

**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
September 26, 2023**

Present: Commissioner Michele Hollist, Commissioner Nathan Gedge, Commissioner Trevor Darby, Commissioner Steven Catmull, Commissioner Laurel Bevans, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, Deputy City Engineer Jeremy Nielson, GIS Coordinator Matt Jarman, IS Tech Phill Brown, Meeting Transcriptionist Diana Baun, Planner Andrew McDonald

Others: Kenneth Duquett

Absent:

**6:32 P.M.  
REGULAR MEETING**

**A. WELCOME AND ROLL CALL – *Chair Michele Hollist***

Commissioner Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting.

**B. MOTION TO APPROVE AGENDA**

**Commissioner Gedge motioned to approve tonight’s agenda as published. Chair Hollist seconded the motion; vote was unanimous in favor.**

**C. APPROVAL OF THE MINUTES**

**C.1. September 12, 2023 Planning Commission Meeting Minutes**

**Commissioner Gedge motioned to approve the September 12, 2023 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion; vote was unanimous in favor.**

**D. STAFF BUSINESS - *None***

**E. COMMENTS FROM PLANNING COMMISSION MEMBERS - *None***

Commission and staff discussed potential for safety concerns and protection with large crowds and contentious issues during meetings.

Chair Michele Hollist will be absent from the October 24 meeting, along with potentially Commissioner Trevor Darby.

Commissioner Laurel Bevans gave a brief summary of the September 19 City Council meeting.

**F. SUMMARY ACTION - *None***

**G. ACTION - *None***

**H. ADMINISTRATIVE PUBLIC HEARINGS – *None***

**I. LEGISLATIVE PUBLIC HEARINGS**

**I.1. RUSHTON BIKE PARK REZONE, REZONE FROM AGRICULTURAL (A-1) TO PARK OPEN SPACE (OS-P) SUBDISTRICT**

Address: 11050 S. Bangerter Hwy.

File No.: PLZBA202300163

Applicant: South Jordan City

**Chair Hollist motioned for a short recess while staff worked through IT issues.**

**Commissioner Gedge seconded the motion; vote was unanimous in favor.**

**Chair Hollist motioned to reconvene the meeting once the issues were fixed. Commissioner Bevans seconded the motion; vote was unanimous in favor.**

Planner Andrew McDonald reviewed background information from the Staff Report.

Commissioner Nathan Gedge asked about the need and reason for a Conditional Use Permit in this open space area for recreational use, and whether this could be improved in the future by removing the need for the permit.

Planner McDonald responded that the zone is relatively new.

Chair Michele Hollist asked why this application doesn't fall under the recent ordinance change waiving certain requirements when the city is applying to itself for projects.

Planner McDonald responded that this doesn't apply because it is a rezone.

Chair Hollist asked about potential restrictions on reserving that pavilion or facility.

Deputy City Engineer Jeremy Nielson responded that this is a smaller "pocket park," which was previously an HOA park that was turned over to the city; he doesn't believe the space is available for reservations. It's always possible that a group could be interested in reserving the park for an event or competition, but it was intentionally engineered not to draw things like big

competitions and avoid cars on the road. It is being engineered to be more of an amenity for the local neighborhood, users on the Welby Canal Trail, etc.

Commissioner Trevor Darby asked about any legal liability for the city in terms of injuries at these kinds of parks.

Assistant City Attorney Greg Simonsen noted that, aside from the fact that there would be hoops to jump through because the city is a governmental entity, the city can be liable for negligence like any other property owner.

Chair Hollist opened the public hearing for comments.

**Kenneth Duquett (Resident)** – I live two houses down from Highpoint park, and on a side note Highpoint Park Pavilion is not reservable. It is used by the individuals in the cul-de-sac quite a bit, but I have tried to reserve it for a birthday party and you can't. It seems like I went to the wrong meeting, I should have gone to the one before, but I was curious about what the parking would be. Finding out that it's not supposed to bring a lot of car traffic sounds great, as my kids play in that cul-de-sac. Is there a way to see what the second phase is planning on right now?

Chair Hollist closed the public hearing.

Engineer Nielson noted that, regarding a Phase 2, there is only funding for the currently presented Phase 1. Potentially in the future there is an opportunity to add a jump line, and it's shown on the images in the Staff Report for the potential Phase 2. The city is trying to be very sensitive to this community, and at this point in time there is no plan to add that jump line or money set aside for that.

Commissioner Laurel Bevans asked about the anticipated time for completion and details on the construction.

Engineer Nielson responded it shouldn't take more than a few months, with a completion possibly in June.

Commissioner Catmull asked who the target area of the zone is in terms of location, and how they will address pedestrian safety in the area as roads and traffic change in the future.

Engineer Nielson responded that is the reason for this being close to the Welby Canal Trail, encouraging the use of that fairly new trail and taking advantage of the connectivity it offers. The goal is to create connections between the local parks and amenities for those traveling through the trails and to these destinations.

**Commissioner Gedge motioned to forward a positive recommendation to the City Council on File No. PLZBA202300163, Rezone from Agricultural (A-1) to Park Open Space (OS-P) Subdistrict, based on the Staff Report and discussion this evening. Chair Hollist seconded the motion.**

**Roll Call Vote**

**Yes – Commissioner Gedge**  
**Yes – Chair Hollist**  
**Yes – Commissioner Catmull**  
**Yes – Commissioner Darby**  
**Yes – Commissioner Bevans**

**Motion passes 5-0, unanimous in favor.**

**Commissioner Gedge motioned to disconnect the Zoom portion of the meeting before moving to the training. Chair Hollist seconded the motion; vote was unanimous in favor.**

## **J. OTHER BUSINESS**

### **J.1. Planning Commission Training**

City Planner Greg Schindler reviewed his prepared presentation (Attachment A) and Assistant City Attorney Greg Simonsen reviewed training items for the commission.

## **ADJOURNMENT**

**Chair Hollist motioned to adjourn the September 26, 2023 Planning Commission Meeting. Commissioner Darby seconded the motion; vote was unanimous in favor.**

The September 26, 2023 Planning Commission Meeting adjourned at 8:27 p.m.

**This is a true and correct copy of the September 26, 2023 Planning Commission minutes, which were approved on October 10, 2023.**

# Public Notice

Utah State & South Jordan City Requirements

## South Jordan Municipal Code Section

17.04.060

The following regulations shall apply in providing public notices:

**General Requirements:** The City Council, the Planning Commission, or an Appeal and Variance Hearing Officer shall schedule and hold any statutorily required public hearing or public meeting according to the provisions of this title and State law. The City shall provide notice of the date, place, and time of public hearings or public meetings at least ten (10) days before the date of the public hearing or public meeting, by: 1) posting notice of the hearing or meeting on the City's website and to the Utah Public Notice website; and 2) by giving mailed written notice of the hearing to each affected entity.

The City shall also provide a copy of each staff report pertaining to a land use applicant to that applicant at least three (3) business days prior to the public hearing or public meeting.

If notice given under authority of this subsection is not challenged in accordance with applicable appeal procedures within thirty (30) days from the date of the public hearing or public meeting for which the notice was given, the notice is considered adequate and proper. The notice required by this subsection may be referred to in this title as "required notice".

**Requirements For Notification:** Except in the case of zoning and/or development ordinance text amendments, the City shall notice all property owners of record of the subject property and properties within three hundred feet (300') of the boundary of the subject property as evidenced by the current records of the Salt Lake County Recorder's Office.

**Posting On Site:** Applicants applying for future land use map amendments and rezoning of property shall, in addition to the above requirements, post notification of the proposed land use change and/or rezoning on the site as directed by the City of South Jordan.

# Notices Required

## Notice for public hearings and public meetings

Notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of a general plan.

Notice to be placed on Utah Public Notice website and City website for 10 days, and mailed to all affected entities within 10 days of the public hearings.

Notice of the date, time, and place of any public meetings regarding the adoption or modification of all or any portion of a general plan is to be placed on the Utah Public Notice website and City website within 24 hours of the meetings.

# General Plan

Adoption

or

Modifications

## Notice for public hearings

Notice of the date, time, and place of all public hearings to consider the rezoning of property, the amendment of property land use designation or the adoption or modification of any land use regulation. (Titles 16 and 17 of the South Jordan Municipal Code)

Notice to be placed on Utah Public Notice website and City website for 10 days, and mailed to all affected entities within 10 days of the public hearings.

Notice regarding rezoning and land use amendments are also to be mailed to all property owners within 300 feet of the subject property and posted on the subject property within 10 days of the public hearings.

Rezone

Land Use  
Amendment

Text  
Amendment

# Subdivision and Subdivision Amendment

## Notice for public hearings

### Subdivision

Notice of the date, time, and place of all public hearings to consider the subdivision of property, is to be placed on the Utah Public Notice website and City website for 10 days prior to the public hearing.

Notice regarding the subdivision of land is also to be mailed to all property owners within 300 feet of the subject property and to all affected entities within 10 days of the public hearing.

### Subdivision Amendment

Notice of the date, time, and place of all public hearings to consider a subdivision amendment is to be placed on the Utah Public Notice website and City website for 10 days prior to the public hearing.

Notice is also to be mailed to all record owners of property within the subdivision to be amended.

## Notice for public hearings

For any petition to vacate some or all of a public street or municipal utility easement the legislative body shall hold a public hearing and give notice of the date, time, and place of the hearing and place the notice on Utah Public Notice website and City website for 10 days, and mailed to all affected entities within 10 days of the public hearings.

Notice is also to be mailed to the record owner of each parcel that is accessed by the public street or municipal utility easement within 10 days of the public hearings.

# Vacating Street Right- of-way and Municipal Easements

## Notice for public hearings

Notice of the date, time, and place of all public hearings to consider the review of a site plan application and/or review of a conditional use permit application.

Notice to be placed on Utah Public Notice website and City website for 10 days, and mailed to all affected entities within 10 days of the public hearings.

Notice regarding site plan and conditional use applications are also to be mailed to all property owners within 300 feet of the subject property within 10 days of the public hearings.

In addition, some uses reviewed with a site plan or conditional use application require “additional notice” per municipal code section 17.18.040 The additional notice extends the distance from the subject property from 300 feet to 600 feet.

The purpose of the additional notice control measure is to ensure that property owners are notified of uses and projects with a greater likelihood for negative impacts on properties beyond the immediate vicinity.

# Site Plan Review

# and

# Conditional Use Permits

## Notice for public hearings and meetings

Notice of the date, time, and place of all public hearings and meetings to consider a variance application and/or an appeal application.

After receiving a variance or an appeal application from the City, a Hearing Officer shall fix a reasonable time and place for hearing the variance request or appeal during a public meeting. The City Recorder shall publish an agenda to be placed on Utah Public Notice website, the City website and posted at City Hall for 10 days, and give notice to the parties involved.

Variance

and

Appeal

# NOTICE OF PUBLIC HEARING

June 29, 2023

Perigee Consulting on behalf of Miller Family Real Estate, has filed an application for preliminary subdivision Daybreak Urban Center Plat 1. The applicant is requesting the South Jordan Planning Commission review and approve the 30.632 acres subdivision containing 17 civic lots (C-Lots), 2 park lots (P-Lots) and associated public and private rights-of-way. This proposed development is located along the west side of Grandville Avenue between Lake Avenue and approximately 11000 South.

Should the Planning Commission find that the proposal is in conformance with all State and City codes and ordinances as well as in compliance with the Daybreak Master Development Agreement and the approved Community Structure Plan for Daybreak, the application will be approved.

You are receiving this notice because Salt Lake County records indicate that you own property within 300 feet of the proposed development or your agency may be affected by the proposal.

The South Jordan Planning Commission will hold a public hearing in-person and electronically concerning this application at **6:30 p.m. on Tuesday, July 11, 2023** in the South Jordan City Council Chambers (1600 W Towne Center Drive, South Jordan, UT 84095). If you desire to electronically attend the meeting, please visit <https://www.sjc.utah.gov/planning-commission/> for further instructions. Ability to connect and comment is dependent on an individual's internet connection, not the City.

To assure your comments are reviewed and included in the record, written comments may be submitted in advance of the meeting by emailing Greg Schindler at [gschindler@sjc.utah.gov](mailto:gschindler@sjc.utah.gov), by 3:00 p.m. on July 11, 2023. Any attachments to the email must be less than 10Mb in size.

Please call the South Jordan Planning Department during regular business hours at 801-446-4357 or email City staff at the address above for additional information about this proposed development.

Sincerely,

CITY OF SOUTH JORDAN

Greg Schindler, AICP  
City Planner

**Proposal:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Planning Commission:** \_\_\_\_\_

**City Council:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**City Contact:** \_\_\_\_\_ **Phone:** 801-254-3742

Any Person Interested in this matter may obtain complete information by contacting South Jordan City Offices at 1600 West Towne Center Drive or visiting [www.sjc.utah.gov](http://www.sjc.utah.gov)





# Utah Code

10-9a-204 Notice  
of public hearings  
and public  
meetings to  
consider a  
*general plan or  
modifications.*

- (1) Each Municipality shall provide:
  - (a) notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of a general plan; and
  - (b) notice of each public meeting on the subject.
- (2) Each notice of public hearing under Subsection (1)(a) shall be at least 10 calendar days before the public hearing and shall be:
  - (a) published for the municipality, as a class B notice under Section 63G-30-102, for at least 10 days; and
  - (b) mailed to each affected entity.
- (3) Each notice of public meeting under Subsection (1)(b) shall be at least 24 hours before the meeting and shall be published for the municipality, as a class B notice under Section 63G-30-102, for at least 24 hours.

# Utah Code

10-9a-205 Notice of public hearings and public meetings on *adoption or modification of land use regulation.*

(1) Each municipality shall give:

(a) notice of the date, time, and place of the first public hearing to consider the adoption or any modification of a land use regulation; and

(b) notice of each public meeting on the subject.

(2) Each notice of a public hearing under Subsection (1)(a) shall be:

(a) mailed to each affected entity at least 10 calendar days before the public hearing; and

(b) provided for the area directly affected by the land use ordinance change, as a class B notice under Section 63G-30-102, for at least 10 calendar days before the day of the public hearing.

(3) In addition to the notice requirements described in Subsections (1) and (2), for any proposed modification to the text of a zoning code, the notice posted in accordance with Subsection (2) shall: (a) include a summary of the effect of the proposed modifications to the text of the zoning code designed to be understood by a lay person; and (b) be provided to any person upon written request. (4) Each notice of a public meeting under Subsection (1)(b) shall be provided for the municipality, as a class A notice under Section 63G-30-102, for at least 24 hours before the meeting. (5) (a) A municipality shall send a courtesy notice to each owner of private real property whose property is located entirely or partially within a proposed zoning map enactment