

ORDINANCE NO. 2007-15

**AN ORDINANCE AMENDING SECTIONS 16.04.200, 16.06.040,
16.08.040, 16.08.080, 16.10.040, 16.10.080, 16.14.060, 17.72.080,
17.72.090, 17.72.100, 17.72.110, 17.72.120.10, 17.72.130, 17.72.130.10,
17.72.140.10, OF THE SOUTH JORDAN MUNICIPAL CODE,
PERTAINING TO STREET WIDTH DEDICATION, MASONRY
FENCING AND NUMBER OF SETS OF PLANS REQUIRED FOR
SUBMITTAL.**

WHEREAS, the South Jordan Planning Commission, after holding a public hearing, has reviewed the proposed text amendment to Sections 16.04.200, 16.06.040, 16.08.040, 16.08.080, 16.10.040, 16.10.080, 16.14.060, 17.72.080, 17.72.090, 17.72.100, 17.72.110, 17.72.120.10, 17.72.130, 17.72.130.10, 17.72.140.10; and

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

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

WHEREAS, the City Council has found and determined that the proposed amendment to Sections 16.04.200, 16.06.040, 16.08.040, 16.08.080, 16.10.040, 16.10.080, 16.14.060, 17.72.080, 17.72.090, 17.72.100, 17.72.110, 17.72.120.10, 17.72.130, 17.72.130.10, 17.72.140.10 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. Amendment. Chapter 16.04 of Title 16, "Development Code", of the South Jordan Municipal Code is hereby amended as follows:

16.04.200: FENCING:

The following requirements pertaining to fencing shall be incorporated into development design and implemented by the developer:

A. The developer shall install fencing at his/her expense as follows:

1. A minimum six foot (6') fence (or wall and/or landscaping) of a type selected by the planning commission between the development and any incompatible use identified by the planning commission such as canals, ditches, flood channels, other waterways or other hazardous or unsightly uses.

2. A minimum six foot (6') fence of a type selected by the planning commission between the development and incompatible zones as identified by the planning commission.
3. A minimum six foot (6') tall decorative block wall or precast masonry wall shall be installed between the development and any adjacent parcels zoned for and meeting the minimum lot size requirements for large animals or between any adjacent property allowed large animals under a legal, nonconforming use, irrespective of whether or not large animals are on the property at the time of application or development. Design of either the block wall or the precast masonry wall shall be approved by the city engineer for the purpose of holding large animals and as outlined in subsection B of this section.
4. Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right of way shall be constructed six feet (6') high of decorative brick, integrally colored textured block or stone, with an approved cap. A maximum of twenty five percent (25%) decorative wrought iron or simulated wrought iron may be used. Collector street fencing may also be constructed of decorative cast concrete with no more than twenty five percent (25%) wrought iron. All collector street fences shall be constructed with pillars providing a minimum of two inch (2") relief on the street side at minimum twenty foot (20') intervals or, if decorative wrought iron is used, at intervals shown with the four (4) design options provided in this chapter. Collector street fencing design for new subdivisions shall be submitted for review with the preliminary plat and may be reviewed by the city architectural review committee. Collector street fences will be installed on private property and maintained by the owners. Sidewalks or concrete mow strips shall be installed under the fence where decorative wrought iron extends to the ground and between the street side of the fence and the sidewalk to prevent weed growth. Construction drawings shall be submitted to the city engineer for review prior to construction. **The street side of cast concrete fences shall be decorative with relief features molded into all of the surfaces and integrally colored or completely stained with a durable stain, approved by the Community Development Department, in subdued earth tones. The street side of cast concrete and other masonry fences shall be coated with the most durable anti-graffiti sealer available as approved by the City Engineer or his/her designee.** Any other parallel or roughly parallel fence or screening, excluding landscaping, may be installed no closer than twenty feet (20') from any street right of way line, except as otherwise restricted in this title. Proposed modifications to collector street fencing must be consistent with adjacent fencing; provided that the adjacent fencing meets the requirements of this chapter.
5. Building permits are required for fences or walls exceeding six feet (6') in height. Fence height shall be measured from the natural grade to the top of the fence panel as described in title 17 of this code.

- B. All fencing installed by the developer shall be approved by the city engineer or his or her designee and shall be considered part of the project improvements for purposes of bonding and occupancy.
- C. All applicable land use and building code requirements pertaining to fencing shall be met.
- D. All fencing installed by the developer shall be maintained in good condition by the owners after the improvement guarantee is released unless said fencing is specifically accepted by the city for maintenance.
- E. All sides of collector street fencing or other required masonry walls or cast concrete fencing shall have equal decorative treatment.**

Section 2. Amendment. Chapter 16.06 of Title 16, "Development Code", of the South Jordan Municipal Code is hereby amended as follows:

16.06.040: SRD APPLICATION:

- A. The applicant shall submit an application for review by the city staff. City staff may discuss the SRD in a development review committee meeting. The SRD application will consist of an application form, fee and ~~five (5)~~ **seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") copy of a site plan drawing showing the following and other information as requested by the city:

Section 3. Amendment. Chapter 16.08 of Title 16, "Development Code", of the South Jordan Municipal Code is hereby amended as follows:

16.08.040: PRELIMINARY CONDOMINIUM MAP APPLICATION:

A preliminary condominium map application shall be submitted to the community development department for any proposed condominium only after a concept plan for the condominium has been reviewed. The preliminary condominium map application shall be reviewed by the city staff and planning commission prior to submittal of a final map application for the condominium. City staff will review the preliminary map and discuss it in a development review committee meeting. Any requirements of this section considered by the community development director or the city engineer to be nonapplicable to a specific project may be waived or altered in writing by the city, except as required by state law. The preliminary map application shall consist of the following information, or other information as required by the community development department or city engineer:

- A. A completed application form and owner's affidavit.
- B. Payment of the application fee set by the city and the cost of notices.

- C. A Salt Lake County plat of the subject parcel, the acreage and legal description of the area to be mapped and boundaries of all parcels within three hundred feet (300') of the subject area.
- D. A listing of names and addresses, with address labels and postage, for the owners of record at the Salt Lake County recorder's office of the subject property and all properties within three hundred feet (300') of the subject property as required in chapter 16.04 of this title.
- E. ~~Five (5)~~ **Seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the condominium map and ~~three (3) copies~~ of the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 4. Amendment. Chapter 16.08 of Title 16, "Development Code", of the South Jordan Municipal Code is hereby amended as follows:

16.08.080: FINAL CONDOMINIUM MAP APPLICATION:

A final condominium map application shall be submitted to the community development department for any proposed condominium only after the preliminary condominium map has been approved by the planning commission. The final condominium map application shall be reviewed by the city staff. City staff will review the final map and may discuss it in a development review committee meeting. Any requirements of this section considered by the community development director or the city engineer to be nonapplicable to a specific project may be waived or altered in writing by the city, except as required by state law. The final map application shall consist of the following information or other information as required by the community development department or city engineer:

- A. A completed application form.
- B. Payment of the application fee set by the city.
- C. ~~Five (5)~~ **Seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the condominium map and ~~three (3) copies~~ of the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 5. Amendment. Chapter 16.10 of Title 16, "Development Code", of the South Jordan Municipal Code is hereby amended as follows:

16.10.040: PRELIMINARY SUBDIVISION PLAT APPLICATION:

The preliminary subdivision plat application shall be reviewed by the city staff and planning commission prior to submittal of a final plat application for the subdivision. City staff will review the preliminary plat and discuss it in a development review

committee meeting. Any requirements of this section considered by the community development director or the city engineer to be nonapplicable to a specific project may be waived or altered in writing by the city except as required by state law. The preliminary plat application shall consist of the following information or other information as required by the community development department or city engineer:

- A. A completed application form and owner's affidavit.
- B. Payment of the application fee set by the city council and the cost of notices.
- C. A Salt Lake County plat of the subject parcels, the acreage and legal description of the area to be subdivided and boundaries of all parcels within three hundred feet (300') of the subject area.
- D. A listing of names and addresses, with address labels and postage, for owners of record at the Salt Lake County recorder's office of the subject property and properties within three hundred feet (300') of the subject property as required in chapter 16.04 of this title.
- E. ~~Five (5)~~ **Seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the subdivision plat and ~~three (3) copies~~ of the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 6. Amendment. Chapter 16.10 of Title 16, "Development Code", of the South Jordan Municipal Code is hereby amended as follows:

16.10.080: FINAL SUBDIVISION PLAT APPLICATION:

A final subdivision plat application shall be submitted to the community development department for any proposed subdivision only after the preliminary subdivision plat has been approved by the city. The final subdivision plat application shall be reviewed by city staff and may be discussed in a development review committee meeting. Any requirements of this section considered by the community development director or the city engineer to be nonapplicable to a specific project may be waived or altered in writing by the city, except as required by state law. The final plat application shall consist of the following information or other information as required by the community development department or city engineer:

- A. A completed application form.
- B. Payment of the application fee set by the city.
- C. ~~Five (5)~~ **Seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the subdivision plat and

~~three (3) copies~~ of the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 7. Amendment. Chapter 16.14 of Title 16, “Development Code”, of the South Jordan Municipal Code is hereby amended as follows:

16.14.060: SUBDIVISION AMENDMENT APPLICATION:

Amendments to platted subdivisions shall be done in accordance with sections 10-9a-207, 10-9a-208, 10-9a-608, 10-9a-609.5 and any other applicable sections of the Utah Code Annotated, as from time to time may be amended. The plat amendment application shall be reviewed by the city staff at a development review committee meeting before the public hearing held by the land use authority. Any requirements of this section considered by the community development director or the city engineer to be nonapplicable to a specific project may be waived or altered in writing by the city, except as required by state law. The proposed plat vacation, alteration, or amendment application shall consist of the following information or other information as required by the community development department or city engineer:

- A. A completed application form.
- B. Payment of the application fee set by the city.
- C. ~~Five (5)~~ **Seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the amended subdivision plat and ~~three (3) copies~~ of the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 8. Amendment. Chapter 16.24 of Title 16, “Development Code”, of the South Jordan Municipal Code is hereby amended as follows:

16.24.040: SITE PLAN APPLICATION:

- A. Application for site plan review shall be made by the owner or authorized agent of the property. The site plan application will be reviewed by city staff. A site plan application will not be scheduled for planning commission review without first satisfying all submittal requirements. The following items shall be submitted:
 - 1. Application form.
 - 2. Owner's or agent's affidavit.
 - 3. Application fee.
 - 4. Mailing labels and postage for adjacent property owners within three hundred feet (300') of the subject parcel obtained from the Salt Lake County recorder's office.

5. Five (5) twenty four inch by thirty six inch (24" x 36") copies of the site plan drawn to scale not exceeding sixty feet (60') per inch and one eleven inch by seventeen inch (11" x 17") copy of the site plan containing the following information unless other information is requested by the city engineer or the community development director: **Seven (7) twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the site plan and the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:**

Section 9. Amendment. Chapter 17.72 of Title 17, "Zoning and Land Use", of the South Jordan Municipal Code is hereby amended as follows:

17.72.080: P-C ZONE PLAN:

- A. The P-C zone may only be established in an area designated as "large scale master planned community" by the general plan in accordance with provisions of chapter 17.22 of this title. A plan for the P-C zone shall be submitted for review by the planning commission and city council at the time of rezoning. The plan shall govern development within the P-C zone but may be amended through standard rezoning procedures. The following information shall be provided on a twenty four inch by thirty six inch (24" x 36") sheet (§ 7 copies) and an eleven inch by seventeen inch (11" x 17") reduced copy, unless otherwise required by the community development director:

Section 10. Amendment. Chapter 17.72 of Title 17, "Zoning and Land Use", of the South Jordan Municipal Code is hereby amended as follows:

17.72.090: COMMUNITY STRUCTURE PLAN:

- A. Upon approval of the P-C zone plan, a community structure plan may be submitted to the city staff for review. The community structure plan shall contain a contiguous area within the P-C zone, which includes one or more neighborhoods, villages, business and research parkways and/or towns. The community structure plan shall be submitted on a twenty four inch by thirty six inch (24" x 36") sheet (§ 7 copies) and on an eleven inch by seventeen inch (11" x 17") sheet and shall show the following:

Section 11. Amendment. Chapter 17.72 of Title 17, "Zoning and Land Use", of the South Jordan Municipal Code is hereby amended as follows:

17.72.100: MASTER SUBDIVISION PLAT:

- A. Upon approval of the community structure plan, a master subdivision plat may be prepared and submitted to the planning commission and city council for review. The master subdivision plat is a mixed use plan containing one or more land use categories in a contiguous area within the area covered by the community structure plan. For purposes of this section, "subdivision" shall be defined as any division of

land recorded by metes and bounds in accordance with provisions of this section. The master subdivision plat shall be submitted with an application and fee set by the city on a twenty four inch by thirty six inch (24" x 36") sheet (5 7 copies), on a twenty four inch by thirty six inch (24" x 36") Mylar and on an eleven inch by seventeen inch (11" x 17") sheet, and shall show the following:

Section 12. Amendment. Chapter 17.72 of Title 17, "Zoning and Land Use", of the South Jordan Municipal Code is hereby amended as follows:

17.72.110: PROJECT PLAN/PRELIMINARY SUBDIVISION PLAT:

- A. Upon approval and recording of the master subdivision plat, a project plan/preliminary subdivision plat may be submitted for review. The purpose of the project plan/preliminary subdivision plat is to allow for the creation and approval of a fully integrated development plan that may include vertical and horizontal mixtures of uses on a given lot or series of lots. Therefore, the project plan/preliminary subdivision plat may contain a combination of proposed subdivisions, condominiums and/or site plans that are submitted concurrently for review and approval. In that case, the project plan/preliminary subdivision plat shall meet all of the application requirements of this section and the site plan and condominium map sections (as applicable) described in this chapter. Condominiums may be designated on lots in the master subdivision plat. The project plan/preliminary subdivision plat application shall be reviewed and approved by the city staff prior to submittal of final subdivision plat. The project plan/preliminary subdivision plat application shall consist of the following information or other information as required by the community development department and city engineer. Any requirements of this section considered by the community development director and the city engineer to be non-applicable may be waived or altered in writing by the city.
- B. The application shall include:
1. A completed application form and owner's affidavit;
 2. Payment of the application fee set by the city (note that if the application includes subdivision plats, condominium maps and site plans, a combined fee as adopted by the city shall apply);
 3. ~~Five (5)~~ **Seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the subdivision plat and ~~three (3)~~ copies of the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 13. Amendment. Chapter 17.72 of Title 17, "Zoning and Land Use", of the South Jordan Municipal Code is hereby amended as follows:

17.72.120.10: FINAL PROJECT PLAN/SUBDIVISION/CONDOMINIUM PLAT APPLICATION:

- A. A final subdivision plat application may be submitted to the community development department for any proposed subdivision within the project plan/preliminary subdivision plat only after the project plan/preliminary subdivision plat has been approved by the city staff. The final subdivision plat application shall be reviewed by the city staff. City staff will review the final plat. Each lot in the subdivision shall be designated for a certain permitted or conditional use or uses on the Mylar drawing which designations shall run with the property. The final plat application shall consist of the following information or other information as required by the community development department and city engineer. Any requirements of this section considered by the community development director and the city engineer to be nonapplicable to a specific project may be waived or altered in writing by the city except as required by state law.
- B. The application shall include the following:
1. A completed application form.
 2. Payment of the application fee set by the city.
 3. Owner's or agent's affidavit.
 4. ~~Five (5)~~ **Seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the subdivision plat and ~~three (3)~~ copies of the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 14. Amendment. Chapter 17.72 of Title 17, "Zoning and Land Use", of the South Jordan Municipal Code is hereby amended as follows:

17.72.130: PRELIMINARY CONDOMINIUM MAP APPLICATION:

A preliminary condominium map application may be submitted as part of an integrated plan as outlined in the project plan/preliminary subdivision plat or may be separately made to the community development department for any proposed condominium only after the project plan/preliminary subdivision plat has been reviewed. The preliminary condominium map application shall be reviewed by the city staff prior to submittal of a final map application for the condominium. City staff will review the preliminary map and may discuss it in a development review committee meeting. If a final condominium map is not approved within one year of the date of preliminary approval, the preliminary map shall be void. Any requirements of this section considered by the community development director and the city engineer to be nonapplicable to a specific condominium project may be waived or altered in writing by the city. The preliminary

map application shall consist of the following information or other information as required by the community development department and city engineer:

- A. A completed application form and owner's affidavit.
- B. Payment of the application fee set by the city.
- C. ~~Five (5)~~ **Seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the condominium map and ~~three (3) copies~~ of the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 15. Amendment. Chapter 17.72 of Title 17, "Zoning and Land Use", of the South Jordan Municipal Code is hereby amended as follows:

17.72.130.10: FINAL CONDOMINIUM MAP APPLICATION:

- A. A final condominium map application may be made concurrent with the final project plan/subdivision plat as outlined above, or may be separately submitted to the community development department for any proposed condominium only after the preliminary condominium map has been approved by the city staff. The final condominium map application shall be reviewed by the city staff, planning commission and city council. City staff will review the final map. Each private, limited common and common ownership area in the condominium shall be designated for a certain use or uses on the Mylar drawing which designations shall run with the property. The final map application shall consist of the following information or other information as required by the community development department and city engineer. Any requirements of this section considered by the community development director and the city engineer to be nonapplicable to a specific project may be waived or altered in writing by the city, except as required by state law.
- B. The application shall include:
 - 1. A completed application form;
 - 2. Payment of the application fee set by the city council;
 - 3. ~~Five (5)~~ **Seven (7)** twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the condominium map and ~~three (3) copies~~ of the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 16. Amendment. Chapter 17.72 of Title 17, "Zoning and Land Use", of the South Jordan Municipal Code is hereby amended as follows:

17.72.140.10: SITE PLAN APPLICATION:

Application for site plan review shall be made by the owner or authorized agent of the property. A site plan application shall consist of the following items:

- A. Application form.
- B. Owner's or agent's affidavit.
- C. Application fee.
- D. Five (5) twenty four inch by thirty six inch (24" x 36") copies of the site plan drawn to scale not exceeding sixty feet (60') per inch and one eleven inch by seventeen inch (11" x 17") copy of the site plan containing the following information unless other information is requested by the city engineer or the community development director: Seven (7) twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced copy of the condominium map and the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

Section 17. 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 18. Effective Date. This Ordinance shall become effective immediately upon passage by the South Jordan City Council and execution of the same by the attested signature of the Mayor of South Jordan City.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, ON THIS 4 DAY OF September, 2007 BY THE FOLLOWING VOTE.

	YES	NO	ABSTAIN	ABSENT
Brian Butters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David W. Colton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bradley G. Marlor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Larry Short	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leona Winger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



W. Kent Money

 W. Kent Money, Mayor

ATTEST: *Anna M. West*

 Anna M. West, City Recorder