MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING

Tuesday, November 19, 2019
5:30 p.m.
Council Chambers
8000 South Redwood Road
West Jordan, Utah 84088


STAFF: David R. Brickey, City Manager; Korban Lee, Assistant City Manager; Rob Wall, City Attorney; Scott Langford, Community Development Director; Danyce Steck, Finance Director; Brock Hudson, Community Preservation Director; Brian Clegg, Public Works Director; Derek Maxfield, Fire Chief; Ken Wallentine, Police Chief; Dave Naylor, Parks Manager; Duncan Murray, Assistant City Attorney; Larry Gardner, City Planner; Tauni Barker, Communications and Events Manager; Rachel Mackay, I.T. Administrative Assistant, multiple firefighters, Tangee Sloan, Deputy City Clerk and Jamie Brooks, Interim City Clerk.

I. CALL TO ORDER
Mayor Riding called the meeting to order at 5:30 p.m.

II. PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was led by Melissa Worthen.

III. PRESENTATION
BADGE PINNING OF NEW FIREFIGHTERS, PARAMEDICS AND NEWLY PROMOTED FIREFIGHTERS
Chief Derek Maxfield recognized Bryan Crump for having recently completed a four-year Executive Fire Officer Certification program.

The Councilmembers stepped down from the dais as the following Fire Department personnel were asked to step forward to be pinned.

- Thomas Anderson – Firefighter
- Shaun Butts – Paramedic
- Alex Harris – Promoted to Engineer
- Erick Larson – Paramedic
- Sean Lowe – Paramedic
- Tobias MacPhee – Firefighter
- Kurtis Madsen – Firefighter
- Donavan Minutes – Firefighter
- Tyson Moser – Paramedic
• David Montoya – Promoted to Captain
• Dan Nielson – Promoted to Engineer
• Ryan Ottley – Promoted to Paramedic
• Clint Paxton – Promoted to Battalion Chief
• Nate Reasch – Promoted to Captain
• Zach Kesler – Promoted to Captain
• Austin Shelley – Promoted to Paramedic
• Cody Snyder – Promoted to Firefighter
• Collin Steele – Promoted to Engineer
• Brandon Van Mondfrans – Promoted to Firefighter

The City Council offered their congratulations to the fire personnel before returning to the dais.

IV. CITIZEN COMMENTS
Scott Bell, West Jordan resident, talked about the Community Renewable Energy program (HB 411) and the potential to require qualifying utility companies like Rocky Mountain Power to provide up to 100% of the City’s electrical needs from renewable sources by 2030. He asked the Council to schedule a discussion to address this item on December 4th and accept public comment, and place the issue on the December 11 agenda for continued discussion and a definitive vote. Municipalities must opt in by December 31, 2019 to participate.

There was no one else who wished to speak.

V. COMMUNICATIONS
CITY MANAGER & STAFF COMMENTS/REPORTS
Scott Langford –
• Recently had the opportunity to visit the Amazon construction site. He encouraged the Council to visit the facility. Councilmember McConnelley asked for a tour to be arranged for the Council and Planning Commission.

Brian Clegg –
• Updated the Council on fencing for the Wild West Jordan playground.

CITY COUNCIL COMMENTS/REPORTS
Councilmember Anderson –
• Thanked community members in attendance.
• Wished everyone a happy Thanksgiving.
• Addressed the 7800 South project.
• Encouraged increased communication between Staff, the Council, and members of the community.

Councilmember Jacob –
• Thanked Brian Clegg and Justin Stoker for communicating with him regarding a Maple Hills open house.
• Relayed an experience he had driving on 7800 South near the Copper Rim development. He expressed appreciation for staff’s quick response to a potentially dangerous situation.

Councilmember Whitelock –
• Expressed appreciation to those who ran for office in the recent election.
• Expressed appreciation to staff and pointed out that the City was better off when it followed processes and included the public in those processes.

Councilmember Lamb-
• Expressed appreciation to the services provided by City firefighters and police officers.
• Thanked Denyse Steck and the City Council for the many hours of work and discussion regarding water rates. He asked the community to listen to the discussion scheduled to take place later in the meeting to understand what was required to provide water to the City.

Councilmember Burton-
• Thanked the Police Department for excellent work.

Councilmember McConnehey-
• Expressed appreciation to the families of those that serve the community in public safety roles.

VI. PUBLIC HEARINGS
RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 19-40, CONSIDERING AN AMENDMENT TO CHAPTER 6 (PARKS, TRAILS, OPEN SPACE MASTER PLAN) AS REFERENCED IN THE WEST JORDAN COMPREHENSIVE GENERAL PLAN

Brian Clegg introduced Lisa Benson of Landmark Design, who explained that the proposed West Jordan Parks, Recreation, Trails, & Open Space Master Plan (“Draft Master Plan”) would replace the Parks, Recreation, Trails and Open Space Handbook adopted on July 25, 2012 and referenced in the West Jordan 2012 General Plan. Staff was working on an updated General Plan anticipated to be reviewed in 2020. The Draft Master Plan would either be integrated into the updated General Plan, or would be adopted by reference.

The Draft Master Plan was taken into consideration by a Parks Master Plan Advisory Committee, which met on April 5, 2018, November 5, 2018, and February 25, 2019. Many opportunities for public input were provided, including a focus group held on May 29, 2018, public scoping meetings held May 14, 2018 and May 22, 2018, and a Draft Plan Open House on July 15, 2019.

Section 13-7C-6: Amendments to the General Plan
Prior to recommending approval of a General Plan amendment the City Council shall make the following findings:
Finding A: The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

Discussion: The Introduction (Page 2) states, “The Plan provides direction which development should take but should be flexible enough to adapt to changing conditions.” It goes on to state, “…it should be reevaluated from time to time to ensure its relevancy.”

Staff was currently working on an update to the General Plan, but the Draft Master Plan had been completed sooner than the update to the General Plan. The goals, policies, and implementation measures of the Draft Master Plan reflected the direction of the updated General Plan and would be consistent with the General Plan when the update was complete.

Finding: The proposed amendment conformed to and was consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

Finding B: The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

Discussion: This criterion did not apply.

Finding: This criterion did not apply.

Finding C: The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.

Discussion: This criterion did not apply.

Finding: This criterion did not apply.

Finding D: The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.

Discussion: The proposed amendment related to the entire City with regard to planning for parks, recreation, trails and open space. It did not amend the general land use map and would benefit all of the citizens of West Jordan as well as other users of the facilities.

Finding: The proposed amendment constituted an overall improvement to the adopted general land use map and was not solely for the good or benefit of a particular person or entity.

Finding E: The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use
patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

Discussion: The proposed amendment was intended to guide developers, staff, the public, and decision makers in the long-range planning of the City. It set and clarified goals, policies, and implementation measures to provide parks, recreation, trails, and open space necessary to ensure facilities and programs kept pace with anticipated demand as the city grew in population, thereby reducing potential impacts on neighborhoods and infrastructure.

Finding: The proposed amendment would not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

Finding F: The proposed amendment is consistent with other adopted plans, codes and ordinances.

Discussion: The proposed amendment replaced the existing Parks, Recreation, Trails and Open Space Handbook adopted on July 25, 2012, and was consistent with all other applicable plans, codes and ordinances.

Finding: The proposed amendment was consistent with other adopted plans, codes and ordinances.

Ms. Benson said City residents indicated their top three priorities regarding parks were: maintaining existing park space, upgrading playgrounds and parks, and preserving more open space. West Jordan had four different park types: mini parks (four acres or less), neighborhood parks (4-10 acres), community parks (10-30 acres), and regional parks (30+ acres). Ms. Benson explained the Level of Service (LOS) ratio, and stated that West Jordan currently had 2.85 acres of park land for every 1,000 residents. She presented a park distribution analysis, and proposed three new parks on the east side of the City to fill gaps in LOS.

Councilmember Anderson pointed out that the Parks Staff were already stretched thin maintaining existing parks and expressed concern about the ability to maintain additional acres of parks and open space. He questioned the City’s ability to fund the creation and maintenance of the proposed additional space. Ms. Benson commented that land prices continued to increase and recommended securing land as soon as possible.

Ms. Benson described amenities currently available in City parks and facilities. She recommended the City continue to partner with Salt Lake County to provide recreation and
senior programs and activities, and investigate other partnering opportunities. She recommended the City revisit the feasibility of a recreation center on the west side of the City as development continued to occur, continue with development of a dedicated arts center, and ensure west-side residents had access to senior and arts programs as development continued.

Ms. Benson presented an Existing and Proposed Trails Map, as well as proposed trail standards and recommendations. She recommended the City secure any open space that became available. Ms. Benson said the estimated cost to upgrade existing parks, fill gaps in LOS, and acquire needed land would be $69,217,000. The estimated cost to upgrade and develop proposed trail improvements was $21,978,500, for a total probable cost for parks and trails of $91,195,500 through 2060. Ms. Benson presented an Action/Implementation Plan, and suggested nine goals for moving forward.

Councilmember Burton asked if Ms. Benson had recommendations for funding. Ms. Benson responded that page 63 of the Plan listed a variety of possible funding sources.

Councilmember Lamb asked that the study be made available online.

Councilmember Anderson commented that Herriman included a $5 recreation fee on the monthly utility bill. He suggested such a fee in West Jordan would generate approximately $125,000 per month. He pointed out that the $91,195,500 divided over 40 years would be $2.3 million per year (not adjusted for inflation). He said he thought the goal was achievable if the City was not afraid to implement tools to achieve the goal.

Mayor Riding opened the public hearing.

Jay Thomas, West Jordan resident, said the report had a lot of good information, but he reminded the Council that the soccer fields would be lost unless the City worked out some sort of agreement or built new fields. He commented that amenities like the soccer fields were important for economic development.

Seeing that no one else wished to speak, Mayor Riding closed the public hearing.

Councilmember Whitelock said she believed the General Plan needed to be redone. She said she felt the new Council should be able to vote on this item. Councilmember Whitelock asked what would happen if the Master Plan were approved and then the General Plan changed.

Scott Langford explained the function of the ad hoc General Plan Committee, and said that a future Council would not be bound by a decision made by the current Council.

Responding to a question from Councilmember Burton, Mr. Langford explained how the proposed Plan might impact future developers. He said the proposed Plan did not significantly change the existing trails plan.
Responding to a question from Councilmember Anderson, Mr. Langford confirmed that adopting the proposed Plan would alter the General Plan as it pertained to parks, trails, and open space.

Councilmember Lamb said he did not have concerns about updating the parks plan. The parks plan had been in place for some time and could be updated again at any point if necessary. He commented that the proposed Plan had been in the works for two years with periods of public comment and involvement.

Councilmember McConnehey said he appreciated the work that was put into the study, but said he would like more Council conversation regarding what approving the proposed Plan would mean for West Jordan. He said he believed the proposed Plan could be simplified to some extent, but said he was not opposed to adopting it as an update.

Councilmember Jacob said he would like to task the Parks Committee and Sustainability Committee to review the Plan once it was adopted to recommend improvements.

Councilmember Lamb stepped out of the meeting at 6:40 p.m.

Councilmember Burton commented that the Parks Committee already reviewed the proposed Plan. He agreed the Plan was not perfect, and recommended adopting it with the intention to improve on it in the future.

Councilmember Anderson said he believed the Sustainability Committee would have loved to have been involved. He expressed support for moving forward with the update.

**MOTION:** Councilmember Anderson moved to adopt Ordinance 19-40 to amend the General Plan and incorporate the updated Parks, Recreation, Trails, and Open Space Master Plan. Councilmember Burton seconded the motion.

Councilmember Whitelock spoke in favor of the motion.

A roll call vote was taken:

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<td>Councilmember Whitelock</td>
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<td>Mayor Riding</td>
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The motion passed 6-0.
RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
ORDINANCE 19-41, AMENDING THE MODERATE INCOME HOUSING
PLAN OF THE WEST JORDAN COMPREHENSIVE GENERAL PLAN;
CITY-WIDE APPLICABILITY, CITY OF WEST JORDAN, APPLICANT)

Larry Gardner explained that the proposed amendment to the moderate income housing
section of the General Plan would update goals to be in compliance with 10-9a-403 of State
code and administrative rules.

10-9a-403. General plan preparation.
(b) In drafting the moderate income housing element, the planning commission:
   (i) shall consider the Legislature’s determination that municipalities shall facilitate a
       reasonable opportunity for a variety of housing, including moderate income
       housing:
       (A) to meet the needs of people of various income levels living, working, or
           desiring to live or work in the community; and
       (B) to allow people with various incomes to benefit from and fully participate in
           all aspects of neighborhood and community life;
   (ii) for a town, may include, and for other municipalities, shall include, an analysis
       of how the municipality will provide a realistic opportunity for the development
       of moderate income housing within the next five years;
   (iii) for a town, may include, and for other municipalities, shall include, a
       recommendation to implement three or more of the following strategies:
       (A) rezone for densities necessary to assure the production of moderate income
           housing;
       (B) facilitate the rehabilitation or expansion of infrastructure that will encourage
           the construction of moderate income housing;
       (C) facilitate the rehabilitation of existing uninhabitable housing stock into
           moderate income housing;
       (D) consider general fund subsidies or other sources of revenue to waive
           construction related fees that are otherwise generally imposed by the city;
       (E) create or allow for, and reduce regulations related to, accessory dwelling units
           in residential zones;
       (F) allow for higher density or moderate income residential development in
           commercial and mixed-use zones, commercial centers, or employment
           centers;
       (G) encourage higher density or moderate income residential development near
           major transit investment corridors;
       (H) eliminate or reduce parking requirements for residential development where
           a resident is less likely to rely on the resident’s own vehicle, such as
           residential development near major transit investment corridors or senior
           living facilities;
       (I) allow for single room occupancy developments;
       (J) implement zoning incentives for low to moderate income units in new
           developments;
(K) utilize strategies that preserve subsidized low to moderate income units on a long-term basis;
(L) preserve existing moderate income housing;
(M) reduce impact fees, as defined in Section 11-36a-102, related to low and moderate income housing;
(N) participate in a community land trust program for low or moderate income housing;
(O) implement a mortgage assistance program for employees of the municipality or of an employer that provides contracted services to the municipality;
(P) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing;
(Q) apply for or partner with an entity that applies for programs offered by the Utah Housing Corporation within that agency’s funding capacity;
(R) apply for or partner with an entity that applies for affordable housing programs administered by the Department of Workforce Services;
(S) apply for or partner with an entity that applies for programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act;
(T) apply for or partner with an entity that applies for services provided by a public housing authority to preserve and create moderate income housing;
(U) apply for or partner with an entity that applies for programs administered by a metropolitan planning organization or other transportation agency that provides technical planning assistance;
(V) utilize a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency; and
(W) any other program or strategy implemented by the municipality to address the housing needs of residents of the municipality who earn less than 80% of the area median income; and
(iv) in addition to the recommendations required under Subsection (2)(b)(iii), for a municipality that has a fixed guideway public transit station, shall include a recommendation to implement the strategies described in Subsection (2)(b)(iii)(G) or (H).

Rule 90-300-5. Evaluation Process for Plan for Moderate Income Housing.

(1) On or before December 1, 2019, an entity identified in Section 10-9a-401(3)(b) or Section 17-27a-401(3)(b) shall amend the general plan to comply with the respective Section and submit the plan for moderate income housing to HCDD as provided in Sections 10-ga-408 and 17-27a-408. A plan submitted to HCDD will be reviewed to ensure the following are included in the plan:
   a. Updated 5-year estimates of moderate income housing needs.
   b. The moderate income housing element and its implementation, based on three strategic affordable housing development policies that address the following:
i. The strategic policy goal the entity selected for inclusion in the moderate income housing element of its general plan, as described in Sections 10-9a-403(2)(b) and 17-27a-403(2)(b).

ii. The specific outcomes the goal intends to accomplish.

iii. A description of how the entity will monitor its annual progress toward achieving the goal.

iv. A description of the resources the entity must allocate to complete this goal.

v. A description of the barriers, if any, the entity is encountering in working toward the goal.

c. For an entity that has a fixed guideway public transit station, in addition to the three strategies in Rg90-300-5(1)(b), the implementation either:

i. Encourages higher density or moderate income residential development near major transit investment corridors, or

ii. Eliminates or reduces parking requirements for residential development where a resident is less likely to rely on the resident’s own vehicle, such as residential development near major transit investment corridors or senior housing facilities.

(2) Beginning December 1, 2020, and annually thereafter, the legislative body of each entity described in Sections 10-ga-401 and 17-22a-401 shall complete an annual moderate income housing reporting form and submit the complete form to HCDD.

The moderate income housing plan would be amended by replacing the current adopted goals with the following goals. The proposed goals would determine an outcome, monitoring outcome, resources allocated and identify barriers in implementation.

GOALS and POLICIES
Vision: Take steps to preserve existing moderate income housing and support, where appropriate, the creation of new moderate income housing.

Goal 1: Preserve existing moderate income housing. Promote and continue to assist income qualified home owners with home rehabilitations, emergency repairs and down payment assistance using Community Development Block Grant (CDBG) and HOME funds.

Goal 1 Outcome: Assisting income qualified home owners with home rehabilitations and emergency home repairs will preserve moderate income housing that is safe and habitable.

Goal 1 Monitoring Outcome: All money that goes to these programs is tracked and accounted for.

Goal 1 Resources Allocated per year: $175,000.00 for home repairs; $40,000.00 revolving loan fund for home repairs, $50,000.00 home down-payment assistance; up to $7,500.00 per applicant, $10,000.00 rental assistance.

Goal 1 Barriers Identified: Home Repair program; none. Down-payment assistance program: $7500.00 is limiting in housing market; increase to $10,000.00 per applicant. Rental Assistance: None.
Goal 2: Create or allow for, and reduce regulations related to accessory dwelling units in residential zones.

   Goal 2 Outcome: Allowing accessory dwelling units in residential zones will provide a source of new moderate income housing by utilizing yard areas and basements for housing. Pass ordinance allowing ADU’s in new developments in Planned Development zones. Determine if ADU’s should be allowed in other residential zones.

   Goal 2 Monitoring Outcome: Adopt ordinance that requires a zoning permit for accessory dwelling units.

   Goal 2 Resources Allocated per year: Undetermined; staff time approving zoning and building permits.

   Goal 2 Barriers Identified: Possible resistance to ordinance allowing ADU’s.

Goal 3: Where appropriate create new moderate income units by requiring a percentage of new housing in planned developments to be moderate income housing.

   Goal 3 Outcome: Requiring a percentage of new units in planned development zones will increase the availability of new moderate income housing.

   Goal 3 Monitoring Outcome: All new moderate income units in new developments will be described in the development plan for the project and will require zoning approval indicating it is a moderate income unit at time of building permit issuance.

   Goal 3 Resources Allocated per year: Undetermined; staff time approving zoning and building permits.

   Goal 3 Barriers Identified: May meet developer resistance. To off-set resistance, consider moderate income housing as a density bonus or a required amenity in appropriate zones; or expedite review timeframes for developments containing moderate income housing units.

Goal 4: Allow higher density multi-family housing in commercial zones and require a percentage of the units in new multi-family developments be in the moderate income range.

   Goal 4 Outcome: Allowing high-density multi-family housing in commercial areas will provide a source of new moderate income housing. The entitlement of the housing will be implemented by an overlay zone. The new housing is intended to be in older commercial areas that have commercial uses established as well as needed infrastructure that will keep development costs lower.

   Goal 4 Monitoring Outcome: All new moderate income units in new developments will be described in the development plan for the project and will require zoning approval indicating it is a moderate income unit at time of building permit issuance.

   Goal 4 Resources Allocated per year: Undetermined; staff time approving zoning and building permits.

   Goal 4 Barriers Identified: None

Goal 5: Reduce parking requirements for residential development in the transit station overlay districts because a resident is less likely to rely on a vehicle and can take advantage of mass transit.

   Goal 5 Outcome: Reduce parking requirements in all transit overlay districts to one space per multi-family unit, regardless of the number of bedrooms. Require
on-street parking in all transit-oriented developments. The required on-street parking will provide a safer walking environment and will slow traffic speeds. Reducing off-street parking will lower development costs and should translate into lower per unit costs, which could result in more units in the moderate income range.

Goal 5 Monitoring Outcome: All new transit-oriented developments will be required to meet reduced parking requirements and will be evaluated on parking maximums and not parking minimums. The parking requirements will be enforced with the site plan approval.

Goal 5 Resources Allocated per year: None.

Goal 5 Barriers Identified: Fear that reduced parking will lead to congestion and on-street parking issues.

Section 13-7C-6: Amendments to the General Plan

Prior to recommending approval of a General Plan amendment the City Council shall make the following findings:

Finding A: The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

Discussion: The proposed amendment was consistent with the goals, policies and objectives of the General Plan. The General Plan stated that the “Plan is not a static document and should evolve as the city evolves.” (Page 8) Amending the Moderate Income Housing Plan element would aid the City in making clear housing decisions that met the needs of West Jordan residents.

Finding: The proposed amendment conformed to and was consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

Finding B: The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

Discussion: This criterion does not apply.

Finding: This criterion did not apply.

Finding C: The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.

Discussion: This criterion does not apply.

Finding: This criterion did not apply.
**Finding D:** The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.

**Discussion:** This amendment would facilitate an effective way to plan for Moderate Income Housing growth in West Jordan City.

**Finding:** The proposed amendment constituted an overall improvement to the adopted general land use map and was not solely for the good or benefit of a particular person or entity.

**Finding E:** The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

**Discussion:** This amendment would help the Planning Commission and City Council plan for new moderate income housing that was constructed in a way that would not be disruptive and/or impactful to neighborhoods. This amendment would also help determine if the existing road and utility infrastructure would be detrimentally altered or if the establishment of moderate income housing would require new and costly infrastructure.

**Finding:** The proposed amendment would not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

**Finding F:** The proposed amendment is consistent with other adopted plans, codes and ordinances.

**Discussion:** The amendment was consistent with and would meet the intent of State statute.

**Finding:** The proposed amendment was consistent with other adopted plans, codes and ordinances.

Councilmember McConnehey asked if West Jordan already fulfilled the State code with the changes made in 2018, or if the proposed amendment must be adopted by December 1\textsuperscript{st} to satisfy State requirements. Mr. Gardner responded that documents submitted by municipalities would be used to evaluate future funding. If proposed changes were not adopted by December 1\textsuperscript{st}, eligibility for future funding might be in jeopardy.
Responding to a question from Councilmember McConnehey, Mr. Gardner confirmed that the Council was viewing the proposed amendment for the first time, and was required to pass the proposed amendment that evening to meet the December 1st deadline. Rob Wall stated the penalty for not adopting the proposed amendment would be possible loss of transportation funding passed on to the City through Wasatch Front Regional Council.

Councilmember Whitelock asked why the Council did not receive the proposed amendment with enough time to provide input. Mr. Gardner responded the proposed amendment was reviewed by the Planning Commission prior to presentation to the Council.

Mr. Gardner said he could reach out to his contact at the Department of Workforce Services to explain that West Jordan was in compliance, but was requesting an extension to make revisions. He confirmed that if the proposed amendment was not adopted by December 1st, the City’s outdated plan would be reviewed rather than the updated proposed plan. Mr. Wall said he could not confirm that an extension would be possible.

Mr. Gardner said the City was in compliance having already adopted a Moderate Income Housing Plan. He expressed confidence that review of the proposed amendment could be continued to one of the December Council meetings and still be safe.

Councilmember Jacob commented that Planning Commission minutes were not included in the staff report. He pointed out that the proposed amendment did not indicate new language, and said he would like to see the plan as currently adopted, and what would be changed with the amendment.

Mr. Gardner pointed out that the adopted Moderate Income Housing Plan was available on the City website.

Mayor Riding opened the public hearing.

Kelvin Green, West Jordan resident, clarified that he was not speaking for the Planning Commission, and stated that the listed goals were already in the Moderate Income Housing Plan. The proposed amendment would provide more detail regarding perceived barriers and outcomes, and would bring the Plan into compliance with Department of Workforce Services requirements. He said he would prefer for the document to be adopted to meet all Department of Workforce Services deadlines, and amended in the future if needed.

Justin Blackburn, West Jordan resident, asked for an explanation of the term “moderate income housing”. Mr. Gardner provided an explanation.

There was no one else who wished to speak. Mayor Riding closed the public hearing.
Councilmember McConnehey expressed concern with some of the proposed changes, and said he did not feel it was in the long-term interest of the City to pass the proposed amendment as presented.

Councilmember Jacob commented that the goals listed in the existing Moderate Income Housing Plan on the website differed from the goals presented in the proposed amendment.

Councilmember Anderson asked if there was a study that indicated those who live in TODs had fewer cars.

Mr. Gardner said he believed there was a study. He stated the two goals in the proposed amendment that were not in the adopted Moderate Income Housing Plan were added by the State. The Council could choose not to enforce the goals, or to modify them next year. He emphasized that the goals did not commit the City to anything.

Responding to a question from Councilmember Whitelock, Brian Clegg stated that infrastructure plans would need to be re-examined in response to Goal 2.

Councilmember McConnehey said he would prefer to take no action and schedule further discussion in the first quarter of 2020 as a workshop item with the Planning Commission.

MOTION: Councilmember McConnehey moved to table action on Ordinance 19-41 to a date to be determined in the first quarter of 2020 to be scheduled as a workshop item with the Planning Commission. Councilmember Whitelock seconded the motion.

A roll call vote was taken

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The motion passed 6-0.

Councilmember Lamb returned to the meeting at 7:22 p.m.

At 7:23 p.m., Councilmember McConnehey moved to take a five-minutes recess. Councilmember Whitelock seconded the motion, which passed unanimously (7-0).

The Council reconvened at 7:30 p.m. although Councilmember Burton was not present.
RECEIVE PUBLIC INPUT AND CONSIDER FOR ADOPTION ORDINANCE 19-42, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE SECTION 13-5C-4 PERMITTED AND CONDITIONAL USES, ADDING ACCESSORY DWELLING UNITS AND SECTION 13-8-3, ACCESSORY USES, BUILDINGS, AND STRUCTURES; CITY-WIDE APPLICABILITY, CITY OF WEST JORDAN, APPLICANT

Larry Gardner explained that the proposed ordinance would add accessory dwelling units as a Permitted Use in the Planned Community (PC) zone.

The increasing cost of housing had become an issue for many people throughout Utah. Affordable housing had been the focus of the Utah legislature over the past two sessions and would likely continue to be a topic of discussion and could possibly become a mandate of some type. The Legislature was evaluating municipalities, through their moderate income housing plans, on the efforts made to alleviate some of the housing affordability issues. Accessory Dwelling units associated with single family dwellings were one way to provide additional housing. This type of housing would benefit the owner and renter by adding an additional source of income for the owner and more affordable housing for the renter. The costs were lowered because of the elimination of additional infrastructure, and by eliminating additional real estate costs. However, Staff believed that the market would drive the actual rents and that just because someone could develop an accessory dwelling unit did not mean they would pass the lowered costs on and that the additional unit would be automatically affordable. There were also a myriad of reasons why existing neighborhoods and individual opinions would either support or not support accessory dwellings in existing single family neighborhoods. The intent with this ordinance was not to allow accessory dwellings in developed areas at this time, at least until additional studies were undertaken. The intent of this ordinance was only to allow ADUs in PC developments that were new and completely undeveloped so that they could be part of the neighborhood fabric from the beginning. Additional residential density could be an issue with ADUs. The requirements of the proposed ordinance were intended to mitigate density issues.

13-8-3: ACCESSORY USES, BUILDINGS AND STRUCTURES:

A. Permitted and Conditional Uses Chart: Accessory uses allowed in all zones are listed in the table below. Those uses identified as "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this article, and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the Planning Commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this Code, and comply with all other applicable requirements of this title. Uses identified as "administrative conditional uses" (AC) shall be approved by the Zoning Administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the Zoning Administrator, and shall comply with title 15 of this Code, and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in the respective zones.
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<th>Legend</th>
<th>Description</th>
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<tr>
<td>P</td>
<td>Permitted use</td>
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<td>C</td>
<td>Conditional use</td>
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<tr>
<td>AC</td>
<td>Administrative conditional use</td>
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<table>
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<tr>
<th>Use Type</th>
<th>Zoning District</th>
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<tr>
<td>Accessory Dwelling Unit (ADU)</td>
<td>P²</td>
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Notes:

2. Accessory Dwelling Units shall meet all requirements of section 13-8-3 D of this chapter.

D. Requirements for “Accessory Dwelling Units” (ADUs). ADUs are defined as “Contained ADU” meaning an ADU located within the primary dwelling and a “Separated ADU” meaning an ADU that is a separate building on the same lot as the primary dwelling.

1. All ADUs shall require the approval of the Development Department. An application, checklist and notice of the required fee will be provided by the Development Department.

2. ADU approval is not transferable. New approval is required for each new and subsequent property owner. ADU approval is a permitted use only as it follows 13-8-3 D 1-18.

3. ADUs are only permitted in Planned Community (PC) zones approved and established after November 1st, 2019.

4. ADUs are only allowed on lots approved for single family residential. ADUs are not allowed with any dwelling approved as multi-family, mobile homes or any form of attached housing units.

5. All ADUs approved under this section require that the owner of the property live on the property either in the primary dwelling or the accessory dwelling, except for legitimate temporary absences.

6. ADUs shall be contained within the primary dwelling unit on single family lots less than 12,000 square feet in area. Single family lots greater than 12,000 square feet in area may have either a contained ADU or separated ADU, but not both.
7. In no case is more than one ADU allowed on any single-family lot.
8. The floor space of an ADU shall comprise no more than thirty-five percent (35%) of the living area of the primary dwelling or be greater than one thousand five hundred (1,500) square feet, whichever is less.
9. In all cases ADUs shall remain subordinate and incidental to the primary dwelling. An ADU is an accessory use and must be owned by the property owner of the lot. A property owner shall not establish on their lot a separated ADU owned by someone other than the property owner.
10. A minimum of one off street parking space, in addition to those already required, shall be provided for ADUs. Additional spaces shall be provided, as needed, to ensure that all additional occupant vehicles can be accommodated on site, reserving on street parking for visitors.
11. Proposed modifications visible from the exterior of the home (i.e., additions and remodels to the primary dwelling) for a contained ADU shall comply with the setbacks of the underlying zone or as approved with the subdivision.
12. Separated ADUs shall comply with the required setbacks for an accessory building, however, in no case shall a separate ADU be located closer than ten feet (10') from a side or rear property line.
13. For all approved ADUs, a notarized letter shall be required from the property owner stating that the property owner will comply with all regulations for ADUs and that the property owner will occupy the property. The letter shall also state that the owner assumes responsibility to comply with further restrictions that may be imposed by a homeowners' association and/or codes, covenants, and restrictions (CC&Rs). Upon approval of the ADUs, the original letter shall be stamped, documenting approval, and kept on file with the Planning Department. A copy may be provided to the homeowner.
14. In addition to the approval required from the Planning Department, all ADUs shall require a building permit from the Building Division.
15. Any new construction or alteration of the exterior of the existing structure required to add an ADUs shall be designed so that the appearance of the lot, building structure, and landscaping shall retain the character of a single-family neighborhood.
16. ADU construction or remodeling shall be designed and constructed to be compatible with the exterior of the primary dwelling (i.e., exterior materials, colors, roof pitch, etc.).
17. The installation of separate utility meters, mailboxes, addresses, and additional outside entrances visible from the street is not permitted. Regardless of an approval granted by the City, ADUs may be further restricted by homeowners' association agreements and/or codes, covenants, and restrictions (CC&Rs). It is not the City's responsibility to ensure or enforce compliance with such agreements or CC&Rs.
18. Periodic inspections may be required to determine compliance, as may be deemed appropriate by City staff.

Section 13-7-D-7B, required that prior approving a Zoning Ordinance text amendment, the City Council must make the following findings:
Criteria 1: The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;

Discussion: The General Plan supports keeping ordinances relevant and understandable. On Page 19 it states:

"GOAL 2. CONTINUALLY AND CONSISTENTLY UPDATE THE FUTURE LAND USE MAP, ZONING MAP, AND ZONING ORDINANCE FOR EASE OF REFERENCE AND ADMINISTRATION.

Policy 3. The Zoning Ordinance shall be updated to incorporate necessary changes that are consistent with State Code, and reflect the best and most current land use practices of the time. Zoning Ordinance modifications and updates shall be made easy for the general public and City administration to understand.

1. Consistently review the Zoning Ordinance and edit where necessary in order to eliminate redundancy and replace technical jargon with plain English."

Finding: The proposed amendment conformed to the General Plan and was consistent with the adopted goals, objectives and policies described therein.

Criteria 2: The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;

Discussion: The proposed amendment will add Accessory Dwelling Units as permitted uses in new PC zoned property. The proposed ordinance may add additional moderate income housing to the city.

Finding: The proposed amendment was appropriate given the context of the request and there was sufficient justification for a modification to this title;

Criteria 3: The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and

Discussion: The proposed amendment will impact all PC zone property zoned after November 1, 2019. Staff has not found, at this point, any conflicts with any other sections of the 2009 City Code.

Finding: The proposed amendment would not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it
is only necessary to make a modification to this title in light of corrections or changes in public policy.

Discussion: The draft ordinance as written will have implications in PC zones enacted after November 1, 2019 and would not relieve a particular hardship or grant special privileges to any one person or entity.

Finding: The proposed amendment did not relieve a particular hardship, nor did it confer any special privileges to a single property owner or cause, and it was only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

Councilmember McConnehey asked if there would be a problem with tabling this issue in a similar manner to the previous agenda item following the public hearing. Mr. Gardner responded there would not.

Mayor Riding opened the public hearing.

Mckenna Finch, West Jordan resident, said she found the proposed ordinance to be discriminatory, and the legality questionable. She commented that many older homes in West Jordan already had illegal ADUs in them. She said the infrastructure may not have been built for it, but was accommodating it. Ms. Finch said the Fair Housing Act protected people against discrimination when buying or renting housing. She stated the proposed ordinance would violate the Act in several ways. Ms. Finch said she would email her comments to the Council.

Councilmember Burton returned to the meeting at 7:32 p.m.

Seeing that no one else wished to speak, Mayor Riding closed the public hearing.

MOTION: Councilmember McConnehey moved to table action on this item to a date to be determined in the first quarter of 2020 to be scheduled as a workshop item with the Planning Commission. Councilmember Whitelock seconded the motion.

Councilmembers Jacob and McConnehey expressed appreciation for the public comment.

A roll call vote was taken

| Councilmember Anderson | Yes |
| Councilmember Burton | Yes |
| Councilmember Jacob | Yes |
| Councilmember Lamb | Yes |
| Councilmember McConnehey | Yes |
| Councilmember Whitelock | Yes |
| Mayor Riding | Yes |
The motion passed 7-0.

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 19-43, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE, ADDING ARTICLE L “PLANNED COMMUNITY FORM BASE (PCFB) ZONE” TO TITLE 13; CITY-WIDE APPLICABILITY; CITY OF WEST JORDAN, APPLICANT

Larry Gardner explained that the proposed ordinance would add a Planned Community Form Base Zone ordinance to 2009 City Code.

This ordinance would add a form base ordinance to 2009 City Code that would allow the development of large parcels of property using form base principles.

Section 13-7-D-7B, required that prior to approving a Zoning Ordinance text amendment, the City Council must make the following findings:

Criteria 1: The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;

Discussion: The General Plan supports form-based codes. On Page 21 it states:

"Create and adopt future ordinances which take into consideration form-based (emphasis on compatible building and site design rather than land use) or modified form-based ordinance concepts."

Finding: The proposed amendment conformed to the General Plan and was consistent with the adopted goals, objectives and policies described therein.

Criteria 2: The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;

Discussion: The proposed amendment will add a new form base code that will impose design standards and development criteria for new developments.

Finding: The proposed amendment was appropriate given the context of the request and there was sufficient justification for a modification to this title;

Criteria 3: The proposed amendment will not create a conflict with any other section or part of this title or the general plan;

Discussion: The proposed ordinance will alleviate the conflict with the City’s Cap and Grade ordinance as it pertains to the ratio of multi-family to
single family. The ordinance allows a mixture of housing types to be integrated instead of isolated, based on the form of the community and the design of the community, which will create a more desirable development pattern. The proposed amendment will not create any conflicts with any other sections of the 2009 City Code.

Finding: The proposed amendment would not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.

Discussion: The draft ordinance as written will have city wide applications and would not relieve a particular hardship or grant special privileges to any one person or entity.

Finding: The proposed amendment did not relieve a particular hardship, nor did it confer any special privileges to a single property owner or cause, and it was only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

The Utah Legislature passed a statute that allowed for Cannabis Production Establishments. The statute was passed to regulate the growth and processing of Cannabis. Any grow operations or processing facilities would be under the control and regulation of the State. The only local control was siting of the facilities in either industrial or agricultural zones of a municipality. The statute did not give a municipality the option of not allowing these uses if they had industrial or agricultural zones. The statute required that the uses be allowed in one industrial zone and one agricultural zone of the respective city or county. The statute pertaining to West Jordan read as follows:

4-41a-406. Local control.

(a) If a municipality's or county's zoning ordinances provide for an industrial zone, the operation of a cannabis production establishment shall be a permitted industrial use in any industrial zone unless the municipality or county has designated by ordinance, before an individual submits a land use permit application for a cannabis production establishment, at least one industrial zone in which the operation of a cannabis production establishment is a permitted use.

(b) If a municipality's or county's zoning ordinances provide for an agricultural zone, the operation of a cannabis production establishment shall be a permitted agricultural use in any agricultural zone unless the municipality or county has designated by ordinance, before an individual submits a land use permit application for a cannabis production establishment, at least one agricultural zone in which the operation of a cannabis production establishment is a permitted use.
An ordinance was approved by the City Council in April 2019 allowing cannabis production establishments as a conditional use in the M-2 and A-20 zones. In a special session of the Legislature a bill was passed that took the option of a conditional use away from cities. The City would not have the ability to impose conditions of approval that would mitigate any negative impacts to the area. The only conditions were out of statute which controlled the location of the facilities.

13-5F-2: PERMITTED AND CONDITIONAL USES:
Uses allowed in Manufacturing Zones were listed in the table below. Those uses identified as "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this article, and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the Planning Commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this Code, and comply with all other applicable requirements of this title. Uses identified as "administrative conditional uses" (AC) shall be approved by the Zoning Administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the Zoning Administrator, and shall comply with title 15 of this Code, and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in Manufacturing Zones.

PERMITTED AND CONDITIONAL USES IN MANUFACTURING ZONES

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<tr>
<th>Use</th>
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<tbody>
<tr>
<td>Agricultural sales and service</td>
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<td>Animal crematorium</td>
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<td>Use</td>
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<tr>
<td>Animal crematorium located within 100 feet of any Residential Zone or structure</td>
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<tr>
<td>Basic industry (nonhazardous or offensive)</td>
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<tr>
<td>Building moved from another site (see section 13-8-12 of this title)</td>
<td>C</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Business, equipment rental and supplies</td>
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<td>P</td>
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<td>Business service</td>
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<tr>
<td>Cannabis production establishments</td>
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<td>Church or place of worship</td>
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<td>College or university</td>
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<td>Construction sales and rental</td>
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<td>Gasoline and fuel storage sales</td>
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<td>Gasoline service station</td>
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<td>Government service</td>
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<tr>
<td>Junk or salvage yard</td>
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<tr>
<td>Large scale public utilities</td>
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<td>Use</td>
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<td>Laundry service</td>
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<td>Manufacturing, general</td>
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<td>Manufacturing, limited</td>
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<td>Mass transit railway system</td>
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<td>Massage therapy</td>
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<td>Media service</td>
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<td>Medical or dental laboratory</td>
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<td>Military facility</td>
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<tr>
<td>Motor vehicle sales and service, new and used</td>
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<td>Office</td>
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<td>Parking, commercial</td>
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<td>Parking, commercial (no fee)</td>
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<td>Personal care service</td>
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<td>Personal instruction service</td>
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<td>Printing, general</td>
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<td>Public park</td>
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<td>Recreation and entertainment, indoor</td>
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<td>Use</td>
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<tr>
<td>Recycling collection station</td>
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<td>Recycling facility</td>
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<td>Repair services, general</td>
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<td>Repair services, limited</td>
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<td>Research service</td>
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<td>Restaurant, fast food (general)</td>
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<td>Restaurant, fast food (limited)</td>
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<td>Schools, K - 12</td>
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<td>Schools, vocational</td>
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<td>Sexually oriented business</td>
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<tr>
<td>Small equipment rental</td>
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<td>Temporary office</td>
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<tr>
<td>Transportation service</td>
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<tr>
<td>Transportation service (office only)</td>
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<tr>
<td>Utility, major</td>
<td>C</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Utility, major (office only)</td>
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<td>Vehicle and equipment repair, general</td>
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<td>Use</td>
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<tr>
<td>Vehicle and equipment repair, limited</td>
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<tr>
<td>Warehouse, self-service storage</td>
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<tr>
<td>Wholesale and warehousing, general</td>
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<tr>
<td>Wholesale and warehousing, limited</td>
<td>P</td>
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Note:
1. See also section 4-21-6 of this Code.

2. A cannabis production establishment may not be located:

Within 1,000 feet of a public or private school, a licensed child-care facility or preschool, a church, a public library, a public playground, or a public park; or in or within 600 feet of a district that is zoned as primarily residential.

The proximity requirements shall be measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the community location or residential area.


3-5A-2: PERMITTED AND CONDITIONAL USES:
Uses allowed in Agricultural Zones were listed in the table below. Those uses identified as "permitted" (P) were allowed by right; provided, that they complied with all other requirements of this article and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the Planning Commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this Code, and comply with all other applicable requirements of this title. Uses identified as "administrative conditional uses" (AC) shall be approved by the Zoning Administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the Zoning Administrator, and shall comply with title 15 of this Code, and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in Agricultural Zones.

PERMITTED AND CONDITIONAL USES IN AGRICULTURAL ZONES
Legend:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
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<tbody>
<tr>
<td>P</td>
<td>Permitted use</td>
</tr>
<tr>
<td>C</td>
<td>Conditional use</td>
</tr>
<tr>
<td>AC</td>
<td>Administrative conditional use</td>
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<table>
<thead>
<tr>
<th>Use</th>
<th>A-1</th>
<th>A-5</th>
<th>A-20</th>
</tr>
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<tbody>
<tr>
<td>Agricultural (processing)</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Agriculture, except swine, dairies and animal specialties</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Agriculture, swine or dairy</td>
<td>C</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Animal specialties</td>
<td>C</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Athletic field</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Barn as a primary building (agricultural use)</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Building moved from another site (see section 13-8-12 of this title)</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Cannabis production establishments</td>
<td></td>
<td></td>
<td>C-P</td>
</tr>
<tr>
<td>Church/place of worship</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Dwelling, single-family</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Golf course</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Use</td>
<td>A-1</td>
<td>A-5</td>
<td>A-20</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----</td>
<td>-----</td>
<td>------</td>
</tr>
<tr>
<td>Household pets, subject to regulations of animals in title 6, chapter</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>3 of this Code, or successor ordinance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kennel</td>
<td>C</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Large scale public utilities</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Manufactured/modular home(^1)</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Mass transit railway system</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Public park</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Riding academy or commercial stable</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Schools, K - 12</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Topsoil operations</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>

Note:
1. A manufactured or modular housing structure, constructed to applicable Federal or State construction standards, shall be deemed to be a permitted use if occupied as a single-family residence and may be located within this zoning district as though the structure were constructed on the site according to the International Building Code and other applicable standards if the structure meets or exceeds the pertinent provisions of this article for minimum building size and horizontal living area, setback, side yard, required attached 2 car garage, and other similar building and zoning requirements.

2. A cannabis production establishment may not be located:
Within 1,000 feet of a public or private school, a licensed child-care facility or preschool, a church, a public library, a public playground, or a public park in or; within 600 feet of a district that is zoned as primarily residential.

The proximity requirements shall be measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the community location or residential area.

Section 13-7-D-7B, requires that prior to approval the City Council must make the following findings:

**Criteria 1:** The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;

**Discussion:** The General Plan supports keeping ordinances relevant and understandable. On Page 19 it states:

"GOAL 2. CONTINUALLY AND CONSISTENTLY UPDATE THE FUTURE LAND USE MAP, ZONING MAP, AND ZONING ORDINANCE FOR EASE OF REFERENCE AND ADMINISTRATION.

Policy 3. The Zoning Ordinance shall be updated to incorporate necessary changes that are consistent with State Code, and reflect the best and most current land use practices of the time. Zoning Ordinance modifications and updates shall be made easy for the general public and City administration to understand.

1. Consistently review the Zoning Ordinance and edit where necessary in order to eliminate redundancy and replace technical jargon with plain English."

**Finding:** The proposed amendment conformed to the General Plan and was consistent with the adopted goals, objectives and policies described therein.

**Criteria 2:** The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;

**Discussion:** The proposed amendment will add Cannabis Production Establishments as permitted uses in the M-2 and A-20 zones as required by State Law.

**Finding:** The proposed amendment was appropriate given the context of the request and there was sufficient justification for a modification to this title;

**Criteria 3:** The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and

**Discussion:** The proposed amendment will impact the M-2 and A-20 zones. Staff has not found, at this point, any conflicts with any other sections of the 2009 City Code.

**Finding:** The proposed amendment would not create a conflict with any other section or part of the Municipal Code or the General Plan.
Criteria 4: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.

Discussion: The draft ordinance as written will have implication in the M-2 and A-20 zones only and will not relieve a particular hardship or grant special privileges to any one person or entity.

Finding: The proposed amendment did not relieve a particular hardship, nor did it confer any special privileges to a single property owner or cause, and it was only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

Councilmember McConnehey asked if tabling this issue like the previous two issues would cause a problem. Mr. Gardner said he recommended approving this item sooner than later.

Councilmember Whitelock asked if there would be a ratio of single versus multi housing within the PC Zone with the proposed ordinance. Mr. Gardner responded there would not. Councilmember Whitelock asked if incentives to encourage affordable housing were included in the proposed ordinance. Mr. Gardner responded there were not, but incentives could be added.

Mayor Riding opened the public hearing.

Rich Sonntag of Daybreak Communities commented that the drafted ordinance would give developers the kind of tools needed to create a development similar to Daybreak, with a deliberate mixing of sizes, setbacks, and densities.

Seeing that no one else wished to speak, Mayor Riding closed the public hearing.

Councilmember McConnehey said he wanted the next Council to have a chance to sit down and discuss the proposed ordinance and figure out how the City could get the appropriate result.

Councilmember Anderson said he had been promoting form-based zoning for over a year, and he wished he would be on the Council when it passed. He said the proposed zoning was the future as he saw it. Councilmember Anderson suggested this issue should take priority over the previously tabled two agenda items.

MOTION: Councilmember Anderson moved to table this item to the Strategic Planning meeting. Councilmember McConnehey seconded the motion.

Councilmember McConnehey commented that strategic planning would most likely look different with the change in government.
AMENDED
MOTION: Councilmember Anderson amended the motion to table this item for
discussion in the first quarter of 2020 with priority over the two previous
agenda items. Councilmember McConnehey seconded the motion.

A roll call vote was taken

Councilmember Anderson          Yes
Councilmember Burton             Yes
Councilmember Jacob              Yes
Councilmember Lamb               Yes
Councilmember McConnehey         Yes
Councilmember Whitelock          Yes
Mayor Riding                     Yes

The motion passed 7-0.

VII. CONSENT ITEMS
   a. Approve Resolution 19-196, authorizing the Mayor to approve minor updates
      and revisions to the Engineering Standards and Specifications for West
      Jordan City streets

   b. Approve Resolution 19-197, authorizing the Police Chief and City Manager to
      place unclaimed property no longer needed as evidence to a public interest or
      destroy

   c. Approve Resolution 19-198, awarding a five-year contract to Sorensen Sand
      & Gravel to provide construction materials identified in Attachments A & B
      in the Invitation for Bid on an as-needed basis, in an amount not to exceed
      $175,000.00 over the five-year contract period

   d. Approve Resolution 19-199, awarding a five-year contract to Asphalt
      Materials and authorize the Mayor to execute a five-year contract with
      Asphalt Materials to provide construction materials identified in Attachment
      A in the Invitation for Bid on an as-needed basis in an amount not to exceed
      $5,000,000.00 over the five-year contract period

The City Council pulled all Consent Items except 7a for further discussion.

MOTION: Councilmember Jacob moved to approve Consent Item 7a only.
         Councilmember Anderson seconded the motion.

A roll call vote was taken

Councilmember Anderson          Yes
The motion passed 7-0.

VIII. CONSENT ITEMS DISCUSSION

7b
APPROVE RESOLUTION 19-197, AUTHORIZING THE POLICE CHIEF AND CITY MANAGER TO PLACE UNCLAIMED PROPERTY NO LONGER NEEDED AS EVIDENCE TO A PUBLIC INTEREST OR DESTROY

Councilmember Whitelock asked if more could be done to return property to the owners. Chief Wallentine responded that citizens could take photographs of bicycles and registration numbers for proof of ownership. He said the Department had tried to track down owners when possible. He recommended an agreement with the Salt Lake Bicycle Collective. Councilmember Whitelock suggested the Chief put information together for presentation in workshop format regarding the Salt Lake Bicycle Collective.

MOTION: Councilmember Jacob moved to approve Resolution 19-197. Councilmember Whitelock seconded the motion.

A roll call vote was taken

The motion passed 7-0.

7c
APPROVE RESOLUTION 19-198, AWARDING A FIVE-YEAR CONTRACT TO SORENSEN SAND & GRAVEL TO PROVIDE CONSTRUCTION MATERIALS IDENTIFIED IN ATTACHMENTS A & B IN THE INVITATION FOR BID ON AN AS-NEEDED BASIS, IN AN AMOUNT NOT TO EXCEED $175,000.00 OVER THE FIVE-YEAR CONTRACT PERIOD; AND
APPROVE RESOLUTION 19-199, AWARDING A FIVE-YEAR CONTRACT TO ASPHALT MATERIALS AND AUTHORIZE THE MAYOR TO EXECUTE A FIVE-YEAR CONTRACT WITH ASPHALT MATERIALS TO PROVIDE CONSTRUCTION MATERIALS IDENTIFIED IN ATTACHMENT A IN THE INVITATION FOR BID ON AN AS-NEEDED BASIS IN AN AMOUNT NOT TO EXCEED $5,000,000.00 OVER THE FIVE-YEAR CONTRACT PERIOD

Councilmember Whitelock emphasized that any time the City entered into a multi-year contract, the contract included a clause that stipulated the City could withdraw from the contract for any reason. Councilmember Burton said he was pleased that the companies in Consent Items 7c and 7d were both based in West Jordan.

MOTION: Councilmember Whitelock moved to approve Consent Items 7c and 7d. Councilmember Anderson seconded the motion.

A roll call vote was taken

Councilmember Anderson       Yes
Councilmember Burton          Yes
Councilmember Jacob           Yes
Councilmember Lamb            Yes
Councilmember McConnelley     Yes
Councilmember Whitelock       Yes
Mayor Riding                   Yes

The motion passed 7-0.

IX. BUSINESS ITEMS

CONVENE AS THE BOARD OF CANVASSERS AND APPROVE RESOLUTION 19-200, ACCEPTING AND APPROVING THE RESULTS OF THE MUNICIPAL GENERAL ELECTION HELD NOVEMBER 5, 2019

Jamie Brooks stated that as in recent years, the City entered into a contract with Salt Lake County for election services, including, among other things:

- Ballot layout, design, ordering and printing
- Machine programming and testing
- Provision of all supplies
- Vote-by-mail administration
- Updating State and County websites
- Tabulating, reporting, auditing and preparing canvassing results
- Direct payment of all costs associated with the election to include vote center equipment, workers, training, polling places, etc.

Salt Lake County mailed a ballot to every registered voter during the week of October 14, 2019, unofficial results were published shortly after 8:00 p.m. on November 5, 2019, and updated figures were provided on November 7 and again on November 8.
The City Council was the official Board of Canvassers of the municipal election and scheduled the Canvass to be held during the City Council meeting on Tuesday, November 19, 2019. The “canvass” consisted of reviewing the number of votes received for each candidate as provided by the Salt Lake County Clerk. The Board of Canvassers also considered any additional votes received by the Salt Lake County Clerk up to noon on the day of the canvass, which could include valid absentee ballots, provisional ballots, ballots for which the County received “cure” letters confirming signatures, and a small number of “straggler” ballots that were postmarked timely.

Certified election result reports were prepared, which indicated the total number of votes received for each candidate. These reports must be adopted along with the resolution approving the canvass of the City of West Jordan’s General Election of 2019. Additionally, the reports need to be signed by the Board of Canvassers and forwarded to the office of Lieutenant Governor Spencer Cox.

The official results listed below were from the final update provided by the Salt Lake County Clerk’s office on the afternoon of Tuesday, November 19, 2019.

**MAYOR (Four Year Term: 2020-2023)**
- Dirk Burton – 7205
- Jim Riding – 6616

**COUNCIL AT LARGE (Two Year Term: 2020-2021)**
- Kelvin Green – 6220
- Mikey Smith – 4327
- Write-In Candidate David Newton - 2626

**COUNCIL DISTRICT #1 (Four Year Term: 2020-2023)**
- Christopher M. McConnehey – 1998
- Marilyn Richards – 1944

**COUNCIL DISTRICT #2 (Four Year Term: 2020-2023)**
- Melissa Worthen – 3154
- John Price - 696

**COUNCIL DISTRICT #3 (Four Year Term: 2020-2023)**
- Zach Jacob – 1566
- Amy L. Martz – 1011

**COUNCIL DISTRICT #4 (Four Year Term: 2020-2023)**
- David Pack – 1870
- Pamela Berry – 1400
Staff recommended that the Council, acting as the Board of Canvassers, review the information provided for the Canvass of the 2019 City of West Jordan Municipal General Election, and approve the Resolution and Certified Election Result Reports as provided.

MOTION: Councilmember Anderson moved to approve Resolution 19-200, accepting and approving the results of the Municipal General Election held November 5, 2019. Councilmember Whitelock seconded the motion.

A roll call vote was taken

Councilmember Anderson  Yes
Councilmember Burton  Yes
Councilmember Jacob  Yes
Councilmember Lamb  Yes
Councilmember McConnehey  Yes
Councilmember Whitelock  Yes
Mayor Riding  Yes

The motion passed 7-0.

TABLED FROM NOVEMBER 13, 2019
DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF ORDINANCE 19-33, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE 13-8-23(B) EXEMPTIONS: TO INCLUDE PROPERTIES LOCATED IN THE INTERCHANGE OVERLAY ZONE (IOZ); CITY-WIDE APPLICABILITY, CITY OF WEST JORDAN, APPLICANT

Larry Gardner stated that the Planning Commission forwarded the Interchange Overlay Zone (IOZ) with a positive recommendation to the City Council. The IOZ would establish certain areas that would be influenced by interchanges of the Mountain View Corridor and Bangerter Highway. Certain areas of the IOZ overlay would have a multi-family component. The IOZ would be adopted in areas that had access to an interchange of the freeway and other high traffic corridors and would not encroach into single-family areas. Many of the multi-family uses would be in a mixed development containing residential and commercial uses. The IOZ also had strict design guidelines that would make the overlay areas attractive and pedestrian friendly. Certain land uses were exempt from Cap and Grade requirements in order to meet fair housing standards such as housing for seniors and the disabled and to implement goals and policies of the City’s General Plan such as encouraging multi-family residential housing in transit stations or in large planned developments.

The Cap and Grade Ordinance was adopted as a means of bringing the ratio of multi-family housing and single-family residential in line with the goals and policies of the City’s General Plan. Until that ratio was achieved, the Cap and Grade Ordinance placed a hold on all new multi-family development unless it was specifically exempted by Section 13-8-23. The current exemptions listed in the Cap and Grade Ordinance were as follows:
B. Exemptions: The following types of two-family and multi-family housing are not subject to the annual cap or to the timing requirements of this section:
   1. Residential housing developments in compliance with the general plan that are:
      a. Multi-family housing (2 or more housing units) in a transit station overlay district (TSOD).
      b. Senior housing for age fifty-five (55) and older.
      c. Multi-family housing for disabled persons.
      d. Low and moderate income housing owned by a nonprofit or a local housing authority.
      e. Multi-family housing as part of a master planned community that meet the following provisions:
         1. Master plan shall be minimum of seventy-five (75) undeveloped acres and be zoned PC or PRD.
         2. Two-family and multi-family housing not exempt by the provisions listed in subsections B1a through B1d of this section, shall comprise no greater than seventeen percent (17%) of the total number of dwelling units in the approved master development plan.
         3. Two-family and multi-family housing units not exempt by the provisions listed in subsections B1a through B1d of this section, shall be individually owned as either condominiums or townhomes.
      f. Twin homes on a vacant parcel(s) or lot(s) in an existing R-2 Zone, as long as all of the following criteria are met:
         1. The R-2 zoning has continuously existed since October 22, 2014; and
         2. The parcel(s) or lot(s) has/have been continuously “vacant” (no dwelling unit(s) constructed thereon) since October 22, 2014.

In considering this request, the City Council would need to determine if there was sufficient justification to amend the ordinance to allow the IOZ as an exemption and whether the amendment was consistent with the intent of the goals and policies of the General Plan.

Section 13-7-D-7B required that prior to approval the City Council must make the following findings:

Criteria 1: The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;

Discussion: The General Plan supports a mix of housing types to accommodate different housing needs. Goal 2 of the Housing Element, for example, states “Provide a range of housing types, styles, sizes and price levels in all areas of the city” (page 70) and;
Encourage development of horizontal and/or vertical mixed-use neighborhoods, which will provide residents with basic services and needs, i.e., parks, shopping, medical facilities, churches, transit, and schools, all within walking distance of each other. (page 26) and;

Policy 3. Multiple-family residential development should be provided in appropriate areas in order to maintain diversity in the city's housing stock and to provide land use transitions between dissimilar uses. (page 31).

The proposed amendment has limited application and will only apply to areas where the IOZ is adopted and will fulfill the goals of the General Plan. Therefore, the intent of the General Plan is not compromised.

Finding: The proposed amendment conformed to the General Plan and was consistent with the adopted goals, objectives and policies described therein.

Criteria 2:  
The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;

Discussion: Given the context of the request, the proposed amendment only applies to areas where the IOZ is adopted. There is sufficient justification to modify the 2009 City Code.

Finding: The proposed amendment was appropriate given the context of the request and there was sufficient justification for a modification to this title;

Criteria 3:  
The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and

Discussion: The proposed amendment will have a city-wide impact, with no particular area singled-out. The proposed amendments will not create a conflict with any other sections of the 2009 City Code.

Finding: The proposed amendment would not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4:  
The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.

Discussion: The proposed amendment will have city-wide implication. Staff does not believe that the amendment will relieve any particular hardship or confer any special privileges to a single property owner or cause because there are several properties in the City where the amendment could apply.
**Finding:** The proposed amendment would not relieve a particular hardship, nor would it confer any special privileges to a single property owner or cause, and it was only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

Staff concluded the proposed text amendment was warranted and not contrary to any current goals and policies in the General Plan or conflicting with Title 13 (Zoning Ordinance) of the Municipal Code.

Councilmember Jacob spoke in favor of the proposed amendment, and emphasized that each potential development plan would require individual application and individual approval.

Councilmember Anderson commented that the proposed amendment would designate where density would be allowed, and support infrastructure already in place.

Mr. Gardner confirmed that each potential development would be required to make individual application. The overlay zone would not guarantee development to any project.

Councilmember Lamb said he was not against high-density development, but he was against a lot of high-density in the same area.

Councilmember Whitelock said she believed a 75-acre requirement was better than a 50-acre requirement. She said the citizens should get something back if the City was going to allow exceptions. Councilmember Whitelock agreed that near the interchanges was a good place for commercial and a better place for high-density, but said she was concerned with the amount of high-density being built. She said she did not believe there were that many people who wanted to live in high-density housing. Councilmember Whitelock also said she did not equate high-density with affordable housing.

Councilmember McConnehey said he would be in support of starting with a 75-acre requirement, but would also support 50 acres.

**MOTION:** Mayor Riding moved to approve Ordinance 19-33. Councilmember Jacob seconded the motion.

Councilmember McConnehey emphasized that caution and good judgement would be necessary to ensure the ordinance was used in a beneficial manner.

A roll call vote was taken:

- **Councilmember Anderson**  Yes
- **Councilmember Burton**  Yes
- **Councilmember Jacob**  Yes
- **Councilmember Lamb**  Yes
Councilmember McConney   Yes
Councilmember Whitelock   Yes
Mayor Riding              Yes

The motion passed 7-0.

The Council recessed at 8:35 p.m. and reconvened in workshop format at 8:42 p.m.

X. WORKSHOP

DISCUSSION REGARDING THE 2009 WEST JORDAN MUNICIPAL CODE, TITLE 3, CHAPTERS 3-9 INCLUSIVE (REVENUE, FINANCE AND TAXATION) REGARDING THE CHANGE TO THE COUNCIL- MAYOR FORM OF GOVERNMENT

Duncan Murray explained staff was still working on major revisions to Title 3, and requested postponing discussion of Title 3 to the December 4, 2019 meeting. The Mayor and Council agreed.

DISCUSSION REGARDING AN ORDINANCE AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE, TITLE 4 (BUSINESS AND LICENSE REGULATIONS) REGARDING THE CHANGE TO THE COUNCIL-MAYOR FORM OF GOVERNMENT

Mr. Murray explained proposed changes to Title 4 regarding business and license regulations, and answered questions from the Council. The Council and staff discussed providing a level of flexibility for the City regarding issuance of licenses (Section 4-1B-12). Councilmember Jacob said he did not agree with leaving an arbitrary loophole. Mr. Murray said Staff would continue to work on the language.

Councilmember McConney suggested the City put together a consolidated fine schedule.

UPDATE FROM BENJ BECKER OF ZIONS BANK REGARDING A VISIONING STUDY

This agenda item was cancelled prior to the meeting. It was possible it would take place at a future date.

DISCUSSION REGARDING WATER RATES

Danyce Steck stated that in October of 2018 the City was forced to take immediate action in response to a financial challenge in the Water Fund that threatened the City’s credit and future ability to finance infrastructure. The City adopted a rate structure recommended by a third party as a temporary solution, with the commitment to reevaluate the structure after one year. The City knew the structure was not perfect, but would provide the necessary temporary fix.

Ms. Steck reported the rate structure provided the stability needed for the Water Fund. However, she said she found a proportional burden of the change was placed on the residents, resulting in a subsidization of commercial and landscape users.

Ms. Steck showed current water structure data and water consumption statistics for October 2018-September 2019.
Councilmember McConnehey said he wanted the water rate to be as fair as possible. Ms. Steck explained that because of commercial fire flow water storage requirements, commercial placed a higher demand on City infrastructure than residential.

Financial requirements for the City water system were:

- Water purchase: $10,400,000
- Operations and administration: $8,675,000
- Capital improvement and maintenance: $5,000,000
- Debt service: $2,535,000

Total: $26,610,000

Ms. Steck stated that best practice would be a base rate of 60%, with consumption at 40%. However, she explained there was an intolerance in the City for such a high base rate. The currently adopted rate had a base rate of 45%, with consumption at 55%. Ms. Steck proposed a base rate of 40%, with consumption at 60%. Councilmember Anderson said the City needed to come up with a way to educate the community and provide incentives to prevent overwatering. Councilmember McConnehey said the biggest impact would be felt by businesses, and stated that care and tact would be needed in communicating with the businesses.

Ms. Steck presented the following current and proposed base rates:

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Current Base Rate per Month</th>
<th>Proposed Base Rate per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential</td>
<td>Commercial</td>
</tr>
<tr>
<td>¾”</td>
<td>$35.35</td>
<td>$21.40</td>
</tr>
<tr>
<td>5/8”</td>
<td>35.35</td>
<td>21.40</td>
</tr>
<tr>
<td>1”</td>
<td>53.52</td>
<td>45.00</td>
</tr>
<tr>
<td>1 ½”</td>
<td>70.61</td>
<td>70.61</td>
</tr>
<tr>
<td>2”</td>
<td>107.00</td>
<td>107.00</td>
</tr>
<tr>
<td>3”</td>
<td>321.00</td>
<td>321.00</td>
</tr>
<tr>
<td>4”</td>
<td>684.78</td>
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</tr>
<tr>
<td>6”</td>
<td>1,241.18</td>
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</tr>
<tr>
<td>8”</td>
<td>1,861.77</td>
<td>1,861.77</td>
</tr>
<tr>
<td>10”</td>
<td>2,717.75</td>
<td>2,717.75</td>
</tr>
<tr>
<td>Landscape</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Hydrant</td>
<td>151.36</td>
<td>175.00</td>
</tr>
</tbody>
</table>

Ms. Steck presented current water consumption rates and a proposed equalized consumption rate:
<table>
<thead>
<tr>
<th>Current Water Consumption Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
</tr>
<tr>
<td>-------------</td>
</tr>
<tr>
<td>0-7</td>
</tr>
<tr>
<td>8-20</td>
</tr>
<tr>
<td>21-110</td>
</tr>
<tr>
<td>111-200</td>
</tr>
<tr>
<td>201-750</td>
</tr>
<tr>
<td>750-5,000</td>
</tr>
<tr>
<td>5,001+</td>
</tr>
</tbody>
</table>

Note: Black – Tier 1, Green – Tier 2, Red – Tier 3

<table>
<thead>
<tr>
<th>Proposed Water Consumption Rate</th>
<th>Equalized</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-7</td>
<td>$2.00</td>
</tr>
<tr>
<td>8-25</td>
<td>2.25</td>
</tr>
<tr>
<td>26-50</td>
<td>2.75</td>
</tr>
<tr>
<td>51-100</td>
<td>3.25</td>
</tr>
<tr>
<td>100+</td>
<td>3.75</td>
</tr>
</tbody>
</table>

Ms. Steck recommended implementing a 3-zone rate structure to pay for the additional cost of getting water to higher elevations. The current cost to the City of pumping was more than $600,000.

<table>
<thead>
<tr>
<th>Proposed Zoned Consumption Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost factor</td>
</tr>
<tr>
<td>-------------</td>
</tr>
<tr>
<td>0-7</td>
</tr>
<tr>
<td>8-25</td>
</tr>
<tr>
<td>26-50</td>
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<tr>
<td>51-100</td>
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</tbody>
</table>

Ms. Steck said Draper City, Herriman City, and Midvale City all use zoned consumption rates. Councilmember Burton said he would only want zoned consumption rates for larger users. Councilmember McConnelley said he was comfortable with the proposed zoned consumption rates and would not want to add more variables. Councilmember Anderson said he felt it needed to be simple, easy for residents to understand, equitable, justifiable, and predictable.

Ms. Steck proposed the following Implementation Plan:
Residential
- Base rate effective 01/01/2020 ($1.4 million savings, split between FY20 and FY 21)
- Consumption rate effective 07/01/2020 ($1.2 million savings)

Commercial
- Step 1 – 50% of the consumption rate effective 07/01/2020 ($1.3 million cost increase)
- Step 2 – 50% of the consumption rate change effective 01/01/2021 ($1.3 million cost increase)

<table>
<thead>
<tr>
<th>Range</th>
<th>Current</th>
<th>Step 1</th>
<th>Step 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Effective</td>
<td>Effective</td>
</tr>
<tr>
<td></td>
<td></td>
<td>07/01/2020</td>
<td>01/01/2021</td>
</tr>
<tr>
<td>0-7</td>
<td>$1.91</td>
<td>$2.00</td>
<td>$2.00</td>
</tr>
<tr>
<td>8-25</td>
<td>1.91</td>
<td>2.05</td>
<td>2.25</td>
</tr>
<tr>
<td>26-50</td>
<td>1.91</td>
<td>2.30</td>
<td>2.75</td>
</tr>
<tr>
<td>51-100</td>
<td>1.91</td>
<td>2.50</td>
<td>3.25</td>
</tr>
<tr>
<td>101-200</td>
<td>1.91</td>
<td>2.98</td>
<td>3.75</td>
</tr>
<tr>
<td>201-5,000</td>
<td>2.20</td>
<td>2.98</td>
<td>3.75</td>
</tr>
<tr>
<td>5,000+</td>
<td>2.52</td>
<td>2.98</td>
<td>3.75</td>
</tr>
</tbody>
</table>

Councilmember Lamb commented that the City would need to really communicate and work with the top ten commercial users. Ms. Steck said Staff would provide data to help with those conversations.

Councilmember Jacob suggested beginning with less of an impact for the top tiers at first, increasing the impact with time.

Councilmember McConnehey responded that commercial users had already been subsidized by residential users because of the poor rate structure and said he would want to first sit down with the top ten commercial water users for a discussion. He commented that businesses planned ahead with budgeting and might have suggestions regarding the timing of implementation.

MOTION: Councilmember McConnehey moved to suspend the rules and allow Barbra Riddle of Chamber West to address the Council. Councilmember Whitelock seconded the motion, which passed unanimously.

Ms. Riddle agreed with Councilmember McConnehey that businesses plan and budget, and said she believed businesses valued their relationships with the City and would appreciate the opportunity to provide input.
Mayor Riding agreed with the suggestion to offer commercial users an opportunity to provide input.

Ms. Riddle said she suspected that rolling out a new plan with one year of notice to the business community would be more likely to be palatable to the business community.

Ms. Steck said she did not think it would be unreasonable to provide a year notice to the business community. She pointed out that a slower implementation would mean passing the savings on to the residents more slowly.

Councilmember Anderson asked about the impact if implementation for residential began 07/01/2020, and implementation for commercial began 01/01/2021. Ms. Steck responded the suggestion would be possible.

Councilmember McConnehey complimented Ms. Steck on her excellent work for the City and her willingness to listen to and work with the Councilmembers.

Councilmember Whitelock emphasized that she would like to be able to decrease the burden on the residents while working with the businesses.

Responding to a suggestion to project fee schedules out several years, Ms. Steck said she had prepared data for three years beyond the implementation year.

Councilmember Anderson relayed a citizen suggestion to send separate water and utility bills to residents rather than the current single billing statement.

XII. CLOSED SESSION
It was determined that there was no need for a closed session.

XII. ADJOURN

MOTION: Councilmember Jacob moved to adjourn the meeting. The motion was seconded by Councilmember Burton and passed unanimously.

The meeting adjourned at 10:30 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

JIM RIDING
Mayor

ATTEST:

JAMIE BROOKS
Interim City Clerk

Approved this 11th day of December 2019