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Book - 10205 Pg - 4507-4556
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SOUTH JORDAN
1600 W TOWNE CENTER DR
SOUTH JORDAN UT 84095-8265
BY: HPA, DEPUTY - WI 50 P.

Exhibit I

RESOLUTION R-2013.28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE CITY OF SOUTH JORDAN TO ENTER INTO A DEVELOPMENT AGREEMENT PERTAINING TO PROPERTY GENERALLY LOCATED AT 11500 SOUTH 950 WEST.

50

WHEREAS, The City of South Jordan is a municipal corporation and a political subdivision of the State of Utah authorized to enter into development agreements that it considers necessary or appropriate for the use and development of land within the City under Utah Code Ann. § 10-9a-102 et seq.; and

WHEREAS, The City of South Jordan has entered into development agreements for time to time as the City has deemed necessary for the orderly development of the City; and

WHEREAS, The property owner now desires to enter into an agreement, for the purpose of adjusting the land use and zone boundary between multiple land use and zoning designations currently entitled to the property; and

WHEREAS, The South Jordan City Council finds it in the best interest of the public health, safety, and welfare to enter into a development agreement with the Property Owner for the orderly development of the property located at 11500 South 950 West.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH:

Section 1. Amendment and Adoption. The South Jordan City Council hereby adopts the proposed Development Agreement as indicated in Exhibit "A" attached.

Section 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This resolution will be effective immediately upon passage.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, STATE OF UTAH,
 ON THIS 18th DAY OF June, 2013, BY THE FOLLOWING VOTE:

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



Approved as to content: [Signature]
 City Manager

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

Mayor: [Signature]
 Scott L. Osborne

ATTEST: [Signature]
 City Recorder

Exhibit A

DEVELOPMENT AGREEMENT

The City of South Jordan, a Utah municipal corporation (the "City"), David F. Ward and Janet B. Ward, ("the Developer"), enter into this Development Agreement (this "Agreement") this 18th day of June, 2013 ("Effective Date"), and agree as set forth below. The City and the Developer are jointly referred to as the "Parties".

RECITALS

WHEREAS, the Developer is the owner of certain real property identified as Assessor's Parcel Number(s) 27-23-376-0190000 specifically described in attached Exhibit A (the "Property") and intends to develop the Property consistent with the Concept Plan attached as Exhibit B (the "Concept Plan"); and

WHEREAS, the City, acting pursuant to (1) its authority under Utah Code Annotated 10-9a-102(2) *et seq.*, as amended, and (2) the South Jordan City Municipal Code (the "City Code"), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, the City has made certain determinations with respect to the proposed development of the Property and in exercise of its legislative discretion has elected to enter into this Agreement; and

WHEREAS, the Property is currently subject to the Planning and Land Use Ordinance of South Jordan City and is within the Residential R-2.5 Zone (the "R-2.5 Zone"), and Agricultural A-5 Zone (the "A-5 Zone"). A copy of the provisions of such zone designations in the South Jordan City Code are attached as Exhibit C and Exhibit D; and

WHEREAS, the Developer desires to make improvements to the Property in conformity with this Agreement and desires to amend the zone boundary between the current R-2.5 and A-5 zone Exhibit E, (current zoning map), to the proposed R-2.5 Zone and A-5 Zone as illustrated within Exhibit F (proposed zoning map,) or, as otherwise described within Exhibit G (legal description for the proposed R-2.5 Zone) and Exhibit H (legal description for the proposed A-5 Zone); and

WHEREAS, the Developer and the City acknowledge that the eastern most 4.05 acres of the subject Property abutting the Jordan River is somewhat encumbered with natural features such as, wetlands, flood plains, Jordan River Meander Corridor, etc..., the Developer therefore desires to dedicate such said portion of the subject Property to the City for perpetual use and maintenance, and

WHEREAS, the City desires to accept 4.05 acres of Property subject to the installation of certain trail improvements for the purpose of further extending the Jordan River Trail System for the general use of the public. The location of such said trail improvements are as illustrated within Exhibit I; and

WHEREAS, the Developer and the City acknowledge that the development and improvement of the Property pursuant to this Agreement will provide certainty useful to the Developer and to the City in ongoing and future dealings and relations among the Parties; and

WHEREAS, the City has determined that the proposed development contains features which advance the policies, goals and objectives of the South Jordan City General Plan, preserve and maintain the open and sustainable atmosphere desired by the citizens of the City, and contribute to capital improvements which substantially benefit the City and will result in planning and economic benefits to the City and its residents; and

WHEREAS, the City and the Developer acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the South Jordan City Council, in its sole legislative discretion, approves a zone boundary amendment between two zones on Property currently zoned as R-2.5 and A-5 to a zone designation of R-2.5 and A-5 as proposed within Exhibit C and Exhibit D.

NOW THEREFORE, based upon the foregoing recitals and in consideration of the mutual covenants and promises contained and set forth herein, the Parties agree as follows:

TERMS

A. Recitals; Definitions. The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the Planning and Land Use Ordinance of South Jordan City.

B. Enforceability: The City and the Developer acknowledge that the terms of this Agreement shall be enforceable, and the rights of the Developer relative to the Property shall vest, only if the South Jordan City Council in its sole legislative discretion approves a zone boundary amendment for the Property currently zoned as R-2.5 and A-5 to a zone designation of R-2.5 and A-5.

C. Conflicting Terms. The Property shall be developed in accordance with the requirements and benefits provided for in relation to the R-2.5 and A-5 Zone under the City Code as of the Effective Date, except that in the event of a discrepancy between the requirements of the City Code including the R-2.5 and A-5 Zone, and this Agreement, this Agreement shall control.

D. Developer Obligations:

1. The Developer shall cause the residential portion of the property, as described within Exhibit G, (legal description proposed R-2.5 Zone), to be developed in accordance with the R-2.5 Zoning Ordinance.

2. Upon subdivision plat recordation, the Developer shall dedicate to the City, property located adjacent to the Jordan River Corridor, as described within Exhibit H, (legal description for proposed A-5 Zone), for the purpose of natural open space preservation and trail system.
3. Overhead power shall be relocated so as to unencumber the buildable area of residential lots, per City Staff and Rocky Mountain Power's approval.
4. Beckstead Ditch shall be relocated, piped, or otherwise abandoned, the final location and design of which, are to be determined by the City Engineer. All construction, drainage, and maintenance easements shall be acquired by the Developer prior to: Beckstead Ditch improvements, plat recordation, or within one year from the date of preliminary plat approval, whichever comes first.
5. Lots designed with portions of the Property extending beyond the boundary of the overall subject parcel, (i.e. lot 135 as shown within the overall concept plan), shall be owned, landscaped, and maintained by the Developer, and shall not be recorded as a buildable lot, until such time the lot can be fully reconfigured into or as part of a buildable lot.
6. In lieu of the 6' tall solid decorative masonry fence, as required by City Ordinance 16.04.200 Section A1. & B1., the Developer shall, prior to vertical construction of any structures, install along the east boundary of the proposed residential zone, Exhibit F;
 - a. A five foot (5') tall post and three (3) rail fence with attached two inch by four inch (2"x4") cattle grade mesh material or similar type fencing as may be otherwise determined by City Staff.
 - b. A ten foot (10') wide trail, (three inches (3") of asphalt over six inches (6") of road base). Said trail shall be approximately located as shown within Exhibit J.
7. Prior to vertical building construction, the Developer shall;
 - a. Dedicate as public right-of-way and improve a minimum of two ingress/egress accesses to and from the Development, one of which must be connected to Country Ridge Drive.
 - b. As directed by the City Engineer, further design and improvement to Country Ridge Drive, will be required prior to vertical building construction on any lots west of River Front Parkway as shown within the concept plan known as Exhibit B.
 - c. Dedicate all right-of-way within the Development to the City for public use.
 - d. Install a culinary water system with a minimum of two connections to the South Jordan City culinary water system and submit a culinary water model that must be reviewed and approved by the City Engineer.

8. No lots shall be located within 100' of the current west of edge of the Jordan River.
9. The Developer acknowledges that structures within the 100yr. flood plain are prohibited.
10. The Developer shall show on the construction drawings and the plat, the 100-yr flood plain and the meander corridor as shown by Salt Lake County within the "Jordan River Stability Study, dated December 18, 1992". The Developer/Builder shall obtain all required permits and approval from the County Engineer's office prior to construction of this development. This permit must be presented to the City Engineer's office for review prior to the commencement of construction on this project and all requirements of the permit will be the sole responsibility of the Developer/Builder.
11. The Developer acknowledges that basements are not allowed on any lots located east of Riverfront Parkway. Furthermore, basements may not be allowed within the Development pending the recommendation of a geotechnical soils study signed and stamped by a licensed professional engineer and as allowed by the City Engineer and Building Official. These studies will incorporate water table measurements. If after reviewing the geotechnical study, the City Engineer and Building Official may consider the construction of basements on some or all of the lots if deemed feasible by said City officials and all reasonable requirements that are placed on the development and/or home construction by the City Engineer and Building Official shall be implemented at the cost of the Developer/Home Builder.
12. The following note shall be added to the Plat prior to recordation; "This area of the City has experienced high groundwater. Approval of this plat does not constitute representation by the City that building at any specified elevation will solve groundwater problems, if any".
13. The Developer/Builder shall be required to have the geotechnical soils study address the issues of soils instability, settlement and liquefaction and shall make recommendations to be implemented with the construction of the homes within this development.
14. The Developer/Builder shall be required to develop a noticing requirement for sale of the lots to prospective builders/buyers of the issues regarding soils stability, liquefaction, groundwater issues, flooding and river erosion potential. Said notice shall be placed on the Plat, Building Permits, CC&R's and any other documents as required by the City Engineer. Said document shall be reviewed and approved by the City Engineer prior to plat recordation.
15. The Developer shall cause a secondary water feasibility study to be conducted. The Developer furthermore acknowledges that if feasible, as determined by the City Engineer, the Developer shall be responsible for installing a secondary water system per the City Engineer's specifications.

E. City Obligations.

1. The City shall review development of the Property in a timely manner, consistent with the City's routine development review practices and in accordance with all applicable laws and regulations.
2. The City shall allow the entire Gross Parcel Area, as described within Exhibit A, to be used for calculating the density of the residentially zoned area.
3. The City shall maintain, or cause to be maintained, the property dedicated as open space, as described within Exhibit H.
4. The City shall maintain, or cause to be maintained, the ten foot (10') wide trail system as illustrated within Exhibit I.

F. Vested Rights and Reserved Legislative Powers.

1. Vested Rights. Consistent with the terms and conditions of this Agreement, City agrees Developer has the vested right to develop and construct the Property in accordance with the R-2.5 and A-5 zoning designation and the City Code in effect as of the Effective Date.

2. Reserved Legislative Powers. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer under this Agreement and with respect to use under the zoning designations as referenced in *Section III.A.* above under the terms of this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Property shall be of general application to all development activity in the City and Salt Lake County (the "County"); and, unless in good faith the City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine. The notice required by this paragraph shall be that public notice published by the City as required by State statute

G. Term.

This Agreement shall be effective as of the date of recordation, shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the parties mutually agree to extend the term, this agreement shall not extend further than a period of 10 years from its date of recordation in the official records of the Salt Lake County Recorder's Office.

H. General Provisions.

1. Notices. All Notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least 10 days before the date on which the change is to become effective:

If to City: ATTN: City Recorder
 City of South Jordan
 1600 West Towne Center Drive
 South Jordan City, Utah 84095
 Attention: City Recorder

If to Developer:

David F. Ward and Janet B. Ward
3006 E. Kempner Rd
Salt Lake City, Utah 84109
801-272-2559

2. Mailing Effective. Notices given by mail shall be deemed delivered 72 hours following deposit with the U.S. Postal Service in the manner set forth above.

3. No Waiver. Any party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

4. Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only, and shall not control or affect the meaning or construction of any provision this Agreement.

5. Authority. The parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants it is fully formed and validly existing under the laws of the State of UTAH, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Developer and the City warrant to each other that the individuals executing this Agreement on behalf of their respective parties are authorized and empowered to bind the parties on whose behalf each individual

is signing. Developer represents to the City that by entering into this Agreement Developer has bound all persons and entities having a legal or equitable interest to the terms of the Agreement as of the Effective Date.

6. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by the City for the Property contain the entire agreement of the parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the parties which are not contained in such agreements, regulatory approvals and related conditions.

7. Amendment. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the parties to this Agreement or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.

8. Severability. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developer's ability to complete the development of the Property as set forth in the Concept Plan is not defeated by such severance.

9. Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of the Agreement. The parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The Parties hereby expressly waive any right to object to such choice of law or venue.

10. Remedies. If any party to this Agreement breaches any provision of this Agreement, the non-defaulting party shall be entitled to all remedies available at both law and in equity.

11. Attorney's Fee and Costs. If any party brings legal action either because of a breach of the Agreement or to enforce a provision of the Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs.

12. Binding Effect. The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors in interest and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

13. No Third Party Rights. The obligations of the Developer and the City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise provided herein.

14. Assignment. Developer may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement and Developer shall be deemed released of its obligations in connection with this Agreement; provided, however, that Developer shall provide the City with notice of the

assignment of this Agreement within a reasonable time after the occurrence of such assignment.

15. No Agency Created. Nothing contained in the Agreement shall create any partnership, joint venture, or agency relationship between the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

{Signatures follow on next page}

MICHAEL L. WARD'S INTEREST

(1/18 INTEREST & 1/9 INTEREST OR 1/6 INTEREST
IN THE PROPERTY PER COUNTY RECORDED)

Michael L. Ward for the above mentioned interest:

Name: Michael L. Ward

Title: Owner

INDIVIDUAL APPLICANT

State of Florida)
:ss

County of Duval)

On this 16th day of December, 2013, personally appeared before me _____, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged that he/she/they executed the same.

Katie Sladovnik
Notary Public



DAVID F. WARD TRUSTEE OF THE FOLLOWING TRUSTS:

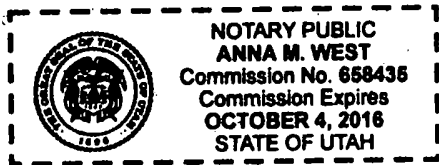
DAVID FREDERICK WARD TRUST 11/30/1989	2/9 INT
JEFFREY D WARD TRUST 7/7/1993	1/6 INT
SHARON WARD TRUST 11/25/1991	1/6 INT
JEANNIE WARD TRUST 6/6/1996	1/6 INT
MICHAEL L WARD TRUST 11/3/1997	1/9 INT


Name: 
 Title: Trustee

TRUST APPLICANT

State of Utah)
 County of Salt Lake) :SS

On this 17th day of December, 2013, personally appeared before me David F. WARD [name of person(s)], whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the _____ [title], of DAVID FREDERICK WARD TRUST 11/30/1989, JEFFREY D WARD TRUST 7/7/1993, SHARON WARD TRUST 11/25/1991, JEANNIE WARD TRUST 6/6/1996, MICHAEL L WARD TRUST 11/3/1997 [name of trust(s)], and that the foregoing instrument was signed in behalf of said trust and he/she acknowledged to me that said trust executed the same.




 Notary Public

JANET B. WARD TRUSTEE OF THE FOLLOWING TRUSTS:

DAVID FREDERICK WARD TRUST 11/30/1989	2/9 INT
JEFFREY D WARD TRUST 7/7/1993	1/6 INT
SHARON WARD TRUST 11/25/1991	1/6 INT
JEANNIE WARD TRUST 6/6/1996	1/6 INT
MICHAEL L WARD TRUST 11/3/1997	1/9 INT

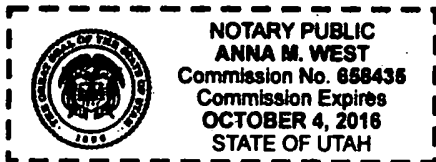
Name: Janet B. Ward

Title: Trustee

TRUST APPLICANT

State of Utah)
County of Salt Lake) :SS

On this 17th day of December, 2013, personally appeared before me Janet B. Ward [name of person(s)], whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the _____ [title], of DAVID FREDERICK WARD TRUST 11/30/1989, JEFFREY D WARD TRUST 7/7/1993, SHARON WARD TRUST 11/25/1991, JEANNIE WARD TRUST 6/6/1996, MICHAEL L WARD TRUST 11/3/1997 [name of trust(s)], and that the foregoing instrument was signed in behalf of said trust and he/she acknowledged to me that said trust executed the same.



Anna M. West
Notary Public

The following pages are for Exhibits

Exhibit A

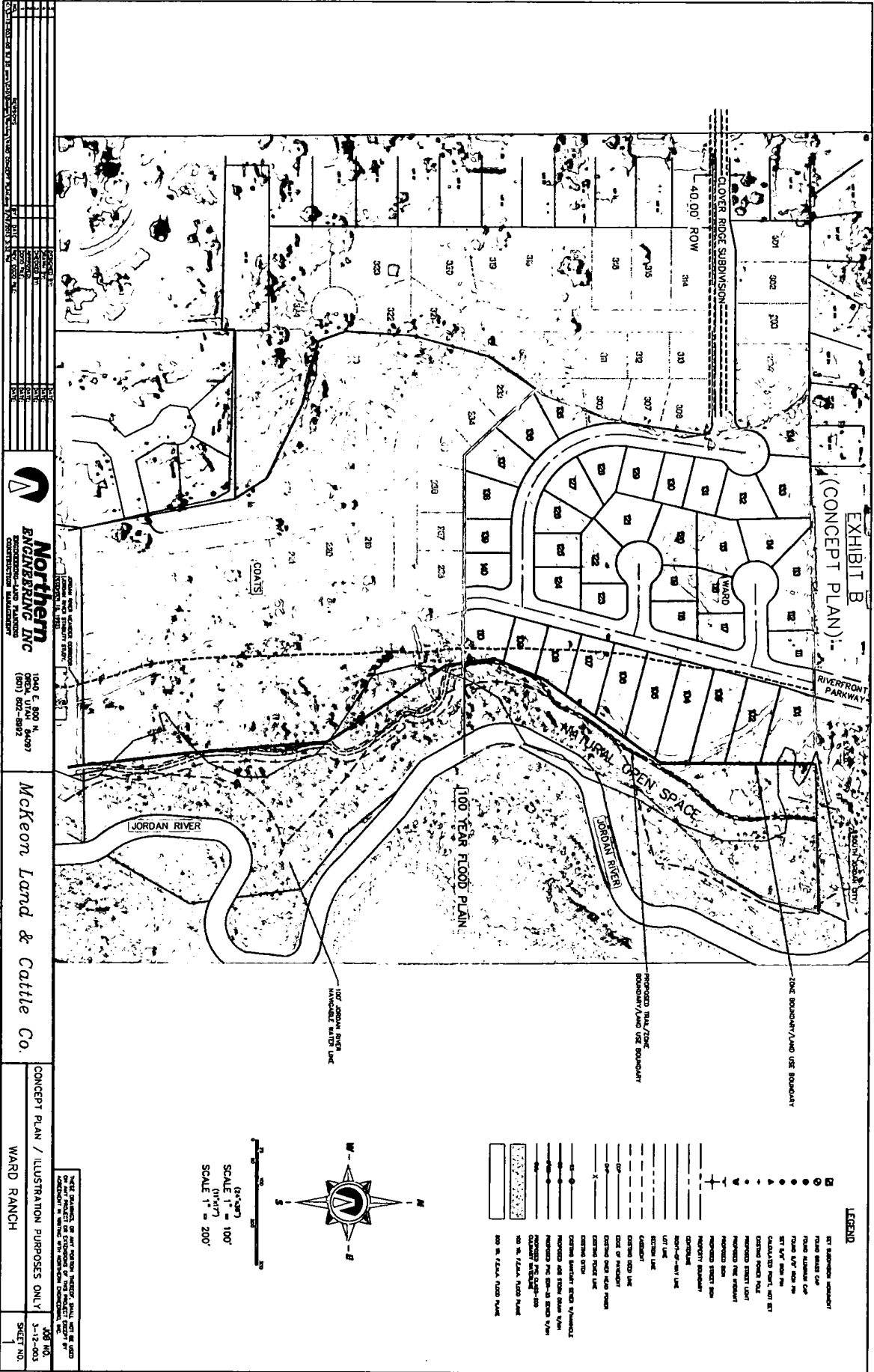
OVERALL BOUNDARY DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTH HALF OF SECTION 23, TOWNSHIP 3, SOUTH RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, SALT LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENTING THE SOUTHWEST CORNER OF SAID SECTION 23, THENCE N. 00°06'55" E. ALONG SECTION LINE A DISTANCE OF 950.12 FEET; THENCE EAST A DISTANCE OF 2305.78 FEET TO THE REAL POINT OF BEGINNING.

THENCE N. 43°01'38" W. A DISTANCE OF 233.13 FEET TO THE EAST LINE OF CLOVER RIDGE SUBDIVISION; THENCE ALONG THE EAST LINE OF CLOVER RIDGE SUBDIVISION THE FOLLOWING SIX (6) COURSES: 1) N. 34°04'40" E. A DISTANCE OF 24.27 FEET; 2) THENCE N. 20°52'51" E. A DISTANCE OF 159.92 FEET; 3) THENCE N. 13°42'31" E. A DISTANCE OF 189.14 FEET; 4) THENCE N. 08°54'09" W. A DISTANCE OF 177.83 FEET; 5) THENCE N. 29°03'51" W. A DISTANCE OF 82.82 FEET; 6) THENCE N. 40°40'59" W. A DISTANCE OF 66.60 FEET TO THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT; THENCE ALONG THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT AND AN EXTENSION THEREOF N. 88°50'00" E. A DISTANCE OF 1258.84 FEET TO THE WEST LINE OF THE JORDAN RIVER; THENCE ALONG THE WEST LINE OF JORDAN RIVER THE FOLLOWING SEVEN (7) COURSES: 1) S. 13°56'07" W. A DISTANCE OF 134.44 FEET; 2) THENCE S. 31°13'43" W. A DISTANCE OF 140.56 FEET; 3) THENCE S. 58°05'10" W. A DISTANCE OF 74.47 FEET; 4) THENCE S. 42°30'10" W. A DISTANCE OF 185.30 FEET; 5) THENCE S. 21°43'06" W. A DISTANCE OF 293.57 FEET; 6) THENCE S. 05°38'20" E. A DISTANCE OF 116.64 FEET; 7) THENCE S. 27°25'10" E. A DISTANCE OF 38.96 FEET TO THE NORTHEAST CORNER OF STERLING RIVER PLAT A; THENCE ALONG THE NORTH LINE OF STERLING RIVER PLAT A THE FOLLOWING FOUR (4) COURSES: 1) WEST A DISTANCE OF 348.19 FEET TO A POINT OF CURVATURE OF A 620.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; 2) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 4.62 FEET, HAVING A CENTRAL ANGLE OF 00°25'37" AND A CHORD THAT BEARS N. 02°25'10" W. A DISTANCE OF 4.62 FEET; 3) THENCE S. 87°38'20" W. A DISTANCE OF 60.00 FEET; 4) THENCE N. 90°00'00" W. A DISTANCE OF 322.52 FEET TO THE REAL POINT OF BEGINNING.

CONTAINING 793,369 SQ.FT. OR 18.21 AC. OF LAND MORE OR LESS. CONTAINING 40 LOTS.



PROJECT NO. 1000-0001
 SHEET NO. 1
 DATE: 10/1/03
 DRAWN BY: JLB
 CHECKED BY: JLB
 APPROVED BY: JLB
 PROJECT NAME: WARD RANCH
 PROJECT LOCATION: 1000 E. 800 N. R. 4097
 COUNTY: GARFIELD COUNTY, UTAH
 CITY: ALPINE, UTAH
 PROJECT TYPE: RESIDENTIAL SUBDIVISION
 PROJECT STATUS: PRELIMINARY


Northern
 ENGINEERING AND PLANNING
 REGISTERED PROFESSIONAL ENGINEERS
 1000 E. 800 N. R. 4097
 ALPINE, UTAH 84007
 (801) 552-8822

McKeon Land & Cattle Co.

CONCEPT PLAN / ILLUSTRATION PURPOSES ONLY
 WARD RANCH
 SHEET NO. 1

THESE DIMENSIONS OF LOT CENTER POINTS SHALL NOT BE USED
 FOR THE PURPOSES OF RECORDING THIS PLAN. THE DIMENSIONS
 SHOWN ON THIS PLAN ARE FOR ILLUSTRATION PURPOSES ONLY.

JLB JLB
 10/1/03 10/1/03
 3-12-003

Exhibit C

RESIDENTIAL R-2.5 ZONE

17.36.010: PURPOSE:

17.36.020: PERMITTED USES:

17.36.030: CONDITIONAL USES:

17.36.040: USE REGULATIONS:

17.36.050: DEVELOPMENT REVIEW:

17.36.060: LOT AREA:

17.36.070: LOT DENSITY:

17.36.080: LOT WIDTH AND FRONTAGE:

17.36.090: PRIOR CREATED LOTS:

17.36.100: LOT COVERAGE:

17.36.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

17.36.120: PROJECTIONS INTO YARDS:

17.36.130: PARKING AND ACCESS:

17.36.140: FENCING, SCREENING AND CLEAR VISION:

17.36.150: ARCHITECTURAL STANDARDS:

17.36.160: LANDSCAPING REQUIREMENTS:

17.36.170: LIGHTING:

17.36.180: PLANNED UNIT DEVELOPMENT OR CONDOMINIUM PROJECT:

17.36.190: OTHER REQUIREMENTS:

17.36.010: PURPOSE:

The residential R-2.5 zone (single-family residential, 2.5 lots per acre), may be cited as the "R-2.5 zone" and is established to provide areas for low density single-family housing without farm animal uses. This zone is intended to represent the standard for residential development in the city. (Ord. 2007-02, 1-16-2007)

17.36.020: PERMITTED USES:

The following uses may be conducted in the R-2.5 zone as limited herein:

Home occupations according to city ordinances.

Residential accessory buildings, the footprints of which do not exceed sixty percent (60%) of the footprint area of the dwelling.

Residential accessory uses.

Single-family dwelling, detached, maximum one per lot or parcel. (Ord. 2011-01, 2-1-2011)

17.36.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the R-2.5 zone:

Daycare center facility on minimum one acre lot.

Educational facilities that have direct access to a collector street.

Golf courses.

Parks and recreational activities.

Preschool center facility on minimum one acre lot.

Public facilities.

Religious activities.

Single-family dwelling planned unit development (PUD) or condominium project. (Ord. 2012-12, 10-2-2012)

17.36.040: USE REGULATIONS:

Uses may be conducted in the R-2.5 zone only in accordance with the following regulations:

- A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in the R-2.5 zone. A conditional use permit must be obtained prior to the establishment of a conditional use.
- B. Accessory uses may be conducted in the R-2.5 zone only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, caretakers, nurses, nannies, maids, garages, sheds, swimming pools, recreational equipment, gardens, greenhouses and other structures and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.
- C. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles in the R-2.5 zone.
- D. It shall be unlawful to park, store or leave, or to permit the parking, storing or leaving of any vehicle of any kind, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, whether attended or not, upon any private or public property within the R-2.5 zone for longer than seventy two (72) hours, except that up to two (2) such vehicles or parts thereof may be stored completely within an enclosed building or within an opaque fence enclosure which is completely screened from view of public streets and neighboring properties.
- E. No commercial vehicle or commercial earthmoving or material handling equipment shall be parked or stored on any lot or parcel in the R-2.5 zone except in conjunction with temporary development or construction activities on the lot. Commercial vehicles shall include semitrucks and trailers, trucks and trailers equaling or exceeding eight thousand (8,000) pounds' curb weight, delivery vehicles, dump trucks, backhoes, graders, loaders, farm implements, cement trucks, bulldozers, belly dumps and scrapers, forklifts or any similar vehicle or apparatus.
- F. Watercraft, trailers, campers, motor homes and other utility or recreational vehicles shall be stored within lawfully constructed buildings or behind the front line of the main building on the lot or parcel in an R-2.5 zone, except that said vehicles may be stored temporarily in front or street side yards for no longer than seventy two (72) hours. Recreational and utility vehicles may be stored permanently in the street side yard of a corner lot only if stored completely behind the front line of the main building and at least eight feet (8') from the street right of way line and if enclosed with a six foot (6') high solid vinyl or masonry fence. Travel trailers, campers and motor homes may not be occupied as living quarters in the R-2.5 zone except that a vehicle owned by a guest of the resident may be stored and occupied in the required front yard or side yard of the permanent dwelling for no more than seven (7) days per calendar year. (Ord. 2007-02, 1-16-2007)

17.36.050: DEVELOPMENT REVIEW:

Uses proposed in R-2.5 zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in R-2.5 zones. All uses shall be conducted according to the approved plan, map or plat and any conditions of approval. Plans, maps or plats may not be altered without prior approval of the city except as allowed under state law. (Ord. 2007-02, 1-16-2007)

17.36.060: LOT AREA:

The minimum area of any lot or condominium private ownership space (unit in which building dimensions are not recorded) in R-2.5 zones shall be fourteen thousand five hundred twenty (14,520) square feet, except where smaller lots or units are allowed in a PUD or condominium project, in which case the minimum lot or unit size shall be ten thousand (10,000) square feet. Every portion of a parcel being subdivided or recorded as a condominium project shall be included as a lot or lots in the proposed subdivision plat or as common, limited common or private ownership area in a condominium project. (Ord. 2007-02, 1-16-2007)

17.36.070: LOT DENSITY:

The maximum gross density in any residential development in R-2.5 zones shall be 2.5 lots or dwelling units per acre. (Ord. 2007-02, 1-16-2007)

17.36.080: LOT WIDTH AND FRONTAGE:

Each lot or parcel in the R-2.5 zone shall have a minimum width of ninety feet (90') measured at the minimum front yard setback at a point which corresponds to the midpoint of the front lot line. Each lot or parcel, except in condominium projects and PUDs, shall abut the right of way line of a public street a minimum distance of ninety feet (90'), except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right of way a minimum distance of fifty feet (50'). (Ord. 2007-02, 1-16-2007)

17.36.090: PRIOR CREATED LOTS:

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of an R-2.5 zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter. (Ord. 2007-02, 1-16-2007)

17.36.100: LOT COVERAGE:

A maximum of forty percent (40%) of the area of lots or private ownership areas in R-2.5 zones may be covered by buildings. (Ord. 2007-02, 1-16-2007)

17.36.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

The following yard requirements shall apply in R-2.5 zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas in condominium projects. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building, and other information as needed shall be submitted for review.

A. Minimum yard requirements for main buildings are as follows:

1. Front yard, interior and corner lots: Thirty feet (30').
2. Front yard, cul-de-sac lot adjacent to turnaround: Twenty five feet (25').
3. Side yard, interior lots: Ten feet (10').
4. Side yard, corner lots: Ten feet (10') on the side adjoining another lot; thirty feet (30') on the side adjoining the street.
5. Rear yard, interior lot: Twenty five feet (25').
6. Rear yard, corner lot: Ten feet (10').

B. Minimum yard requirements for accessory buildings are as follows:

1. Location: Accessory buildings may not be located between a street and the front building line of a main building.
2. Side Yard: An accessory building may be located in a side yard no closer than ten feet (10') from the side property line or boundary and no closer than six feet (6') from the dwelling or main building.
3. Street Side Yard, Corner Lot: An accessory building may be located between a street and the side of the dwelling or main building on a corner lot but not within the required minimum main building side yard and no closer than six feet (6') from the dwelling or main building.
4. Rear Yard: An accessory building may be located in a rear yard no closer than six feet (6') from the dwelling or main building and no closer than three feet (3') from the side or rear property line or boundary, except as required in subsection B5 of this section.
5. Minimum Setback: The minimum setback from property lines or boundaries for accessory buildings or structures exceeding sixteen feet (16') in height shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

C. All buildings shall be separated by a minimum distance of six feet (6'). (Ord. 2007-02, 1-16-2007)

17.36.120: PROJECTIONS INTO YARDS:

The following may be erected on or projected into any required yard space in R-2.5 zones:

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

17.36.130: PARKING AND ACCESS:

Parking areas and vehicle access in R-2.5 zones shall meet requirements of title 16, chapter 16.26 of this code. (Ord. 2007-02, 1-16-2007)

17.36.140: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in R-2.5 zones. A permit shall be obtained from the community development department prior to construction of any fence in the R-2.5 zone. An application form and the location, height and description of the proposed fence shall be submitted for review.

- A. Utility Screening: In nonsingle-family residential developments requiring conditional use approval in R-2.5 zones, all mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.
- B. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as determined with development approval.
- C. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
- D. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or vinyl fence may be constructed along a side lot line to the right of way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be used along side lot lines to the right of way or sidewalk but may not exceed three feet (3') in height. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the four foot (4') fence panel.
- E. Clear Vision: Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and the street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the city engineer based upon traffic speeds, flow, volumes and other traffic related variables.
- F. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right of way in R-2.5 zones shall be constructed according to standards found in section 16.04.200 of this code. (Ord. 2009-12, 3-16-2009)

17.36.150: ARCHITECTURAL STANDARDS:

The following exterior materials and architectural standards are required in R-2.5 zones:

- A. Each dwelling in R-2.5 zones shall be constructed with brick or stone in the minimum amount of two feet (2') times (x) the perimeter of the foundation (including garage). Dwellings shall be constructed with minimum five to twelve (5:12) roof pitch and a minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent).
- B. All building materials shall be high quality, durable and low maintenance.

- C. Signs shall meet requirements of title 16, chapter 16.36 of this code and shall be constructed of materials which are consistent with the buildings which they identify.
- D. The minimum total floor area, finished and unfinished, of any single-family dwelling in R-2.5 zones shall be two thousand four hundred (2,400) square feet.
- E. Main buildings in R-2.5 zones may not exceed thirty five feet (35') in height. Accessory buildings may not exceed twenty five feet (25') in height.
- F. The exteriors of buildings in the R-2.5 zone shall be properly maintained by the owners.
- G. Attached garages on single-family residential corner lots may be located on the interior side of the lot or on the street side of the lot only if the garage is accessed directly from the side street. (Ord. 2007-02, 1-16-2007)

17.36.160: LANDSCAPING REQUIREMENTS:

The following landscaping requirements shall apply in the R-2.5 zones:

- A. The front and street side yards of single-family lots shall be landscaped and properly maintained with lawn or other acceptable plant material unless otherwise approved with a conditional use permit.
- B. All areas of PUD, condominium project and nonresidential developments not approved for parking, buildings, recreation facilities, access or other hard surfacing or otherwise exempted with development approval, shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.
- C. In PUD, condominium project and nonresidential developments, a minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped area, excluding landscaped sports or play areas, is required. A minimum of thirty percent (30%) of required trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.
- D. All collector street and other public and private park strips in R-2.5 zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval.
- E. In nonresidential developments in R-2.5 zones, the following landscaping requirements shall apply:
 1. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.
 2. Minimum five foot (5') wide landscaped planters shall be provided along street sides of building foundations, except at building entrances.
 3. All landscaped areas shall be curbed.
- F. Developments which are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required open space for the development. If approved by the city engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners.

Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

- G. All required landscaping in yard areas and open spaces shall be installed (or escrowed on a case by case basis) prior to occupancy.
- H. All landscaped areas, including adjoining public right of way areas not maintained by the city, shall be properly irrigated and maintained by the owners.
- I. Required trees may not be topped nor may any required landscape material be removed in R-2.5 zones without city approval. Any dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval. (Ord. 2007-02, 1-16-2007)

17.36.170: LIGHTING:

The following lighting requirements shall apply in R-2.5 zones:

- A. A lighting plan shall be submitted with all new developments in R-2.5 zones. Where required by the city, lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.
- B. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.
- C. Lighting fixtures on public property shall be architectural grade. A single streetlight type, approved by the city council and city engineer, will be used on the same street. (Ord. 2007-02, 1-16-2007)

17.36.180: PLANNED UNIT DEVELOPMENT OR CONDOMINIUM PROJECT:

As used in this chapter, "planned unit development (PUD) or condominium project" shall mean a single-family residential development in the R-2.5 zone which meets the requirements of this section as well as other pertinent provisions of this title.

- A. A PUD or condominium project may be allowed only with a conditional use permit in the R-2.5 zone. Uses allowed in a PUD or condominium project shall be the same as those allowed in the R-2.5 zone.
- B. Each PUD or condominium project shall contain a minimum of five (5) acres.
- C. Any open space provided within a PUD or condominium project shall be labeled and recorded as common area to be jointly owned and maintained as permanent common farmland, landscaped open space and/or recreation by the owners. Private yard areas may not be counted as open space. The city may determine the location of open space in the PUD or condominium project in consideration of topography, drainage or other land features. The city may also determine the acceptability of proposed recreational amenities. The city may require a cash bond or a letter of credit to guarantee installation of the open space improvements.
- D. The following standards shall apply in PUDs and condominium projects:
 - 1. A consistent architectural theme for all buildings, landscaping, streetscape, signs, street furniture, lighting, fencing and other design components shall be provided for review and applied throughout the PUD or condominium project.

2. Each dwelling shall contain a total of at least three thousand six hundred (3,600) square feet of floor area and a minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent).
 3. All buildings shall be constructed with minimum six to twelve (6:12) roof pitches.
 4. All dwellings shall be constructed of brick or stone in the minimum amount of three feet (3') times (x) the perimeter of the foundation (including garage).
 5. Public and private street construction improvements in PUDs and condominium projects shall be constructed according to public street construction widths, cross section, and construction standards. Street widths, curbs, and pavement/subbase shall be designed and built as required in subsection 16.04.180A of this code.
 6. For private streets, setbacks shall be measured from the back of the curb.
 7. Two (2) parking spaces minimum, per unit shall be provided for all dwelling units within the PUD or condominium project. At least one space per unit shall be covered. One space per every four (4) dwelling units shall be provided for guest parking. Parking spaces shall be scattered throughout the project, so as to minimize the walking distance to the dwelling units. This requirement may be waived by the planning commission if the applicant can show that the design of the project makes this requirement unnecessary.
- E. The minimum yard, width and frontage requirements of lots and units in the R-2.5 zones may be altered in a PUD or condominium project.
- F. Before final plat approval, all PUD or condominium projects shall have approved by the staff of the city of South Jordan and recorded with the Salt Lake County recorder's office, a declaration of restrictive covenants containing, at a minimum, provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to city conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by city staff and approved by the planning commission. Said restrictive covenants shall also comply with section 17.04.300 of this title. (Ord. 2007-02, 1-16-2007)

17.36.190: OTHER REQUIREMENTS:

The following requirements shall apply in R-2.5 zones:

- A. Developers of condominium or PUD projects shall submit a proposed declaration of covenants to the city attorney for review, including an opinion of legal counsel licensed to practice law in the state that the condominium or PUD meets requirements of state law, and record the covenants with the condominium or PUD plat for the project.
- B. All improvements in PUDs and other developments, including buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the city or accepted for ownership or maintenance by the city shall be perpetually owned by the homeowners and maintained by the owners or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the city.
- C. All development shall be graded according to the city engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.

D. All private areas of lots or parcels shall be properly maintained by the owners.

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

Exhibit D

**Chapter 17.24
AGRICULTURAL A-5 ZONE**

17.24.010: PURPOSE:

17.24.020: PERMITTED USES:

17.24.030: CONDITIONAL USES:

17.24.040: USE REGULATIONS:

17.24.050: DEVELOPMENT REVIEW:

17.24.060: LOT AREA:

17.24.070: LOT WIDTH AND FRONTAGE:

17.24.080: PRIOR CREATED LOTS:

17.24.090: DWELLING DENSITY:

17.24.100: LOT COVERAGE:

17.24.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

17.24.120: PROJECTIONS INTO YARDS:

17.24.130: FARM ANIMALS¹ (REP. BY ORD. 2011-18, 3-6-2012):

17.24.140: PARKING AND ACCESS:

17.24.150: FENCING, SCREENING AND CLEAR VISION:

17.24.160: ARCHITECTURAL STANDARDS:

17.24.170: LANDSCAPING:

17.24.180: LIGHTING:

17.24.190: OTHER REQUIREMENTS:

17.24.010: PURPOSE:

The agricultural A-5 zone (minimum 5 acre lot), may be cited as the "A-5 zone" and is established to allow for the continuation of agriculture in an expanding urban community and to complement the existing rural residential environment in the city. The regulations of this chapter are intended to allow for the orderly expansion of residential and commercial developments into agricultural lands while encouraging compatibility of new growth with existing agricultural uses. (Ord. 2007-02, 1-16-2007)

17.24.020: PERMITTED USES:

The following uses may be conducted in the A-5 zone as limited herein:

Agricultural and residential accessory uses and buildings.

Agricultural buildings not exceeding five thousand (5,000) square feet.

Crop production, horticulture.

Farm animals as regulated in section 17.130.040 of this title.

Home occupations according to city ordinances.

Produce stand, maximum three hundred (300) square feet, maximum one per parcel or lot for selling only produce grown on the premises.

Single-family dwelling, detached, maximum one per lot or parcel. (Ord. 2011-18, 3-6-2012)

17.24.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the A-5 zone:

Agricultural buildings exceeding five thousand (5,000) square feet in area.

Animal husbandry, unique or exotic animal specialties or other animal uses not otherwise regulated by this chapter.

Building other than single-family dwelling as a main building on the lot.

Commercial or public corrals, arenas, stables, silos, barns, equestrian or rodeo facilities and other commercial agricultural related structures and uses.

Cultural exhibits and activities.

Daycare center facility on minimum one acre lot.

Educational facilities that have direct access to a collector street.

Golf courses and driving ranges.

Nature or zoological exhibits.

Parks and recreational activities.

Preschool center facility on minimum one acre lot.

Public facilities.

Religious activities. (Ord. 2012-12, 10-2-2012)

17.24.040: USE REGULATIONS:

Uses may be conducted in the A-5 zone only in accordance with the following regulations:

- A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in the A-5 zone. A conditional use permit must be obtained prior to the establishment of a conditional use.
- B. Accessory uses may be conducted in the A-5 zone only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, caretakers, nurses, nannies, maids, barns, garages, silos, corrals, sheds, stables, paddocks, swimming pools, recreational equipment, greenhouses, windmills, wells and water storage facilities and other structures and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.
- C. There shall be no open storage of trash, debris, used materials, commercial goods or wrecked or neglected materials, equipment or vehicles in the A-5 zone.
- D. It shall be unlawful to park, store or leave, or to permit the parking, storing or leaving of any vehicle of any kind, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, whether attended or not, upon any private or public property within the A-5 zone for longer than seventy two (72) hours, except that up to two (2) such vehicles or parts thereof may be stored completely within an enclosed building or within an opaque fence enclosure which is completely screened from view of public streets and neighboring properties.

- E. No commercial vehicle or commercial earthmoving or material handling equipment shall be parked or stored in the A-5 zone, except in conjunction with temporary development or construction activities or in conjunction with an approved use which requires such vehicles. Commercial vehicles shall include semi-trucks and trailers, trucks and trailers equaling or exceeding eight thousand (8,000) pounds' curb weight, delivery vehicles, dump trucks, backhoes, graders, loaders, farm implements, cement trucks, bulldozers, belly dumps and scrapers, forklifts, or any similar vehicle or apparatus.
- F. Watercraft, trailers, campers, motor homes and other utility or recreational vehicles shall be stored within lawfully constructed buildings or behind the front line of the main building on the lot or parcel in an A-5 zone, except that said vehicles may be stored temporarily in front or street side yards for no longer than seventy two (72) hours. Recreational and utility vehicles may be stored permanently in the street side yard of a corner lot only if stored completely behind the front line of the main building and at least eight feet (8') from the street right of way line and if enclosed with a six foot (6') high solid vinyl or masonry fence. Travel trailers, campers and motor homes may not be occupied as living quarters in the A-5 zone, except that a vehicle owned by a guest of the resident may be stored and occupied in the required front yard or side yard of the permanent dwelling for no more than seven (7) days per calendar year. (Ord. 2007-02, 1-16-2007)

17.24.050: DEVELOPMENT REVIEW:

Uses proposed in A-5 zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in A-5 zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as allowed under state law. (Ord. 2007-02, 1-16-2007)

17.24.060: LOT AREA:

The minimum area of any lot or parcel in the A-5 zone shall be five (5) acres. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat. (Ord. 2007-02, 1-16-2007)

17.24.070: LOT WIDTH AND FRONTAGE:

Each lot in the A-5 zone shall have a minimum width of one hundred feet (100'), measured at the minimum front yard setback at a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance of one hundred feet (100'), except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right of way a minimum distance of sixty feet (60'). (Ord. 2007-02, 1-16-2007)

17.24.080: PRIOR CREATED LOTS:

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of an A-5 zone shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this chapter. (Ord. 2007-02, 1-16-2007)

17.24.090: DWELLING DENSITY:

Only one single-family dwelling may be placed upon a lot or parcel of land in the A-5 zone. (Ord. 2007-02, 1-16-2007)

17.24.100: LOT COVERAGE:

A maximum of twenty percent (20%) of the area of lots or parcels in the A-5 zone may be covered by buildings. (Ord. 2007-02, 1-16-2007)

17.24.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

The following yard requirements shall apply in A-5 zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements, setbacks of the proposed accessory building and other information as needed shall be submitted for review:

A. Minimum yard requirements for main buildings are as follows:

1. Front yard, interior and corner lots: Thirty feet (30').
2. Front yard, cul-de-sac lot adjacent to turnaround: Twenty five feet (25').
3. Side yard, interior lots: Ten feet (10').
4. Side yard, corner lots: Ten feet (10') on the side adjoining another lot, thirty feet (30') on the side adjoining the street.
5. Rear yard, interior lot: Twenty five feet (25').
6. Rear yard, corner lot: Ten feet (10').

B. Minimum yard requirements for accessory buildings are as follows:

1. Accessory Buildings: Accessory buildings may not be located between a street and the front building line of a main building.
2. Side Yard Accessory Building: An accessory building may be located in a side yard no closer than ten feet (10') from the side property line or boundary and no closer than six feet (6') from the dwelling or main building.
3. Street Side Yard Accessory Building, Corner Lot: An accessory building may be located between a street and the side of the dwelling or main building on a corner lot but not within the required minimum main building side yard and no closer than six feet (6') from the dwelling or main building.
4. Rear Yard Accessory Building: An accessory building may be located in a rear yard no closer than six feet (6') from the dwelling or main building and no closer than three feet (3') from the side or rear property line or boundary, except as required in subsection B5 of this section.
5. Height Considerations: The minimum setback from property lines or boundaries for accessory buildings or structures exceeding sixteen feet (16') in height shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

C. All buildings shall be separated by a minimum distance of six feet (6').

D. Buildings used for the housing or shelter of animals shall be located a minimum distance of forty feet (40') from any existing dwelling or neighborhood street right of way line and, if approved with a

conditional use permit, a minimum of twenty feet (20') from any collector street right of way line.
(Ord. 2007-02, 1-16-2007)

17.24.120: PROJECTIONS INTO YARDS:

The following may be erected on or projected into any required yard space in A-5 zones:

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

17.24.130: FARM ANIMALS²:

(Rep. by Ord. 2011-18, 3-6-2012)

17.24.140: PARKING AND ACCESS:

Parking areas and vehicle access in A-5 zones shall meet the requirements of title 16, chapter 16.26 of this code. (Ord. 2007-02, 1-16-2007)

17.24.150: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in A-5 zones. A permit shall be obtained from the community development department prior to construction of any fence in the A-5 zone. An application form and the location, height and description of the proposed fence shall be submitted for review.

- A. Utility Screening: In nonsingle-family residential developments requiring conditional use approval in A-5 zones, all mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.
- B. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as determined with development approval.
- C. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
- D. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or vinyl fence may be constructed along a side lot line to the right of way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid

vinyl fence or hedge may also be used alongside lot lines to the right of way or sidewalk, but may not exceed three feet (3') in height. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the four foot (4') fence panel.

- E. Clear Vision: Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and the street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the city engineer based upon traffic speeds, flow, volumes and other traffic related variables.
- F. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right of way in A-5 zones shall be constructed according to standards found in section 16.04.200 of this code. (Ord. 2009-12, 3-16-2009)

17.24.160: ARCHITECTURAL STANDARDS:

The following exterior materials and architectural standards are required in A-5 zones:

- A. Each dwelling in A-5 zones shall be constructed with brick or stone in the minimum amount of two feet (2') times (x) the perimeter of the foundation (including garage). Dwellings shall be constructed with minimum five to twelve (5:12) roof pitch and a minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent).
- B. All building materials shall be high quality, durable and low maintenance.
- C. Buildings in A-5 zones may not exceed thirty five feet (35') in height, except for structures not intended for human occupancy.
- D. Signs shall meet requirements of title 16, chapter 16.36 of this code and shall be constructed of materials which are consistent with the buildings which they identify.
- E. The minimum floor area, finished and unfinished, of any single-family dwelling in A-5 zones shall be two thousand four hundred (2,400) square feet.
- F. The exteriors of buildings in the A-5 zone shall be properly maintained by the owners.
- G. Attached garages on single-family residential corner lots may be located on the interior side of the lot or on the street side of the lot only if the garage is accessed directly from the side street. (Ord. 2007-02, 1-16-2007)

17.24.170: LANDSCAPING:

The following landscaping requirements shall apply in A-5 zones:

- A. The front and side yards of lots shall be landscaped and properly maintained with lawn and other acceptable plant material unless otherwise approved with a conditional use permit.
- B. All areas of nonresidential developments not approved for parking, buildings, recreation facilities, access or other hard surfacing or otherwise exempted with development approval, shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

- C. In nonresidential developments, a minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped area, excluding landscaped sports or play areas, is required. A minimum of thirty percent (30%) of required trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced except as required in parking areas and in park strips, but shall be distributed throughout the required yard areas on the site.
- D. All collector street and other public and private park strips in A-5 zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval.
- E. In nonresidential developments in A-5 zones, the following landscaping requirements shall apply:
 - 1. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.
 - 2. Minimum five foot (5') landscaped planters shall be provided along street sides of building foundations except at building entrances.
 - 3. All landscaped areas shall be curbed.
- F. Developments which are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. If approved by the city engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.
- G. All required landscaping in yard areas and open spaces shall be installed (or escrowed on a case by case basis) prior to occupancy.
- H. All landscaped areas, including adjoining public right of way areas not maintained by the city, shall be properly irrigated and maintained by the owners.
- I. Required trees may not be topped nor may any required landscape material be removed in A-5 zones without city approval. Any dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval. (Ord. 2007-02, 1-16-2007)

17.24.180: LIGHTING:

The following lighting requirements shall apply in A-5 zones:

- A. A lighting plan shall be submitted with all new developments in A-5 zones. Where required by the city, lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.
- B. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.
- C. Lighting fixtures on public property shall be architectural grade. A single streetlight type, approved by the city engineer, will be used on the same street. (Ord. 2007-02, 1-16-2007)

17.24.190: OTHER REQUIREMENTS:

The following requirements shall apply in A-5 zones:

- A. All developments shall be graded according to the city engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.
- B. All areas of lots shall be properly maintained by the owners.
- C. A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city. (Ord. 2007-02, 1-16-2007)

Footnotes - Click any footnote link to go back to its reference.

Footnote 1: See section 17.130.040 of this title.

Footnote 2: See section 17.130.040 of this title.

Exhibit E
(Current zoning map)

**Subject
Property**

R-1.8

R-2.5

A-3

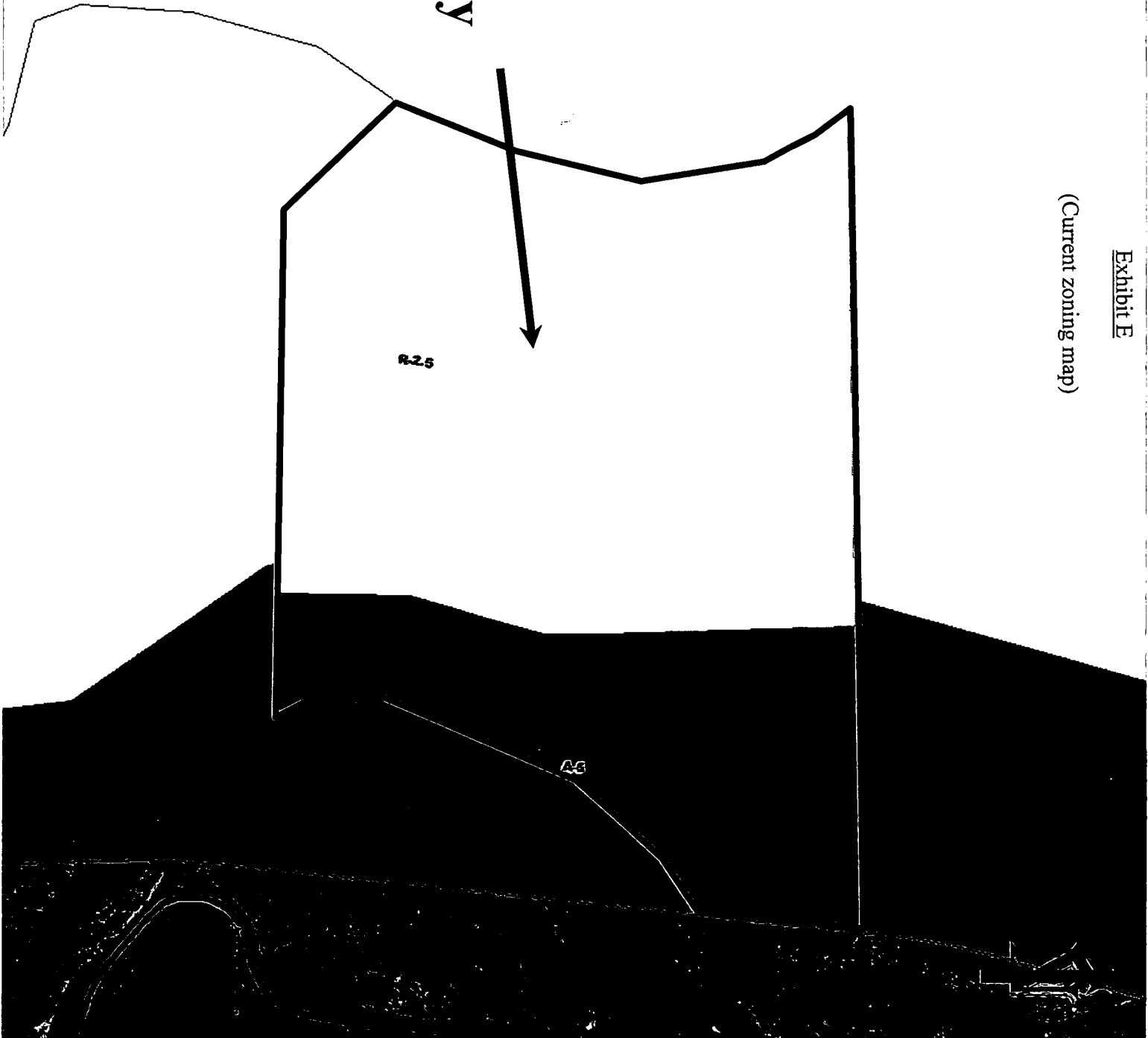


Exhibit G

PROPOSED R-2.5 ZONED BOUNDARY

A PARCEL OF LAND LYING IN THE SOUTH HALF OF SECTION 23, TOWNSHIP 3, SOUTH RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, SALT LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENTING THE SOUTHWEST CORNER OF SAID SECTION 23, THENCE N. 00°06'55" E. ALONG SECTION LINE A DISTANCE OF 950.12 FEET; THENCE EAST A DISTANCE OF 2305.78 FEET TO THE REAL POINT OF BEGINNING.

THENCE N. 43°01'38" W. A DISTANCE OF 233.13 FEET TO THE EAST LINE OF CLOVER RIDGE SUBDIVISION; THENCE ALONG THE EAST LINE OF CLOVER RIDGE SUBDIVISION THE FOLLOWING SIX (6) COURSES: 1) N. 34°04'40" E. A DISTANCE OF 24.27 FEET; 2) THENCE N. 20°52'51" E. A DISTANCE OF 159.92 FEET; 3) THENCE N. 13°42'31" E. A DISTANCE OF 189.14 FEET; 4) THENCE N. 08°54'09" W. A DISTANCE OF 177.83 FEET; 5) THENCE N. 29°03'51" W. A DISTANCE OF 82.82 FEET; 6) THENCE N. 40°40'59" W. A DISTANCE OF 66.60 FEET TO THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT; THENCE ALONG THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT N. 88°50'00" E. A DISTANCE OF 900.90 FEET; THENCE S. 00°01'12" E. A DISTANCE OF 367.58 FEET; THENCE S. 35°37'24" W. A DISTANCE OF 353.00 FEET; THENCE S. 22°25'18" W. A DISTANCE OF 121.80 FEET; THENCE S. 08°06'00" E. A DISTANCE OF 76.43 FEET TO THE NORTH LINE OF STERLING RIVER PLAT A; THENCE ALONG THE NORTH LINE OF STERLING RIVER PLAT A THE FOLLOWING FOUR (4) COURSES: 1) WEST A DISTANCE OF 122.06 FEET TO A POINT OF CURVATURE OF A 620.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; 2) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 4.62 FEET, HAVING A CENTRAL ANGLE OF 00°25'37" AND A CHORD THAT BEARS N. 02°25'10" W. A DISTANCE OF 4.62 FEET; 3) THENCE S. 87°38'20" W. A DISTANCE OF 60.00 FEET; 4) THENCE WEST A DISTANCE OF 322.52 FEET TO THE REAL POINT OF BEGINNING.

CONTAINING 618,111 SQ.FT. OR 14.19 AC. OF LAND MORE OR LESS.

Exhibit H

PROPOSED A-5 ZONED BOUNDARY

A PARCEL OF LAND LYING IN THE SOUTH HALF OF SECTION 23, TOWNSHIP 3, SOUTH RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, SALT LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENTING THE SOUTHWEST CORNER OF SAID SECTION 23, THENCE N. 00°06'55" E. ALONG SECTION LINE A DISTANCE OF 947.98 FEET; THENCE EAST A DISTANCE OF 2810.52 FEET TO THE REAL POINT OF BEGINNING.

THENCE N. 08°06'00" W. A DISTANCE OF 76.43 FEET; THENCE N. 22°25'18" E. A DISTANCE OF 121.80 FEET; THENCE N. 35°37'24" E. A DISTANCE OF 353.00 FEET; THENCE N. 00°01'12" W. A DISTANCE OF 367.58 FEET TO THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT; THENCE ALONG THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT AND AN EXTENSION THEREOF N. 88°50'00" E. A DISTANCE OF 357.94 FEET TO THE WEST LINE OF THE JORDAN RIVER; THENCE ALONG THE WEST LINE OF JORDAN RIVER THE FOLLOWING SEVEN (7) COURSES: 1) S. 13°56'07" W. A DISTANCE OF 134.44 FEET; 2) THENCE S. 31°13'43" W. A DISTANCE OF 140.56 FEET; 3) THENCE S. 58°05'10" W. A DISTANCE OF 74.47 FEET; 4) THENCE S. 42°30'10" W. A DISTANCE OF 185.30 FEET; 5) THENCE S. 21°43'06" W. A DISTANCE OF 293.57 FEET; 6) THENCE S. 05°38'20" E A DISTANCE OF 116.64 FEET; 7) THENCE S. 27°25'10" E. A DISTANCE OF 38.96 FEET TO THE NORTHEAST CORNER OF STERLING RIVER PLAT A THENCE ALONG THE NORTH LINE OF STERLING RIVER PLAT A N. 90°00'00" W. A DISTANCE OF 226.13 FEET TO THE REAL POINT OF BEGINNING.

CONTAINING 175,260 SQ.FT. OR 4.02 AC. OF LAND MORE OR LESS.

Exhibit I

RESOLUTION R-2013.28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE CITY OF SOUTH JORDAN TO ENTER INTO A DEVELOPMENT AGREEMENT PERTAINING TO PROPERTY GENERALLY LOCATED AT 11500 SOUTH 950 WEST.

WHEREAS, The City of South Jordan is a municipal corporation and a political subdivision of the State of Utah authorized to enter into development agreements that it considers necessary or appropriate for the use and development of land within the City under Utah Code Ann. § 10-9a-102 et seq.; and

WHEREAS, The City of South Jordan has entered into development agreements for time to time as the City has deemed necessary for the orderly development of the City; and

WHEREAS, The property owner now desires to enter into an agreement, for the purpose of adjusting the land use and zone boundary between multiple land use and zoning designations currently entitled to the property; and

WHEREAS, The South Jordan City Council finds it in the best interest of the public health, safety, and welfare to enter into a development agreement with the Property Owner for the orderly development of the property located at 11500 South 950 West.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH:

Section 1. Amendment and Adoption. The South Jordan City Council hereby adopts the proposed Development Agreement as indicated in Exhibit "A" attached.

Section 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This resolution will be effective immediately upon passage.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, STATE OF UTAH,
ON THIS 15th DAY OF June, 2013, BY THE FOLLOWING VOTE:

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



Approved as to content: *John W. Chapman*
City Manager

Legal Review: *Robert M. [Signature]*
City Attorney, Assistant City Attorney

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

ATTEST: *Anna M. West*
City Recorder

RESOLUTION R-2013.27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE FUTURE LAND USE PLAN MAP OF THE GENERAL PLAN OF SOUTH JORDAN CITY.

WHEREAS, the Future Land Use Plan Map of the General Plan has previously been adopted by the City Council of South Jordan City; and

WHEREAS, an amendment to the Future Land Use Plan Map has been proposed and as described in Exhibit A; and

WHEREAS, in accordance with law, public hearings have been held by the Planning Commission and City Council in South Jordan City to present the proposed amendment to the Future Land Use Plan Map of the General Plan and to receive comments from the public, which comments were considered by the Planning Commission and City Council; and

WHEREAS, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed land use amendment will or may have on existing adjacent development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed land use amendment is in harmony with density, permitted uses, and other components of existing adjacent development project entitlements; and

WHEREAS, it has been determined that to promote the orderly growth of South Jordan City, to preserve property values, and to promote the public health, safety and general welfare of the residents of South Jordan City, the Future Land Use Plan Map of the General Plan should be amended to designate as Natural Open Space and Rural Residential property, generally located at 11500 South 950 West.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH:

Section 1. Amendment and Adoption. The South Jordan City Council hereby adopts the proposed amendment to the Future Land Use Plan Map of the General Plan to adjust the boundary from Natural Open Space and Rural Residential to Natural Open Space and Rural Residential as described in Exhibit A, attached:

Section 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This Resolution will be effective immediately upon passage.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, STATE OF UTAH,
 ON THIS 18th DAY OF June, 2013, BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler	X	—	—	—
Chuck Newton	X	—	—	—
Brian C. Butters	X	—	—	—
Steve Barnes	X	—	—	—
Larry Short	X	—	—	—



Approved as to content: *John A. Weidmann*
 City Manager

Legal Review: *Ryan M. [Signature]*
 City Attorney, Assistant City Attorney

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

ATTEST: *Anna M. West*
 City Recorder

Exhibit A

PROPOSED R-2.5 ZONED BOUNDARY

A PARCEL OF LAND LYING IN THE SOUTH HALF OF SECTION 23, TOWNSHIP 3, SOUTH RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, SALT LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENTING THE SOUTHWEST CORNER OF SAID SECTION 23, THENCE N. 00°06'55" E. ALONG SECTION LINE A DISTANCE OF 950.12 FEET; THENCE EAST A DISTANCE OF 2305.78 FEET TO THE REAL POINT OF BEGINNING.

THENCE N. 43°01'38" W. A DISTANCE OF 233.13 FEET TO THE EAST LINE OF CLOVER RIDGE SUBDIVISION; THENCE ALONG THE EAST LINE OF CLOVER RIDGE SUBDIVISION THE FOLLOWING SIX (6) COURSES: 1) N. 34°04'40" E. A DISTANCE OF 24.27 FEET; 2) THENCE N. 20°52'51" E. A DISTANCE OF 159.92 FEET; 3) THENCE N. 13°42'31" E. A DISTANCE OF 189.14 FEET; 4) THENCE N. 08°54'09" W. A DISTANCE OF 177.83 FEET; 5) THENCE N. 29°03'51" W. A DISTANCE OF 82.82 FEET; 6) THENCE N. 40°40'59" W. A DISTANCE OF 66.60 FEET TO THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT; THENCE ALONG THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT N. 88°50'00" E. A DISTANCE OF 900.90 FEET; THENCE S. 00°01'12" E. A DISTANCE OF 367.58 FEET; THENCE S. 35°37'24" W. A DISTANCE OF 353.00 FEET; THENCE S. 22°25'18" W. A DISTANCE OF 121.80 FEET; THENCE S. 08°06'00" E. A DISTANCE OF 76.43 FEET TO THE NORTH LINE OF STERLING RIVER PLAT A; THENCE ALONG THE NORTH LINE OF STERLING RIVER PLAT A THE FOLLOWING FOUR (4) COURSES: 1) WEST A DISTANCE OF 122.06 FEET TO A POINT OF CURVATURE OF A 620.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; 2) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 4.62 FEET, HAVING A CENTRAL ANGLE OF 00°25'37" AND A CHORD THAT BEARS N. 02°25'10" W. A DISTANCE OF 4.62 FEET; 3) THENCE S. 87°38'20" W. A DISTANCE OF 60.00 FEET; 4) THENCE WEST A DISTANCE OF 322.52 FEET TO THE REAL POINT OF BEGINNING.

CONTAINING 618,111 SQ.FT. OR 14.19 AC. OF LAND MORE OR LESS.

Continued

PROPOSED A-5 ZONED BOUNDARY

A PARCEL OF LAND LYING IN THE SOUTH HALF OF SECTION 23, TOWNSHIP 3, SOUTH RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, SALT LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENTING THE SOUTHWEST CORNER OF SAID SECTION 23, THENCE N. 00°06'55" E. ALONG SECTION LINE A DISTANCE OF 947.98 FEET; THENCE EAST A DISTANCE OF 2810.52 FEET TO THE REAL POINT OF BEGINNING.

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CONTAINING 175,260 SQ.FT. OR 4.02 AC. OF LAND MORE OR LESS.

ORDINANCE NO. 2013-08-Z

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF SOUTH JORDAN, AS AMENDED; CHANGING THE ZONING MAP TO ADJUST THE BOUNDARY BETWEEN THE A-5 AND R-2.5 ZONES ON PROPERTY GENERALLY LOCATED AT 11500 SOUTH 950 WEST, DAN MCKEON WITH MCKEON LAND & CATTLE LLC, (APPLICANT).

WHEREAS, the City Council has adopted a Zoning Map for the City: and

WHEREAS, the South Jordan Planning Commission has reviewed and made recommendations concerning this rezoning; and

WHEREAS, the City Council has held a public hearing concerning the proposed Zoning Map amendment; and

WHEREAS, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed rezoning will or may have on existing adjacent development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed rezoning is in harmony with density, permitted uses, and other components of existing adjacent development project entitlements; and

WHEREAS, the City Council has found and determined that the proposed amendment to the Zoning Map will help to implement the General Plan of the City; and

WHEREAS, the City Council has determined that said amendment will stabilize or improve property values and enhance the public health, safety and welfare.

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

Section 1. **Amendment and Adoption.** That Ordinance No. 7-1-1 entitled, Zoning Ordinance of South Jordan, Utah, as the ordinances of the City of South Jordan, is amended as follows:

The property described in Application REZ-2013-07 filed by McKeon Land & Cattle LLC, located in the City of South Jordan, is hereby reclassified and adjusted from A-5 & R-2.5 to A-5 & R-2.5 on said property being described as EXHIBIT A.

Section 2. **Severability.** The Official Zoning Map showing such changes shall be filed with the South Jordan City Recorder.

Section 3. **Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, ON THIS 18th DAY OF June, 2013 BY THE FOLLOWING VOTE:

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



Approved as to content: *John A. Deibmann*
 City Manager

Legal Review: *Robert M. Jones*
 City Attorney, Assistant City Attorney

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

ATTEST: *Anna M. Weiss*
 City Recorder

Exhibit A

PROPOSED R-2.5 ZONED BOUNDARY

A PARCEL OF LAND LYING IN THE SOUTH HALF OF SECTION 23, TOWNSHIP 3, SOUTH RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, SALT LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENTING THE SOUTHWEST CORNER OF SAID SECTION 23, THENCE N. 00°06'55" E. ALONG SECTION LINE A DISTANCE OF 950.12 FEET; THENCE EAST A DISTANCE OF 2305.78 FEET TO THE REAL POINT OF BEGINNING.

THENCE N. 43°01'38" W. A DISTANCE OF 233.13 FEET TO THE EAST LINE OF CLOVER RIDGE SUBDIVISION; THENCE ALONG THE EAST LINE OF CLOVER RIDGE SUBDIVISION THE FOLLOWING SIX (6) COURSES: 1) N. 34°04'40" E. A DISTANCE OF 24.27 FEET; 2) THENCE N. 20°52'51" E. A DISTANCE OF 159.92 FEET; 3) THENCE N. 13°42'31" E. A DISTANCE OF 189.14 FEET; 4) THENCE N. 08°54'09" W. A DISTANCE OF 177.83 FEET; 5) THENCE N. 29°03'51" W. A DISTANCE OF 82.82 FEET; 6) THENCE N. 40°40'59" W. A DISTANCE OF 66.60 FEET TO THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT; THENCE ALONG THE SOUTH LINE OF THE RIDGE AT SOUTH JORDAN PHASE II PLAT N. 88°50'00" E. A DISTANCE OF 900.90 FEET; THENCE S. 00°01'12" E. A DISTANCE OF 367.58 FEET; THENCE S. 35°37'24" W. A DISTANCE OF 353.00 FEET; THENCE S. 22°25'18" W. A DISTANCE OF 121.80 FEET; THENCE S. 08°06'00" E. A DISTANCE OF 76.43 FEET TO THE NORTH LINE OF STERLING RIVER PLAT A; THENCE ALONG THE NORTH LINE OF STERLING RIVER PLAT A THE FOLLOWING FOUR (4) COURSES: 1) WEST A DISTANCE OF 122.06 FEET TO A POINT OF CURVATURE OF A 620.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; 2) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 4.62 FEET, HAVING A CENTRAL ANGLE OF 00°25'37" AND A CHORD THAT BEARS N. 02°25'10" W. A DISTANCE OF 4.62 FEET; 3) THENCE S. 87°38'20" W. A DISTANCE OF 60.00 FEET; 4) THENCE WEST A DISTANCE OF 322.52 FEET TO THE REAL POINT OF BEGINNING.

CONTAINING 618,111 SQ.FT. OR 14.19 AC. OF LAND MORE OR LESS.

Continued

PROPOSED A-5 ZONED BOUNDARY

A PARCEL OF LAND LYING IN THE SOUTH HALF OF SECTION 23, TOWNSHIP 3, SOUTH RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, SALT LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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