

**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
March 25, 2025**

Present: Commissioner Michele Hollist, Chair Nathan Gedge, Commissioner Laurel Bevens, Commissioner Steven Catmull, Commissioner Lori Harding, Commissioner Sam Bishop, City Assistant City Attorney Greg Simonson, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, Deputy City Engineer Jeremy Nielson, Planner Damir Drozdek, Planner Joe Moss, IT Director Matt Davis, GIS Coordinator Matt Jarman

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

**A. WELCOME AND ROLL CALL – *Chair Nathan Gedge***

Chair Nathan Gedge welcomed everyone to the Planning Commission Meeting and noted that all (6) Planning Commissioner's are present. The new Commissioner Lori Harding was sworn in by Deputy Recorder Cindy Valdez prior to the meeting starting and she will be participating in the discussion and will be voting on the items we will be hearing tonight.

**B. MOTION TO APPROVE AGENDA**

Commissioner Hollist motioned to approve the agenda as published. Chair Gedge seconded the Vote was 6-0 unanimous in favor.

**C. APPROVAL OF THE MINUTES**

**C.1. Approval of the March 11, 2025 - Planning Commission Meeting Minutes.**

Commissioner Hollist motioned to approve the March 11, 2025 Planning Minutes with no corrections. Chair Gedge seconded the motion. Vote was 6-0 unanimous in favor.

**D. STAFF BUSINESS**

**E. COMMENTS FROM PLANNING COMMISSION MEMBERS**

Chair Gedge said I will not be at the next Planning Commission Meeting on Tuesday April 8, 2025. I will be attending the opening for the new Bee's Stadium, so Commissioner Hollist will be the Chair that evening.

Commissioner Bishop said he will also not be in attendance at the -next Planning Commissioner Meeting.

**F. SUMMARY ACTION**

**G. ACTION**

**H. ADMINISTRATIVE PUBLIC HEARINGS**

**H.1. SOUTH STATION PLAT 3 MULTI FAMILY #7 PRELIMINARY  
SUBDIVISION - UPDATED**

Address: West side of Lake Run Road between Center Field Drive and Split Rock Drive

File No: PLPLA202500001

Applicant: LHM Real Estate

City Planner Greg Schindler reviewed background information on this item from the staff report.

Commissioner Catmull said were the lots re-numbered?

Planner Schindler said yes, they are re-numbered.

Commissioner Catmull said is anyone existing in these lots?

Planner Schindler said no, because this was never recorded on the final plat.

Commissioner Hollist said did they have a reason?

Planner Schindler said I am pretty sure the reason was that they realized they could have two more lots that would fit.

Chair Hollist said but again, is that a set number that they're allowed to have across the entire development. That would be two fewer lots in the future.

Planner Schindler said that is true.

Commissioner Bishop said I am just curious about how these things are going to work. Usually, with a town home you face the street and then your your parkings in the back, and I just don't see that.

Planner Schindler said they don't face the lane, the access to the garages all go off the lanes.

Chair Gedge said it does reduce their overall number of units they could build in the development by two, but the overall density even with the increase, is still within the master development agreement.

Planner Schindler said this is in the town center area which has a density for projects that are 50 units per acre.

Chair Gedge opened the Public Hearing to comments. There were none. He closed the Public Hearing.

**Commissioner Hollist motioned to approve File No. PLPLA202500001 South Station Plat 3 Multi-Family #7 Preliminary Subdivision – Updated. Chair Gedge seconded the motion; Roll Call Vote was 6-0 unanimous in favor.**

**H.2. MOSAIC CONDITIONAL USE PERMIT AND PRELIMINARY SUBDIVISION PLAT**

Address: 11220 S. River Heights Dr.

File No: PLCUP202400194, PLPP202400193

Applicant: Jacob Ballstaedt, Garbett Homes

Planner Drozdek reviewed background information on this item from the staff report.

Commissioner Bevans said there's going to be how many accesses off of River Heights Dr.

Planner Drozdek said, one.

Commissioner Bevans said somewhere I saw that there were two off of River Heights, and then one coming in from the parking lot,.

Planner Drozdek said it's shared access with that office building to the south.

Commissioner Bevans said in some of the documents we received. There's staff comments about too much stucco on the buildings. Has that been resolved.

Planner Drozdek said that has all been resolved.

Commissioner Bevans said was that resolved before it went to the Architectural Review Committee or is that come through after?

Planner Drozdek said it came through after.

Commissioner Harding said what are the heights on the buildings?

Planner Drozdek said I'm not sure, but I think BHM has a 35 foot cap, but they are limited to four stories.

Commissioner Bevans said the staff report is showing 40ft.

Chair Gedge opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Commissioner Harding said I have a question regarding the example of the sound wall along Bangerter, the example given doesn't seem tall enough for a three story building.

Planner Drozdek said it is a 12ft wall.

Commissioner Harding said so it won't be the double that you see on Bangerter. That's a little bit taller, because that example doesn't seem to be 12 feet.

Planner Drozdek said that is what it is supposed to be is 12ft.

Commissioner Hollist said has staff confirmed that the density meets the agreement of three units per acre in phase one, six and phase two?

Planner Drozdek yes, it does.

Commissioner Hollist said are those less dense units located on the site adjacent to where other housing is?

Planner Drozdek said yes, before this project came in we had a different project that was approved by the planning commission. It was similar to this, and at that time we looked at the unit counts, and the Bangerter Highway mixed use area was still able to receive 150 to almost 200 units. So this is well below what still can be put in.

Commissioner Bevans said I know we saw this a while ago, but the only reason it's coming back is because they changed the color scheme at the architecture. Is that right? Or is there anything else that's coming back?

Planner Drozdek said there was a slight change. Their conditional use permit is valid for one year, and that was granted almost a year ago in May of 2024. They have to renew it before the plat is recorded, and they haven't started construction.

Commissioner Hollist said was any action ever taken on the concern the commission had regarding access to the park down the street or open areas for the residents?

Planner Drozdek said no changes were made.

Chair Gedge said he said there's only less than 20% open, or landscape there. Is that part of the the city's water wise goals, or was it a development agreement?

Planner Drozdek said yes, it's per city ordinance. At the time when they submitted an application, they're invested into the old ordinance and with the new ordinance, they wouldn't be able to have any facade outside of the recreation areas.

Chair Gedge said with the main primary access off River Heights and the shared access on the south and also to the north, I'm sure fire and public safety have given their green light, but from a traffic flow those accesses are adequate enough for a property of this size?

Assistant City Engineer Nielsen said yes, they have. They've looked at the street widths and they are aware of it, and they are satisfied with the design.

Commissioner Bevans said I am just curious where we've got two buildings that are twin homes. Which buildings on this map are those? Is it buildings nine and twelve?

Planner Drozdek said yes, that is correct.

Commissioner Hollist said is this a for sale product or a rent?

Planner Drozdek said they are for sale.

Commissioner Hollist said do we have an estimated price point?

Jacob Ballstaedt (Garbett Homes) said we are hoping the price will start at a little under \$500,000. They are three story units, two car garage and they are all just under 1800 square feet. About a third of them are two bedrooms, two thirds are three bedrooms and they all have a flex space, like a little office space, two bedroom or two and a half bathrooms.

Chair Gedge said it looks like nothing too drastic has changed. Obviously, the conditional use permit, so if we do make a motion to approve, I strongly recommend they get this recorded in the next 12 months. I'm sure there's some time and resources involved with that, but I know the livability and maybe a little bit with families walking the park within close proximity.

Commissioner Bevans said when this came last time we had some concerns about the fact that this development agreement was originally signed back in 2006, so we're kind of bound to the 2006 rules. Have we looked at anything within the city that maybe we can adjust some of the language in these agreements, so that if nothing happens from 2006 to 2024 we're not bound to what the city was then.

Planner Drozdek said I don't know, maybe there is a way to put an expiration date on the agreements, but once they start development they're vested into the agreement.

Commissioner Bevans said it makes total sense, but they sat empty for like 20 years.

Planner Schindler said I don't think there was an expiration in the development agreement. So they would have to go through a whole new development agreement process. The development agreement was made by two parties, not just the city, but in this case I think it was the buyer company, and so both parties have to agree to open it back up again. A lot of times they're happy with what they have, and they don't want to get something else.

Commissioner Bevans said so is there anything we can do as a city. I fully understand that this is not their fault, and they didn't personally sit on this, but where somebody came in and did a development agreement, and then obviously it was signed. All of that was done so it's there. But then nothing happened for 20 years.

Planner Drozdek said I think it would have to be a provision in the agreement.

Commissioner Bevans said I'm not saying like a year or two years, but something that triggers something after 10 years.

Planner Schindler said we could probably do that into new ones. But I don't know what this development agreement actually might say, because it's been in the past. If you don't start construction for the entire part of the project then it the development agreement is null and void. It's not once they start building in the district, it's where this development agreement covers. there wasn't any limit to how long that development could be in place. So that was something that could be after 10 years, or something that we could go back and look at that for future developments.

Commissioner Bevans said but this particular development agreement covers that entire Bangerter mixed use area, not just this parcel, right?

Planner Schindler said that's where we kind of got into trouble on this parcel, not that we're in trouble, but where some of the concerns come from.

Commissioner Catmull said I wonder if that might be an action that we can make as a separate item in a future meeting to make a formal recommendation for staff to go look at it.

Chair Gedge said because the City Council is the entrant into the development agreement it would be as a recommendation to them to include that type of provision.

Commissioner Catmull said however, maybe a formal action that we do, motions to show the interest or lack of interest in such a topic.

Commissioner Bevans said yes, I would love to hear Mr. Simonson's opinion on this.

Assistant City Attorney Simonson said don't recall the exact wording, but our current template that we start from when we put one of these together, does have an expiration on it. And again, I hate to comment too much on it, because it's not in front of me and I don't remember exactly what it says. The other comment I would make on this one in particular is that I'm not seeing any expiration agreement, and it runs with the land. And so there could have been all sorts of ordinances enacted since then, but the rights under the development agreement run with the land, and so therefore they're still valid.

**Commissioner Bevans motioned to approve File No. PLCUP202400194 and File No. PLPP202400193 Mosaic Conditional Use Permit and Preliminary Subdivision Plat. Chair Gedge seconded the motion. Roll Call Vote was 6-0 unanimous in favor.**

## **I. LEGISLATIVE PUBLIC HEARINGS**

### **I.1. RESIDENTIAL FRONT YARD FENCING AND PARK STRIP LANDSCAPE CODE TEXT AMENDMENTS**

File No: PLZTA202400233

Applicant: Thomas & Rebekah Wiandt

Planner Joe Moss reviewed background information on this item from the staff report.

Chair Gedge said before we jump into landscaping, let's have a few questions on the fencing piece. So I'm going to jump first, just real quick. I'm assuming we have it, but because we are moving from the cluster arterial allowance to the more residential fire response, emergency response, have they given any recommendation? Are there more homes that'll be opened up to and you'll have less direct access with a fence in the way?

Planner Moss said I did send this to our fire department for their review, and they didn't flag any potential issue on their end, either with the revision in height or the fence panel reductions from pillar to pillar. So from a public safety perspective they didn't have any potential issues. There's also a clear vision area that's required in our fencing ordinance to make sure the intersections are clearly visible, and you know, fences are not blocking that view. And none of the amendments in front of you tonight would change those requirements either.

Chair Gedge said if this is permitted, it would be a permitted use. It would not be like a conditional use or some other type of permit with the city. At that point, I guess code enforcement would be involved, because obviously their case work may increase if some of these types of fencing are in not good appearance. Have they been notified of the potential?

Planner Moss said yes, we have been. We've been working with code as part of drafting up this ordinance, and working with the Wiandt's. We don't require residential fencing permits currently, and so really it's only when there's an issue then code enforcement gets involved when something's outside of our typical ordinance. But that that would continue to remain the same under all of the proposals.

Commissioner Hollist said what is the definition of open? What percent visibility does that have to provide? You showed examples that had the white pickets quite far apart, and then you showed some where I would have said it was only 50% like was half picket, half open.

Planner Moss said you can slice that a million different ways. Our traditional interpretation has been about that 50% mark. So if you're more than 50% that's when we typically consider it an open style fence.

Commissioner Hollist said would this be clear without residents of our city prompting this review? Is this something city staff has considered has been requested before?

Planner Moss said this is not something that I think we would have necessarily brought before you. I mean, we have some other priorities that we have in our hopper that we would like to get taken care of first. But at the same time, these applicants brought this to us, and we said there's an opportunity for us to make our ordinances better in this process. And so we took the opportunity to draft up that alternative proposal that would hopefully accommodate and accomplish making our ordinances better and more clear, as well as allowing the applicants to do the majority of what they would like to do.

Commissioner Hollist said can you confirm that the overall max height includes projections.

Planner Moss said yes, the overall max height does include those projections. So that's your total maximum possible height, and generally would be in combination with an open style fence.

Commissioner Hollist said does the clear vision area include driveways. Every example you showed, I didn't see a driveway site. So how does this relate to driveways?

Planner Moss said the existing code does cover driveways. It's 10 feet on the driveways, and then on the streets.

Assistant City Engineer Nielson said there is a 30 foot triangle there.

Commissioner Hollist said meaning it has to be 10 feet away from the edge of the driveway?

Assistant City Engineer Nielson said right or take a corner. It just has to be in each direction of the corner. It has to be 10 feet so the fence kind of makes a triangle there.

Commissioner Bevans said does this not allow for a driveway to be gated off? Do we have anything in our code that would prevent somebody from gating off their driveway with this whether it's electronic or manual.

Planner Moss said it does have a provision to allow gates. It doesn't specify whether there's a pedestrian or automobile gates.

Planner Schindler said a clear vision triangle, and it comes into place when it's a solid fence. If it's an open fence with the pickets and so forth, and they can see through it, then there's no clear vision issue, because you can see through it.

Chair Gedge said just to follow along with what Commissioner Hollist said. She said that in daybreak, obviously you went to the process of whether they allow the neighboring cities that you projected, is that in Exhibit A or Exhibit (1) more, in line with our neighboring communities.

Planner Moss said it varies. I would say Exhibit One is probably going to be more in line with existing communities. You know, Sandy does allow similar projection heights. Most cities are going to again, be at a three or four foot level. A lot of them don't get into specifics about projections and things like that, and ours is most similar to Sandy's in that regard.

Commissioner Catmull said on 10400 south, about 2400 West, when they redid that road there is a section of properties that have like, a six or eight foot maybe a sound wall. Is that allowed?

Planner Moss said there is still a provision that allows for sound walls or privacy fences, especially when homes are fronting to arterial roadways, when they're separated that way. So for instance, like what you see on 11400 south, that is something that was accommodated because of the roadway expansion, and it's kind of a different than typical circumstance. This wouldn't allow



change where those screening and sound wall type fences would be allowed. This is only changing what you can do in front yards, right?

Commissioner Catmull said I was just wondering if it changed in the presentation. I heard that those were capped at four feet, but I must have misheard the surrounding cities. How about daybreak and gates? Does their fence provision have any call outs that that are separate for gates in their development agreement and standards?

Planner Moss said most of their fencing standards are not necessarily in the development agreement itself. They're going to be within their architectural rules and guidelines that are enforced through their HOA and I'm not sure exactly what their stance is on gates as a whole. I know their fencing standard is pretty low, but I don't know.

Planner Schindler said they have fencing around the front yards. I haven't seen any over four feet, and most of them are actually three feet. They have a gate, because they do the whole front yard, so that they'll gate it. When it comes to daybreak and driveway gating, they don't have that at all, because most of the driveways around the back, there's no and there's no yard there to access from the alley.

Commissioner Bishop said I have a copy of the daybreak fencing guidelines here. I just wanted to clarify a couple of things. So it doesn't call out gates, or allowing any more or less. But there the heights are limited to three feet, and there they must be picket or open fences.

Commissioner Harding said in my neighborhood, I'm off of Whispering Sands drive, we have a number of backyards that come into a street so their six foot fence comes up to the sidewalk. Would we then expect them to allow for that six foot all the way through to the end of their house? And then, because it's a white vinyl it wouldn't be open, so they'd have to drop it.

Planner Moss said currently you're allowed to have a six foot privacy fence in your backyard. And so if you continue that along, when it becomes a side or a front fence, once you get to the other, you know, yards of the of the house, there are different requirements currently. And so it would need to come lower in the front yard. If it were a solid vinyl fence, it would need to be a maximum of three feet tall in that fence panel,

Commissioner Harding said in the current code, side fences are allowed. Can you explain that to me?

Planner Moss said so if you have a front yard, so you're just kind of a middle lot in a regular residential street, you're allowed to have a fence between you and your neighbor. Next door that goes up to the sidewalk, and that's your side fence. You're just not allowed to have that fence that goes across the front yard, along the sidewalk.

Commissioner Harding said so the current limitations is that four feet, four inches?

Planner Moss said it is four feet along the sides.

Commissioner Hollist said what if you're a corner lot, what does that look like?

Planner Schindler said if you live on a corner lot and you have your rear yard fence that's six feet tall and goes out to the street, the side street can run down that side of the street all the way to the front line of the house at six feet. It then has to drop down to the three feet as it comes down any further on that and around the front so anything that's adjacent to the front yard, can't exceed three four feet in height if it's open, or three feet if it's solid.

Commissioner Harding said so how will that work on busy corners where there's an intersection, not just a stop sign, if we allow that tall of the fence when they can't see through it.

Planner Moss said the current rules would require that visibility triangle if there were some kind of intersection. They have to have kind of a corner of an intersection, they have to have 30 feet on this side and 30 feet on this side, and then they make kind of a triangle, and that area needs to remain clear for visibility. And so that would apply to especially solid fences and things. But, you know, those privacy fences or anything would need to comply with those clear vision areas.

Planner Harding said are chain link fences in this?

Planner Moss said chain link fences are not currently permitted in side yards, front yards, on arterials or collectors, and they would not be permitted under any of these proposed text amendments.

Commissioner Catull said could someone have what we call a living hedge in front of their yard today, and have any height restrictions?

Planner Moss said I believe hedges are treated similar to fences in that height so they are also subject to clear vision areas. It is currently allowed in the sidewalk, in the front yard, inside the side, like a side fence type thing, or on a collector or arterial.

Commissioner Hollist said is a hedge allowed in a front yard up against the sidewalk?

Planner Moss said yes.

Chair Gedge said okay so that's a nice segue to the next part on landscaping.

Planner Moss reviewed the landscape information from the staff report.

Commissioner Harding said so under current code, is it at planted, or is it at maturity?

Planner Moss said it is at maturity.

Commissioner Bevans said they have the 50% in the park strip and the 50% plant coverage in the front yard. Is that park strip calculation included in the front yard calculation, or are they completely separate?

Planner Moss said it's the same percentage in the park strip and the front yard, so staff would just treat it all as one and make sure that's balancing out to that 50% but they there's not a differentiation in the code. I mean, it's, it says specifically, front yards and park strips should be 50% minimum. So, you know, we do look for that, but it's not going to be a different calculation. You would have to make sure you the park strip and the front yard are treated differently percentage wise.

Commissioner Bevans said currently, somebody could have under 50% behind the sidewalk, but have 100% in their park strip, and that would kind of average it out.

Planner Moss said I believe so. I think that is how it is stated.

Commissioner Hollist said and vice versa. Is that why so many of my neighbors have been able to flip their strips and have 100% rocks because the rest of their front yard remains vegetated.

Planner Moss said well, there's also some other things with the park strips. So the state did change some requirements. So a lot of ordinances used to require like grass and park strips, which is obviously not a very water wise thing. So if there's anything that's less than eight feet in width, there's now a state rule that prohibits requiring grass specifically in those areas. And so this ordinance update that we did in 2010 was ahead of that and would allow for modifications that would be more water wise.

Commissioner Hollist said there was a change even more recent than that, that was brought about by South Valley sewer. I thought that they were always considered separately when you were, let's say taking the grass out of your park strip, you still have to maintain 50% vegetation in that park strip. But it sounds like it's an overall calculation, including front yard.

Planner Schindler said actually the way we've been doing it is you have to have 50% in the park strip, and 50% of it in there, you can't put 100% in one and not have the other.

Commissioner Hollist said I struggle with a City that does not enforce an ordinance, especially when they provide incentives to people to flip their strips, they deliver the rocks and then do no follow up to ensure that they are in compliance.

Planner Schindler said the City were letting people get away with it because they didn't know, it wasn't the city's fault, and a lot of that was because of public works. That's why we are seeing all this? You're not telling them what they were requiring with the plants, so they didn't know.

Commissioner Hollist said that really hurts me deep down, but at the same time, I can see why they're confused when park strips that the City has been responsible for don't comply with the ordinance.

**Rebekah Wiandt (Applicant)** said so he was recommending the six foot, and we said the recommendation of the eight foot in our particular case, ours is wrought iron with a pillar. The pillar itself has to be strong enough to hold the weight of the actual gate. In our particular case, that is why we we have a six foot pillar with a cap on it, and then on that particular pillar we

have a light fixture. Our house is very large, and to have a gate and then to have a little tiny, 12 inch light fixture on top, it really looks kind of scatty wampus and not in flow. So in looking at ours, and in looking at what is already in the subdivision, I am at 11201 South Alyssa Meadows Drive. I am a corner lot, so I'm going to be able to answer a lot of different things about the the triangle of safety and all of those things that we have been working on for five years now with the city. So here's kind of what we are thinking. The reason that we asked for the additional height is one, for the size of our home versus the size of the fence and the gate, and so that everything looks uniform and we don't have these tiny little things now that are really not architecturally correct. And also by adopting this it will bring in the other homes that have been built and have not been flagged by the city. It will bring them into compliance, also, because there are as I have said before when I was talking with Greg for over five years, there are no less than four dozen homes within a two mile radius of my house that have front fencing, gates, and all of these things that we had requested. We are the first ones in front of you guys trying to get the law changed and trying to be able to do this in order to stay within the law. Up until this point, and until code came when we started construction on this, we actually thought it was allowed. This process has been going on for quite some time, so that's why we're asking for the additional over the six feet is simply for the lighting fixtures in order so that they don't look like they're too small for the actual architectural element that we're trying to add outside of that. I think that was the only thing that we didn't agree on. As far as the fencing and the pillars and the gates and everything like that, we had pretty much come to an agreement over that. So it was just simply in an effort to have it look architecturally correct for our particular home and for the other homes in our neighborhood that already have these things and it ought to be in compliance. So that is why we asked for the additional height recommendation and if anyone wants to do it in the future in those large homes.

**Thomas Wiandt (Applicant)** said it's surprising when you get up to the gate or the pillar, how large the light turns out to be when you stand back, it didn't look like it was 12 inches or even an 18 inch light fixture.. When you are away from the fence, it looks proportional. It looks small but when you get up to it, it turns out to be a large light fixture. It did add some height that you didn't put in. We didn't put it there to add the height. It just is the proportional size fixture for that pillar and for that house and for the architecture. It wasn't that we added it there to gain height. The architect and the designer said they they thought this fixture matched the configuration. To go with a smaller fixture it just looks absolutely incorrect.

Rebekah Wiandt said and on top of that we were trying to match the size that we have on our garages, on the back of our house, on any light fixtures that we have all over the house. We were trying to match those, so the height recommendation actually matches the ones that are already on our garage and that are already on the front of our house. They are attached to the house and that was why we were requesting this, and that was the only kind of sticking point that we all came to. Do you have any questions for me?

Commissioner Catmull said in Google Maps I am not seeing a lot of fences.

Rebekah Wiandt said on my particular street, right around the corner from my street, there are three homes that have the brick fencing, and they do have actual gates that go all the way across their driveways.

Commissioner Catmull said is that on Park Palisade?

Rebekah Wiandt said no, if you go to the end of Alyssa Meadow Drive, or I guess it would be the beginning of the end of my street, going towards the south, and then you turn right if you go down that street there is a home there that is like a pinkish red brick and very white victorian looking wrought iron, and it goes across their driveway, that is one. In a two mile radius of my home over the last five years that we've been doing this, I have found that many homes with front yard fencing. They are not on feeder street and that was more of my argument when we were talking about this in the beginning when we sat down with the mayor and the city manager, basically the the agreement was that, by doing this we would bring all of those homes in that particular area into compliance, instead of having to have them go through all of that stuff and by doing that and on these particular homes. Yes, they have the larger light fixtures. They have the bigger the bigger things that go over and above. So I don't know if we would need to get additional permits or what the case would be in that particular situation.

Chair Gedge said we will have that discussion and of course council will have that discussion, and that's okay, but we want to move to the landscaping portion.

Rebekah Wiandt said you would go to the 25%, the 50% and stuff like that. So the biggest reason that I was asking for the 25% is because trees are not included or counted as landscaping when you stand in front in a park strip. In our particular case, and in the case of several other people, we actually use like the arborvites and the Italian Cypress trees, and different things that you see frequently in Utah. Those big green arborvites, they're considered a tree and not a shrub, and yet they go three feet wide as they grow up. The trees in the back that are mature are over three feet wide. Their circumference is actually closer to 10 feet all the way around, and so by including the trees in the canopy, or the spruce, the the arborvites or the cypresses, when you get to the mature size, you end up with a 50% coverage anyway. So the change, and the end result is the same. The change sounds drastic, but when you go with that, you end up with the same amount of coverage if you include trees as being landscaping shrubs, and in our design we have Italian cypresses in the front yard and will go in the park strips, versus trees with with big canopies. But that's why we talked about trees with canopies and counting the canopy, because you end up with a smaller amount percentage wise. But when you include the trees and you include their full size, you still end up with 50%, so that was my argument over the 50% to the 25%. If you've got a juniper, if you have those box woods, but they're they're called mondos, and they grow to six feet tall. They grow very, very wide so if you put a box wood like that in there, or if you put an arborvite in there like that, or anything that would grow to that size, you're going to get that 50% coverage without having all the additional little things.

Chair Gedge opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Chair Gedge said my concern is this application is from one resident, any change would apply to the entire city, minus daybreak and everybody else who is currently within the two mile radius. Basically, this is the entire eastern side of South Jordan within a two mile radius of this property, including myself, with who currently have fences in violation with the city code. So, I don't necessarily agree with making a overarching change, because anybody could then apply up to that. I don't like the applicants recommendation of the height, because it's just too tall, and anybody else could then just come in and there's no city control on that. So I would prefer the lower height. I do see that there's some need to have a front yard fencing for these properties, but I don't like the the higher height.

Commissioner Hollist said does daybreak allow solid front yard fences, or is it all open?

Planner Schindler said they don't allow solid fencing.

Commissioner Hollist said I've been thinking about this and the biggest concern I have is safety. I've had neighbors have a hedge which is allowed between two driveways, and had so many near misses that they couldn't live with it anymore. They took it out just simply for safety. That's my biggest concern here, and I would actually be in favor of suggesting that exhibit one be modified for only allowing open fencing with all of the height restrictions that you've set forth. That's where I think I am.

Lori Harding said I completely understand the esthetics. I understand the height needed. I understand wanting to match lights and making it all look nice. And in some areas, I could also see where the height of an open fence would really add value to certain areas, because it's so common. As you drive through South Jordan, I wonder if there could be also a recommendation to what the city is projecting, especially on our heavier gates that might allow for higher pillars to support those gates. I don't know if that's even possible.

Commissioner Catmull said I try to balance this with the lot owners ability and rights to set up an environment to make an appealing and attractive property in South Jordan and to the neighborhood and overall characteristics. I currently have concerns about trying to over optimize an ordinance that applies, or to apply an ordinance, an ordinance that affects very few properties broadly, and what that could change. I would be more in favor of starting with something like what we see in daybreak, and then that would bring all of South Jordan together in a closer proximity. I don't know if we want to deal with other ways to deal with things that aren't currently in compliance.

Chair Gedge said I would call it conditional use permit process for exceptions to maybe what we would recommend.

Commissioner Catmull said if it's not already, and if any actions are cleared on that, then it's allowed to be as it is. The only other thing I would say is, I might recommend that we consider different standards for different zones.



Commissioner Bishop said 'm not a huge fan of allowing fences in front yards, and I'll tell you why. In my experience, I don't like walking through neighborhoods where their fences are in the in front of the houses. I think it gives off kind of a sense of like you're not welcome here, like this is my domain. The much bigger deal for me is dogs with a fence in the front yard. People let their dogs run in the front and as you're walking down the street, you're getting barked at, and the dogs are barking at each other and that sort of thing, even with the open fences that are in Daybreak you always watch, because dogs will wait until you go by and then start barking at you and scare you to death. But having said that, I do wonder the same thing as Commissioner Catmull, my perspective is more of like a denser type of neighborhood, and I think that perhaps what's being asked for may make sense in lower density parts of the city. I do also like the idea of perhaps just limiting it to open fences. I will say that in Daybreak with that three foot limit and dogs, you sort of have to trust your dog to not just hop the fence. And so I don't know if I would actually recommend limiting it to three feet if we did allow fences.

Commissioner Bevans said I fully understand where this applicant is coming from. You know, we've seen this particular lot before, but as I look at the difference in height, I can see why it would be requested. As I think about eight feet, that's taller than most of your fences are going to be in the entire neighborhood, so it kind of seems out of place there. And while I completely understand, that's why maybe we need to look at regulations according to the zone and get a little more particular. If this wasn't coming from a resident we wouldn't be looking at this right now. The city has other priorities, so I think Exhibit (1) is kind of a good stepping stone. We're willing to do something about it, and if it becomes a priority or an issue down the road that the city feels is more important then we can go into more detail and get down into the nitty gritty of the zoning and all the different things that come with that. But I think Exhibit (1) gets right down to where we need to be. It's kind of that first, we're willing to look at it, we're willing to make some changes. Let's kind of compromise on this baby step and take care of it. It's a baby step, it's the first stepping step.

Commissioner Catmull said I can envision what you're talking about with the lamps on top of the post. I can see where that would be an important thing. And then I remember that we're trying to create kind of this dark sky mentality. And so there is an aspect of that, from a from a city perspective, trying to reduce lighting as attractive as that may be. But, I can also see why four inch and all that, I can see that perspective. The other thing that I would I'm not a big fan of is, I don't think I'd be a big fan of a fence across the driveway.

Commissioner Bevans said I am more inclined to just recommend a positive on exhibit one, just the amended staff recommendation.

Commissioner Harding said how close is exhibit one to where daybreak is? What's the differences of where daybreak is, I really like that way of thinking, that this is going to be citywide, right? How close is your recommendations to a majority of daybreak?

Planner Moss said daybreak regulates their own fencing a little bit differently through their HOA and I think as Commissioner Bishop brought in their design guide, they typically limit their fence heights to pretty low, which I believe is three feet and open style.

Commissioner Bevans said the thing is, in our city code fences are already allowed. It's already defined. You can have the 50% see through. You can have the solid, I don't really want to deviate from that.

Chair Gedge said I guess down the road, if this were to be adopted by city council, and they felt this was an issue, then they could make modifications to only allow a certain style.

Commissioner Harding said do any of the other surrounding cities that you reflected in your presentation allow by zone, frontal front fence zoning, or is it blanket?

Planner Moss said it really does vary a little bit from municipality to municipality, how they handle it. The majority of them have a single residential fencing standard that's applicable citywide.

Commissioner Harding said if we were to make any recommendations, that's one of the things I would recommend, is that in the lower density housing areas where it's more congruent with the house style. I don't know what those zones are that we recommended to be evaluated that would be something that I'd recommend.

Chair Gedge said maybe we don't even include it in our motion. I know City Council is hearing this discussion, and will consider maybe applying it to other allowances based off our recommendation.

Commissioner Hollist said I would like to say one thing, just so that you're aware, if it is with exhibit (1) I will vote against it if it includes the closed fencing. And that's that's fine. We can proceed, but I do feel like that's a significant enough change that I'm not on board.

**Commissioner Bevans motioned to send a positive recommendat to approve File No. PLZTA202400233, Residential Front Yard Fencing and Park Strip Landscape Code Text Amendments as shown on Exhibit (1). Chair Gedge seconded the motion; Roll Call Vote was 3-3 Commissioner Hollist, Commissioner Bishop, Commissioner Catmull voted no and Commission Bevans, Commissioner Gedge and Commissioner Harding voted yes.**

Commissioner Hollist said I am okay with moving forward with evaluating front yard fencing. However, I would like it to remain open, just because I think the reason we haven't allowed fencing in front yards to this point is to allow for visibility, for safety issues as well as that open feeling walkability, openness for a neighborhood. So I'm not opposed to it, but I do think that the closed fencing should be removed from that list of allowable front yard fencing.

Commissioner Catmull said the only thing I would add to that is, I feel like it's a great starting place, because it is across the whole city, but if it later on we want to add that, and it makes sense to you could, but I favor a smaller change citywide.



Chair Gedge said we are at the second part of this application item, which is the ordinance 2025-08, which is the park strip landscaping, text, amendment. Now we can have our discussion amongst that part.

Commissioner Bevand said can see the desire to include trees, but I think we're applying this city wide again. I think that makes it a little too broad, leaves a little too much room for us to create problems down the road. I think having full rock and remove a lot of green scape and plants that as the city, and the county, and this area, grows larger and larger the less plant coverage we have th the less enjoyable life will be for all of us. So, I am in agreement with the City, this is a no for me.

Commissioner Bishop said I was leaning no initially, but I'm not sure what I think now. The argument in regards to the low sitting trees that cover ground, that makes sense to me.

Commissioner Hollist said can I ask a clarifying question? The three kinds of trees that were referenced tonight, I would have counted them because their base goes to the ground. Would that not count for ground coverage? If an Italian Cypress or one of these evergreens where the base it is literally inches off the ground.

Planner Schindler said they would count as the as the 50% toward the 50% coverage, but just staffs determination was that we don't believe that those are trees. They are just large bushes.

Planner Moss said They're not allowed, that particular variety of tree that she was referencing is not allowed as we have a list of street trees that are approved, and that is a kind of a shrub. So it can count as a shrub, but it can't count for overall required street tree coverage.

Commissioner Harding said my concern is we don't enforce what we've already set up. How do we address that before we already shift it to 25 when we know at 50% it's at zero?

Commissioner Hollist said It is my understanding that the City of South Jordan does not actively go around doing code enforcement, but if somebody calls it in or uses the portal, that they will come out.

Commissioner Harding said hav I haven't flipped my strip, but I have many neighbors that have, and so if can someone step me through how that's approved. Do they have to propose certain plants to go into that per se? Is there a percentage to know that they're approved then to flip their strip. Or how does that work?

Planner Moss said yes. The flip your strip program is administered through our Public Works water department, and they have specific design criteria that you need to meet in order to qualify for those those reimbursements, of those expenses. They look through those plans and improve it, at minimum they would have to comply with city code as well.

Commissioner Bevans said you don't have to go through the city to do it. They could just do it, unless they are going for the reimbursement. That's when the city would see them.

Commissioner Catmull said I favor simplicity. Oftentimes, you may not feel that way, but it's only because, I favor simplicity. I am also concerned, I guess, I would want to make sure we stay water wise, because we are completely reliant on the Jordan Water, and they seem to be very opinionated about about water, which they should be.

Commissioner Hollist said urban heating is real. There's a lot of benefits to vegetation in our neighborhoods, as far as soil retention, water retention, all of those good things. We've made the changes that bring us into compliance with South Jordan Valley Water. I'm not in favor of making any changes. We've reduced according to what they required us to do, I still think that there is value in having water rise plants in those areas. If you've walked by all of these people's yards who have flipped their stripped and replaced it completely with rock, you can fill that heat. It's, relatively unpleasant, and so I'm I'm in favor of still having 50% vegetation, hopefully water wise vegetation, but still having that plant growth there.

Chair Gedge said any type of larger tree having a neighborhood that's probably exhausted the entire city's sidewalk replacement budget in the last two weeks. I think I've seen more public works in my neighborhood than I want to. When you get trees in there with roots, and they will uproot the sidewalks, there's a cost to the city and all the taxpayers. And like with the previous item this applies citywide, and not just for this one particular applicant. So, I'm in favor of a making a negative recommendation to city council as well.

**Commissioner Hollist said I move that the Planning Commission recommends that the City Council recommend denial on Ordinance 2025-08 Park strip landscaping amendment. Chair Gedge seconded the motion. Roll Call Vote was 6-0 unanimous.**

## **J. OTHER BUSINESS**

### **J.1. Planning Commission Discussion regarding Commission Rules for 2025**

Chair Gedge motioned to move Item J.1. to the next Planning Commission Meeting being held on Tuesday April 8, 2025, Commissioner Hollist seconded the motion.

**Commissioner Hollist motioned to adjourn the March 25, 2025 Planning Commission Meeting. Chair Gedge seconded the motion. Vote was 6 to 0 unanimous in favor.**

**The Planning Commission Meeting adjourned at 8:30 p.m.**