

**CITY OF SOUTH JORDAN
CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, JULY 19, 2022 at 7:30 PM**



Notice is hereby given that the South Jordan City Council will hold a City Council Meeting at 7:30 p.m. on Tuesday, July 19, 2022, 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:

- 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: 7:30 p.m.

- A. Welcome, Roll Call, and Introduction:** By Mayor, Dawn R. Ramsey
- B. Invocation:** By City Council Member, Tamara Zander
- C. Pledge of Allegiance:** Fire Chief, Chris Dawson
- D. Minute Approval:**
 - [D.1.](#) June 21, 2022 City Council Study Meeting Minutes
 - [D.2.](#) June 21, 2022 City Council Meeting Minutes
- E. Mayor and Council Reports: 7:35 p.m.**

F. Presentation Item: 8:00 p.m.

F.1. Fire update. *(By Fire Chief, Chris Dawson)*

G. Public Comment: 8:15 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 Meeting 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.

H. Public Hearing Items: 8:30 p.m.

H.1. Jordan Valley Water Conservancy District Proposed Property Tax Increase for Water Service Purposes. RCV *(By Assistant General Manager, Matt Olsen)*

H.2. Zoning Ordinance 2022-06-Z, Rezoning property generally located at 2555 West 11400 South from A-5 Zone to the R-2.5 Zone, applicant Austin Bowthorpe. RCV *(By Director of Planning, Steven Schaefermeyer)*

H.3. Ordinance 2022-12, Amending Sections 17.16.010 of the South Jordan City Municipal Code to add a sixth Planning Commissioner and make other changes to the Planning Commission. RCV *(By Director of Planning, Steven Schaefermeyer)*

I. Staff Reports and Calendaring Items: 9:30 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 July 15, 2022.

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

June 21, 2022

Present: Mayor Dawn Ramsey, Council Member Tamara Zander, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Jason McGuire, City Manager Gary Whatcott, Assistant City Manager Dustin Lewis, City Attorney Ryan Loose, Senior IT Technician Phill Brown, IT Director Jon Day, City Recorder Anna Crookston

Absent: Council Member Don Shelton

4:47 PM
STUDY MEETING

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

Mayor Ramsey welcomed everyone present and introduced the meeting. She excused Council Member Don Shelton who was unable to attend tonight.

B. Invocation: *By Council Member Patrick Harris*

Council Member Harris offered the invocation.

C. Mayor and Council Coordination

Mayor Ramsey said she is not aware of the city having a “tagline.” She would love to have a conversation about coming up with one.

Assistant City Manager Dustin Lewis noted that other cities have them, for example, Centerville’s is “Friendly city beside the Great Salt Lake.” He will add this to their discussion during strategic planning.

Council Member Harris noted he drove by one earlier that said “Malad, where Idaho begins.”

Council Member Zander asked if they wanted to get some brainstorming from people outside the council.

Mayor Ramsey said she would be okay with council members asking others for suggestions. They could open it up citywide as a contest with a prize, but they can figure that out later.

D. Discussion/Review of Regular Council Meeting

- Presentation: Music Man cast performing musical number.
- Resolution R2022-29, City Policies.

- Resolution R2022-30, Tier 2 Public Safety and Firefighter pickup election.
- Resolution R2022-28, Amended Final Budget FY2021-22.
- Resolution RDA 2022-05, Amended Final Budget FY2021-22.
- Resolution RDA 2022-06, MOU with Motorcars.
- Ordinance 2022-12, Text amendment for Planning Commission.

Assistant City Manager Lewis said the MOU was for the Bentley Dealership, allowing them to work out some things now before deadlines change.

Mayor Ramsey noted the City Policy Resolution is one that is done every year on ethics. She asked if the Tier 2 Public Safety and Firefighter pick up election is the difference we have to cover.

Assistant City Manager Lewis said that's correct, we pick up just like the other cities.

Mayor Ramsey noted they have gone over the final budget quite a bit.

Council Member Brad Marlor asked if we have had any comments from residents regarding the budget.

Council Member Tamara Zander said there was a heckler in the parade.

Mayor Ramsey said she knows the gentleman, and actually invited him to discuss the budget with him.

Assistant City Manager Lewis said he doesn't recall any comments specifically about budget line items, the comments were mostly "don't raise my taxes" types of comments. He will check with CFO Sunil Naidu to make sure nothing was missed.

Mayor Ramsey said she received an email from the planning commission, specifically Chair Michele Hollist that the commission was very supportive of the text amendment and agreed that the changes will make for a stronger Planning Commission with the inclusion of the mayor's appointee. Chair Hollist did mention that with district changes, each council member's commission member might not live in their district anymore, and that person can be grandfathered in for the rest of their term, or changed. They proposed the idea to her potentially having her appointment be that person, however she has already spoken to someone else about it before the districting situation came up.

Council Member Marlor believes the current commissioners should be grandfathered in for the current terms.

Council Member Jason McGuire said that his intention for his appointee was to have her grandfathered in.

Council Member Zander motioned to recess the City Council Study Meeting and move to Executive Closed Session, Council Member Marlor seconded the motion; Vote was unanimous in favor. Council Member Shelton was absent from the vote.

RECESS CITY COUNCIL STUDY MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

E. Executive Closed Session

E.1. Discussion of the character, professional competence, or physical or mental health of an individual.

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL STUDY MEETING

ADJOURNMENT

Council Member McGuire motioned to adjourn the June 21, 2022 City Council Study Meeting. Council Member Zander seconded the motion; vote was unanimous in favor.

The June 21, 2022 City Council Study meeting adjourned at 6:40 p.m.

SOUTH JORDAN CITY
CITY COUNCIL MEETING

June 21, 2022

Present: Mayor Dawn Ramsey, Council Member Tamara Zander, Council Member Brad Marlor, Council Member Don Shelton, Council Member Jason McGuire, Council Member Patrick Harris, City Manager Gary Whatcott, Assistant City Manager Dustin Lewis, City Attorney Ryan Loose, Strategic Services Director Don Tingey, CFO Sunil Naidu, Assistant Controller Nick Geer, Director of Administrative Services Melinda Seager, Director of City Commerce Brian Preece, Police Chief Jeff Carr, City Recorder Anna Crookston, Associate Director of Parks Colby Hill, City Engineer Brad Klavano, Planning Director Steven Schaefermeyer, Lieutenant Fire Chief Ryan Lessner, Director of Recreation Janell Payne, IT Director Jon Day, Senior IS Tech Phill Brown, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun, Communications Manager Rachael Van Cleave, Planning Commission Chair Michele Hollist

Absent: Council Member Don Shelton

Others: Carol's iPhone, Lisa Stowe, Gunar Wermel, Angelina Wermel, Tom Buckley

6:47 P.M.

REGULAR MEETING

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

Mayor Dawn Ramsey welcomed everyone and introduced the electronic meeting. She excused Council Member Don Shelton, who was absent.

B. Invocation – *By Council Member Brad Marlor*

Council Member Marlor offered the invocation.

C. Pledge of Allegiance – *By Director of Recreation Janell Payne*

Director Payne led the audience in the Pledge of Allegiance.

Council Member McGuire motioned to move Item G.1., a performance from the cast of The Music Man, as the next item, and to add an Executive Closed Session to the end of this meeting. Council Member Zander seconded the motion; vote was unanimous in favor. Council Member Shelton was absent from the vote.

G.1. Music Man cast performing musical number. *(By Director of Recreation, Janell Payne)*

Director of Recreation Janell Payne introduced the cast members and short performance from The Music Man.

Council Member Zander shared an art related joke – What do you call a nervous javelin thrower? Shake-spear!

D. Minute Approval

D.1. June 7, 2022 City Council Study Meeting

D.2. June 7, 2022 City Council Meeting

Council Member Harris motioned to approve the June 7, 2022 City Council Study Meeting minutes as printed and the June 7, 2022 City Council Meeting minutes as printed. Council Member Marlor seconded the motion; vote was unanimous in favor. Council Member Shelton was absent from the vote.

E. Mayor and Council Reports

Council Member Patrick Harris attended the EDC Utah Golf Tournament. He went to the Kensington Theater play which was very well done. He also met with a developer and had various interactions with residents in the city.

Council Member Brad Marlor also enjoyed The Hunchback of Notre Dame and the local talent, especially Council Member Zander’s daughter; it was a lot of fun, very rewarding and very well done. To have another play put on here with mostly South Jordan residents is idyllic as far as he is concerned. He had a few instances in the past two weeks where residents brought up issues, and he shared how appreciative he was for the response he got from Director of Public Works Jason Rasmussen, among others; within an hour of each circumstance, they were resolved. He was able to buy six cemetery plots from our cemetery, and within 15 minutes he was able to get that worked out and he appreciated how helpful and organized Cemetery Sexton Kyle Bowen was with that.

Council Member Tamara Zander said that with the upcoming elections, she has had some candidates and residents reach out to her, and it has been a good opportunity to engage with the public. She is so grateful for the processes we have in this city, country and state where we can choose our elected officials and she respects and honors that process. She shared that Kensington Theater is another great body in our city that provides opportunities for local talent to showcase. She personally invited everyone on the council, and the mayor and others, to a performance and she thanked all of the staff and council who came and brought family members. Through that, it struck her that she is an elected official and it is her duty to perform to the best of her ability, but it has been fun along the way and she didn’t expect to make so many friends; she is grateful for the support and for those who came out to support her daughter as Esmerelda. She is grateful to

Toni Butler, the director of Kensington Theater, whom she asked for help inviting the council to a performance and who responded with the tickets to make that happen.

Council Member Jason McGuire thanked the staff he reached out to for help resolving some concerns of residents, and he appreciates our city staff and how quick they are to respond and make sure the residents of our city are taken care of.

Mayor Dawn Ramsey met with some residents. She attended the EDC Golf Tournament and thanked everyone who was there representing our city. Things are moving along well with Jordan Valley Water. She was in San Antonio for a water conference with the district and her time was torn between the conference and being on Zoom calls for meetings back home, but it was a busy working conference and she was glad she had the chance to go. She had a board meeting for the Utah League of Cities and Towns, there is a lot going on there. She was invited to join an early on startup meeting on the statewide conversation about growth, and she appreciated the chance to be there. This is the kind of thing that she has specifically been asking for over the last several years, and a lot of work has been done to bring that conversation to the state level and ask the state to really lead out on a conversation, not a directive, with residents around the state about growth and the realities of that. Communities across the state have those conversations all the time, and the request has been for the state to engage in that discussion. She is thrilled and proud they were able to get funding for that this last legislative session, so they had a meeting with some stakeholders about the statewide conversation about growth, and those will continue. She will keep everyone posted, and if any opportunities arise for those here to engage at some level or another she will let everyone know. She met with The Point, there is a lot happening there, they are very close to choosing the master developer for Phase 1, and those who are residents at the prison currently will start moving to the new prison soon. Within a few months, the prison will start to be torn down, and by the first of the year dirt will start to be turned. There is always the opportunity to weigh in, and they have heard from over 10,000 people so far. It has been a really collaborative process with the public, and that opportunity continues to exist. Anyone can join the meetings, so if anyone is interested in engaging in any greater degree with The Point it is easy to do so, and she is happy to help with that. She had the chance to be part of the press conference on Friday that was held at Sandy City, called Slow Down in Your Town. It is an initiative of the Mayors of Salt Lake County, and she was one of the people asked to speak at the press conference. She was asked, by communities across the state, to express the desire for people to slow down, and to be careful about speeds and being smart on the roads. She appreciated that Chief Carr was there, he also participated in the press conference. The number of accidents and fatalities on the roads in Utah is up, so this was a plea to slow down and drive carefully. There was a 10 car accident in Sandy recently, which was the worst they'd ever had in that city, and that was what really pushed this over the edge. The very morning of the press conference, there was a young person hit by a car in our city. There has been a video released, that was played before this meeting started, that was filmed after the press conference and she believes each city will be sharing that video asking people to slow down and drive safely. This Thursday the governor is holding his press conference about fireworks and the fire dangers that exist right now in the state. She was asked to speak, along with other fire

authorities, and her plea will be for people to attend their local community fireworks shows being done by professionals, with fire departments on standby and under very controlled circumstances, rather than doing their own fireworks. She also shared that a resident texted her a few weeks ago saying that “because you are South Jordan’s esteemed mayor, I wanted you to know how much we have appreciated the city today. This morning at about 9:00 a.m. I noticed gushing water running down our street, and it was coming from my front yard. Long story short, Comcast has been in our neighborhood digging for two weeks and they bored through the water main. Our city guys have been here fixing and putting it back together, and they are the best.” Then she received a text two weeks later saying “Oh my gosh Dawn, your guys have been amazing! They were getting ready to put in more rock, since ours all washed away, and her husband asked them to dig down three inches like we had done when we flipped the strip, and they said ‘okay, no problem.’ They put in our new grass patch and bought more of our plants that got ruined. They have gone above and beyond fixing the mistake, it pays to know the mayor so I can tell you how great they are.” She thanked everyone involved in that, and asked to pass that information along that the residents were incredibly grateful.

G. Presentation Item

G.1. Music Man cast performing musical number. *(By Director of Recreation, Janell Payne)*

This item was moved to earlier in the agenda as amended in the agenda

The Music Man cast performed a musical number.

F. Public Comment

She welcomed Chair Michele Hollist, from our Planning Commission, who was here at the meeting. She also thanked her for being here, and for her service.

Mayor Ramsey opened the public comment portion of the meeting.

Lisa Stowe (Resident) thanked everyone for allowing her to do this and noted that she brought her daughter to hopefully be more participatory in local politics. She apologized in advance that she doesn’t know the current position of the topic she is bringing up, because maybe things are already happening and she is unaware. She wanted to talk about short-term rentals, and asked if there are things in place for that right now.

Mayor Ramsey said there are things in place, but they wanted to hear from her. Afterwards, offline they can have more conversations and answer some of her questions. She said that people all across the state are asking about short-term rentals.

Ms. Stowe said she has two kids, and recently a next door neighbor converted part of her home to a short-term rental. She frankly doesn’t know how it will go. It might be fine, it might not be fine. She started to make some comparisons, because she wanted to be really objective about the situation since the person next door to her who converted her home to a short-term rental is a friend, but also because nobody really wants a short-term rental next door to them. She started to

go through and think to herself, if this were a rental, how she would feel about that. A rental would be a person who has a vested interest in keeping the home nice, they would have to maintain a nice reputation with their neighbors, and so forth; so, a rental probably wouldn't bother her so much. Also, the vetting process for a rental is a bit better. She then thought about businesses, and if her neighbor were to open a business within her home, as it is in other cities, they usually require some type of license and also require the neighbors are notified and have the ability to comment whether or not they have any concerns with it. As she sat down and tried to think through all of the things, she thought that she doesn't know there isn't a place in South Jordan to have short-term rentals. She understands there is probably some benefit there, but she wanted to make sure we were thoughtful about it and that we put it in a place that would set us up for success, and that would also allow us to not be the last city to implement these kinds of policies because we would have all the rentals here. She just wanted to make sure we were asking ourselves that question, what is our stance as a city, what are some of the implications that come from having short-term rentals, what are other cities doing that are maybe common sense that can help mitigate some of those risks that come with that situation.

Mayor Ramsey noted that usually this isn't a time that they answer back, but she asked City Attorney Ryan Loose to fill Ms. Stowe in on what happened legislatively a couple of years ago.

City Attorney Ryan Loose said it might be best to talk after, as there is kind of a lengthy history to this. Generally, with short-term rentals, we have the ability to regulate some things about them. However, we have no ability to enforce that regulation because about four years, Representative Knotwell, who represented part of South Jordan and Herriman, ran and passed legislation saying we couldn't use booking a short-term rental as evidence they are breaking our rules. This has created a problem where many cities have different rules and requirements on the books, but actually enforcing that is near impossible since you can't bring any actual evidence into a court because we are preempted. There are discussions at legislature of possibly changing some of that, as short-term rentals are eating into the market for affordable housing, and that has legislators concerned. We are looking at some regulations, currently we have none in South Jordan, and we haven't had any real problems with them until recently when we have started seeing the same things being seen elsewhere. Things like a chartered bus coming in, parking in the driveway and then 30 people going into the home, obviously that's not what it's for. Up until now we have had a few rented out, that we were aware of, that were reported as rented out for like a Thanksgiving Day party where they park up and down the street, but so does everyone else's guests. Everyone is annoyed that a short-term rental is bringing in cars, but someone would be there anyways and there is nothing illegal about parking on a public street. We are looking at what regulations we can do, and how we can enforce it. That has been assigned to an attorney in his office, and they are going through that currently. If there are specific issues with a short-term rental, that is a neighbor of yours, contact code enforcement at the city; unless it is a police action, then obviously dial the police. If we can address it, we will, if we can't address it, we won't. In regards to business licensing, even that in the past four or five years has seen the city's ability to license home occupation business severely curtailed. The majority of them we don't even license anymore unless they have either customers coming there, or some other clients.

Mayor Ramsey noted that if Ms. Stowe has any additional questions, staff is happy to answer those.

Attorney Loose told her to call City Hall and ask for Ryan Loose in the city attorney's office and he is happy to talk to her as much as she wants.

Mayor Ramsey asked Ms. Stowe to stay for just a minute, until we close public comment, because she had something for her daughter. Mayor Ramsey closed the public comment portion of the meeting. She invited Claire, Ms. Stowe's daughter to stand up so she could present her with a city pin and thanked her for coming to the meeting and staying with her mom.

H. Action Items

H.1. Resolution R2022-29, Amending and adopting City-wide policies related to Ethics, IT Security, Personal Use of City Assets, City-wide Purchasing Cards, and Cash Receipting and Depositing. *(By CFO Sunil Naidu)*

CFO Sunil Naidu reviewed background information from the Staff Report.

Council Member Marlor motioned to approve Resolution R2022-29, Amending and adopting City-wide policies. Council Member Zander seconded the motion; vote was unanimous in favor. Council Member Shelton was absent from the vote.

H.2. Resolution R2022-30, Increasing the amount of the City portion of employer "pick-up" of Public Safety and Firefighter Employee Retirement Contributions. *(By Director of Human Resources, Teresa Cook)*

Director of Human Resources Teresa Cook was not present in the meeting.

City Manager Gary Whatcott reviewed background information from the Staff Report.

Council Member Zander motioned to approve Resolution R2022-30, Increasing the amount of the City Portion of employer "pick-up" of Public Safety and Firefighter Employee Retirement Contributions. Council Member McGuire seconded the motion; vote was unanimous in favor. Council Member Shelton was absent from the vote.

I. Public Hearing Items

I.1. Resolution R2022-28, Amending the FY 2021-22 Budget for South Jordan City. The appropriation authority shall apply to the Fiscal Year ending June 30, 2022. RCV *(By CFO Sunil Naidu)*

CFO Sunil Naidu reviewed background information from the Staff Report. He pointed out that we have issued more building permits than we budgeted for, which means that businesses and contractors pulling permits are using credit cards to pay for it; this incurs credit card fees, and that revenue will be offsetting the fees that are charged.

Mayor Ramsey opened the hearing for public comment. There were no comments, the hearing was closed.

Council Member Marlor motioned to approve Resolution R2022-28, Amending the FY 2021-22 Budget for South Jordan City. Council Member Harris seconded the motion; Roll Call vote was 4-0, unanimous in favor. Council Member Shelton was absent from the vote.

Council Member Zander motioned to recess the City Council meeting and move to the Redevelopment Agency meeting. Council Member Marlor seconded the motion; vote was unanimous in favor. Council Member Shelton was absent from the vote.

RECESS CITY COUNCIL MEETING AND MOVE TO REDEVELOPMENT AGENCY (RDA) MEETING

I.2. Resolution RDA 2022-05, Amending the FY 2021-22 Budget for the Redevelopment Agency of the City of South Jordan. The Appropriation shall apply to the Fiscal Year ending June 30, 2022. RCV (By CFO Sunil Naidu)

CFO Sunil Naidu reviewed background information from this meeting's packet of supporting documents.

Chair Ramsey opened the hearing for public comments. There were no comments, the hearing was closed.

Board Member Harris motioned to approve Resolution RDA 2022-05, Amending the FY 2021-22 Budget for the Redevelopment Agency of the City of South Jordan. Board Member Zander seconded the motion; vote was unanimous in favor. Board Member Shelton was absent from the vote.

I.3. Resolution RDA 2022-06, Authorizing the Board Chair to enter into a Memorandum of Understanding with Salt Lake Motorcars. RCV (By Director of City Commerce Brian Preece)

Director of City Commerce Brian Preece reviewed background information from this meeting's packet of supporting documents. He noted that with the cost of land and construction, he has been discussing with Tom Buckley how the city could help. They discussed doing an agreement similar to Riverton Chevrolet, the Nissan Dealership of Tim Dahle, and Southtowne Volkswagen. Basically, there is a sales tax rebate; this is not any kind of property tax rebate, only a sales tax rebate. This is usually about 30%, with an annual cap and then a total cap. This means it is all post-performance, we don't put out any money until we actually receive it, and it's of the half a percent. Those deals have worked out very well. Most years, if we didn't have the cap, the 30% would have equaled two to two and a half times what we are actually giving them. As everyone knows, House Bill 151 was passed last legislative session, which prohibits cities after July 1 of this year from

entering into these types of agreements in the future. He has conferred with our City Attorney Ryan Loose and RDA Attorney Craig Smith, along with other cities, and it has been understood that per the law, if you already have an agreement started you vest under the previous ordinances. We are here tonight, to see if we can get the board to approve a memorandum of understanding. It does not obligate either side to anything, but it does give us the ability to start negotiating details. With the others, he has looked at their pro formas and whatnot, and we have tailored it to the pro forma and what makes sense. This way it's good for them, but we also aren't giving away too much.

Chair Ramsey added that House Bill 151 doesn't allow this unless there is a significant housing component that goes along with it, which for a car dealership there would not be.

Director Preece said there are a few things, if infrastructure is involved or you are in a rural community, but specifically an agreement like this with a retailer would not be allowed.

Tom Buckley (Salt Lake Motorcars Manager) appreciated any consideration, obviously being in South Jordan has been an honor and has been great; he loves being here. Unfortunately, their building costs haven't stayed where they were two years ago, and as that cost has risen, any help would be greatly appreciated. He definitely wanted to thank Chief Carr and his staff, because when his alarm goes off they have about a two minute response rate. It is always good to know that their best interests are in mind with the city.

Chair Ramsey said they appreciate having him here in the city. She added that they had a statewide conference of municipal leaders down in St. George in the spring. As president of that organization this year, she had the chance to film a video about our city that really highlighted the city. She did mention this dealership, and there were images of it, and since that conference, the number one thing people have asked her about is how they can get that to come to their city.

Chair Ramsey opened the hearing for public comments. There were no comments, the hearing was closed.

Board Member Zander noted that Director Preece indicated the dealership was looking to relocate. She asked Mr. Buckley if their intent was to vacate the current property and go somewhere completely different, and if they had any idea of what that looks like.

Mr. Buckley responded yes, they currently have two franchises, and two they are picking up by the end of the year, so that facility is already outgrown and will only continue. Hopefully, within the next year they are able to start some construction somewhere in South Jordan. They would be selling the current building, and the understanding was not to sell it for the purpose of a retail automobile location, and they understand that.

Chair Ramsey asked if Mr. Buckley could share the other brands they are bringing on.

Mr. Buckley said he is under Non-Disclosure Agreement with one of them, the one that they are buttoning up right now is Lotus, and the other one is another European, highly

coveted James Bond manufacturer. They have another grand opening happening for Lamborghini at the end of the summer, and he will make sure that the board gets invites to that.

Chair Ramsey asked Mr. Buckley to remind everyone what brands they currently have available.

Mr. Buckley responded Bentley, Lamborghini and Rimac which is the electric hypercar version of Bugatti and is under the same ownership. They are working with Bugatti right now to bring them aboard as well.

Board Member Harris motioned to approve Resolution RDA 2022-06, Authorizing the board chair to enter into a memorandum of understanding. Board Member Zander seconded the motion; Roll Call vote was 4-0, unanimous in favor. Board Member Shelton was absent from the vote.

Board Member Marlor motioned to adjourn the Redevelopment Agency meeting and return to the City Council meeting. Board Member Harris seconded the motion; vote was unanimous in favor. Board Member Shelton was absent from the vote.

ADJOURN REDEVELOPMENT AGENCY (RDA) MEETING AND RETURN TO THE CITY COUNCIL MEETING.

I.4. Ordinance 2022-12, Amending Section 17.16.010 of the South Jordan City Municipal Code to simplify statutorily required Notice of Hearings and Meetings. RCV *(By Director of Planning Steven Schaefermeyer)*

Director of Planning Steven Schaefermeyer reviewed background information from the Staff Report.

Mayor Ramsey noted that this was listed on tonight's agenda as "simplify statutorily required notice of hearings and meetings," and that's not what this is. This is the right code, but it's actually the municipal code concerning the composition of the planning commission.

Attorney Loose said everything lined up, so with everything noticed people knew a text amendment was the change. The only question he had was if it was noticed the same at the planning commission.

Director Schaefermeyer said Chair Hollist indicated it wasn't the same.

Attorney Loose said it would be best to table this vote and bring it back in the next meeting so the title can be corrected; they will still hold a public hearing tonight. If there are more comments next meeting, the public hearing can be reopened as the council sees fit.

Mayor Ramsey said they are not meeting again for a month, she would like to be able to take care of the mayor's appointment to the planning commission during the same meeting.

Attorney Loose said they were going to bring the appointment back in that meeting anyways. They can have things prepared for that next meeting and amend the agenda to appoint them at the meeting, if at the closed session during the work session the council agrees.

City Recorder Anna Crookston said it's the same ordinance and title from the planning commission packet.

Attorney Loose said the content of the ordinance has been out in the public for the better part of a month now, and the numbers match.

Recorder Crookston said that on the planning commission agenda, it was worded as "planning commission," but the ordinance included in the packet for Planning Commission to review and suggest approval is the same ordinance that's in the packet tonight.

Mayor Ramsey opened the hearing for public comment.

Michele Hollist (Resident) feels bad just sitting there and not saying anything. Staff has very accurately portrayed what was discussed in their meeting last week, and they think it's a good change. They like that it will involve the alternate candidate more and encourage them to come and participate. They are in favor of the change and thought it was a good one.

Mayor Ramsey closed the public hearing.

Council Member Zander asked about the challenge discussed of not having enough Planning Commissioners present, can the council members be notified if one of their commissioners is not attending or performing their duties. They as council members are trusting that is happening, but she doesn't know who would let them know if there is a commissioner who tends to be absent or not engaging.

Director Schaefermeyer said that between Chair Hollist and planning staff, they would let them know if there was a particularly concerning commissioner. If the council ever wants to check up on their planning commissioner they are welcome to reach out to them, or planning staff, and they will share their perspective. Our commission has been very dedicated, most meetings all of the regular members are there; the alternate member has been a challenge for the reasons stated by the mayor. During the summer specifically, things like vacations come up and it's hard sometimes to get a quorum. He has seen people with this commission rearrange schedules and work to get there when they know they are trying to get three members. The challenge with only three is that it makes the more difficult projects harder to vote on.

Council Member Marlor gets a report of who is there at each Planning Commission meeting.

Council Member Harris asked for possibly a periodic attendance record, just emailed out.

Mayor Ramsey didn't know if this happens often historically, or if it was just a one-time thing, but she would not mind getting together and inviting the planning commission to a joint meeting with the city council, at least once a year.

Council and staff agreed that would be a great idea.

Council Member Marlor motioned to table the vote until the next City Council Meeting and re-open the public hearing if needed for Ordinance 2022-12, Amending Section 17.16.010 of the South Jordan City Municipal Code. Council Member McGuire seconded the motion. Roll Call vote was 4-0, unanimous in favor. Council Member Shelton was absent from the vote.

Mayor Ramsey asked who to contact to thank Mr. Peirce.

Director Schaefermeyer said staff can reach out and ask him to come to the next meeting for that purpose.

Attorney Loose asked if the mayor wanted staff to reach out to the new appointee with an invite.

Mayor Ramsey said she would take care of that invite.

J. Staff Reports and Calendaring Items

City Manager Whatcott said we won't be meeting on the first Tuesday of the month in July, for the holiday week. We will still be meeting the third Tuesday of the month.

Attorney Loose had a good lunch with the Director of the League of Cities and Towns, Cameron Diehl and Senator Fillmore regarding his new position as co-chair of the commission on housing affordability. It was a good conversation, it will be interesting to see how that moves forward. Senator Fillmore indicated that his understanding of that appointment was because they are looking to move legislation forward to make a substantial change and they don't feel like the past legislation and involvement of legislature was effecting change and creating more affordable housing. Reading between the lines, that means they are going to push a stronger agenda in forcing cities to create more affordable housing, which usually means more density. He did echo that density does not equal affordability, and he understands that. He thinks Senator Fillmore will be someone we can work with, we have worked with him in the past. He is our Senator, it was a good discussion and he was very generous with his time. Attorney Loose also mentioned the city would like to start setting up lunches and/or breakfasts with Senator Fillmore, and he was fine with that, so staff will set up those lunches.

Council Member Marlor would love to get a definition for "affordability."

Attorney Loose said that would be a great thing to discuss with Senator Fillmore at lunch; they are seeking the 80% of the county AMI, deeply affordable is 50%. For South Jordan

and places like Draper, that creates an issue for those cities who are well above AMI. It really makes it a very hard goal to hit for us.

Mayor Ramsey said it also creates issues for developers as well, with the costs of construction.

Attorney Loose said no developer is doing affordable housing unilaterally without government subsidies. There are a few very unique developers who, with a partnership of government, will do affordable housing. There are many developers who don't care about affordable housing because they have to make their bottom line and grow their business. The city has worked with both of those types of developers, and the recent one who has refused to work with us on affordable housing is the same one threatening to tell the legislature that we aren't giving them the higher densities; people like to equate density with affordable, but that doesn't work in most communities right now.

Mayor Ramsey said there was a lot about House Bill 462 that was intended to do what's being proposed by the commission on housing affordability right now. There have been some very key senior legislators, when asked by the League about their opinions, needed to be reminded of what is actually in House Bill 462.

Attorney Loose said that one of them proposed a change before Mr. Diehl said "why don't we let House Bill 462 go into effect and see what the results are." That person in leadership then asked what House Bill 462 did, and what they were talking about essentially. It's hard to wait for data when you're seeing the crisis, but without the data you have no clue if what you're doing is doing anything productive to change.

Council Member Marlor would still like to know what the definition is, with and without subsidies. Without subsidies, he doesn't know how we would meet that definition.

Council Member Harris added that we need to know where those subsidies are going to come from.

Mayor Ramsey said there is some really challenging legislation coming, challenges to even just maintaining our zoning abilities, stronger than we've ever faced.

CFO Sunil Naidu shared that he proposed August 16 as our public hearing date for our truth in taxation, and the county has tentatively accepted that, so it will most likely be that date. He has received the numbers from the tax commission. Initially we talked about \$60-\$61 a year on a \$500,000 home as the initial estimate. However, after going through the budget process, that number came out to be about \$49, which works out to just over \$4 a month; that comes out to be about a 14% increase.

Mayor Ramsey said the percentage always looks big, and she appreciates being able to use the truth about what the dollar amount is; that is something people can compare to other things that they spend money on.

Council Member Zander asked why that amount changed.

CFO Naidu said it was because the city's property value appreciated quite a bit, almost 22%-23%, so there was a reduction in tax rates by that much.

Council Member McGuire suggested another video showing this to residents, as part of our public relations campaign, showing how the city's property value has gone up. As he has talked to residents, they have no idea how this system works.

City Manager Whatcott said we can send interested residents to the Taxes 101 videos on our website, and it describes how the taxation works in the state.

Council Member Harris motioned to recess City Council Meeting and move to Executive Closed Session. Council Member Zander seconded the motion; vote was unanimous in favor. Council Member Shelton was absent from the vote.

RECESS CITY COUNCIL MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

K. Executive Closed Session

K.1. Discussion of the character, professional competence, or physical or mental health of an individual.

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL MEETING

Council Member Zander motioned to adjourn the City Council meeting. Council Member Marlor seconded the motion; vote was unanimous in favor. Council Member Shelton was absent from the vote.

ADJOURNMENT

The June 21, 2022 City Council meeting adjourned at 8:50 p.m.

801.565.4300
fax 801.565.4399

jvwcd.org

8215 South 1300 West
West Jordan, UT 84088



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

June 15, 2022

Gary Whatcott
City Manager
1600 West Towne Center Drive
South Jordan, UT 84095

Dear Gary:

As you know, I am a member of the Board of Trustees of the Jordan Valley Water Conservancy District, representing South Jordan City. On June 8, 2022, the Board adopted a tentative budget that includes an increase in the property tax levy rate which exceeds the projected certified tax rate for the taxable year 2022. Pursuant to Utah law (§ 17B-1-1003(2), part of the "Limited Purpose Local Government Entities-Local Districts Act"), I am requesting the opportunity to speak with the City Council during an upcoming public meeting about the District's proposed tax increase. My report would include the dollar amount of and purposes for the additional tax revenues, the approximate percentage increase in proposed tax revenues for the District, and any other information requested by the City Council. My report will not take more than five minutes.

If my request is granted, would you please give me three more accommodations. First, would you list my report as a separate item on your Council's agenda. Second, may I be allowed to report to the Council within the next 40 days. And, would you include on your agenda the opportunity for members of the public to comment on the property tax proposal. I would also be ready to address questions and comments from the City Council.

A suggested entry for the Council's meeting agenda could be this simple:

1. Water Supply Issues
 - a) Report by Dawn R. Ramsey of a proposed property tax increase by Jordan Valley Water Conservancy District for water service purposes.
 - b) Comment on the report by members of the public and/or the City Council.

Alternatively, you could place my report prior to the normal public comments item on the City Council meeting agenda to provide the opportunity to receive public comments on the property tax increase proposal.

Thank you. I appreciate the good working relationship that exists between South Jordan City and Jordan Valley Water.

Sincerely,

A handwritten signature in black ink that reads "Dawn R. Ramsey".

Dawn R. Ramsey

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 6/28/2022

Issue: 2555 W 11400 S
REZONE FROM A-5 TO R-2.5

Address: 2555 W 11400 S
File No: PLZBA202200064
Applicant: Austin Bowthorpe

Submitted: Ian Harris, Planner I
Jared Francis, Senior Engineer

Staff Recommendation (Motion Ready): Based on the staff report and other information presented during the public hearing, I move that the Planning Commission forward a recommendation to the City Council to **approve** the proposed rezone, file number **PLZBA202200064**, from A-5 to R-2.5.

ACREAGE:	0.95 acres
CURRENT ZONE:	A-5
CURRENT USE:	Single Family Residential
FUTURE LAND USE PLAN:	SN (Stable Neighborhood)
NEIGHBORING ZONES/USES:	North – 11400 S / R-2.5 (UDOT Road, Single Family Residential)
	South – A-5 (Single-Family Residential/Agricultural)
	East – R-3 / R-1.8 (Single Family Residential)
	West – R-2.5 (Single Family Residential)

STANDARD OF REVIEW:

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:

Austin Bowthorpe (son of property owner Blake Bowthorpe) submitted an application to rezone the subject parcel on April 7, 2022. The applicant is proposing to create a 2-lot single-family residential subdivision that would be accessed by a private lane off the south side of 11400 S. There is a private ingress and egress easement to access the private lane, as it is owned by a property to the south. The existing home will remain on a 19,602 sq. ft. lot fronting 11400 S, while a new single-family residence is proposed on a 21,780 sq. ft. lot in the rear. The rear lot would essentially function as a flag lot.

Currently, the subject parcel sits within the A-5 zone. The rezone would not require a Land Use Amendment as it conforms to the current land use designation according to the General Plan: Stable Neighborhood (SN).

ANALYSIS:

The South Jordan Engineering Department has conducted an infrastructure analysis based on the proposed rezone. Staff has determined that the private drive is of suitable width and condition to access the property. A hammerhead turnaround would not be required on the private drive, though a hydrant will be required on the proposed rear parcel. No major issues were found that would impede the development plans following a rezone.

The South Jordan Finance Department conducted a fiscal review based on the proposed rezone, and found that compared to no change, a rezone to R-2.5 would increase city revenue and slightly increase city expenses.



STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- On June 28, 2022, the Planning Commission recommended the City Council approve the application by a vote of 4-0. No public comment was made.
- Staff finds the proposed rezone is in accordance with the general plan, will provide fiscal benefit to the city, and will have minimal impact to the surrounding infrastructure.
- The proposed rezone meets the Planning and Zoning (Title 17) and the Subdivision and Development (Title 16) Code requirements.

Conclusion:

- The proposed rezone will meet the standards of approval for rezoning as outlined in §17.22.030 of South Jordan City Code

Recommendation:


- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission forward a recommendation to the City Council to **approve** the proposed rezone, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

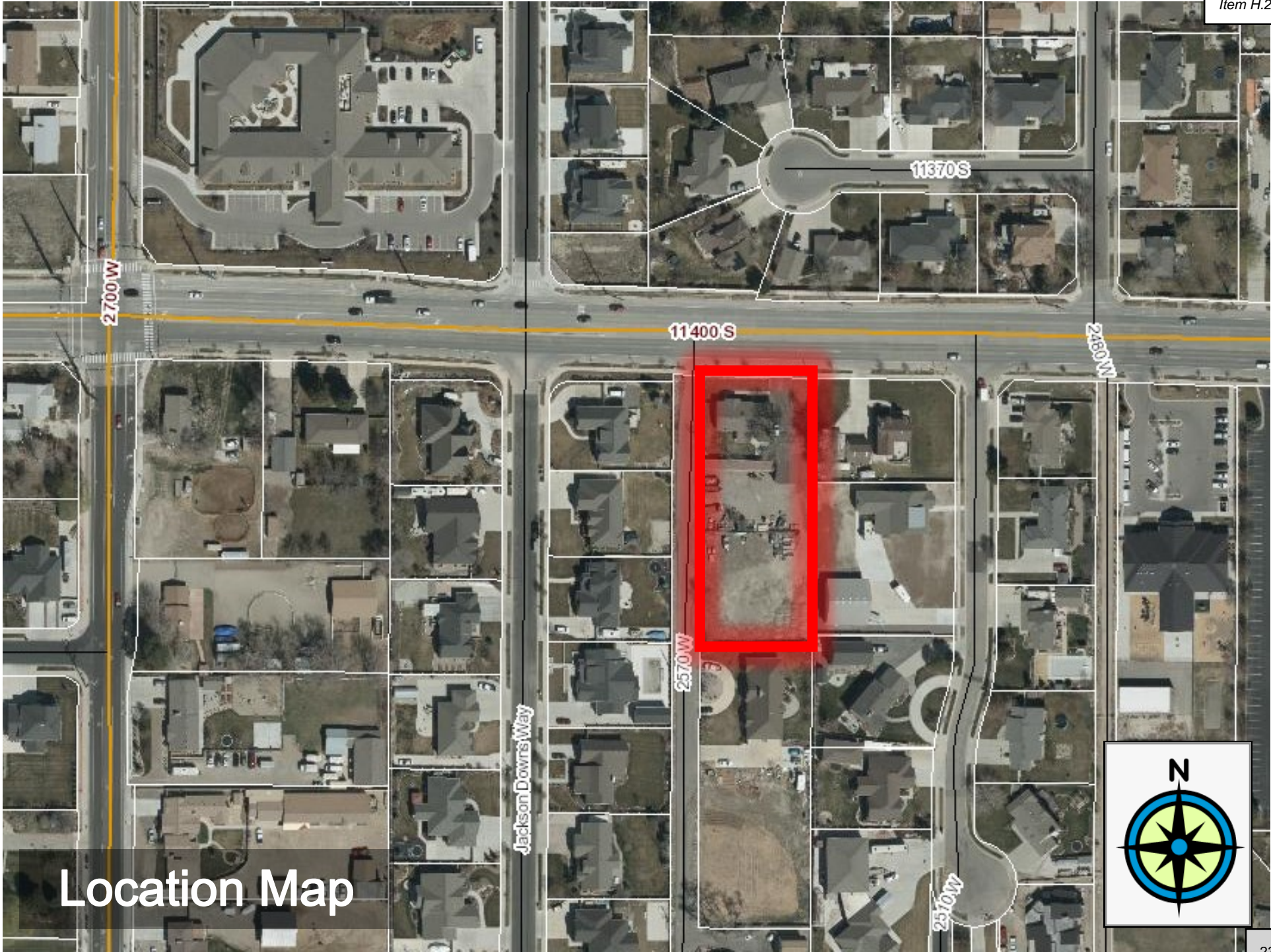
- Recommend denial of the application.
- Propose modifications to the application.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

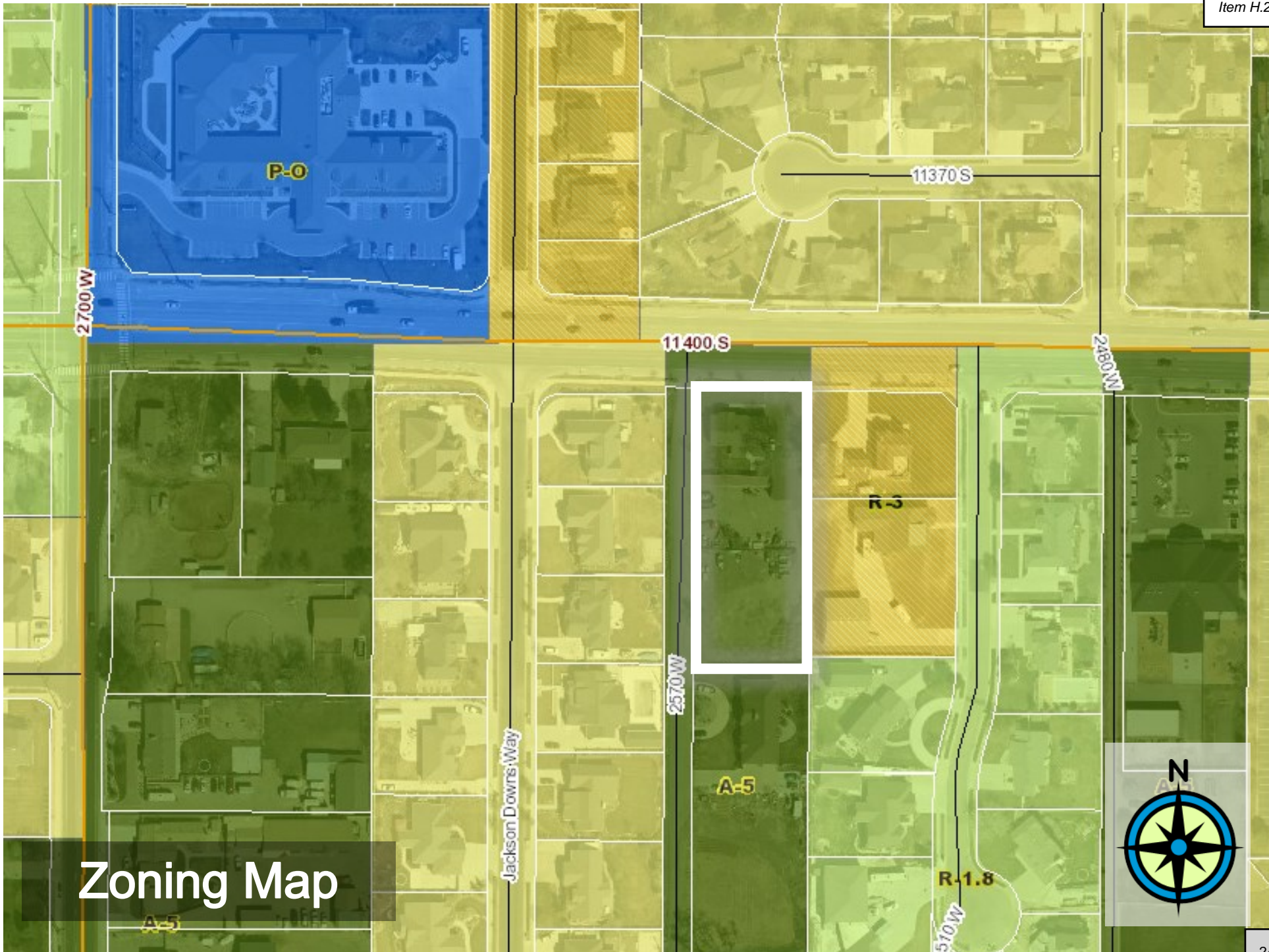
- Location Map
- Zoning Map
- Land Use Map
- Subdivision Concept
- Fiscal Analysis
- Infrastructure Analysis
- Ordinance 2022-06-Z
 - Exhibit 'A' – Property Description

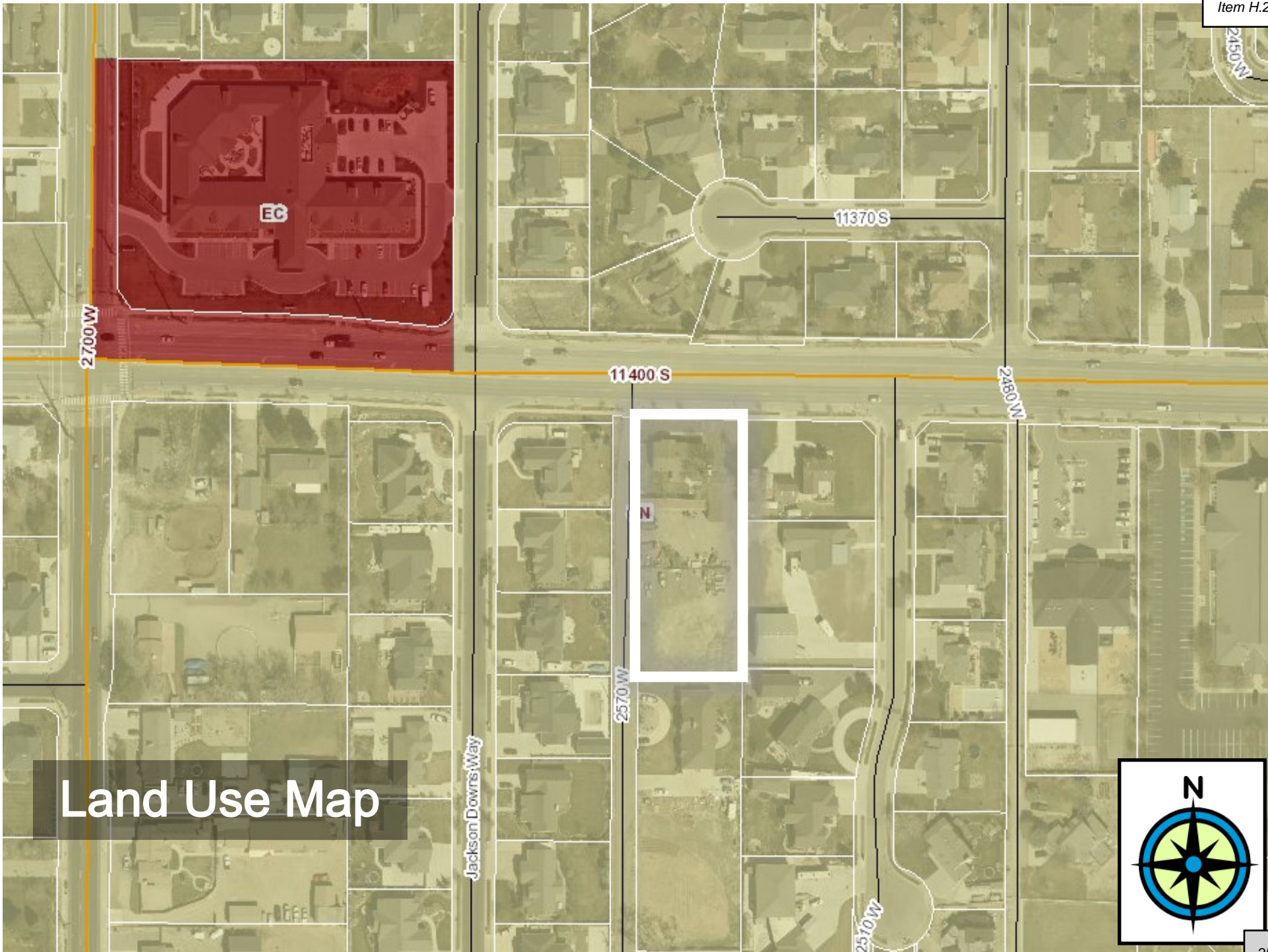

Ian Harris (Jul 12, 2022 15:59 MDT)

Ian Harris
Planner I
Planning Department

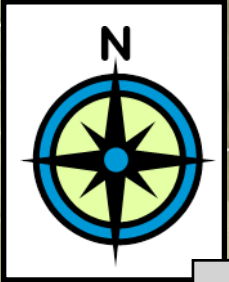


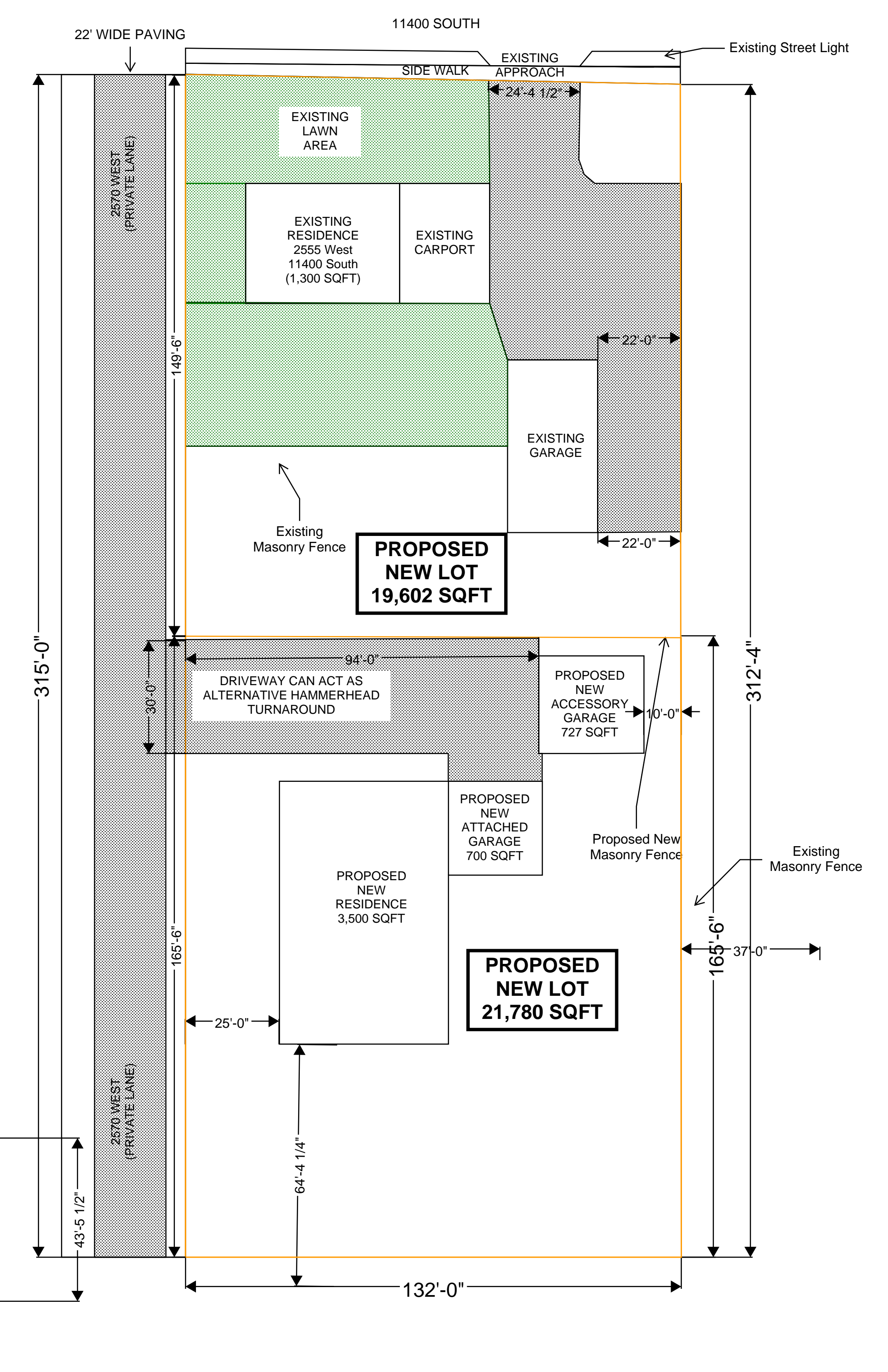
Location Map





Land Use Map





JACKSON DOWNS

E

Item H.2.

MORE OR LESS

2570 West (private lane)
N 00°01'15" W 313.71'

33'

Irrigation ditch

4506

12" pipe

6" existing water line

Circular ditch
165.40'

Parcel # 27-21-401-045
Blake Bowthorpe
0.94 ACRES (M, OR L.)

(REMAINDER

N 89°56'45" E 132.00'

132.00'

EXISTING LINE

NEW PARCEL
0.5 ACRES

(easement agreement required)
10' SEWER LINE EASEMENT

N 89°56'45" E 131.55'

165.30'

S 00°09'28" E 310.51'

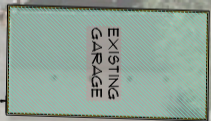
S 88°45'01" E 131.23'



EXISTING HOUSE



EXISTING HOUSE



EXISTING GARAGE

SEWER PUMP

27

400 SOUTH STREET

4510

4510

4506

4506
22'

4504

4506

Project Analysis

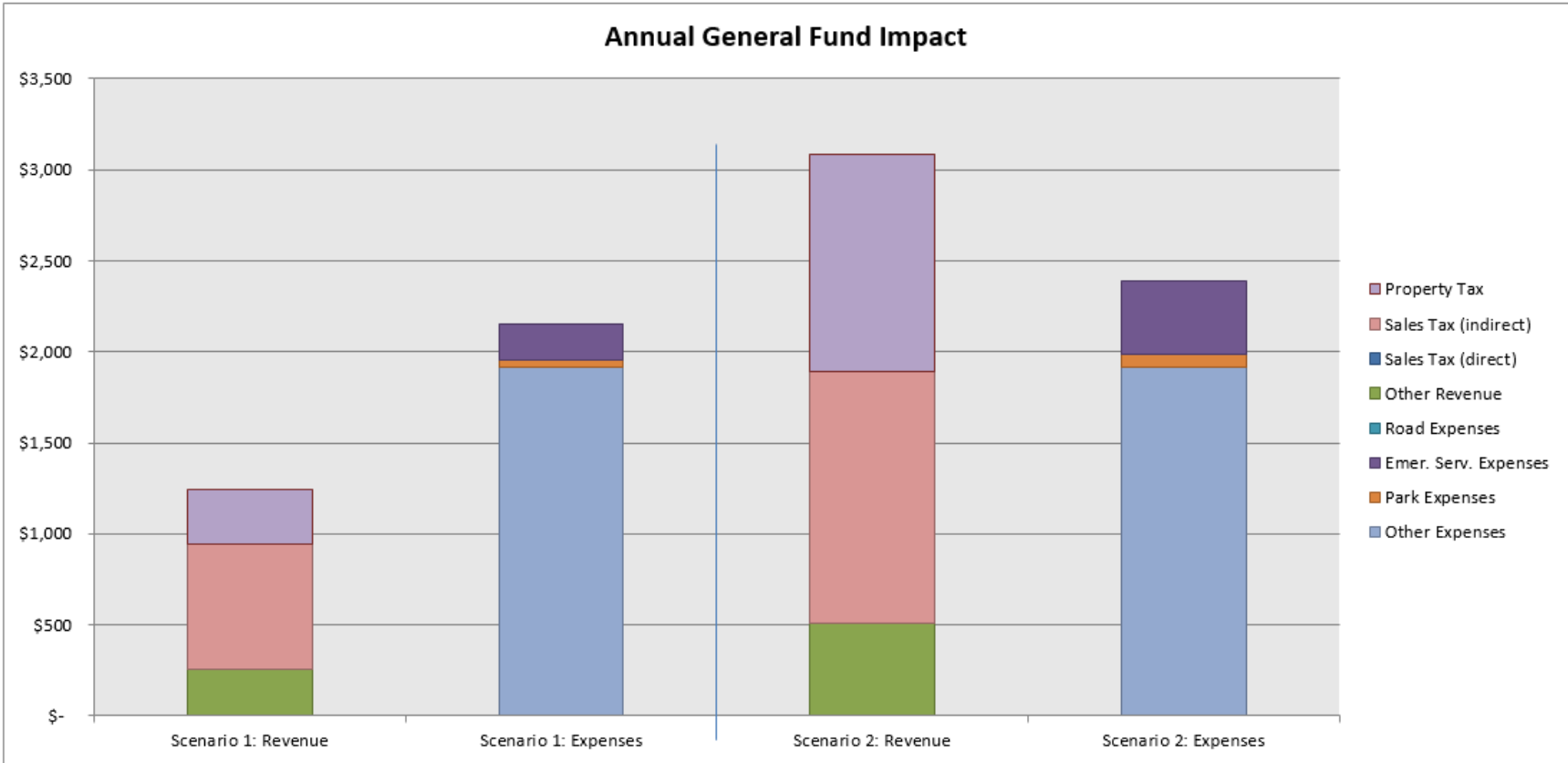
Project: Bowthorpe Rezone

April 27, 2022

Scenario Descriptions		Financial Summary by Scenario		
Scenario 1: No Change - A-5		Direct Impact (General Fund)		
No Change - Agriculture A-5		No Change - A-5	R-2.5	
Revenue		\$ 555	\$ 1,706	
Property Tax		\$ 299	\$ 1,195	
Sales Tax (direct)		\$ -	\$ -	
Other		\$ 256	\$ 511	
Scenario 2: R-2.5		Expenses		
Residential R-2.5		\$ 2,155	\$ 2,392	
Roads		\$ -	\$ -	
Emergency Serv.		\$ 202	\$ 404	
Parks		\$ 34	\$ 69	
Other		\$ -	\$ -	
Total		\$ (1,600)	\$ (686)	
Per Acre		\$ (1,684.44)	\$ (721.71)	
Per Unit		\$ (1,600.22)	\$ (342.81)	
Per Person		\$ (543.85)	\$ (116.51)	
Indirect Impact				
Potential Retail Sales		\$ 69,754	\$ 139,508	
Sales Tax (indirect)		\$ 689	\$ 1,379	

*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.



LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

Project Name/Number	Bowthorpe 2555 W 11400 S
----------------------------	-------------------------------

Planner Assigned	Ian Harris
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 is bordered on the north by 11400 South and on the west by 2570 West (which is a private drive). When the property is subdivided, the new lot to the south will be accessed from 2570 West. The private drive is paved and meets minimum width requirements. The proposed lot has been granted access to use the private drive.

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 6” water main in 2570 West, which is part of a looped system. When the property develops, the applicant will be required to provide the necessary waterline easements in behalf of South Jordan City, in order to provide a culinary water service to the new lot. Fire hydrants will be required on site as per City standards. A water model may be required as part of the preliminary subdivision submittals.

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

There does not appear to be a City owned secondary water system adjacent to the project. An engineer’s cost estimate may be required with development 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 serviced by the District)*

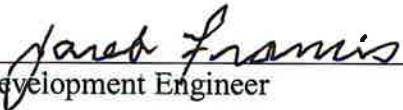
There is a sewer main line in 11400 South and there might be another one in 2570 West. The GIS mapping doesn't show a sewer main in 2570 West but there are already 3 other existing homes on the private drive so it might also contain a sewer main line. Sewer connection requirements will be determined by the South Valley Sewer District.

Storm Drainage: *(How will this area be serviced 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. The closest existing public storm drain system is located in 11400 South but it is anticipated that the proposed lot will retain all of its storm water.

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

Report Approved:


Development Engineer

6/22/22
Date


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

6/22/22
Date

ORDINANCE NO. 2022-06-Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY GENERALLY LOCATED AT 2555 WEST 11400 SOUTH FROM THE A-5 ZONE TO THE R-2.5 ZONE; AUSTIN BOWTHORPE (APPLICANT).

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, Austin Bowthorpe, proposed that the City Council amend the Zoning Map by rezoning the subject 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 PLZBA202200064, located in the City of South Jordan, Utah, is hereby reclassified from the A-5 Zone to the R-2.5 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 _____, 2022 BY THE FOLLOWING VOTE:

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:


Gregory Simonsen (Jul 13, 2022 17:45 MDT)

Office of the City Attorney

EXHIBIT A

(Property Description)

PARCEL # 27-21-401-045-0000

BEG N 89°56'45" E 698.21 FT & S 0°01'15" E 47.82 FT FR CEN SEC 21 T3S R1W SL MER;
S 88°42'45" E 66.90 FT; SE'LY 65.13 FT ALG A 8049 FT RADIUS CURVE TO L (CHORD S
88°56'39" E 65.12 FT); S 0°01'15" E 312.35 FT; S 89°56'45" W 132 FT; N 0°01'15" W 315.18
FT TO BEG.

CONTAINS 0.95 AC.

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 7/19/2022

Application: TEXT AMENDMENT - AMENDING CITY CODE SECTION
17.16.010 CONCERNING PLANNING COMMISSION
ORGANIZATION

Ordinance No.: 2022-12
Applicant: South Jordan City

Submitted By: David Mann, Long Range Planning Analyst
Presented By: Steven Schaefermeyer, Director of Planning

Staff Recommendation (Motion Ready): I move that the City Council **approve** Ordinance No. 2022-12 amending Section 17.16.010 of the South Jordan City Municipal Code concerning the composition of the Planning Commission.

BACKGROUND:

The South Jordan City Council desired to increase the number of commissioners on the Planning Commission and remove the requirement for an alternate commissioner. The Mayor would appoint the additional commissioner on the Planning Commission.

ANALYSIS:

Staff reviewed the current ordinance, removed language referring to the alternate member of the commission, and added language that addresses the appointment of the new commissioner. Staff also clarified the standing of the commission members when council district boundaries change. The Planning Commission reviewed the proposed ordinance during a public hearing held on June 14, 2022 and recommended the City Council approve the ordinance. The Commission suggested further clarification regarding the residency requirement if a commissioner moves from the City, but Staff believes the City Council already has the authority to address that situation. If approved, the proposed text amendment would make it easier to have the required number of commissioners needed to vote on agenda items during public meetings.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Utah Code § 10-9a-301 requires the City Council to establish a planning commission by ordinance, which shall define, among other things, the number of commission members and how they are appointed.
- The proposed text amendment is consistent with the City’s Strategic Priority to promote a balanced regulatory environment by developing “effective, well-balanced and consistently applied ordinances and policies” and implementing “ordinances and policies that encourage quality community growth and development.” (Strategic Priorities BRE-1 and BRE-2)

- The proposed text amendment will better-position the Planning Commission to enforce the City's land use ordinances and implement the goals of the General Plan by fully engaging the Commission's sixth member as a regular voting member of the Commission.

Conclusions:

- The proposed text amendment will make it easier for the Planning Commission to ensure enough commissioners will attend each public hearing to constitute a quorum and not delay application review and approval.

ALTERNATIVES:

- Approve Ordinance No. 2022-12 with changes.
- Deny Ordinance No. 2022-12.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- Ordinance No. 2022-12
 - Exhibit "A" – Proposed Text Amendment

ORDINANCE NO. 2022 - 12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTIONS 17.16.010 OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO ADD A SIXTH PLANNING COMMISSIONER AND MAKE OTHER CHANGES TO THE PLANNING COMMISSION.

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

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

WHEREAS, the City Council desires to amend City Code § 17.16.010 of Title 17 (Planning Commission) to add a sixth voting commissioner to replace the former substitute commissioner and to make other changes as set forth in the attached exhibit; 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 amendment will enhance the public health, safety and welfare, and will promote the goals of the General Plan.

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

SECTION 1. Amendment. City Code § 17.16.010 (Planning Commission) is 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 _____ DAY OF _____, 2022 BY THE FOLLOWING VOTE:

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory M. Simonsen
Gregory M Simonsen (Jul 13, 2022 12:00 MDT)

Office of the City Attorney

Exhibit “A”

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

CHAPTER 17.16 LAND USE ADMINISTRATION

17.16.010: PLANNING COMMISSION:

There is created a Planning Commission of the City consisting of **six (6)**~~five (5)~~ voting members ~~and one alternate member~~. Each member of the City Council **and the Mayor** shall nominate one voting member to the Planning Commission and that nominee shall be appointed to the Planning Commission by a majority vote of the City Council. Each voting member shall be a resident in the council district for which he or she is appointed **(or a resident of the City for the Mayor’s nomination)** for at least one (1) year prior to the voting member’s appointment. If a Planning Commission member moves outside its council district from which he or she was appointed, **or if the council district boundaries change so that a Planning Commission member now resides outside the district to which he or she was appointed,** that Planning Commission member may finish his or her term. ~~The Mayor shall nominate the alternate member to the Planning Commission and that nominee shall be appointed as the alternate member to the Planning Commission by a majority vote of the City Council. The alternate member shall be a resident of the City for at least one (1) year prior to the alternate member’s appointment, and shall maintain residency in the City during the alternate member’s term. The alternate member of the Planning Commission shall attend the Planning Commission meetings and participate in the proceedings, but shall not vote in the meetings unless at least one voting member is not present for the meeting or if at least one voting member is recused.~~ Members of the Planning Commission shall be appointed for the same term, or remainder of a term, as the term of the Mayor or member of City Council who nominated him or her. The City Council may remove any member of the Planning Commission for any reason by majority vote of the City Council. A City Council member who nominated a Planning Commission member, which Planning Commissioner subsequently moves from its council district, may remove, for any reason, that Planning Commission member that he or she nominated. Any vacancy occurring on the Planning Commission by reason of death, resignation, removal, or disqualification shall promptly be filled by the City Council for the unexpired term of such member, according to the nominating and appointment procedure set forth herein. A member of the Planning Commission whose term has expired shall continue to serve until a successor has been appointed unless otherwise directed by the City Council. Each member of the Planning Commission, ~~including the alternate member,~~ shall be paid fifty dollars (\$50.00) per day for attending each regular Planning Commission meeting. Members of the Planning Commission shall be appointed, including appointments to fill vacancies, and removed by resolution of the City Council.

- A. Commission Organization And Meetings: At the first regular Planning Commission meeting held in each calendar year, the members shall select from their number a Chairperson and other such officers as they deem necessary in carrying out the functions of the Planning Commission and shall adopt such rules and regulations for the conduct of business before the Planning Commission as they deem appropriate, which rules and regulations may be modified and/or amended at any time by the Planning Commission at any of its regular meetings. The City Council may remove, replace, or appoint the Chairperson of the Planning

Commission by a majority vote of the City Council. Planning Commission meetings shall be held at the call of the Chairperson and at such other times as the Planning Commission may determine in accordance with the law. Planning Commission meetings shall be open to the public, unless closed in accordance with law. Three (3) members of the Planning Commission shall constitute a quorum for the transaction of business. The vote of the majority of those Planning Commission members in attendance, but no less than three (3) members, shall be required to pass any motion before the Planning Commission. Minutes shall be taken at the Planning Commission meetings and minutes containing the official act and recommendations of the Planning Commission shall constitute public records and shall be available for inspection upon reasonable notice at reasonable times and places. Reports of official acts of the Planning Commission shall be made in writing and shall indicate how each member of the Planning Commission voted with respect to such acts or recommendations as the Planning Commission may from time to time make.