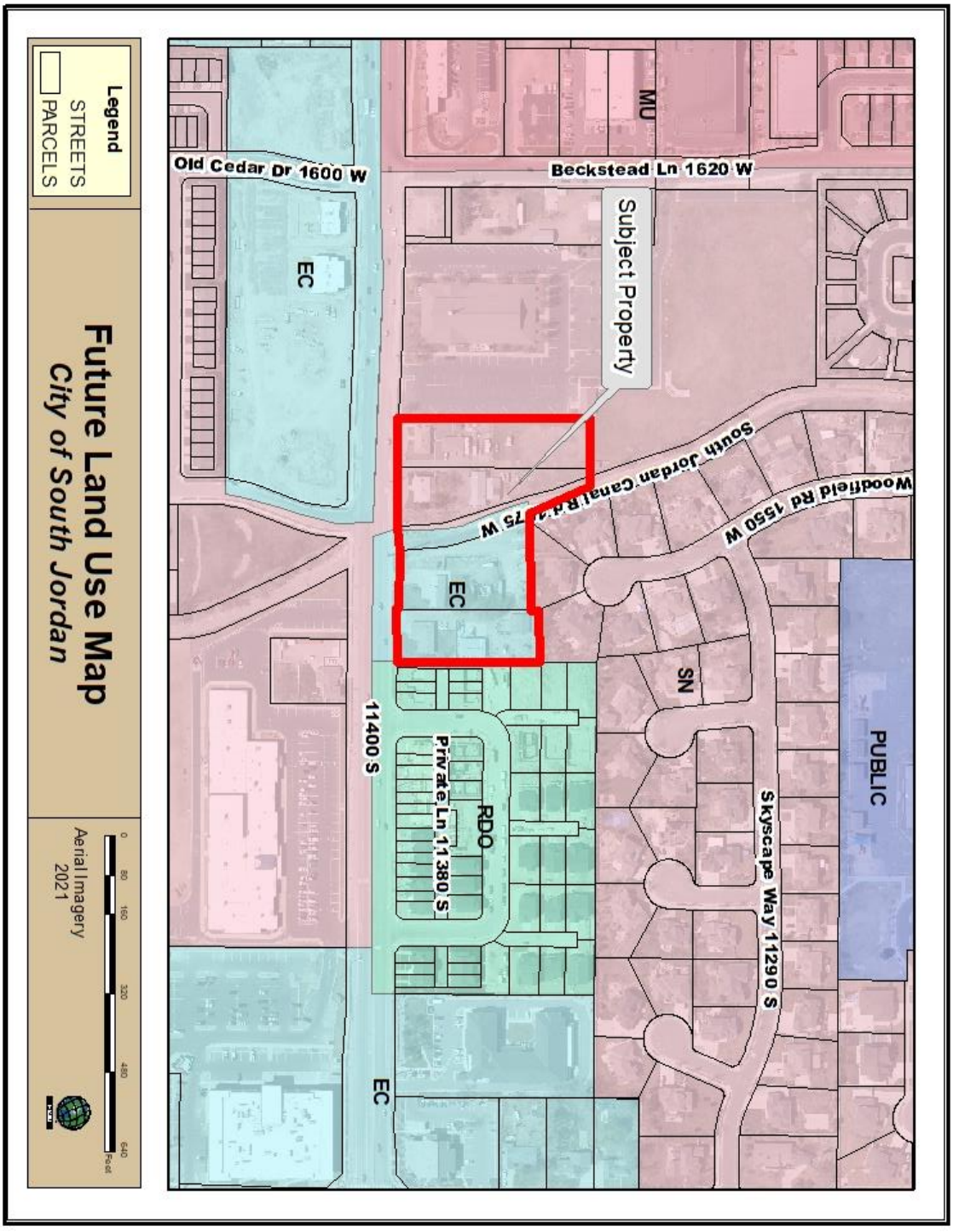
Approved as to form:

Gregory Simonsen (Dec 1, 2021 13:49 MST)

Office of the City Attorney

EXHIBIT A

(Land Use Map)



ORDINANCE NO. 2021-10-Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY GENERALLY LOCATED AT 1500 W. 11400 S. FROM THE A-5 ZONE, R-1.8 ZONE AND R-2.5 ZONE TO THE R-M-PD ZONE.

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

WHEREAS, the Applicant, Jake Ackerman, proposed that the City Council amend the Zoning Map by rezoning the property described in the attached Exhibit A; and

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

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

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

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

SECTION 1. Rezone. The property described in Application PLZBA202100089 located in the City of South Jordan, Utah is hereby reclassified from the A-5 Zone, R-1.8 Zone and R-2.5 Zone to R-M-PD Zone on property described in the attached **Exhibit A**.

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

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

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

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____ Attest: _____

Dawn R. Ramsey City Recorder

Approved as to form:

Gregory Simonsen (Dec 1, 2021 13:49 MST)

Office of the City Attorney

EXHIBIT A

(Property Description)

Canal Property and more particularly described as:

Less and Excepting the South Jordan Canal, as determined by survey and described by a deed, recorded December 21, 1883, Book "X", Pages 278-279, being Sixty-Six (66') feet in width, Thirty-Three feet (2 Rods) on each side of the centerline, being that portion of the canal located in the W1/2 of the NE1/4 of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point on the west side of South Jordan Canal, said point being located on the southerly line of Parcel No. 27-22-251-050 as determined by Survey, Survey Number S2014-06-0313 on file in the Salt Lake County Surveyor's Office, said point being S89°56'45"E 1,043.00 feet along the 1/4 Section line and N00°03'15"E 436.49 and S89°56'45"E 100.85 feet from the Center 1/4 Corner of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence easterly along said deed line and the extension thereof S89°56'45"E 70.30 feet to the west line of Jordan Meadows Subdivision, recorded as Entry Number 8315627 in Book 2002P at Page 209; thence along the easterly side of canal the following seven (7) courses: (1) S20°23'14"E 64.95; thence (2) S13°45'24"E 55.66 feet; thence (3) S18°23'52"E 6.71 feet; thence (4) S18°21'44"E 153.72 feet; thence (5) S14°46'19"E 23.72 feet; thence (6) S05°02'23E 93.27 feet; thence (7) S00°03'15"W 7.07 feet to the northerly right of way line of 11400 South Street described in UDOT Survey, Entry Number S2012-05-0149 21 of 37, Sheet Number RW-18, incident to the construction of Project No. SP-15-7(156)293, on file in the Salt Lake County Surveyors Office; thence along said right of way line along the arc of a curve to the right having a radius of 7949.50 for a distance of 66 feet through a central angle of 0°28'33" Chord: N89°27'45"W 66 feet to the west side of South Jordan Canal as determined by survey; thence along said canal line the following eight (8) courses: (1) N00°03'15"E 3.58 feet; thence (2) N05°02'23"W 84.72 feet; thence (3) N14°46'19"W 16.03 feet; thence (4) N18°21'44"W 151.65 feet; thence (5) N18°23'52"W 9.35 feet; thence (6) N13°45'24"W 54.51 feet; thence (7) N20°23'14"W 82.06 feet; thence (8) N18°25'12"W 3.62 feet to the point of beginning.
Canal Contains 0.69 acres +/-

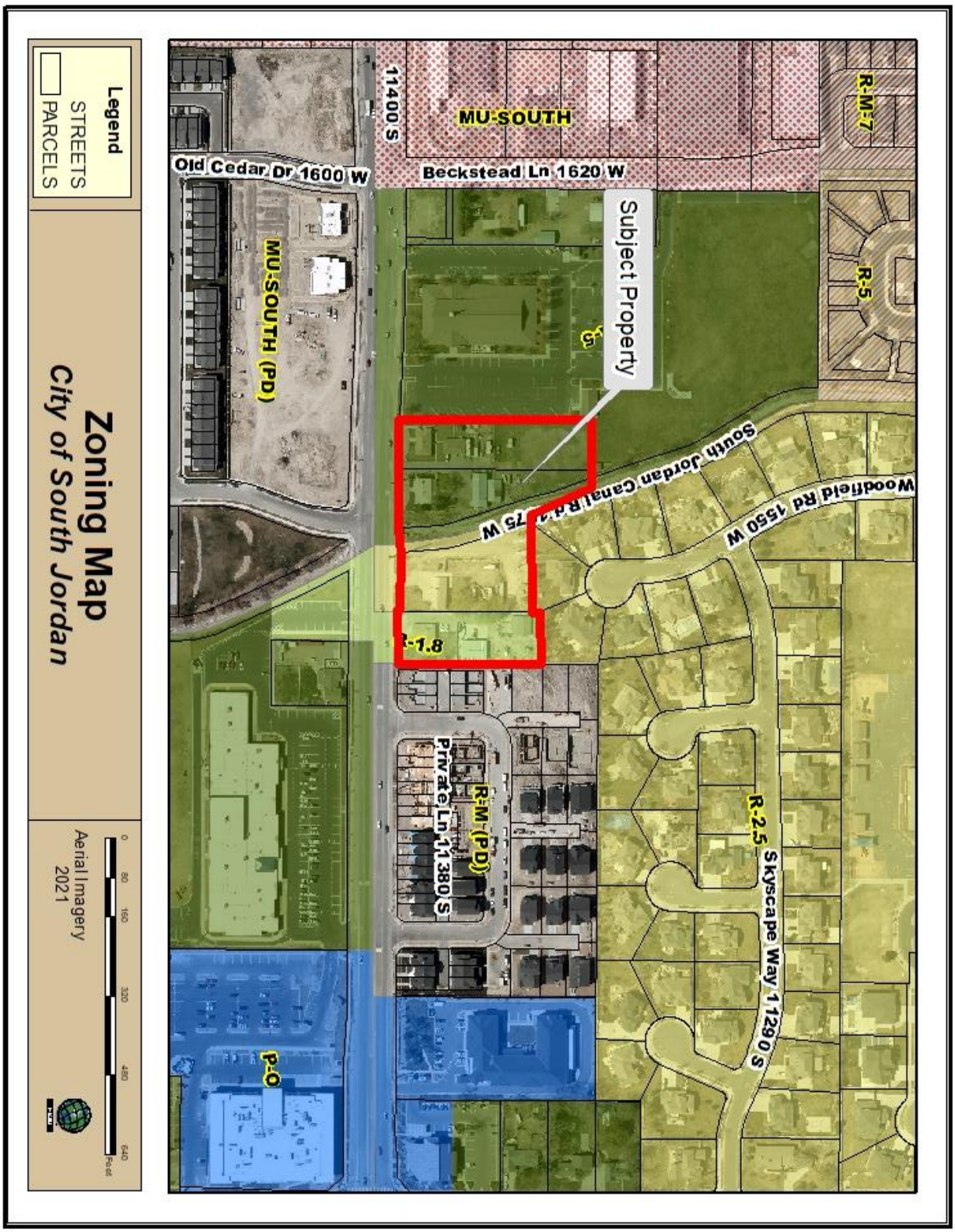
COMPOSITE BOUNDARY DESCRIPTION FOR
PARCELS 27-22-251-039 & 27-22-251-040

A part of the NE1/4 of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, located in South Jordan City, Salt Lake County, Utah, being more particularly described as follows:
Beginning at a point on the easterly boundary line as determined by Survey, Survey Number S2014-06-0313 on file in the Salt Lake County Surveyor's Office, said point being S89°56'45"E 1,043.00 feet along the 1/4 Section line and N00°03'15"E 52.09 feet from the Center 1/4 Corner of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence along said Survey the following two (2) courses: (1) N00°03'15"E 384.40 feet; thence (2) S89°56'45"E 100.85 feet to the South Jordan Canal, as determined by survey and described by a deed, recorded December 21, 1883, Book "X", Pages 278-279; thence running southerly along said

canal the following eight (8) courses: (1) S18°25’12”E 3.62 feet; thence (2) S20°23’14”E 82.06 feet; thence (3) S13°45’24”E 54.51 feet; thence (4) S18°23’52”E 9.35 feet; thence (5) S18°21’44”E 151.65 feet; thence (6) S14°46’19”E 16.03 feet; thence (7) S05°02’23”E 84.72 feet; thence (8) S00°03’15”W 3.58 feet to the northerly right of way line described in UDOT Survey for 11400 South, State to Bangerter, Survey Number S2012-05-0149 21 of 37, Sheet Number RW-18, on file in the Salt Lake County Surveyors Office; thence along said Survey the following two (2) courses: (1) Westerly along the arc of a non-tangent curve to the right having a radius of 7,949.50 feet (radius bears: N00°38'47"E) a distance of 149.22 feet through a central angle of 01°04'32" Chord: N88°41'13"W 149.22 feet; thence (2) N88°08'57"W 57.01 feet to the point of beginning.
Contains: 62,801.47 square feet or 1.44 acres+/-

COMPOSITE BOUNDARY DESCRIPTION FOR
PARCELS 27-22-276-026 & 27-22-276-050

A part of the NE1/4 of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian, located in South Jordan City, Salt Lake County, Utah, being more particularly described as follows:
Beginning at a point on the westerly boundary line of JORDAN MEADOWS AT SOUTH JORDAN Subdivision, recorded as Entry Number 8315627 in Book 2002P at Page 209, said point being S89°56'45"E 1,315.17 feet along the 1/4 Section line and N00°03'15"E 53.54 feet from the Center 1/4 Corner of Section 22, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence along said Subdivision the following six (6) courses: (1) N05°02'23"W 93.27 feet; thence (2) N14°46'19"W 23.72 feet; thence (3) N18°21'44"W 153.72 feet; thence (4) East 181.37 feet; thence (5) North 20.90 feet; thence (6) East 104.76 feet to a point on the westerly boundary line of BINGHAM COURT Subdivision, recorded as Entry Number 1336001 in Book 2020P at Page 196; thence along said Subdivision S00°03'15"W 289.93 feet to the northerly right of way line described in UDOT Survey for 11400 South, State to Bangerter, Survey Number S2012-05-0149 21 of 37, Sheet Number RW-18, on file in the Salt Lake County Surveyors Office; thence along said Survey N89°57'56"W 104.49 feet to a point on the easterly boundary line of said JORDAN MEADOWS AT SOUTH JORDAN Subdivision; thence along said Subdivision the following two (2) courses: (1) N00°09'08"E 7.11 feet; thence (2) N89°56'45"W 118.72 feet to the point of beginning.
Contains: 67,654 square feet or 1.55 acres+/-


Zoning Map
City of South Jordan
Legend
STREETS
PARCELS
Aerial Imagery
2021
0
80
160
320
480
640
Feet
Subject Property
MU-SOUTH
MU-SOUTH (PD)
R-M-7
R-5
R-2.5
R-M (PD)
P-O
11400 S
Beckstead Ln 1620 W
Old Cedar Dr 1600 W
Woodfield Rd 1550 W
Skyscape Way 11290 S
Private Ln 11380 S

SOUTH JORDAN CITY
CITY COUNCIL REPORT

Meeting Date: 12/07/2021

Issue: **RIVERPARK RET9 REZONE**
Rezone from P-O (Professional - Office) to C-C (Commercial - Community) Zone

Address: **10620 S. River Front Parkway**
File No: **PLZBA202100246**
Applicant: **Gina Jensen, RiverPark Group**

Submitted by: Damir Drozdek, Planner III
Jared Francis, Senior Engineer
Presented by: Steven Schaefermeyer, Planning Director

Staff Recommendation (Motion Ready): I move that the City Council **approve** rezone Ordinance No. 2021-11-Z.

ACREAGE:	Approximately 1 acre
CURRENT ZONE:	P-O (Professional Office) Zone
CURRENT USE:	Vacant Land and Surface Parking
FUTURE LAND USE PLAN:	EIO (Economic Infill Opportunity)
NEIGHBORING ZONES/USES:	North – C-C / UDOT Storm Drain Detention Parcel
	South – P-O / Parking and Retail
	West – P-O / Parking and Retail
	East – C-C / Parking and Retail

STANDARD OF APPROVAL:

2. REZONE:

The rezoning of property may not be considered if the proposed zoning does not conform to the [G]eneral [P]lan. The following guidelines shall be considered in the rezoning of parcels:

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

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

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

(City Code § 17.22.020)

BACKGROUND:

The applicant seeks to amend the Zoning Map on an approximately 1.3 acre property located at 10620 S. River Front Parkway. The property is currently zoned Professional Office (P-O). If the rezone to Commercial Community (C-C) is approved, the applicant intends to develop the property as an eating establishment.

The property is located between Brick Oven Pizza to the west and Gecko's Mexican Grill to the east of it. A UDOT storm drain detention basin is located to the north while surface parking lots and some retail buildings are located to the south of it. The majority of the subject parcel is developed as a surface parking lot with the exception of an undeveloped pad site at the north end.

The north end of the property is proposed to be developed as a restaurant. The building is proposed to be leased out to two tenants with both having their own dedicated drive-through lane. The change in zoning is being proposed since the current zone (P-O) does not allow drive-through facilities while the proposed C-C zone has no such restrictions. The requested zone change, if approved, will allow the applicant to develop the property as an eating establishment containing drive-through lanes.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The Planning Commission held a public hearing on November 9, 2021 and unanimously voted to recommend approval of the proposed zone change.
- The proposed zone change will not detrimentally impact any of the surrounding properties, but it will in effect be mutually beneficial.
- Restaurant use is widely established within the RiverPark Corporate Center office park.
- "Economic Infill Opportunity" land use designation is defined in the General Plan as follows: "Economic Infill Opportunity identifies areas within existing Economic Centers that could support infill or redevelopment of additional commercial, retail and entertainment uses to support and bolster existing uses. Development or redevelopment in these areas shall include public space for gathering such as plazas or parks and be designed with the pedestrian in mind. These areas could support land uses such as retail, restaurants, hotels, entertainment venues, or open space and could strive to include unique design elements to give each commercial center its own identity."

Conclusion: Based on the findings and information provided in the application City staff believes the rezone should be approved because it meets the standard of approval for rezones and is consistent with the goals of the Economic Infill Opportunity land use designation and General Plan.

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

FISCAL IMPACT:

A fiscal impact analysis table and graphics are attached to the report that show that revenues from the project will be sufficient to cover the cost of City services.

ALTERNATIVES:

- Approve an amended application.
- Deny the application.
- Schedule the application for a decision at some future date

SUPPORT MATERIALS:

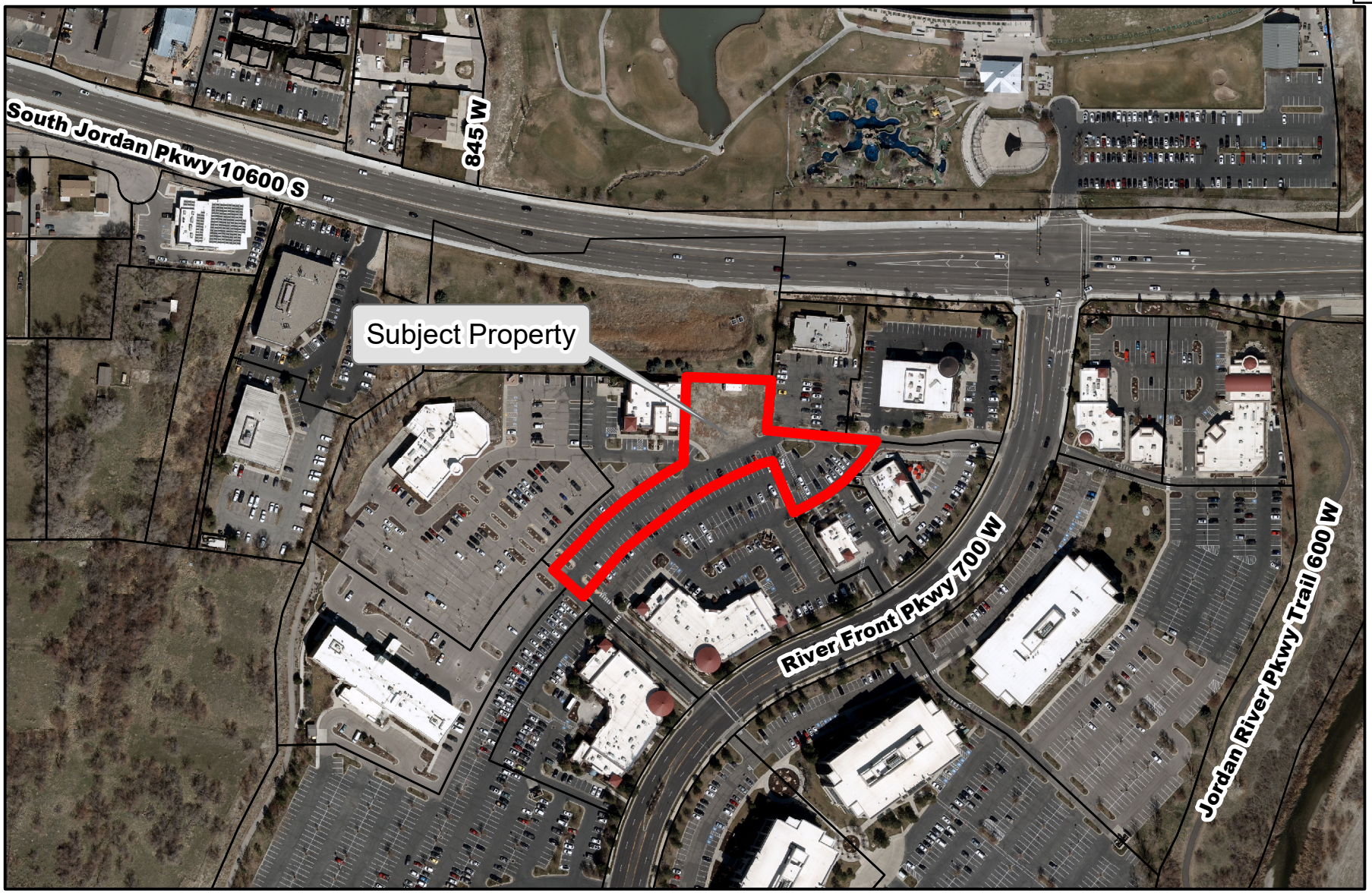
- Aerial Map
- Future Land Use Map
- Zoning Map
- Proposed Site Plan
- Building Elevations
- Infrastructure Analysis
- Fiscal Analysis
- Subdivision Plat Map
- Ordinance 2021-11-Z
  - Exhibit ‘A’ – Zoning Map

Damir Drozdek, AICP
Planner III
Planning Department

DEPARTMENT APPROVAL

Steven Schaefermeyer
Steven Schaefermeyer (Dec 1, 2021 11:29 MST)

Steven Schaefermeyer
Director of Planning



Legend

STREETS

PARCELS

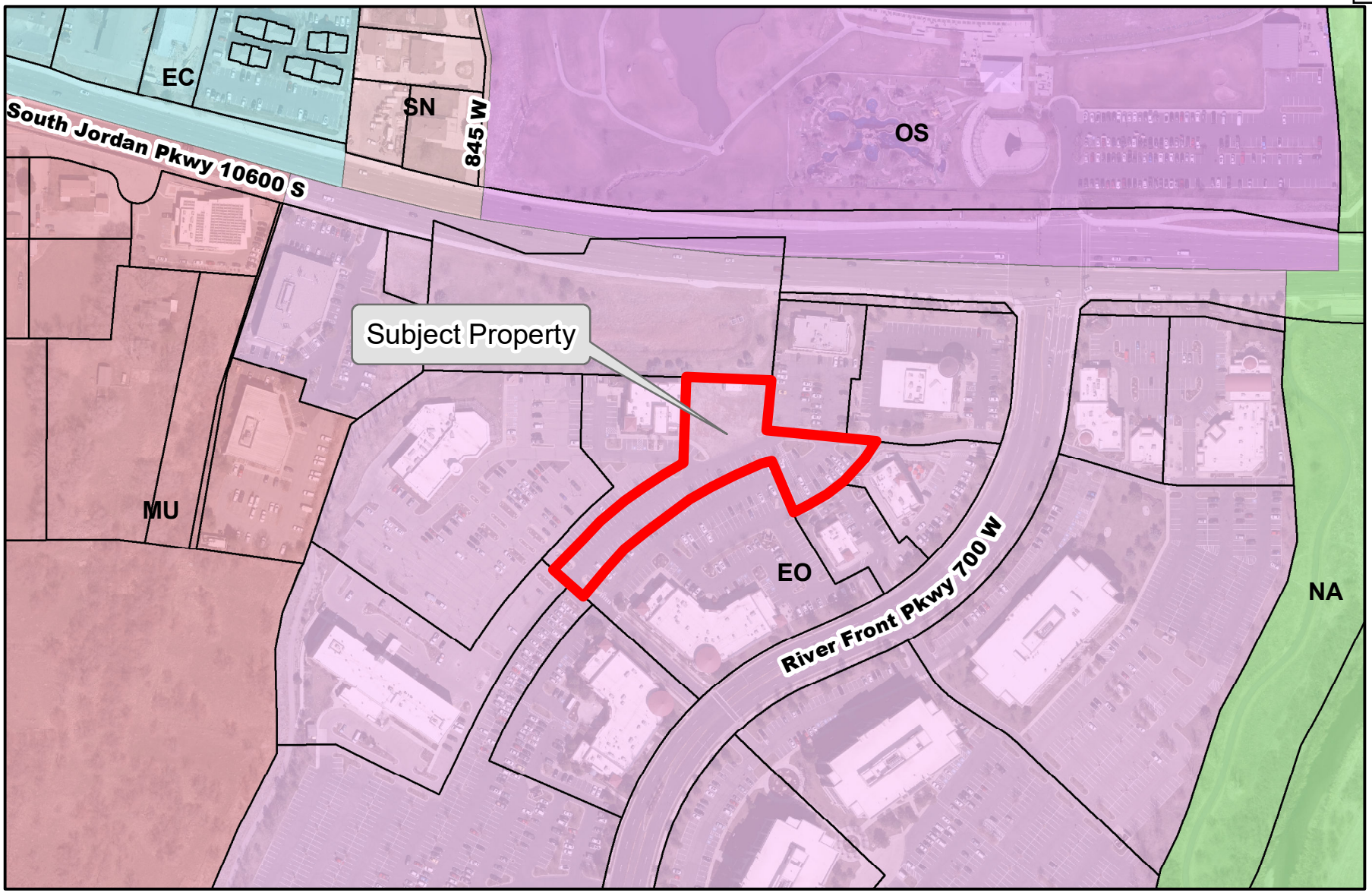
Aerial Map

City of South Jordan

0 80 160 320 480 640 Feet

Aerial Imagery
2021

ESRI



Legend

STREETS

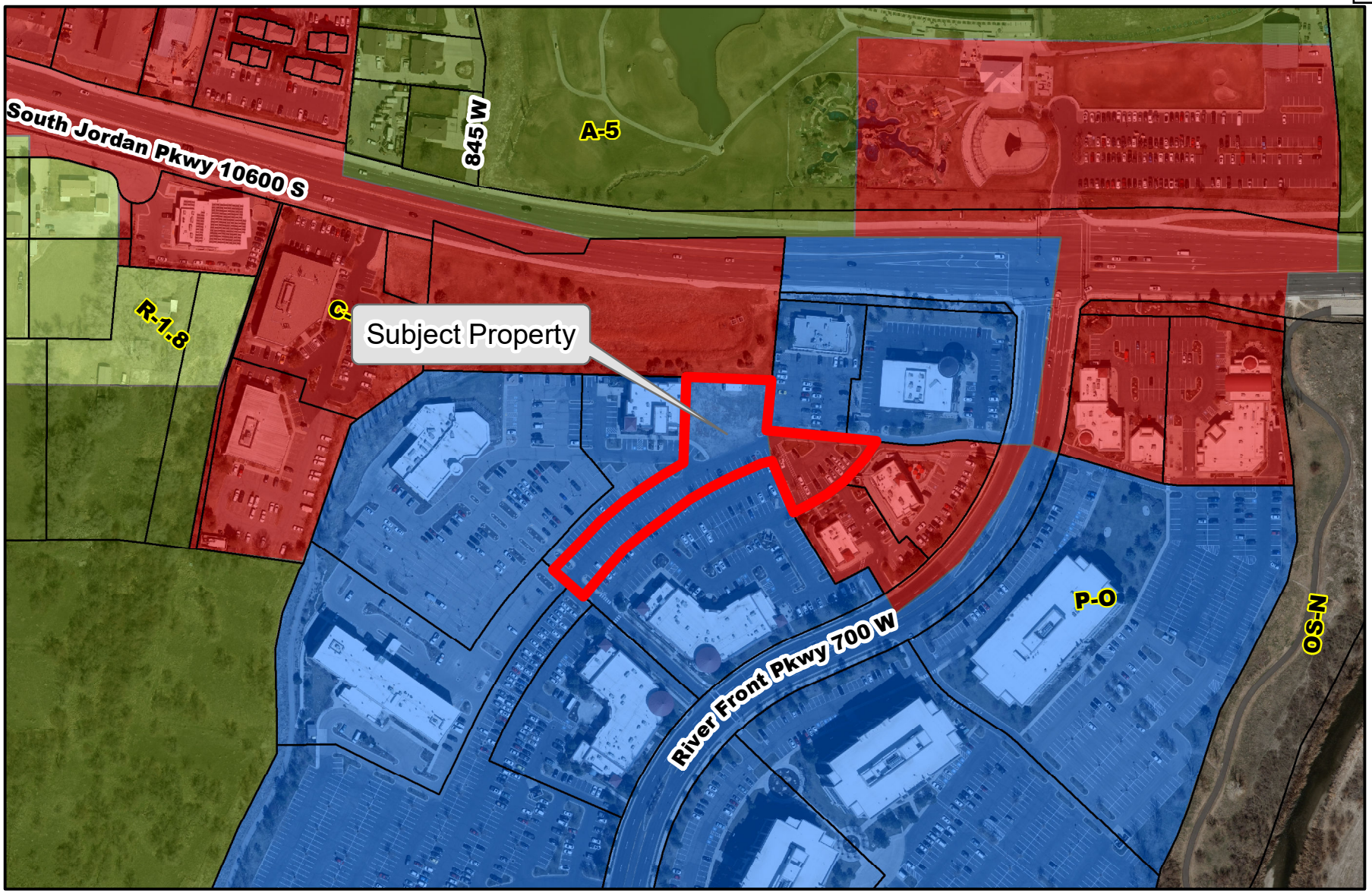
PARCELS

Future Land Use Map

City of South Jordan

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Aerial Imagery 2021



Legend

STREETS

PARCELS

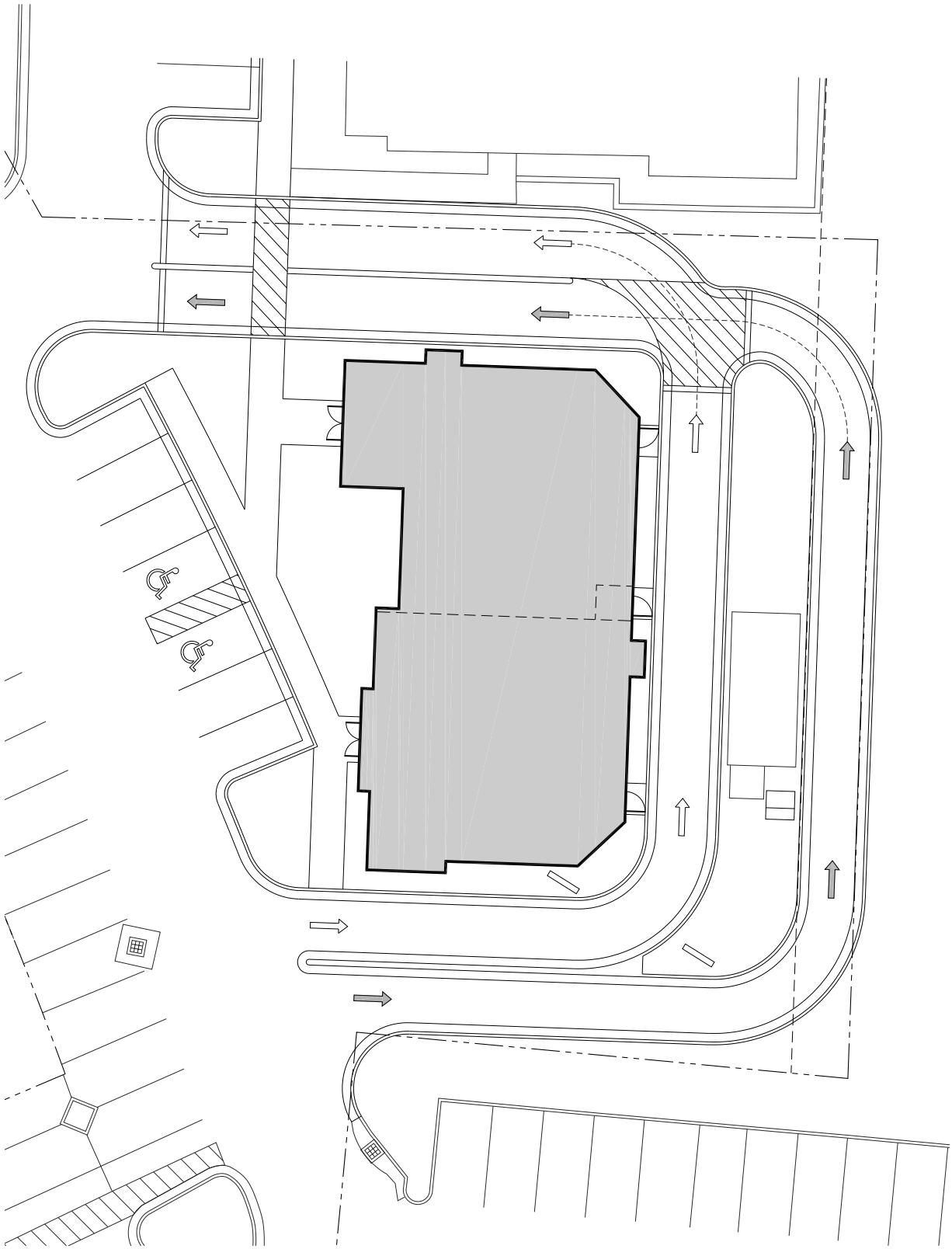
Zoning Map

City of South Jordan

0 80 160 320 480 640 Feet

Aerial Imagery
2021

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A1 ARCHITECTURAL SITE PLAN
SCALE: 1/8" = 1'-0"

Item J.3.

MARK	ISSUE DESCRIPTION	ISS. DATE	#	REV. DESCR
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–	–	–		
–	–	–		
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RIVERPARK RETAIL 9 BUILDING
10620 SOUTH RIVER FRONT PARKWAY
SOUTH JORDAN, UTAH 84095

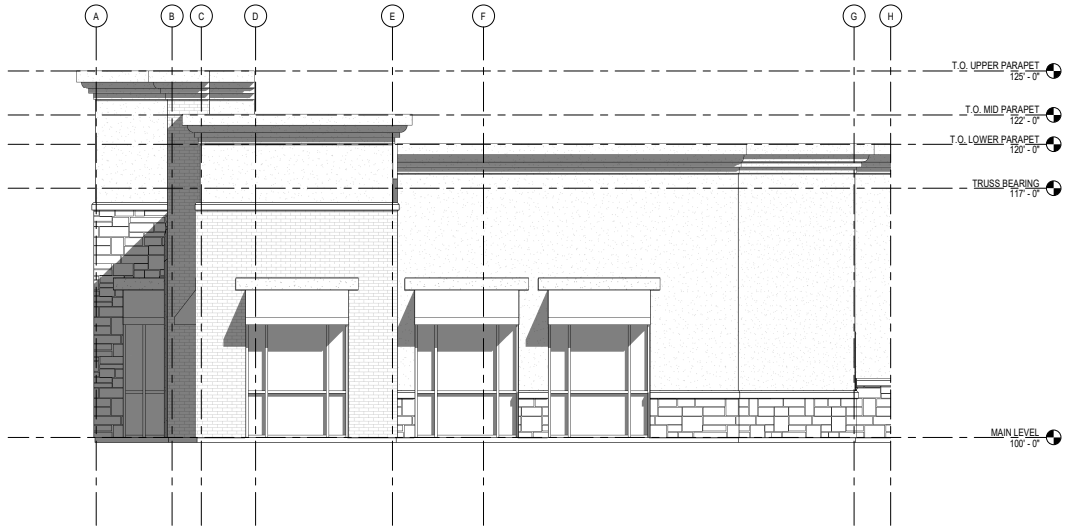
beecherwalker
Architecture/Interiors
o. 801.438.9500
f. 801.438.9501
3115 EAST LION LANE, #200
HOLLADAY, UTAH 84121
BEECHERWALKER.COM

PROJECT NUMBER 1492.2021
DRAWN BY SM
CHKD BY RG
DESIGN DEVELOPMENT

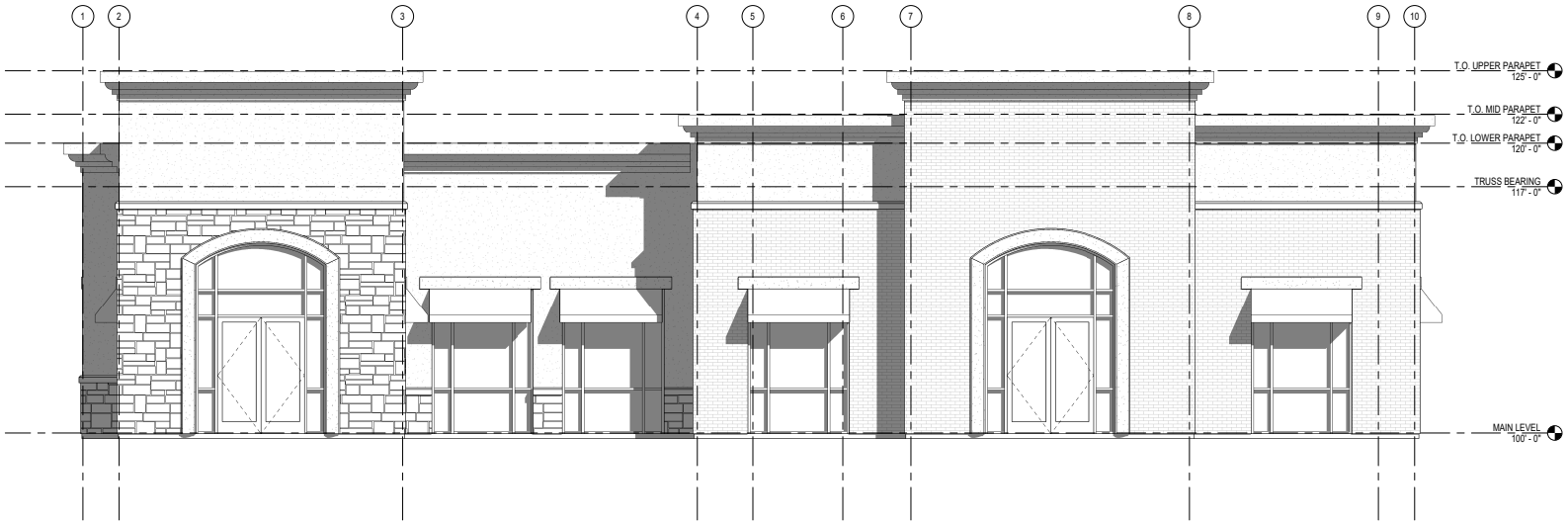
ARCHITECTURAL SITE PLAN

DRAWING NUMBER AS101

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C3 / A201 EAST ELEVATION
1/4" = 1'-0"



A1 / A201 SOUTH ELEVATION
1/4" = 1'-0"

ELEVATION GENERAL NOTES:

A. SEE A600 SERIES SHEETS FOR DOOR AND WINDOW TYPE ELEVATIONS.
B. COORDINATE WINDOW HEIGHTS WITH WINDOW TYPE ELEVATIONS AND EXTERIOR
C. USE IMPACT RESISTANT EIFS WITHIN 48" OF SIDEWALKS AND BUILDING ENTRANCES

ELEVATION GENERAL NOTES:

A. SEE A600 SERIES SHEETS FOR DOOR AND WINDOW TYPE ELEVATIONS.
B. COORDINATE WINDOW HEIGHTS WITH WINDOW TYPE ELEVATIONS AND EXTERIOR ELEVATIONS.
C. MECHANICAL CONTRACTOR TO COMBINE FACE PLATES FOR DRYER VENT AND EXHAUST ON EXTERIOR OF BUILDING.
D. STUCCO CONTROL JOINTS TO BE PLACED AS SHOWN ON ELEVATIONS BUT NO LENGTH SHOULD BE GREATER THAN 18 FT. IN EITHER DIRECTION BETWEEN JOINTS.
E. NO STUCCO PANEL SHOULD EXCEED 144 SQ. FT. FOR VERTICAL APPLICATION.
F. NO STUCCO PANEL SHOULD EXCEED 100 SQ. FT. FOR HORIZONTAL, CURVED, OR ANGULAR SECTIONS.
G. NO STUCCO PANEL LENGTH-TO-WIDTH RATIO SHOULD EXCEED 2 1/2:1 IN A GIVEN PANEL.
H. A STUCCO CONTROL JOINT SHOULD BE PLACED AT EACH HORIZONTAL FLOOR SUBSTRATE FRAMING CHANGE.

GLAZING LEGEND

G1 — 1" INSULATED CLEAR GLAZING
G2 — 1" INSULATED CLEAR TEMPERED GLAZING
G3 — SPANDREL GLAZING PANEL
G4 — 1/2" CLEAR BUTT GLAZING
G5 — 1/2" INSULATED CLEAR TEMPERED BUTT GLAZING

EXTERIOR MATERIALS LEGEND

EIFS: MANUFR, COLOR
BRICK: MANUFR, COLOR
CLEAR GLASS: MANUFR, COLOR
SPANDREL GLASS: MANUFR, COLOR

KEYNOTE LEGEND

MARK	ISSUE DESCRIPTION	ISS. DATE	#	REV. DESCR.
D				

RIVERPARK RETAIL 9 BUILDING
10620 SOUTH RIVER FRONT PARKWAY
SOUTH JORDAN, UTAH 84095

beecherwalker
Architecture/Interiors
o. 801.438.9500 | 315 EAST LION LANE #200 | HOLLADAY, UTAH 84121
f. 801.438.9501 | BEECHERWALKER.COM

PROJECT NUMBER
Project Number

DWN BY	CHKD BY
SM	RG

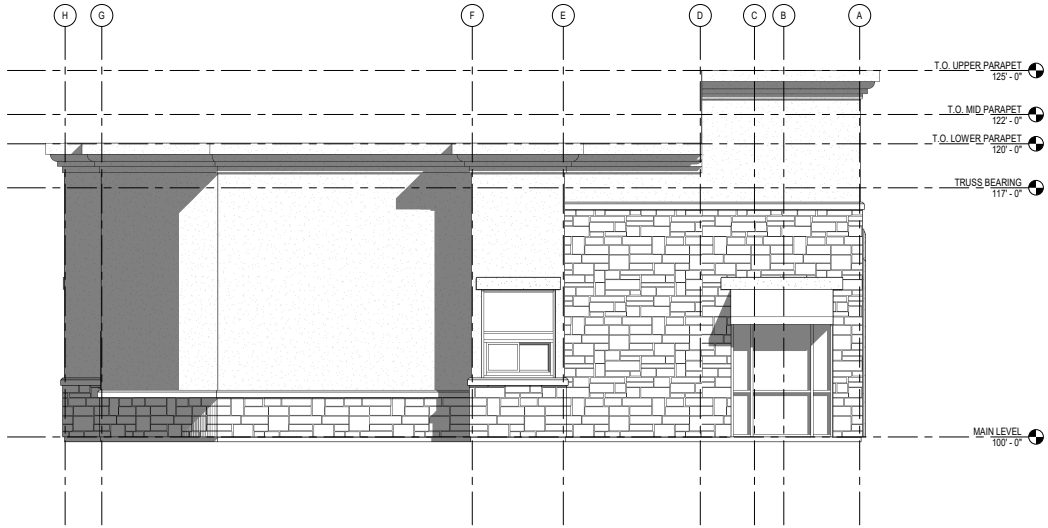
DESIGN DEVELOPMENT

EXTERIOR ELEVATIONS

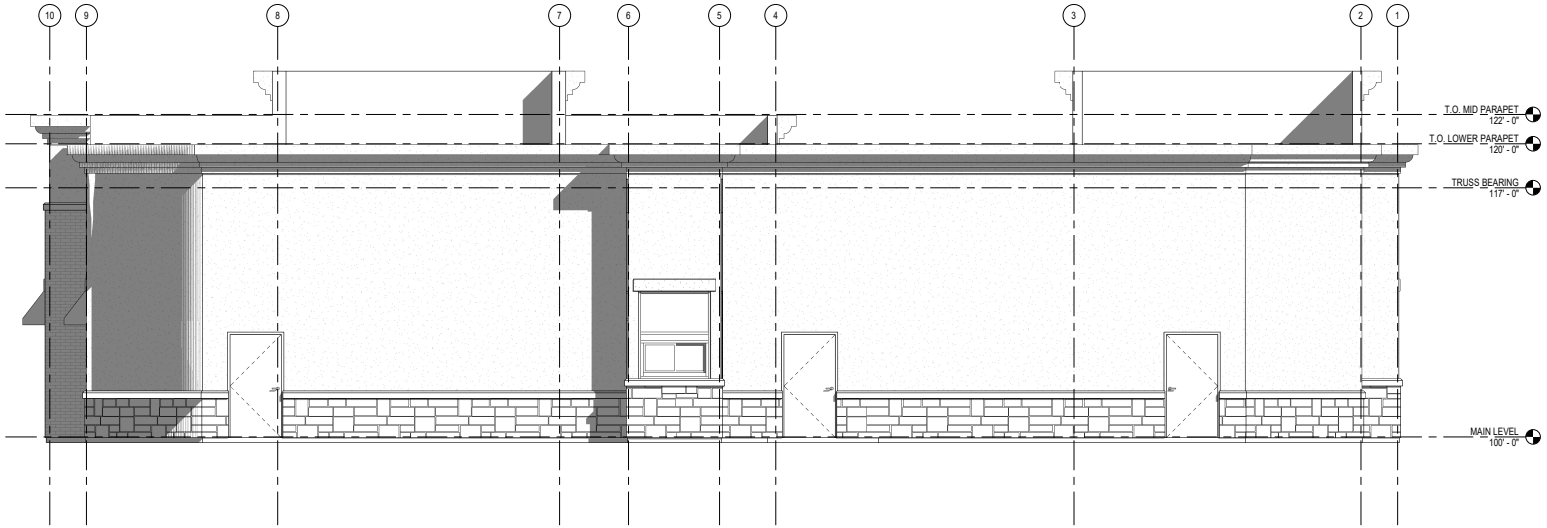
DRAWING NUMBER
A201

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The ideas and designs incorporated herein, as an instrument of service, are the property of BEECHER WALKER ASSOCIATES, LC and shall be used in connection with the construction of the project shown herein and are not to be used, in whole or in part, for any other project without the written permission of BEECHER WALKER ASSOCIATES, LC.



C3 / A202 WEST ELEVATION
1/4" = 1'-0"



A1 / A202 NORTH ELEVATION
1/4" = 1'-0"

ELEVATION GENERAL NOTES:

A. SEE A600 SERIES SHEETS FOR DOOR AND WINDOW TYPE ELEVATIONS.
B. COORDINATE WINDOW HEIGHTS WITH WINDOW TYPE ELEVATIONS AND EXTERIOR
C. USE IMPACT RESISTANT EIFS WITHIN 48" OF SIDEWALKS AND BUILDING ENTRANCES

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EIFS: MANUFR, COLOR
BRICK: MANUFR, COLOR
CLEAR GLASS: MANUFR, COLOR
SPANDREL GLASS: MANUFR, COLOR

KEYNOTE LEGEND

#	REV. DESCR	ISS. DATE	ISSUE DESCRIPTION	MARK

RIVERPARK RETAIL 9 BUILDING
10620 SOUTH RIVER FRONT PARKWAY
SOUTH JORDAN, UTAH 84095

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f. 801.438.9501

PROJECT NUMBER
Project Number
DWN BY: SM | CHKD BY: RG

DESIGN DEVELOPMENT

EXTERIOR ELEVATIONS

DRAWING NUMBER
A202

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LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

Project Name/Number	River Park RET9 Rezone

Planner Assigned	Damir Drozdek
Engineer Assigned	Jared Francis

The Engineering Department has reviewed this application and has the following comments:

Transportation: ***(Provide a brief description of the access, transportation master plan and how this change affects Master Plan, condition/status of existing roadways. Determine whether a Traffic Study should be completed)***

The subject property will be accessed from River Front Parkway, through shared drive aisles which are part of the surrounding commercial development.

Culinary Water: ***(Provide a brief description of the water servicing the area, look into deficiencies, and determine if water modeling needs to be performed at this time, look at Water Master Plan and evaluate the change to the Master Plan)***

There is an existing City owned, 8" water main running across the frontage of the undeveloped property. Fire hydrants will be required on site as per City standards.

Secondary Water: ***(Provide a brief description of the secondary water servicing the area, briefly look into feasibility)***

There doesn't appear to be a City owned secondary water system adjacent to the project site. If the proposed zoning is approved, a secondary water feasibility study will not be required.

Sanitary Sewer: ***(Attach letter from South Valley Sewer stating that this zone/land use change does not affect service and that any future project can be services by the District)***

Connection requirements will be determined by the South Valley Sewer District.

Storm Drainage: ***(How will this area be services for storm drainage, kept on site, Master Storm Plan, etc. any other issues with drainage)***

In order to comply with State and City guidelines, the proposed development must retain on site, through use of approved low impact development devices and best management practices, all rainfall events less than or equal to the 80th percentile rainfall event. There is a shared commercial development storm drain system throughout the adjacent parking areas. The development will either need to retain all of its storm water on site or tie into this storm drain system to accommodate storm events greater than the 80th percentile.

Other Items: ***(Any other items that might be of concern)***

Report Approved:

Jared Francis
Development Engineer

11/3/2021
Date

Brad Klavano
Brad Klavano, PE, PLS
Director of Development Services/City Engineer

11/3/2021
Date

Project Analysis

Project: I Riverpark

October 27, 2021

Scenario Descriptions

Scenario 1: No Change (P-O)

Professional Office - P-O

Scenario 2: C-C

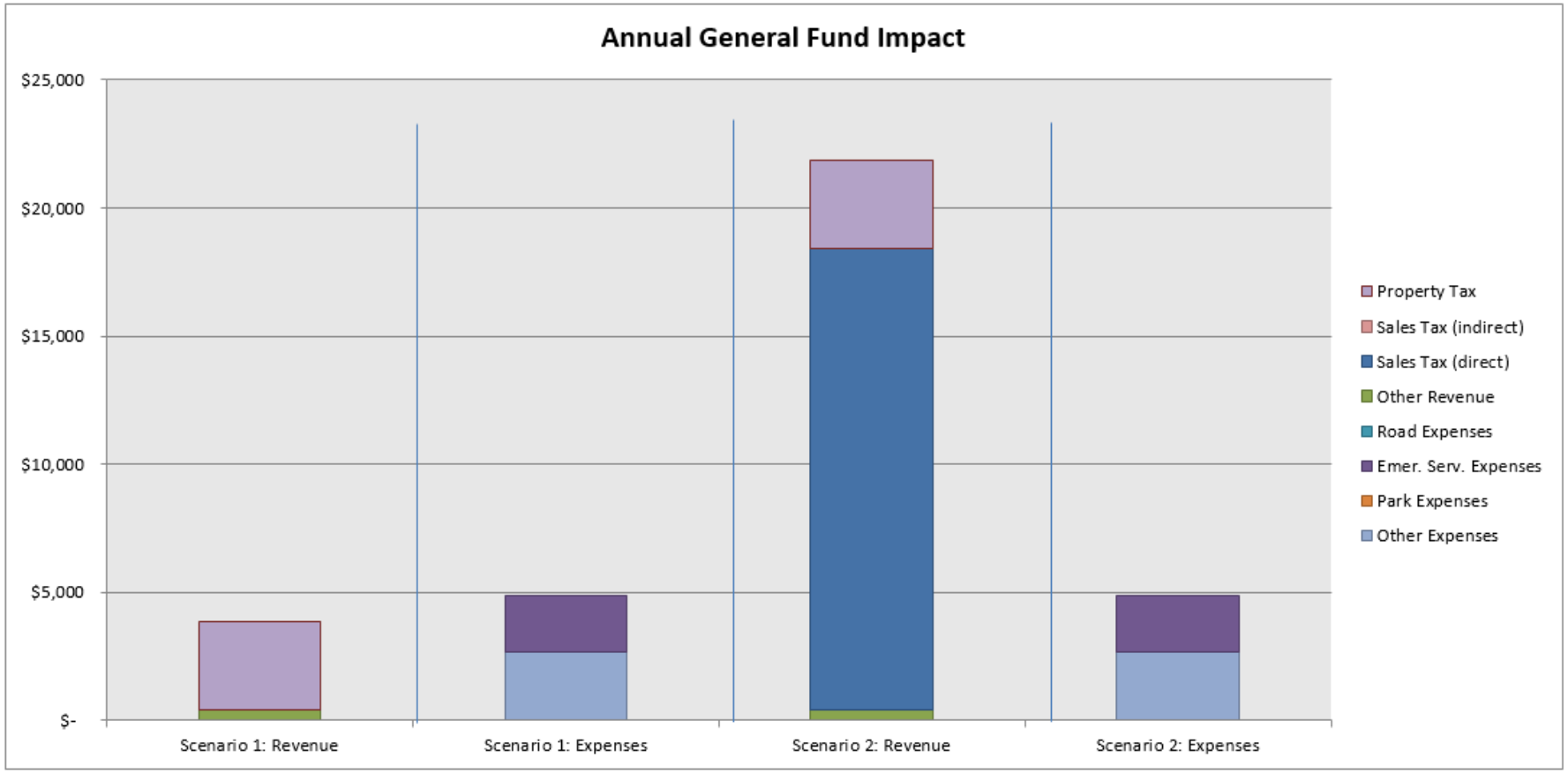
Commercial - C-C

Financial Summary by Scenario

Direct Impact (General Fund)	No Change (P-O)	C-C
Revenue	**$ 3,870**	**$ 21,860**
Property Tax	$ 3,459	$ 3,459
Sales Tax (direct)	$ 10	$ 18,000
Other	$ 400	$ 400
Expenses	**$ 4,871**	**$ 4,871**
Roads	$ -	$ -
Emergency Serv.	$ 2,185	$ 2,185
Parks	$ -	$ -
Other	$ 2,686	$ 2,686
Total	**$ (1,002)**	**$ 16,988**
Per Acre	$ 2,909.47	$ 16,435.78
Per Unit	$ -	$ -
Per Person	$ -	$ -
Indirect Impact		
Potential Retail Sales	**$ -**	**$ -**
Sales Tax (indirect)	$ -	$ -

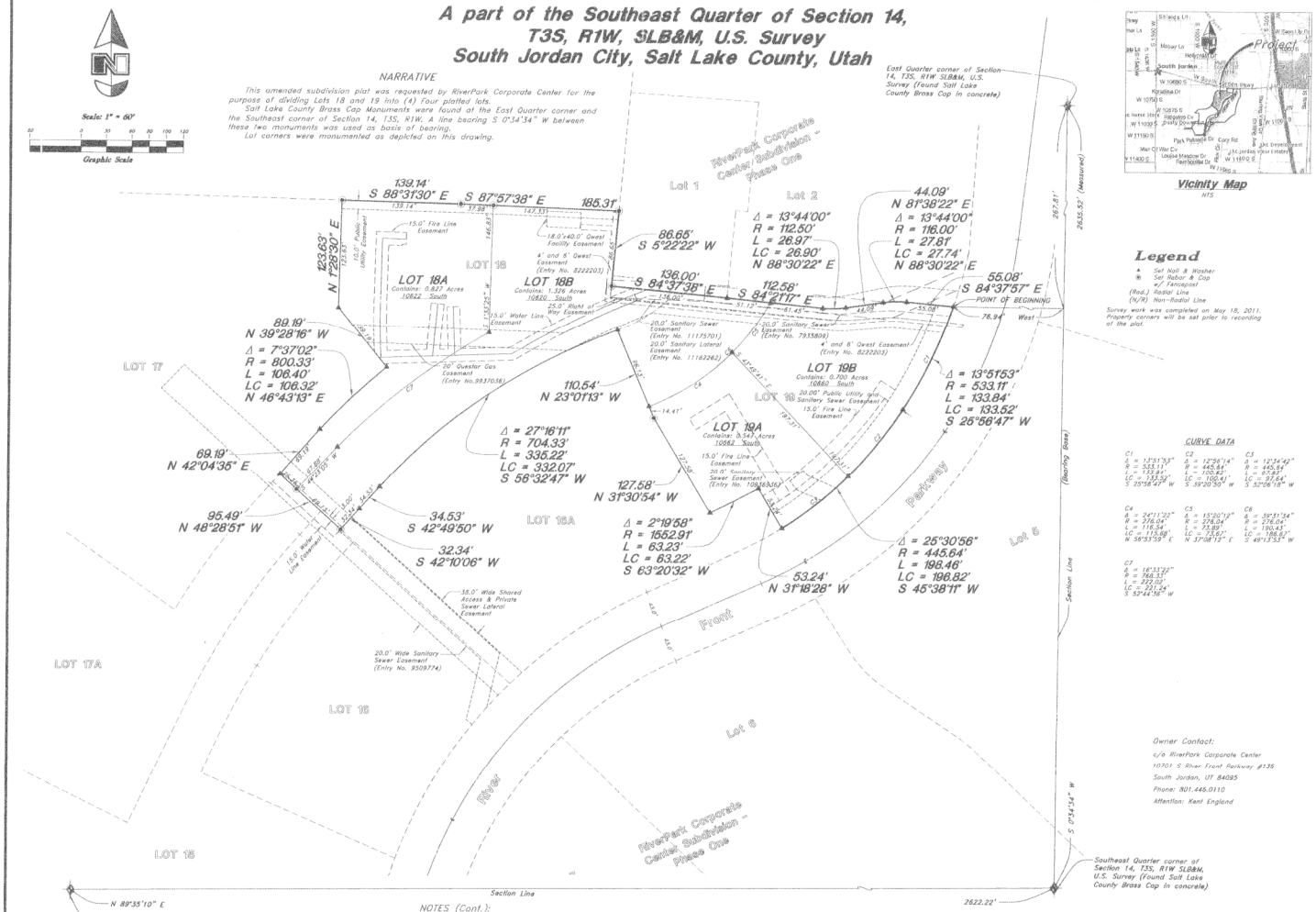
*Other Revenue - Includes Permits, Licenses, Motor Vehicle Tax, Energy Sales & Use Tax, Telecommunications Tax, and Cable Franchise Tax.

** Other Expense - Includes all other General Fund Expenses excluding Roads, Emergency Services, and Parks.


Annual General Fund Impact
$25,000
$20,000
$15,000
$10,000
$5,000
$-
Scenario 1: Revenue
Scenario 1: Expenses
Scenario 2: Revenue
Scenario 2: Expenses
Property Tax
Sales Tax (indirect)
Sales Tax (direct)
Other Revenue
Road Expenses
Emer. Serv. Expenses
Park Expenses
Other Expenses

RiverPark Corporate Center Subdivision - Retail Phase Two Lots 18 & 19 Amended

A part of the Southeast Quarter of Section 14, T3S, R1W, SLB&M, U.S. Survey South Jordan City, Salt Lake County, Utah



NARRATIVE

This amended subdivision plat was requested by RiverPark Corporate Center for the purpose of dividing Lots 18 and 19 into (4) Four platted lots.
Salt Lake County Brass Cap Monuments were found at the East Quarter corner and the Southeast corner of Section 14, T3S, R1W. A line bearing S 0°34'34" W between these two monuments was used as basis of bearing.
Lot corners were monumented as depicted on this drawing.

Legend

- ▲ Set Nail & Washer
- ● Set Rebar & Cap w/ Fencepost
- (Rad.) Radial Line
- (N/R) Non-Radial Line

Survey work was completed on May 18, 2011. Property corners will be set prior to recording of the plat.

CURVE DATA

C1 Δ = 13°51'53" R = 533.11' L = 133.84' LC = 133.52' S 25°56'47" W	C2 Δ = 12°56'14" R = 445.64' L = 100.62' LC = 100.41' S 39°20'50" W	C3 Δ = 12°34'42" R = 445.64' L = 97.83' LC = 97.64' S 52°06'18" W
C4 Δ = 24°11'22" R = 276.04' L = 116.54' LC = 115.68' N 58°53'58" E	C5 Δ = 15°20'12" R = 276.04' L = 73.89' LC = 73.67' N 37°08'12" E	C6 Δ = 39°51'34" R = 276.04' L = 190.43' LC = 186.62' S 49°13'53" W
C7 Δ = 16°33'22" R = 768.33' L = 222.02' LC = 221.24' S 82°44'16" W		

Owner Contact:
c/o RiverPark Corporate Center
10701 S River Front Parkway #135
South Jordan, UT 84095
Phone: 801.446.0110
Attention: Kent England

SURVEYOR'S CERTIFICATE

I, Andy Hubbard, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah, and that I hold Certificate No. 6242920 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Licensing Act. I also certify that this plat of RiverPark Corporate Center Subdivision – Retail Phase Two Lots 18 & 19 Amended in South Jordan City, Salt Lake County, Utah has been correctly drawn to the designated scale and is a true and correct representation of the following description of lands included in said subdivision, based on data compiled from records in the Salt Lake County Recorder's Office, and of a survey made on the ground in accordance with Section 17-23-17. Monuments have been set as depicted on this drawing.

9-6-2011
No. 6242920
ANDY HUBBARD
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF UTAH

OWNERS' DEDICATION

We, the undersigned owners of the hereon described tract of land, hereby set apart and subdivide the same into lots as shown on this plat, and name said tract RiverPark Corporate Center Subdivision – Retail Phase Two Lots 18 & 19 Amended, and hereby dedicate, to South Jordan City, a Utah municipal corporation, those certain strips as easements for public utility purposes as shown hereon, the same to be used for the installation, maintenance, and operation of public utility service lines, as may be authorized by South Jordan City.

Signed this 15 day of September 2011.

RiverPark Retail Seven, LLC,
by its Manager
RiverPark Retail Two, LLC,
by its Manager
RiverPark Holdings, LLC
By: David S. Layton, Manager

RiverPark Retail Ten, LLC,
by its Manager
RiverPark Retail Two, LLC,
by its Manager
RiverPark Holdings, LLC
By: David S. Layton, Manager

U.S. Bank National Association
By:
Its: Vice President

ACKNOWLEDGMENT

State of Utah
County of Salt Lake } ss

The foregoing instrument was acknowledged before me this 15th day of September 2011, by David S. Layton, the Manager of RiverPark Holdings, LLC, the Manager of RiverPark Retail Two, LLC, the Manager of RiverPark Retail Seven, LLC.

Residing at: Salt Lake County
Roberta Rowan
A Notary Public commissioned in Utah
Commission Expires: 9-9-2012
Roberta Rowan
Print Name

ACKNOWLEDGMENT

State of Utah
County of Salt Lake } ss

The foregoing instrument was acknowledged before me this 15th day of September 2011, by David S. Layton, the Manager of RiverPark Holdings, LLC, the Manager of RiverPark Retail Two, LLC, the Manager of RiverPark Retail Ten, LLC.

Residing at: Salt Lake County
Roberta Rowan
A Notary Public commissioned in Utah
Commission Expires: 9-9-2012
Roberta Rowan
Print Name

ACKNOWLEDGMENT

State of Utah
County of Salt Lake } ss

The foregoing instrument was acknowledged before me this 12th day of October 2011, by Kimball Gabbott the Vice President of U.S. Bank National Association.

Residing at: Salt Lake County
A Notary Public commissioned in Utah
Commission Expires:
Print Name

BOUNDARY DESCRIPTION

All of Lots 18 & 19 RiverPark Corporate Center Subdivision – Retail Phase Two, a recorded subdivision located in South Jordan City, Salt Lake County, Utah, according to the official plat thereof.

NOTES:
1. Easements indicated by dashed lines, unless otherwise shown.
2. Surveyor and or engineer, certifies that all known or recorded easements, claims of easements or encumbrances listed in the title report dated July 29, 2011 prepared by First American Title Insurance Agency are shown on this plat. Owner further certifies that the legal description of the property referenced in the title report matches the description shown on this plat.

NOTES (Cont.):
3. Many areas in South Jordan City have ground water problems due to a high or fluctuating water table. Approval of this plat does not constitute representation by the City that the building of any specific elevation will solve groundwater problems, if any.
4. Potential purchasers of property legally described by this plat are advised to familiarize themselves with all notes, lat information, easements and other pertinent information contained on this plat and also with any Conditions, Covenants and Restrictions (CC&R) documents recorded against land legally described by this plat. Failure to adhere to these notes, easements, CC&R's or other documents recorded against the land could result in financial losses to or changes in expected property use of the property owner. Property owners and purchasers are responsible to review and to be in compliance with all notes, easements, CC&R's, and other recorded documents related to this plat, as currently existing or as may from time to time be changed and/or amended.

"The signature of South Valley Sewer District on this plat does not constitute any guarantee of availability of sanitary sewer service to the property or any approval of sewer lines or facilities. The owner(s) of the property must provide satisfactory plans to the Sewer District for review and approval before connecting to the District's sewer system and will be required to comply with the District's rules and regulations."

GREAT BASIN ENGINEERING INC
5746 SOUTH 1475 EAST OGDEN, UTAH 84403
MAIN (801)394-4515 S.L.C (801)521-0222 FAX (801)392-7544
WWW.GREATBASINENGINEERING.COM

W:\Riverpark Subdivision Plats\Ret Phase 2 Plat Ammended 8-4-2011.dwg, 9/8/2011 9:15:44 AM, Rebecca, 1:1

SALT LAKE COUNTY FLOOD CONTROL

Approved as to form this 28th day of October, A.D. 2011
ECS
Salt Lake County Flood Control
Re-Review Not Required! Sidwell 27-14-42

SALT LAKE COUNTY HEALTH DEPARTMENT

Approved as to form this 14 day of December, A.D. 20 11
Salt Lake County Health Department

SOUTH VALLEY SEWER DISTRICT

Approved as to form this 12 day of Dec, A.D. 20 11
South Valley Sewer District

SOUTH JORDAN CITY MAYOR

Approved as to form this 29th day of December, A.D. 20 11
Attest: City Clerk
Mayor
27-14-476-079 6030
27-14-47

SOUTH JORDAN CITY ENGINEER

Approved as to form this 22 day of December, A.D. 20 11
South Jordan City Engineer

SOUTH JORDAN CITY COMMUNITY DEVELOPMENT DEPARTMENT

Approved this 22nd day of December, 2011, by the South Jordan City Community Development Director.
South Jordan City Community Development Director.

OFFICE OF THE CITY ATTORNEY

Approved as to form this 29th day of DECEMBER, A.D. 20 11
Attorney for South Jordan City

RECORDED # 10970406
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
DATE
TIME
FEE
BOOK
PAGE
3498

RIVER PARK CORPORATE CENTER SUBDIVISION RETAIL PHASE TWO LOTS 18 & 19 AMENDED

SHEET 1 OF 1

ORDINANCE NO. 2021-11-Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT 10620 S. RIVER FRONT PARKWAY FROM THE P-O ZONE TO THE C-C ZONE.

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

WHEREAS, the Applicant, Gina Jensen, proposed that the City Council amend the Zoning Map by rezoning the property described in the attached Exhibit A; and

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

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

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

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

SECTION 1. Rezone. The property described in Application PLZBA202100246 located in the City of South Jordan, Utah is hereby reclassified from the P-O Zone to the C-C Zone on property described in the attached **Exhibit A**.

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

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

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

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____ Attest: _____

Dawn R. Ramsey City Recorder

Approved as to form:

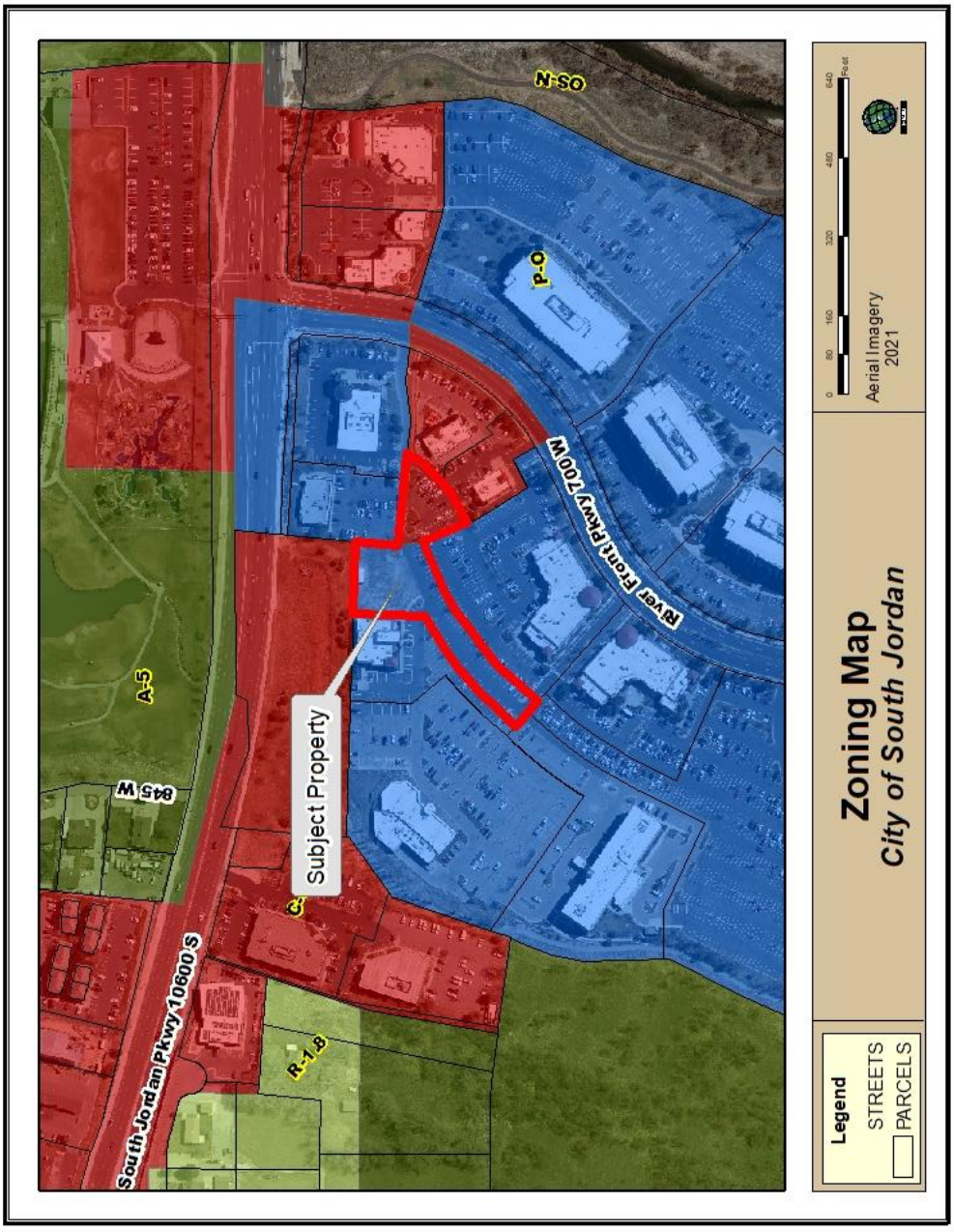
Gregory M Simonsen
Gregory M Simonsen (Dec 1, 2021 11:36 MST)

Office of the City Attorney

EXHIBIT A

(Property Description)

Remainder of Lot 18B of the RiverPark Corporate Center Subdivision – Retail Phase Two Lots 18 & 19 Amended (Parcel No. 27-14-426-043)



SOUTH JORDAN CITY
CITY COUNCIL REPORT

Meeting Date: 12/07/2021

Issue: DAYBREAK VILLAGE 9 PLAT 1 DOCKSIDER DRIVE RIGHT-OF-WAY VACATION
Address: 6670 West 11420 South
File No: PLPP202100162
Applicant: Daybreak Communities

Submitted by: Greg Schindler, City Planner
Presented by: Steven Schaefermeyer, Director of Planning

Staff Recommendation (Motion Ready):

- I move to **Approve** Ordinance 2021-21 vacating a portion of right-of-way along the south side of Docksider Drive east of Watercourse Road.

CURRENT LU DESIGNATION	Residential Development Opportunity (RDO)
CURRENT ZONING	Planned Community (PC)
CURRENT USE	Public Street
ADJACENT LAND USES	Currently Vacant – Future Residential Lots

BACKGROUND:

The applicant, Larry H. Miller Real Estate, petitioned the City to vacate a portion of right-of-way (ROW) along the south side of Docksider Drive. The ROW that is proposed to be vacated is a 5 ft. wide section running east of Watercourse Road for approximately 172 ft. (Total area 881 sq. ft.). The plat establishing the Docksider Drive ROW was the Daybreak West Villages Roadway Dedication Plat that was recorded in August of 2019. On that plat the ROW width of the section of Docksider Dr. as it approaches Watercourse Rd. from the east is 65 ft. and west of Watercourse Rd. is 60 ft. wide.

If the ROW vacation is approved, the property will be deeded to the adjacent property owner, VP Daybreak Devco LLC and eventually become part of lots 146 and 147 of the Daybreak Village 9 Plat 1 subdivision that was approved by the Planning Commission on November 9, 2021. Currently, there are no improvements located within the part of the ROW proposed to be vacated.

The attached exhibit titled, Proposed Right of Way Adjustment @ Lots 146 & 147, shows future development of a 10 ft. wide waterfront trail to be constructed with the Daybreak Watercourse open space area. It is intended that this 10 ft. wide trail will terminate as it approaches Lot 146 from the east. From this point the trail will transition to the standard 5 ft. wide sidewalk adjacent to residential lots.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Utah Code § 10-9a-609.5(3) provides standards of approval for vacating a public easement:
  The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street, right-of-way, or easement if the legislative body finds that:
  (a) good cause exists for the vacation; and
  (b) neither the public interest nor any person will be materially injured by the vacation.
- Staff finds that there is good cause for vacating the right-of-way for the following reasons:
  - Roadway and sidewalk alignment benefits both vehicular traffic and pedestrians.

  - A 5 ft. wide sidewalk rather than a 10 ft. wide trail adjacent to lots 146 & 147 will provide for increased separation between pedestrian travel and the homes on the lots.
- No public interest or any person will be materially injured by the vacation of this segment of the right-of-way since it is currently undeveloped and its future development will meet City of South Jordan standards.

Conclusion:

- The proposed vacation of this segment of the right-of-way meets the requirements of Utah Code.

Recommendation:

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

FISCAL IMPACT:

- There are no significant fiscal impacts.

ALTERNATIVES:

- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Location Map
- Proposed Subdivision Showing ROW Vacation
- Proposed Right of Way Adjustment @ Lots 146 & 147 Exhibit
- Ordinance 2021-21

Approved by:

Steven Schaefermeyer
Steven Schaefermeyer (Dec 1, 2021 13:14 MST)

Steven Schaefermeyer.
Director of Planning

December 1, 2021
Date

WHEN RECORDED RETURN TO:

CITY OF SOUTH JORDAN
ATTN: PLANNING DEPARTMENT
1600 W TOWNE CENTER DRIVE
SOUTH JORDAN, UT 84095

ORDINANCE 2021-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, VACATING A PORTION OF RIGHT-OF-WAY ALONG THE SOUTH SIDE OF DOCKSIDER DRIVE IMMEDIATELY EAST OF WATERCOURSE ROAD (11420 S. 6680 W.).

WHEREAS, Utah Code §§ 10-9a-608, 609, and 609.5 require that any vacation of some or all of a public street, right-of-way, or easement, including those recorded by subdivision plat, within the City of South Jordan (the "City") may only be approved by the City Council of the City of South Jordan (the "City Council"); and

WHEREAS, Larry H. Miller Real Estate (the "Applicant"), petitioned the City to vacate an 881 sq. ft. section of Docksider Drive, an existing Right-of-Way ("ROW") that runs adjacent to the Applicant's property; and

WHEREAS, the City Council held a public hearing to consider Applicant's petition to vacate the portion of ROW; and

WHEREAS, pursuant to Utah Code § 10-9a-609.5(3), the City Council finds that there is good cause to vacate the said ROW and that neither the public interest nor any person will be materially injured by vacating the ROW.

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

SECTION 1. Grant of Petition to Vacate. The City Council hereby grants the Applicant's petition to vacate the portion of ROW by adopting this Ordinance, more particularly shown on the attached **Exhibit A**.

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 upon recordation of this Ordinance or a subdivision plat showing the vacation of ROW along the south side of the existing road.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2021 BY THE FOLLOWING VOTE:

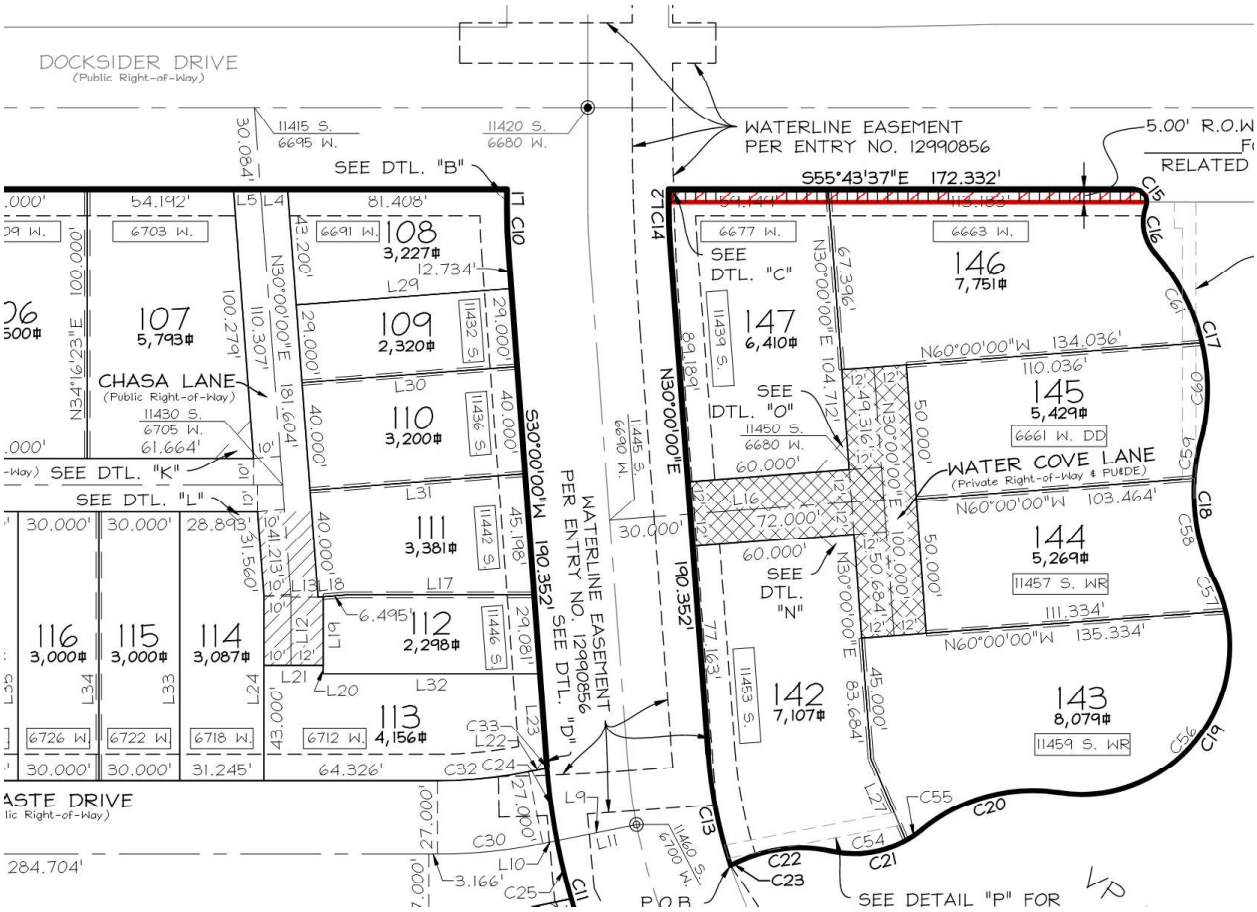
	YES	NO	ABSTAIN	ABSENT
Patrick Harris	____	____	____	____
Bradley Marlor	____	____	____	____
Donald Shelton	____	____	____	____
Tamara Zander	____	____	____	____
Jason McGuire	____	____	____	____

Mayor: _____ Attest: _____
Dawn R. Ramsey

Approved as to form:

Gregory Simonsen (Dec 2, 2021 19:40 MST)
_____
Office of the City Attorney

Exhibit A



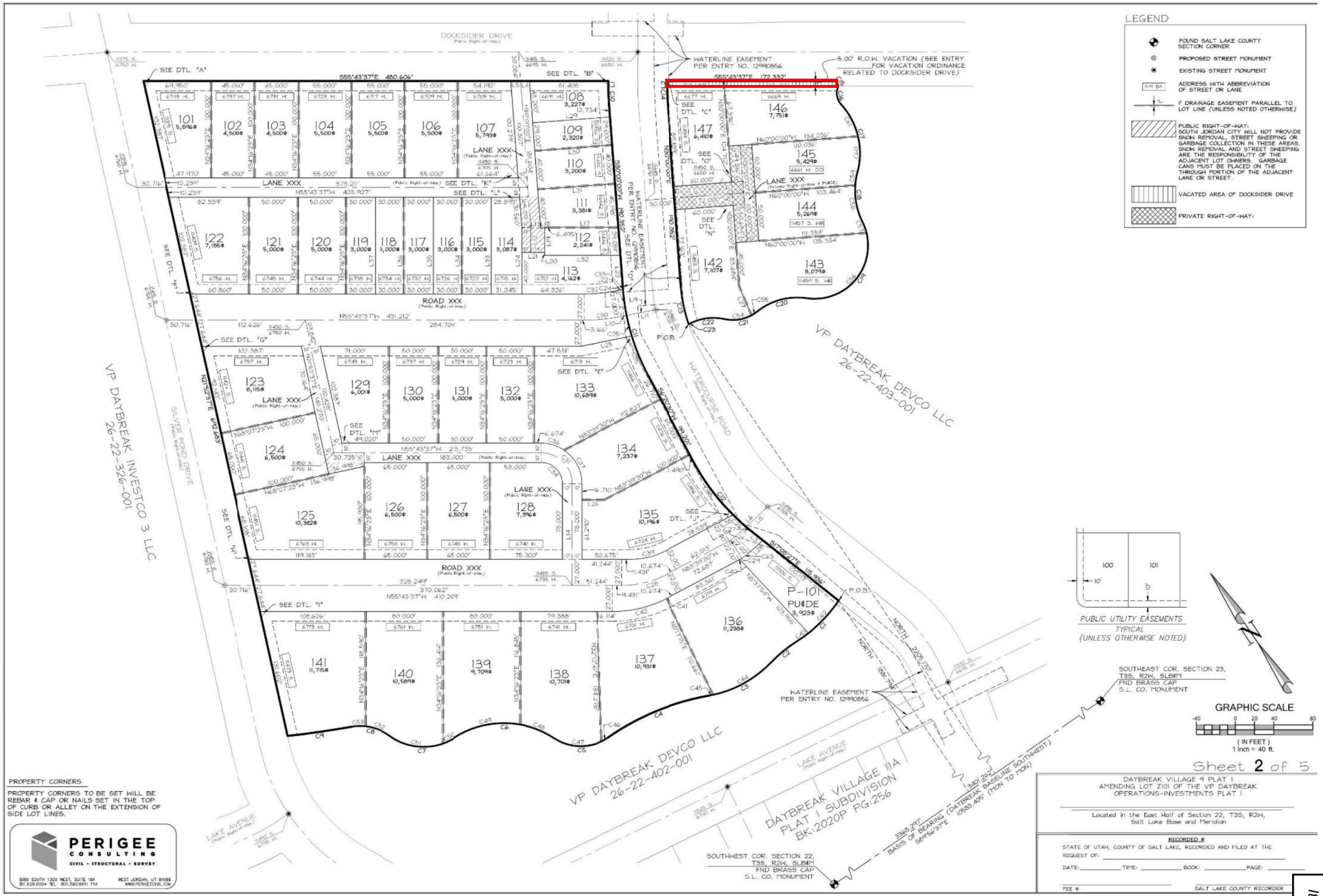
Docksider Drive Vacation Area

Beginning at the intersection of the Southeasterly Right-of-Way Line of Watercourse Road and the Southwesterly Right-of-Way Line of Docksider Drive, said point lies South 89°56'37" East 3520.850 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 2421.580 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 34°16'23" East 5.000 feet; thence South 55°43'37" East 172.332 feet to a point on a 5.000 foot radius tangent curve to the right, (radius bears South 34°16'23" West, Chord: South 10°43'37" East 7.071 feet); thence along the arc of said curve 7.854 feet through a central angle of 90°00'00" to said Southwesterly Right-of-Way Line of Docksider Drive; thence along said Docksider Drive North 55°43'37" West 177.332 feet to the point of beginning.

Property contains 0.020 acres, 881 square feet.



Location Map



PROPERTY CORNERS

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

PERIGEE CONSULTING
CIVIL · STRUCTURAL · SURVEY
3989 SOUTH 1300 WEST, SUITE 104 WEST JORDAN, UT 84088
801.828.6004 TEL 801.590.6811 FAX WWW.PERIGEECIVIL.COM

Sheet 2 of 5

DAYBREAK VILLAGE 9 PLAT 1
AMENDING LOT Z101 OF THE VP DAYBREAK OPERATIONS-INVESTMENTS PLAT 1

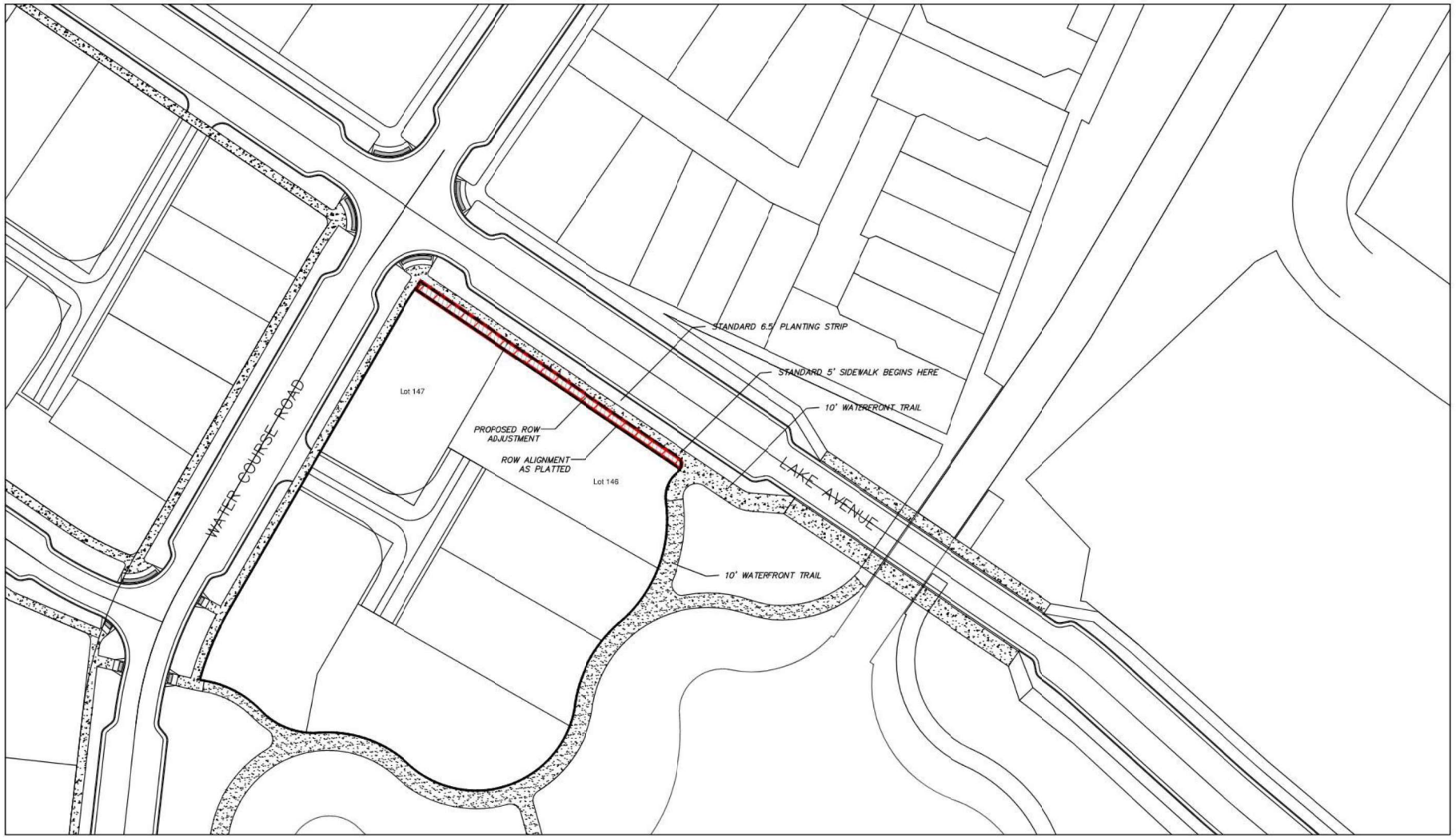
Located in the East Half of Section 22, T3S, R2W, Salt Lake Base and Meridian

RECORDED #

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

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

FEE $ _____ SALT LAKE COUNTY RECORDER



Lary H. Miller REAL ESTATE

Proposed Right of Way Adjustment @ Lots 146 & 147

Village 9 Plat 1

For Consistency with Standard Street Detailing

22 November 2021

0' 25' 500'

HODGES DESIGN
Community Design and Land Planning

SOUTH JORDAN CITY
REDEVELOPMENT AGENCY BOARD OF DIRECTORS REPORT

Meeting Date: 12/07/2021

Application: **Southwest Quadrant Urban Center Survey Area**

Location: Daybreak

Applicant: Brad Holmes, President Larry H. Miller Real Estate

Submitted By: Brian A. Preece, Director of City Commerce
J. Craig Smith, Legal Counsel for the SJC RDA
Presented By: Brian A. Preece, Director of City Commerce

Staff Recommendation (Motion Ready): Based on the staff report and other information presented to the RDA Board, I move that the City Council **Approve Resolution RDA2021-06**, creating the Southwest Quadrant Urban Center Survey Area and authorizing the RDA Staff, Consultants, Legal Counsel and Applicant to proceed to study the Survey Area to provide necessary information to the Board and to prepare the required documents needed to further investigate the viability of the creation of the Southwest Quadrant Urban Center Community Reinvestment Project Area, as outlined in said Resolution RDA2021-06.

STANDARD OF APPROVAL

Utah Code Annotated 17C-5-103. Initiating a community reinvestment project area plan.

(1) Subject to Subsection (2), a board shall initiate the process of adopting a community reinvestment project area plan by adopting a survey area resolution that:

(a) designates a geographic area located within the agency's boundaries as a survey area;

(b) contains a description or map of the boundaries of the survey area;

(c) contains a statement that the survey area requires study to determine whether project area development is feasible within one or more proposed community reinvestment project areas within the survey area; and

(d) authorizes the agency to:

(i) prepare a proposed community reinvestment project area plan for each proposed community reinvestment project area; and

(ii) conduct any examination, investigation, or negotiation regarding the proposed community reinvestment project area that the agency considers appropriate.

BACKGROUND

Larry H. Miller Real Estate (the "Applicant") is proposing to create an *Urban Center* in the general area of (also, see Exhibit A of the attached Resolution RDA2021-06):

1. Daybreak Parkway on the South;
2. Bingham Rim Road on the North;
3. Lake Run Road on the East; and
4. Prosperity Road and Kitty Hawk Road on the West.

In order to expedite and attract a higher standard of development than would happen if left to general market forces and to help finance public infrastructure, the Applicant is asking the City and RDA to create a Community Reinvestment Project Area. The adoption of Resolution RDA2021-06 would allow City and RDA staff, consultants and the Applicant to investigate and create the Draft Project Area Plan (the "Plan") and Project Area Budget (the "Budget"). The Draft Plan and Budget, once completed, will be brought back the City Council and RDA Board of Directors for their consideration and potential approval. The Draft Plan and Budget will be scheduled for a public hearing and be available for inspection by the public at the South Jordan City Hall during regular business hours for at least 30 days before said public hearing.

The approval of the Survey Area and the creation of the Draft Plan and the Budget, in no way commits the City or any of the Taxing Entities within the Survey Area Boundary to participate in the Project Area, should it later be approved by the RDA Board and City Council.

FINDINGS, CONCLUSIONS & RECOMMENDATIONS

FINDINGS:

Infrastructure Analysis:
The area is primarily surrounded by public infrastructure, but public infrastructure is primarily absent within the Survey Area Boundary. The cost to plan, design and building the public infrastructure would partially be borne by the Tax Increment created by the development. Any Tax Increment payments to the Applicant would be made only after the Applicant has developed the portions of the property and taxable projects completed in phases. In other words, this is a Post-Performance proposal and no incentives or other payments will be made ahead of property being developed within the Project Area and the payment of increased property taxes made by the property owners.

Fiscal Analysis:
The City's RDA Staff, Financial Consultants, Legal Counsel and Finance Department will be monitoring and reviewing all studies and proposed plans and will conduct a fiscal analysis that compares current conditions with data provided by the Applicant based the Draft Project Area Plan in order to determine a Draft Budget for the anticipated Tax increment Financing over the life of the Project Area.

CONCLUSION:
Based on the findings listed above, Staff concludes that:

- The proposed Resolution RDA-2021-06 meets the requirements of UCA 17C-5-103 for the first step of creating a Community Reinvestment Area by approving the Survey Area and granting permission to proceed with the steps necessary for the Board to later consider whether to create one or more Project Areas within the Survey Area.
- The Applicant's proposal will further the purposes of both the PC Zone and the General Plan.
- The approval of Resolution RDA2021-06 does not commit City or the RDA to later approve the forth coming Draft Project Area Plan and Budget.
- Any Project Area created may be sized as determined by the Board and may include part or all of the Survey Area.

RECOMMENDATION:
Based on the Findings and Conclusions listed above, Staff recommends that the Redevelopment Agency Board **Approve Resolution RDA2021-06** designating a Survey Area, authorizing the preparation of a Draft Project Area Plan and Budget, and directing necessary action by the RDA to do so.

Alternatives:

- Deny approval of the Resolution
- Make modification(s) to the Resolution
- Schedule the Resolution for a decision at some future date

SUPPORT MATERIALS:

- Resolution RDA2021-06
- Southwest Quadrant Urban Center Survey Area Boundary Map (Included as Exhibit A of Resolution RDA2021-06).

City Council Action Requested:

Brian A. Preece (Dec 1, 2021 11:07 MST)
Director of City Commerce

12/01/2022
Date

THE SOUTH JORDAN CITY REDEVELOPMENT AGENCY

RESOLUTION NO. RDA2021-06

A RESOLUTION DESIGNATING A SURVEY AREA, AUTHORIZING THE PREPARATION OF A DRAFT PROJECT AREA PLAN & BUDGET, AND DIRECTING NECESSARY ACTION BY THE AGENCY

WHEREAS the City of South Jordan (the "**City**"), created the South Jordan City Redevelopment Agency (the "**Agency**") pursuant to the provisions of Title 17C of the Utah Code, and its predecessor statutes (the "**Act**") for the purposes of conducting project area development activities within the City, as contemplated by the Act;

WHEREAS the Board of the Agency, as designated in UCA §17C-1-203(1), ("**Board**") having made preliminary investigation, desires now to designate by resolution a Survey Area for Community Reinvestment activity pursuant to the provisions and policies of Chapter 5 of the Act;

WHEREAS the Agency has recommended to the Board that pursuant to UCA §17C-5-103, the proposed survey Area within the City, is depicted on the Map attached as **Exhibit A**, ("**Proposed Survey Area**") be designated a Community Reinvestment Survey Area; and

WHEREAS the Board desires to so designate the Proposed Survey Area, depicted in Exhibit A, as a Community Reinvestment Survey Area, pursuant to UCA §17C-5-103.

THEREFORE, BE IT RESOLVED BY THE BOARD OF THE SOUTH JORDAN CITY REDEVELOPMENT AGENCY AS FOLLOWS:

1. That the Proposed Survey Area is hereby designated the *Southwest Quadrant Urban Center*, ("**Survey Area**") pursuant to UCA §17C-5-103(1)(a).

2. That the Agency finds, pursuant to the provisions of UCA §17C-5-103(1)(c), that the Survey Area requires study to determine whether project area development is feasible within one or more proposed community reinvestment project areas within the Survey Area.

3. That as authorized in UCA §17C-5-103(1)(d) the Agency, through its staff, consultants and legal counsel is authorized to:

   (i) prepare a proposed community reinvestment project area plan and budget for each proposed community reinvestment project area; and

   (ii) conduct any examination, investigation, or negotiation, regarding the proposed community reinvestment project area that the Agency considers appropriate.

4. That the Agency, though its staff, consultants, and legal counsel, be and hereby are directed and authorized to take all such action as may be necessary or desirable, to the successful prosecution of one or more proposed community reinvestment project areas (should one or more projects ultimately be undertaken), including, but not limited to, negotiations with taxing entities, and participants, conducting studies and investigations , setting dates for Agency meetings and hearings, and the preparation, publication, and/or mailing of statutorily required notices, therefore.

5. Exhibit A, attached hereto, is incorporated herein by this reference

6. That this Survey Resolution shall take effect upon adoption.

ADOPTED and APPROVED by the South Jordan City Redevelopment Agency Board this 7th day of December 2021.

BOARD OF THE SOUTH JORDAN CITY REDEVELOPMENT AGENCY

_____
Dawn R. Ramsey, Agency Chair

ATTEST:

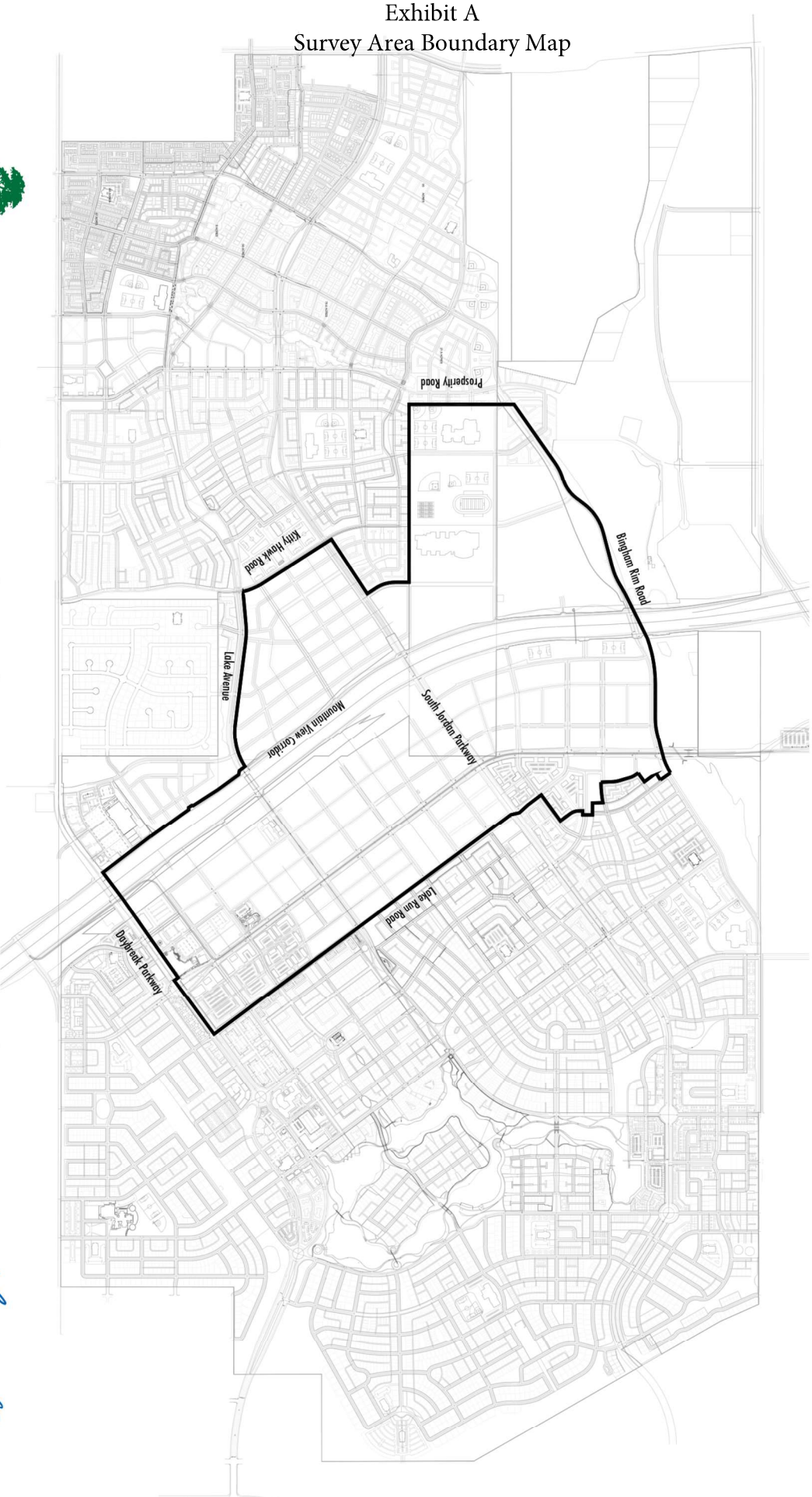
_____
Anna Crookston, Agency Secretary

Approved as to Form:



J. Craig Smith, Agency Counsel

Exhibit A
Survey Area Boundary Map



Southwest Quadrant Urban Center Survey Area Boundary