

# **SOUTH JORDAN CITY PLANNING COMMISSION REPORT**

**Meeting Date: 6/14/2022**

---

**Application:** TEXT AMENDMENT - AMENDING CITY CODE SECTIONS  
17.16.010 CONCERNING PLANNING COMMISSION  
ORGANIZATION

**Ordinance No.:** 2022-12  
**Applicant:** South Jordan City

**Submitted By:** David Mann, Long Range Planning Analyst

---

**Staff Recommendation (Motion Ready):** I move that the Planning Commission recommend to the City Council that it **approve** Ordinance No. 2022-12 amending Section 17.16.010 of the South Jordan City Municipal Code concerning the composition of the Planning Commission.

---

## **BACKGROUND:**

The South Jordan City Council desired to increase the number of commissioners on the Planning Commission and remove the requirement for an alternate commissioner.

## **ANALYSIS:**

If approved, the proposed text amendment would make it easier to have the required number of commissioners needed to vote on agenda items during public meetings.

## **STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:**

### **Findings:**

- Utah Code § 10-9a-301 requires the City Council to establish a planning commission by ordinance, which shall define, among other things, the number of commission members and how they are appointed.
- The proposed text amendment is consistent with the City’s Strategic Priority to promote a balanced regulatory environment by developing “effective, well-balanced and consistently applied ordinances and policies” and implementing “ordinances and policies that encourage quality community growth and development.” (Strategic Priorities BRE-1 and BRE-2)
- The proposed text amendment will better-position the Planning Commission to enforce the City’s land use ordinances and implement the goals of the General Plan by fully engaging the Commission’s sixth member commission as a regular voting member of the Commission.

### **Conclusions:**

- The proposed text amendment will make it easier for the Planning Commission to ensure enough commissioners will attend each public hearing to constitute a quorum and not delay application review and approval.

**ALTERNATIVES:**

- Recommend approval of Ordinance No. 2022-12 with changes.
- Recommend denial of Ordinance No. 2022-12.
- Schedule the application for a decision at some future date.

**SUPPORT MATERIALS:**

- Ordinance No. 2022-12
  - Exhibit “A” – Proposed Text Amendment

**ORDINANCE NO. 2022 - 12**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTIONS 17.16.010 OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO SIMPLIFY STATUTORILY REQUIRED NOTICE OF HEARINGS AND MEETINGS.**

**WHEREAS**, Utah Code § 10-9a-102 grants the City Council of the City of South Jordan (the “City Council”) authority to enact ordinances that it considers necessary or appropriate for the use and development of land in the City of South Jordan (the “City”), including the City’s aesthetics; and

**WHEREAS**, the City Council has adopted Title 17 (Planning and Zoning Code) of the City of South Jordan Municipal Code (“City Code”); and

**WHEREAS**, the City Council desires to amend City Code § 17.16.010 of Title 17 (Planning Commission) to add a sixth voting commissioner to replace the former substitute commissioner and to make other changes as set forth in the attached exhibit; and

**WHEREAS**, the South Jordan Planning Commission held a public hearing, and reviewed and made a recommendation concerning the subject text amendments; and

**WHEREAS**, the City Council held a public hearing and reviewed the subject text amendments; and

**WHEREAS**, the City Council finds that the subject text amendment will enhance the public health, safety and welfare, and will promote the goals of the General Plan.

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

**SECTION 1. Amendment.** City Code § 17.16.010 (Planning Commission) is amended as shown in Exhibit A to this Ordinance.

**SECTION 2. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

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

[SIGNATURE PAGE FOLLOWS]

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE FOLLOWING VOTE:**

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

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
City Recorder

Approved as to form:

\_\_\_\_\_  
Office of the City Attorney

# Exhibit “A”

(Deletions in ~~strikethrough~~ new language in **bold underline**)

## CHAPTER 17.16 LAND USE ADMINISTRATION

### 17.16.010: PLANNING COMMISSION:

There is created a Planning Commission of the City consisting of **six (6)**~~five (5)~~ voting members ~~and one alternate member~~. Each member of the City Council **and the Mayor** shall nominate one voting member to the Planning Commission and that nominee shall be appointed to the Planning Commission by a majority vote of the City Council. Each voting member shall be a resident in the council district for which he or she is appointed for at least one (1) year prior to the voting member’s appointment. If a Planning Commission member moves outside its council district from which he or she was appointed, **or if the council district boundaries change so that a Planning Commission member now resides outside the district to which he or she was appointed**, that Planning Commission member may finish his or her term. ~~The Mayor shall nominate the alternate member to the Planning Commission and that nominee shall be appointed as the alternate member to the Planning Commission by a majority vote of the City Council. The alternate member shall be a resident of the City for at least one (1) year prior to the alternate member’s appointment, and shall maintain residency in the City during the alternate member’s term. The alternate member of the Planning Commission shall attend the Planning Commission meetings and participate in the proceedings, but shall not vote in the meetings unless at least one voting member is not present for the meeting or if at least one voting member is recused.~~ Members of the Planning Commission shall be appointed for the same term, or remainder of a term, as the term of the Mayor or member of City Council who nominated him or her. The City Council may remove any member of the Planning Commission for any reason by majority vote of the City Council. A City Council member who nominated a Planning Commission member, which Planning Commissioner subsequently moves from its council district, may remove, for any reason, that Planning Commission member that he or she nominated. Any vacancy occurring on the Planning Commission by reason of death, resignation, removal, or disqualification shall promptly be filled by the City Council for the unexpired term of such member, according to the nominating and appointment procedure set forth herein. A member of the Planning Commission whose term has expired shall continue to serve until a successor has been appointed unless otherwise directed by the City Council. Each member of the Planning Commission, including the alternate member, shall be paid fifty dollars (\$50.00) per day for attending each regular Planning Commission meeting. Members of the Planning Commission shall be appointed, including appointments to fill vacancies, and removed by resolution of the City Council.

- A. Commission Organization And Meetings: At the first regular Planning Commission meeting held in each calendar year, the members shall select from their number a Chairperson and other such officers as they deem necessary in carrying out the functions of the Planning Commission and shall adopt such rules and regulations for the conduct of business before the Planning Commission as they deem appropriate, which rules and regulations may be modified and/or amended at any time by the Planning Commission at any of its regular meetings. The City Council may remove, replace, or appoint the Chairperson of the Planning Commission by a majority vote of the City Council. Planning Commission meetings shall

be held at the call of the Chairperson and at such other times as the Planning Commission may determine in accordance with the law. Planning Commission meetings shall be open to the public, unless closed in accordance with law. Three (3) members of the Planning Commission shall constitute a quorum for the transaction of business. The vote of the majority of those Planning Commission members in attendance, but no less than three (3) members, shall be required to pass any motion before the Planning Commission. Minutes shall be taken at the Planning Commission meetings and minutes containing the official act and recommendations of the Planning Commission shall constitute public records and shall be available for inspection upon reasonable notice at reasonable times and places. Reports of official acts of the Planning Commission shall be made in writing and shall indicate how each member of the Planning Commission voted with respect to such acts or recommendations as the Planning Commission may from time to time make.