

ORDINANCE 2020-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CITY CODE SECTION 17.16.010 (PLANNING COMMISSION) REGARDING THE RESIDENT REQUIREMENTS OF THE SOUTH JORDAN PLANNING COMMISSION.

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 Council has adopted the Title 17 of the South Jordan City Municipal Code; and

WHEREAS, the proposed text amendment requires the South Jordan Planning Commission (the “Planning Commission”) to reside in the City Council district from which they are appointed (text amendment attached as **Exhibit A**); and

WHEREAS, because each City Council district has special and unique characteristics to the City, the purpose of the subject text amendment is to have the Planning Commission represent the City Council member’s district; and

WHEREAS, the Planning Commission held a public hearing, reviewed and made recommendation concerning the subject text amendment (attached as **Exhibit B**); 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. Section 17.16.010 of the South Jordan City Municipal Code, as shown in the attached **Exhibit A**, is 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 passage. However, any Planning Commissioner currently serving that does not qualify under this Ordinance change will continue to serve until a new Planning Commission member is appointed by the City Council.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 7th DAY OF January, 2020 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	X	---	---	---
Bradley Marlor	X	---	---	---
Donald Shelton	X	---	---	---
Tamara Zander	---	---	---	X
Jason McGuire	X	---	---	---

PT Mayor: Bradley B. Marlor
~~Dawn R. Ramsey~~
Bradley B. Marlor

Attest: Cindy Valdez
 Deputy City Recorder

Approved as to form:

[Signature]
 Office of the City Attorney



EXHIBIT A

(Additions in **bold underline**)

17.16.010: PLANNING COMMISSION:

There is created a Planning Commission of the City consisting of five (5) voting members and one alternate member. Each member of the City Council shall nominate one voting member to the Planning Commission and that nominee shall be appointed to the Planning Commission by a majority vote of the City Council. **Each voting member shall be a resident in the council district for which he or she is appointed for at least one (1) year prior to the voting member's appointment. Each voting member shall maintain residency within the boundaries of the council district for which he or she is appointed during the voting member's term.** The Mayor shall nominate the alternate member to the Planning Commission and that nominee shall be appointed as the alternate member to the Planning Commission by a majority vote of the City Council. **The alternate member shall be a resident of the City for at least one (1) year prior to the alternate member's appointment, and shall maintain residency in the City during the alternate member's term.** The alternate member of the Planning Commission shall attend the Planning Commission meetings and participate in the proceedings, but shall not vote in the meetings unless at least one voting member is not present for the meeting or if at least one voting member is recused. Members of the Planning Commission shall be appointed for the same term, or remainder of a term, as the term of the Mayor or member of City Council who nominated him or her. The City Council may remove any member of the Planning Commission for any reason by majority vote of the City Council. Any vacancy occurring on the Planning Commission by reason of death, resignation, removal, or disqualification shall promptly be filled by the City Council for the unexpired term of such member, according to the nominating and appointment procedure set forth herein. A member of the Planning Commission whose term has expired shall continue to serve until a successor has been appointed unless otherwise directed by the City Council. Each member of the Planning Commission, including the alternate member, shall be paid fifty dollars (\$50.00) per day for attending each regular Planning Commission meeting. Members of the Planning Commission shall be appointed, including appointments to fill vacancies, and removed by resolution of the City Council.

EXHIBIT B

(Staff additions in **black bold underline**, Planning Commission additions in **red bold underline**)

17.16.010: PLANNING COMMISSION:

There is created a Planning Commission of the City consisting of five (5) voting members and one alternate member. Each member of the City Council shall nominate one voting member to the Planning Commission and that nominee shall be appointed to the Planning Commission by a majority vote of the City Council. **Each voting member shall be a resident in the council district for which he or she is appointed for at least one (1) year prior to the voting member's appointment. If a Planning Commission member moves outside its council district from which he or she was appointed, that Planning Commission member may finish his or her term.** The Mayor shall nominate the alternate member to the Planning Commission and that nominee shall be appointed as the alternate member to the Planning Commission by a majority vote of the City Council. **The alternate member shall be a resident of the City for at least one (1) year prior to the alternate member's appointment, and shall maintain residency in the City during the alternate member's term.** The alternate member of the Planning Commission shall attend the Planning Commission meetings and participate in the proceedings, but shall not vote in the meetings unless at least one voting member is not present for the meeting or if at least one voting member is recused. Members of the Planning Commission shall be appointed for the same term, or remainder of a term, as the term of the Mayor or member of City Council who nominated him or her. The City Council may remove any member of the Planning Commission for any reason by majority vote of the City Council. **A City Council member who nominated a Planning Commission member, which Planning Commissioner subsequently moves from its council district, may remove, for any reason, that Planning Commission member that he or she nominated.** Any vacancy occurring on the Planning Commission by reason of death, resignation, removal, or disqualification shall promptly be filled by the City Council for the unexpired term of such member, according to the nominating and appointment procedure set forth herein. A member of the Planning Commission whose term has expired shall continue to serve until a successor has been appointed unless otherwise directed by the City Council. Each member of the Planning Commission, including the alternate member, shall be paid fifty dollars (\$50.00) per day for attending each regular Planning Commission meeting. Members of the Planning Commission shall be appointed, including appointments to fill vacancies, and removed by resolution of the City Council.