

Memo

TO: Planning Commission
CC: Jared Francis, Senior Engineer
FROM: Damir Drozdek, Planner III

DATE: June 15, 2023
SUBJECT: Sagewood Site Plan

The Planning Commission held a public hearing for the Sagewood Event Center Site Plan, application PLSPR202300005, on June 13, 2023. At this meeting, the Planning Commission tabled the application and requested that staff provide the Commission some additional information that was missing from the staff report pertaining to the timing for the construction of a right-turn pocket on 3200 West. This document provides the Planning Commission that additional information and clarifies the timing and scope of work.

On April 16, 2022, the City Council approved this project with a development agreement that mandates that the developer construct a right-turn pocket at the corner of 3200 West and South Jordan Parkway with this development.¹ The development agreement, however, did not specify timing for the construction of the right-turn pocket. During the review for the site plan, the developer requested that the City Engineer allow the developer to construct the right-turn pocket later to avoid impacting the family home at 10431 S 3200 W. The City Engineer agreed to allow the developer to construct the right-turn pocket during phase two of the development when the use of the family home will change, with the following conditions:

1. The right-of-way for the turn pocket will be dedicated to the City prior to site plan approval.
2. The turn pocket will be shown on the Sagewood Barn site plan drawings with a border around it indicating that it will be constructed in the future.
3. The developer will provide the City a bond for the turn lane and the bond agreement will specify that the improvements will be completed within five years of the site plan approval.

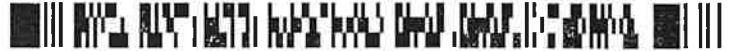
Attached to this memo is the site plan showing the right-turn pocket and a recorded quick claim deed showing dedication of the right-of-way to the City. The developer has also provided the City the required bond and bond agreement. The staff report from the previous meeting is also included for your reference. With these clarifications, City staff recommends that the Planning Commission approve the application.

Staff Recommendation (Motion Ready): **I move that the Planning Commission** approve application PLSPR202300005 to allow for construction and operation of an event center subject to the City receipt of an acceptable bond.

¹ "Sagewood shall construct a right turn pocket to City Standards on the east side of 3200 West at the intersection with South Jordan Parkway. The Developers shall dedicate the City right-of-way as is reasonably needed to accommodate the right turn pocket." (Development Agreement, Section F.2.f.5.)

WHEN RECORDED, MAIL TO:
South Jordan City,
1600 West Towne Center Drive,
South Jordan, Utah 84095

14124717 B: 11429 P: 5997 Total Pages: 1
07/03/2023 09:44 AM By: mpalmer Fees: \$0.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: SOUTH JORDAN CITY
1600 WEST TOWNE CENTER DRIVESOUTH JORDAN, UT 84095



QUIT CLAIM DEED

For the sum of TEN DOLLARS (\$10.00) and other Good and Valuable Considerations Amy L Jones Family Living Trust, Grantor, hereby Quit Claims to South Jordan City, a municipal corporation of the State of Utah located at 1600 West Towne Center Drive, South Jordan, County of Salt Lake, State of Utah, 84095, Grantee, the following real property located in Salt Lake County, State of Utah shall be recorded as a NEW PARCEL:

A TRACT OF LAND BEING SITUATE IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID TRACT OF LAND HAVING A BASIS OF BEARINGS OF NORTH 00°01'00" EAST BETWEEN THE WEST QUARTER AND NORTHWEST CORNER OF SAID SECTION 16, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF 3200 WEST STREET, SAID POINT BEING NORTH 00°01'00" EAST ALONG THE SECTION LINE A DISTANCE OF 1,069.62 FEET AND EAST 33.05 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 16, AND RUNNING THENCE NORTH 00°00'19" EAST, ALONG SAID RIGHT OF WAY LINE FOR 3200 WEST, 134.94 FEET TO THE SOUTH RIGHT OF WAY LINE OF SOUTH JORDAN PARKWAY; THENCE NORTH 44°59'37" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF SOUTH JORDAN PARKWAY, 3.15 FEET; THENCE SOUTH 00°00'19" WEST 96.60 FEET; THENCE SOUTH 03°09'03" WEST 40.63 FEET, TO THE EAST RIGHT OF WAY LINE OF 3200 WEST STREET AND THE POINT OF BEGINNING.

Contains 258 square feet or 0.01 acres, more or less.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its proper officers thereunto duly authorized, this 28 day of June, A.D. 2023.

Amy Lu Jones, Manager

Amy L Jones Family Living Trust

Attest

STATE OF UTAH)

:ss.

COUNTY OF SALT LAKE)

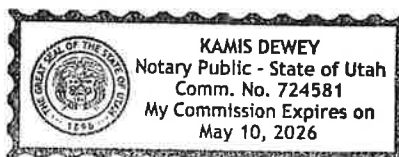
On the 28 day of June, 2023, personally appeared before me Amy Jones

Notary Public

Kamis Dewey

My commission Expires: May 10, 2026

Residing at: South Jordan



SITE PLAN



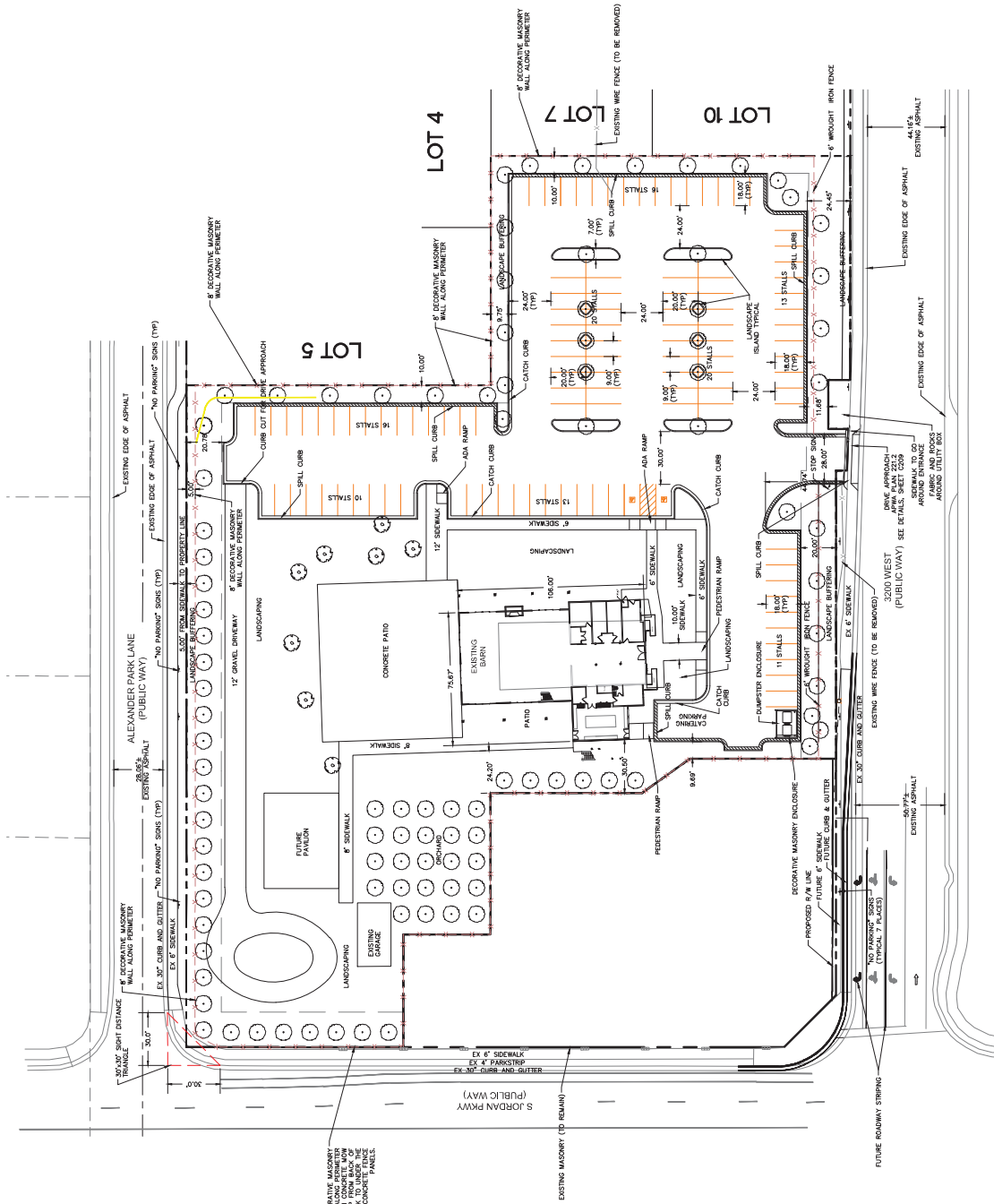
TOTAL PARKING STALLS = 119 STALLS

G:\DATA\22073 Sagewood Reception\dwg\22073 Sagewood Reception Base.dwg
PLOT DATE: Jun 16, 2023

					6/16/2023
	5			ADD RIGHT TURN POCKET	5/12/2023
	4			ADDED NOTE ABOUT APWA APPROACH	5/12/2023
	3			SOUTH JORDAN CITY COMMENT	5/7/23
	2			CITY REVIEW UPDATES	4/24/23
	1			PARKING LOT REVISIONS	3/7/23
NO				REVISION	DATE

SITE PLAN

STATE OF UTAH
ENGINEER'S STAMP
C201
SHEET



SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 06/13/2023

Issue: SAGEWOOD BARN
SITE PLAN
Address: 10431 S. 3200 W.
File No: PLSPR202300005
Applicant: Megan Visser

Submitted by: Damir Drozdek, Planner III
Jared Francis, Senior Engineer

Staff Recommendation (Motion Ready): I move that the Planning Commission **approve** application PLSPR202300005 to allow for construction and operation of an event center.

ACREAGE:	Approximately 3 acres
CURRENT ZONE:	P-O (PD) (Professional Office – Planned Development)
CURRENT USE:	Agricultural
FUTURE LAND USE PLAN:	EIO (Economic Infill Opportunity)
NEIGHBORING ZONES/USES:	North – R-1.8 and R-2.5 / South Jordan Parkway South – R-3 / Single-family residential West – R-M-7 / 3200 West East – R-1.8 / Alexander Ln.

STANDARD OF REVIEW:

All proposed commercial, office, industrial, multi-family dwelling or institutional developments and alterations to existing developments shall meet the site plan review requirements outlined in chapter 16.24 and the requirements of the individual zone in which a development is proposed. All provisions of titles 16 & 17 of the City Code, and other city requirements, shall be met in preparing site plan applications and in designing and constructing the development. The Planning Commission shall receive public comment regarding the site plan and shall approve, approve with conditions or deny the site plan.

BACKGROUND:

The applicant is proposing to construct an event center on property generally located at 10431 S. 3200 W. The property is approximately 3 acres. It is located in between 3200 West from the west and Alexander Ln. from the east. South Jordan Parkway delineates the north boundary while the Bison Run subdivision constitutes the south boundary of the project.

The project will only be accessed off 3200 West. Parking will generally be located to the south of the event center building while the project amenities, such as open space, an orchard, water

features, etc. will generally be located to the east and the north of the building. The very northwest corner of the property will remain as a single-family residential home. It is anticipated that this property will become part of the event center project in the future.

All public street improvements along 3200 West and Alexander Ln. have already been completed with previous projects. No street improvements will be required with this project. There will be some other minor public improvements with the project, such as water meters, a fire hydrant, and a streetlight. Storm water will be detained underground in the chambers located under the parking lot. The water will then be released at a controlled rate into an existing storm drain system in the Alexander Ln.

A decorative 8' masonry wall will be constructed along the project perimeter on all sides except from the 3200 West property line. The 3200 West line will have a 6' wrought iron fence. Landscaping will be installed along the project perimeter. There will be trees along all sides of the perimeter. A decorative masonry wall along Alexander Ln. will be set 10' from the edge of the sidewalk on said road. The area between the sidewalk and the wall will be landscaped with trees and various plantings.

The proposed event center will be a two story building with roughly around 9,000 sq. ft. of space. Majority of the main building floor will be occupied by the main hall that will extend to an outside patio.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The City Council reviewed and approved a development agreement and a zone change regarding this property in May of 2022.
- The approved development agreement shows the approved use on the property, and includes the building architecture and a concept plan.
- The Architectural Review Committee reviewed the proposed building design on March 15, 2023 and unanimously recommended approval by a vote of 5-0.

Conclusion:

- The proposed project will meet the City Code requirements as well as the terms and conditions of the development agreement and thus should be approved.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** the Application, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

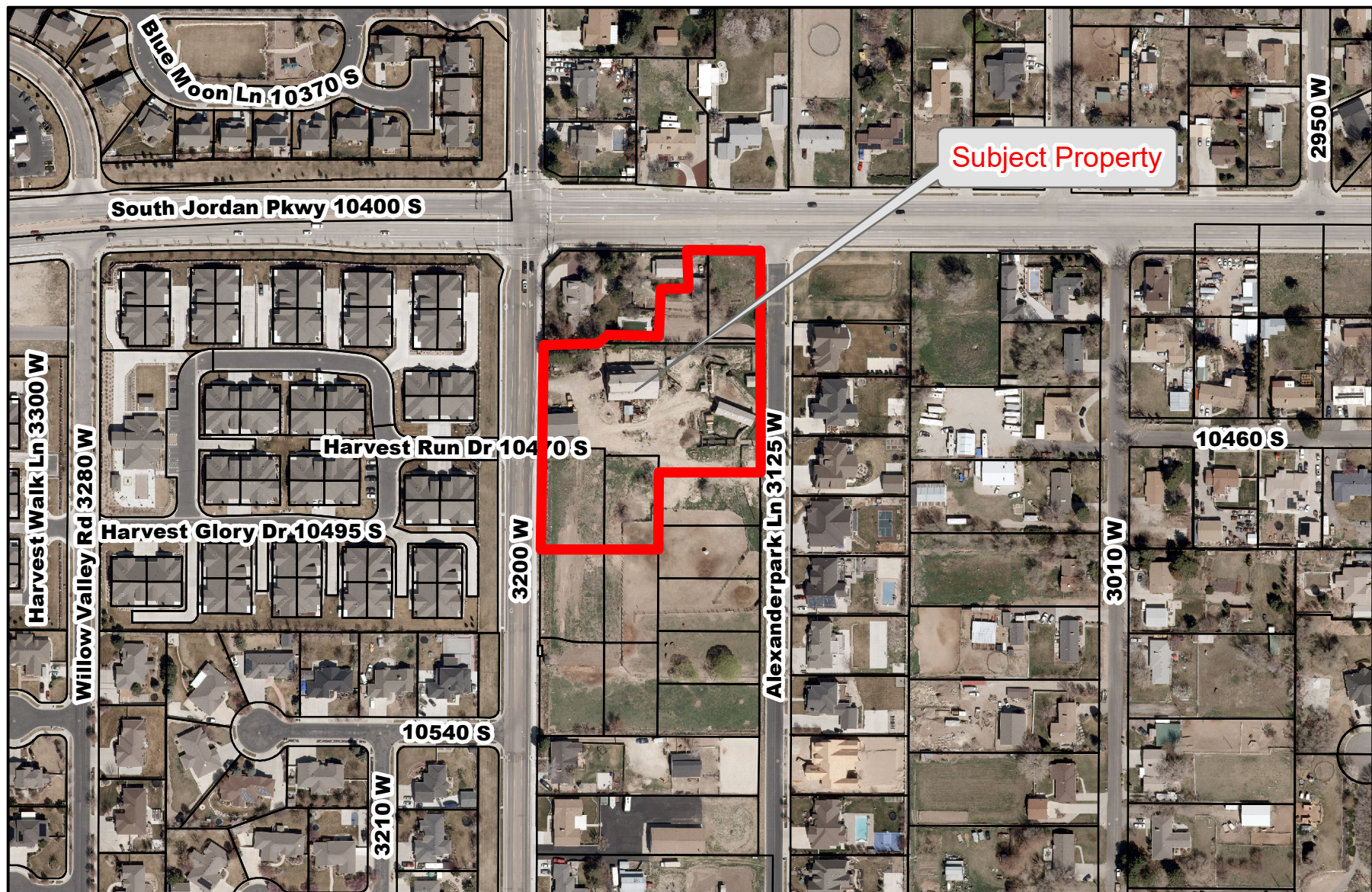
- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.


SUPPORT MATERIALS:

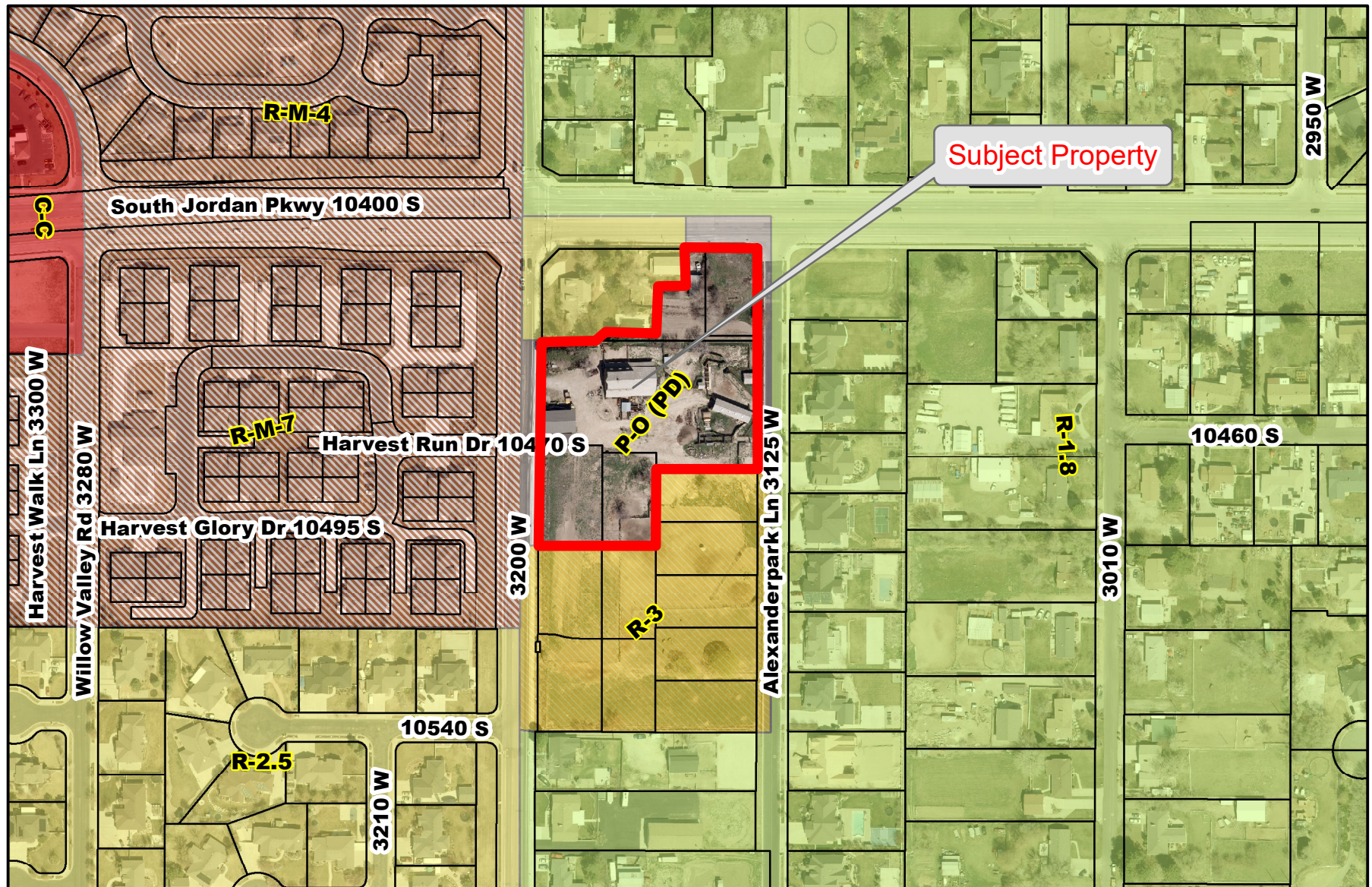
- Aerial Map
- Zoning Map
- Site Plan
- Landscape Plan
- Building Elevations and Renderings
- Development Agreement




Damir Drozdek, AICP
Planner III, Planning Department



<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<p>Aerial Map</p> <p><i>City of South Jordan</i></p>	<p>0 80 160 320 480 640 Feet</p> <p>Aerial Imagery 2022</p> 
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<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Zoning Map</h2> <h3>City of South Jordan</h3>	<p>0 80 160 320 480 640 Feet</p> <p>Aerial Imagery 2022</p> 
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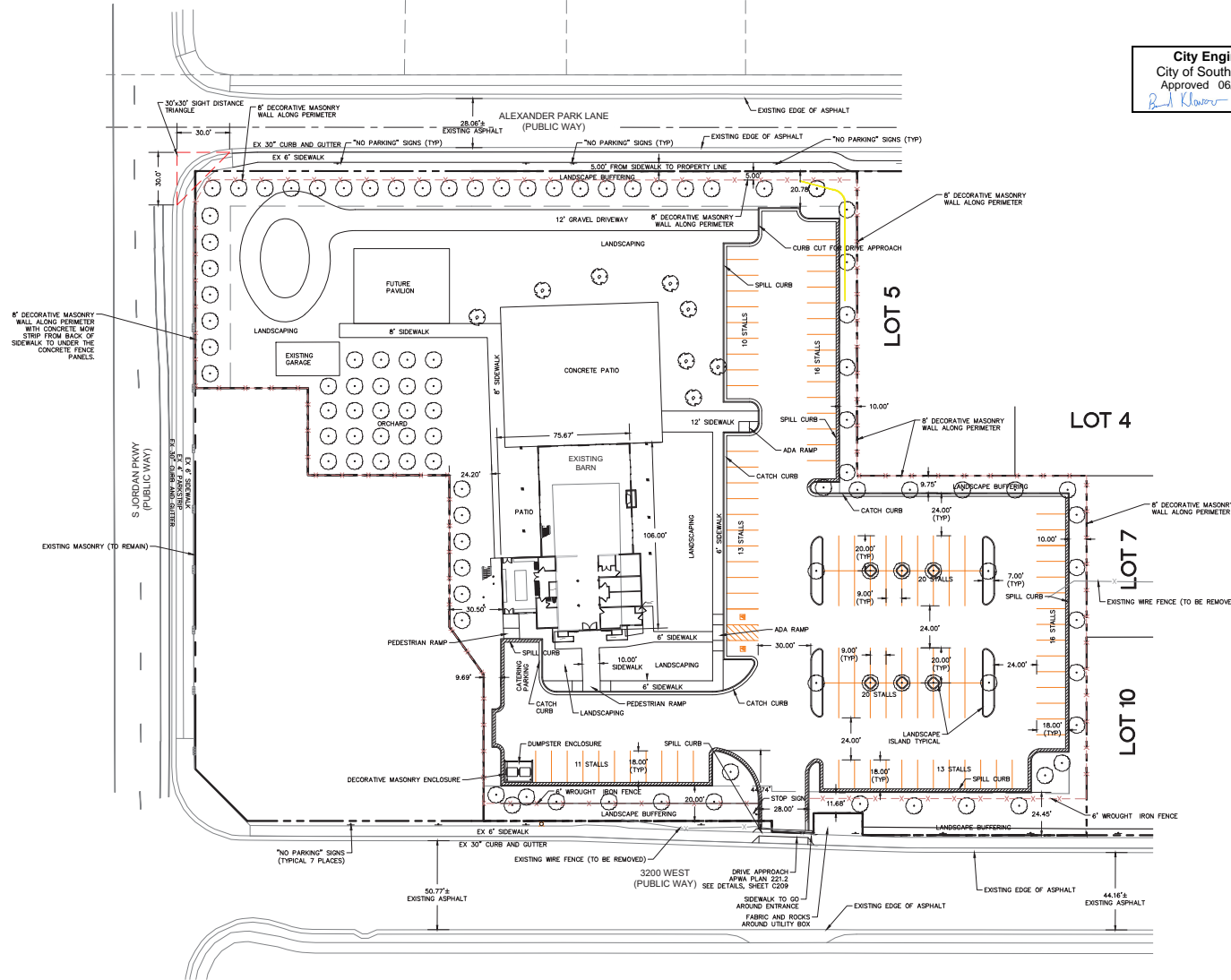
SAGEWOOD RANCH RECEPTION

SITE PLAN



14721 South Highway Street Way
Boulder, CO 80503
303.440.1112
WWW.WILDINGENGINEERING.COM

City Engineer
City of South Jordan
Approved 06/02/2023
Red Kowen City Engineer




- SITE PLAN NOTES:**
1. SURFACE SLOPES OF ADA PARKING SPACES SHALL NOT EXCEED 1:48 (2.08%).
 2. WALKWAYS SHALL MEASURE AT LEAST 36 INCHES IN WIDTH.
 3. WALKWAYS SHALL HAVE A CROSS SLOPE NOT EXCEEDING 1:48 (2.08%).
 4. WALKWAYS SHALL HAVE A RUNNING SLOPE NOT EXCEEDING 1:20 (5%).
 5. ABRUPT CHANGES IN LEVEL UP TO A MAXIMUM OF 1/2 INCH SHALL BE BEVELED TO A SLOPE NOT EXCEEDING 1:12.
 6. SEE APWA PLANS 235 AND 236 FOR CURB RAMP DETAILS.
 7. THE CURB RAMP SHALL NOT EXTEND INTO VEHICULAR AREAS.
 8. THE WIDTH OF THE RAMP SHALL MEASURE AT LEAST 36 INCHES.
 9. THE RUNNING SLOPE OF THE CURB RAMP SHALL NOT EXCEED 1:12.
 10. THE CROSS SLOPE OF THE CURB RAMP SHALL NOT EXCEED 1:48.
 11. THE SIDE FLARES WHERE PROVIDED SHALL HAVE SLOPES NOT EXCEEDING 1:10.
 12. COUNTER SLOPES AT GUTTERS AND ROAD SURFACES SHALL NOT EXCEED 1:20.
 13. THE LANDING AT THE TOP OF THE CURB RAMP SHALL BE AT LEAST AS WIDE AS THE RAMP AND MEASURE AT LEAST 48 INCHES IN THE DIRECTION OF UPWARD TRAVEL.
 14. THE LANDING AT THE TOP OF THE CURB RAMP SHALL HAVE SLOPE NOT EXCEEDING 1:48 (2.08%).
 15. THE TURNING SPACE AT THE BOTTOM OF THE PARALLEL CURB RAMP SHALL MEASURE AT LEAST 48 INCHES.
 16. THE MANEUVERING SPACE AT EACH SIDE OF THE DOOR SHALL BE AT THE SAME LEVEL AND HAVE NO SLOPES EXCEEDING 1:48 (2.08%).
 17. RAILING ALONG ALL STAIRS AND RAMPS TO MEET HANDRAIL AND GUARDRAIL REQUIREMENTS.
 18. SIDEWALKS TO BE INSTALLED PER APWA 231 DETAIL.
 19. NO UTILITY CUTS ARE ALLOWED ON ALEXANDER PARK LANE. THE SEWER LATERAL AND CULINARY WATER MAIN WERE ALREADY STUBBED INTO THE SITE WITH THE IMPROVEMENTS FOR THE BISON RUN PROJECT.
 20. TYPE-A CURB AND GUTTER TO BE INSTALLED PER APWA 205.
 21. EXTERIOR EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW- SEE LANDSCAPE PLANS.

NO.	REVISION	DATE
4	ADDED NOTE ABOUT APWA APPROACH	5/12/2023
3	SOUTH JORDAN CITY COMMENT	5/2/23
2	CITY REVIEW UPDATES	4/21/23
1	PARKING LOT REVISIONS	3/7/23

PROJECT INFORMATION
SAGEWOOD RANCH RECEPTION
SITE PLAN
SOUTH JORDAN, UTAH


DRAWN TGK	CHECKED MEC	PROJECT # 22073
DATE 10/21/22		SCALE 1" = 30'
SHEET C201		ENGINEER'S STAMP



Design Build
Landscape Design
Plant Selection
Lighting Design
Digital Image Design

800 Blue 1709
West Jordan, Utah 84064
Office: 801-282-3076
Fax: 801-282-3076
Web: www.landscapeid.com

The ages contained in these drawings including all Landscape Sheets, Irrigation Sheets, Lighting Sheets, and Digital Design Sheets, are the property of LID, Inc. and can not be copied or duplicated without the written permission of LID, Inc.



Sagewood Ranch



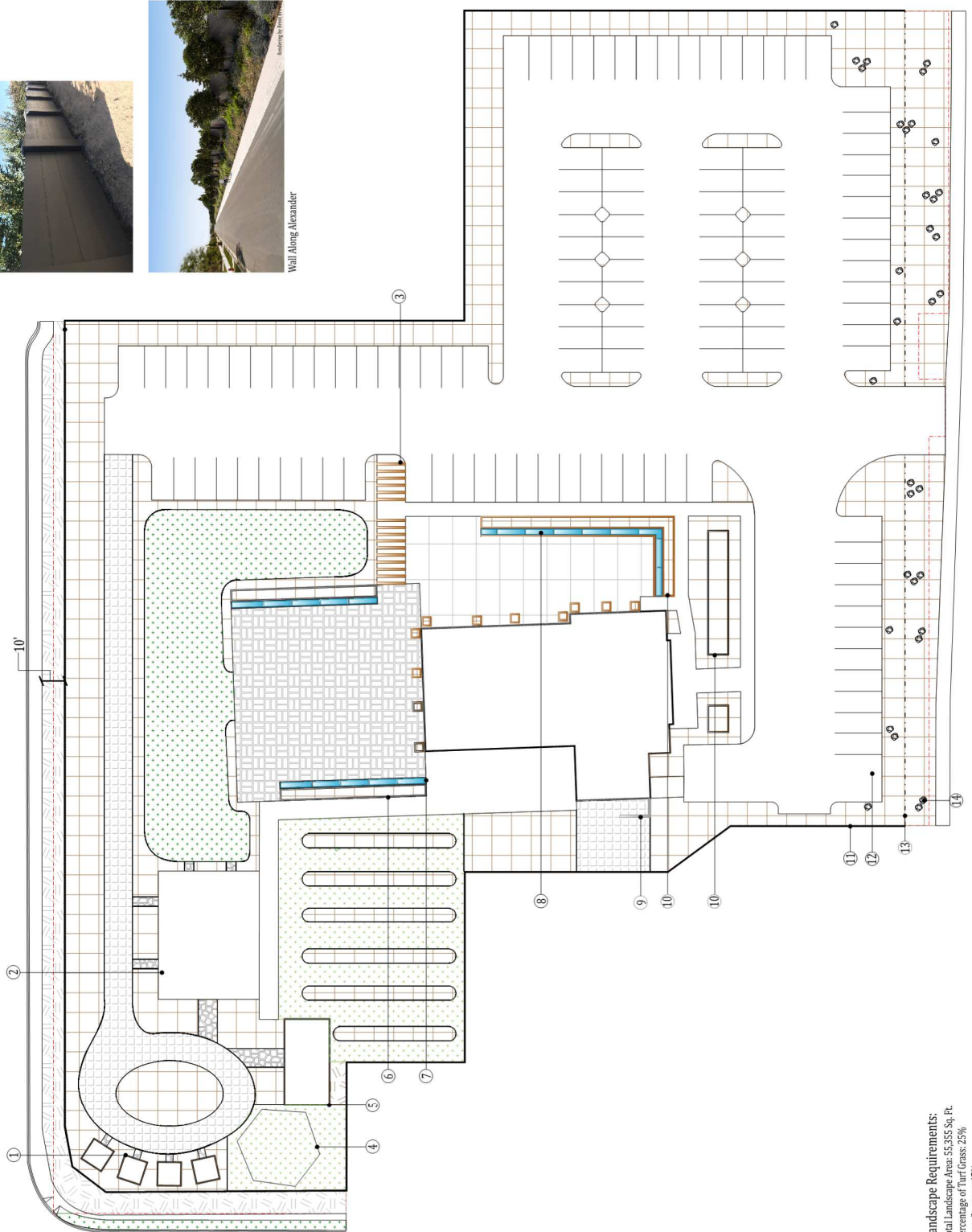
ORIENTATION

DATE: 3/14/2023

SHEET TITLE: LANDSCAPE PLAN

SHEET NUMBER: L-1

- 1 Temporary Play Structure
 - 2 Pavilion
 - 3 Trellis
 - 4 Small Animal Corral
 - 5 Existing Garage
 - 6 Concrete Planters
 - 7 Water Feature
 - 8 Water Feature with Bench
 - 9 3' Wall to Hide A/C Units
 - 10 Steel Planters
 - 11 8' Stone Fence
 - 12 Garage Encloser
 - 13 6' Wrought Iron Fence
 - 14 Boulder
- Notes:**
1. UDOT wall will remain, and continue along 10400 S to Alexander. Along Alexander and the South property line the wall will change to a charcoal colored standard ship lap.
 2. Wall along Alexander to be installed 10' from sidewalk.
 3. Existing Landscape will remain along 10400 S.
 4. Electrical Box will be surrounded by weed fabric and Mulch.
 5. Utility boxes will be screened from view by vegetation.
 6. Mulch and cobble will be a depth of 4".
 7. At least 50% of the landscape will be covered with vegetation at maturity



Landscape Requirements:
Total Landscape Area: 55,355 Sq. Ft.
Percentage of Turf Grass: 25%
Plant Coverage: 45%

Turf Grass

Native Grass

Brown Bark Mulch

DG Material

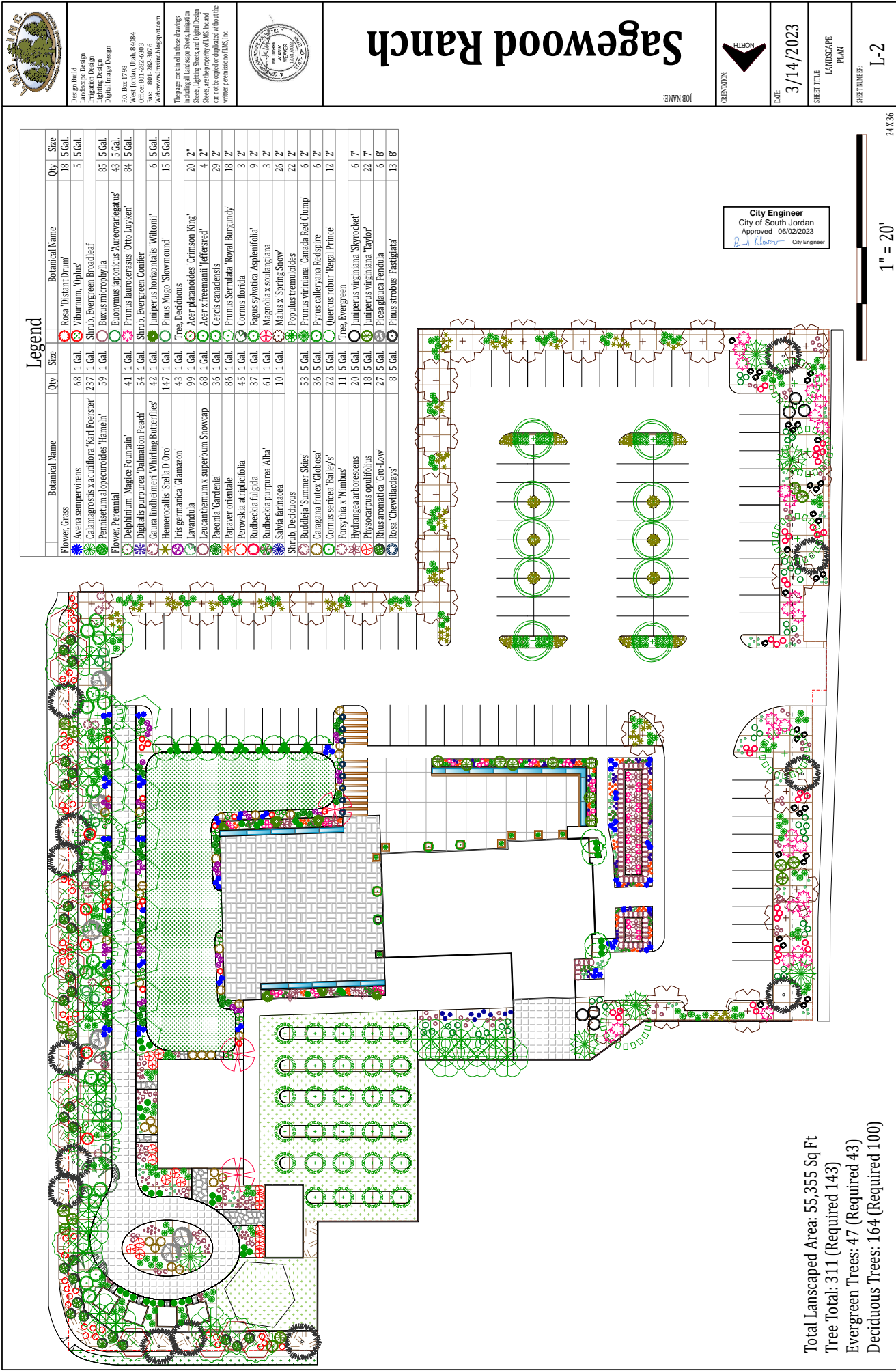
Broom Finished Concrete

Pavers

Flagstone Pavers

2-3' Cobble

1" = 20'



Total Landscaped Area: 55,355 Sq Ft
Tree Total: 311 (Required 143)
Evergreen Trees: 47 (Required 43)
Deciduous Trees: 164 (Required 100)

1" = 20'

24 X 36

Sagewood Ranch

JOB NAME

ORIENTATION



DATE

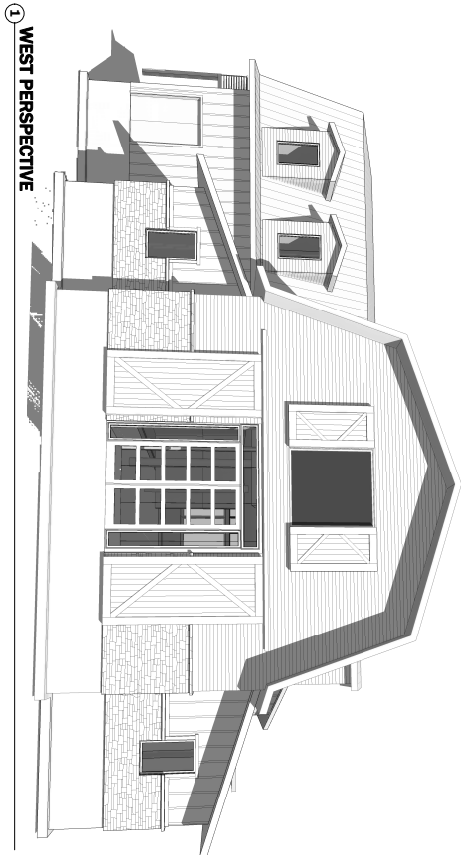
3/14/2023

SHEET TITLE

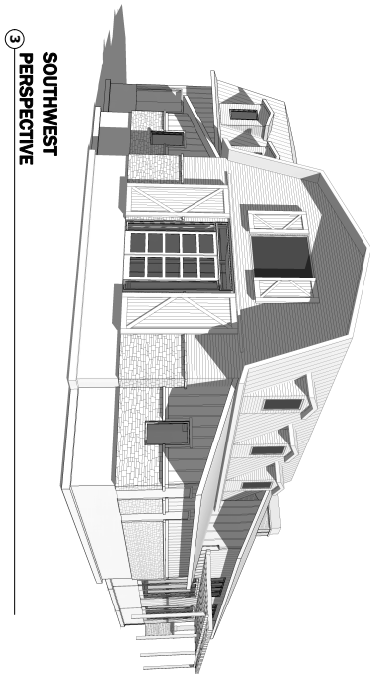
LANDSCAPE PLAN

SHEET NUMBER

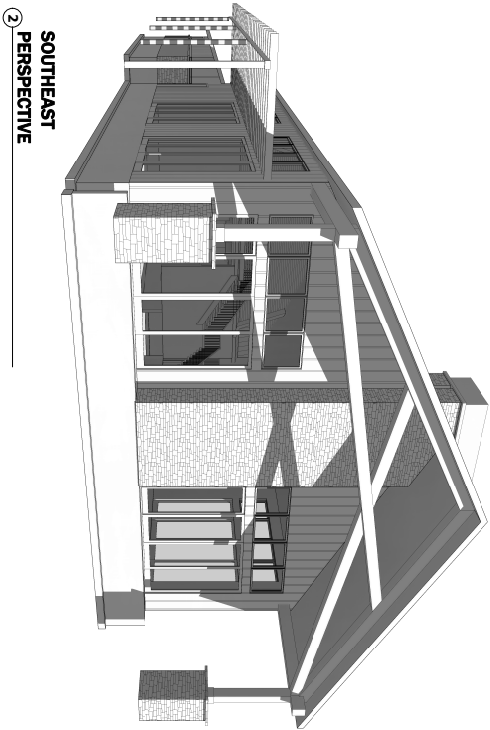
L-2



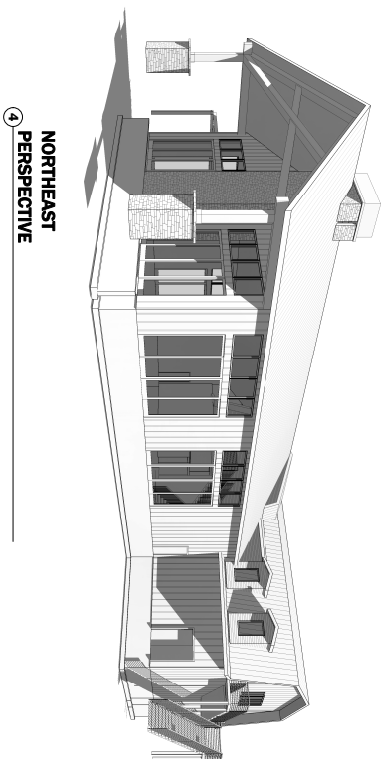
① WEST PERSPECTIVE



③ SOUTHWEST PERSPECTIVE



② SOUTHEAST PERSPECTIVE



④ NORTHEAST PERSPECTIVE

PERSPECTIVE VIEWS

A 1.0

Drawn by: JAM
Checked by: JAM
Project Date: 2023.09.28
Project #: 21008

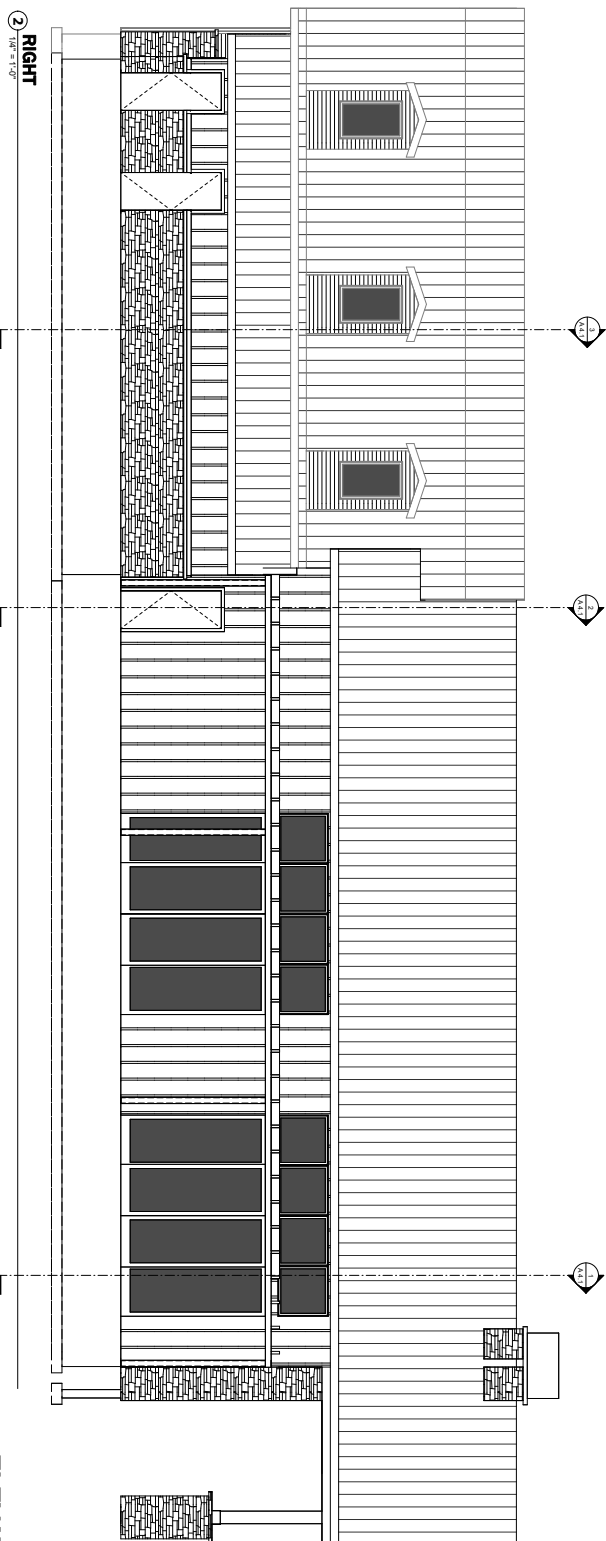
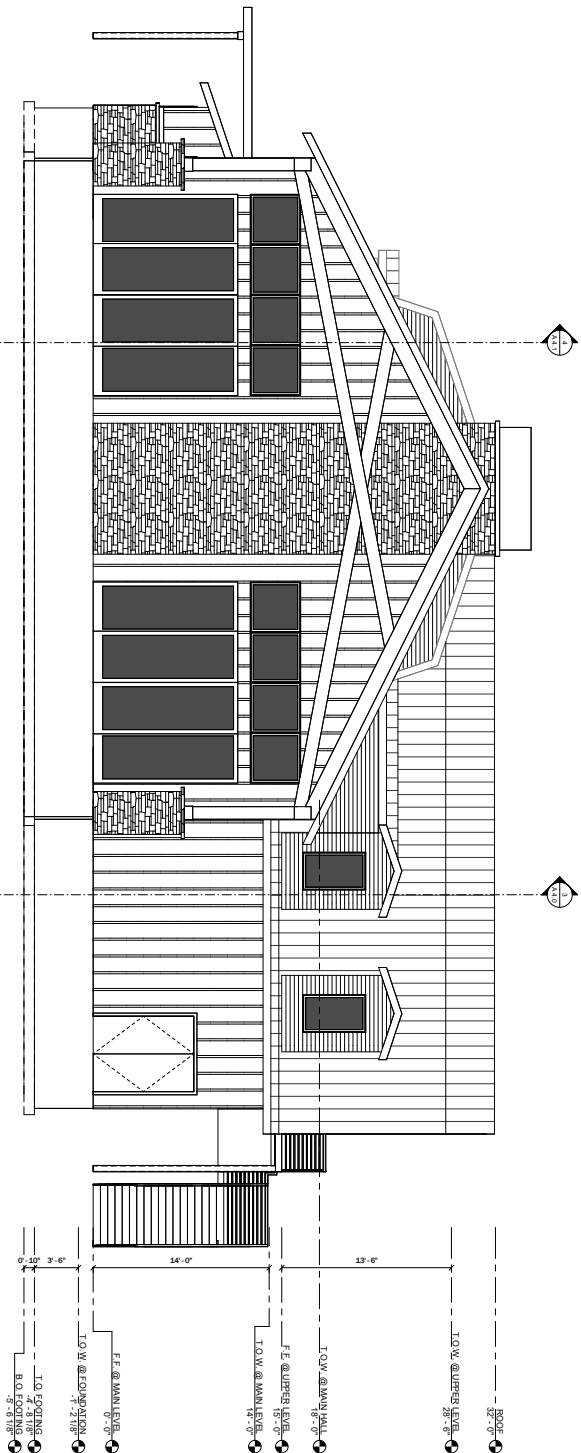
THESE PLANS, DRAWINGS, AND DESIGNS ARE THE PROPERTY OF HARBOR DESIGN COMPANY, LLC. ALL RIGHTS ARE RESERVED AND SHALL NOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN CONSENT OF HARBOR DESIGN COMPANY, LLC. THESE PRINTS ARE RELEASED FOR A ONE TIME USE FOR CONSTRUCTION ON THE SITE WITHIN THE TITLE BLOCK.

THE CONTRACTOR/OWNER SHALL CAREFULLY AND THOROUGHLY REVIEW & VERIFY ALL INFORMATION PERTAINING TO THIS SET OF PLANS IN THE EVENT OF ANY DISCREPANCY PRIOR TO CONSTRUCTION. HARBOR DESIGN COMPANY, LLC SHALL BE CONTACTED FOR CLARIFICATION.

SAGEWOOD RANCH
10400 S 3200 W, SOUTH JORDAN, UTAH

Harbor Design
HOME DESIGN & PLANS
F. milan@harbordesigncompany.com
P. 801.472.0857

A 1.0



THESE PLANS, DRAWINGS, AND DESIGNS ARE THE PROPERTY OF HARBOR DESIGN COMPANY, LLC. ALL RIGHTS ARE RESERVED AND SHALL NOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN CONSENT OF HARBOR DESIGN COMPANY, LLC. THESE PRINTS ARE RELEASED FOR A ONE TIME USE FOR CONSTRUCTION ON THE SITE WITHIN THE TITLE BLOCK.

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Drawn by: JAM
Checked by: JAM
Project Date: 2023.02.28
Project #: 210308

A 2.1

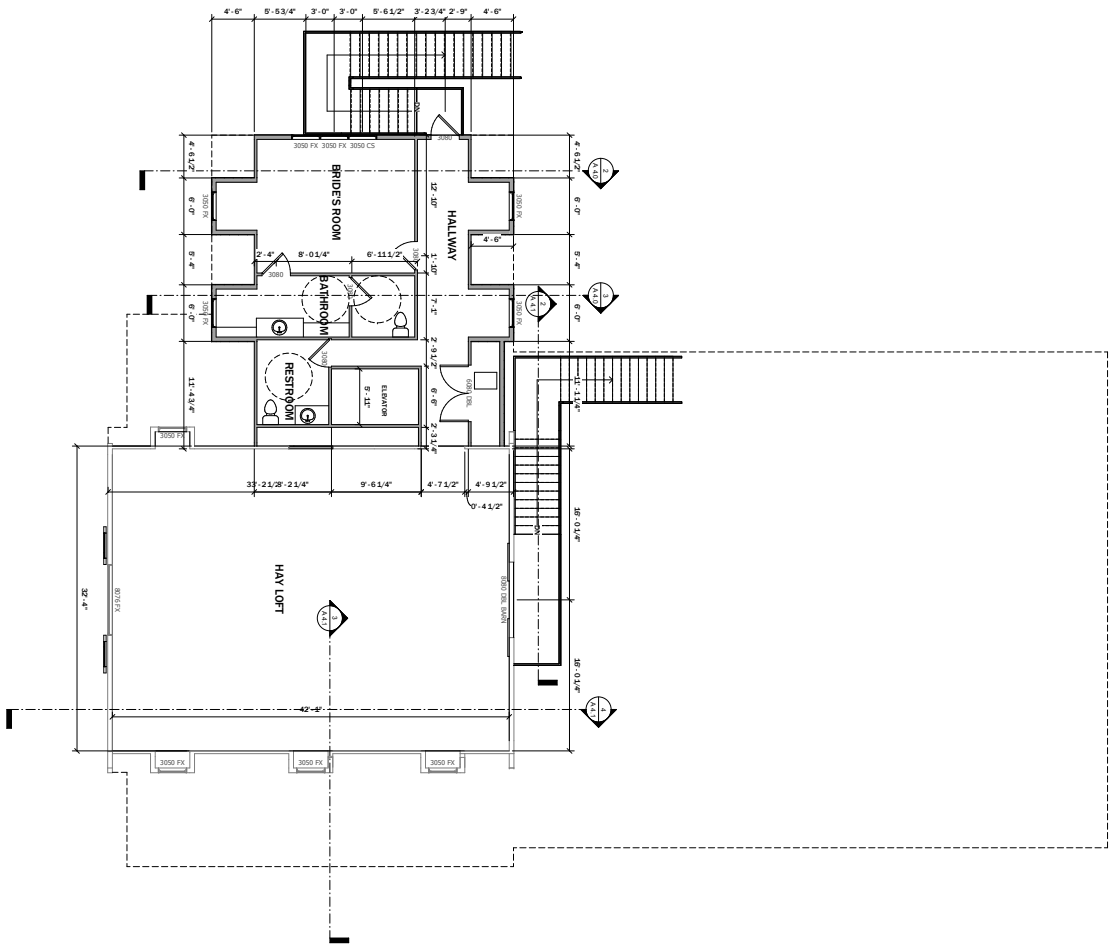
SAGEWOOD RANCH
10400 S 3200 W, SOUTH JORDAN, UTAH

Harbor Design
HOME DESIGN & PLANS
F. milan@harbordesigncompany.com
P. 801.472.0857

ELEVATIONS

A 2.1

1/4" = 1'-0"



UPPER 2348 SF

UPPER LEVEL PLAN

RESOLUTION R2022-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE CITY AND THE DEVELOPER TO ENTER INTO A DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF THE PROPERTY GENERALLY LOCATED AT 10431 S. 3200 W.

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

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

WHEREAS, the Developer now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property generally located at 10431 S. 3200 W.; and

WHEREAS, the City Council of the City of South Jordan (the "City Council") has determined that it is in the best interest of the public health, safety, and welfare of City to enter into a development agreement for the orderly development of the Property.

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

SECTION 1. Authorization to Sign Development Agreement. The City Council hereby authorizes the Mayor to sign the Development Agreement, attached hereto as **Exhibit 1**.

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 shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS 19 DAY OF April, 2022 BY THE FOLLOWING VOTE:

YES	NO	ABSTAIN	ABSENT
-----	----	---------	--------

Patrick Harris	<u>X</u>	___	___
Bradley Marlor	<u>X</u>	___	___
Donald Shelton	<u>X</u>	___	___
Tamara Zander	<u>X</u>	___	___
Jason McGuire	<u>X</u>	___	___

Mayor:

Dawn R. Ramsey
Dawn R. Ramsey

Attest:

Anna C. [Signature]
City Recorder

Approved as to form:

R. W. [Signature]

Office of the City Attorney



EXHIBIT 1

(Development Agreement)

RECEIVED

MAY 31 2022

South Jordan City
City Records Office

Exhibit 1 to Resolution R2022-14

After recording, please send to:

City of South Jordan
Attn: City Recorder
1600 West Towne Center Drive
South Jordan, Utah 84095

13951648 B: 11338 P: 7286 Total Pages: 35
05/13/2022 10:34 AM By: zjorgensen Fees: \$0.00
Rashele Hobbs, Recorder, Salt Lake County, Utah
Return To: SOUTH JORDAN
1600 W TOWNE CENTER DR SOUTH JORDAN, UT 84095



Affected Parcel No(s): 27161520030000, a portion of 27161520150000, 27161520210000, and 27161520220000.

DEVELOPMENT AGREEMENT

This Development Agreement (this “Agreement”) is between the City of South Jordan, a Utah municipal corporation (“City”), and Bison Run, LLC (“Bison”) and Sagewood Barn, LLC (“Sagewood”) (collectively known as the “Developers”). City and Developers are jointly referred to as the “Parties” and each may be referred to individually as “Party.”

RECITALS

WHEREAS, Bison owns certain real property identified as Salt Lake County Assessor Parcel Number(s): 27161520220000. ALJFL Trust owns certain real property identified as Salt Lake County Assessor Parcel Number(s): 27161520210000 and 27161520150000. SCBM Family Trust owns certain real property identified as Salt Lake County Assessor Parcel Number(s): 27161520030000. The aforementioned parcels are specifically described in attached **Exhibit A** (the “Property”); and

WHEREAS, Sagewood has obtained executed Owner Affidavits for those parcels owned by ALJFL Trust and SCBM Family Trust for the purpose of effecting the rezone contemplated herein; and

WHEREAS, the Property is subject to the Planning and Land Use Ordinance of South Jordan City and is located approximately at 10431 South and 3200 West; and

WHEREAS, the Property is currently zoned Residential, 2.5 lots or units per acre (R-2.5 Zone) and Residential, 1.8 lots or units per acre (R-1.8 Zone), with a future land-use designation of SN (Stable Neighborhood); and

WHEREAS, Developers desire to develop the Property as a nine-lot residential subdivision (the “Subdivision”) and a project to be known as Sagewood Ranch Barn (the “Project”) consistent with the concept plan attached as **Exhibit B** (the “Concept Plan”), and the concept elevations and floor plans attached as **Exhibit C** (the “Elevations and Floor Plans”); and

WHEREAS, in furtherance of Developers’ desire to develop the Project, Developers have requested that the Subdivision portion of the Property be rezoned with a base zoning of Residential, 3 lots or units per acre (R-3) (attached as **Exhibit D**), and the Project portion of the Property be rezoned with a base zoning of Professional - Office (the “P-O Zone”) and further and subsequently rezoned and made subject to a Planned Development Floating Zone (the “PD Zone”) to be known as the “P-O-PD Zone” (attached as **Exhibit E**); and

WHEREAS, the purpose of the PD Zone is “to allow for flexibility in the application of zoning regulations and development provisions of this title to advance a public interest through prescriptive requirements of a development plan and development agreement approved by the City Council,” and

WHEREAS, Developers and City acknowledge that development in the PD Zone requires a development agreement specific to each area zoned as a PD Zone; and

WHEREAS, the City Council of the City of South Jordan (the “City Council”), acting pursuant to its authority under Utah Code § 10-9a-102(2) *et seq.*, as amended, and the South Jordan City Municipal Code (the “City Code”), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, has elected to exercise its legislative discretion to enter into this Agreement for the purpose of rezoning the Subdivision portion of the Property as the R-3 Zone and establishing the P-O-PD Zone and regulating the Project pursuant to the P-O-PD Zone; and

WHEREAS, Developers and City acknowledge that the development and improvement of the Property pursuant to this Agreement comply with the requirements of the R-3 Zone and the PD Zone and provide certainty useful to the Developers and to City in ongoing and future dealings and relations among the Parties pertaining to the development of the Project; and

WHEREAS, this Agreement shall only be valid upon approval of such by the City Council and pursuant to Resolution R2022-14 a copy of which is attached as **Exhibit F**; and

WHEREAS, City and Developers acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developers relative to the Property shall vest only if the City Council, in its sole legislative discretion, approves the R-3 Zone for the Subdivision and both the P-O Zone as the base zone for the Project area and the P-O-PD Zone as the applicable PD Zone for the Project area. In the event the City Council does not do so within a reasonable time, but in no event, more than one year from the Effective Date, defined herein, this Agreement, and any of its effects, shall be null and void, and the parties’ rights and obligations shall continue as they were situated prior to the Effective Date, as though this Agreement was never contemplated or negotiated.

NOW THEREFORE, based on 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 City Code.

B. **Enforceability.** City and Developers acknowledge that the terms of this Agreement shall be enforceable, and the rights of Developers relative to the Property shall vest, only if: (i) the City Council in its sole legislative discretion rezones the Property from the R-2.5 and R-1.8 Zones to the R-3 Zone and the P-O Zone as the base zone and also rezones the Property with the P-O-PD Zone as the applicable PD Zone for the Property.

C. **Effective Date.** This Agreement is effective on the date the last party executes this Agreement as indicated by the date stated under that party’s signature line (the “Effective Date”).

D. **2020 Development Agreement.** This Agreement replaces in its entirety the development agreement dated September 4, 2020 and recorded on the Property with the Salt Lake County Recorder's Office as record number 13487745 (Book – 11075 Pg – 6984-7010A-D), except as it applies to the R-2.5 Zone applied to the portion of parcel number 2716152015000 that is not included in the Project description (**Exhibit A**), and is shown on the Concept Plan (**Exhibit B**) as an existing home and associated driveways and accessory buildings on the corner of 3200 West and South Jordan Parkway.

E. **Conflicting Terms.** The Property shall be developed in accordance with the requirements and benefits provided for in relation to the R-3 Zone, the P-O Zone and the PD Zone under the City Code as of the Effective Date. If there is a discrepancy between the requirements of the City Code, including the R-3 Zone, P-O Zone or the PD Zone, and this Agreement, this Agreement shall control.

F. **Developers' Obligations.**

1. The Subdivision – Bison's Obligation.

a. Concept Plan. Bison agrees to construct the Subdivision portion of the Property in accordance with the Concept Plan (**Exhibit B**) and the requirements set forth in this Agreement and the City Code.

b. Phasing Plan. Development shall take place in one phase. All utilities and utility stubs for all lots entering the Subdivision from 3200 West or Alexander Park Lane shall be brought in during phase one to prevent cutting into roads more than once.

c. Single Family Housing. The Subdivision shall consist of single family housing with an overall density not exceeding three (3) homes per acre.

d. Sidewalk.

1. Bison shall remove and replace sidewalk along 3200 West with a City Standard landscaped parkstrip and sidewalk.

2. Bison shall install the City Standard landscaped parkstrip and sidewalk along the Property's boundary on Alexander Park Lane.

e. Utility Cuts. Any utility cuts into 3200 West shall require a substantial mill, fabric and overlay across the entire width of 3200 West from curb to curb the width being reasonably determined by the City Engineer.

f. Alexander Park Lane. Bison shall mill, fabric and overlay the entire roadway of Alexander Park Lane from the southern edge of the Property (Concept Plan Lot 1) to South Jordan Parkway as approved by the City Engineer.

g. Fencing. Homes constructed on Concept Plan Lots 9 and 10 will face a forty (40) foot wide private access drive from 3200 West. Bison shall construct a decorative masonry fence along the Subdivision's 3200 West street frontage as

specified by City Code § 16.04.200.

2. The Project – Sagewood’s Obligations.

a. Concept Plan. Sagewood agrees to construct the Project portion of the Property in accordance with the Concept Plan (**Exhibit B**) and the Elevations and Floor Plans (**Exhibit C**) and the requirements set forth in this Agreement and the City Code.

b. Uses. The “convention/reception center” use as defined by City Code § 17.18.060, except excluding restaurants, shall be the only permitted use of the Project under this P-O-PD Zone. There shall be no other permitted or conditional uses allowed on the property, except for accessory uses to the “convention/reception center” use.

1. Because of the additional requirements this Agreement imposes on the initial establishment and continuing operation of the Project, Impact Control Measures (*see* City Code § 17.18.040) are not required as part of the City’s subdivision or site plan review of the Project.

c. Hours of Operation. The Project shall only operate and host events between the hours of 7:00 am and 11:00 pm.

d. Noise.

1. All amplified live music shall be performed within the indoor barn facility only.

2. All recorded music shall only be played using the Project’s sound system with controlled volume levels.

3. All music shall not be played after 10:00 p.m.

4. All noise generated by the Project and on the Property shall strictly comply with “Salt Lake County Health Department Health Regulation #21 – Community Noise Pollution Control.”

5. Sagewood shall work with a sound engineer to insulate the main building to reduce noise heard outside the building, and demonstrate in the building permit application that the planned construction provides a sound transmission class and impact insulation class rating of not less than sixty (60).

e. Lighting.

1. All lighting shall comply with City Code § 17.62.020.K.

2. All parking lot and wall light fixtures shall be “full cutoff” or “fully shielded” to prevent glare onto the adjacent properties.

3. A photometric plan shall be submitted showing no light intrusion onto the adjacent properties.

4. Lighting used to highlight landscape features and walking paths shall be low to the ground accent lighting.

f. Traffic and Parking.

1. All traffic shall enter and exit the Project from 3200 West.

2. No street parking shall be allowed and the Project shall enforce all parking regulations during events.

3. The Project shall exceed the minimum City Code parking ratio for reception centers, and the capacity for seated events shall be limited based on the parking ratio for seated events required by City Code § 16.26.040.

4. Sagewood shall install “NO PARKING” signs adjacent to the Project along the west side of Alexander Park Lane and on 3200 West.

5. Sagewood shall construct a right turn pocket to City Standards on the east side of 3200 West at the intersection with South Jordan Parkway. The Developers shall dedicate to the City right-of-way as is reasonably needed to accommodate the right turn pocket.

g. Dumpster. Pickup shall be scheduled between 8:00 a.m. and 5:00 p.m.

h. Amenities. In addition to the amenities shown on the Concept Plan, including the water features and minimum two (2) inch caliper trees along the Project’s perimeter, the Sagewood shall install:

1. security cameras throughout the parking lot, property and building; and

2. an eight (8) foot tall decorative masonry wall around the entire perimeter of the Project, except along the Project’s frontage on 3200 West.

i. Animals. Animals may be kept on the Property according to City Code § 17.130.040.030 and the following restrictions:

1. animals on the Property shall not exceed more than ninety (90) points as calculated according to City Code § 17.130.040.030.A.2; and

2. no medium or large animals listed in City Code § 17.130.040.030.A.2 shall be kept on the Property.

G. **Minor Changes.** The Planning Department, after conferring with the City Manager, may approve minor modifications to the Developer Obligations in Section E which are necessary or

advantageous in facilitating more desirable function and aesthetics of the Project.

H. City Obligations.

1. Review of City. City shall review development applications with respect to the Property in a timely manner, consistent with City's routine development review practices and in accordance with all applicable laws and regulations.

I. Vested Rights and Reserved Legislative Powers.

1. Vested Rights. Consistent with the terms and conditions of this Agreement, City agrees Developers have the vested right to develop and construct the Project during the term of this Agreement in accordance with: (i) the P-O-PD Zone designation; (ii) the City Code in effect as of the Effective Date; and (iii) the terms of this Agreement.

2. Reserved Legislative Powers. Developers acknowledge that 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 City all of its police power that cannot be so limited. Notwithstanding the retained power of City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developers under this Agreement and with respect to use under the zoning designations as referenced in 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 City and Salt Lake County; and, unless in good faith City declares an emergency, Developers 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.

J. **Term.** This Agreement 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.

K. 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 ten days before the date on which the change is to become effective:

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

If to Bison Run, LLC: Attn: David Freiss
11584 South Loma Linda Lane
South Jordan, Utah 84095

If to Sagewood Barns, LLC:
Clyde Snow Sessions
Attn: Taymour B. Semnani
201 South Main Street, Suite 2200
Salt Lake City, Utah 84101
tbs@clydesnow.com

2. Mailing Effective. Notices given by mail shall be deemed delivered seventy-two 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 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. Developers represent and warrant 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. Developers and City warrant to each other that the individuals executing this Agreement on behalf of their respective Party are authorized and empowered to bind the Party on whose behalf each individual is signing. Developers represent to City that by entering into this Agreement Developers have bound all persons and entities having a legal or equitable interest to the terms of this 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 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 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 Developers' 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 this 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 either Party breaches any provision of this Agreement, the non-defaulting Party shall be entitled to all remedies available both at law and in equity, provided that no party shall be entitled to more than one recovery. A citation or other ordinance violation mechanism issued by a law enforcement entity shall be deemed a single remedy.

11. Attorney's Fees and Costs. If either Party brings legal action either because of a breach of this Agreement or to enforce a provision of this 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 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, except as limited by the Term of the Agreement.

13. No Third Party Rights. The obligations of Developers and 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 explicitly provided herein.

14. Assignment. Developers may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement and Developers shall be deemed released of its obligations in connection with this Agreement; provided, however, that Developers shall provide 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 this Agreement shall create any partnership, joint venture, or agency relationship between the Parties.

To evidence the Parties' agreement to this Agreement, each Party has executed it on the date stated under that Party's name, with this Agreement being effective on the date stated in Section C.

[SIGNATURE PAGE FOLLOWS]

CITY OF SOUTH JORDAN

Approved as to form:

Signature: *Dawn R Ramsey*
By: Dawn R Ramsey
Its: Mayor
Date: 5/11/2022

[Signature]
Office of the City Attorney

State of Utah)
County of Salt Lake) :ss

On this 11 day of May, 2022, personally appeared before me Dawn R. Ramsey (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the Mayor of the City of South Jordan and that said document was signed by him/her in behalf of said Corporation by Authority of its Bylaws or by Resolution, and said Dawn R. Ramsey, Mayor (name of document signer) acknowledged to me that said Corporation executed the same.



[Signature]
Notary Public

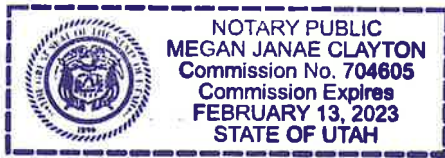
DEVELOPERS

BISON RUN, LLC,

Signature: [Signature]
By: ~~member~~ David Y. Freiss
Its: Member
Date: 5/1/2022

State of Utah)
County of Salt Lake)^{ss}

On this 2nd day of May, 2022., personally appeared before me
David H. Freiss (name of document signer), whose identity is personally
known to me (or proven on the basis of satisfactory evidence).



[Signature]
Notary Public

SAGEWOOD BARNS, LLC,

Signature: Megan J. Visser
By: Megan J. Visser
Its: Manager
Date: 5/10/22

State of Utah)
County of Salt Lake)
:ss

On this 10 day of May, 2022, personally appeared before me Megan J. Visser (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is a Manager of SageWood Barn LLC, a Utah limited liability company, the Manager of SageWood Barn LLC, a Utah limited liability company, and that said document was signed by him/her in behalf of said limited liability company by authority of its Operating Agreement or by Resolution, and said Megan J. Visser (name of document signer) acknowledged to me that said limited liability company executed the same.



Kelly Steele
Notary Public

EXHIBIT A

Legal Description of the Property, including the Project and the Subdivision:

Parcel 27161520030000: BEG N 0°01' E 1320 FT & 404 FT E & S 0°01' W 84.30 FT FR W 1/4 COR OF SEC 16, T3S, R1W, SLM; S 89°59'38" W 90 FT; S 00°01' W 150.69 FT; E 90 FT; N 0°01' E 150.70 FT TO BEG. 0.31 AC. 9163-7236

Parcel 27161520060000: BEG N 0°01' E 406.15 FT FR W 1/4 COR SEC 16, T3S, R1W, SLM; N 0°01' E 101.54 FT; E 404 FT; S 0°01' W 101.54 FT; W 404 FT TO BEG. LESS STREET. 0.88 AC. 4375-0353,0354

Parcel 27161520150000: BEG N 0°01' E 1320 FT & E 185 FT & S 0°01' W 85.79 FT FR W 1/4 COR SEC 16, T3S, R1W, SLM; S 89°58'57" W 122.37 FT; S 44°59'37" W 41.88 FT; S 0°00'19" W 120.06 FT; E 151.95 FT; N 0°01' E 149.21 FT TO BEG. ALSO BEG N 0°01' E 1076.59 FT & E 33.05 FT FR W 1/4 COR SEC SEC 16, T3S, R1W, SLM; N 0°01' E 7.91 FT; E 151.95 FT; N 0.5 FT; E 219 FT; S 0°01' W 8.41 FT; W 370.95 FT TO BEG. ALSO BEG N 0°01' E 1084.5 FT & E 185 FT & N 0.5 FT FR W 1/4 COR SEC 16, T3S, R1W, SLM; N 149.21 FT; E 129 FT; S 149.21 FT; W 129 FT TO BEG. 1.05 AC M OR L. 9639-5681

Parcel 27161520200000: BEG N 0°01' E 507.69 FT & E 25 FT FR W 1/4 COR SEC 16, T3S, R1W, SLM; N 0°01' E 36.37 FT; S 89°59'05" E 7.006 FT; N 0°01'48" E 17.50 FT; N 89°59' W 7.009 FT; N 0°01'04" E 293.055 FT; S 89°59' E 12 FT; N 0°01' E 28 FT; N 89°59' W 11.40 FT; N 1°55'35" E 22.69 FT; S 89°59'59" E 6.50 FT; N 0°05'53" E 171.43 FT; N 89°59'57" E 370.48 FT; S 0°00'56" W 568.91 FT; S 89°59'57" W 378.33 FT TO BEG.

Legal Description for the Project only:

A TRACT OF LAND BEING SITUATE IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID TRACT OF LAND HAVING A BASIS OF BEARINGS OF NORTH 00°01'00" EAST BETWEEN THE WEST QUARTER AND NORTHWEST CORNER OF SAID SECTION 16, SAID TRACT OF LAND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF 3200 WEST STREET, SAID POINT BEING, NORTH 00°01'00" EAST ALONG THE SECTION LINE A DISTANCE OF 725.49 FEET AND EAST 25.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 00°01'00" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 123.21 FEET; THENCE NORTH 01°55'35" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 4.63 FEET TO THE SOUTHWEST CORNER OF A PARCEL DESCRIBED BY THAT CERTAIN QUITCLAIM DEED ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER AS ENTRY 12882342, IN BOOK 10728, AT PAGE 7436;

THENCE, ALONG SAID PARCEL, THE FOLLOWING THREE (3) COURSES, 1) SOUTH 89°59'00" EAST 12.33 FEET, 2) NORTH 00°01'00" EAST 28.00 FEET, 3) NORTH 89°59'00" WEST 11.40 FEET TO THE EAST RIGHT-OF-WAY LINE OF 3200 WEST STREET;

THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:
(1) NORTH 01°55'35" EAST 23.85 FEET; (2) EAST 6.21 FEET; (3) THENCE NORTH 00°00'19"
EAST 164.46 FEET;
THENCE SOUTH 89°59'47" EAST 83.48 FEET;
THENCE NORTH 54°24'45" EAST 33.58 FEET;
THENCE EAST 86.57 FEET;
THENCE NORTH 80.81 FEET;
THENCE EAST 49.76 FEET;
THENCE NORTH 00°00'03" WEST 64.26 FEET TO THE SOUTH LINE OF THE SOUTH
JORDAN PARKWAY RIGHT-OF-WAY;
THENCE EAST, ALONG SAID RIGHT-OF-WAY, 123.87 FEET TO THE WEST LINE OF
ALEXANDER PARK LANE RIGHT-OF-WAY;
THENCE SOUTH 00°01'00" WEST, ALONG SAID RIGHT-OF-WAY, 377.75 FEET;
THENCE WEST 173.85 FEET;
THENCE SOUTH 130.97 FEET;
THENCE WEST 205.17 FEET, TO THE EAST LINE OF 3200 WEST STREET AND THE
POINT OF BEGINNING.

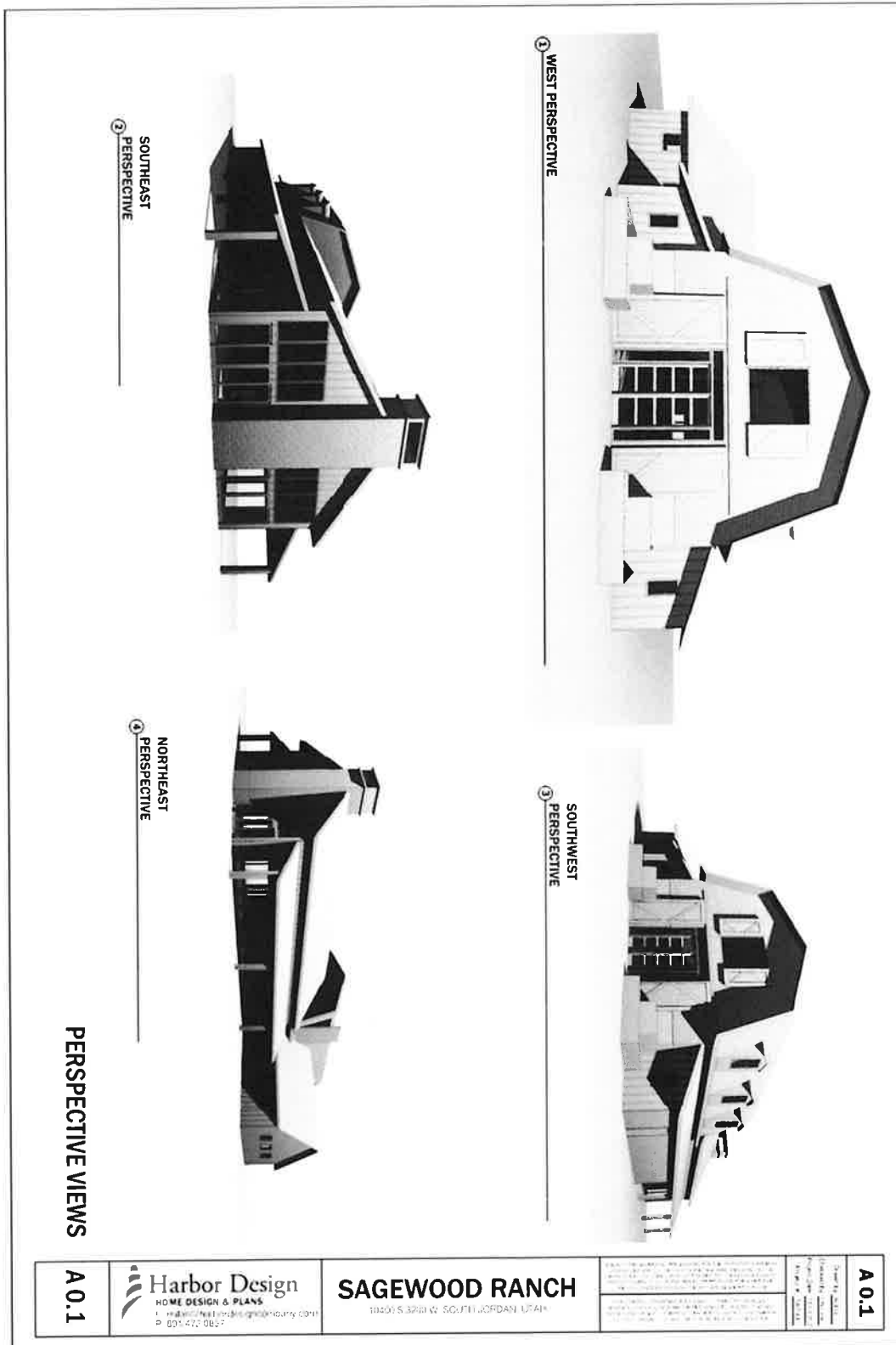
CONTAINS AND AREA OF 133,272 SQUARE FEET OR 3.06 ACRES, MORE OR LESS

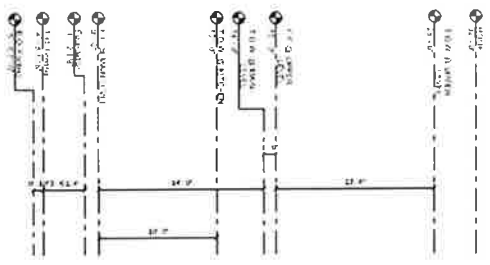
(Concept Plan)



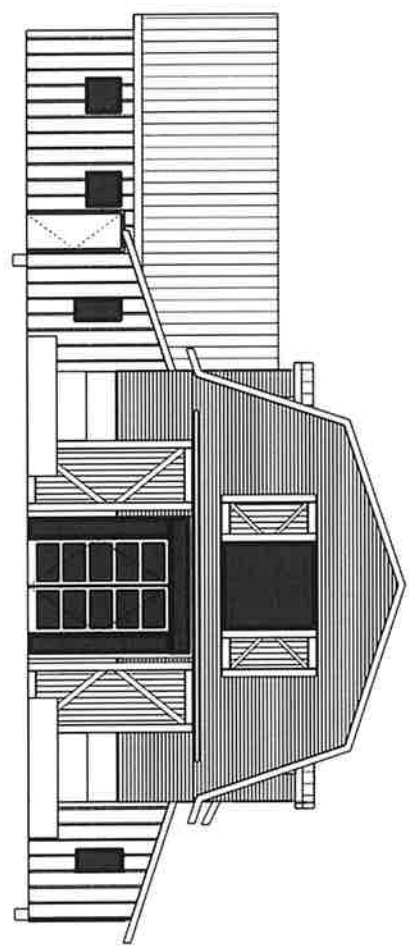
EXHIBIT C

(Elevations and Floor Plans)



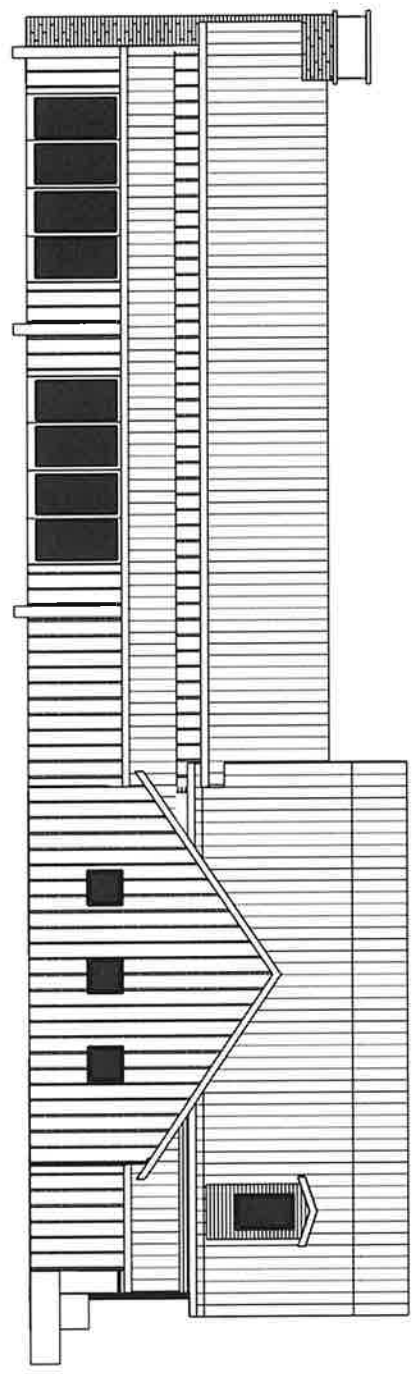


1 FRONT



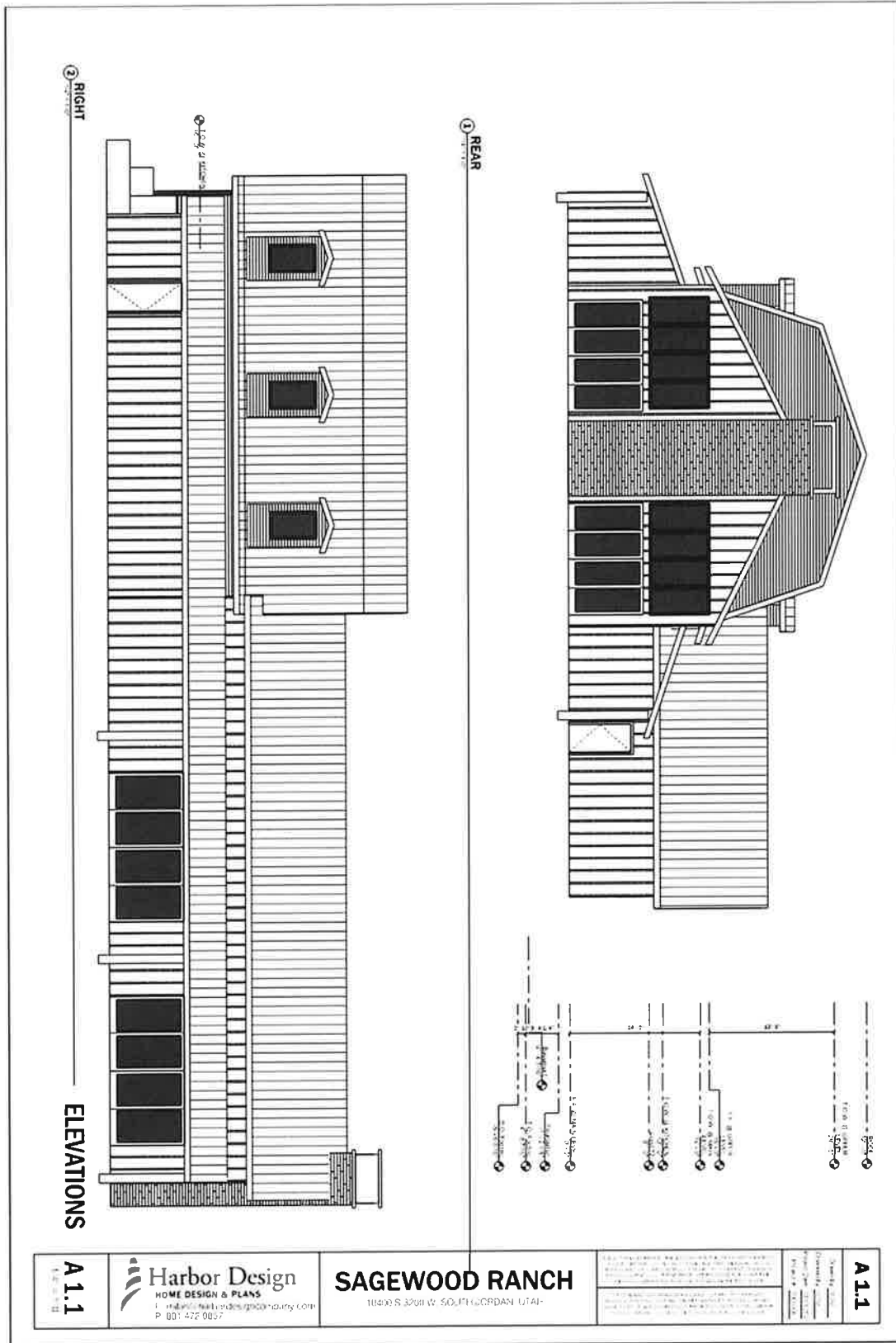
TYPICAL HEADER HEIGHT (U.N.O.)
 8'-0" PLATE HEIGHT - 6'-8" HEADER HEIGHT
 9'-0" PLATE HEIGHT - 8'-0" HEADER HEIGHT
 10'-0" PLATE HEIGHT - 8'-0" HEADER HEIGHT

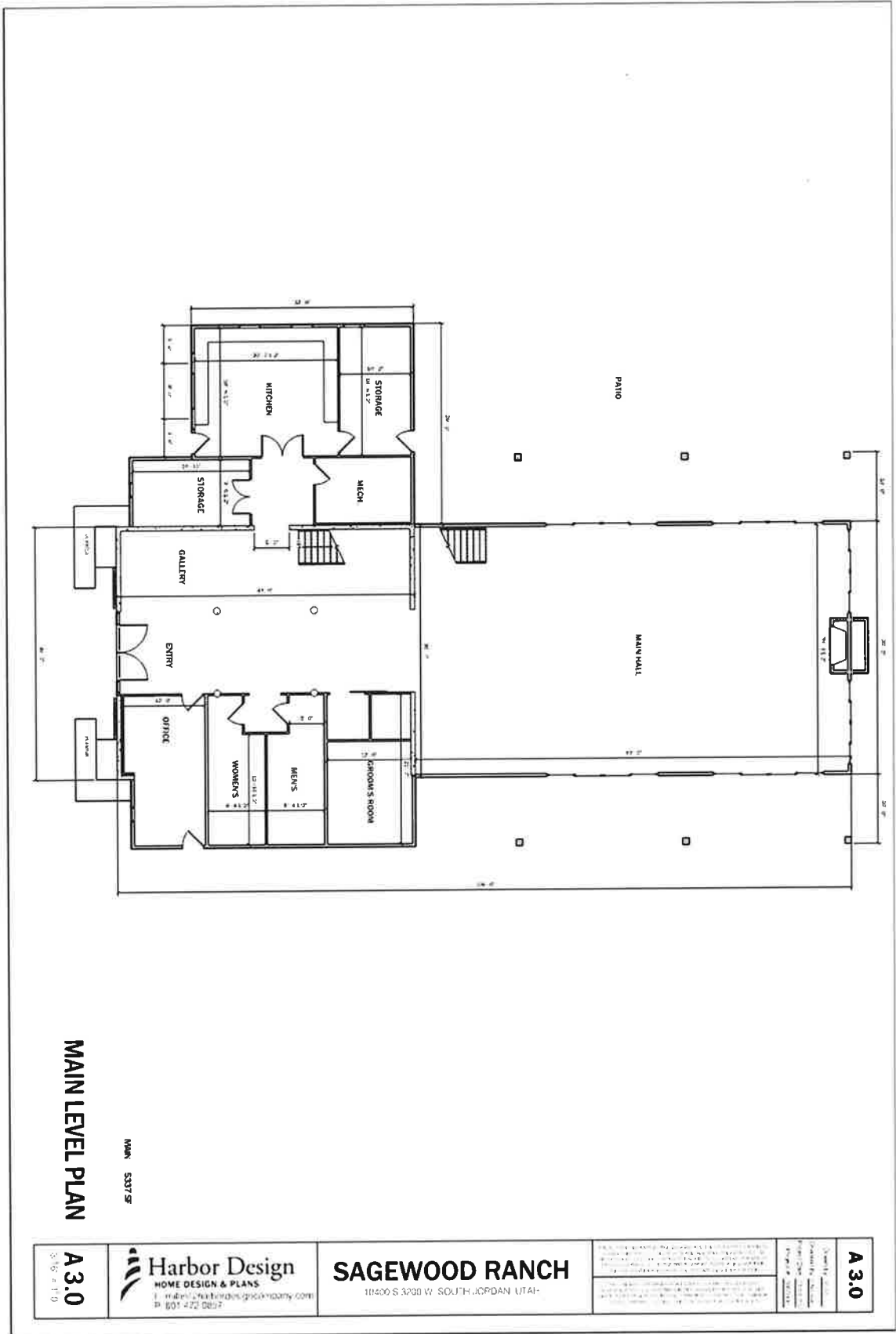
2 LEFT

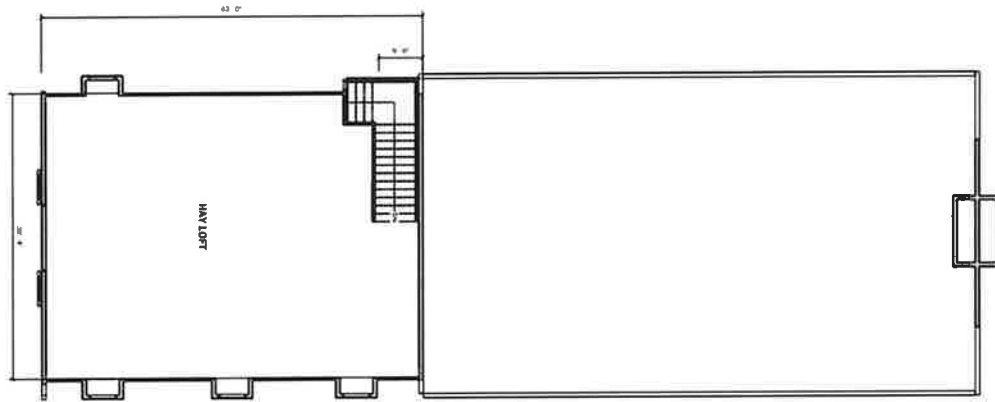


ELEVATIONS

<p>A 1.0</p> <p>10-10-10</p>	<p>Harbor Design HOME DESIGN & PLANS 11400 S 3200 W SOUTH JORDAN, UTAH P 801 470 0657</p>	<p>SAGEWOOD RANCH 11400 S 3200 W SOUTH JORDAN, UTAH</p>	<p>1. ALL DIMENSIONS ARE IN FEET AND INCHES. 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. 3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. 4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.</p>	<p>A 1.0</p> <p>10-10-10</p>
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UPPER LEVEL PLAN

UPPER 1328 SF

A 4.0
316 - 110

Harbor Design
HOME DESIGN & PLANS
I. maldonado@hdccompany.com
P. 801.422.9852

SAGEWOOD RANCH
10400 S 3200 W SOUTH JORDAN UT 84095

DESIGNED BY: J. M. M.
CHECKED BY: J. M. M.
PROJECT # 2020001

DESIGNED BY: J. M. M.
CHECKED BY: J. M. M.
PROJECT # 2020001

A 4.0

EXHIBIT D

CITY CODE CHAPTER 17.40 RESIDENTIAL ZONES

17.40.010: PURPOSE:

This chapter is established to provide standards and regulations, consistent with the city's general plan and the purposes and provisions of this title, for single-family residential areas in the city. This chapter shall apply to the following residential zones as established in chapter 17.20, "Zone Establishment", of this title: R-1.8, R-2.5, R-3, R-4, R-5, and R-M zones. Uses may only be conducted in residential zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and other associated use regulations may be found in chapter 17.18, "Uses", of this title. (Ord. 2016-05, 5-3-2016)

17.40.020: DEVELOPMENT AND DESIGN STANDARDS:

A. Development Review: Uses proposed in residential 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 residential 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 otherwise allowed under state law.

B. Lot Area: The area of any lot in residential zones shall not be less than the minimum lot area requirement identified in the minimum lot area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

Zone	Minimum Lot Area (Square Feet)
R-1.8	14,520
R-2.5	12,000
R-3	10,000
R-4	8,000
R-5	6,000
R-M	5,000

C. Lot Density: The maximum gross density (number of lots or primary dwelling units per acre) in any residential development in a residential zone shall not exceed the density shown in the lot density table below. The primary dwelling density of each area zoned R-M shall be determined, according to the densities established in the lot density table, with approval of a rezoning application per chapter 17.22, "Zoning Amendments", of this title and indicated on the official zoning map with a numerical suffix matching the approved density.

Zone	Maximum Gross Density
R-1.8	1.8
R-2.5	2.5
R-3	3

R-4	4
R-5	5
R-M-5	5
R-M-6	6

D. Lot Width And Frontage: Each lot or parcel in a residential zone shall have a minimum lot width not less than the dimension in the minimum width column of the lot width and frontage table below. The minimum lot width shall be measured at the minimum front yard requirement (see subsection F of this section) that shall be determined from 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 not less than the dimension in the frontage (standard) column of the lot width and frontage table below, except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right-of-way or landscaped open space a minimum distance not less than the dimension in the frontage (diverged) column.

Zone	Minimum Width	Frontage (Standard)	Frontage (Diverged)
R-1.8	90'	90'	50'
R-2.5	90'	90'	50'
R-3	85'	85'	50'
R-4	80'	80'	50'
R-5	75'	75'	50'
R-M-5	65'	65'	40'
R-M-6	60'	60'	40'

E. Lot Coverage: The area of lot, parcel or private ownership area in a residential zone covered by buildings shall not exceed the percentage identified in the lot coverage table below of the total lot, parcel or private ownership area.

Zone	Maximum Building Coverage
R-1.8	40%
R-2.5	40%
R-3	40%
R-4	40%
R-5	50%
R-M	60%

F. Yard Area: The yard area (setback) requirements below shall apply in all residential 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. 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.

1. Main Buildings: Minimum yard area requirements for main buildings are as follows:

<i>Zone</i>	<i>Front Yard (Interior And Corner Lots)</i>	<i>Garage Opening ¹ (Front Or Street Side)</i>	<i>Front Yard (Cul-De- Sac Lots)</i>	<i>Side Yard (Standard)</i>	<i>Side Yard (Corner Lot Street Side)</i>	<i>Rear Yard (Interior Lot)</i>	<i>Rear Yard (Corner Lot)</i>
R-1.8	30'	30'	25'	10'	30'	25'	10'
R-2.5	25'	30'	20'	10'	25'	25'	10'
R-3	25'	30'	20'	10'	25'	25'	10'
R-4	20'	25'	20'	8'	20'	20'	10'
R-5	20'	25'	20'	8'	20'	20'	10'
R-M- 5	20'	25'	20'	8'	10'	20'	10'
R-M- 6	20'	25'	20'	8'	10'	20'	10'

Note:

1. The garage opening minimum yard area requirement shall apply to garages when the garage opening faces the street, otherwise the front yard minimum yard area shall apply. The garage opening minimum yard requirement shall be 25 feet to any street-facing garage opening in a cul- de-sac.

2. Accessory Buildings: Minimum yard area requirements for accessory buildings are as follows:

a. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.

b. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings less than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line.

c. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

3. Buildings Used To Shelter Animals: 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 or, if approved with a conditional use permit, a minimum of twenty feet (20') from any collector street right-of-way line.

4. Projections: The following may be erected on or projected into any required yard space in Residential Zones:

- Fences and walls in conformance with this Code.
- Agricultural crops and landscape elements, including trees, shrubs and other plants.
- Utility or irrigation equipment or facilities.
- Decks not more than two feet (2') high.

e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, 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 no greater than 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.

G. Parking And Access: Parking areas and vehicle access in Residential Zones shall meet the requirements of title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title, and title 10 of this Code (Traffic Code). A driveway may only directly access a collector or arterial street with approval of the Utah Department of Transportation ("UDOT") for UDOT streets or with approval of the City Engineer for City streets.

H. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Residential Zones.

1. Utility Screening: In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.

2. 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 required by the development approval.

3. 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.

4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket 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 constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. 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 fence panel.

5. Clear Vision: Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high 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 on traffic speeds, flow, volumes and other traffic related variables.

6. 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 Residential Zone shall be constructed according to section 16.04.200 of this Code.

I. Architecture: The following exterior materials and architectural standards are required in Residential Zones:

1. General Architectural Standards:

a. All building materials shall be high quality, durable and low maintenance.

b. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.

c. Signs shall meet requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.

d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

a. Residential main buildings shall include a minimum two car garage (minimum twenty-two feet (22') by twenty-two feet (22'), or an approved equivalent area).

b. The minimum total floor area, finished and unfinished, of any residential main building shall be one thousand (1,000) square feet not including a garage.

c. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.

3. Architectural Standards For Accessory Buildings:

a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high.

b. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M Zones shall not exceed sixty percent (60%) of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty percent (60%) but in no case shall exceed the footprint of the main building. In the R-1.8 Zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.

c. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:

(1) Openings (e.g., windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.

(2) The average wall height shall not exceed sixteen feet (16') above grade.

d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch in the R-1.8 Zone, and a minimum three to twelve (3:12) roof pitch over a majority of the structure in all other Residential Zones.

e. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

J. Landscaping: The following landscaping requirements and standards shall apply in Residential Zones. Landscaping in Residential Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.

1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area covered in acceptable live plant material unless otherwise approved with a conditional use permit.

2. All collector street and other public and private park strips in Residential Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.

3. Where an adjacent park strip in a residential right-of-way is a minimum of five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.

4. In developments that have a principal use other than single- family, detached, the following landscaping requirements shall apply:

a. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, 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.

b. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sports or play areas, is required. At least thirty percent (30%) of all required trees shall be a minimum seven foot (7') evergreen. Deciduous trees shall be a 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.

c. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.

d. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.

e. All landscaped areas shall be curbed.

5. Developments that 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 area so included and perpetually preserved as open space 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.

6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300, "Deferred Improvements", of this Code.

7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public rights-of- way that are not maintained by the City.

8. Required trees may not be topped and required landscape material may not be removed in Residential Zones without City approval.

9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

K. Lighting:

1. A lighting plan shall be submitted with all new nonresidential developments in Residential Zones.

2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

3. Lighting fixtures in all developments that have a principal use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be approved by the City Engineer.

L. Streets: Streets in Residential Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in

Residential Zones unless otherwise provided for in this chapter. (Ord. 2016-05, 5-3-2016; amd. Ord. 2017-22, 7-18-2017; Ord. 2019-01, 3-5-2019; Ord. 2019-06, 3-19-2019; Ord. 2021-06, 2-16-2021; Ord. 2021-09, 5-4-2021; Ord. 2021-20, 10-5-2021)

17.40.030: OTHER REQUIREMENTS:

A. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

B. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.

C. Phasing Plan: 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.

D. Common Areas: All common area improvements in developments, including, but not limited to, 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 and maintained by the property owners of the development 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.

E. Prior Created Lots: Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a Residential Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.

F. Approval: Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this Code and the applicable plat recorded with the Salt Lake County Recorder's Office.

G. Open Space: Any open space provided within a subdivision to be jointly owned, maintained and preserved by a homeowners' association and/or special assessment area acceptable to the City shall be labeled and recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The City may determine the location of open space in a subdivision by considering topography, drainage or other land features. The City may require a cash bond or a letter of credit to guarantee installation of improvements.

H. Developer Requirements: Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants and restrictions ("CC&Rs") to the City for staff review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:

1. An opinion of legal counsel licensed to practice law in the State that the project meets requirements of State law.

2. 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.

3. Language consistent with section 17.04.300 of this title. (Ord. 2016-05, 5-3-2016)

EXHIBIT E

CITY CODE CHAPTER 17.62 OFFICE ZONE

17.62.010: PURPOSE:

This chapter is established to provide standards and regulations, consistent with the City's general plan and the purposes and provisions of this title, for office areas in the City. This chapter shall apply to the P-O Zone, established in chapter 17.20, "Zone Establishment", of this title. Uses may only be conducted in the P-O Zone in accordance with the regulations of this Code. Allowed use (permitted and conditional), accessory use, temporary use, and other associated use regulations are found in chapter 17.18, "Uses", of this title.

A. P-O Zone: The purpose of the P-O Zone is to provide areas where large and small scale offices and office parks can be located in the City. Smaller office developments should be harmoniously integrated with surrounding residential areas and serve as residentially compatible buffers to heavier uses such as commercial and industrial businesses and major roadways. Large office buildings should be well buffered from residential areas with landscaped open space. Buildings and signs should be coordinated with high quality materials and architecture. (Ord. 2016-02, 4-19-2016)

17.62.020: DEVELOPMENT AND DESIGN STANDARDS:

A. Development Review: Uses proposed in the P-O Zone may only be established in conformance with the City's 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 the P-O Zone. 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. Office condominiums may be approved in accordance with State law and City ordinances.

B. Area Requirements: The following area requirements shall apply in the P-O Zone:

1. The minimum zone area shall be one acre.
2. The minimum project area in the P-O Zone shall be one acre. "Project" is defined as any development in the OS Zone for which an application has been submitted or approval has been granted for a preliminary plat or site plan.
3. There shall be no minimum lot area in the P-O Zone.

C. Density: There is no restriction on the number of lots or parcels or the number of buildings on a lot or parcel, except as may be limited by other standards, regulations, or requirements of this title, in the P-O Zone.

D. Lot Width And Frontage: No minimum lot width is required for lots in the P-O Zone. Lots not fronting on a street must be accessible to the public via a recorded easement or right-of-way.

E. Yard Area: The following yard area requirements shall apply to lots or parcels in the P-O Zone:

1. The following minimum yard area requirements apply to main and accessory buildings:
 - a. The required yard area for front, side, and rear yards shall extend a distance of twenty feet (20') away from and along a property line adjacent to the edge of a public right-of-way (back of sidewalk for a typical street cross section). An alternative edge line to be used for measuring the

minimum yard area may be established where an atypical street cross section exists and when recommended by the Planning Director and approved by the Planning Commission.

b. The required yard area for front, side, and rear yards shall extend a distance of thirty feet (30') away from and along a property line adjacent to a Residential or Agricultural Zone, except that the required yard area adjacent to residential or agricultural zones shall be twenty feet (20') per story for three-story or higher buildings.

2. The required yard area for a lot or parcel adjacent to a residential or agricultural zone, as required in subsection E1 of this section may be reduced if the adjacent residential or agricultural zoned property has a future land use designation that is not residential or agricultural and the reduction is approved by the Planning Commission with site plan review.

3. The following may be projected into any required yard area in the P-O Zone:

- a. Fences and walls in conformance to City codes and City ordinances.
- b. Landscape elements, including trees, shrubs and other plants.
- c. Minor 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 a building that does not extend more than two feet (2') into a side yard area or four feet (4') into a front or rear yard area.
- 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.

F. Parking And Access: Parking areas and access in the P-O Zone shall comply with title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title and title 10, "Vehicles And Traffic", of this Code.

G. Fencing, Screening, And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply to the P-O Zone:

1. All mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.

2. The boundary of an office zone which is not in or adjacent to a public right-of-way and which is adjacent to a residential or agricultural zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the office zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit may be required for fences and walls according to applicable building codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.

3. No wall, fence or screening material shall be erected between a street and a front or street side building line in the P-O Zone, except as required by subsection G1 of this section.

4. Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no higher than three feet (3') high within a ten foot (10') triangular area

formed by the edge of a driveway and a street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets.

H. Architecture: The following exterior materials and architectural standards are required in the P-O Zone:

1. Applicants for development approval shall submit for site plan review architectural drawings and elevations, exterior materials and colors of all proposed buildings. In projects containing multiple buildings, the applicant shall submit a design book that includes an architectural theme, features, exterior materials and colors governing the entire project shall be submitted.

2. All building materials shall be high quality, durable and low maintenance.

3. Exterior walls of buildings that are longer than sixty feet (60') in length shall have relief features at least four inches (4") deep at planned intervals.

4. All sides of buildings shall receive design consideration.

5. Signs shall meet requirements of title 16, chapter 16.36 of this Code and shall be constructed of materials which complement the buildings which they identify.

6. The maximum building height in the P-O Zone shall be six (6) stories or seventy feet (70'), whichever is less.

7. The exteriors of buildings in the P-O Zone shall be properly maintained by the owners.

I. Grading And Drainage: All developments shall be graded to comply with subsection 16.10.040E9 of this Code and as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel.

J. Landscaping: The following landscaping requirements and standards shall apply in the P-O Zone. Landscaping in the P-O Zone is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.

1. A minimum of fifteen percent (15%) landscaped open space, which may include required landscaped yard areas, shall be provided with each development in the P-O Zone. (Ord. 2017-22, 7-18-2017)

2. The area of front, side, and rear yards along an adjacent property line and extending away from the property line a distance prescribed in the requirements of this subsection shall be landscaped with grass, trees, and other live plant material.

- a. The required yard landscape area for a yard adjacent to a Residential or Agricultural Zone shall be not less than ten feet (10') for buildings not exceeding two (2) stories and shall not be less than twenty feet (20') for buildings with three (3) stories or more, except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.

- b. The required yard landscape area for a yard adjacent to a public right-of-way shall be twenty feet (20'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.

3. All areas of lots in the P-O Zone not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other live plant material in conjunction with a landscape plan for the development that has been designed and prepared by a landscape architect and approved by the Planning Commission.

4. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in the P-O Zone in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') tall

evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.

5. All collector streets and other public and private park strips in the P-O Zone shall be improved and maintained by the adjoining owners according to specifications adopted by the City unless otherwise allowed with development approval.

6. Trees shall not be topped and required landscape areas shall not be redesigned or removed in the P-O Zone without City approval. Property owners shall replace any dead plant material in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

7. The following landscaping requirements shall apply to parking areas:

a. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.

b. Shade trees shall be planted in double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum thirty foot (30') intervals and no farther than six feet (6') from the parking area.

c. Minimum five foot (5') landscaped planters shall be provided around building foundations except at building entrances, drive-up windows and loading and utility areas.

d. All landscaped areas adjacent to parking areas shall be curbed.

8. Developments that 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 yard 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 written approval of any entity or agency having jurisdiction over said waterways.

9. All required landscaping shall be installed (or escrowed due to season) prior to occupancy.

10. All landscaped areas, including adjoining public right-of-way areas, shall be properly irrigated and maintained by the owners.

K. Lighting: The following lighting requirements shall apply in the P-O Zone:

1. Applicants for development approval shall submit a lighting plan, which shall include a photometric analysis.

2. Site lighting shall adequately light all parking areas, walkways, and common areas. Site lighting shall be designed and/or shielded to prevent glare on adjacent properties.

3. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be architectural grade and consistent with a streetlight design approved by the City Engineer. (Ord. 2016-02, 4-19-2016; amd. Ord. 2017-22, 7-18-2017; Ord. 2019-01, 3-5-2019; Ord. 2021-09, 5-4-2021)

17.62.030: OTHER REQUIREMENTS:

A. Private Covenants: The developer of a condominium project in an office zone 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 meets requirements of State law, and record the covenants with the condominium plat for the project.

B. Maintenance: All private areas in developments shall be properly maintained by the property owners.

C. Easements: Buildings may not be located within a public easement.

D. Phasing Plan: Applicants seeking development approval of a phased project shall submit for review at the time of plat or site plan approval a project phasing plan. Development shall be in accordance with the project phasing plan unless the City approves a revised project phasing plan.

E. Nonconforming Lots Or Parcels: Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of the P-O Zone shall be brought into conformance with the requirements of this chapter prior to development.
(Ord. 2016-02, 4-19-2016)

EXHIBIT F

(Resolution R2022-14 - To Be Inserted Once Executed)