

ORDINANCE NO. 2024 - 01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTIONS 17.04.240 (PUBLIC UTILITIES), 17.18.030 (USE REGULATIONS), AND 17.18.060 (USE DEFINITIONS) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO CHANGE PUBLIC UTILITY AND RESTAURANT USES FROM CONDITIONAL USES TO PERMITTED USES.

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

WHEREAS, the City of South Jordan has submitted an application to amend Sections 17.04.240 (Public Utilities), 17.18.030 (Use Regulations), and 17.18.060 (Use Definitions) of the South Jordan City Municipal Code; and

WHEREAS, the subject text amendments are designed to save time and prevent confusion by changing the “Utility Services” use and the “Restaurant” use from conditional uses to permitted uses; and

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

WHEREAS, the City Council finds that the subject text amendment will enhance the public health, safety, and welfare.

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

SECTION 1. Amendment. Sections 17.04.240 (Public Utilities), 17.18.030 (Use Regulations), and 17.18.060 (Use Definitions) of the South Jordan City Municipal Code, as shown in the attached **Exhibit A**, are hereby amended.

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 2 DAY OF January, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
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Patrick Harris	<u>X</u>	___	___	___
Kathie Johnson	<u>X</u>	___	___	___
Donald Shelton	<u>X</u>	___	___	___
Tamara Zander	<u>X</u>	___	___	___
Jason McGuire	<u>X</u>	___	___	___

Mayor:

Dawn R. Ramsey

Attest:

Arma Crankston
City Recorder

Approved as to form:

Rae W. Scott
Office of the City Attorney



EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

17.04.240

A. The City Engineer may approve the following public utilities in any zone:

1. Electric power transmission and distribution lines ~~with a capacity of less than sixty nine (69) kV.~~
2. Gas transmission and distribution lines ~~with a design pressure of less than six hundred (600) psi and pipe diameter of less than sixteen inches (16").~~
3. Canals and water transmission and distribution lines ~~with a capacity of less than two hundred (200) second feet.~~
4. Motor vehicle roads and driveways.
5. Railroad tracks.
6. Telephone lines.
7. Cable television or communication lines.
8. **Communication towers (see chapter 17.112 of this title).**
9. Easements, rights of way, service driveways or accessory structures which are appurtenant to the above uses.

~~B. The following large scale public utilities may be allowed in all zones subject to the granting of a conditional permit:~~

- ~~1. Electric power transmission lines with a capacity of sixty nine (69) kV or greater.~~
- ~~2. Gas transmission lines with a design pressure of six hundred (600) psi or greater and pipe diameter of sixteen inches (16") or larger.~~
- ~~3. Water transmission lines with a capacity of two hundred (200) second feet or greater.~~
- ~~4. Communication towers (see Chapter 17.112 of this title).~~
- ~~5. Any easements, rights of way, service driveways, or accessory structures which are appurtenant to the above uses.~~

~~C.~~ **B.** Public facilities shall be subject to all of the height, bulk, location and other standards for the zone in which they are located except:

1. There shall be no minimum lot size required.
2. Only walled and/or roofed structures shall be required to meet the yard requirements (setbacks) of the zone. Otherwise, the public facilities listed in this section shall have no minimum yard requirements.

~~D.~~ **C.** In new developments, all utility lines and structures shall be installed underground in properly recorded easements according to city engineering and public utility standards. Junction boxes, monitoring and pump stations and other aboveground utility structures not listed above in excess of thirty (30) square feet in area or over four feet (4') in height shall require conditional use permit approval prior to installation.

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

17.08.020 C

Allowed Uses Table:

Key:

P = Permitted

C = Conditional

		Zones											
Category	Uses	A-5 A-1	BH-MU	C-C	C-F	C-I	C-N	I-F	MU-TC MU-TOD	P-O	R-1.8	R-2.5 R-3 R-4 R-5	R-M
Agricultural	Animal husbandry	P											
	Horticulture	P											
	Plant nursery	C	C	C	C						C		
	Public agricultural facility	C									C		
Residential:													
Group living	Community residential facility		C							C			C
	Dormitory												
	Institutional facility												
Household	Live-work		C										
	Multi-family												

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

	Neighborhood residential facility	P									P	P	P
	Single-family, attached												P
	Single-family, detached	P									P	P	P
Public:													
Civic and community	Cemetery												
	Community services	C	C	C	P	P	C	P	C	C	C	C	C
	Public safety	C	C	C	C	C	C	C	C	C	C	C	C
	Religious assembly and worship	C	C	C	C	C	C	C	C	C	C	C	C
Education	Elementary/secondary education	C	C	C	C				P	C	C	C	C
	University/college		C	C	C			C	P	C			
	Vocational/professional		C	C	C			C	P	C			
Open space	Natural open space												
	Park open space		C						C				
Utility and communication	Energy conversion	C				C		C					
	Telecommunication facility	C		C	C	C	C	C		C	C	C	C
	Utility services	C <u>P</u>		C <u>P</u>	C <u>P</u>	C <u>P</u>	C <u>P</u>	C <u>P</u>		C <u>P</u>	C <u>P</u>	C <u>P</u>	C <u>P</u>
Commercial:													
Services	Animal services			C	C	C	C						

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

	Business support		P	C	P	P		P	P	P			
	Daycare	P	P	P	P		P	P	P	C	P	P	P
	Financial institution		P	P	P		C	P	P	P			
	Hospital		C		C					C			
	Light service and repair		C	C	C	P	C	P					
	Lodging		P	C	P		C	P	P	C			
	Medical/dental office or clinic		P	P	P		P	P	P	P			
	Mortuary/funeral home			C						P			
	Office		P	P	P		P	P	P	P			
	Personal services		P	P	P		P	P	P	P			
	Professional services			P	P		P	P	P	P			
	Restaurant		P	C <u>P</u>	P		C <u>P</u>	P	P	C <u>P</u>			
	Self-storage			C	C	C				C			
	Vehicle repair					C		C					
	Vehicle services		C	C	C	P		P	C				
Recreation and assembly	Arts and recreation		P	P	P	P		P	P	P			
	Convention/reception center			C	C			C	C	C			
	Instruction and training			P	C	P	P	P		C			
	Outdoor recreation		C	C	C			C					

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

	Stadium/theater/auditorium		C	C	C			C	C				
Retail	Gas station		C	C	C	C	C	C	C				
	General retail		P	P	P	P	P	P	P				
	Kiosk, freestanding		P	C	C					P			
	Shopping center/department store		P	C	C			C	P				
	Vehicle sales and rental		C		C			C					
Industrial:													
Manufacturing and production	Assembly					P		P					
	Fabrication					C		C					
	Manufacturing					C		C					
	Mining												
Sales service and	Commercial service and repair					C		C					
	Food and drink preparation					C		C					
	Heavy equipment sales and rental					C		C					
	Office /warehouse flexible space					P		P					
	Research and development					P		P		C			
	Storage yards					C							
	Wholesale and warehouse					P		P					

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

Transportation	Aircraft transportation												
	Parking facility								C				
	Passenger terminal/station			C	C	C		C	C	C			
	Railroad facility					C							
Waste	Refuse												
	Salvage					C		C					

17.18.030.040

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 chapter.
2. All public uses shall be conducted within completely enclosed buildings, unless otherwise allowed in this chapter, 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) 1-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:
 1. Religious assembly and worship; and
 2. Utility service, ~~not including a major utility facility.~~

B. Specific Regulations By Public Use:

1. Elementary/Secondary Education, University/College, Vocational/Professional: A conditional use permit is not required in the BH-MU Zone when the use is located on a legal lot or parcel with frontage and access to a collector or arterial street. (Ord. 2017-05, 3-7-2017)
2. Utility Service: ~~Minor~~ **Utility** facilities **that** 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 according to section 17.04.240 of this title.

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

17.18.030.050 B.12

Restaurant: ~~The combined site area of restaurant uses shall occupy no more than twenty percent (20%) 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.

17.18.060 C.4

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.

~~Major Utility Facility: Facilities that include the following: sewer facilities, other than below grade lines; regional power generation, other than energy conversion; and aboveground facilities on a site exceeding ten thousand (10,000) square feet.~~

~~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.~~