

ORDINANCE 2019-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SUBSECTION 17.18.030.070.B.2 OF THE SOUTH JORDAN CITY MUNICIPAL CODE REGARDING THE ALLOWABLE STORAGE AREA FOR A BUILDING THAT IS LOCATED IN THE PROFESSIONAL OFFICE ZONE, AND ADDING “OFFICE-WAREHOUSE FLEXIBLE SPACE” AS A PERMITTED USE IN CERTAIN ZONES.

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

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

WHEREAS, the City Council desires to amend some of the requirements in City Code § 17.18.030.070.B.2 regarding allowable storage area for a building located in the professional office zone; and

WHEREAS, the City Council desires to add and define the use “office-warehouse flexible space” to City Code Chapter 17.18 (Uses) to distinguish it from other office facilities; 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 THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Amendment. City Code §§ 17.18.020.C, 17.18.030.070.B.2 and 17.18.060.E.2 are hereby amended as shown in Exhibit A.

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

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

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 18 DAY OF June, 2019 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	<u>X</u>	<u>X</u>	<u> </u>	<u> </u>
Bradley Marlor	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Donald Shelton	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Tamara Zander	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Jason McGuire	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Mayor: *Dawn R. Ramsey*
Dawn R. Ramsey

Attest: *Anna M. West*
City Recorder

Approved as to form:

[Signature]
Office of the City Attorney



EXHIBIT A

(Deletions in ~~strike through~~, new language in **bolded underline**)

17.18.020: ALLOWED USES:

C. Allowed Uses Table:

P	=	Permitted	C	=	Conditional
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Category	Uses	Zones											
		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
Industrial:													
Sales and service	Commercial service and repair					C		C					
	Food and drink preparation					C		C					
	Heavy equipment sales and rental					C		C					
	<u>Office/warehouse flexible space</u>					<u>P</u>		<u>P</u>					
	Research and development					P		P		C			
	Storage yards					C							
	Wholesale and warehouse					P		P					

17.18.030.070: ACCESSORY USE REGULATIONS:

B. Specific Regulations By Use Type:

1. Residential accessory uses and buildings may include, but are not limited to, 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. BH-MU Zone: Drive-through facilities on lots or parcels adjacent to a right-of-way shall be screened with landscaping and/or fencing to a height of not less than two feet (2') and not more than four feet (4') above the right-of-way sidewalk or driving surface of the drive-through, whichever is higher.

b. C-C and C-F Zones: One electronic vending machine (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 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 feet (50') of the building's main entrance. Electronic vending machines shall not exceed fifteen (15) square feet in area and no more than seven feet (7') high. Electronic vending machines shall not impede or obstruct vehicular and/or designated pedestrian pathways or access.

c. MU Zone: Drive-through facilities shall be located at the rear of the structure.

d. P-O Zone: The floor area used for storage of any type, including, but not limited to supplies, equipment, material, products, etc., shall not exceed twenty percent (20%) of the floor area of any building.

e. Outdoor storage shall only be allowed in association with plant nursery, vehicle repair, retail, or industrial uses and when located within sale/storage yards shown on an approved site plan and screened from view by a six foot (6') fence or wall. Sales/storage yards shall comply with yard area requirements of the applicable zone. Sales/storage yards require a conditional use permit when associated with vehicle repair or retail uses.

3. The sale and distribution of fuel, not otherwise classified as a gas station, from aboveground 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 feet (1,000') from the property line of a residential zone, and be set back 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 per legal lot or parcel and shall be no more than three hundred (300) square feet are 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 section 17.130.040, "Farm Animal Floating Zone", of this title.

17.18.060: USE DEFINITIONS:

E. Industrial:

1. Manufacturing and production:

Assembly. Establishments engaged in the assembly of goods from previously prepared materials and the production of handcrafted 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 candlemaking, ceramics studios, weaving, woodwork, glasswork, and leatherwork.

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.

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.

2. Sales and service:

Commercial service and repair. Establishments primarily engaged in providing services to commercial and business establishments, service and repair 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.

Food and 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 and 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.

Office/warehouse flexible space. A facility of single or multiple buildings or units where a portion of each building or unit is built as office space or showroom with the remainder of the building or unit built as storage or warehouse space. The facility typically is one or two stories tall, has higher ceilings than a typical office building, includes garage bays, and the ratio between office or showroom and storage or warehouse space is easily customized based on changing tenant needs.

Research and 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 and 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.

3. 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 facility. Nonpassenger facilities directly related to rail transportation, such as storage, fueling, maintenance and rail yards, but not including signage and signals.

4. 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.