

ORDINANCE NO. 2013-02

ORDINANCE AMENDING THE PLANNING AND LAND USE CODE; TITLE 17, AMENDING SECTION 17.50 (PROFESSIONAL OFFICE ZONE), AND ADDING CHAPTER 17.23 TO THE SOUTH JORDAN MUNICIPAL CODE PERTAINING TO THE OPEN SPACE (O-S) ZONE AND INCLUDING THE PARK OPENS SPACE (OS-P) AND NATURAL OPEN SPACE (OS-N) ZONING SUB-DISTRICTS.

WHEREAS, the South Jordan City Council has previously adopted Title 17 of the South Jordan City Municipal Code, which authorizes the regulation of uses in the City zones; and

WHEREAS, the South Jordan Planning Commission, after holding a public hearing, has reviewed the proposed text amendment to Title 17 adding Chapter 130 to the Municipal Code; and

WHEREAS, the City Council has held a public hearing and has reviewed the proposed amendment and considered the recommendation of the Planning Commission regarding the proposed amendment; and

WHEREAS, in accordance with principles of sound municipal planning, the City staff, the City Planning Commission, and the City Council have taken into account the impact the proposed amendment will or may have on existing or future development, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed amendment meets the purposes and objectives of the Development Code and the Planning and Land Use Code; and

WHEREAS, the City Staff, the Planning Commission and the City Council have determined that the proposed amendment meets the goals and policies of the General Plan, including the long term preservation of open space and natural open space in the City; and

WHEREAS, the City Council desires to amend the Planning and Land Use Code as proposed; and

WHEREAS, the City Council has found and determined that the proposed amendment to Title 17 by adding Chapter 17.23 to said Title of the South Jordan Municipal Code will support the best interests of the City and will promote the public health, safety and welfare.

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

Section 1. Enactment. Chapter 17.23 of Title 17, “Planning and Land Use”, of the South Jordan Municipal Code is hereby enacted as follows:

Chapter 17.50
~~OFFICE SERVICE (O-S) ZONE~~
PROFESSIONAL OFFICE (P-O) ZONE

17.50.010: PURPOSE:

17.50.020: PERMITTED USES:

17.50.030: CONDITIONAL USES:

17.50.040: USE REGULATIONS:

17.50.050: DEVELOPMENT REVIEW:

17.50.055: PERFORMANCE DEVELOPMENT:

17.50.060: LOT WIDTH AND FRONTAGE:

17.50.070: AREA REQUIREMENTS:

17.50.080: PRIOR CREATED LOTS:

17.50.090: YARD REQUIREMENTS:

17.50.100: PROJECTIONS INTO YARDS:

17.50.110: PARKING AND ACCESS:

17.50.120: FENCING, SCREENING AND CLEAR VISION:

17.50.130: ARCHITECTURAL STANDARDS:

17.50.140: LANDSCAPING REQUIREMENTS:

17.50.150: LIGHTING:

17.50.160: OTHER REQUIREMENTS:

17.50.010: PURPOSE:

The Professional Office Service (O-S) (P-O) Zone may be cited as the "O-S zone" "P-O Zone" and is established 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. (Ord. 2007-02, 1-16-2007)

17.50.020: PERMITTED USES:

The following uses may be conducted in the ~~(O-S) zone~~ P-O Zone:

Banks, credit unions, financial institutions without drive up facilities.

Computer software and media production and distribution. Computer services.

Computer Services

Electronics and computer hardware production and distribution.

Healthcare facilities and services.

Health and Fitness centers.

Insurance, accounting, marketing, finance, tax and similar services.

Medical and dental offices or clinics.

~~Mortuary, Funeral Home~~

Personal or business services within an office building.

Publishing, printing.

Real estate, engineering, legal, architectural, development and similar services.

Research and development.

Research and development with ancillary manufacturing and distribution.

Telemarketing. (Ord. 2007-02, 1-16-2007)

17.50.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the ~~(O-S)~~ zone (P-O) Zone:

Assisted living centers, maximum two (2) stories.

Banks, credit unions, financial institutions. with drive up facilities located to the rear of the structure and at least one-hundred (100) feet from a residential district

Buildings exceeding two (2) stories with only allowed ~~(O-S)~~ (P-O)uses.

Care centers, maximum two (2) stories.

Computer software and media production and distribution

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Daycare center facility

Educational and training activities.

Golf courses.

~~Group Daycare~~

~~Group pre-school~~

~~Health and fitness~~

Hospitals.

Hotels, motels.

~~Mortuary, Funeral Home.~~

Nature or zoological exhibits.

Parks.

Personal or business services.

Personal or business services within an office building.

Preschool center facility.

Public, quasi-public facilities.

Religious activities.

Research and development with ancillary manufacturing and distribution.

~~Restaurants (not fast food)~~

17.50.040: USE REGULATIONS:

Uses may be conducted in the (O-S) zone (P-O) Zones only in accordance with the following regulations:

- A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in P-O Zones. A conditional use permit must be obtained prior to the establishment of a conditional use. Sexually oriented business is prohibited in P-O Zones.
- B. All uses in ~~(O-S) zone~~ (P-O) Zones shall be conducted within completely enclosed buildings unless otherwise allowed in this chapter.
- C. Accessory uses and buildings are permitted in ~~(O-S) zones~~ P-O Zones only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, parking lots and terraces, properly screened utility and loading areas and other buildings and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.
- D. There shall be no open storage of trash, debris, used materials, wrecked or neglected equipment or materials in ~~(O-S) zones~~ P-O Zones. No commercial materials, equipment, goods or inventory may be stored in open areas in ~~(O-S) zones~~ P-O Zones except those specifically allowed in conjunction with a permitted or conditional use on the premises.
- E. No vehicle, boat or trailer, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, attended or not, may be parked or stored in ~~(O-S) zones~~ P-O Zones for longer than seventy two (72) hours unless stored within a completely enclosed building.
- F. No commercial vehicles such as earthmoving or material handling equipment, semi-trucks or trailers or any commercial truck, trailer or vehicle may be stored in ~~(O-S) zones~~ P-O Zones for longer than seventy two (72) hours, except in conjunction with an approved use or approved development or construction activities on the property.
- G. Utility trailers and recreational vehicles such as motor homes, travel trailers, watercraft, campers and all-terrain vehicles, may not be stored in any area in ~~(O-S) zones~~ P-O Zones. (Ord. 2007-02, 1-16-2007)

17.50.050: DEVELOPMENT REVIEW:

All uses proposed in ~~(O-S) zones~~ **P-O Zones** may only be established in conformance with 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 ~~(O-S) zones~~ P-O Zones. 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. (Ord. 2007-02, 1-16-2007)

17.50.055: 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 ~~(O-S) zones~~ P-O Zones may be altered or waived for a "performance development" by the planning commission, only with the positive recommendation of city staff, with a conditional use permit. "Performance development" shall be defined as any development in the ~~(O-S) zones~~ P-O Zones, which is exempted from certain land use and development requirements but which demonstrates superior design and function. Variations in the standard requirements of the ~~(O-S) zones~~ P-O Zones 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 recommended by city Staff and approved by the planning commission.
2. The conditional use permit/site plan application 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 planning commission. Proposed upgrades and enhancements must clearly exceed what would normally be expected for development in the ~~(O-S) zones~~ P-O Zones.
3. Uses which significantly diverge from the character and purpose of the ~~(O-S) zones~~ P-O Zones, 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 17.50.010 of this chapter.
5. Residential and retail uses may be incorporated as components of mixed use office developments.
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 section 17.50.040 of this chapter.
3. Required landscaping as set forth in section 17.50.140 of this chapter, except open space.
4. Sign regulations as set forth in chapter 16.36 of this code.
5. Requirements of section 16.24.050 of this code.
6. Requirements of section 16.24.070 of this code.
7. Any standards relating to the public health, safety and welfare. (Ord. 2007-02, 1-16-2007)

17.50.060: LOT WIDTH AND FRONTAGE:

No minimum lot width is required for lots in the ~~(O-S)~~ zones P-O Zones except for the initial lot of a development which shall have a minimum width of one hundred fifty feet (150') measured at the minimum front yard setback at a point which corresponds to the midpoint of the front lot line. The initial lot shall abut the right of way line of a public street a minimum distance of one hundred fifty feet (150'). Lots not fronting on a street must be accessible to the public via a recorded easement or right of way. (Ord. 2007-02, 1-16-2007)

17.50.070: AREA REQUIREMENTS:

The following area requirements shall apply in the ~~(O-S)~~ zones P-O Zones:

- A. Minimum Zone Area: The minimum area of a ~~(O-S)~~ zones P-O Zones shall be one acre.
- B. Minimum Project Area: "Project" shall be defined as any development in ~~(O-S)~~ zones P-O Zones for which preliminary plat or site plan approval has been proposed or granted. The minimum area of any project in ~~(O-S)~~ zones P-O Zones shall be one acre.
- C. Minimum Lot Area: There shall be no minimum lot area in ~~(O-S)~~ zones P-O Zones. (Ord. 2007-02, 1-16-2007)

17.50.080: PRIOR CREATED LOTS:

Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of a ~~(O-S)~~ zones P-O Zones shall be brought into conformance with the requirements of this chapter prior to development. (Ord. 2007-02, 1-16-2007)

17.50.090: YARD REQUIREMENTS:

The following yard requirements shall apply on lots in the ~~(O-S)~~ zones P-O Zones:

- A. Front Yard, Interior And Corner Lots: The minimum landscaped front yard for lots in ~~(O-S)~~ zones P-O Zones shall be twenty feet (20').
- B. Side Yard, Interior Lots: No minimum side yard is required adjacent to nonresidential or nonagricultural zones. The minimum side yard for lots adjacent to residential or agricultural zones shall be thirty feet (30'), of which at least ten feet (10') adjacent to the property line shall be landscaped.
- C. Side Yard, Corner Lots: The minimum landscaped street side yard for corner lots shall be twenty feet (20').
- D. Rear Yard: No minimum rear yard is required adjacent to nonresidential or nonagricultural zones. The minimum rear yard for lots adjacent to residential or agricultural zones shall be thirty feet (30'), of which at least ten feet (10') adjacent to the property line shall be landscaped.
- E. Minimum Yard Size: The minimum side and rear yards adjacent to residential or agricultural zones shall be twenty feet (20') per story for three-story or higher buildings, of which at least twenty feet (20') adjacent to the property line shall be landscaped.
- F. Reduction of Requirements By Approval: Should an adjacent property have a future land use designation that is commercial, office or industrial, the required minimum interior side and/or rear yard may be reduced if approved by the planning commission with site plan review. (Ord. 2008-08, 6-3-2008)

17.50.100: PROJECTIONS INTO YARDS:

The following may be erected on or projected into any required yard space in the (O-S)-zones P-O Zone:

- A. Fences and walls in conformance with city codes and ordinances.
- B. Landscape elements, including trees, shrubs and other plants.
- C. Utility or irrigation equipment or facilities.
- D. Decks not more than two feet (2') in height.
- E. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to the building extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.
- F. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard. (Ord. 2007-02, 1-16-2007)

17.50.110: PARKING AND ACCESS:

Parking areas and access in (O-S)-zones P-O Zones shall meet requirements of chapter 16.26 of this code. (Ord. 2007-02, 1-16-2007)

17.50.120: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in (O-S)-zones P-O Zones:

- A. 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.
- B. The boundary of an (O-S)-zones P-O Zones which is not in or adjacent to a street and which is adjacent to a residential or agricultural zone shall be fenced with a six foot (6'), decorative precast concrete panel or masonry fence as determined with development approval. Six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit is required for fences and walls over six feet (6') high. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.
- C. No wall, fence or screening material shall be erected between a street and a front or street side building line in (O-S)-zones P-O Zones, except as required in subsection A of this section.
- D. Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and a street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. (Ord. 2007-02, 1-16-2007)

17.50.130: ARCHITECTURAL STANDARDS:

The following architectural standards are required in (O-S)-zones P-O Zones:

- A. Architectural drawings and elevations, exterior materials and colors of all buildings shall be submitted in conjunction with site plan review. In projects containing multiple buildings, a design book containing architectural theme, features, exterior materials and colors governing the entire project shall be submitted.
- B. All building materials shall be high quality, durable and low maintenance.
- C. Exterior walls of buildings, in excess of sixty feet (60') in length, shall have relief features at least four inches (4") deep at planned intervals. All sides of buildings shall receive design consideration.
- D. Signs shall meet requirements of chapter 16.36 of this code and shall be constructed of materials which complement the buildings which they identify.
- E. The maximum building height in the ~~(O-S) zones~~ P-O Zones shall be six (6) stories or seventy feet (70'), whichever is less.
- F. The exteriors of buildings in the ~~(O-S) zones~~ P-O Zones shall be properly maintained by the owners. (Ord. 2007-02, 1-16-2007)

17.50.140: LANDSCAPING REQUIREMENTS:

The following landscaping requirements and standards shall apply in ~~(O-S) zones~~ P-O Zones:

- A. The front, side and rear yards of lots in ~~(O-S) zones~~ P-O Zones, as described in section 17.50.090 of this chapter, shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.
- B. A minimum of thirty percent (30%) landscaped open space, which may include required landscaped yard areas, shall be provided with each development in the ~~(O-S) zones~~ P-O Zones.
- C. All areas of lots in ~~(O-S) zones~~ P-O Zones not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.
- D. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in ~~(O-S) zones~~ P-O Zones in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be minimum two inch (2") 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.
- E. All collector streets and other public and private park strips in ~~(O-S) zones~~ P-O Zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval.
- F. Trees may not be topped nor may any landscape material be removed in ~~(O-S) zones~~ P-O Zones without city approval. Any dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.
- G. The following landscaping requirements shall apply in paved areas in ~~(O-S) zones~~ P-O Zones:

- 1. Curbed planters with two inch (2") 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 feet (5') wide.

2. Shade trees shall be planted in double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum thirty foot (30') intervals and no farther than six feet (6') from the parking area.
 3. Minimum five foot (5') landscaped planters shall be provided around building foundations except at building entrances, drive-up windows and loading and utility areas.
 4. All landscaped areas adjacent to parking areas shall be curbed.
- H. Developments which 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.
- I. All required landscaping in ~~(O-S) zones~~ P-O Zones shall be installed (or escrowed due to season) prior to occupancy.
- J. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners. (Ord. 2007-02, 1-16-2007)

17.50.150: LIGHTING:

The following lighting requirements shall apply in the ~~(O-S) zones~~ P-O Zones:

- A. A lighting plan shall be submitted with all new developments in the ~~(O-S) zones~~ P-O Zones. Site lighting shall be shielded to prevent glare on adjacent properties.
- B. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.
- C. Lighting fixtures on public property shall be architectural grade. A single streetlight design, approved by the city engineer, will be used on the same street. (Ord. 2007-02, 1-16-2007)

17.50.160: OTHER REQUIREMENTS:

- A. Private Covenants: The developer of a condominium project in a ~~(O-S) zones~~ P-O Zones 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. Grading and Drainage: All development sites in ~~(O-S) zones~~ P-O Zones shall be graded according to the city engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.
- C. Maintenance: All private areas in developments shall be properly maintained by the owners.
- D. Easements: Buildings may not be located within a public easement.
- E. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city. (Ord. 2007-02, 1-16-2007)

Chapter 17.23 OPEN SPACE (OS) ZONE

17.23.010: PURPOSE:

17.23.020: USE REGULATIONS:

17.23.030: DEVELOPMENT REVIEW:

17.23.040: LOT WIDTH AND FRONTAGE:

17.23.050: AREA REQUIREMENTS:

17.23.060: PRIOR CREATED LOTS:

17.23.070: YARD REQUIREMENTS:

17.23.080: PROJECTIONS INTO YARDS:

17.23.090: PARKING AND ACCESS:

17.23.100: FENCING, SCREENING AND CLEAR VISION:

17.23.110: ARCHITECTURAL STANDARDS:

17.23.120: LANDSCAPING REQUIREMENTS:

17.23.130: LIGHTING:

17.23.140: OTHER REQUIREMENTS:

17.23.150: REQUIREMENTS UNIQUE TO THE OS-P SUB-DISTRICT

17.23.160: PERMITTED USES IN OS-P SUB-DISTRICT

17.23.170: CONDITIONAL USES IN OS-P SUB-DISTRICT

17.23.180: REQUIREMENTS UNIQUE TO THE OS-N SUB-DISTRICT

17.23.190: PERMITTED USES IN OS-N SUB-DISTRICT

17.23.200: CONDITIONAL USES IN OS-N SUB-DISTRICT

17.23.010: PURPOSE:

The Open Space (OS) Zone may be cited as the "OS Zone" and is established to provide areas where large and small scale open space amenities can be located in the city. Generally these areas are to be open or largely undeveloped. The zone is intended to encourage a comprehensive network of permanent, multi-functional, 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 open space objectives of the City's General Plan.

17.23.020: USE REGULATIONS:

Uses may be conducted in OS Zones only in accordance with the following regulations:

- A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in OS Zones. A conditional use permit must be obtained prior to the establishment of a conditional use.
- B. Accessory uses and buildings are permitted in OS Zones only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, parking lots and terraces, properly screened utility and loading areas and other buildings and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.
- D. There shall be no open storage of trash, debris, used materials, wrecked or neglected equipment or materials in OS Zones.

- E. No vehicle, boat or trailer, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, attended or not, may be parked or stored in OS Zones for longer than seventy two (72) hours unless stored within a completely enclosed building.
- F. No commercial vehicles such as earthmoving or material handling equipment, semi-trucks or trailers or any commercial truck, trailer or vehicle may be stored in OS Zones for longer than seventy two (72) hours, except in conjunction with an approved use or approved development or construction activities on the property.
- G. Utility trailers and recreational vehicles such as motor homes, travel trailers, watercraft, campers and all-terrain vehicles, may not be stored in any area in OS Zones.

17.23.030: DEVELOPMENT REVIEW:

All uses proposed in OS Zones may only be established in conformance with 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 OS Zones. 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.

17.23.040: LOT WIDTH AND FRONTAGE:

No minimum lot width is required for lots in the OS Zone except that parcels shall have sufficient frontage or access to accommodate proposed development. Parcels not fronting on a street must be accessible via a recorded easement or right of way. (Ord. 2007-02, 1-16-2007)

17.23.050: AREA REQUIREMENTS:

The following area requirements shall apply in the OS Zone:

- A. Minimum Zone Area: The minimum area in an O-S Zone shall be one acre.
- B. Minimum Lot Area: There shall be no minimum lot area in OS Zones except that parcels shall have sufficient size to accommodate proposed development.

17.23.060: PRIOR CREATED LOTS:

Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of an OS Zone shall be brought into conformance with the requirements of this chapter prior to development. (Ord. 2007-02, 1-16-2007)

17.23.070: PARKING AND ACCESS:

Parking areas and access in OS Zones shall meet requirements of chapter 16.26 of this code. (Ord. 2007-02, 1-16-2007)

17.23.080: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in OS Zones:

- A. 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.

- B. The boundary of an OS Zone which is not in or adjacent to a street and which 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.
- C. No wall, fence or screening material shall be erected between a street and a front or street side building line in OS Zones, except as required in subsection A of this section.
- D. Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and a street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. (Ord. 2007-02, 1-16-2007)

17.23.090: ARCHITECTURAL STANDARDS:

The following architectural standards are required in OS Zones:

- A. Architectural drawings and elevations, exterior materials and colors of all buildings shall be submitted in conjunction with site plan review. In projects containing multiple buildings, a design book containing architectural theme, features, exterior materials and colors governing the entire project shall be submitted.
- B. All building materials shall be high quality, durable and low maintenance.
- C. Exterior walls of buildings, in excess of sixty feet (60') in length, shall have relief features at least four inches (4") deep at planned intervals. All sides of buildings shall receive design consideration.
- D. Signs shall meet requirements of chapter 16.36 of this code and shall be constructed of materials which complement the buildings which they identify.
- E. The maximum building height in OS Zones shall be thirty-five feet (35'), unless otherwise approved by the Planning Commission.
- F. The exteriors of buildings in the OS Zone shall be properly maintained by the owners. (Ord. 2007-02, 1-16-2007)

17.23.100: LANDSCAPING REQUIREMENTS:

The following landscaping requirements and standards shall apply in OS Zones:

- A. The front, side and rear yards of lots in OS Zones, shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development. 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. All areas of lots in OS Zones not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development. 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.'
- C. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be minimum two inch (2") 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.

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

F. Trees may not be topped nor may any landscape material be removed in OS Zones without city approval. Any dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

G. The following landscaping requirements shall apply in parking areas in OS Zones:

1. Planters with two inch (2") 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 feet (5') wide.

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

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

H. Development which is 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. 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.

I. All required landscaping in OS Zones shall be installed (or escrowed due to season) prior to occupancy.

J. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners. (Ord. 2007-02, 1-16-2007)

17.23.110: LIGHTING:

A lighting plan shall be submitted with all new developments in the OS Zone. Site lighting shall be shielded to prevent glare on adjacent properties.

Lighting fixtures shall be architectural grade with a unified streetlight design, as approved by the City Engineer.

17.23.120: OTHER REQUIREMENTS:

A. Grading and Drainage: All development sites in OS Zones shall be graded according to the city engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.

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

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

D. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city. (Ord. 2007-02, 1-16-2007)

17.23.130: REQUIREMENTS UNIQUE TO THE PARK OPEN SPACE (OS-P) SUB-DISTRICT.

Purpose of the OS-P Sub-District

The purpose of this sub-district is to encourage the acquisition and development of park open space acreage within the City. The focus of the zone 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.

17.23.140: PERMITTED USES:

The following uses may be conducted in the OS-P Zone:

Accessory uses to approved permitted and conditional uses, such as but not limited to, restrooms, parking lots, properly screened utility and loading areas, the preparing and serving of food and beverages, the sale of equipment and supplies in connection with approved recreational activities, and other buildings and activities which are incidental and subordinate to the principal permitted use on the premises.

Botanical gardens.

Community gardens.

Conservation areas, including but not limited to, watershed areas, wildlife refuges, wetlands, woodlands, and riparian areas.

Nature or zoological exhibits and facilities.

Open air theaters, amphitheaters, and meeting places.

Trails, Trailheads, and Walkways.

17.23.150: CONDITIONAL USES:

Cemetery.

Parks and recreational areas, including but not limited to, playgrounds, athletic fields, golf courses, country clubs, tennis courts, pavilions, dog parks, urban fisheries, and swimming pools.

Public, quasi-public facilities.

Telecommunications, meeting the requirements of chapter 17.112.

17.23.160: REQUIREMENTS UNIQUE TO THE NATURAL OPEN SPACE (OS-N) ZONE.

Purpose of the OS-N Sub-District

The purpose of this sub-district is to encourage the acquisition and protection natural open space acreage within the City. Activities that may have a detrimental effect upon natural open space are discouraged. The focus of the zone 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.

17.23.170: PERMITTED USES:

The following uses may be conducted in the OS-N Zone:

Accessory uses to approve permitted and conditional uses, such as but not limited to, restrooms, parking lots and other buildings and activities which are incidental and subordinate to the principal permitted use on the premises.

Botanical gardens.

Community gardens.

Conservation areas, including but not limited to, watershed areas, wildlife refuges, wetlands, woodlands, and riparian areas.

Nature or zoological exhibits and facilities.

Open air theaters, amphitheaters, and meeting places.

Trails, Trailheads, and Walkways.

17.23.180: CONDITIONAL USES:

Parks for the preservation of natural open space and trails.

Public, quasi-public facilities.

Section 2. Amendment. Chapter 17.50 of Title 17 of the South Jordan Municipal Code is hereby amended as follows:

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, ON THIS 19 DAY OF February, 2013 BY THE FOLLOWING VOTE.

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler	<u>X</u>	---	---	---
Chuck Newton	<u>X</u>	---	---	---
Brian C. Butters	<u>X</u>	---	---	---
Steve Barnes	<u>X</u>	---	---	---
Larry Short	<u>X</u>	---	---	---

Approved as to content: *Joel H. Seiferman*
City Manager

Legal Review: *[Signature]*
City Attorney, Assistant City Attorney

Mayor: *Scott L. Osborne*
Scott L. Osborne

ATTEST: *Ann M. West*
City Recorder



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WEST VALLEY CITY, UTAH 84170
FED. TAX I.D.# 87-0217663
801-204-6910

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SOUTH JORDAN CITY, 1600 TOWN CENTER DR SOUTH JORDAN UT 84095	9001350317	1/28/2013

ACCOUNT NAME	
SOUTH JORDAN CITY,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8012543742	0000851867 /
SCHEDULE	
Start 01/27/2013	End 01/27/2013
CUST. REF. NO.	
PH 2/19	
CAPTION	
NOTICE OF PUBLIC HEARING Notice is hereby given that a public hearing will be held before	
SIZE	
37 Lines	1.00 COLUMN
TIMES	RATE
4	
MISC. CHARGES	AD CHARGES
TOTAL COST	
67.16	



1000-160-42410

2013-02
ORDINANCE

NOTICE OF PUBLIC HEARING
Notice is hereby given that a public hearing will be held before the South Jordan City Council on **Tuesday, February 19, 2013 at 6:00 p.m.** in the South Jordan City Hall, located at 1600 W. Towne Center Drive, South Jordan, Utah, for the purpose of receiving public input regarding the following:
1. Adoption of Section 17.23 Open Space (OS) Zone to the South Jordan Municipal Code.
2. An amendment to Section 17.50 of the South Jordan City Municipal Code changing the title of the section from Office-Service (O-S) to Professional Office (P-O) Zone and make changes to the permitted and conditional uses listed for the zone.
All those interested are invited to attend.
Questions may be addressed Monday through Friday during regular business hours at the South Jordan City Offices at 801-254-3742.
George Shaw, AICP
Community Development Director
851867 UPAJLP

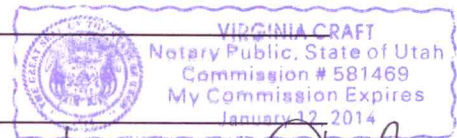
AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **NOTICE OF PUBLIC HEARING** Notice is hereby given that a public hearing will be held before the South Jordan City Council on **Tuesday, February 19, 2013 at 6:00 p** FOR **SOUTH JORDAN CITY**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY.

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DATE

1/28/2013

[Handwritten Signature: Virginia Craft]

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PLEASE PAY FROM BILLING STATEMENT