

### REQUEST FOR COUNCIL ACTION

**SUBJECT:** Text Amendment – exempting certain public utility providers from street frontage requirement

**SUMMARY:** Text Amendment – Amend West Jordan City Municipal Code Section 13-15-4 of the zoning ordinance and Section 14-5-2 of the Subdivision Regulations adding language to allow for the subdivision of property for the construction of public utility facilities or structures without requiring frontage on a public street. Rick Hellstrom, Questar Gas (applicant) [Larry Gardner (planner)].

**FISCAL IMPACT:** None.

**STAFF RECOMMENDATION:**

Staff recommends that the City Council amend the West Jordan Municipal Code Sections 13-15-4 and 14-5-2 to allow the subdivision of property for the construction of public utility facilities or structures without requiring frontage on a public street.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission, by unanimous vote, recommends that the City Council amend the West Jordan Municipal Code Sections 13-15-4 and 14-5-2 to allow the subdivision of property for the construction of public utility facilities or structures without requiring frontage on a public street.

**MOTION RECOMMENDED:**

Text Amendment Motion:

“I move to adopt Ordinance 14-~~08~~ amending the West Jordan Municipal Code Sections 13-15-4 and 14-5-2 to allow the subdivision of property for the construction of public utility facilities or structures without requiring frontage on a public street.

***Roll Call vote required***

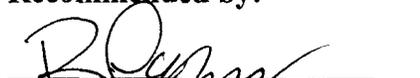
**Prepared by:**

  
Larry Gardner, Senior Planner

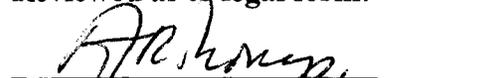
**Reviewed by/Concur with:**

  
Tom Burdett, Development Director

**Recommended by:**

  
Richard L. Davis, City Manager

**Reviewed as to legal form:**

  
Robert Thorup, Deputy City Attorney

## **I. BACKGROUND:**

The applicant is requesting approval of a text amendment to Title 13, Chapter 15 “Public Utilities” and Title 14, Chapter 5 “Lots” of the 2009 City Code. The applicant is asking that language be added to sections 13-15-4 and 14-5-2 that will allow public utility providers to subdivide property without the requirement for street frontage. Section 14-5-2 (C) requires that all lots when subdivided have frontage on a public street. Although this amendment is not limited to any specific scenario, the reason Questar Gas seeks this amendment is because it seeks to construct a facility on property located near the intersection of U-111 and Old Bingham Highway. The site is blocked from frontage on Old Bingham Highway by a one-mile long, twenty five foot wide parcel owned by Jordan Valley Water Conservancy District. Questar Gas has negotiated an easement from Jordan Valley, but without the amendment, it is physically impossible to locate any facilities within the one mile corridor due to lack of frontage. Without a new facility in the area, Questar may not be able to site the necessary inspection facilities for the pipelines in the area.

## **II. GENERAL INFORMATION & ANALYSIS**

Requiring street frontage when land is subdivided is to prevent “land locked” parcels. Public utilities often do not need frontage on public streets and in many cases only need access through an easement. It may be in the city’s best interest to preserve frontages on streets for more compatible or desirable uses. Public utilities occupy property for decades and the use is very specific to their particular needs, where as other property uses change more often. The need for street frontage is less important with public utilities than with most other uses, in fact it may be desirable to have a way to site public utility yards behind other uses and lots. Title 13, Chapter 15 “Public Utilities” already waives most zoning and bulk requirements for public utility uses. It seems reasonable to also waive the street frontage requirement of Title 14, Chapter 5 “Lots” for public utilities, as this text amendment will do. The amendment to Title 13, Chapter 15 “Public Utilities” is to make certain that all amendments for public utilities are consistent across both titles. The applicant has provided a narrative justifying their reasoning for the text amendments. (Exhibit A).

## **III. TEXT AMENDMENT REQUEST**

A. The amendment will modify Section 13-15-4 by adding subsection C as follows:

### **13-15-4: DEVELOPMENT STANDARDS:**

Public utility structures shall be subject to all of the height, bulk, location and other standards for the zone in which they are located, except:

A. There shall be no minimum zoning lot size required.

B. Only walled and/or roofed structures shall be required to meet the yard requirements (setbacks) of the zone. Otherwise, the public facilities listed in this chapter shall have no minimum yard requirements.

**C. Public utility lots, facilities or structures shall not be required to have frontage on a public street, so long as access adequate for the public utility's purposes is available to the public utility through an easement or other agreement.**

B. The amendment will also modify Section 14-5-2 by adding subsection G as follows:

14-5-2: LOTS:

A. Arrangement: All lots will be arranged and designed to comply with all requirements of this title.

B. Size: All lots shall conform to the minimum area and width requirements for the zone in which the subdivision is located.

C. Frontage: Each lot shall have frontage on a public street dedicated by the subdivision plat or on an existing public street. Lots having frontages on two (2) or more streets shall be prohibited, except for corner lots and lots in subdivisions which back onto arterial and collector streets outside of the subdivision boundary.

D. Side Lot Lines: Side lines of lots shall be at approximately right angles to the street line or radial to the street line.

E. All Land To Be Included In Lots: All land within the subdivision shall be included in building lots, designated open space, or within areas dedicated for public use. The subdivision shall not create lots or parcels that do not conform to the city ordinances.

F. Survey Stakes: Survey stakes shall be placed at both front and back lot corners to identify the lot boundaries on the ground. Back lot corners shall be marked with a metal pipe or rod driven into the ground and front lot corners shall be identified with permanent plugs in the back of the curb. All lot corners shall be in place prior to the issuance of building permits and after the completion of all subdivision improvements. It shall be the responsibility of the lot owner to ensure that all lot corners are in place prior to the final inspection of the house.

**G. Public Utilities: public utilities are exempted from certain requirements of this code as provided in section 13-15-4.**

#### **IV. FINDINGS OF FACT:**

##### **Section 13-7D-7(B) Findings for approval: Text Amendments**

**Criteria 1:** *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

**Discussion:** The General Plan says that siting of public utilities should be compatible with neighboring "lands uses." Public utility locations are specific to

need. Gas lines already exist along the frontage of Old Bingham Highway and locating the end facility at this location is adjacent to a Rocky Mountain Power corridor. The applicant justifies this by stating: “Public utility facilities must be located near pipelines or transmission lines which serve an area with the relevant utility. Because of the various locations in which a utility may run (i.e. in the city street versus through the back of a private parcel of property) having flexibility to locate a public utility facility in the location which is the most logical choice for the land use is important. The amendment allows flexibility to public utility companies and landowners in placing these public utility facilities.”

**Finding:** The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein.

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

**Discussion:** The applicant justifies this request by stating: “Although the amendment removes the requirement for frontage in certain limited circumstances, sufficient access to a public utility’s lot– through an easement or other agreement-is still required. Consequently, no impact to the General Plan’s policies will occur. The amendment simply allows utility facilities to obtain a relatively small lot for construction of public utility facilities whether such lot is located near a public street or not. It allows for overall better public utility service to the entire area and residents of West Jordan City by allowing the flexibility to locate public utility facilities where they are needed, and where they can be built in relation to transmission lines or pipelines.”

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

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

**Discussion:** The proposed amendments will not conflict with other sections of the zoning or subdivision ordinance or the General Plan. The ordinance already removes most of the regulating provisions of the zoning ordinance as they relate to public utilities and adding the section not requiring lot frontage is consistent. It is also reasonable and consistent to amend the subdivision regulations exempting public utilities from lot frontage requirements, but still requiring access to a public street. The request will be in harmony with the already adopted policies relating to public utilities. The applicant states: “The West Jordan City Code is “enacted... to provide for the safety, preserve the health, [and] promote prosperity.” West Jordan City Code section 1-1-10. This amendment fosters this purpose by allowing for safe, sufficient, supply of public utilities for future development and for the existing residents of West Jordan.”

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

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

**Discussion:** At first blush it may appear, and could be argued that this request is only accommodating Questar gas and relieving a “particular hardship” at this particular location. But the request is also serving the greater public interest by allowing all public utilities, which by law must provide their services to the people of the state, a similar relaxation of rules that is already granted in Title 13, Chapter 15. The proposed text amendment will not benefit Questar monetarily. Questar is required by Federal law to inspect their pipelines on a regular basis. The subdivision of property is only to create a point to access the lines for inspection purposes. The applicant has pointed out one instance where a subdivision, with no frontage, for a similar type of facility was approved in the city in the past on a large tract of property. The conclusion is that the subdivision was reasonable for the use and was approved notwithstanding the adopted provisions of the City Code. It is more appropriate to change public policy to what is already seen as reasonable. The change also allows public utilities the flexibility to locate at the rear of a property, at a more desirable point on a large tract, or behind other parcels which could free up lot frontages and street corners for more desirable uses. The applicant states: “as required by sec. 13-7D-7(B)(4), the proposed amendment is not designed to provide a special privilege to a single landowner and is designed to further the important public policy of allowing safe, sufficient and efficient provision of public utilities to residents of West Jordan.”

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

## V. CONCLUSION:

The General Plan encourages location of public utilities in locations that are compatible with adjacent land uses. The proposed text amendments allowing subdivision of property without a frontage requirement will give the city additional tools and flexibility in siting public utilities in desirable locations. The proposed text amendments are in harmony with what already exists in the Title 13 and will not conflict with state law or other provisions of this code. Lastly the proposed text amendments will serve the greater public good by allowing adequate and reasonable location of public utilities.

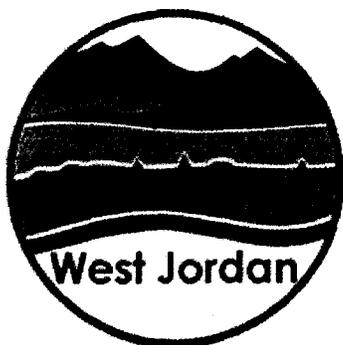
**VI. ATTACHMENTS:**

Exhibit A – Applicant narrative

Exhibit B – Application

Exhibit C – Planning Commission Minutes of 2/04/2014

Attachment – Ordinance



**Melanie S. Briggs, MMC**  
**City Clerk**  
**8000 South Redwood Road**  
West Jordan, Utah 84088  
801-569-5117  
Fax 801-563-4716

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February 20, 2014

Questar Gas Company  
Rick Hellstrom  
P O Box 45360  
Salt Lake City, UT 84145-0360

Dear Rick:

The City of West Jordan City Council will hold a public hearing on Wednesday, March 12, 2014, at 6:00 p.m. at West Jordan City Hall 8000 South Redwood Road, 3rd Floor, Council Chambers, to receive comments prior to considering amending the 2009 West Jordan Municipal Code, Title 13, Zoning Ordinance Section 13-5-4, and Title 14, Subdivision Regulations 14-5-2 adding language to allow for the subdivision of property for the construction of public utility facilities or structures without requiring frontage on a public street, Questar Gas Company/Rick Hellstrom, applicant. Copies of the City Council agenda packet for the items listed below will be available at the City offices or on the City Council Agenda webpage the Friday prior to the meeting.

You are invited to attend the Public Hearing and take part in the discussions and voice any support or concerns you may have. If you desire to speak on an item, the time will be limited to 3 minutes. Items may be moved on the agenda or tabled by the City Council. Copies of the agenda packet for this meeting will be available at the West Jordan libraries and on the City's website [www.wjordan.com](http://www.wjordan.com) approximately 4 days prior to the meeting.

If you have any questions, please feel free to call me at 801-569-5117.

Sincerely,

Melanie S Briggs, MMC  
City Clerk

Cc: Planning Department  
File



Questar Gas Company  
1140 West 200 South  
P.O. Box 45360  
Salt Lake City, UT 84145-0360  
Tel 801 324 5655

January 16, 2014

Larry Gardner  
Senior Planner  
West Jordan City  
8000 S Redwood Road  
West Jordan, UT 84088

Re: **Reason and Justification for  
Zoning Ordinance Text Amendment**

Dear Larry,

Questar Gas Company ("Questar Gas") hereby submits this reason and justification for a zoning ordinance text amendment along with its completed application for amendment in connection with its request for a minor subdivision of property located on Old Bingham Highway west of Highway U-111

Questar Gas requests that the West Jordan Municipal Code be amended to include the following language as Section 13-15-4(C).

- C. A lot owned by a public utility for construction of public utility facilities or structures shall not be required to have frontage on a public street, so long as access adequate for the public utility's purposes is available to the public utility through an easement or other agreement.

Questar Gas will refer to the above language as the "Amendment" throughout this document.

Questar Gas believes the Amendment provides an important addition to public policy related to the siting of public utility facilities in West Jordan City. However, the Amendment provides this important update in a manner which maintains West Jordan City's ability to restrict the use of this new Amendment to public utilities subject to the approval of the city manager as provided in West Jordan City Code § 13-15-2.

Although this Amendment is not limited to any specific scenario, the reason Questar Gas presently seeks the Amendment is because it seeks to construct a facility on property located near the intersection of U-111 and Old Bingham Highway. The site is blocked from frontage on Old Bingham Highway by a one-mile long, twenty-five foot wide, corridor owned by Jordan Valley Water Conservancy District. Questar Gas has negotiated an easement from Jordan Valley Water Conservancy District, but without the Amendment, it is physically impossible to locate any facilities within the one-mile corridor due to lack of frontage. Without a new facility in this area, Questar Gas may not be able to site the necessary inspection facilities for the pipelines in this area.

Applicant's Narrative

Exhibit A

Questar Gas meets the requirements for a text amendment for the reasons set forth below. Specifically, Questar Gas discussed each of the items identified in the application in the order they are addressed in the application.

**1. Construction of Public Utility Facilities is Recognized as a Public Purpose.**

Questar Gas seeks the Amendment to facilitate construction of public utility facilities to provide sufficient and safe distribution of natural gas and other utilities to the residents of West Jordan. Natural gas facilities and other public utility facilities have long been recognized as a public use under Utah Code Ann. § 78B-6-501 (listing public purposes for which eminent domain is authorized including public utilities).

**2. The Amendment is the Best Option to Allow Efficient Construction of Public Utility Facilities.**

Public utility facilities must be located near the pipelines or transmission lines which serve an area with the relevant utility. Because of the various locations in which a utility may run, i.e. in the city street versus through the back of a private parcel of property, having flexibility to locate a public utility facility in the location which is the most logical choice for land use is important. For example, if a pipeline or electric line were to run across the back of a parcel which is slated for future development, the most logical place for the public utility facility may be at the back of the lot where there is no frontage on a public street. However, the landowner and the utility company may agree that the facility is best, and most cost efficient in the back with no frontage. The Amendment allows flexibility to public utility companies and landowners in placing these public utility facilities.

**3. The Amendment is Compatible with the General Plan's Goal of Promoting Prosperity and Public Health and Safety.**

The West Jordan City Code is "enacted ... to provide for the safety, preserve the health, [and] promote prosperity." West Jordan City Code § 1-1-10. The Amendment fosters this purpose by allowing for safe, sufficient, supply of public utilities for future development and for existing residents of West Jordan.

**4. The Amendment Does Not Constitute a Change of Use.**

The Amendment does not constitute a change of use. Instead it simply allows flexibility on frontage requirements in very limited situations where a public utility is involved.

**5. The Amendment Does Not Hinder or Obstruct Attainment of the General Plan's Policies.**

Although the Amendment removes the requirement for frontage in certain limited circumstances, sufficient access to the public utilities' lot—through an easement or other agreement—will still be required. Consequently, no impact to the general plan's policies will

occur. The Amendment simply allows utility facilities to obtain a relatively small lot for construction of public utility facilities whether such lot is located near a public street or not. It allows for overall better public utility service to the entire area and residents of West Jordan City by allowing the flexibility to locate public utility facilities where they are needed, and where they can be built in relation to transmission lines or pipelines.

**6. The Amendment and the Above Reasons and Justification Meets the Requirement of the Municipal Code.**

The approval requirements for text amendments found in West Jordan Code § 13-7D-7(B) are met by this application and the above statement of reasons and justification. Items 1-3 of § 13-7D-7(B) are met by the discussions above. The overall context of this application, as a provision related solely to public utility facilities, and harmony with lack of conflict with the "goals, objectives and policies" of the general plan or with other provisions of the West Jordan Code sufficiently justifies the approval of the Amendment.

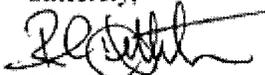
Finally, as required by § 13-7D-7(B)(4), the proposed Amendment is not designed to provide a special privilege to a single landowner and is designed to further the important public policy of allowing safe, sufficient, and efficient provision of public utilities to the residents of West Jordan.

**7. Counties and Cities Have Often Found it Necessary to Provide Flexibility for Utility Siting.**

Although an exhaustive analysis is not currently available, two examples Questar Gas has of flexibility built in to code to allow for simpler siting of utility facilities are (a) Utah Code Ann. § 17-27a-103(57)(c)(iv) which specifically exempts public utilities from the subdivision requirements in all counties outside Salt Lake County; and (b) Sandy City Code 15A-07 which allows the planning commission to alter the general requirements for setbacks, fence height, and landscaping during a conditional use permit and site plan review. Both of the above were passed in order to facilitate the type of flexibility that has proven necessary when dealing with small public utility parcels and facilities which are not similar to larger residential and commercial uses in a given municipality or county.

Questar Gas appreciates the time and consideration given to this application and the Amendment. I look forward to meeting with staff in a submittal meeting and will be happy to provide further information or answer questions.

Sincerely,



Rick Hellstrom  
Lead Property Agent  
801-232-8153

Applicant's Narrative

Exhibit A



CITY OF WEST JORDAN  
COMMUNITY DEVELOPMENT APPLICATION

8000 South Redwood Road  
(801) 569-5180

Sidwell # \_\_\_\_\_ Acreage: \_\_\_\_\_ Lots: \_\_\_\_\_ Zoning: \_\_\_\_\_

Project Location: \_\_\_\_\_

Project Name: Development Standards for Public Utilities 13-15-4C

Type of Application:  Subdivision  Conditional Use Permit  
 Site Plan  General Land Use Amendment  
 Rezone  Agreement  
 Condominium  Other ZONING ORDINANCE TEXT AMENDMENT

Applicant: RICK HELLSTROM Company: QUESTAR GAS COMPANY

Address: P.O. BOX 45360 110 WEST 200 SOUTH  
 City: SALT LAKE CITY State: UT Zip: 84145-0360  
 Telephone: Office: 801-324-3737 Cell: 801-232-8153  
 Email: rick.hellstrom@questar.com

Property Owner: THE R. LAMAR and VICKY R. JONES REVOCABLE LIVING TRUST

Address: P.O. BOX 1068  
 City: PENQUETON State: OR Zip: 97801  
 Telephone: Office: 541-276-3290 Cell: \_\_\_\_\_  
 Email: N/A

Engineer: CRAIG AARENS Company: PSOMAS

Address: 4179 RIVERBOAT RD, SUITE 200  
 City: SALT LAKE CITY State: UT Zip: 84123  
 Telephone: Office: 801-270-5777 Cell: \_\_\_\_\_  
 Email: caarens@psomas.com

Architect: \_\_\_\_\_ Company: \_\_\_\_\_

Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: Office: \_\_\_\_\_ Cell: \_\_\_\_\_  
 Email: \_\_\_\_\_

SIGNATURE: [Signature] DATE: 1/16/14

Project #:	<u>TA2014003</u>	Date:	<u>1/16/17</u>
Received By:	ODA _____	PLANNING _____	ENGINEERING _____

Revised 9/1/11

Application  
Exhibit B

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4. **Text Amendment - Amend the West Jordan Municipal Code adding Section 13-15-4 Development Standards of the Zoning Code and 14-5-2 Design and Development Standards for Lots in the Subdivision Code; Questar Gas Company/Rick Hellstrom (applicant) [#TA20140003]**

Rick Hellstrom, Questar Gas, 1140 West 200 South, appreciated staff working with them on this issue and for Chapter 15 of the Municipal Code that gives some latitude with siting public utilities. Their text amendment deals with frontage versus access easements into a property. Many times when they site small utility facilities they are able to find property at the rear of a lot, so it doesn't have the required frontage, but they can get an access easement. In their current case there is 25-foot wide by 1-mile long strip of land owned by Jordan Valley Water Conservancy District that precludes them from gaining the necessary frontage. However, they have granted an easement for the entire 100-foot width of the property they propose to subdivide. He could think of two other cases in West Jordan over the last 12-15 years where they purchased property without frontage. This amendment allows them to locate the facility in a place that is suitable for the utility needs and doesn't intrude too much on the property owners' interest and future development. He felt that the amendment would help to clarify the ordinance.

Dan Lawes asked if they had encountered this obstacle in other Utah municipalities.

Rick Hellstrom said every municipality is different, but they have had some unique circumstances.

Larry Gardner read the proposed text to be located in 13-15-4 and 14-5-2. Although this amendment may appear to only benefit Questar, it will benefit all utilities in the future.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission discuss and forward a positive recommendation to the City Council for the proposed text amendment amending Title 13, chapter 15 and Title 14, Chapter 5 as provided in Exhibits B and C attached to the staff report.

Robert Thorup pointed out that the legislative draft in Section 14-5-2G references 13-5-4 but it should be 13-15-4.

Zach Jacob asked if the easement remains even if Jordan Valley Water Conservancy were to sell the property.

Robert Thorup said the easement is an interest in property owned by Questar in this case.

Dan Lawes opened the public hearing.

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

**MOTION:** Dan Lawes moved to forward a positive recommendation to the City Council for the Text Amendment to Section 13-15-4 Development Standards of the Zoning Code and 14-5-2 Design and Development Standards for Lots in the Subdivision Code as addressed in the staff report with the one correction on page 12 of the staff report changing from 13-5-4 to 13-15-4 as noted by Robert Thorup. The motion was seconded by Ellen Smith and passed 5-0 in favor. David Pack and Lesa Bridge were absent.

Legal Review-Date/Initial: 2/21/14 | AKS  
Text/Format -Date/Initial: 02/21/14 | BAC  
Dept. Review-Date/Initial: 2/21/14 | LDG  
Adopted:     -2014 Effective:    

**THE CITY OF WEST JORDAN, UTAH**  
A Municipal Corporation

ORDINANCE NO. 14- 08  
[PUBLIC UTILITIES]

AN ORDINANCE AMENDING TITLE 13, "ZONING REGULATIONS"  
AND TITLE 14, "SUBDIVISION REGULATIONS."

WHEREAS, the City of West Jordan adopted a City Code in 2009, for the purpose of carrying into effect and discharging all powers and duties conferred by law upon the city and its officers, employees and inhabitants, and to provide for the safety, preserve the health, promote the prosperity, improve the morals, peace, good order, comfort and convenience of the city and its inhabitants, and to protect property in the city; and

WHEREAS, the West Jordan City Council finds and determines that the purpose of the 2009 City Code, and the public health and welfare, will best be reached by the adoption of the following amendments to Title 13, Chapter 15 and Title 14, Chapter 5 of the 2009 City Code.

NOW THEREFORE, IT IS ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

**Section 1.** Title 13, Chapter 15, Section 4 of the 2009 City Code shall hereafter read as follows:

**13-15-4: DEVELOPMENT STANDARDS:**

Public utility structures shall be subject to all of the height, bulk, location and other standards for the zone in which they are located, except:

- A. There shall be no minimum zoning lot size required.
- B. Only walled and/or roofed structures shall be required to meet the yard requirements (setbacks) of the zone. Otherwise, the public facilities listed in this chapter shall have no minimum yard requirements.
- C. Public utility lots, facilities or structures shall not be required to have frontage on a public street, so long as access adequate for the public utility's purposes is available to the public utility through an easement or other agreement. (2001 Code § 89-6-902; amd. Ord. 14-\_\_, 03-12-2014)

**Section 2.** Title 14, Chapter 4, Section 2 of the 2009 City Code shall hereafter read as follows:

**14-5-2: LOTS:**

- A. Arrangement: All lots will be arranged and designed to comply with all requirements of this title.
- B. Size: All lots shall conform to the minimum area and width requirements for the zone in which the subdivision is located.
- C. Frontage: Each lot shall have frontage on a public street dedicated by the subdivision plat or on an existing public street. Lots having frontages on two (2) or more streets shall be prohibited, except for corner lots and lots in subdivisions which back onto arterial and collector streets outside of the subdivision boundary.
- D. Side Lot Lines: Side lines of lots shall be at approximately right angles to the street line or radial to the street line.
- E. All Land To Be Included In Lots: All land within the subdivision shall be included in building lots, designated open space, or within areas dedicated for public use. The subdivision shall not create lots or parcels that do not conform to the city ordinances.
- F. Survey Stakes: Survey stakes shall be placed at both front and back lot corners to identify the lot boundaries on the ground. Back lot corners shall be marked with a metal pipe or rod driven into the ground and front lot corners shall be identified with permanent plugs in the back of the curb. All lot corners shall be in place prior to the issuance of building permits and after the completion of all subdivision improvements. It shall be the responsibility of the lot owner to ensure that all lot corners are in place prior to the final inspection of the house.
- G. Public Utilities: Public utilities are exempted from certain requirements of this code as provided in Section 13-15-4. (2001 Code § 87-5-102; amd. 2009 Code; Ord. 14-\_\_, 03-12-2014)

**Section 3.** Additions or amendments to the 2009 City Code when passed in such form as to indicate the intention of the city council to make the same a part of the 2009 City Code shall be deemed to be incorporated in the 2009 City Code, so that reference to the 2009 City Code hereafter includes the additions and amendments.

**Section 4.** This Ordinance shall become immediately effective.

Passed and adopted by the City Council of the City of West Jordan, Utah this 12<sup>th</sup> day of March, 2014.

CITY OF WEST JORDAN

By: \_\_\_\_\_  
KIM V. ROLFE  
Mayor

ATTEST:

MELANIE S. BRIGGS, MMC  
City Clerk

Voting by the City Council	"AYE"	"NAY"
Jeff Haaga	_____	_____
Judy Hansen	_____	_____
Chris McConnehey	_____	_____
Chad Nichols	_____	_____
Ben Southworth	_____	_____
Justin D. Stoker	_____	_____
Mayor Kim V. Rolfe	_____	_____

**CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION**

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC  
City Clerk/Recorder

[SEAL]

# Legislative

## 13-15-4: DEVELOPMENT STANDARDS:

Public utility structures shall be subject to all of the height, bulk, location and other standards for the zone in which they are located, except:

- A. There shall be no minimum zoning lot size required.
- B. Only walled and/or roofed structures shall be required to meet the yard requirements (setbacks) of the zone. Otherwise, the public facilities listed in this chapter shall have no minimum yard requirements.
- C. Public utility lots, facilities or structures shall not be required to have frontage on a public street, so long as access adequate for the public utility's purposes is available to the public utility through an easement or other agreement. (2001 Code § 89-6-902; amd. Ord. 14-\_\_\_, 03-12-2014)

## 14-5-2: LOTS:

- A. Arrangement: All lots will be arranged and designed to comply with all requirements of this title.
- B. Size: All lots shall conform to the minimum area and width requirements for the zone in which the subdivision is located.
- C. Frontage: Each lot shall have frontage on a public street dedicated by the subdivision plat or on an existing public street. Lots having frontages on two (2) or more streets shall be prohibited, except for corner lots and lots in subdivisions which back onto arterial and collector streets outside of the subdivision boundary.
- D. Side Lot Lines: Side lines of lots shall be at approximately right angles to the street line or radial to the street line.
- E. All Land To Be Included In Lots: All land within the subdivision shall be included in building lots, designated open space, or within areas dedicated for public use. The subdivision shall not create lots or parcels that do not conform to the city ordinances.
- F. Survey Stakes: Survey stakes shall be placed at both front and back lot corners to identify the lot boundaries on the ground. Back lot corners shall be marked with a metal pipe or rod driven into the ground and front lot corners shall be identified with permanent plugs in the back of the curb. All lot corners shall be in place prior to the issuance of building permits and after the completion of all subdivision improvements. It shall be the responsibility of the lot owner to ensure that all lot corners are in place prior to the final inspection of the house.
- G. Public Utilities: Public utilities are exempted from certain requirements of this code as provided in Section 13-15-4. (2001 Code § 87-5-102; amd. 2009 Code; Ord. 14-\_\_\_, 03-12-2014)