

JORDAN CITY
CITY COUNCIL MEETING

February 2, 2016

Present: Mayor David Alvord, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Chris Rogers, Council Member Don Shelton, Council Member Tamara Zander, CM Gary Whatcott, Fire Chief Andrew Burton, Administrative Services Director Dustin Lewis, Police Chief Jeff Carr, Strategic Services Director Don Tingey, Development Services Director Brad Klavano, City Attorney Ryan Loose, COS Paul Cunningham, City Commerce Director Brian Preece, Finance Director Sunil Naidu, IT Director Jon Day, Public Works Director Jason Rasmussen.

Others: See Attachment A

REGULAR MEETING – 6:00 PM

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

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

B. Invocation – *By Mayor Alvord*

Mayor Alvord offered the invocation.

C. Pledge of Allegiance

Sam Ekblad, scout from Troop 223, led the audience in the Pledge of Allegiance.

Mayor Alvord recognized all the scouts present.

Council Member Rogers made a motion to amend the February 2, 2016 agenda, adding Consent Items G.1. and G.2. Council Member Marlor seconded the motion. The vote was unanimous in favor.

D. Minute Approval

1. January 12, 2016 Special Budget Meeting
2. January 19, 2016 Special Work Meeting
3. January 19, 2016 Combined CC & RDA Meeting

Council Member Shelton noted a change to the January 19, 2016 special study meeting minutes. Council Member Zander noted a change to the January 19, 2016 Combined CC & RDA meeting minutes.

Council Member Marlor made a motion to approve the minutes, with the noted changes. Council Member Shelton seconded the motion. The vote was unanimous in favor.

E. Public Comment:

Jeff Hyer, said they have 422 signatures opposing Kennecott's development. He said there was another plat 5 months ago and they had 600 signatures opposing that. He said they had an initial visit with Kennecott, but they have not been invited back. He said they are asking the City Council to request in writing that Kennecott delay, postpone, or cancel the plat proposal to the Planning Commission. He said it appears that Kennecott is not doing what the Planning Commission, City Council, or Mayor asked. He said they would like the item pulled; it is coming up at next week's Planning Commission meeting. If the City Council is unable to do that, they would like the City Council's help in being creative in helping represent them in resolving their dispute. If this happens, it will be an issue later. It is much easier to deal with now. He noted concerns with safety and traffic. This needs to be resolved. They don't want to be steam rolled next week.

Mayor Alvord asked what are the options relative to influencing the Planning Commission?

City Attorney Loose said the City Council has adopted a code of ethics that says the City Council should not exercise undue influence on the Planning Commission or any other boards, commissions, or committees. He said this is an administrative item only. If it meets code and the city's "checklist", it is approved. If it doesn't, it is denied. There is no latitude. There is not broad discretion. On legislative items that there is latitude, the Planning Commission makes recommendations to the City Council. On administrative items, it can be appealed to the City Council. They do not have any authority to deviate from the check list. The City Council cannot director or influence the Planning Commission on their decision one way or the other.

Mr. Hyer said they are not asking the City Council to influence the Planning Commission.

F. Presentations:

1. Jordan Valley Water Conservancy District Update. (*Board Member Scott Osborne*)

Scott Osborne, Jordan Valley Water Conservancy District Board Member, said JWCD is spending a lot of money to plan for both the near and extended futures. He recognized Richard Bay, General Manager, and Alan Packard, Assistant General Manager and engineer. Mr. Packard and Mr. Bay reviewed a presentation on the water issues update. (Attachment B).

Council Member Zander asked regarding reverse osmosis, will they be cleaning up the aquifer completely? Mr. Packer said they project that it will take up to 40 years of constant pumping and treating for the aquifer to be largely cleaned. It won't be 100 percent clean.

Mayor Alvord asked if there has been a policy change or a mind change? He noted that mining operations continue. Mr. Packer said the practices have changed. He said the Zone A plume contamination was largely a result of water infiltration into the aquifer. He said Kennecott's storage reservoir in Copperton leaked. He said regarding the Zone B plume, there was a large evaporation pond that contributed to that plume. Both of those activities have now stopped.

It was noted that 11400 South crosses the zone B plume.

It was noted that JWCD's chart regarding water supply planning does not include Bear River. If that pipeline was completed, that would add 50,000 acre feet of new water supply.

Council Member Zander asked if there are certain times of the day that the water costs less? Mr. Bay said no. There are times of the day when watering is less efficient.

Mayor Alvord asked if it is important that the city promote water conservation? He said if the costs increase significantly, the water conserving plants are more attractive to the residents. Why not let the free market settle this? Mr. Bay said the price signal to the users is important. That is why the advanced metering system is important. He said water is unique in that it is a commodity that follows economic principles, but it is also an essential resource that is needed. The supply is scarce and limited. Because of that, the Legislature has stated that the ownership of the water is owned by the public so it does not follow market principles. He said there is also a public good aspect because it benefits the broad community.

Council Member Shelton clarified that the plume of water in South Jordan will be clean in 40 years. Mr. Bay said yes, it will be 90 percent clean in 40 years. The last 10 percent will take 100 years. It was noted that Zone A has been in operation for 10 years so it should be clean in 30 years. The eastern zone has been in operation 2 years. GM Whatcott said there has been evidence that the cleanup efforts are working. Council Member Shelton asked if the graphics presented anticipate the addition of that water supply? Mr. Bay said yes. That water is currently being treated and used. After the 40 years, there would be opportunities for new wells. Mr. Packer said after the 40 years, the water may still require treatment.

Mr. Bay said they assumed in their numbers that secondary water, canal water, Utah Lake, etc. will reduce the demand on JWCD numbers.

They discussed the improved snow pack for this year so far. Jordanelle can store 3 years of water demand so they are good for the coming year. Beyond that is still in question. Deer Creek is 80 percent full. Scott Osborne said they have been deferring water and taking water from Utah Lake. If they fill Utah Lake, it would drain both reservoirs and that is a concern.

They discussed the Utah Lake Drainage Basin Water Delivery System (ULS). The infrastructure is in place. All is ready to deliver that. They are anticipating bringing that into their system in 5-7 years.

Council Member Harris asked if inefficient agricultural water use indirectly affects the cost of water? Council Member Harris asked if it impacts the demand and in turn causes an increase in price? Mayor Alvord said secondary water isn't JWCD water. Mr. Bay said their source comes upstream from Utah Lake, so there is minimal impact except for Utah Lake. Utah Lake's rights have to be honored before Jordanelle and Deer Creek.

Council Member Harris asked if there is anything they can do to encourage water efficiency for agricultural use? Mr. Bay said agricultural use is almost 100 percent efficient because it has a diversion right and a depletion right. As long as there are downstream water right users, it is almost 100 percent efficient already.

Council Member Rogers said there has been interest in direct potable reuse and secondary water reuse. He asked why hasn't JWCD done a direct potable or secondary water reuse plant? Mr. Bay said under Utah law, the water right structure to reuse sewage effluent was just updated 10 years ago and it defines who and how water can be diverted, retained, and reused. It gives strong preference to a city over a wholesaler like the JWCD. Also, it would cost more than the sources they are currently developing. The time will come when the cost is comparable or less. Lastly, there is public fear. There would need to be a lengthy public campaign so there is confidence that the water is pure.

Mayor Alvord asked if pharmaceuticals passed through urination can be cleaned with the reverse osmosis process? Mr. Bay said they cannot be filtered through the conventional treatment plants. They can be removed with reverse osmosis. There have been a couple that are barely above laboratory detection limits in the Provo River. Mayor Alvord said if they were to go to a 100 percent reuse, it may have a compounding effect on the pharmaceuticals. Mr. Bay said the best way to do it is design it so it only does 1 or 2 cycles.

G. Consent Items:

1. Appointment of Craig Hall to the Planning Commission for 2-Year Term as replacement for Richard Feist whose term has expired. *(Council Member Zander)*
2. Resolution R2016-13, supporting House Bill 160 requiring Justice Court Judges be Law School graduates. *(By Council Member Rogers)*

Council Member Rogers made a motion to approve consent items G.1. and G.2. Council Member Shelton seconded the motion. The vote was unanimous in favor.

H. Discussion Item: Direct Potable Reuse Project Study Update *(By CM Gary Whatcott)*

CM Whatcott introduced Marv Allen, Scott Osborne, Alan Packard, Rick Malloy, Craig Smith and Nathan Brakkin. He said a former Mayor tasked him with looking at some other resources to augment the city's potable sources. He said after 5 years, it came to a point where they need to either find a project or move on. He said at the Colorado Users Association Conference, Mr. Brakkin learned of some opportunities that may come their way to build a demonstration plant.

He said if they want to continue down this road, they will need to commit some resources or let time take its place.

Nathan Brakkin said he works for Smith Harvertson and is a South Jordan resident. He reviewed some of his background experience in water. He said Utah's regulations are some of the most restrictive in the west. He said many stakeholders have committed to work towards a water reuse project. He said they need to get further instruction from this City Council. He said he has contacts working in Washington DC for the Department of Interior and he feels those individuals can facilitate a discussion about what funding they could get. He said there are strings for the CUP (Central Utah Project). He said the funds are \$1 million for 1000 acre feet, and up to 65 percent of a project. There is some assistance available potentially for a small demonstration project. He said he feels direct potable reuse is inevitable. He said it doesn't make sense in all cases, but it does for a city with no other water supply like South Jordan.

CM Whatcott said Mr. Brakkin got interest for a project in South Jordan because of their contaminated plume, its geography, etc. Mr. Brakkin said the state regulators are willing to work with them now, which they weren't in the past. He said this project could help them understand what will and will not work in the state.

Council Member Harris said if they don't move forward, or if the timing is not right, will federal funding be available in the future? Mr. Brakkin said right now, they have people at a high level in the Department of Interior willing to work with them to see what is possible. Those people will be gone after the next Presidential election. He said the state regulators may also change.

Council Member Harris asked if they are confident that they will have to go to potable reuse at some time? Mr. Brakkin said it doesn't have to be direct potable reuse. They can consider it for secondary water as well. He said at some point, reuse may make financial sense. He said they need to prepare now and it may be more difficult down the road to take the necessary steps.

Council Member Harris said it would be more expensive to install the infrastructure in the future. He said federal funding may go away. Mr. Brakkin said federal funding is going away drastically. He said there is a possibility with the federal funding now that may go away in the future.

Craig Smith said now is a very opportune time. They are near the front of the line. There aren't a lot of other projects out there. He said they will need water reuse. Utah is way behind the curve.

Scott Osborne said direct potable reuse can be separated into indirect potable by their conveyance. There is more of an appetite for indirect reuse. There is still the same amount of water. With the RO plants, they can clean the water. He said there are many opportunities to build different projects to capitalize on available funds.

Council Member Harris said if they let someone else do the project first, they will get the federal funding. Infrastructure costs will also be increasing.

Council Member Rogers asked how quick could they get a proposed project online and utilize the contacts in the Department of the Interior. Mr. Brakkin said his contacts have offered to help facilitate a discussion and get the ball rolling. The money would come from the CUP. He said it is important to start the discussion now. South Jordan is well positioned to do a project. Mr. Smith concurred.

Council Member Marlor said he is interested in taking advantage of the federal funds. Mr. Brakkin said their biggest challenge currently is that they need a defined project and take that to the CUP. If they can come up with a defined project, they can see what funds are available from the CUP.

Council Member Shelton asked what are the long term prospects for the water. His understanding is that even if the water was not polluted, they have no access to it. They have no rights to it. Mr. Smith said that is correct. South Jordan has very few water rights; they have more shares of canal water.

Council Member Shelton said at some time, the mining operation will stop. He asked if they have any access to the water on those mountains? Mr. Smith said Kennecott has a lot of water rights. They could sell those water rights if they wanted.

Council Member Shelton said reuse may be the only option. CM Whatcott said they own canal water shares. He said there have been numerous studies done about cleaning the Utah Lake water. He said they know they can rely on sewer water. They don't have a lot of other choices. They don't have a secondary water system. He said it would be a waste of resources to do a separate culinary and secondary system. He said direct potable reuse is the best option because they already have the infrastructure. He said for an indirect reuse scenario or a demonstration plant, the city would have to commit money and resources to it. Best case scenario, South Jordan would have to pay for 35 percent of the project.

Mayor Alvord said they would not be installing a reuse mechanism; it would just be a demonstration project. Council Member Marlor said if they put something in place, they would be at the forefront for qualifying for additional funds in the future. Mr. Brakkin said both statements are correct. He said it would be hard for the city to do something on a large scale without a proof of the concept. Council Member Rogers said if they do a demonstration plant, they need to have the foresight so that it is expandable in the future.

Mayor Alvord said at a recent COM meeting, there was a presentation from JVWCD on reuse. He said there was a large gap between the delivery methods of mountain water and the return on investment before you start to approach the numbers that reuse will cost. He said the water will have to go through the reverse osmosis process before it becomes potable. He said it is very expensive compared to the other delivery. He said the other problem with the water coming out of the sewer is that it is at the lowest point in the valley. He asked how many years until reuse becomes competitive?

Scott Osborne said they just finished the CWP project, which was very expensive. The cost of that water just being developed today is the same price as RO water. The current and future water that they are developing is very expensive. Right now, they are able to give a blended value because some of the other water is much cheaper. The new water is almost the same price as RO water. Mayor Alvord said he thought it would be 30-40 years before the blended cost is the same as the RO water. Mr. Osborne said it is 21 years. Mayor Alvord said with water conservation, it could be 30 years.

Mayor Alvord asked if RO water was available 30 years ago? He was told yes, but not widely. Mayor Alvord said he wonders if they are too far ahead of the curve. He said it is an expensive option. There could be new technology in the future. He feels it is too early.

Scott Osborne said they have been blessed because they had people in the past that understood the value of water. They are benefitting from that today. He said there is a value to it beyond the cost of production. He said water is a fundamental factor for economic development. It is expensive. He said the cost to do nothing might be more.

It was noted that RO water costs \$1100-1200 per acre foot of water. South Jordan's water is currently \$500 per acre foot. Treating different types of water costs the same relatively. It was noted that there are multiple RO plants coming online in southern CA. San Diego is using sea water, but there are environmental issues associated with that.

They discussed the fact that it would be expensive to pipe the water to the Great Salt Lake.

CM Whatcott said he feels they should have a public discussion about reuse. There is no reason South Jordan shouldn't lead the discussion. He feels there is a valuable public need.

Mayor Alvord asked how much will the project cost? CM Whatcott said it needs to be defined with the state regulators. Right now, they don't know the costs. It was estimated that the demonstration project could be approximately \$6 million.

City Attorney Loose said the Lt. Governor is interested in assisting them with regulatory environment. Staff does not want to create the impression that the City Council is ready to do something. He said there are people willing to help them with certain issues.

Council Member Shelton said he feels that the city is vulnerable on the issue of water because they only have one supplier. He said JWCD has been a good partner, but he feels it is really important to move in the direction of finding a way to diversify their water supply and develop some water supply that is their own. He said he would like to see CM Whatcott move in this direction. He said they would have to see a project and the cost before making any decisions, but they need to diversify their risk on this vital resource. Council Member Marlor and Council Member Harris concurred.

Council Member Harris said this project could potentially be a lot of money. Is there anyone that recommends against this? He asked if there were any additional points they should consider. Mr.

Osborne said this is on the cutting edge for sure. It would require a great deal of vision for the future. He said South Jordan is in a unique situation. He said they have the capability to be the master of their own ship if they have their own resource. He believes they have a track record of the technology with multiple RO plants. He is not sure how that would work in South Jordan. They should see if it is worth the next investment or not. Also, they can start the education process. He believes they would have positive results from a demonstration plant and it would not be a failure.

Mayor Alvord asked if they should consider surveying the residents to see if they are willing to pay more for mountain stream water rather than reuse water. They might be willing to.

Marv Allen said he agrees with a lot of what Mr. Osborne said. He said it will cost more than \$2 million for the city. He said ultimately, JWCD will have to treat Utah Lake Water and the city has right to Utah Lake water. He said it doesn't make any sense to him to take reuse water, dump it in the river, just to allow that to be the conveyance facility, and then turn around and have to take it out to treat Utah Lake water. There would be additional costs for the pipe and a pumping station. He said he doesn't know if a project could be to treat Utah lake water. Eventually, they will need to do an RO plant for Utah Lake. He said he thinks anything they do will be more expensive than \$2 million. He said with any RO project, they have to get rid of the bi product and they have to take it to the Great Salt Lake. It won't be inexpensive and it won't be just \$2 million. He said they looked at the cost to put in a full scale direct potable reuse project in the city. The estimate was \$83 - \$121 million. A significant part of the cost was the treatment plant, the pipelines, and the conveyance facilities. He concurred that eventually they will have to look at water reuse. It is expensive. They need to define what they mean by demonstration project so they have adequate numbers.

Council Member Zander asked what is the risk for the city to just define the project? It was estimated that it would cost \$20,000-\$40,000 to study the issue and identify what the project could be.

Mayor Alvord expressed concern over doing another study and doing nothing with it. He feels this is 10 years ahead of its time. He feels it makes the government more expensive and less efficient.

Council Member Rogers said he thinks it is worth it to do the study. Best case scenario, they develop a project that benefits the city with some federal government funding so they don't have to incur the entire cost in the future. He said more information on this would be beneficial. He reiterated that he wants the plant to be able to convert into a large capacity facility to accommodate future growth. Council Member Shelton and Council Member Zander concurred.

Mr. Brakkin said when they define the project they are in a better position to see what funding they can get. If they tell the Department of the Interior that they are defining the project, they can ask what the parameters are for funding to ensure that they meet the qualifications.

CM Whatcott said by doing this, if they apply for a project, and if they use any affluent, it makes their case to use the reuse water. Mr. Smith concurred and said it would secure the right to continue to use the affluent.

Mayor Alvord expressed concern about the cost of the project and indicated that there is no ROI for 20 years.

Council Member Marlor asked staff to get a proposal to find a scope of work to define a qualified reuse project to bring back to the City Council for review.

Mr. Allen said they already have water rights to Utah Lake. It makes no sense to use that as a conveyance method. Another option is to consider a project that treats Utah Lake water. He said they could also consider using the canals as the conveyance, although they would only have access 6 months of the year. He said they could look at that in comparison to reuse. He said it might be as effective to consider secondary water city wide.

Council Member Marlor asked if there is a grant to do the study? Mr. Allen said he didn't know.

CM Whatcott said they could consider all of those issues in one study. He said there are some barriers that have been created with doing a secondary water system that are very expensive. He said if they consider the use of canal water, they would need to link several canals because if they used just one canal, there are downstream users affected by the volume or flows. That is why he thinks reuse is the best option.

Mayor Alvord said reuse is not the only option. There are a lot of legal issues using sewer water. There are many obstacles. He said they should look at the canal water too. That might be the only one that they get regulation permission to use.

Council Member Rogers said they should put in a limit not to exceed \$50,000 for the study.

Mayor Alvord asked where would they get money for the study? CM Whatcott said there may be funds available in the water fund. Public Works Director Rasmussen said they can use the water fund. They would need to move the priorities around.

Council Member Marlor reiterated for CM Whatcott to come up with a proposal for the City Council and to show where the funds would come from and how long it will take. Council Member Rogers asked that it be brought back as an action item.

- I. **Public Hearing:** Ordinance 2016-02, Zone Text Amendment; amending the South Jordan Municipal Code by adopting Chapters 17.50 (Open Space Zone) and 17.62 (Office Zone), amending Chapter 17.18 (Uses), and repealing Chapters 17.23 (Open Space Zone) and 17.50 (Professional Office Zone). (By Planner Jake Warner)

Planner Warner reviewed a presentation regarding the zone text amendment on the office and open space zones (Attachment C). It was noted that Council Member Rogers submitted some edits to the zone text amendment (Attachment D).

Council Member Marlor asked where would the stadium/theater/auditorium uses be allowed? Council Member Rogers said they are conditional uses in the C-C, C-F, and I-f zones. Council Member Marlor asked why not make them a conditional use in this zone? Council Member Rogers said those uses don't come to mind when he hears "open space". He said if they use this in the open space zone, it would have to be with the City Council approval through a development agreement. He doesn't like the idea putting it as a conditional use because it grants rights to the property. He said he would like the City Council to have broad latitude for this use in the open space zone. Council Member Marlor asked who would develop the use in the open space zone, other than the city? Council Member Rogers concurred.

Mayor Alvord opened the public hearing.

Julie Holbrook, resident, said she wished she heard all of Council Member Rogers edits before the public hearing. She said they can't comment on the edits without knowing what they are. She said a 1000 sq. ft. building would be allowed on an acre park. So if the park is 10 acres, they could have a 10,000 sq. ft. building. She said some are frustrated at some of these regulations. They try to think of everything, but there is always someone that tries to get around the system and then they are stuck with it.

Mayor Alvord closed the public hearing. He said he will open up the hearing after they have discussed the revisions because the revisions were circulated to the City Council and the residents didn't see them.

Council Member Rogers said they could table the discussion until they meet with the Planning Commission because they will be re-discussing the issue. He said through that process, they can publish his edits.

Council Member Rogers made a motion to table Ordinance 2016-02, and to discuss the Ordinance and his edits at the Planning Commission/City Council meeting on February 23rd and reschedule the public hearing for the first City Council meeting in March, and that his edits be published along with any subsequent edits from the February 23rd meeting. Council Member Harris seconded the motion. The vote was unanimous in favor.

J. Discussion Item: Board and Commission Ordinance Amendment – potential Ordinance 2016-01 (*By City Attorney Ryan Loose*)

City Attorney Loose reviewed a presentation regarding an amendment to boards and committees (Attachment E). He said they are trying to make sure they create these entities through a uniform process. It doesn't change the City Council's ability to attend the meetings. They discussed the committees that have a budget. The only one with exclusive authority to spend is the Arts Council.

City Attorney Loose noted that they will be sending out an RFP for a hearing officer.

CM Whatcott said he likes the proposal.

City Attorney Loose said this change does not affect internal staff committees.

Council Member Marlor said he likes the formality and protocol so the City Council understands what they are supposed to be doing. Council Member Shelton and Council Member Rogers concurred.

City Attorney Loose said staff will bring it back for approval soon.

K. Discussion Item: Planning Commission Appointment Process. *(By Mayor Alvord)*

Mayor Alvord said each City Council has a Planning Commission nomination. He feels it would be appropriate since there are 6 members of the City Council and 6 members of the Planning Commission, for each City Council member including the Mayor to have a nomination. He said one difference on the Mayor's nomination is that it is at large and he would advertise for it on social media.

Council Member Rogers said when they changed the Ordinance regarding how the Planning Commission was established, he envisioned a structure where the Planning Commission was a reflection of the City Council. He said everyone on the City Council could have someone that they felt was aligned with them politically and with land use views. He said the proposed change would mirror the Planning Commission and City Council. He is supportive of the change.

Mayor Alvord said another thought behind the alternate being the chair is that they need a clearly defined job.

Council Member Marlor said he thinks the idea of having the Mayor find a person at large is a great idea. He said he feels it is important that the Planning Commission chair be experienced. It concerns him to bring in a chair with no experience. He is okay with the Mayor proposing a name that is approved by the City Council. He feels differently making that person the chair. He said being the alternate gives the person a great opportunity to become experienced.

Council Member Rogers said the Planning Commission decided to make the current alternate the chair. City Attorney Loose said in that case, the alternate was not new. Typically, the chair has served at least a year or two.

Council Member Marlor said the Mayor has already gained the respect by being elected at large. On the Planning Commission, that person is appointed. From a leadership standpoint, he is not in favor of having someone new as chair. If the person coming in is new, and the Planning Commission votes them in as chair, he is okay with that.

Council Member Shelton said he likes the idea of the Mayor selecting someone at large.

Council Member Zander concurred that having experience is a good idea for the chair. She is okay having the Planning Commission pick the chair.

Mayor Alvord said if it was clear that they were seeking applications for chair, it may produce candidates that could carry that out. He said they need to balance the fact that they have to be at the meetings even though they have no vote. It feels more respectful of their time than if they weren't the chair and had no vote.

Council Member Harris said he feels the alternate should be the chair. Maybe they wait a period of time to make sure the alternate gets up to speed. In the long run, it should mirror the structure of the City Council. He asked about the applications that are currently on file. Would those individuals be considered?

Mayor Alvord said he was going to open up the issue for 30 days. He will review all applications, including those that have already applied.

Council Member Shelton said they could advertise for a member of the Planning Commission and then the Planning Commission would select their own chair, and that person gives up the right to vote.

Council Member Zander said that would leave it open for new people to join. It was noted that in that case, the people that the City Council appointed could potentially lose their vote on the Planning Commission.

Mayor Alvord asked if it has ever been a problem finding an alternate non-voting member of the Planning Commission. City Attorney Loose said in the last couple of years, the alternate has been consistent and they have been able to vote many times. He said the alternate role on a Planning Commission is common.

Council Member Marlor said the alternate could be at the podium making comments, but they only vote in the case of the tie. Council Member Rogers concurred.

Council Member Rogers said he thinks they should stick with the current system, but have the Mayor appoint the alternate, with the approval of the City Council. Mayor Alvord said if the applicants are sparse, he may bring the issue before the City Council again for reconsideration.

Council Member Marlor said he would like to meet the nominees and then vote on them 2 weeks later. Council Member Rogers said he would like more scrutiny over an at large member.

City Attorney Loose said there are 2 seats that are being reappointed. The City Council determined to model the City Council and do 4 year terms. The Mayor will start soliciting applications for the at large Planning Commission member.

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

Council Member Zander updated the City Council on the Daybreak development. She said 2 groups have met with Kennecott so far. A third group is meeting with them Thursday. There have been no follow up meetings with the first two groups, which is frustrating for those residents. She said she is not sure what the City Council can do to support those residents that are frustrated.

Council Member Shelton said Kennecott's communication does not seem to be resonating with the residents. He encouraged Kennecott to be sensitive to the residents. He said Kennecott should trust that their entitlement is solid and not force the issue. He said they should see if they can gain some PR ground with the residents by doing what the residents are asking. He said Kennecott has to manage it in a way that makes sense for their development. He said he believes Kennecott's intent is to come to a resolution. He understands the reasons they want this to go through the Planning Commission. He said maybe a different decision should be made as a sign of good faith to the residents. He doesn't know what they can do, other than to encourage Kennecott.

Mayor Alvord said he understands Kennecott's concern that the residents will derail future projects, and their concern that pulling this would set a negative precedent. He said this case is different because some of the maps have indicated that the property would be a community center. He said he heard a rumor that Kennecott was going to sell mega parcels with their bond. He said there is question as to what the bond will do. He feels in this case, there are reasons for Kennecott to bend their plans without feeling like it will be expected every time in the future. He said they are trying to help the residents that feel betrayed.

Council Member Marlor said when talking to the public, they need to make sure they reiterate both sides of the story. The developer has the right to do what they are proposing. There are times when the public believes their entitlement supersedes the entitlement of the developer. He said he has met with Rulon and Ty (with Kennecott). Daybreak will continue to be a great project. He said one option is to sell the property to the HOA. He said Daybreak has the right to do the 15 townhomes. They can communicate and give suggestions to help the developer change their mind or think creatively, and then let it go through the public process.

Council Member Harris said this is Council Member Zander's district. He said if Council Member Zander wanted to revoke the bond, he would support that because she has close interaction with the people in her district.

Council Member Zander said she had a group approach her and suggested they use the bond as leverage against Kennecott. She said she does not feel right about that. She feels the bond is in the best interest of the city. She said there isn't a huge clamor to revoke the bond. She does not feel that is the right answer.

Mayor Alvord said regardless of this decision, they need to have a discussion about the bond. There are other issues such as the density by Sunstone.

Council Member Rogers noted that he addressed his concerns in previous City Council meetings.

Rulon Dutson, Kennecott Land, said there is still a question if the bond will move forward and that creates angst for Kennecott. He said they pulled an application that is within their right. There are other land uses that would be allowed that would have placed a greater stress on the neighborhood. The townhomes were not an arbitrary decision. The townhomes are consistent with the recommendations that have been in existence for a number of years. He said not everyone has angst with the townhome proposal. He said some are not interested in the HOA purchasing the property. He said they have sent, and will be sending more communication out to the broader Daybreak community. He said they are trying to solicit comments from all groups. That has been the hesitancy on a follow up meeting. He said Kennecott's appearance at the February 9th Planning Commission meeting does not indicate an intent to move forward with the townhomes. It is a gesture for the city to follow the process. He said they had checked all the boxes, and when they feel they have done what is necessary for a project to move forward, it is a gesture of good faith and recognition by the city that there are entitlements on the property. He said with an administrative item, there is an expectation that when the requirements are met, they can move forward. After that, the residents can appeal the decision to the City Council. For the City Council to jump in prematurely puts the developer in a funny spot. He said they have committed not to advance it to a final plat without engaging the residents in a more formal process. He said he can't speak to the fact if someone was promised a pool or a park. He said they have taken the 4 issues brought up by the Planning Commission seriously. Those issues are traffic, pedestrian safety, parking, and emergency management. They have a working group with the school district, staff, and the HOA's. They have done traffic studies and the issues will be addressed. Townhomes were not brought up as an issue at the Planning Commission meeting. Kennecott has committed to working with the residents on options for the vacant parcel. There are pros and cons to each option. They are developing a plan for ongoing community engagement. He said from day one, Daybreak has been a mixed use community. There is not a change in the Daybreak vision. They would not characterize the execution of their plan as a bait and switch. There is outreach going on. They are taking this very seriously. He said they are looking at a plan B. They don't know if the bond will stay intact. Even with tonight's discussion, there is some question if the bond will stay intact. That is concerning to them. The bond is a big deal for Kennecott and the City. He said this is a Kennecott, Daybreak, City issue.

Mayor Alvord said Daybreak is a beautiful development. He said the bond is a city and Kennecott land issue, but it is the resident's taxes that have been leveraged for the bond. He said they represent the residents. He said he is a resident of Daybreak. He said if they are taking care of the residents, that relationship will be strengthened. He said the opinion of the residents towards Kennecott affects their opinion of Kennecott. He said he wants the bond to move forward if it makes sense for the city, and he is about there. He said the residents are their bosses and they have some obligation to them.

Mr. Dutson said there are times when they do not agree. They can let things get in the way of doing other business. They have always been able to put contentious issues aside for more

important issues. He said the collateral for the bond is the land in Daybreak. The value is 3 to 1. Being under the city's name does provide value to them.

Mayor Alvord said the interest rate is secured through the city's name. He said he is disappointed that Kennecott doesn't have something more concrete other than a commitment to keep talking. He said the townhomes will affect their relationship.

Council Member Zander said she would encourage Kennecott to see if there is a more personal way to talk with the residents and help them feel that Kennecott is genuine in their communication. They should stress to the residents that they will take the necessary time to vet out the issues. The residents are concerned that Kennecott will listen to them a couple of times and then proceed as usual. She is hopeful that it will come to a great resolution.

Council Member Shelton said he attended the legislative policy committee meeting for the ULCT. Representative Cunningham presented an amendment to the retirement. COS Cunningham will be Council Member Shelton's designee on the subcommittee that has been formed.

Council Member Shelton reported on the Salt Lake County caucus.

It was noted that there are repairs happening on 4800 West. It is the same location as last year, but a different problem. He expressed appreciation to staff for working on the issue until 2 -3 in the morning to stop the water.

Council Member Marlor noted the ULCT lunch. He also noted that he was invited to be on the house floor for the State of the State address. He expressed appreciation to staff for their updates on the legislative bills.

Council Member Harris said during their recess, Marv Allen mentioned to Council Member Zander that he feels the water reuse study and project is premature. He feels techniques will change and it is too soon for a potable program. Council Member Harris said he is rethinking his stand and feels it may be too soon to charge ahead solo. He said he does not want to rush this if additional information is needed.

Council Member Shelton asked how would they get that information if they don't do the study?

Council Member Marlor said the direction was just for staff to look at it further. Council Member Rogers said CM Whatcott will flush the issue out and see if it really is an idea that they want to consider.

CM Whatcott said he has a good handle on the issue. There is capacity in Kennecott's brine pipe, but there are other issues to resolve, such as some chemical reactions in the water. He said he can put together the information that the City Council can make a choice from. He will bring back the cost of the study. He said he wants to do what is best for the residents both short term and long term. There needs to be a lot more discussion before they have an expenditure or a project.

Mayor Alvord said there were a lot of experts here tonight, but none that were un-incentivized by having something to gain or lose with this project.

City Attorney Loose reminded the City Council of their dinner with Representative Cunningham tomorrow.

ADJOURNMENT

Council Member Shelton made a motion to adjourn. Council Member Marlor seconded the motion. The vote was unanimous in favor.

The February 2, 2016 City Council meeting adjourned at 11:04 p.m.

This is a true and correct copy of the February 2, 2016 Council Meeting minutes, which were approved on February 16, 2016.

Anna M. West
South Jordan City Recorder

Water Issues Update

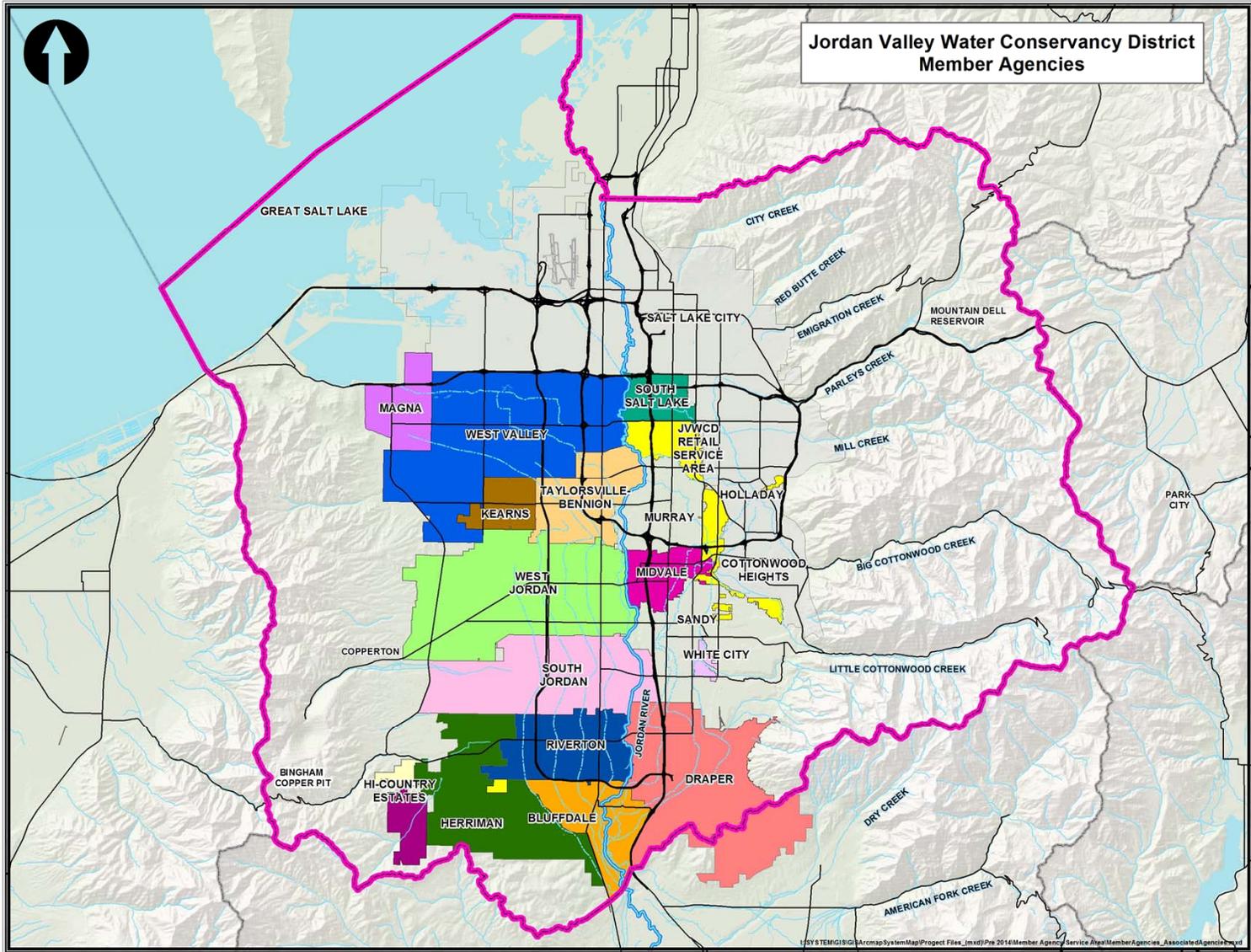
South Jordan City Council

February 2, 2016



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Delivering Quality Every Day



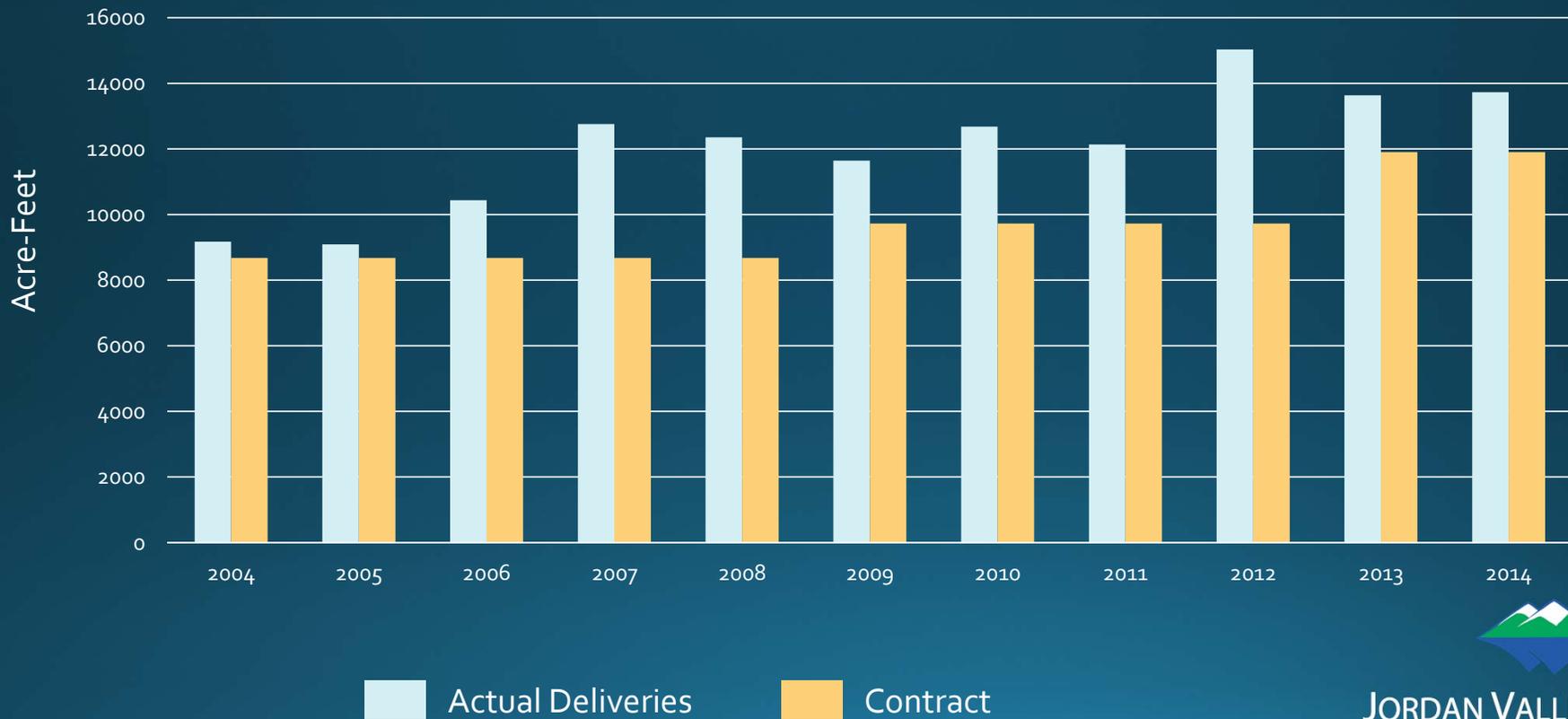
Our Trustees



JORDAN VALLEY
CONSERVANCY DISTRICT

South Jordan City Water Deliveries

Actual Water Deliveries Vs. Contract



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Three Topics:

1. Central Water Project: a new water supply
2. JWCD Capital Improvements Program
3. Water Conservation Progress and Initiatives



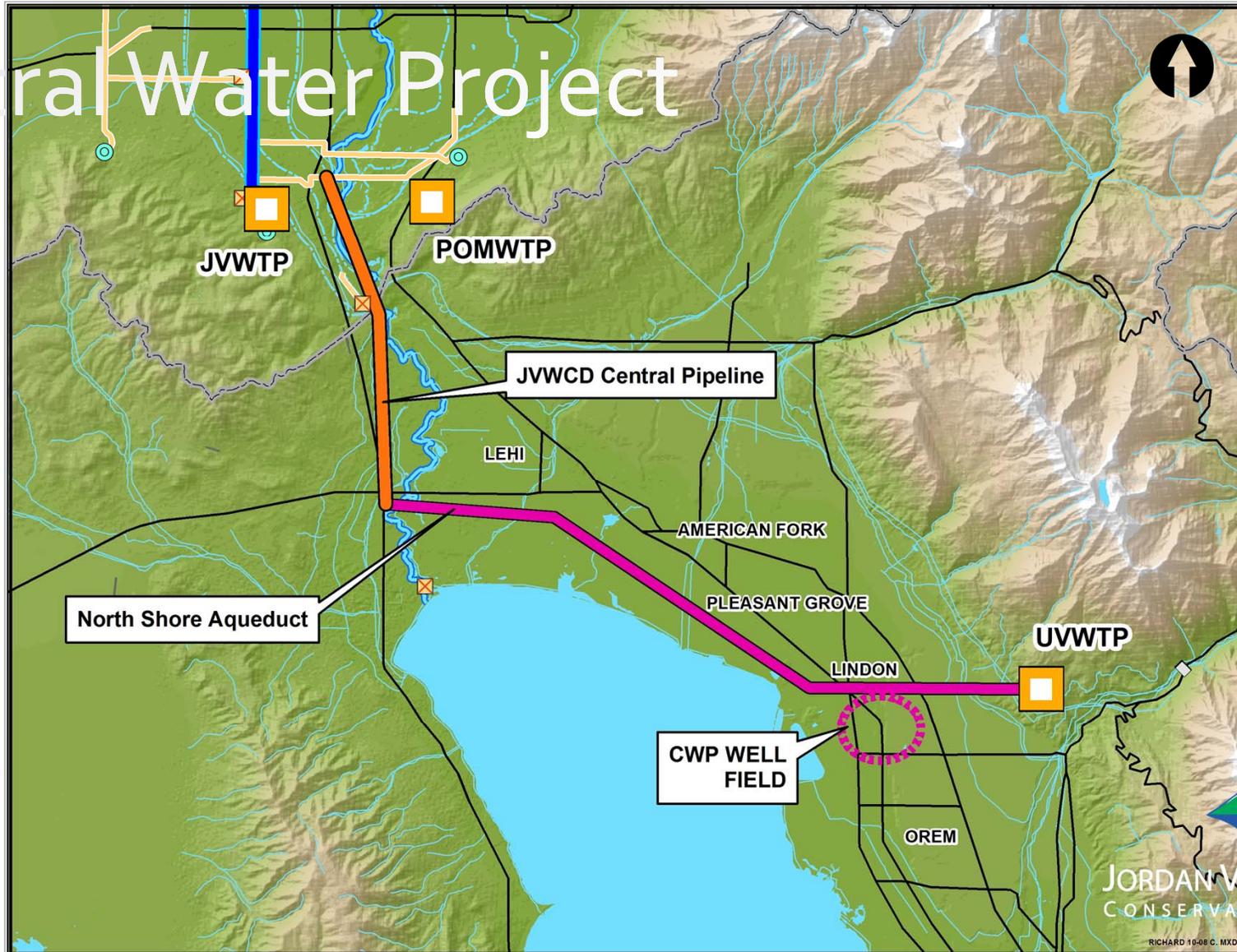
JORDAN VALLEY WATER
CONSERVANCY DISTRICT

1. A New Water Supply: Central Water Project



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Central Water Project



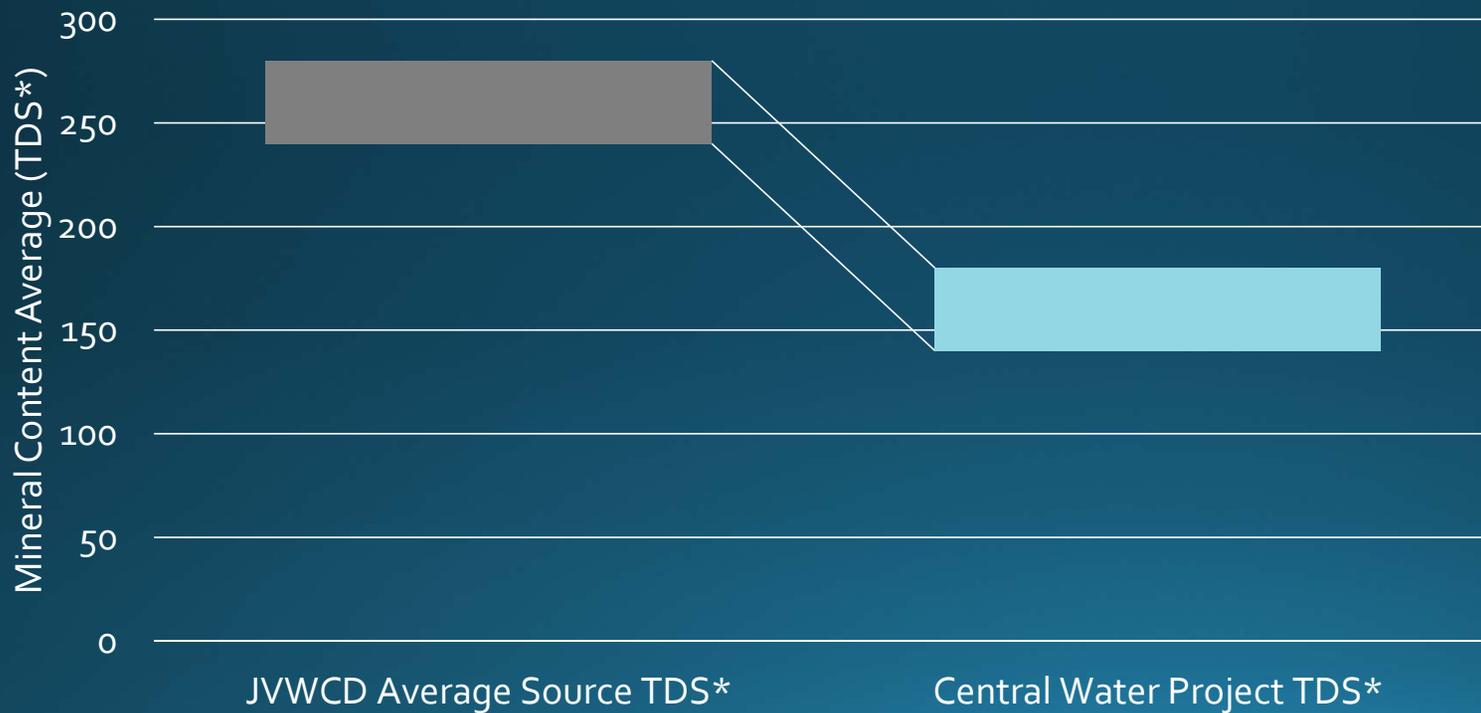
Central Water Project

- New local supply funded and administered by Central Utah Water Conservancy District (CUWCD).
- Water Sources
 - 42,400 High quality groundwater
 - 10,900 Provo River
- Jordan Valley Water contract: 11,680 acre-feet (full allotment by 2020)

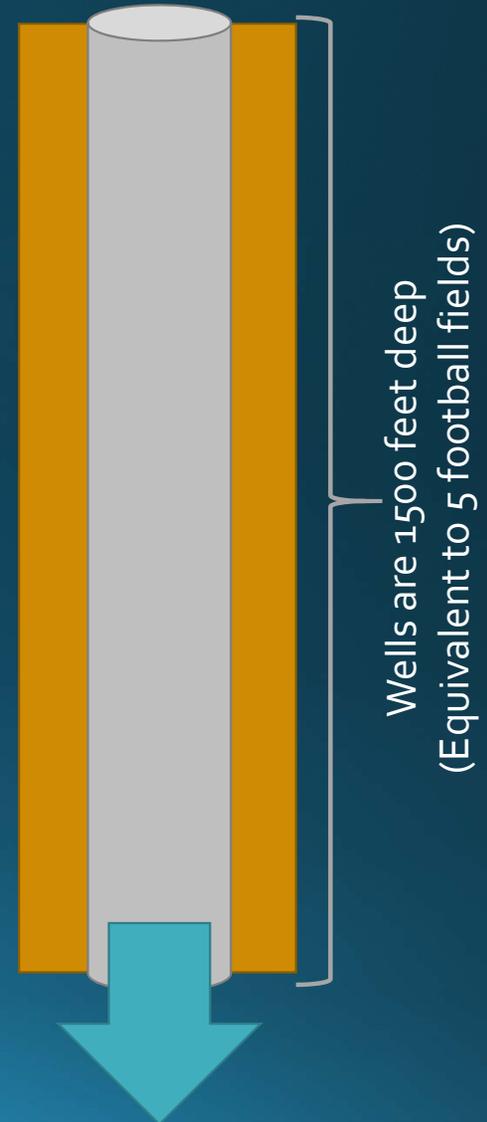


Central Water Project: Pristine Water Quality

Comparison of Total Dissolved Solids



**Total Dissolved Solids*



Central Water Project Costs

- Capital Assessment Fees to CUWCD: \$68.3 million
- Annual O&M fees paid to CUWCD: \$410/AF (rate subject to inflation)

JVWCD Pipeline

- Size: 48-inches diameter
- Length: 6 miles
- Cost: \$20.3 million



CWP Water Delivery Schedule

- JVVCD Pipeline construction is complete
- Deliveries began December 2, 2015.

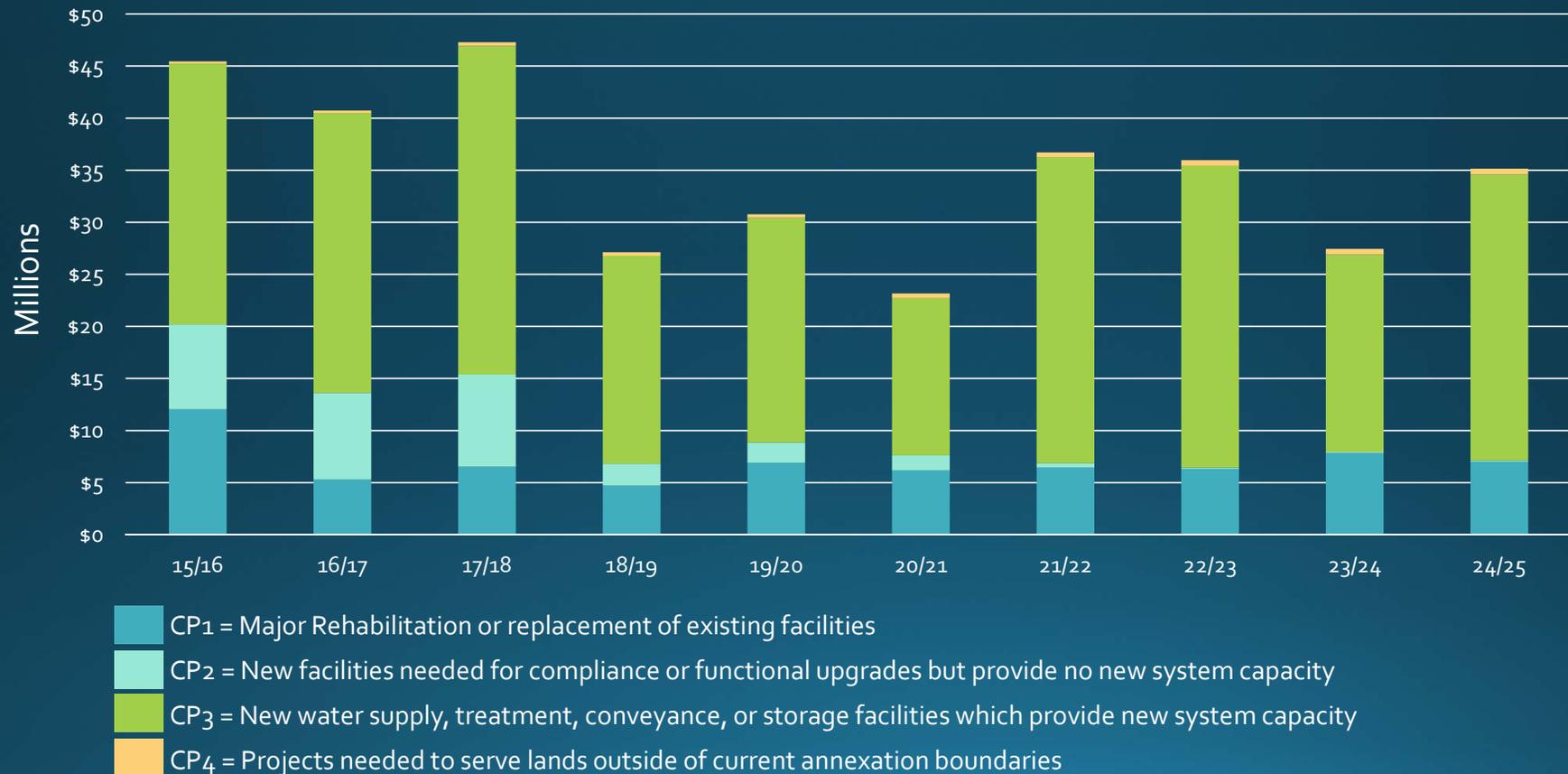


2. JVWCD Capital Improvements Program



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

JVWCD Capital Projects Plan Summary



March 2015

Total in 10 Year Plan: \$349.8 million

Major Rehabilitation and Replacement Projects

- Recoat steel reservoirs, replace joint sealant on Terminal Reservoir deck, transmission pipelines corrosion protection equipment
- Replace electric generator at Jordan Valley Water Treatment Plant (JVWTP)



Compliance/Upgrade Projects

- New 12-million gallons finished water reservoir at JWTP
- Install Advanced Metering Infrastructure in retail system.



New Capacity Water Supply, Treatment, Conveyance or Storage Projects

- Central Water Project Pipeline
- Southwest Aqueduct
- Provo River Aqueduct



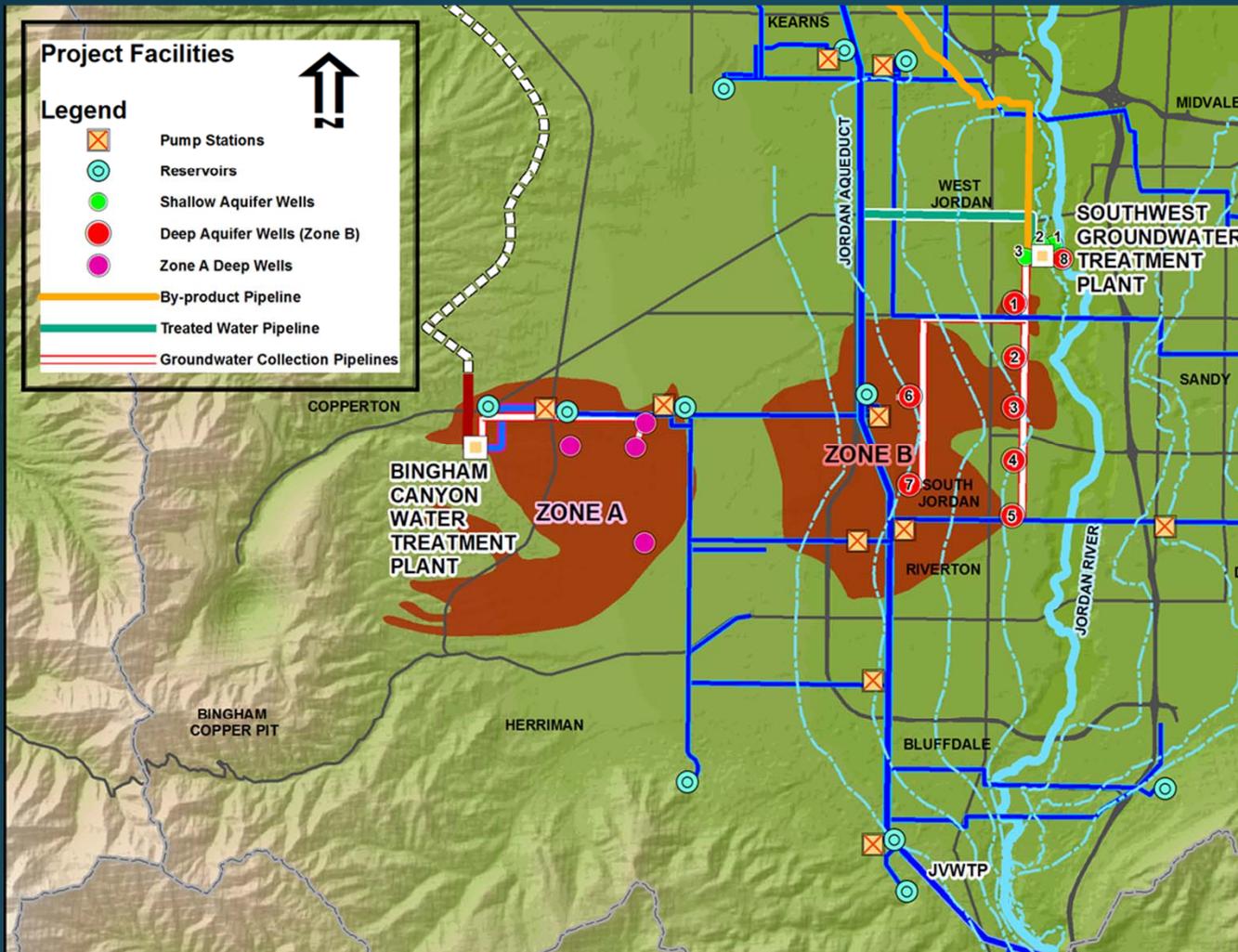
Southwest Aqueduct



Jordan Aqueduct Installation



Southwest Jordan Valley Groundwater Project



1. Contain the groundwater contamination "plumes"
2. Remediate the aquifer
3. Produce high-purity drinking water

Southwest Jordan Valley Groundwater Project Zone A (Western) Facilities

- Kennecott constructed and operates extraction wells and the Bingham Canyon Water Treatment Plant (BCWTP).



- BCWTP uses reverse osmosis to produce 3,500 acre-feet of high quality drinking water per year.

Southwest Jordan Valley Groundwater Project Zone B (Eastern) Facilities

- 8 deep extraction wells
- Collection pipelines
- 7 MGD^(a) Reverse Osmosis Treatment Plant
- Finished water pipelines
- Treatment by-product pipeline

(a) Million Gallons per Day



Southwest Groundwater Treatment Plant

Operation began in 2013 and new supplies approximately 4,500 acre-feet per year of high quality drinking water



Southwest Groundwater Treatment Plant

Reverse osmosis
demineralization
process



Southwest Jordan Valley Groundwater Project Zone B Capital Costs

Natural Resource Damage Trust Fund	\$46 million
From JWCD	\$25 million
Total Cost	\$71 million



3. Water Conservation Progress & Initiatives




JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Water Conservation: why is it important?

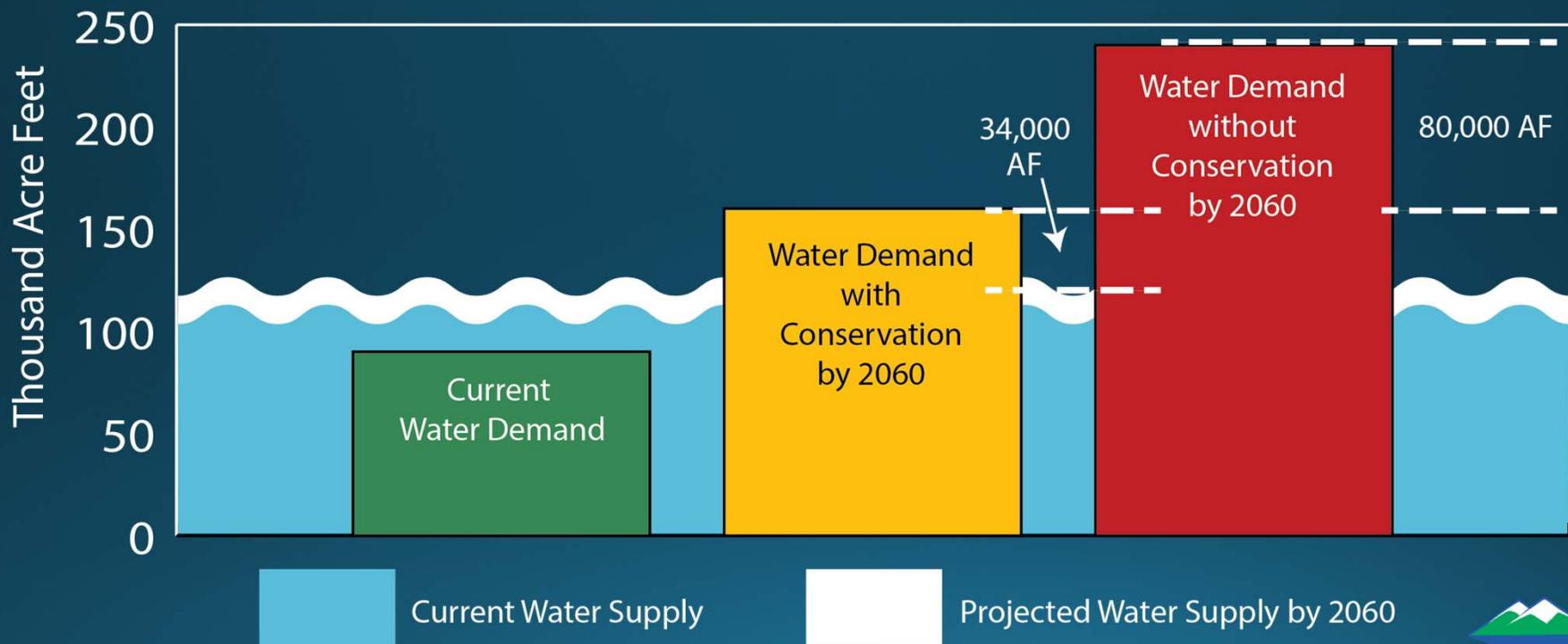


- JVVCD and the state have set a goal to reduce water use 25% per person by 2025
- Water infrastructure planning relies on everyone achieving conservation goals

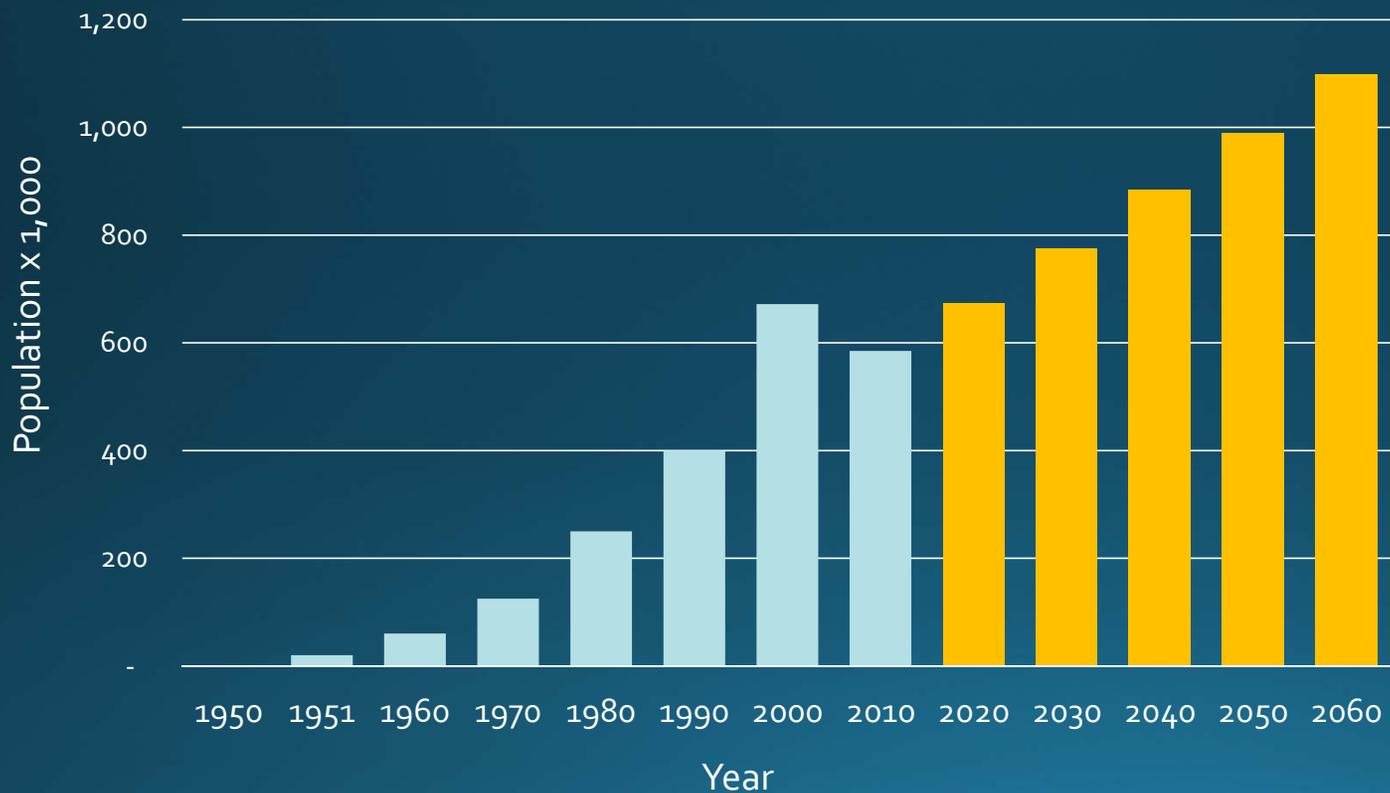


JORDAN VALLEY WATER
CONSERVANCY DISTRICT

JVWCD Water Supply Planning



Why is water conservation important?



90% of Utah's population growth in 2014 was our own children and grandchildren

Source: U.S. Census Bureau

Water Conservation Initiatives to Date

- Marketing
 - To use media as a tool to raise awareness of water conservation (Slow the Flow, commercials)
- Education
 - To demonstrate effective landscape practices to reduce reliance on water (classes, demonstration gardens, water checks, & events)
- Member Agency Grant Program
 - To help our member agencies to be successful in water conservation



Future Water Conservation Programs

- Landscape Consultations
 - Personalized landscape recommendations and tips
- Landscape Leadership Grants
 - Funds for high profile and highly visible turf conversion landscaping projects
- Park Strip Improvement Program
 - Estimated savings of 7,000 to 10,000 gallons annually per typical home
- Advanced Metering Infrastructure (AMI)
 - Raise customer awareness through real-time feedback on water use
- Wastewater recycling
 - For secondary (outdoor) water deliveries



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

How can the City help?

Suggestions for the City:

- Partner together to achieve water conservation goals
 - Conservation expertise and education resources
 - Member Agency Grants
 - Landscape Leadership Grants
- Landscape ordinances
 - Need ordinances and Homeowner Associations to support and require water wise landscaping with particular emphasis on park strips.
- Water rates
 - Use water rates to encourage more efficient water practices.



**WE WORK HARD
FOR WATER**



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Delivering Quality Every Day

**SO YOU
DON'T HAVE TO.**



ZONE TEXT AMENDMENT: OFFICE AND OPEN SPACE ZONES (REVISIONS)

**Ordinance No.
2016-02**

Feb. 2, 2016

PRIMARY PURPOSE

Integrate the Office and Open Space Zones into the Uses Chapter

- *Three chapters must be amended.*
 - *Uses Chapter*
 - *Open Space Zone Chapter*
 - *Office Zone Chapter*

OPEN SPACE SUBDISTRICTS VS. LAND USES

■ Open Space Subdistricts:

■ Natural (OS-N)

“to help implement the open space and recreational goals and policies of the City's General Plan, as well as the City's Open Space Master Plan in regards to developable open space.”

■ Park (OS-P)

“to help implement the open space goals and policies of the City's General Plan, as well as the City's Open Space Master Plan in regards to the protection of natural open space.”

■ Land Uses:

■ Natural Open Space

Definition: “Areas of land or water essentially unimproved and reserved for scenic, environmental or preservation purposes, and may include steep slopes, flood plains, hazard areas, unique vegetation, river corridors, wetlands, wildlife habitat and archeological, historical and cultural resources. Parking, trails, and access roads may be included as accessory uses.”

■ Park Open Space

Definition: “Areas of land or water developed or reserved for development primarily with vegetative landscaping for the scenic, cultural and recreational use, and enjoyment of the public. Active-use amenities such as ball fields or courts, trails, open air theater, picnic facilities and playground equipment may be included. Parking, concessions, outdoor ball fields or courts, and maintenance facilities may also be included as accessory uses.”

STAFF REVISIONS: USES CHAPTER

■ Uses Chapter

■ Alternate Revision #1:

- *Restaurant uses shall occupy no more than twenty (20) percent of the area within any individual P-O Zone area.*
- *Drive-through facilities associated with a Restaurant use are prohibited in the P-O Zone.*

STAFF REVISIONS: USES CHAPTER

■ Uses Chapter

- Alternate Revision #1:
- Stadium/Theater/Auditorium uses restricted:
 - *Removed amphitheaters as an accessory use in Park Open Space use.*
 - *Residential protection area increased to 500' when are not fully enclosed.*

STAFF REVISIONS: USES CHAPTER

■ Uses Chapter

- Alternate Revision #1
- Stadium/Theater/Auditorium uses restricted
- Uses Removed:
 - *OS-N Subdistrict: Community Services use removed.*
 - *OS-P Subdistrict: Community Services, Public Safety, Utility Services, Passenger Terminal/Station uses removed.*

ALLOWED USES IN THE PARK OPEN SPACE SUBDISTRICT

■ OS-P Subdistrict

■ Permitted Uses:

- *Natural Open Space*
- *Park Open Space*

■ Conditional Uses:

- *Public Agricultural Facility*
Prohibited within 300' from a residential zone.
- *Cemetery*
- *Telecommunication Facility*
- *Outdoor Recreation*
Prohibited within 100' from a residential zone. Lighting limited when within 300'.
- *Stadium/Theater/Auditorium*
Residential protection area increased to 500' when not fully enclosed.

ALLOWED USES IN THE NATURAL OPEN SPACE SUBDISTRICT

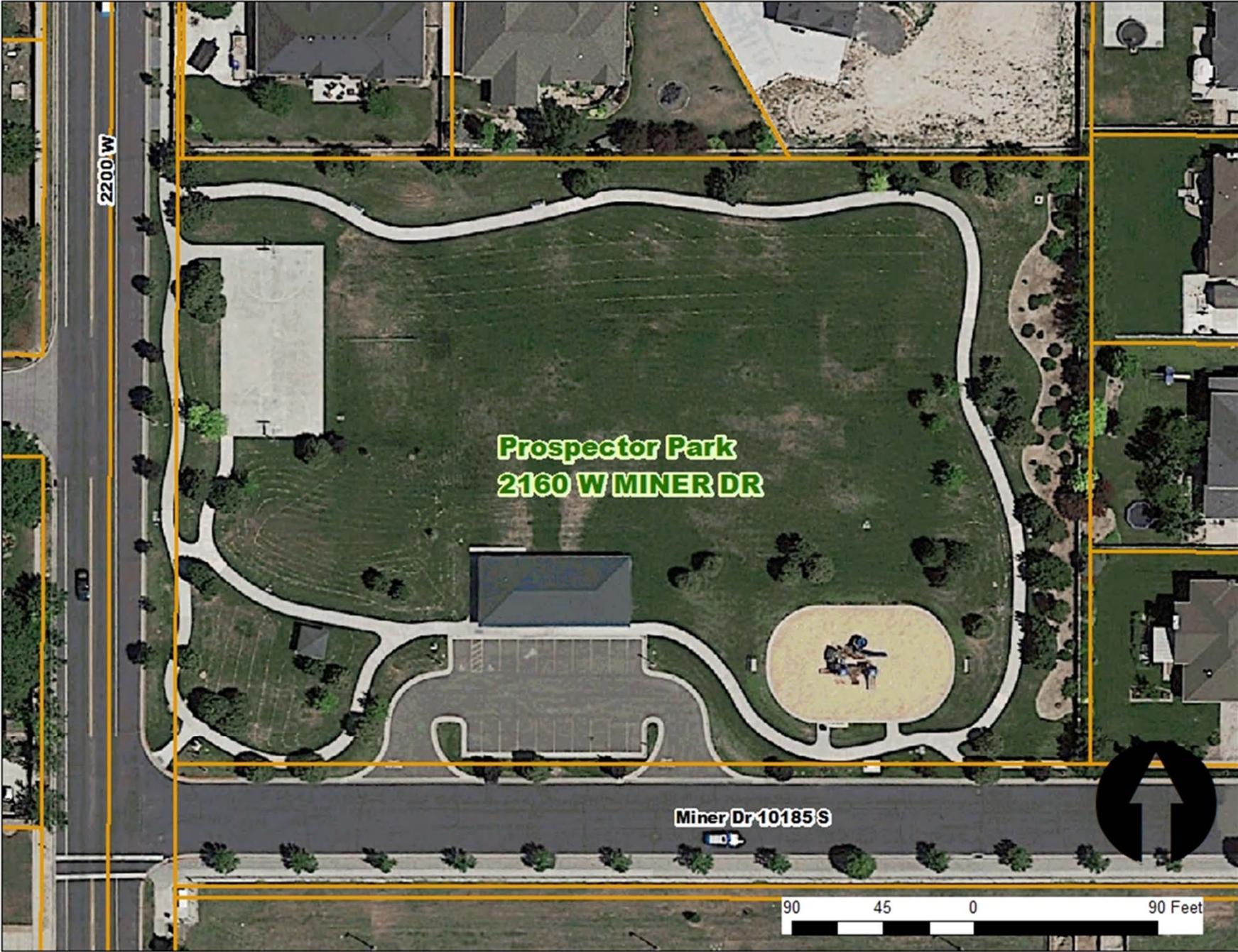
- OS-N Subdistrict
 - Permitted Uses:
 - *Natural Open Space*
 - Conditional Uses:
 - *Park Open Space*
Limited to 10% of a zone area.

STAFF REVISIONS: OPEN SPACE ZONE CHAPTER

■ Open Space Zone Chapter

■ Structures:

- *Limited to 1 building/acre in the OS-N Subdistrict.*
- *Maximum building height reduced from 35' to 25' in the OS-N Subdistrict*
- *Floor area of structures limited:*
 - *OS-N: Not to exceed 500 sq. ft.*
 - *OS-P: 1,000 feet per acre, not to exceed 5,000 sq. ft. per building.*



Prospector Park
2160 W MINER DR

Miner Dr 10185 S

90 45 0 90 Feet

COUNCILMAN ROGERS' REVISIONS

■ Uses Chapter

- Stadium/Theater/Auditorium uses
 - *Prohibited from OS-P Subdistrict.*
 - *Structures associated limited to 1,000 square feet.*
- R-M Zone: Single-family attached housing requires a development agreement.
- Community Services uses: use regulations for Open Space Zone deleted.

COUNCILMAN ROGERS' REVISIONS

■ Open Space Zone Chapter

- Development agreements:
 - *Required for all development.*
 - *Can be used to revise any requirement in the zone.*
- Structures:
 - *One structure/five acres in OS-N and OS-P.*
 - *Restricted to 500 square feet in OS-N and OS-P.*
 - *Structures in OS-P and OS-N restricted to 25' high.*

■ Office Zone Chapter

- Residential uses prohibited.
- Performance Development deleted.

ORDINANCE NO. 2016 - 02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CHAPTER 17.18 (USES), ADOPTING CHAPTERS 17.50 (OPEN SPACE ZONES) AND 17.62 (OFFICE ZONES), AND REPEALING CHAPTERS 17.23 (OPEN SPACE ZONE) AND 17.50 (PROFESSIONAL OFFICE ZONE) OF THE SOUTH JORDAN CITY MUNICIPAL CODE.

WHEREAS, Utah Code section 10-9a-102 grants the City of South Jordan the authority to enact ordinances that the City Council considers necessary or appropriate for the use and development of land within South Jordan; and

WHEREAS, the City Council has adopted the Planning and Land Use Ordinance (Title 17) of the City of South Jordan Municipal Code; and

WHEREAS, the City Council desires to enact text amendments to clarify regulations affecting land uses and better manage the impacts of lands uses on surrounding properties; and

WHEREAS, the Planning Commission of the City of South Jordan held a public hearing, reviewed and made recommendation concerning the subject text amendments; and

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

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

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

SECTION 1. Amendment. Chapter 17.18 (Uses), as identified in Exhibit "A" of the South Jordan City Municipal Code are hereby amended.

SECTION 2. Adoption. Chapter 17.50 (Open Space Zone), as identified in Exhibit "B", and Chapter 17.62 (Office Zone), as identified in Exhibit "C", are hereby adopted as chapters of Title 17 (Planning and Land Use Ordinance) of the South Jordan City Municipal Code.

SECTION 3. Repeal. Chapters 17.23 (Open Space Zone) and 17.50 (Professional Office Zone) of the South Jordan Municipal Code are hereby repealed.

SECTION 4. 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 5. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

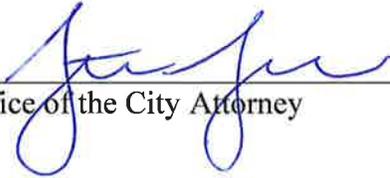
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2016 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Brad Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Christopher Rogers	_____	_____	_____	_____

Mayor: _____
David L. Alvord

Attest: _____
City Recorder

Approved as to form:



Office of the City Attorney

EXHIBIT "A"

Chapter 17.18 (Uses)
of Title 17 (Planning and Land Use Ordinance)
of the South Jordan City Municipal Code

CHAPTER 17.18 USES

- 17.18.010: PURPOSE**
- 17.18.020: ALLOWED USES**
- 17.18.030: USE REGULATIONS**
- 17.18.040: IMPACT CONTROL MEASURES**
- 17.18.050: CONDITIONAL USES**
- 17.18.060: USE DEFINITIONS**

17.18.010: PURPOSE

In order to implement the purposes and provisions of this Chapter, this Chapter is adopted to identify allowed uses, permitted and conditional, of zoning districts established within the City per Chapter 17.20 (Zone Establishment) and consolidate regulations pertaining to allowed uses. This Chapter shall only apply to the zones listed in the Allowed Uses Table (17.18.020(C)).

17.18.020: ALLOWED USES

- A. Development or use of a property for primary uses not specifically allowed in Table 17.18.020(C) or approved by the provisions of this Chapter and this Code are prohibited, except as otherwise determined by the Development Services Director according to Section 17.18.030.10(B). Regardless of whether a primary use is allowed as a permitted or conditional use, the regulations of this Title (Planning and Land Use Ordinance) shall apply. Allowed uses shall be identified in the Allowed Uses Table (17.18.020(C)) with a "P" for a permitted use and a "C" for a conditional use.
- B. The classification of uses as Residential, Commercial, Industrial, Public, and Agricultural, and associated grouping within each category, is for organizational and reference purposes.

C. Allowed Uses Table:

CATEGORY	USES	ZONES (P=permitted, C=conditional)															
		A-5	C-C	C-F	C-I	C-N	I-F	OS-N	OS-P	P-O	R-1.8	R-2.5	R-3	R-4	R-5	R-M	
		A-1															
Agricultura	Animal Husbandry	P															
	Horticulture	P															
	Plant Nursery	C	C	C								C					
	Public Agricultural Facility	C								C		C					
Residential	Group Living	Community Residential Facility									C					C	
		Dormitory															
		Institutional Living															
	Household	Live-Work															
		Multi-Family															
		Neighborhood Residential Facility	P										P	P	P	P	P
		Single-Family, Attached															P
	Single-Family, Detached	P										P	P	P	P	P	
Public	Civic & Community	Cemetery									C						
		Community Services	C	C	P	P	C	P				C	C	C	C	C	
		Public Safety	C	C	C	C	C	C				C	C	C	C	C	
	Education	Religious Assembly & Worship	C	C	C	C	C	C				C	C	C	C	C	
		Elementary/Secondary Education	C	C	C							C	C	C	C	C	
		University/College		C	C			C				C					
	Open Space	Vocational/Professional		C	C			C				C					
		Natural Open Space								P	P						
	Utility & Communication	Park Open Space								C	P						
		Energy Conversion	C			C		C									
		Telecommunication Facility	C	C	C	C	C	C			C	C	C	C	C	C	
	Commercial	Services	Utility Services	C	C	C	C	C	C				C	C	C	C	
Animal Services				C	C	C	C										
Business Support				C	P	P		P				P					
Daycare			P	P	P		P	P				C	P	P	P		
Financial Institution				P	P		C	P				P					
Hospital					C							C					
Light Service & Repair				C	C	P	C	P									
Lodging				C	P		C	P				C					
Medical/Dental Office or Clinic				P	P		P	P				P					
Mortuary/Funeral Home				C								P					
Office				P	P		P	P				P					
Personal Services				P	P		P	P				P					
Professional Services				P	P		P	P				P					
Restaurant			C	P		C	P				C						
Self-storage			C	C	C						C						
Vehicle Repair					C		C										
Vehicle Services			C	C	P		P										
Recreation & Assembly		Arts & Recreation		P	P	P		P				P					
		Convention/Reception Center		C	C			C				C					
		Instruction & Training		P	C	P	P	P				C					
	Outdoor Recreation		C	C			C				C						
Retail	Stadium/ Theater/ Auditorium		C	C			C				C						
	Gas Station		C	C	C	C	C										
	General Retail		P	P	P	P	P										
	Kiosk, Freestanding		C	C							P						
	Shopping Center/Department Store		C	C			C										
Vehicle Sales & Rental			C			C											

CATEGORY	USES	ZONES (P=permitted, C=conditional)												
		A-5 A-1	C-C	C-F	C-I	C-N	I-F	OS-N	OS-P	P-O	R-1.8	R-2.5 R-3 R-4 R-5	R-M	
Industrial	Manufacturing and Production	Assembly				P		P						
		Fabrication				C		C						
		Manufacturing				C		C						
		Mining												
	Sales & Service	Commercial Service & Repair				C		C						
		Food & Drink Preparation				C		C						
		Heavy Equipment Sales & Rental				C		C						
		Research & Development				P		P		C				
		Storage Yards				C								
	Transportation	Wholesale & Warehouse				P		P						
		Aircraft Transportation												
		Parking Facility									C			
		Passenger Terminal/Station		C	C	C		C			C			
	Waste	Railroad Facility				C								
		Refuse												
		Salvage				C		C						

17.18.030: USE REGULATIONS

17.18.030.10: GENERAL USE REGULATION

- A. Uses may be conducted within the City only in accordance with the regulations of § Title 17 (Planning and Land Use Ordinance), including, but not limited to, the use regulations of this Chapter, General and Supplementary Provisions (Chapter 17.04), and the zone-specific use regulations listed in the applicable zone ordinance of this § Title. A conditional use permit, where required, must be obtained prior to the establishment of the use.
- B. The Development Services Director may provide interpretation of the provisions of this Chapter to clarify words or phrases not otherwise defined, provide additional clarity necessary to apply provisions to specific cases, resolve the applicability of conflicting provisions, determine the applicability of provisions to uses not expressly listed in § Table 17.18.020(C) or determine and impose limitations on accessory uses not otherwise identified. If the Development Services Director is unable to interpret the provision in question, a zone text amendment may be processed in order to clarify the zoning regulations.
 - 1. Said interpretation shall consider the goals of the General Plan, the purpose and intent of the zoning district involved, the character (e.g. scale, impacts, activities, materials, and building types) of allowed uses identified in the zoning district involved, the character of a proposed use, and the potential to generate negative impacts on surrounding properties.
 - 2. The Development Services Director shall issue a written decision within thirty (30) days of a request for interpretation.
 - 3. The Development Services Director shall maintain all written decisions and uniformly apply those decisions.

- C. It shall be unlawful to park, store or leave, or to permit the parking, storing or leaving of any vehicle of any kind, or parts thereof, that is in a wrecked, junked, dismantled, inoperative or abandoned condition, whether attended or not, upon any private or public property for longer than seventy-two (72) hours, except as the following applies:
1. Where commonly associated with an approved use and in an area designated for parking or storage on an approved site plan.
 2. Where up to two (2) such vehicles or parts thereof are stored completely within an enclosed building or within a six (6) foot obscuring fence enclosure that completely screens view of the vehicles from public streets and neighboring properties.
- D. Commercial vehicles or earthmoving or material handling equipment, such as semi-trailer trucks and trailers, trucks and trailers exceeding eight thousand (8,000) pounds curb weight, "truck" as defined in Section 10.24 (Truck Parking and Truck Routes), delivery vehicles, dump trucks, backhoes, graders, loaders, cement trucks, bulldozers, belly dumps and scrapers, forklifts or other similar vehicle or equipment, may not be parked or stored on a residential lot or parcel for any length of time or on a non-residential lot or parcel for not longer than forty-eight (48) hours, except as the following applies:
1. In conjunction with and required for an active and approved development or construction project.
 2. While loading or unloading said vehicle.
 3. When commonly associated with an approved use on a non-residential lot or parcel and in an area designated for parking or storage on an approved site plan or stored completely within an approved enclosed building or opaque fence enclosure.
- E. Watercraft, trailers, campers, motor homes and other utility or recreational vehicles may only be stored within lawfully constructed buildings when associated with an allowed and approved use on the premises or in parking and storage areas shown on an approved site plan, except in conjunction with a single-family dwelling. Said trailers and vehicles on single-family lots or parcels shall be stored behind the front line of the main building and, when located in a street side yard, shall be eight (8) feet from the street right of way and behind a six (6) foot obscuring wall or fence, except that said vehicles may be stored temporarily in front or street side yards for no longer than seventy-two (72) hours. Travel trailers, campers and motor homes may not be occupied as living quarters, except that a trailer or vehicle owned by a guest of the resident may be stored and occupied in the driveway located in the required front yard or street side yard of the permanent dwelling for no more than seven (7) days per calendar year.
- F. Sexually oriented businesses are allowed in the C-F, C-I, and I-F zZones. Sexually oriented businesses shall be located no less than five hundred (500) feet from the right of way line of South Jordan Parkway, Shields Lane, and 11400 South Street- to any buildings, signage, or other activities associated with the applicable use.

- G. Businesses shall comply with the requirements of §Title 5 (Business Licenses and Regulations) of this €Code.
- H. Telecommunications shall comply with the requirements of €Chapter 17.112 (Wireless Communications Facilities) of this §Title.
- I. Wind energy conversion systems shall comply with the requirements of €Chapter 17.108 (Wind Energy Conversion Systems) of this §Title.
- J. All uses are subject to the Impact Control Measures in €Section 17.18.040 of this €Chapter.

17.18.030.20: AGRICULTURAL USE REGULATIONS

A. General Agricultural Use Regulations.

1. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles. Containers or enclosures containing said items shall not be located in a front yard area, except for temporary use as needed for construction or disposal.
2. Agricultural uses shall only be allowed as a primary use on legal lots or parcels of one (1) acre or more.
3. Agricultural buildings with a footprint larger than five thousand (5,000) square feet shall require a conditional use permit.

B. Specific Regulations by Agricultural Use.

1. Animal Husbandry: Farm animals may only be allowed in conjunction with an allowed Animal Husbandry use, as per the Allowed Uses Table (17.18.020(C)), and as regulated in €Section 17.130.040 (Farm Animal Floating Zone) of €Chapter 17.130 (Overlay and Floating Zones).
2. Plant Nursery: Plant Nursery uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.
3. Public Agricultural Facilities: Public Agricultural Facility uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.

17.18.030.30: RESIDENTIAL USE REGULATIONS

A. General Residential Use Regulations.

1. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles. Containers or enclosures containing said items shall not be located in a front yard area, except for temporary use as needed for construction or disposal.

2. Home occupations may be licensed in an approved residential dwelling and according to the provisions of Chapter 17.98 (Home Occupations) of this Title.
3. Garage or yard sales are not considered home occupations but may not be held more than four (4) calendar days per year. Sales of night crawlers gathered from the subject property, lemonade stands and similar occasional activities related to the subject premises are not considered home occupations. Temporary signage may be used to advertise yard sales, night crawlers, lemonade stands and similar occasional commercial sales activities, provided it does not create a nuisance, is not placed on the public right of way, and provided it is removed by 7:00 p.m. each day and upon conclusion of the commercial activity.
4. Farm animals may be allowed as regulated in Sections 17.130.020 (Residential Chicken Floating Zone) and 17.130.040 (Farm Animal Floating Zone) of this Title.
5. Pets may be allowed as regulated by Title 6 (Animals) of this Code.

B. Specific Regulations by Residential Use.

1. Group Living uses: All Group Living uses (Community Residential Facility, Dormitory, Institutional Living) shall require site plan review according to Chapter 16.24 (Site Plan Review) of Title 16 (Subdivision and Development Ordinance) and shall be located no closer than one-half (1/2) mile to another Group Living facility of the same use, unless otherwise approved by the Planning Commission with a conditional use permit pursuant to Section 17.18.050 of this Chapter.
 - a. R-M Zone: Community Residential Facility uses shall not exceed sixteen (16) occupants and shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.
 - b. P-O Zone: Community Residential Facility uses shall not exceed two (2) stories.
2. Institutional Facility: Excluding temporary emergency shelter as determined necessary by the City, Institutional Facility uses shall be located no closer than one (1) mile from any Elementary/Secondary Education use or any other Institutional Facility use.
3. Neighborhood Residential Facility: Neighborhood Residential Facility uses shall comply with Chapter 5.62 (Residential Facilities) of Title 5 (Business Licenses and Regulations).
4. Live-Work:
 - a. Where allowed, Live-Work units shall be specifically indicated on, and approved with, an associated subdivision or site plan. Live-Work units are not allowed in an existing development, unless the subdivision or site plan is amended.
 - b. Allowed non-residential uses shall be established with the approval of the project and shall be consistent with other non-residential uses allowed in the associated zone. The following activities are prohibited: sexually oriented businesses; uses involving animals on-site; vehicle service and repair; welding/wood working; storage or distribution of flammable liquids and

hazardous materials beyond that normally associated with a residential use; drive-through and other uses and activities that are not compatible with residential uses due to potential adverse health or safety affects from dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts.

- c. The floor area of the non-residential use shall not exceed fifty (50) percent of the total floor area of the unit.
 - d. Employees may only consist of the residents of the dwelling and not more than one (1) additional non-resident person.
 - e. Each non-residential use shall comply with all requirements of this eCode.
 - f. The exterior of Live-Work units shall be designed to be compatible with surrounding residential uses.
 - g. One (1) wall sign may be allowed. The sign shall not exceed five (5) percent of the façade of the unit and shall comply with all other requirements of eChapter 16.36.
 - h. Garage and/or exterior areas shall not be used for the non-residential use, except that a garage area may be used to park one vehicle related to the non-residential use.
5. Single-Family, Attached: Lots or parcels may be occupied by only one (1) single-family dwelling unit as the primary dwelling.

- a. R-M Zone: Single-Family, Attached uses may only be approved as part of a ~~PUD Subdivision.~~ a development agreement approved by the city council.

6. Single-Family, Detached: Lots or parcels may be occupied by only one (1) single-family dwelling unit as the primary dwelling. Accessory dwelling units may be permitted according to the provisions of eSection 17.130.030 (Accessory Living Unit Floating Zone) of this tTitle.

17.18.030.40: PUBLIC USE REGULATIONS

A. General Public Use Regulations.

1. There shall be no open storage of trash, debris, materials, equipment, goods or inventory, except for the following: those activities specifically allowed in conjunction with an approved use on the premises; temporary displays of products associated with a retail business that are removed daily; outdoor storage of inventory or products such as firewood, water softener salt, landscaping materials, and other building materials in screened areas designated on an approved site plan; and temporary uses consistent with those described in this eChapter.

2. All public uses shall be conducted within completely enclosed buildings, unless otherwise allowed in this eChapter, except those uses defined to allow outdoor activities and those temporary uses customarily conducted in the outdoors, including Christmas tree lots, firework stands and parking lot sales associated with an approved use on the property. Parking lot sales may not be conducted more than four (4) one-week periods per year.

3. Public uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street, with the following exceptions:

- a. Religious Assembly and Worship; and
- b. Utility Service, not including a Major Utility Facility.

B. Specific Regulations by Public Use.

~~1. Community Services: Community Services uses in the OS Zone are restricted to museums, aquariums, and cultural exhibits. The combined site area of Community Services uses in the O-S Zone shall be restricted to no more than ten (10) percent of the area in an OS-N Subdistrict area and no more than fifty (50) percent in an OS-P Subdistrict area.~~

2. Park Open Space: The combined site area of Park Open Space uses in the OS-N Subdistrict of the OS Zone shall be restricted to no more than ten (10) percent of the zone area.

3. Utility Service: Minor utility facilities are not considered a primary use and may be allowed in all zones and on all lots or parcels at the discretion of the City Engineer.

17.18.030.50: COMMERCIAL USE REGULATIONS

A. General Commercial Use Regulations.

1. There shall be no open storage of trash, debris, materials, equipment, goods or inventory, except for the following: those activities specifically allowed in conjunction with an approved use on the premises; temporary displays of products associated with a retail business that are removed daily; outdoor storage of inventory or products such as firewood, water softener salt, landscaping materials, and other building materials in screened areas designated on an approved site plan. No more than twelve (12) small party balloons and six (6) weatherproof placards, each not exceeding two (2) feet square, per business may be attached to temporary displays and shall be removed daily with the displays. Allowed storage and displays shall be located a minimum of five (5) feet from any travel lane, outside of a public right of way, and shall allow pedestrian walkways of a minimum width of at least six (6) feet to remain unobstructed.

2. All commercial uses shall be conducted within completely enclosed buildings, except as otherwise allowed in this eChapter, including, but not limited to those uses defined herein that allow outdoor activities or allowed temporary uses per sSection 17.18.030H.

3. No vehicle, boat or trailer, or parts thereof, that is in a wrecked, junked, dismantled, inoperative or abandoned condition, attended or not, may be parked or stored for longer than seventy-two (72) hours unless stored within a completely enclosed building or behind an opaque fence enclosure that completely obscures said vehicle or parts from public view. No more than two (2) such vehicles may be so stored on a lot, except in conjunction with approved Vehicle Repair use.

4. Public address and music systems shall be designed and operated so they are not discernable at the property line of any lot or parcel containing a single-family home.
5. Commercial uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.

B. Specific Regulations by Commercial Use.

1. Animal Service: All commercial uses involving animals shall be conducted within an enclosed facility that is maintained and operated so that neither the sound nor smell of any animals kept on the premises can be discerned on adjacent lots or parcels. Outdoor animal runs may be approved as an accessory use with a conditional use permit and shall meet the following requirements: located a minimum of three hundred (300) feet from the property line of a residential zone, educational institution, or place of worship.

2. Daycare: Daycare use in residential zones, excluding those operating as an approved home occupation business, are required to be located on a minimum one (1) acre legal lot or parcel.

3. Financial Institution, Non-depository:

- a. Establishments shall be located no closer than one (1) mile from other similar establishments.
- b. The proposed use is limited to short-term title loan and short-term consumer installment loan business.
- c. The following services are specifically prohibited: pawn brokerage services, deposits for personal property, "cash for gold," "cash for precious metals," processing or storage of repossessed vehicles or other repossessed property, and the purchase, exchange or sale of used or secondhand merchandise or personal property.
- d. All business activity, including customer queuing, shall be accommodated inside of the building.

4. Self-Storage:

- a. C-C Zone: Self-storage uses shall not exceed six (6) total acres in the C-C zZone.
- b. C-F Zone: Self-storage uses shall not exceed six (6) total acres in the C-F Zone, and shall not be located on any property with a general plan designation of TOD or on property located east of ~~the 250 West~~ right-of-way ~~Street~~.
- c. P-O Zone: Self-storage uses shall not exceed two (2) acres in the P-O Zone.

C. Arts & Recreation: All gun ranges shall require a conditional use.

D. Medical/Dental Office or Clinic: Medical/Dental Office or Clinic buildings in the C-N zZone shall not exceed five thousand (5,000) square feet.

E. Office: Office buildings in the C-N zZone shall not exceed five thousand (5,000) square feet.

F. Restaurant: The combined site area of Restaurant uses shall occupy no more than twenty (20) percent of the area within any individual P-O zone area. Drive-through facilities associated with a Restaurant use are prohibited in the P-O Zone.

G. Outdoor Recreation: Where facilities are approved within three hundred (300) feet of the property line of a residential zone, all outdoor lighting shall be extinguished when the facilities are not operating, or by 10:00 p.m. on Sundays through Thursdays, and by 11:00 p.m. on Fridays and Saturdays, whichever is earlier.

H. General Retail:

- a. C-N Zone: Pawnbroker, secondhand merchandise dealer, secondary metals dealer, recycler, and other similar businesses are prohibited in the C-N zZones.
- b. I-F Zone: Screened sales yards are a permitted use for lumber, building material, and landscaping sales in the I-F Zone. Sales yards shall comply with the minimum yard area requirements of the zone.

I. Kiosks, Freestanding: Kiosks, Freestanding use may only be conducted with an approved site plan. Kiosks shall not be allowed on parcels less than three (3) acres in size and shall be separated by a minimum distance of four hundred (400) linear feet from all other outdoor kiosks. Kiosks shall not be allowed within required landscaped yard areas, building setbacks, within fifty (50) feet of a building or within thirty (30) feet of the public right of way. Kiosk structures shall not exceed twenty (20) square feet in area nor ten (10) feet in height and shall incorporate materials and colors of surrounding buildings as determined by the Development Services Director. Kiosks with drive-up facilities shall be designed to allow for a minimum of two (2) vehicles to be queued at any one given time without obstructing drive aisles or other functionality of other parking stalls as determined by the City Engineer. There shall be multiple twenty-four (24) hour video surveillance and adequate illumination as determined by the City's Public Safety Department. All kiosks shall be securely mounted and anchored to the ground as determined by the City Building Official.

J. Shopping Center/Department Store: Shopping Center/Department Store uses shall have direct access to a major collector or arterial road. Individual uses in a Shopping Center/Department Store use shall each comply with the requirements of this Code.

K. Vehicle Sales & Rental: Uses involving vehicle sales shall include a building of not less than eight thousand (8,000) square feet.

17.18.030.60: INDUSTRIAL USE REGULATIONS

A. General Industrial Use Regulations

1. There shall be no open storage of trash, debris, materials, equipment, goods or inventory, except for the following: those activities specifically allowed in conjunction with an approved use on the premises; temporary displays of products associated with a retail business that are removed daily; outdoor storage of inventory or products such as firewood, water softener salt, landscaping materials, and other building

materials in screened areas designated on an approved site plan. No more than twelve (12) small party balloons and six (6) weatherproof placards, each not exceeding two (2) feet square, per business may be attached to temporary displays and shall be removed daily with the displays. Allowed outdoor activities, temporary displays, and approved outdoor storage shall be located a minimum distance of five (5) feet from any travel lane, located outside of public rights of way, and shall allow for pedestrian walkways that are a minimum width of six (6) feet to remain unobstructed.

2. All industrial uses shall be conducted within completely enclosed buildings, except as otherwise allowed in this eChapter, including, but not limited to those uses defined herein that allow outdoor activities and allowed temporary uses per eSection 17.18.030H.

3. No vehicle, boat, or trailer, or parts thereof, that is in a wrecked, junked, dismantled, inoperative, or abandoned condition, whether attended or not, may be parked or stored for longer than seventy-two (72) hours unless stored within a completely enclosed building or behind an opaque fence enclosure that completely obscures said vehicle or parts from public view. No more than two (2) such vehicles may be so stored on a lot, except in conjunction with approved Commercial Service & Repair, Heavy Equipment Sales and Rental, Storage Yards, or Salvage uses.

4. Industrial uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.

B. Specific Regulations by Industrial Use.

1. Storage Yard: Storage activities associated with a Storage Yard use shall be enclosed by a six (6) feet tall obscure fence or wall.

17.18.030.70: ACCESSORY USE REGULATIONS

A. General Accessory Use Regulations.

1. Accessory uses and buildings are permitted only in conjunction with the regulations of this eCode and only when commonly and customarily associated with and incidental and secondary to allowed and approved primary uses.

2. When more than one accessory use is associated with a primary use, the accessory uses shall cumulatively remain incidental and secondary to the allowed uses.

B. Specific Regulations by Use Type.

1. Residential accessory uses and buildings may include, but are not limited to, home occupations, accessory living units, yard sales, caretakers, garages, sheds, swimming pools, recreational equipment, gardens and greenhouses.

2. Commercial, Industrial and Public accessory uses and buildings may include, but are not limited to, parking lots, terraces and properly screened utility and loading areas. The following activities, commonly associated with allowed commercial uses,

may be conducted as accessory uses only in conformance with an approved conditional use permit: drive-through facility, car wash and outdoor speaker or public address system.

- a. C-C & C-F ~~z~~Zones: One electronic vending machine (i.e.g., food, beverage, kiosks, etc.) may be located outside of the building of an established business if the building has a minimum main level footprint or floor area of five thousand (5,000) square feet and a minimum facade width of fifty (50) linear feet. One (1) additional outdoor electronic vending machine may be allowed for every additional ten thousand (10,000) square feet of main level floor area. All outdoor vending machines shall be located adjacent to the building and within fifty (50) feet of the building's main entrance. Electronic vending machines shall not exceed fifteen (15) square feet in area and no more than seven (7) feet high. Electronic vending machines shall not impede or obstruct vehicular and/or designated pedestrian pathways or access.

3. The sale and distribution of fuel, not otherwise classified as a Gas Station, from above ground tanks may be allowed as an accessory use in commercial and industrial zones and shall require the following: a conditional use permit, be located one thousand (1,000) feet from the property line of a residential zone, and be setback from any adjacent public right of way the same distance as the primary building on the site.

4. Agricultural accessory uses may include, but are not limited to, barns, garages, silos, sheds, stables, paddocks, greenhouses, windmills, wells and water storage facilities.

- a. Agricultural Zones: Produce stands not exceeding one (1) per legal lot or parcel and shall be no more than three hundred (300) square feet is allowed as an accessory use for selling produce grown on the premises.
- b. R-1.8 Zone: Animal Husbandry and Horticulture is allowed as an accessory use to an approved Single-Family, Detached primary use in the R-1.8 zone and as regulated in ~~s~~Section 17.130.040 (Farm Animal Floating Zone) of ~~e~~Chapter 17.130 (Overlay & Floating Zone).

17.18.030.80: TEMPORARY USE REGULATIONS

A. General Temporary Use Regulations.

1. Temporary uses are uses that do not exceed sixty (60) days in duration and that do not require permanent structures or improvements that are not already established with an approved permanent use and site plan. Temporary uses that exceed sixty (60) days in duration or are not similar to allowed primary uses in a zone may only be authorized with a conditional use permit.

2. A temporary use shall not cause or create a nuisance or hazard and shall conform to all requirements of this ~~t~~Title. The property owner shall ensure that all trash is removed and the property is restored to a clean condition after a temporary use ~~has~~is terminated.

3. Temporary uses shall obtain and/or provide the following:

- a. a City business license for commercial uses;
- b. building or electrical permit (if necessary);
- c. hours of operation;
- d. Salt Lake Valley Health Department approval;
- e. plot plan showing the location of the use, buildings and structures, setbacks, parking, access to public streets and adjacent uses;
- f. mass gathering permit (if necessary); and
- g. property owner's authorization.

B. Specific Regulations by Use Type.

1. Temporary uses in commercial zones and the I-F zZone may include, but are not limited to, shaved ice kiosks, Christmas tree lots, fireworks stands, and sidewalk sales associated with an approved use on the property. Parking lot sales may be allowed as a temporary use in the C-C, C-F, and I-F zZones for up to four (4) one-week periods per year when associated with an approved use on the property.

17.18.040: IMPACT CONTROL MEASURES

Impact Control Measures, as explained by this sSection, generally apply to allowed uses when the context or scale of a proposed project increases the potential for negative impacts (e.g. traffic, sound, hazardous waste, light, vibration, odor, glare, etc.) on surrounding properties or on the public health, safety, and welfare. Additional measures may be required of conditional uses, according to sSection 17.18.050 (Conditional Uses). The Development Services Director may require Impact Control Measures during the review of a proposed use or project not otherwise listed or to modify the requirements of a required Impact Control Measure according to identifiable extenuating circumstances. With all required Impact Control Measures, the applicant shall be required to provide the applicable documentation, at the applicant's expense, and demonstrate that the design of a project and operation of the use will adequately mitigate the contextual impact. If the regulations of this sSection are determined to be in conflict with other regulations of the cCode, the more restrictive regulations shall apply.

A. Traffic Study. The purpose of a traffic study is to identify the extent of traffic impacts generated by a use or project on transportation system capacity, level of service, and safety. A traffic study shall be commissioned from a licensed professional engineer by the City, at the expense of the applicant. The fee for the traffic study shall be paid prior to the commencement of the study. Proposed uses and projects that meet any of the following criteria shall provide a traffic study:

1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).

2. Project may generate more than one hundred (100) trips in a peak hour or one thousand (1000) total daily trips.
3. New construction project that exceeds ten (10) acres.
4. All uses proposing to access residential streets and that may generate more than twenty-five (25) trips in a peak hour or two hundred and fifty (250) total daily trips.

B. Circulation and Access Plan. The purpose of a circulation plan is to identify potential traffic conflicts generated by proposed access points and vehicular, pedestrian, and bicycle routes of a proposed project. The circulation plan shall show adjacent roads, access points, primary travel routes, drop-off and pick-up areas, stacking and queuing areas, connections with adjacent properties, and pedestrian and bicycle routes. All projects that meet any of the following criteria shall provide a Circulation and Access Plan:

1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).
2. New construction projects proposing the use of a drive-through, car wash, or vehicle bay.
3. Projects that require a traffic study per sSection 17.18.040(A).
4. Projects that include proposed private streets in residential areas.

C. Operations Plan. The purpose of an operations plan is to identify the potential sound, vibration, light, glare, odor, crime, access, traffic, hazardous materials, fire, and environmental impacts generated by a use or project based on the operational nature, scale, or practices of an establishment. The operations plan shall include the following information, if applicable: date of commencement of operations; proposed hours and days of operation; a general description of the operation; a projection of the number of persons on site (e.g. employees and customers); types of accessory uses anticipated; hazardous materials to be used or produced on site; and all other relevant information to describe the nature, scale, practices of the establishment. All projects that meet any of the following criteria shall provide an operations plan:

1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).
2. Initial establishment of all non-residential uses that involve animals, when located less than three hundred (300) feet from the property line of a residential zone or existing dwelling unit.

D. Sound Study. The purpose of a sound study is to determine the potential for detrimental effects from sound generated by the proposed use or project. A sound study shall be commissioned, at the expense of the applicant, from a member of a national acoustical association (i.e. National Council of Acoustical Consultants, Acoustical Society of America, or Institute of Noise Control Engineering) or an expert consultant with demonstrated experience and capacity as determined by the

Development Services Director. The sound study shall include sufficient information to determine the likelihood of compliance with Salt Lake County Health Department noise regulations and the requirements of this §Title. All uses that meet any of the following criteria shall provide a sound study:

1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).
 2. All gun ranges.
 3. All non-residential uses that anticipate using outdoor speakers or public address systems.
 4. Initial establishment of the following uses shall require a sound study when located within three hundred (300) feet of a property line of a residential zone, an existing dwelling unit, a Religious Assembly use, or an Elementary, Secondary Education use:
 - a. Outdoor animal activities associated with non-residential uses, including kennels, runs and corrals.
 - b. Drive-through facilities
 - c. Car washes
 - d. Non-residential outdoor accessory uses
- E. Rehabilitation and Containment Plan. A containment plan shall document hazardous materials to be stored, used, or produced in significant quantities and the policies and practices to prevent and contain the accidental or inappropriate discharge of those materials. The plan shall demonstrate that the proposed use will comply with all State and federal requirements and that the public and the environment will be protected from hazardous conditions. A rehabilitation plan shall also include actions that will be taken upon cessation of activities or uses involving potentially hazardous materials to ensure that the site is free from hazardous materials for future activities or uses. A Containment and Rehabilitation Plan shall be provided for the following uses:
1. Uses Identified in the Required Impact Control Measures Table (17.18.040(H)).
 2. Accessory uses that involve significant quantities of hazardous materials
- F. Additional Notice. The purpose of the additional notice control measure is to ensure that property owners are notified of uses and projects with a greater likelihood for negative impacts on properties beyond the immediate vicinity. Uses and projects requiring additional notice according to this §Section shall provide notice to all property owners of record within six hundred (600) feet of the boundary of the subject property for any statutorily required public hearing, in addition to other noticing requirements of this §Code and state law. The Additional Notice requirement shall apply to the following uses and projects:
1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).
 2. New construction projects that exceed ten (10) acres.

G. Residential Protection Area. The purpose of a residential protection area is to minimize the impact of a use on existing residential areas. A residential protection area is the area within a prescribed distance from a residential use where additional restrictions apply to a use or a use is prohibited. Uses and buildings that were compliant upon initial establishment shall not be considered non-conforming, according to the requirements of this Chapter, due to subsequent rezoning and development of a residential use within the residential protection area. Residential protection areas shall be applied according to the following:

1. Uses are prohibited, except for associated parking or open space, within the distance identified in the Required Impact Control Measures Table (17.18.040(H)) as measured from the property line of properties with a residential zone.

a. Stadium/Theater/Auditorium: The residential protection area identified in the Required Impact Control Measures Table (17.18.040(H)) may be reduced to one hundred (100) feet when the activities associated with the use are conducted within completely enclosed structures.

b. Gas Station: Underground fuel storage tanks are prohibited within the residential protection area for the Gas Station use as identified in the Required Impact Control Measures Table (17.18.040(H)). The following exceptions to the residential protection area are allowed:

- i. The residential protection area is reduced to one hundred (100) feet from the property line of residential zone properties that do not have an existing single-family dwelling unit.
- ii. The residential protection area shall not apply to properties located on the opposite side of a minor collector road or greater, as classified by the City's Master Transportation Plan, from the Gas Station use.

and the total sq ft of all the structures is less than 1,000 sq ft

2. Indoor gun ranges shall be located no closer than one hundred (100) feet from the property line of a residential zone. The range portion of an outdoor gun range shall be located no closer than one thousand five hundred (1,500) feet from a property line and no closer than two thousand five hundred (2,500) feet from the property line of a residential zone or existing dwelling unit.

3. Aircraft Transportation landing and take-off facilities shall be located no closer than one thousand (1,000) feet to the property line of a residential zone, except for rotor craft used by emergency services in temporary situations.

4. The following shall apply to~~When allowed non-residential uses are located within one hundred (100) feet of the property line of a residential zone, the following shall apply:~~

- a. Individual uses shall not occupy an enclosed space that exceeds ten thousand (10,000) square feet.
- b. Buildings that serve multiple tenants shall not exceed a total floor area of thirty thousand (30,000) square feet.
- c. Buildings shall not exceed thirty-five (35) feet in height and shall be set back from the common residential property line a minimum distance of twenty-five (25) feet.
- d. P-O Zone: Drive-through facilities shall be prohibited.

H. Required Impact Control Measures Table:

CATEGORY	USES	Required Impact Control Measures (X=required)						
		A. Traffic	B. Circulation & Access	C. Operations	D. Sound	E. Rehab. & Contain.	F. Additional Notice	G. Residential Protection Area
Agricultural	Animal Husbandry			X				100'
	Horticulture			X				100'
	Plant Nursery			X			X	100' ¹¹
	Public Agricultural Facility		X	X	X		X	300' ¹¹
Residential	Group Living	Community Residential Facility		X	X		X	
		Dormitory	X	X	X		X	300'
		Institutional Living		X	X		X	1 mile
	Household	Live-Work	X	X	X		X	300'
		Multi-Family	X	X			X	300'
		Neighborhood Residential Facility						
		Single-Family, Attached		X			X	
Single-Family, Detached		X						
Public	Civic & Community	Cemetery						
		Community Services		X	X			
		Public Safety		X	X	X		X
		Religious Assembly & Worship		X	X			
	Education	Elementary/Secondary Education	X	X	X			X
		University/College	X	X	X			X
		Vocational/Professional	X	X	X			X
	Open Space	Natural Open Space						
		Park Open Space						
	Utility & Communication	Energy Conversion			X			100'
Telecommunication Facility				X				
Utility Services				X		X	1,000' ¹²	
Commercial	Services	Animal Services			X	X	X	100'
		Business Support						
		Daycare		X	X			
		Financial Institution			X			X ³
		Hospital	X	X	X			X
		Light Service & Repair			X			100'
		Lodging						100'
		Medical/Dental Office or Clinic						
		Mortuary/Funeral Home						100'
		Office						
		Personal Services			X			
		Professional Services						
		Restaurant						100'
		Self-storage		X	X			
	Vehicle Repair		X	X	X	X	X	300'
	Vehicle Services		X	X	X	X	X	300'
	Recreation & Assembly	Arts & Recreation		X	X			
		Convention/Reception Center	X	X	X			X
		Instruction & Training		X	X			
		Outdoor Recreation	X	X	X	X		X
		Stadium/ Theater/ Auditorium	X	X	X	X ⁴		X
	Retail	Gas Station	X	X	X		X	X
General Retail								
Kiosk, Freestanding			X	X			100'	
Shopping Center/Department Store		X	X	X			X	
Vehicle Sales & Rental							300'	

CATEGORY	USES	Required Impact Control Measures						(X=required)	
		A. Traffic	B. Circulation & Access	C. Operations	D. Sound	E. Rehab. & Contain.	F. Additional Notice	G. Residential Protection Area	
Industrial	Manufacturing and Production	Assembly			X			100'	
		Fabrication			X	X	X	X	300'
		Manufacturing			X	X	X	X	500'
		Mining			X	X	X	X	500'
	Sales & Service	Commercial Service & Repair		X	X	X	X	X	500'
		Food & Drink Preparation			X	X	X	X	500'
		Heavy Equipment Sales & Rental			X			X	300'
		Research & Development			X	X		X	300'
		Storage Yards			X	X	X	X	300'
	Transportation	Wholesale & Warehouse			X		X	X	300'
		Aircraft Transportation	X	X	X	X	X	X	500'
		Parking Facility	X	X	X			X	300'
		Passenger Terminal/Station	X	X	X	X		X	100'
	Waste	Railroad Facility			X	X	X	X	300'
		Refuse			X	X	X	X	500'
Salvage				X	X	X	X	500'	

1. When located in an R-1.8 zone, the Residential Protection Area shall apply to adjacent residential properties.
2. Only applies to Major Utility Facilities.
3. Only applies to Non-Depository Financial Institutions.
4. Only applies to outdoor or open air facilities.

17.18.050: CONDITIONAL USES:

- A. Purpose. The purpose of this §Section is to establish standards for certain uses designated as “conditional uses” in the various land use zones. The Planning Commission or City Council may approve, approve with conditions, or deny conditional uses based on compliance with the standards and criteria of this §Section.
- B. Permit Required. A conditional use shall not be established or commenced without a conditional use permit approved by the Planning Commission or City Council in conformance with the requirements of this §Section and other pertinent laws and ordinances. Unless amended, revoked, or otherwise specified by the Planning Commission or City Council, a conditional use permit shall be of indefinite duration and shall run with the land, except for when the conditional use is a home occupation, temporary or seasonal, or has been approved for a leased or rented property.
- C. Permit Application. Application for a conditional use permit shall be submitted to the Development Services Department and shall include:
1. a completed application form provided by the City, which includes an affidavit that must be signed by the property owner or the property owner’s authorized agent;
 2. a fee as specified in the current consolidated fee schedule;
 3. a description of the proposed use;
 4. mailing labels and postage for owners of the subject property and property owners within three hundred (300) feet of the subject property; and

5. a site plan pursuant to Chapter 16.24 (Site Plan Review) of this Code, unless the proposed conditional use is temporary and/or does not require building or permanent site improvements or alterations.

D. Permit Application Review.

1. All documents required to be submitted with a conditional use application shall be delivered to the Development Services Department for review. The Development Services Department shall review each application for completeness and conformance to this Section, the General Plan, and this Code.

2. The Development Services Department may provide the application to other City departments for review and comment as may be required by this Code, as necessary for complete review of the application, or as necessary to identify and understand the potential detrimental effects of the proposed conditional use.

3. In addition to the application for a conditional use permit, the Development Services Department may require other information or studies to address potential detrimental effects of the proposed conditional use that have been reasonably anticipated by the City during its review of the application.

E. Notice and Public Hearing. After a complete and accurate conditional use permit application has been submitted to and reviewed by the Development Services Department, the Planning Commission shall hold a public hearing. Notice of the public hearing shall be given as required by the Utah Open and Public Meetings Act and Section 17.04.060 (Public Notices) of this Title.

F. Planning Commission Review and Action.

1. The Planning Commission shall approve a conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards.

2. The Planning Commission may deny a conditional use permit application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

G. City Council Review or Appeal.

1. The City or any person aggrieved by a final decision, determination, or requirement of the Planning Commission regarding the approval, approval with conditions, or denial of a conditional use permit application may appeal the Planning Commission's final action to the City Council pursuant to Section 16.04.370 (Appeals) of this Code.

2. The City Council shall review the Planning Commission's final action as follows:

- a. The City Council may, after reviewing the record of the Planning Commission's final action, summarily affirm the Planning Commission's final action, or review the appealed conditional use application de novo.
- b. Where the City Council reviews the conditional use permit application de novo, the City Council shall follow the same procedure as set forth in this Section and:
 - i. shall approve the conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards; or
 - ii. may deny a conditional use permit application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

H. Timely Commencement.

1. The holder of a conditional use permit shall substantially comply with all conditions of the permit and an approved site plan, if one is required pursuant to part (C) of this Section, within one (1) year of final permit approval by the Planning Commission or City Council. If an approved site plan is required, substantial compliance shall include obtaining a current building permit, paying all application and impact fees, and by completing the foundation of at least one (1) principal building. If an approved site plan is not required, substantial compliance shall include obtaining a business license.

2. If a conditional use permit is to expire pursuant to part (H)(1) of this Section, a request for an extension may be filed with the Development Services Department not less than thirty (30) days prior to the expiration date. The Planning Commission may, after evaluating the permittee's progress in the previous year and considering the recommendation of the Development Services Department, grant an extension for the conditional use permit of up to one (1) additional year.

- a. Failure to request the extension in a timely manner shall cause a conditional use permit to automatically expire without further notice.
- b. The original conditional use permit shall remain valid until the request for extension is acted upon by the Planning Commission.
- c. Once a conditional use permit has expired, the permittee must obtain approval of a new permit prior to any reinstatement of the use.
- d. Only one extension may be granted.

3. If an approved conditional use ceases for any reason for a continuous period of one (1) year or more, the conditional use permit shall automatically expire without further notice. Once a permit has expired, the permittee must obtain approval of a new permit prior to any reinstatement of the conditional use.

I. Compliance and Revocation.

- 1. A conditional use may be commenced and operated only upon:
 - a. compliance with all conditions of an applicable conditional use permit;

- b. observance of all requirements of this eCode relating to maintenance of improvements and conduct of the use or business as approved; and
 - c. compliance with all applicable local, state, and federal laws.
2. A conditional use permit may be revoked by the City Council at any time due to the permittee's failure to commence or operate the conditional use in accordance with the requirements of part (l)(1) of this eSection.
3. No conditional use permit shall be revoked until after a public hearing is held before the City Council. The permittee shall be notified in writing of such hearing. The notification shall state the grounds for complaint, or reasons for revocation, and the time and location of the hearing. At the hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his or her behalf. Upon conclusion of the hearing, the City Council shall determine whether or not the permit should be revoked.

17.18.060: USE DEFINITIONS

A. Agricultural.

Animal Husbandry – The keeping, grazing, feeding, or breeding of farm animals, and may include the sale of commodities produced. Activities commonly associated with this use include ranches, dairies, and farms.

Horticulture – The cultivation and production of crops, plants, vines and trees, and may include the sale of commodities produced. This use does not include logging and forestry uses. Activities commonly associated with this use include farms, greenhouses, orchards, and sod farms.

Plant Nursery – Establishments primarily engaged in selling trees, shrubs, bulbs, seeds, mulches, fertilizers, and other plants and garden supplies. Activities are often conducted outdoors and items may be grown on-site.

Public Agricultural Facilities – Agricultural facilities, such as barns, stables, corrals and arenas, for boarding, riding, exhibition and training for commercial and public activities. Activities commonly associated with this use may include horse shows, educational events, agricultural exhibits, training clinics, and rodeos.

B. Residential.

Group Living:

Community Residential Facility – An establishment that provides residence to individuals, typically more than eight (8), for prolonged care, is properly licensed with the State and City, and does not qualify as a "Neighborhood Residential Facility". Terms commonly associated with this use are assisted living, convalescent care, and nursing care.

Dormitory – A facility that provides residence to individuals of an associated educational, office or public institution, and not otherwise defined as Institutional Facility.

Individual living areas are typically not complete dwelling units. It is most commonly associated with student living.

Institutional Facility – An establishment that provides residence for the following purposes: correctional, secured supervision, or emergency, protective or temporary shelter. Individual living areas are typically not complete dwelling units. Terms commonly associated with this use may include jail, prison, and homeless shelter.

Household:

Live-Work – A structure that contains both residential occupancy and commercial activity, where the resident occupants are responsible for a commercial activity that is not considered a “Home Occupation” or an accessory use. Allowed commercial activities shall be determined with development approval.

Multi-Family – Multiple attached dwellings within a single building on a single lot or parcel. Terms commonly associated with this use may include apartment and condominium.

Neighborhood Residential Facility – An establishment that provides residence to individuals for prolonged care, is located in a residential area, maintains the residential character of the area, is properly licensed with the State and City, and complies with eChapter 5.62 (Residential Facilities) of this eCode. Terms commonly associated with this use include group home and residential facility for persons with a disability.

Single-Family, Attached – An individual dwelling on an individual lot or parcel attached along a property line to similar dwellings within a shared building. Terms commonly associated with this use may include townhome, rowhouse, and duplex.

Single-Family, Detached – An individual dwelling on an individual lot or parcel that is separated from other dwellings and buildings by yard space.

C. Public/Civic.

Civic & Community

Cemetery – Land used or dedicated to the interment of human or animal remains, including cremated remains. A cemetery may include, if located within the boundary of the cemetery, a crematorium, mortuary/funeral home, mausoleum, sales facility, and maintenance facility.

Community Services – Establishments generally operated by governmental entities or non-profit organizations to provide a service to the public. Activities commonly associated with this use include government administration, library, museum, community center, cultural exhibits, post office, public assistance office, and aquarium.

Public Safety – Facilities generally operated by governmental entities for public safety and emergency services, including police and fire, and related administration.

Religious Assembly & Worship – Establishment of an organized religion operated for worship, religious training or study, government or administration of the religious organization, or for promotion of religious activities. Other establishments maintained by religious organizations, such as educational institutions, hospitals, publishing facilities, social services and secondhand stores, are classified according to the primary activity. Terms commonly associated with this use include churches, convents, monasteries, seminaries, religious shrines, and temples.

Education:

Elementary/Secondary Education – Public or private schools furnishing academic courses, typically for kindergarten through grade 12, which comply with compulsory education requirements and may include technical courses. Schools commonly associated with this use include elementary schools, middle schools, high schools, academies, boarding schools, preparatory schools, special education schools, and vocational high schools.

University/College – Institution primarily engaged in post-secondary education by offering instruction in a variety of fields and is authorized to offer academic degrees (associates, bachelors, masters, and doctoral) or certificates. Facilities may be composed of multiple buildings organized on an integrated campus. Buildings may include classrooms, administration, sports facilities, dormitories, research, auditoriums, libraries and faculty offices. Other terms commonly associated with this use include community college, junior college, and technical institute.

Vocational/Professional – Establishments primarily engaged in specific specialized, technical or occupational education and training, and not otherwise classified as University/College or Elementary/Secondary Education.

Open Space:

Natural Open Space – Areas of land or water essentially unimproved and reserved for scenic, environmental or preservation purposes, and may include steep slopes, flood plains, hazard areas, unique vegetation, river corridors, wetlands, wildlife habitat and archeological, historical and cultural resources. Parking, trails, and access roads may be included as accessory uses.

Park Open Space – Areas of land or water developed or reserved for development primarily with vegetative landscaping for the scenic, cultural and recreational use, and enjoyment of the public. Active-use amenities such as ~~ball fields or courts~~, trails, ~~open air theater~~, picnic facilities and playground equipment may be included. Parking, concessions, outdoor ball fields or courts, and maintenance facilities may also be included as accessory uses.

Utility and Communication:

Energy Conversion – Facilities and land used or intended to be used for the production of energy from natural forces such as wind, water, sunlight, geothermal heat, or biomass to be utilized beyond on-site consumption.

Telecommunication Facility – Freestanding buildings, structures and towers primarily intended for transmission or reception of communication signals between and among different points.

Utility Services – Facilities engaged in the transmission, distribution or disposal of electricity, gas, sewer, and water. Activities commonly associated with this use include generating plants, substations, storage tanks, towers, treatment plants, pump stations, and water wells.

- Minor Utility Facility - infrastructure for local distribution and service, such as switch boxes, transformer boxes, and underground water and sewer lines, within established rights of way or public utility easements.
- Major Utility Facility – facilities that include the following: sewer facilities, other than below grade lines; regional power generation, other than Energy Conversion; and above-ground facilities on a site exceeding ten thousand (10,000) square feet.

D. Commercial.

Services:

Animal Service – An establishment engaged in the grooming, care, breeding, boarding, raising, veterinary medicine, dentistry, or surgery services of animals, except for uses defined by “Animal Husbandry.”

Business Support – Establishments primarily engaged in rendering business support services, such as photocopying and duplication, equipment sales and leasing, computer repair, call center, and mailing services.

Daycare – Establishments primarily engaged in the care of infants or children, or in providing prekindergarten education. Terms commonly associated with this use include Head Start centers, nursery schools, preschool, and child care center.

Financial Institution – Establishments that provide financial services to the public and business, including depository and non-depository establishments.

- Depository Financial Institution – Establishments that are primarily engaged in depository banking and are generally a state or federally chartered bank, credit unions, or saving institutions.
- Non-depository Financial Institution – Establishments that are primarily engaged in short-term lending, such as title loans, check cashing, deferred deposit loan, or similar type of businesses.

Hospital – A facility providing 24-hour medical services to the general public with a typical length of stay not exceeding one week. Terms commonly associated with this use may include: emergency room, surgical center, and maternity care.

Light Service & Repair – Establishments that primarily provide to the general public light assembly, minor service or repair of items completely within an enclosed space, generally in small quantities, not exceeding one hundred (100) pounds, not related to vehicle repair, not for wholesale and that do not emit noise, vibration, odors, or light beyond the enclosed space that would negatively impact surrounding properties and establishments. Products and items commonly associated with this use include

jewelry, appliances, furniture, shoes, apparel, crafts, sewing, electronics, and computers.

Lodging – A commercial establishment providing temporary residence to the general public, with a temporary length of stay not exceeding thirty (30) days. Terms commonly associated with this use include bed and breakfast, hotel, motel, and inn.

Medical/Dental Office or Clinic – Establishments primarily engaged in providing out-patient medical, dental, and other health services, including offices, clinics and laboratories for doctors of medicine, dentists, chiropractors, optometrists and other health practitioners, but not including activities defined by other uses such as Community Residential Facility, Neighborhood Residential Facility, and Hospital.

Mortuary/Funeral Home – Establishments and facilities engaged in providing services to prepare deceased humans for burial, conduct autopsies, and arrange, conduct, and manage funeral services. Other activities associated with this use may include sale of burial and funeral items, storage of funeral vehicles, and a caretaker dwelling unit. A crematorium may be included with an approved conditional use permit.

Office – Establishments primarily engaged in conducting business executive, management, administrative, or clerical services; or vocational or professional training and instruction in business, language, commerce, or other similar activities not otherwise defined as an Educational, Recreation & Instruction, or Professional Services use. On-site sales may be conducted as an accessory use.

Personal Services – Commercial establishments primarily engaged in providing services of a personal nature. Activities commonly associated with this use include:

- laundry/dry-cleaning
- portrait and photography
- beauty and barber shops
- tanning salon
- tattoo parlor
- massage therapy
- clothing rental & tailoring

Professional Services – Commercial establishments primarily engaged in providing professional work to individuals or businesses in fields such as advertising, legal, insurance, real estate, finances, accounting, architecture, and engineering.

Restaurant – Establishments primarily engaged in the retail sale of prepared food and drinks for on-site or immediate consumption. Terms commonly associated with this use include:

- bar
- buffet
- cafes
- cafeteria
- coffee shop
- concession stand
- diner
- luncheonette

- fast food
- food cart
- food stand
- grill
- luncheonette
- restaurant
- snack shop

Self-storage – Enclosed facilities, typically divided into separately leased or rented compartments, intended for the storage needs of individuals, organizations, or businesses. Storage areas are not used for uses or activities (i.e. manufacturing, assembly, retail, office, residential) other than storage. Stored items are non-toxic, non-hazardous, and not intended for on-site retail or wholesale. A dwelling may be included for on-site management of the facility.

Vehicle Repair – Establishments primarily engaged in the repair of vehicles within enclosed facilities, and may include towing and outside storage of vehicles repaired or to be repaired. Vehicle repairs commonly associated with this use include the following:

- body work and paint
- undercoating and rust-proofing
- exhaust system
- engines
- brakes
- electrical
- fuel
- radiator
- transmission
- upholstery

Vehicle Services – Establishments primarily engaged in providing vehicle services, except for Vehicle Repair, within enclosed facilities and vehicles are generally on-site for less than one (1) business day. Activities commonly associated with this use include:

- carwash
- automotive diagnostics
- emissions testing without repair
- automotive inspection
- glass replacement
- window tinting
- automotive lubricating service
- detailing
- tires

Recreation & Assembly:

Arts & Recreation – Establishments primarily engaged in participant focused artistic, cultural, entertainment, or recreational activities and interests conducted within an indoor facility. Activities commonly associated with this use include amusement

center, arcade, art gallery or studio, bowling center, fitness center, ball courts, gun range, and swimming pool.

Convention/Reception Center – Facilities of single or multiple buildings used for public gatherings of specific events, whether social, commercial, civic, religious, political, or educational. The facility is typically rented for individual events and may include restaurants or concessions. Activities commonly associated with this use include conventions, trade shows, seminars, speeches, and receptions.

Instruction & Training – Establishments primarily engaged in personal or group instruction of cultural, sports, or recreational activities such as dance, gymnastics, martial arts, music, and similar activities.

Outdoor Recreation – Facilities primarily intended for participant focused exercise, active physical fitness activities and other recreational activities conducted outdoors or within partially enclosed or screened facilities, where spectators are incidental. Activities commonly associated with this use include golf courses, mini-golf, ball courts and fields, tracks, swimming pools, amusement parks, skateboard park, range, and model airplane parks.

Stadium/Theater/Auditorium – Facilities, generally including tiered seating, primarily intended for cultural, entertainment and athletic spectator events. Facilities may include concessions, and restaurants. Activities commonly associated with this use include arenas, movie theaters, live theaters, sporting events, stage productions, and concerts.

Retail:

Gas Station – An establishment primarily engaged in the retail sale of fuel from fixed equipment into automobiles. Convenience items may also be sold.

General Retail – An establishment, not defined elsewhere, that is engaged in providing goods to consumers for immediate purchase and removal from the premises. Service and repair activities, consistent with the Light Service & Repair use, may be conducted as accessory uses. Products and terms commonly associated with this use include:

- art supplies
- vehicle and equipment parts and supplies
- building, hardware, and garden materials and supplies
- food (grocery, bakery, health, diet, poultry, meat, dairy, vitamins, and convenience)
- apparel, shoe, and jewelry
- furniture, furnishing, and appliance
- electronic, and computer
- pharmacy, and drug
- sporting goods, and bicycles
- hobby, craft, toy, and game
- book, and stationary
- secondhand, and pawn
- gift, novelty, and souvenir

- camera, and photographic
- florists
- office supply
- pets
- medical supply
- religious goods
- tobacco, and alcohol
- personal care
- variety stores
- pet store

Kiosk, Freestanding – A self-contained, unstaffed, and freestanding outdoor structure used for commercial activities such as banking or the retail sale of goods, and not directly associated with other uses on the property.

Shopping Center/Department Store – An individual building, or group of buildings managed as a single property, containing multiple retail and commercial stores, departments, or functions and exceeds fifty thousand (50,000) square feet in combined floor area.

Vehicle Sales & Rental – An establishment primarily engaged in the display, sale, leasing, or rental of new or used automobiles, light trucks, vans, trailers, recreational vehicles, motorcycles, personal watercraft, utility trailers, all-terrain vehicles, and mobile homes.

E. Industrial.

Manufacturing & Production:

Assembly – Establishments engaged in the assembly of goods from previously prepared materials and the production of hand-crafted goods using hand tools and domestic-scale equipment within enclosed structures. Activities do not create noise, odor, dust, vibration, or visual impacts or the potential for health problems on surrounding properties. Activities commonly associated with this use include candle making, ceramics studios, weaving, woodwork, glass work, and leather work.

Fabrication – Establishments primarily engaged in the assembly, treatment, production, and packaging of products or parts in an enclosed building, typically in large quantities and predominantly from previously prepared materials. Activities do not include the use or storage of large volumes of flammable, toxic or explosive materials. The potential for noise, odor, dust, vibration or visual impacts and potential health problems is minimal or can be largely mitigated. Activities commonly associated with this use include vehicle assembly, bottling works, machine shops, metalworking, and paint shops, ~~and commercial printing and publishing.~~

Manufacturing – Establishments not defined elsewhere primarily engaged in the mechanical or chemical transformation of materials or substances, typically in large quantities, into new products or parts using power driven machines and materials handling equipment. Activities may include the storage and use of large volumes of flammable, toxic or explosive materials needed in the manufacturing process.

Significant noise, odor, dust, vibration, or visual impacts and potential health problems are often inherent with the use. Activities and terms commonly associated with this use include raw materials, asphalt, sawmills, cement, feed, fertilizer, paint, petroleum products, soap, and extruding metals.

Mining – Facilities and land used in the extraction, quarrying, initial production, and distribution, typically in large quantities, of minerals (solids, liquids, and gases), stone and other materials from its naturally occurring location in the earth, except for the removal of materials from a construction site. Activities commonly associated with this use include petroleum and natural gas wells, mines, sand and rock pits, quarries, and rock crushing.

Sales and Service:

Commercial Service & Repair – Establishments primarily engaged in providing services to commercial and business establishments, service and repairs items that generally exceed one hundred (100) pounds, or operations that may include minimal noise, vibration, odors, or light impacts. Activities are generally conducted indoors. Activities commonly associated with this use include commercial laundry, equipment rental and leasing, welding, machine shop, and printing/publishing, computer software, and music production.

Food & Drink Preparation – Establishments primarily engaged in the preparation and production of food items generally for off-site consumption and/or sale by others. Activities commonly associated with this use include catering, wholesale bakery, packaging, and processing.

Heavy Equipment Sales & Rental – Establishments primarily engaged in the sale or rental of automobiles, boats, recreational vehicles, and other equipment generally exceeding five hundred (500) pounds. A permanent building is required, however the majority of the product may be stored outside.

Research & Development – Establishments primarily engaged in the research, development, testing and production of high-technology electronic, industrial, medical, and scientific products. This use may also include the production of music and computer software.

Storage Yards – Establishments primarily engaged in the exterior depository, stockpiling, or safekeeping of materials, products, vehicles, trailers, and equipment, and may include transportation of stored items and vehicle towing. This use does not include parking facilities intended for short-term parking of operable vehicles.

Wholesale & Warehouse – Establishments primarily engaged in storage, distribution, and selling products, supplies and equipment for retailers, contractors, professional businesses, or other wholesalers. Accessory uses commonly include assembly, outside storage, and contractor offices.

Transportation:

Aircraft Transportation – Facilities that provide infrastructure and services for air travel, including all associated activities such as landing pads/strips, aircraft maintenance,

aircraft storage, aircraft fueling, vehicle parking, air traffic control, public transportation, safety facilities, cargo operations, retail, and restaurants/concessions.

Parking Facility – Private or commercial facilities, including drives, aisles and ramps, of one or more levels intended to provide parking as the principal use of the premises.

Passenger Terminal/Station – Facilities primarily engaged in handling, receiving and transferring transit (bus, light rail, commuter rail) passengers, and may include vehicle parking and accommodation for multiple modes of transportation.

Railroad Facilities – Non-passenger facilities directly related to rail transportation, such as storage, fueling, maintenance and rail yards, but not including signage and signals.

Waste:

Refuse – Establishments primarily engaged in the collection of refuse for processing or destruction or in the operation of incinerators, waste treatment plants, landfills, or other sites intended for disposal.

Salvage – Establishments primarily engaged in processing discarded materials or equipment, such as metal, paper, tires, bottles, vehicles, machinery or glass, for reuse, recycling, selling, separating, dismantling, or preparing for shipment to others.

EXHIBIT "B"

Chapter 17.50 (Open Space Zone)
of Title 17 (Planning and Land Use Ordinance)
of the South Jordan City Municipal Code

Chapter 17.50 **OPEN SPACE ZONE**

17.50.010: PURPOSE

17.50.020: DEVELOPMENT & DESIGN STANDARDS

17.50.030: PERFORMANCE DEVELOPMENT

17.50.040: OTHER REQUIREMENTS

17.50.010: PURPOSE

Chapter 17.50 is established to provide areas where large and small-scale open space amenities can be located in the City. Generally these areas are open or largely undeveloped. The zone is intended to encourage a comprehensive network of permanent, multifunctional, publicly and privately owned open spaces. Development standards are designed to prevent the encroachment of residential, commercial and industrial uses into open space areas and to help implement the open space objectives of the City's General Plan. This Chapter shall apply to the two subdistricts of the OS Zone, as established in Chapter 17.20 (Zone Establishment). Allowed use (permitted and conditional), accessory use, temporary use and other associated use regulations are found in Chapter 17.18 (Uses) of this Title.

- A. OS-P Subdistrict. The purpose of the Park Open Space Subdistrict (OS-P) is to encourage the acquisition and development of park open space acreage within the City. The focus of this zone subdistrict is to help implement the open space and recreational goals and policies of the City's General Plan, as well as the City's Open Space Master Plan in regards to developable open space.
- B. OS-N Subdistrict. The purpose of the Natural Open Space Subdistrict (OS-N) is to encourage the acquisition and protection of natural open space acreage within the City. Activities that may detrimentally effect natural open space are discouraged. The focus of this zone subdistrict is to help implement the open space goals and policies of the City's General Plan, as well as the City's Open Space Master Plan in regards to the protection of natural open space.

17.50.020: DEVELOPMENT & DESIGN STANDARDS

- A. Development Review. Uses proposed in the OS Zone may only be established in conformance with the City's development review procedures. Applicants shall follow the procedures and requirements of the City Code regarding development review in the preparation and review of development proposals in the OS Zone. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without the City's prior approval, except as allowed under state law.

and with a development agreement approved by the City Council.

- B. Area Requirements. The following area requirements apply to the OS Zone:

1. The minimum zone area is one (1) acre.
2. There is no minimum lot area or project area in the OS Zone except that the lot or parcel area and the project area shall have sufficient size to accommodate proposed development.

All developments in the OS zone require a development agreement approved by the City Council.

five acres

"Project" is defined as any development in the OS Zone for which an application has been submitted or approval has been granted for a preliminary plat or site plan.

C. Density. There is no restriction in the OS Zone on the number of lots or parcels. The number of covered and/or enclosed structures shall not exceed one structure per acre, as calculated by the size of the individual lot or parcel on which the structure is located, in the OS-N Subdistrict, except as otherwise approved by the City Council through a development agreement. The provisions of this Subsection may be further limited by other standards, regulations, or requirements of this Title 17 (Planning and Land Use Ordinance).

or OS-P

D. Lot Width and Frontage. No minimum lot width is required for lots in open space zones. Parcels not fronting on a street must be accessible via a recorded easement or right-of-way.

E. Yard Area. The following yard area requirements shall apply to lots or parcels in the OS Zone:

1. The following minimum yard area requirements apply to main and accessory buildings:

- a. The required yard area for front, side, and rear yards shall extend a distance of twenty (20) feet away from and along a property line that is adjacent to the edge of a public right-of-way (back of sidewalk for a typical street cross-section). An alternative edge line to be used for measuring the minimum yard area may be established where an atypical street cross-section exists and when recommended by the Development Services Director and approved by the Planning Commission.
- b. The required yard area for front, side, and rear yards shall extend a distance of thirty (30) feet away from and along a property line adjacent to a residential or agricultural zone.

2. The required yard area for a lot or parcel adjacent to a residential or agricultural zone, as required in subsection E.1 of this Section may be reduced if the adjacent residential or agricultural zoned property has a future land use designation that is not residential or agricultural and the reduction is approved by the Planning Commission during site plan review and approval.

3. The following may be projected into any required yard area in the OS Zone:

- a. Fences and walls that conform to the City Code and City Ordinances.
- b. Landscape elements, including trees, shrubs and other plants.
- c. Minor utility or irrigation equipment or facilities.
- d. Decks not more than two (2) feet high.
- e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to a building that does not extend more than two (2) feet into a side yard area or four (4) feet into a front or rear yard area.
- f. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to a building not exceeding eight (8) feet wide and extending not more than two (2) feet into a side yard or four (4) feet into a front or rear yard.

F. Parking and Access. Parking areas and access in the OS Zone shall comply with Chapter 16.26 (Parking and Access), Chapter 17.18 (Uses), and Title 10 (Traffic Code).

except as otherwise approved in a development agreement approved by the city council

G. Fencing, Screening and Clear Vision. The following fencing, screening and clear vision requirements shall apply to the OS Zone:

1. All mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.

2. The boundary of the OS Zone that is not in or adjacent to a public right-of-way and that is adjacent to a residential or agricultural zone may be required to be fenced. Fencing or landscaping techniques may be required to buffer and protect waterways, trails, parks, open spaces or other uses as determined with development approval.

3. No wall, fence or screening material shall be erected between a street and a front or street side building line in the OS Zone, except as required in Subsection 1 of this Section.

4. Landscape materials, except for mature trees that are pruned at least seven (7) feet above the ground, and fences shall be no higher than three (3) feet high within a ten (10) foot triangular area formed by the edge of a driveway and a street right-of-way line or within a thirty (30) foot triangular area formed by the right-of-way lines of intersecting streets.

H. Architecture. The following architectural standards are required in the OS Zone:

1. Applicants for development approval shall submit for site plan review architectural drawings and elevations, and exterior materials and colors of all proposed buildings. In projects containing multiple buildings, the applicant shall submit a design book that includes an architectural theme, features, exterior materials and colors governing the entire project.

~~2. The total floor area of all covered and/or enclosed structures shall not exceed one thousand (1,000) square feet per acre, as calculated by the individual lot or parcel on which the structure is located, in the OS-P Subdistrict, and no structure subject to this requirement shall exceed five thousand (5,000) square feet. The maximum floor area of any covered and/or enclosed structure in the OS-N Subdistrict shall not exceed five hundred (500) square feet. Exceptions to floor area requirements of this Subsection may be granted by the City Council through the approval of a development agreement.~~

or OS-P

3. All building materials shall be high quality, durable and low maintenance.

4. Exterior walls of buildings that are greater than sixty (60) feet long shall have relief features at least four (4) inches deep at planned intervals.

5. All sides of buildings shall receive design consideration.

6. Signs shall meet the requirements of Title 16, Chapter 16.36 of this Code and shall be constructed of materials which complement the buildings which they identify.

~~7. The maximum building height shall be thirty five (35) feet in the OS-P Subdistrict and twenty-five (25) feet in the OS-N Subdistrict, except that architectural elements, iconic features, and other structures may exceed thirty five (35) feet as determined necessary to the allowed use or beneficial to the zone area by the Planning Commission.~~

8. The exteriors of buildings in the OS Zone shall be properly maintained by their owners.

Exceptions to the building height requirement may be granted by the city council through the approval of a development agreement.

I. Grading and Drainage. All developments shall be graded to comply with Section 16.04.040(E)(9) of Chapter 16.10 (Subdivision Review) and as required by the Development Services Department to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof water onto the subject lot or parcel.

J. Landscaping. The following landscaping requirements and standards shall apply in the OS Zone:

1. The front, side and rear yard areas and all areas of lots not approved for parking, buildings or other hard surfacing in the OS Zone shall be landscaped and properly maintained with grass, deciduous and evergreen trees, and other live plant material approved in conjunction with a landscape plan that has been designed and prepared by a landscape architect and approved by the Planning Commission.

a. Natural open space areas shall incorporate plant materials as provided in the City's "Jordan River Corridor Open Space and Habitat Conservation Master Plan and Management Guidelines."

b. A minimum of one tree per six hundred (600) square feet, or part thereof, of required landscaped yard area is required in the Park Open Space Subdistrict, except that any required parkstrip trees may be counted towards the yard area tree requirement. Required yard area trees shall be located in the required yard area. With a positive recommendation by the Development Services Director, the Planning Commission may approve up to fifty (50) percent of the required yard area trees be located on the project site outside of the required yard area. A minimum of thirty (30) percent of the required yard area trees shall be minimum seven (7) foot tall evergreens. Deciduous trees shall have a minimum two (2) inch caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.

2. All collector streets and other public and private park strips in the OS Zone shall be improved and maintained by the adjoining owners according to specifications adopted by the City unless otherwise allowed with development approval.

3. Trees shall not be topped and required landscape areas shall not be redesigned or removed without City approval. Property owners shall replace any dead plant material in accordance with the requirements of this Chapter and the approved site plan and/or final plat.

4. The following landscaping requirements shall apply to parking areas:

a. Planters with shade trees that have a two (2) inch or larger caliper and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five (5) feet wide.

b. Shade trees shall be planted in double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum thirty (30) foot intervals and no farther than six (6) feet from the parking area.

c. Minimum five (5) foot landscaped planters shall be provided around building foundations except at building entrances and loading and utility areas.

5. Development that is contiguous to canals, streams or drainage areas shall be reasonably designed to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required yard space. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without written approval of any entity or agency having jurisdiction over said waterways.

6. All required landscaping shall be installed (or escrowed due to season) prior to occupancy.

7. All landscaped areas, including adjoining public right-of-way areas, shall be properly irrigated and maintained by the owners.

K. Lighting. The following lighting requirements shall apply in the OS Zone:

1. Applicants for development review shall submit a lighting plan, which shall also include a photometric analysis.

2. Site lighting shall adequately light all parking areas, walkways and common areas. Site lighting shall be designed and/or shielded to prevent glare on adjacent properties.

3. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be architectural grade and consistent with a streetlight design approved by the City Engineer.

17.50.030: PERFORMANCE DEVELOPMENT

Performance Development is not allowed in the OS Zone.

17.50.40: OTHER REQUIREMENTS

A. Maintenance. All private areas in developments shall be properly maintained by the property owners.

B. Easements. Buildings may not be located within a public easement.

C. Phasing Plan. Applicants seeking development approval of a phased project phasing shall submit for review at the time of preliminary plat or site plan approval a project phasing plan. Development shall be in accordance with the project phasing plan unless the City approves a revised project phasing plan.

D. Nonconforming Lots or Parcels. Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of the OS Zone shall be brought into conformance with the requirements of this chapter prior to development.

E. Any requirement in this Chapter may be altered, adjusted, or waived through a development agreement approved by the city council.

EXHIBIT “C”

Chapter 17.62 (Office Zone)
of Title 17 (Planning and Land Use Ordinance)
of the South Jordan City Municipal Code

Chapter 17.62 **OFFICE ZONE**

17.62.010: PURPOSE

17.62.020: DEVELOPMENT & DESIGN STANDARDS

~~**17.62.030: PERFORMANCE DEVELOPMENT**~~

17.62.040: OTHER REQUIREMENTS

17.62.010: PURPOSE

Chapter 17.62 is established to provide standards and regulations, consistent with the City's General Plan and the purposes and provisions of this Title, for office areas in the City. This Chapter shall apply to the P-O Zone, established in chapter 17.20 (Zone Establishment). Uses may only be conducted in the P-O Zone in accordance with the regulations of this Code. Allowed use (permitted and conditional), accessory use, temporary use, and other associated use regulations are found in Chapter 17.18 (Uses) of this Title.

- A. P-O Zone. The purpose of the P-O Zone is to provide areas where large and small scale offices and office parks can be located in the City. Smaller office developments should be harmoniously integrated with surrounding residential areas and serve as residentially compatible buffers to heavier uses such as commercial and industrial businesses and major roadways. Large office buildings should be well buffered from residential areas with landscaped open space. Buildings and signs should be coordinated with high quality materials and architecture.

17.62.020: DEVELOPMENT AND DESIGN STANDARDS

- A. Development Review. Uses proposed in the P-O Zone may only be established in conformance with the City's development review procedures of the City. Applicants shall follow the procedures and requirements of this Code regarding development review in the preparation and review of development proposals in the P-O Zone. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the City, except as allowed under state law. Office condominiums may be approved in accordance with state law and city ordinances.

- B. Area Requirements. The following area requirements shall apply in the P-O Zone:

1. The minimum zone area shall be one acre.

2. The minimum project area in the P-O Zone shall be one acre. "Project" is defined as any development in the OS Zone for which an application has been submitted or approval has been granted for a preliminary plat or site plan.

3. There shall be no minimum lot area in the P-O Zone.

Residential Uses
are prohibited in
the P-O zone.

- C. Density. There is no restriction on the number of lots or parcels or the number of buildings on a lot or parcel, except as may be limited by other standards, regulations, or requirements of title 17 (Planning and Land Use Ordinance), in the P-O Zone.
- D. Lot Width and Frontage. No minimum lot width is required for lots in the P-O Zone. Lots not fronting on a street must be accessible to the public via a recorded easement or right of way.
- E. Yard Area. The following yard area requirements shall apply to lots or parcels in the P-O Zone:
1. The following minimum yard area requirements apply to main and accessory buildings:
 - a. The required yard area for front, side, and rear yards shall extend a distance of twenty (20) feet away from and along a property line adjacent to the edge of a public right of way (back of sidewalk for a typical street cross-section). An alternative edge line to be used for measuring the minimum yard area may be established where an atypical street cross-section exists and when recommended by the Development Services Director and approved by the Planning Commission.
 - b. The required yard area for front, side, and rear yards shall extend a distance of thirty (30) feet away from and along a property line adjacent to a residential or agricultural zone, except that the required yard area adjacent to residential or agricultural zones shall be twenty (20) feet per story for three-story or higher buildings.
 2. The required yard area for a lot or parcel adjacent to a residential or agricultural zone, as required in Subsection E.1 of this Section may be reduced if the adjacent residential or agricultural zoned property has a future land use designation that is not residential or agricultural and the reduction is approved by the Planning Commission with site plan review.
 3. The following may be projected into any required yard area in the P-O Zone:
 - a. Fences and walls in conformance to City Codes and City Ordinances.
 - b. Landscape elements, including trees, shrubs and other plants.
 - c. Minor utility or irrigation equipment or facilities.
 - d. Decks not more than two (2) feet in height.
 - e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to a building that does not extend not more than two (2) feet into a side yard area or four (4) feet into a front or rear yard area.
 - f. Chimneys, fireplace keys, box or bay windows, or cantilevered walls attached to the building not exceeding eight (8) feet wide and extending not more than two (2) feet into a side yard or four (4) feet into a front or rear yard.
- F. Parking and Access. Parking areas and access in the P-O Zone shall comply with Chapter 16.26 (Parking and Access), Chapter 17.18 (Uses), and title 10 (Traffic Code).
- G. Fencing, Screening, and Clear Vision. The fencing, screening and clear vision requirements of this Section shall apply to the P-O Zone:
1. All mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.

2. The boundary of an office zone which is not in or adjacent to a public right of way and which is adjacent to a residential or agricultural zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the office zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit may be required for fences and walls according to applicable building codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.

3. No wall, fence or screening material shall be erected between a street and a front or street side building line in the P-O Zone, except as required by Subsection 1 of this Section.

4. Landscape materials, except for mature trees that are pruned at least seven (7) feet above the ground, and fences shall be no higher than three feet (3) high within a ten (10) foot triangular area formed by the edge of a driveway and a street right of way line or within a thirty (30) foot triangular area formed by the right of way lines of intersecting streets.

H. Architecture. The following exterior materials and architectural standards are required in the P-O Zone:

1. Applicants for development approval shall submit for site plan review architectural drawings and elevations, exterior materials and colors of all proposed buildings. In projects containing multiple buildings, the applicant shall submit a design book that includes an architectural theme, features, exterior materials and colors governing the entire project shall be submitted.

2. All building materials shall be high quality, durable and low maintenance.

4. Exterior walls of buildings that are longer than sixty (60) feet in length shall have relief features at least four (4) inches deep at planned intervals.

5. All sides of buildings shall receive design consideration.

4. Signs shall meet requirements of title 16, Chapter 16.36 of this Code and shall be constructed of materials which complement the buildings which they identify.

5. The maximum building height in the P-O Zone shall be six (6) stories or seventy feet (70'), whichever is less.

6. The exteriors of buildings in the P-O Zone shall be properly maintained by the owners.

I. Grading and Drainage. All developments shall be graded to comply with Section 16.04.040(E)(9) of Chapter 16.10 (Subdivision Review) and as required by the Development Services Department to provide adequate drainage. Buildings shall be equipped with facilities that discharge of all roof drainage onto the subject lot or parcel.

J. Landscaping. The following landscaping requirements and standards shall apply in the P-O Zone:

1. A minimum of thirty percent (30%) landscaped open space, which may include required landscaped yard areas, shall be provided with each development in the P-O Zone.
2. The area of front, side, and rear yards along an adjacent property line and extending away from the property line a distance prescribed in the requirements of this Subsection shall be landscaped with grass, trees, and other live plant material.
 - a. The required yard landscape area for a yard adjacent to a residential or agricultural zone shall be not less than ten (10) feet for buildings not exceeding two (2) stories and shall not be less than twenty (20) feet for buildings with three stories or more, except that no yard landscape area is required when a yard area reduction has been approved according to Subsection E.2 of this Section.
 - b. The required yard landscape area for a yard adjacent to a public right of way shall be twenty (20) feet, except that no yard landscape area is required when a yard area reduction has been approved according to Subsection E.2 of this Section.
3. All areas of lots in the P-O Zone not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other live plant material in conjunction with a landscape plan for the development that has been designed and prepared by a landscape architect and approved by the Planning Commission.
4. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in the P-O Zone in addition to other trees required in this Section. A minimum of thirty (30) percent of required yard area trees shall be minimum seven (7) foot tall evergreens. Deciduous trees shall be minimum two (2) inch caliper. Deciduous and evergreen trees required in this Section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.
5. All collector streets and other public and private park strips in the P-O Zone shall be improved and maintained by the adjoining owners according to specifications adopted by the City unless otherwise allowed with development approval.
6. Trees shall not be topped and required landscape areas shall not be redesigned or removed in the P-O Zone without city approval. Property owners shall replace any dead plant material shall be replaced in accordance with the requirements of this Chapter and the conditions of site plan or plat approval.
7. The following landscaping requirements shall apply to parking areas:
 - a. Curbed planters with two (2) inch or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five (5) feet wide.
 - b. Shade trees shall be planted in double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum thirty (30) foot intervals and no farther than six (6) feet from the parking area.
 - c. Minimum five (5) foot landscaped planters shall be provided around building foundations except at building entrances, drive-up windows and loading and utility areas.
 - d. All landscaped areas adjacent to parking areas shall be curbed.

8. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required yard space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without written approval of any entity or agency having jurisdiction over said waterways.

9. All required landscaping shall be installed (or escrowed due to season) prior to occupancy.

10. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners.

K. Lighting. The following lighting requirements shall apply in the P-O Zone:

1. Applicants for development approval shall submit a lighting plan, which shall include a photometric analysis.

2. Site lighting shall adequately light all parking areas, walkways, and common areas. Site lighting shall be designed and/or shielded to prevent glare on adjacent properties.

3. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be architectural grade and consistent with a streetlight design approved by the City Engineer.

17.62.030: PERFORMANCE DEVELOPMENT

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

1. The minimum area of a performance development shall be five (5) acres unless otherwise expressly altered by an approved development agreement.

2. The development agreement shall delineate the requested exceptions and variations from city ordinances and the offsetting upgrades and benefits proposed. Possible exceptions may include, but are not limited to, unlisted uses, yard requirement reduction, building height

increase, alternative screening technique, and reduced parking requirements. Possible upgrades may include, but are not limited to, improved landscape design, architectural enhancements, and coordination with adjoining development. Staff will make a determination as to the reasonableness of the proposed exceptions and upgrades and make recommendations to the City Council. Proposed upgrades and enhancements must clearly exceed what would normally be expected for development in the P-O Zone.

3. Uses which significantly diverge from the character and purpose of the P-O Zone, such as industrial uses, are prohibited.

4. All non-office uses proposed shall be supportive of office uses in the development as described in Section 17.62.010 of this Chapter.

5. Residential and retail uses may only be allowed if stipulated in an approved development agreement..

6. Sexually oriented businesses are prohibited.

B. The following standards and regulations may not be varied for performance developments:

1. Building and infrastructure construction standards.

2. Use regulations as set forth in Chapter 17.18 (Uses).

3. Required landscaping as set forth in Section 17.62.020(J) of this Chapter, except open space.

4. Sign regulations as set forth in Chapter 16.36 (Sign Ordinance) of this Code.

5. Requirements of Chapter 16.24 (Site Plan Review) of this Code.

6. Any standards relating to the public health, safety and welfare.

17.62.040: OTHER REQUIREMENTS

A. Private Covenants. The developer of a condominium project in an office zone shall submit a proposed declaration of covenants to the city attorney for review, including an opinion of legal counsel licensed to practice law in the state that the condominium meets requirements of state law, and record the covenants with the condominium plat for the project.

B. Maintenance. All private areas in developments shall be properly maintained by the property owners.

C. Easements. Buildings may not be located within a public easement.

D. Phasing Plan. Applicants seeking development approval of a phased project shall submit for review at the time of plat or site plan approval a project phasing plan. Development shall be in accordance with the project phasing plan unless the City approves a revised project phasing plan.

E. Nonconforming Lots or Parcels. Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of the P-O Zone shall be brought into conformance with the requirements of this Chapter prior to development.

South Jordan City
Boards and Committees



SOUTH JORDAN
U T A H

Our current system:

- Inconsistent use of terms
- Inconsistent method of formation
- Inconsistent system of appointments, term limits, membership requirements, etc.
- Outdated/inaccurate Policy & Procedure Guide

Committee Name	Who Serves on the Committee/Board	# of members allowed on Committee or Board	Current List of Members serving	Member Appointment Process	How is the Chair/Vice Chair Appointed?	Who is the Chair?	Oath of Office Required?	Length of Term Served	Do Members Receive Compensation?	Ethics	Authority
Requirements of the Policy & Procedure Guide for City Council Boards/Committees	The City Council shall recruit and not selected citizens whose talents, experience, attitude, and willingness to serve shall best serve the interest of the City.		N/A	Five Members per Board/Committee. Appointment by Each Councilmember (unless otherwise provided upon the creation of a specific Board/Committee).	Chair shall be elected by the board (not membership)	N/A		Appointments shall be for a term of one year except as approved by local, state or federal law. Initial appointments shall be staggered so that three Members shall serve an initial 1 year term and the remaining three members shall serve an initial 2 year term.	No compensation received for services. May be reimbursed for reasonable expenses incurred in the performance of their duties.	Code of Ethics	The Guide was drafted pursuant to Chapter 2, § 30.02A, COMMISSIONS, COMMITTEE, AND TASK FORCE of the South Jordan City Municipal Code.
Architectural Review Committee (Board/Committee)	City Planner, City Building Official, Director of Development Services, City Manager or designee, member of Planning Commission, member of City Council, 2 members of the community.	8	(2/2015) Mark Southard, T. Lail Kelly, Greg Schindler, Danny Driscoll, Brad Swanson, Jake Warner, David Mann, Tammy Ryan, Doreen Wadell, Charis Perry, Russell Taylor	Representative of the Planning Commission, City Council member, and members of the community will be appointed to the majority vote of the City Council.	Does not require a Chair or Vice-Chair	N/A	Not	City Council representative and 1 member of the community will serve for a 1 year term. Planning representative and 1 member of the community will serve for a 2 year term. Thereafter, each term of service shall be for a 2 year period. City Staff removal shall occur without term.	7		
Art Council (Board/Committee)	At least 7 people knowledgeable in the field of public art, education, or community affairs, a member of the City Council and five or six other members the City Manager or a designee.	At least 9	(2/2015) Sandra Kirkendall, Charis Perry, Andrea Davidson, Jennifer Cookson, Michelle Mathews, Rick Sauer, Evan Jones, Brian Butcher	By resolution of the City Council.	Chair, Vice Chair and Secretary are to be elected by the Art Council Members.	Chair: Sandra Kirkendall	Not	2 years (or less if appointed to fill the remainder of a term of a resigned member)	No compensation received for services. Reimbursement shall be provided for parking and mileage for Art Council related business except used to and from regularly scheduled and specially called meetings.		
Audit Committee (To be dissolved)	Mayor (or a Council Member), 1 additional Council member (both as identified by the Mayor) and City Manager or Assistant City Manager (as identified by City Manager)	3	(9/2014) David Abbott, Mark Southard, Gary Whitson	Committee member appointment is subject to majority vote of the Council.	Determined by Members of the Committee	N/A?	Not	Shall serve until said term as their respective successor shall be identified and approved as set forth in RC2012-33 and RC2012-36	7		
Board of Adjustment (Board/Committee)	Mayor and City Council members or other assigned person or body	6	(1/2014) Mayor David Abbott Thomas Christensen	By resolution of the City Council	Does not require a Chair or Vice-Chair?	N/A?	Yes	1 year term (may be extended by written notice from the City to the Committee)	Yes		Power to hear and decide appeals, including variances, and other board action (dividing single parcels).
Competition Committee (Board/Committee)	City Manager, City Chief Human Resources Officer, Mayor, One Council Member, and one Resident of the City of South Jordan	5	(2/2015) Gary Whitson, Paul Compton, David Abbott, Chris Briggs, Jared Olsen	Council member appointment is to be recommended by Mayor and approved by majority vote of the Council. Resident to be considered and approved by majority vote of City Council.	Does not require a Chair or Vice-Chair?	N/A?	Not	Mayor, Chief Human Resources Officer, and City Manager are to serve as "standing" members. City Council Member and Resident are to serve no longer than 1 year, and rotating off the committee for a maximum of 3 years.	Yes. The Resident Committee Member shall be compensated on an established per diem basis for daily service or per diem honorarium, except that no more than 5 full days of service per year. Committee members other than the Resident Committee Member shall receive no additional compensation.		
Historic Preservation Committee (Board/Committee)	Members of the Community?	5 voting members and alternate	(9/2013) Bryan L. Newbold, Amy Child, Lacey Carroll, Joanne D. Jackson	Each member of the City Council shall nominate 1 voting member. That nominee shall be appointed by a majority vote of the City Council.	By Resolution of the City Council	Vice-Chair: Bryan L. Newbold	Not	2 year term	No compensation received for services. May be reimbursed for reasonable expenses incurred in the performance of their duties.	Code of Ethics	Power to Survey and Inventory; Community Historic Resources; Review Proposed Nominations to National Register of Historic Places; Prepare and Maintain Historic Landmark Register; Provide Advice and Information; Public Education and Activities.
Mulligan Committee (To be dissolved) (Board/Committee)	The Mulligan Golf Professional Manager, 2 members of City Staff, 2 Members of the City Council, and 2 Residents of the City of South Jordan	7	(5/2015) Don Trapp, Duane Lewis, Don Shuck, Mark Southard, Deanna Kaufman, Max Shover	The 7 members of City Staff shall be appointed by the City Manager. The 2 City Council members shall be nominated by the Mayor and appointed by majority vote of City Council. The 2 resident members shall, by application, be considered and nominated by at least 2 members of the City Council which should then be approved by a majority vote of the City Council.	By Resolution of the City Council	Chair: Mark Southard	Not	Each member is expected to serve 24 months, allowing for a continuation of up to 30 months if replacement has not been appointed. No member shall serve for more than 30 months without a formal re-appointment.	No compensation received for services. May be reimbursed for reasonable expenses incurred in the performance of their duties (travel, research, etc. shall be budgeted under the Mulligan Fund).		Authority to discuss, review, analyze and make proposals and recommendations to the City Council concerning Mulligan and its operation, employees, and assets.
Planning Commission (Board/Committee)	Members of the Community?	5 voting members and alternate	(2/2015) Russell Nayke, Richard First, Beverly Evans, Mark Woolley, John D. Morrison, T. E. Jolly	Each member of the City Council shall nominate 1 voting member. That nominee shall be appointed by a majority vote of the City Council.	At the first regular planning commission meeting held in each calendar year the members shall be selected from their number a chairperson and other such officers	Chair: Russell Nayke Vice-Chair: Richard First	Yes	4 years from date of appointment	Each member of the Planning Commission, including the alternate member, shall be paid \$50 per day for attending each regular planning commission meeting.		and duty of the planning commission, after holding public hearings, to make and adopt and certify to the legislative body, a general plan for the physical development of the municipality. The Planning
Senior Citizens Committee (Board/Committee)	Members of the Community?	5 voting members and alternate	(2/2015) Loyd Haffin, Susan MacIntosh, Mick Frazier, Patricia Phelps, Sharon Weeks, Chis McGowan	Each member of the City Council shall nominate 1 voting member. That nominee shall be appointed by a majority vote of the City Council.	By Resolution of the City Council	Chair: Loyd Haffin	Not	2 year term	No compensation received for services. May be reimbursed for reasonable expenses incurred in the performance of their duties.	Code of Ethics	
Youth Council (Board/Committee)	South Jordan Residents meeting 9-12 grades	N/A?	2014-2015 roster for youth of officials 66 members	Members shall, by application, be considered and appointed by Youth Council Mayor Executive Committee	N/A?	N/A? Youth Mayor	Yes	7	No compensation received for services.		

Proposed solution

- Revise Policy & Procedure Guide
 - Define Boards, Committees, and Councils
 - Clarify each entity's roles and responsibilities
 - Identify how new entities are formed and their general rules of governing
- Remove entities from City Code (ordinance)
- Establish / re-establish entities (resolution)

Working definition: Board or Advisory Board

- A Board or Advisory Board advises and makes recommendations to City staff on a particular topic or subject area. Members of these Boards are appointed by the City Council for their particular skills, abilities, or expertise in that subject area.

-Examples: Senior Committee

Working definition: Committee

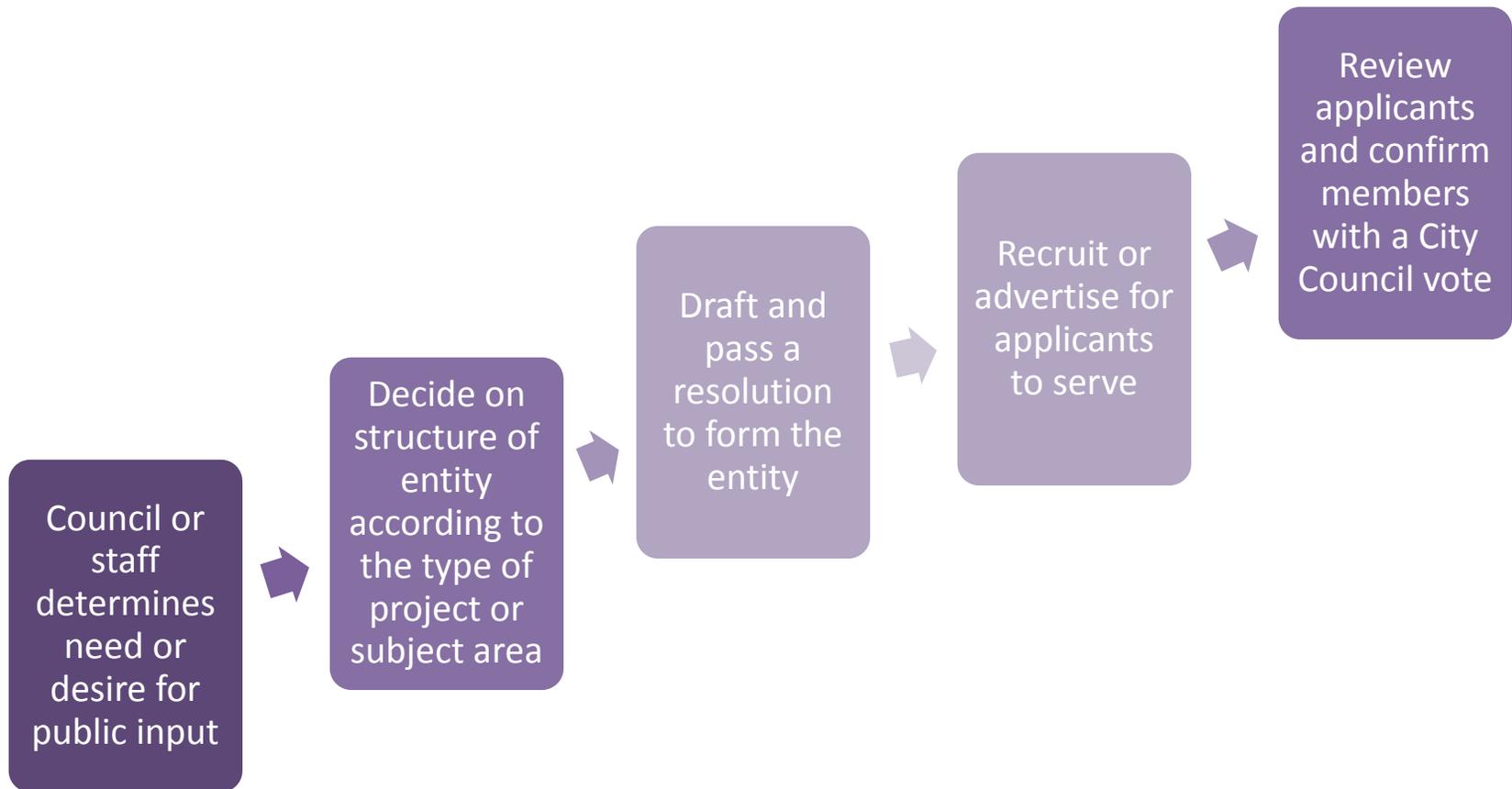
- A Committee advises and makes recommendations to the City Council on a particular subject area or topic. Committees can be classified as “standing” or “ad hoc.”
 - Standing: created to advise the City Council about a subject or topic on an ongoing basis.
 - *Example: Compensation Committee, Historical Committee*
 - Ad hoc: created for a specific purpose, issue, or project and intended to exist only until the resolution of the issue.
 - *Example: Private to Public Roads, Collector Street Fencing*

Working definition: Council

- A Council advises and makes recommendations to City staff and/or the City Council on behalf of a particular group, demographic, or subject area.
 - A Council often sets its own priorities and determines how best to execute them.
 - A Council receives an appropriation in the City budget and may determine, with City staff, how that appropriation is used. Councils must include one ex officio, non-voting City Council Member.
 - *Examples: Youth Council, Arts Council*

Boards/ Advisory Boards	Committees	Councils	Outliers	Statutory (governed by Utah Code)
<p>Senior Committee</p> <p><i>Possibilities:</i></p> <p>SJPD Advisory Board</p> <p>Open Space/ Recreation</p>	<p>Architectural Review Committee (standing)</p> <p>Compensation Committee (standing)</p> <p><i>Historical Advisory Committee</i></p> <p>Audit Committee (dissolve?)</p>	<p>Arts Council</p> <p>Historic Preservation Council</p>	<p>Youth Council</p> <p>ARC (Architectural Review Committee)</p> <p>Mulligans Commission</p>	<p>Planning Commission (Land Use Authority - generally)</p> <p>Board of Adjustments (Land Use Appeal Authority for Variance)</p> <p>TEC (Taxing Entity Committee)</p>

Creating a new entity



Components of a Resolution

- I. Name of entity (including “board,” “committee,” or “council”)
- II. Purpose of the entity
- III. Functions and responsibilities of entity
- IV. Composition and specific membership qualifications, if applicable