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# **SOUTH JORDAN CITY**

## **CITY COUNCIL REPORT**

**Council Meeting Date: 4/2/24**

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**Issue:**           **RESOLUTION R2024-19 – APPROVING THE 2024–2025 ANNUAL ACTION PLAN FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND AUTHORIZING THE CITY TO ENTER INTO A GRANT AGREEMENT FOR THE USE OF CDBG FUNDS.**

**Presented By:** Katie Olson, Associate Director of Strategy and Budget

**Department:** Executive

**Submitted By:** Katie Olson, Associate Director of Strategy and Budget

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### **Staff Recommendation (Motion Ready)**

Approve Resolution No. R2024-19, approving the 2024–2025 Annual Action Plan for the use of Community Development Block Grant (CDBG) funds and authorizing the City to enter into a grant agreement for the use of CDBG funds.

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### **Background**

The Community Development Block Grant (CDBG) program is administered by the U.S. Department of Housing and Urban Development (HUD) to support the development of viable urban communities with the goals of providing decent housing, a suitable living environment, and expanded economic opportunities. Funds are allocated to projects by recipient communities on an annual basis according to an Annual Action Plan (AAP) with the intent to meet needs and accomplish goals identified in a five-year strategic plan (Consolidated Plan) for the program year. The AAP requires City Council approval and a public hearing.

The City of South Jordan is an annual grantee of CDBG funds. The 2024–2025 program year represents the City’s thirteenth year as a grantee. Projects and project funding included in the 2024–2025 AAP reflect the recommendation of the City’s CDBG Committee (Staff Working Group) based on the set allocation and the objectives and goals of the 2020–2024 Consolidated Plan.

The City is set to receive approximately \$220,000 for the 2024–2025 program year, based on the typical allocations the City has received in the past. HUD has not yet released final allocations. When those are released, funding will be adjusted as allocated in the AAP. The City of South Jordan will submit its AAP with Salt Lake County as a participant of the HOME Consortium.

### **2024–2025 Annual Action Plan – Project & Estimated Funding Summary**

The 2024–2025 AAP was released for public comment on March 19, 2024, prior to HUD’s announcement of official grant allocation amounts. **Because of this, amounts listed for projects**

**and activities are based on an estimated \$220,000 grant allocation** (determined based on the City’s past allocations). **After HUD announces final allocations, the CDBG Coordinator will adjust the estimated amounts** according to the following contingency plan:

- If the grant amount is higher than \$220,000, the final amount of admin and planning will be adjusted to remain at 20% of the total grant amount, public service amounts will stay as originally allocated, and the remaining funds will be allocated to the ADA ramp activity under the Infrastructure Improvement project.
- If the grant amount is lower than \$220,000, all activities will be adjusted based on the following percentages.
  - The final amount for admin and planning will remain at 20% of the total grant amount.
  - The final amount for public services activities will be decreased proportionally to remain at the 15% cap.
  - All remaining funds will be allocated to the ADA ramp activity under the Infrastructure Improvement project.

All older funds amended to this year will remain with ADA ramps under either scenario.

<b>Public Services (using 15% of the 15% Cap)</b>	<b>\$33,000</b>
Domestic violence victim shelter and services (South Valley Sanctuary)	\$15,000
Homeless shelter and services (The Road Home)	\$10,000
Domestic violence legal support services (Legal Aid Society of Salt Lake)	\$8,000
<b>Infrastructure Improvements</b>	<b>\$146,674.94</b>
ADA Ramps	\$146,674.94
2024 Funding	\$143,000
Amended Leftover Funding from Past Grants	\$3,674.94
<b>Planning &amp; Administration (20% Cap)</b>	<b>\$44,000</b>
Program Administration	\$22,000
Eligible Planning	\$22,000
	<hr/>
<b>PY 24 Total</b>	<b>\$220,000</b>
<b>Amended Funds</b>	<b>\$3,674.94</b>

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

### **Findings**

- The City of South Jordan has previously been approved as a grantee of CDBG funds and is expected to receive approximately \$220,000 in CDBG funds in the 2024–2025 program year.
- Grantees are required to have a Consolidated Plan, which is a 5-year strategic plan, and an Annual Action Plan in place to guide the annual use of HUD program (CDBG, HOME, ESG, HOPWA) funds. In 2020, the City approved the 2020–2024 Consolidated Plan based on a

needs assessment and market analysis that includes a strategic plan to address identified community needs. The 2024–2025 Annual Action Plan, the fifth year of the Consolidated Plan, identifies projects and funding allocations for the program year in accordance with the strategic plan of the 2020–2024 Consolidated Plan.

- The 2024–2025 Annual Action Plan was prepared, as required, in HUD’s online template, the Integrated Disbursement & Information System (IDIS).
- To prepare the 2024–2025 program year projects and allocation recommendations, the City’s CDBG committee evaluated all applications submitted during the application window. The process followed the City’s Citizen Participation Plan.

### **Conclusion**

The 2024–2025 Annual Action Plan is consistent with HUD requirements and the strategies of the 2020–2024 Consolidated Plan.

### **Recommendation**

Based on the Findings and Conclusions listed above, staff recommends that the City Council take public comments and approve Resolution R2024-19—approving the 2024–2025 Annual Action Plan and authorizing the City to enter into a grant agreement for the use of CDBG funds—unless facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

### **FISCAL IMPACT**

It is anticipated that the City will receive approximately \$1,100,000 in CDBG funds during the term of the 2020-24 Consolidated Plan.

### **ALTERNATIVES**

- Approve the resolution.
- Approve the resolution with modifications.
- Deny the resolution
- Schedule the decision for a future date

### **SUPPORT MATERIALS**

- Resolution No. R2024-19

City Council Action Requested:

  
Sunil Naidu (Mar 26, 2024 11:33 MDT)

Sunil Naidu  
Chief Financial Officer/  
Budget Officer

03/26/2024

Date

## **RESOLUTION R2024 - 19**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, APPROVING THE 2024-2025 ANNUAL ACTION PLAN FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND AUTHORIZING THE CITY TO ENTER INTO A GRANT AGREEMENT FOR THE USE OF CDBG FUNDS.**

**WHEREAS**, the Department of Housing and Urban Development (HUD) has developed the CDBG program, as authorized under Title I of the Housing and Community Development Act of 1974, to provide funds to address community needs through the development of viable communities by providing decent housing, a suitable living environment, and expanded economic opportunity; and

**WHEREAS**, the City of South Jordan (the “City”) has previously qualified for CDBG funds directly from HUD, and the 2024 program year is the City’s thirteenth year as a CDBG grantee; and

**WHEREAS**, it was determined through a needs assessment and market analysis that needs do exist within the City that are eligible for the use of CDBG funds; and

**WHEREAS**, a five-year strategic plan (2020-2024 Consolidated Plan) to guide annual spending has previously been approved by the City, and an annual action plan (2024-2025 Annual Action Plan) outlining projects and funding has been prepared in a manner consistent with HUD requirements; and

**WHEREAS**, the City is required to provide the 2024-2025 Annual Action Plan to Salt Lake County, to be submitted in May; and

**WHEREAS**, the City Council finds it in the best interest of the health and welfare of South Jordan citizens to approve the 2024-2025 Annual Action Plan and authorize the City to enter into a grant agreement for the use of CDBG Funds.

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

**SECTION 1. Approval.** The South Jordan City Council hereby approves the 2024-2025 Annual Action Plan, as indicated in Exhibit “A”, and authorizes the City to enter into grant agreements for the use of CDBG funds.

**SECTION 2. 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

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

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

Approved as to form:

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

## **Exhibit “A”**

### **2024-2025 Annual Action Plan**

# The City of South Jordan

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## 2024-24 Annual Action Plan

for the use of  
Community Development Block Grant  
(CDBG) funds

Fifth year of the  
2020-2024 Consolidated Plan

### Contact Information

Katie Olson

Associate Director of Strategy and Budget

1600 W. Towne Center Dr.

South Jordan City, Utah 84095

Phone: 801-254-3742

Email: [kolson@sjc.utah.gov](mailto:kolson@sjc.utah.gov)



## **Executive Summary**

### **AP-05 Executive Summary - 91.200(c), 91.220(b)**

#### **1. Introduction**

The City of South Jordan in partnership with the U.S. Department of Housing and Urban Development (HUD) is required to submit an Annual Action Plan (AAP) as a grantee of funding for the Community Development Block Group (CDBG) program. The AAP sets forth the projects, including funding amounts, to be started that program year. These projects are based on the needs, strategic objectives, and expected beneficiaries set forth in the 2020-2024 Consolidated Plan.

The 2024-2025 AAP is the fifth year of the 2020-2024 Consolidated Plan and the City's thirteenth year as a CDBG grantee. In 2012, HUD approved the City as a grantee for the CDBG program. In order to achieve some of the City's housing objectives, the 2012-2016 Consolidated Plan recommended that the City "apply to participate in the Salt Lake County HOME Consortium" (2012-2016 Consolidated Plan, page 52). The City joined the HOME Consortium in 2014. As a member of the HOME Consortium, HUD has directed the City to participate in the update of the County's consolidated plan, resulting in the 2015-2019 Consolidated Plan. The 2020-2024 Consolidated Plan is the City's second consolidated plan under the Consortium.

#### **2. Summarize the objectives and outcomes identified in the Plan**

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

See chart.

Goal	Needs Addressed	Category	National Objective	Outcome
Correct accessibility deficiencies	Remove barriers to accessibility  Neighborhood Improvements  Housing rehabilitation Public infrastructure improvements	Non-Housing Community Development	Suitable living environment  Expanded economic opportunities	Accessibility  Availability
Support services for vulnerable populations	Homeless Services and Prevention Senior services and facilities  Services for those experiencing domestic Family & individual crisis services & prevention Essential needs services Housing assistance Training, prevention, and education programs Mental Health Economic recovery from COVID-19	Homeless  Non-Homeless Special Needs	Suitable living environment Expanded economic opportunities Decent housing	Sustainability  Affordability  Accessibility

## 2024 Needs

### 3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Since becoming a grantee, the City has received one of the lowest annual allotment of all CDBG grantees in a seven-state region (Region VIII). The City's annual allocation reflects a relatively small, but rapidly growing, population, and the lack of community concerns, at least at a lower scale, than many other communities face. The City's modest allocation of CDBG funding requires a simple program and careful project selection. The City strives to address the unique and specific existing concerns in the community in a way that is also preventative of those concerns becoming larger future problems.

The 2024-25 AAP represents the fifth year of the City's 2020-2024 Consolidated Plan, which includes the following goals and objectives:

- Correct accessibility deficiencies

- Increase access to affordable housing
- Maintain existing housing
- Improve senior facilities and services
- Provide improvements in deficient neighborhoods
- Support services for vulnerable populations
- Support mental health programs and resources
- Support training, prevention, and education programs
- Support COVID-19 response efforts as needed

At the time of creating this plan, the 2023-24 program year is about 75% complete, with one construction project in progress. Mid-year staffing changes were made to the City's CDBG program to streamline project management and clarify supervisory responsibilities.

In the 2015-2019 Consolidated Plan, the City identified increasing public outreach and generating more resident input as a key area of improvement. Outreach for the 2020-2024 Consolidated Plan involved a significantly increased effort to obtain public input. Though actual turnout was lower than expected, the City heard from target groups in greater numbers than usual. Outreach for the CDBG-CV fund amendments included an online survey that was well responded to by low- and moderate-income individuals.

#### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

The process used to prepare the Consolidated Plan followed the City's Citizen Participation Plan (attached). The City's Citizen Participation Plan, which was adopted in March 2012 and amended in 2020 and 2022, guides the development of the Consolidated Plans, Annual Action Plans, and amendments to those plans. The Citizen Participation Plan ensures that the community has the opportunity to work in partnership with the City to identify needs and to allocate CDBG funds. The Citizen Participation Plan established the following standards for citizen involvement:

1. All citizen participation is to be done openly.
2. Involvement of low- and moderate-income persons, minorities, project area residents, elderly, handicapped, and others is to be evident.
3. Reasonable efforts to ensure continuity of involvement of citizens throughout all stages of the CDBG program are to be evident.
4. Timely and adequate information is to be given to citizens.
5. Citizens are encouraged to submit their views and proposals regarding the Consolidated Plan and use of CDBG funds.

Throughout the 2023-24 program year, the City has had contact with public service providers, Salt Lake County, other local municipalities, regional agencies, residents, and City departments. These discussions have informed the preparation of the AAP.

A public hearing was held on October 17, 2023, to address community needs and a second public hearing was held on April 2, 2024.

The 2024 Annual Action Plan and Citizen Participation Plan were available for review during a public comment period from March 19 through April 18, 2024. The AAP and Citizen Participation Plan were available at City Hall, at the Community Center (home to senior programs), on the City's website, and by request.

## **5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

To be completed after public comment.

## **6. Summary of comments or views not accepted and the reasons for not accepting them**

To be completed after public comment.

## **7. Summary**

While modest funding amounts limit project types, the City is confident that the 2024-25 allocation of CDBG funds will be used to effectively address needs and benefit residents.

## PR-05 Lead & Responsible Agencies - 91.200(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	SOUTH JORDAN	
CDBG Administrator	SOUTH JORDAN	Finance
HOPWA Administrator		
HOME Administrator		
HOPWA-C Administrator		

Table 1 – Responsible Agencies

### Narrative

South Jordan participates in the Salt Lake County Consortium. The County administers HOME funds; the City is a member of the HOME Committee. For general information, it is worth noting that Salt Lake City also receives HOME, ESG, and HOPWA funds. The State of Utah received HOME, ESG, HOPWA, and HTF funds. The City of South Jordan only works with its own CDBG funds and as a member of the HOME Committee and the Salt Lake County Consortium.

### Consolidated Plan Public Contact Information

South Jordan City

Finance Department

1600 W Towne Center Drive



South Jordan, UT 84095

801-446-HELP

Housing and Community Development

Salt Lake County

2001 South State Street

Ste S2-100

PO Box 144575

Salt Lake City, UT 84114

383-468-4901

## **AP-10 Consultation - 91.100, 91.200(b), 91.215(l)**

### **1. Introduction**

South Jordan City first became a grantee for a HUD program (CDBG) in 2012. In many cases, the preparation of the 2012-2017 Consolidated Plan initiated the City's relationship with many housing and public service providers in the region. Like several cities in Salt Lake County, South Jordan lacks service providers located directly in the City. Providers are physically spread throughout the County, providing their unique type of services to residents from all cities in the county. In the following years, the City has worked to build relationships and reach out to others. The City has sought input from many of those agencies in the preparation its CDBG plans. The CDBG Coordinator has significantly increased awareness of South Jordan's program; however, it continues to be an obstacle that South Jordan's CDBG funds are low and the City's LMI population is low. Most providers prefer to spend time in areas where more help is needed. For many, applying for our funds is not a good use of staff time, since there is little return.

**Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).**

The CDBG Coordinator works with providers funded by the City, including regular phone and email communications and reviews of quarterly reports. The City holds two public hearings each year to address the use of CDBG funds, to which all past and present public service providers are invited. During preparation of the recent Consolidated Plan, the CDBG coordinator contacted service providers, sustainably strengthening name recognition and clarity about who leads which program.

In September 2021, Salt Lake County hosted an open house for organizations interested in applying for CDBG funding. South Jordan was one of the few cities that participated. At the open house, the CDBG coordinator was able to make connections with new potential applicants and raise the visibility of the program among non-profits and other organizations.

In managing the CDBG-CV funds, the CDBG coordinator has also increased communication with service providers. The CV grant resulted in new connections being made with the Community Development Corporation of Utah (who is now providing mortgage assistance with CV funds), which received additional funds for their program through reallocation. In the past, the CDBG Coordinator has attended a monthly non-profit partner meeting, hosted by NeighborWorks of Salt Lake. This regular meeting has enhanced coordination between the City and housing providers.

As a relatively small grantee and receiving a modest amount of CDBG funding, the City has sought to address housing issues through other resources, namely RDA funds. In 2014, the City joined the local HOME Consortium. Participating in the HOME Consortium has introduced the City to a wider range of

housing providers in the community. It has also strengthened the City's relationship and coordination with the County, as the lead agency of the HOME Consortium, and other municipalities in the region, as fellow members of the Consortium.

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

There are three Continuums of Care organized in Utah. The local Continuum of Care serves Tooele and Salt Lake County and is overseen by the Salt Lake Valley Coalition to End Homelessness (SLVCEH). It receives approximately \$7.8 million annually from HUD for project funding and collaboration. Salt Lake County provides staffing support to the Salt Lake Valley Coalition to End Homelessness (SLVCEH) whose goal is to establish a strong and effective homeless system structure that:

- Supports a community wide commitment to make homelessness rare, brief, and non-recurring.
- Unites communities and service providers in profoundly new ways.
- Informs funding and policy decisions through a variety of mechanisms, including a report released annually.
- Aligns multiple funding streams for efforts to quickly rehouse homeless individuals and families while minimizing trauma and dislocation caused to homeless individuals, families, and communities.
- Promotes access to and effective utilization of mainstream programs by homeless individuals and families.
- Optimizes self-sufficiency among individuals and families experiencing homelessness
- Reinforces an overall system planning effort which includes all resources, stakeholders, and funding.
- Provides multiple opportunities for client input and feedback.

The SLVCEH convenes eight core function groups (Community Engagement, Client Focus, Crisis Response, Education, Employment, Health and Wellness, Housing, and Legal Rights & Safety) which inform the work of the Steering Committee that fulfills the responsibilities of the Continuum of Care Board. The Coalition is made up of 279 individual members that represent public, private and nonprofit organizations and individuals interested in issues related to homelessness or provide services to those experiencing homelessness.

Since County meetings have decreased in number, South Jordan subscribes to the SLVCEH monthly newsletter to stay on top of opportunities.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate**

**outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

The City does not receive ESG funds and does not administer the HMIS program.

**2. Agencies, groups, organizations and others who participated in the process and consultations**

DRAFT

**Table 2 – Agencies, groups, organizations who participated**

1	<b>Agency/Group/Organization</b>	THE ROAD HOME
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-homeless
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	On-going conversations over the course of the current year and via the application process. Continued funding.
2	<b>Agency/Group/Organization</b>	South Valley Sanctuary
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Children Services-Victims of Domestic Violence Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	On-going conversations over the course of the current year and via the application process. Keep funding.

3	<b>Agency/Group/Organization</b>	The INN Between
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-homeless
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	On-going conversations over the course of the current year and via the application process.
4	<b>Agency/Group/Organization</b>	Legal Aid Society of Salt Lake
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Victims of Domestic Violence Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	On-going conversations over the course of the current year and via the application process. Continued funding.

5	<b>Agency/Group/Organization</b>	SOUTH JORDAN
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Children Services-Elderly Persons Services-Health Service-Fair Housing Other government - Local
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	On-going conversations over the course of the current year and via the application process with City representatives in parks, seniors, recreation, planning, engineering, and public works.
6	<b>Agency/Group/Organization</b>	SALT LAKE COUNTY
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Other government - County

<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Consultations beginning for the consolidated plan, including housing data.

#### **Identify any Agency Types not consulted and provide rationale for not consulting**

Because the number of South Jordan residents served by outside agencies is low compared to surrounding cities, the City strives to be respectful of the heavy demands being placed on providers currently and primarily uses information communicated throughout the year. This year agencies who applied for funds indicated their needs and the trends they are seeing in their respective spheres.

No agency has been intentionally overlooked. According to our 2020 con plan, there are no deficiencies when it comes to broadband access in any part of the city. There are 5 eligible block groups in the city that have some level of vulnerability to natural hazards that are part of the county-wide Hazard Analysis and Mitigation plan. There were no discussions regarding these elements as part of this years AAP and no identifiable funding opportunities that would address these two areas and meet the national objectives for CDBG funds. The City remains focused on low- and moderate-income improvements.

#### **Other local/regional/state/federal planning efforts considered when preparing the Plan**

<b>Name of Plan</b>	<b>Lead Organization</b>	<b>How do the goals of your Strategic Plan overlap with the goals of each plan?</b>
Continuum of Care	Salt Lake County	Continuum of Care plan contains all of the homelessness strategies for the region.



Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
2019 General Plan	South Jordan City	Plan includes Transportation Master Plan and Housing Plan. Goals align with preserving stable neighborhoods, facilitate growth of safe and well-planned neighborhoods, ensuring well-designed moderate income housing, and enhancing public spaces.
South Jordan Moderate Income Housing Plan	South Jordan City	This 2019 housing study goes into detail on unit affordability. However it does not include a full analysis of impediments or racial data. An amendment was approved in 2022 in order to align with updated state requirements.
2014 South Jordan Housing Needs Study	South Jordan City	This housing study, while older than the 2019 one, contains a more full analysis of impediments and was done in conjunction with the County. The study gives more specifics on protected classes and the need for affordable housing.

**Table 3 - Other local / regional / federal planning efforts**

## Narrative

Previously, the Coordinator reached out to all current service providers for a needs statement. Again and again, the theme was affordable housing and that issue still remains in force today. This continues to be the top issue in our City and State. However, the City's CDBG allocation is not a good avenue for addressing affordable housing. The City is doing that through other avenues, primarily RDA funds and involvement on the HOME committee.

The City will updated its affordable housing plans at the end of 2024. Discussions have begun with potential consultants. The County Consortium has also secured a consultant (Root Policy Research) to prepare its Consolidated Plan. On March 11, 2024, the County held its 2024-2025 HUD Consolidated Plan Kick-Off meeting with the consultant. Preliminary data shared echoed the great need for closing Salt Lake County's housing gap. Data also indicates opportunity for encouraging education, business ownership, and wealth among women.

As the final year of the 2020 consolidated plan, South Jordan intends to continue steady with the objectives of the 2020 plan. Looking forward to the 2025 plan, we anticipate increasing outreach and research to help inform that plan.

## **AP-12 Participation - 91.401, 91.105, 91.200(c)**

### **1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

Community participation efforts for the Con Plan and amendments for CDBG-CV continue to inform the AAP. In Oct. 2020, the City surveyed residents about COVID's effects, awareness of current service providers, and uses of CDBG-CV funds. Mental health is a top concern among respondents, mirroring the 2020 Con Plan community survey. In the 2020 Con Plan survey, residents listed sidewalk improvements as a top concern, and mental health services ranked in the top for services.

In the Oct. 2020 survey, the most troubling finding was that respondents said they didn't know where to find help in the City. Based on this, the City has increased marketing of the services available through CDBG. Since then, City has strongly increased efforts to improve awareness via postcards to LMI areas, email newsletters (both citywide and to LMI areas), social media ads, print newsletter articles, direct email to providers, and posters. For this planning cycle, social media and email newsletters were used, in addition to the required public notices and newspaper notices.

A public hearing was held on October 17, 2023, to address community needs and a second public hearing for needs and the AAP was held on April 2, 2024. The 2023 AAP and CPP were available for public comment from March 19 through April 19, 2024. The AAP and Citizen Participation Plan were available at City Hall, on the City's website, and by request. Notices for the public hearings and public comment period were published in the two largest regional newspapers, at City Hall, and emailed to public service and housing providers.

## Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Hearing	<p>Non-English Speaking - Specify other language: translation available upon request</p> <p>Persons with disabilities</p> <p>Non-targeted/broad community</p>	To be completed after hearing	To be completed after hearing	To be completed after hearing	<a href="https://www.sjc.utah.gov/241/City-Council">https://www.sjc.utah.gov/241/City-Council</a>
2	Newspaper Ad	Non-targeted/broad community	Public notices printed in two regional newspapers for the October 2023 and the April 2024 hearings.	See above	See above	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Internet Outreach	Non-targeted/broad community	Email newsletter that goes Citywide was sent advertising the hearing and plan availability for comment.			
4	Internet Outreach	Non-targeted/broad community	Two posts were made on the City's social media channels advertising the hearing and plan availability for comment.			

**Table 4 – Citizen Participation Outreach**

## Expected Resources

### AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

#### Introduction

The City participates in both the CDBG program, as a grantee, and the HOME program, as a member of the Salt Lake HOME Consortium. The 2024 program year marks the City's thirteenth year as a CDBG grantee and the tenth year as a member of the HOME Consortium. The City does not anticipate directly administering HOME funds during the duration of this plan. Due to the limited amount of HOME funds expected to be available to the City and in support of the City's desire to support regional housing and homelessness efforts, it is anticipated the City will reallocate any available HOME funds to the Consortium for administration. A member of the CDBG Staff Committee met with the consortium in March during multiple meetings to hear applicants present their programs that were seeking HOME funds. The consortium voted on the applications and the County presented the recommendations to the County Council during a public hearing in April. The City does not participate in other HUD programs.

#### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	220,000	0	3,675	223,675	0	The City estimates it will receive approximately \$220,000 annually. This is the last year of the current Con Plan term.

Table 5 - Expected Resources – Priority Table

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

No CDBG matching is required. However, the design and preparation of all of our infrastructure improvement projects are done by the City's Engineering department; this staff time is paid for by the City rather than CDBG. As indicated, affordable housing, down payment assistance, and other housing-related projects will be completed using the City's RDA fund, due to its size rather than the City's CDBG grant. The funded public service subrecipients are agencies that serve the region. Funds provided by the City's CDBG grant to these organizations are leveraged by other municipalities, Salt Lake County, the State, other Federal grants, and charitable donations through these organizations.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

The City's Senior Center will continue to be essential to meeting needs identified in this plan. Additionally, it is expected that projects to address improvements and amenities will be built on City-owned property, such as sidewalks, open space, and parks, in neighborhoods that

qualify for funding through the low- and moderate-income area benefit national objective.

### **Discussion**

See above.

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## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Support services for vulnerable populations	2020	2024	Homeless Non-Homeless Special Needs		Essential needs services Family & individual crisis services & prevention Homeless services & prevention Services for those experiencing domestic violence Training, prevention, and education programs Mental Health	CDBG: \$33,000	Public service activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted Homeless Person Overnight Shelter: 20 Persons Assisted
2	Correct accessibility deficiencies	2020	2024	Non-Housing Community Development		Neighborhood improvements Public infrastructure improvements Remove barriers to accessibility	CDBG: \$146,675	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 80 Persons Assisted

**Table 6 – Goals Summary**



## Goal Descriptions

1	Goal Name	Support services for vulnerable populations
	Goal Description	
2	Goal Name	Correct accessibility deficiencies
	Goal Description	

## AP-35 Projects - 91.420, 91.220(d)

### Introduction

As a relatively small CDBG grantee, the City maintains a simple program. The City intends to maximize the allowable funding of 15% for public services and 20% for planning and administration.

The 2024-2025 AAP was released for public comment on March 19, 2024, prior to HUD's announcement of official grant allocation amounts. Because of this, amounts listed for projects and activities in the version of the plan for public comment are based on an estimated \$220,000 grant allocation (determined based on the City's past allocations).

If the grant amount is higher than the \$220,000 estimate, the final amount of admin and planning will be increased to remain at 20% of the total grant amount, public service amounts will remain as originally allocated, and the remaining funds will be allocated to the ADA ramp activity under the Infrastructure Improvement project.

If the grant amount is lower than the \$220,000 estimate, the final amount of admin and planning will be reduced to remain at 20% of the total grant amount, public service amounts will be reduced proportionally to remain at the 15% cap, and the remaining funds will be allocated to the ADA ramp activity under the infrastructure project. This is due to the cap on admin and public services designated by HUD.

Note that the City is making a minor amendment of 2020 funds. These additional funds are added to the 2024 ADA Ramp Replacements activity. This includes amended funds from 2020: canceled Roseman Activity 113 (\$3,000) and leftover funds from the completed activities Yorkshire Crossing Activity 108 (\$0.38) and ADA ramps Activity 114 (\$674.56), in addition to \$143,000 from 2024 funds.

#	Project Name
1	Public Services (2024)
2	Infrastructure Improvements (2024)
3	Administration & Planning (2024)

**Table 7 – Project Information**

### Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

As usual, funding requests for the 2023-2024 program year exceeded CDBG funds to be received by the City. However, this year saw smaller public service requests. The biggest obstacle is that Utah's greatest need is affordable housing, yet South Jordan's small CDBG grant is not enough to tackle this issue. This is why the City is using RDA funds to meet this need.

Another obstacle is that construction costs have increased dramatically. Bids for ADA ramps are now

triple the cost of past years. This means that each year, the funding covers fewer and fewer items. Despite increased costs, this activity is the best match of funding type and city needs.

The Staff Working Group has the responsibility to review funding requests and make allocation recommendations to the City Council. The committee discussed the above considerations and scored each application on the eight criteria used each CDBG year, including consistency with the goals of the Consolidated Plan, the number of residents projected to benefit, the type and scale of the project, and the capacity of the organization to carry out the project. The highest scoring applications were selected. All recommended activities have been determined to be eligible for use of CDBG funds and beneficial to South Jordan Residents.

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## AP-38 Project Summary

### Project Summary Information

1	<b>Project Name</b>	Public Services (2024)
	<b>Target Area</b>	
	<b>Goals Supported</b>	Support services for vulnerable populations
	<b>Needs Addressed</b>	Homeless services & prevention Services for those experiencing domestic violence Essential needs services Family & individual crisis services & prevention Housing assistance Training, prevention, and education programs
	<b>Funding</b>	CDBG: \$33,000
	<b>Description</b>	This project will include all public services funded during the 2024-25 program year.
	<b>Target Date</b>	6/30/2025
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Based on the applications by subrecipients, a total of 120 individuals are expected to benefit from the proposed activities. These activities report on individuals, but their services often benefit family members as well, particularly those experiencing domestic violence who also have children. South Jordan's average household size is 3.2. Using that number, we can roughly estimate there will be some benefit to an additional 200 people, touching 120 families. Only the individuals directly receiving services will be reported, however.
	<b>Location Description</b>	All public services will be given at the subrecipient's location.
	<b>Planned Activities</b>	Homeless shelter and services (Road Home: \$10,000), Matrix Code 3T. Domestic violence victim shelter and services (South Valley Sanctuary: \$15,000), Matrix Code 5G Domestic violence victim legal support services (Legal Aid Society: \$8,000), Matrix Code 5G.

2	<b>Project Name</b>	Infrastructure Improvements (2024)
	<b>Target Area</b>	
	<b>Goals Supported</b>	Correct accessibility deficiencies
	<b>Needs Addressed</b>	Neighborhood improvements Remove barriers to accessibility Public infrastructure improvements
	<b>Funding</b>	CDBG: \$146,674.94
	<b>Description</b>	The purpose of this project is to provide infrastructure improvements throughout the City. The primary activity will be upgrading ADA ramps in the City.
	<b>Target Date</b>	6/30/2025
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Based on past accomplishments from ADA activities and adjusting for rising construction costs, it's estimated that 80 residents with disabilities will be served.
	<b>Location Description</b>	Locations will be determined before the bidding process. A map of ramps needing to be updated is included in the attachments.
	<b>Planned Activities</b>	ADA Ramp Replacements (\$146,674.94), Matrix Code 3L. This includes amended funds from 2020: canceled Roseman Activity 113 (\$3,000) and leftover funds from the completed activities Yorkshire Crossing Activity 108 (\$0.38) and ADA ramps Activity 114 (\$674.56), in addition to \$143,000 from 2024 funds.
3	<b>Project Name</b>	Administration & Planning (2024)
	<b>Target Area</b>	

<b>Goals Supported</b>	Homeless services and prevention Services for those experiencing domestic violence Essential needs services Family and individual crisis services and prevention Senior services and facilities Neighborhood improvements Remove barriers to accessibility Housing rehabilitation Public infrastructure improvements Housing assistance Additional affordable dwellings Training, prevention, and education programs Mental health Economic recovery from COVID-19
<b>Needs Addressed</b>	
<b>Funding</b>	CDBG: \$44,000
<b>Description</b>	This project includes expenses related to program administration of the CDBG program and eligible planning activities. Funds will be used to support employee costs of providing admin and eligible planning activities, related plans, training, travel, public notices and other advertising costs, and ZoomGrants fees.
<b>Target Date</b>	6/30/2024
<b>Estimate the number and type of families that will benefit from the proposed activities</b>	HUD assumes for admin and planning activities that LMI residents are benefited in the same proportion as other activities. The total number of beneficiaries from all activities is included below. No beneficiaries will be reported uniquely for this project.

	<b>Location Description</b>	South Jordan City Hall 1600 W Towne Center Drive South Jordan, UT 84095
	<b>Planned Activities</b>	The City intends to use the full 20% of its grant for planning and admin. Funds may be shifted between the two activities to meet needs. Program Administration, Matrix Code 21A, \$22,000 Eligible Planning, Matrix Code 20, \$22,000

## AP-50 Geographic Distribution - 91.420, 91.220(f)

### Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

HUD has granted an area benefit exception to the City each year since 2014. The 2023 exception allows projects to qualify for the low- and moderate-income national objective in Census block groups where at least 26.87% of the residents are low- or moderate-income. This is a higher percentage than in years past. In 2023, the City annexed land in census tract 1131.05 Group 2, which covers multiple jurisdictions. Most of the land in this tract is outside of the new City boundary. All of the tract land within South Jordan is uninhabited. However, the tract's inhabited area outside of South Jordan has a Low Mod population of 1,575 out of 3,945 residents, 40%. This is now the City's highest Low-Mod tract, even though none of the residents are within City boundaries. The annexation of this land has created a significant shift with formerly eligible tracts in the heart of the City now being outside of our Low Mod exception. The new land is likely to have significant developer-funded improvements in the future, so the City is unlikely to use CDBG funds in this area for now. Due to the relatively small low- and moderate-income population in the City, the City focuses its infrastructure projects on correcting accessibility deficiencies throughout the City. In the past, ADA improvements have been targeted in eligible areas. No particular target areas have been identified for this year's activities. Locations for the ADA ramps will be selected based on available funding and will be chosen prior to the bidding process.

The following block groups have been determined to be eligible at the time that the Consolidated Plan was prepared. These are sourced from the ACS-2015-Low-Mod-Summarized-All-2023 data from HUD:

- Tract 1128.17 Group 2, LMP 38.63%
- Tract 1130.07 Group 1, LMP 28.47%
- Tract 11310.05 Group 2, LMP 39.92%
- Tract 1130.10 Group 1, LMP 29.82%
- Tract 1130.10 Group 3, LMP 35.78%

A map of these areas is attached to the plan.

### Geographic Distribution

Target Area	Percentage of Funds

Table 8 - Geographic Distribution



## **Rationale for the priorities for allocating investments geographically**

No allocations were done based on geography.

### **Discussion**

In 2022, the City's Public Works Department identified 1,184 ADA ramps throughout the City that need to be upgraded, including some that are not owned by the City. Beginning in PY24, the City's Engineering Department will be re-assessing the non-compliant ramps to further categorize which ones need more substantial work (grading, etc.) to bring them into compliance. Low- and moderate-income areas will help drive priority on these ADA upgrades.

Since project funding amounts and bids affect which areas can be completed, the set of ramps to be upgraded will be determined when the project goes out to bid. It is expected that in addition to benefiting those with disabilities, ADA ramps upgrades benefit low and moderate income areas as well. About half of the LMI areas have been brought into compliance.

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## **AP-75 Barriers to affordable housing -91.420, 91.220(j)**

### **Introduction**

Because the City receives a small CDBG allocation, affordable housing efforts are funded through the RDA. These efforts are detailed in AP-85. Efforts to impact public policies are listed here.

### **Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

Per Utah Code, cities must annually update five-year estimates of moderate-income housing needs and then review and report these findings to the State. The City's full report given to the State is included in the attachments. The City will update this report by the end of 2024. As reported, South Jordan is undertaking several strategies, detailed here.

1. The City continues to implement and publicize the City's Accessory Dwelling Unit ("ADU") ordinance, which conforms to changes in Utah state law, outlines clearer requirements for ADUs and allows for greater flexibility. Improving the ADU ordinance remains a top priority for city staff. Efforts are now underway to provide clear information for residents to answer questions and apply the ordinance consistently. City staff also intends to propose additional amendments to the ADU ordinance that would allow more opportunities for residents to build detached ADUs throughout the City.
2. On February 2, 2021, the City Council approved an amendment to the General Plan to include a plan for two subareas. One of the areas included in the plan is the Jordan Gateway area, which includes a commuter rail station and one bus line. This subarea plan proposes allowing additional housing in this area and repurposing existing parking lots for additional development. To strengthen this subarea plan and comply with recent changes to Utah state law, the City will soon begin a station area plan ("SAP") for this area. The objectives of the SAP are housing availability and affordability, access to opportunities, sustainable environmental conditions, and transportation choices and connections. The SAP area includes all land within a half mile of the commuter rail station, and the plan will look more closely at the zoning and future land use of vacant parcels and redevelopment opportunities of developed parcels..
3. The City recently got approval for a Housing and Transit Reinvestment Zone ("HTRZ") in the center of the mixed-use Daybreak development along an existing light rail line. An HTRZ is a new development tool allowed under Utah state law with the goal of

addressing Utah's housing crisis by facilitating and incentivizing developers to build mixed-use, multi-family and affordable housing within a one-third-mile radius of a fixed rail station. The approved plan proposes at least 4,700 housing units within the HTRZ, with ten percent being designated as affordable housing. The Daybreak community also has new owners, the Larry H. Miller Group ("LHM"), and there has been a renewed effort between the City and LHM to discuss plans and explore ideas and partnerships that will have an effect on affordable housing.

4. The City reduces parking requirements for developments near transit to promote the efficient use of land and lower costs for development. The developer and city analyze parking requirements for each development in these areas and determine if a reduction in parking is warranted.

## **Discussion**

According to the 2014 Analysis of Impediments, South Jordan's affordable housing shortage is particularly problematic for larger households and minority households, which tend to have larger household sizes. The report notes that non-Hispanic white and minority homeownership rates were fairly similar in 2000 (90 and 86 percent, respectively). In 2010, however, that homeownership gap had widened with non-Hispanic whites at 86 percent and minorities at 76 percent. While addressing the first problem is made difficult by developers and the price of land, the City hopes its Down Payment Assistance Program can address the second issue.

Since 2017, the City is approving more ADU applications each year, possibly due to a combination of the City's emphasis on improving ADU regulations, changes in Utah state law, renewed interest in home improvements during 2020 and the challenging housing market.

## **AP-85 Other Actions - 91.420, 91.220(k)**

### **Introduction**

Due to the amount of CDBG funds and current City demographics, the City maintains a simple CDBG program and meets most needs using funds other than CDBG.

### **Actions planned to address obstacles to meeting underserved needs**

Limited funding and high housing costs are primary obstacles to addressing underserved needs through CDBG. The City will continue to seek programs and activities to more efficiently meet community needs through leveraging funds, better coordination with and awareness of local organizations, and seeking to meet needs with resources other than CDBG funding. Increased marketing efforts are being made to make more residents with needs aware of the services funded by CDBG. In recent years, the City distributed postcards and an enewsletter to LMI neighborhoods and hung posters around the City. This year, we have focused on public services with an established pipeline of LMI residents.

### **Actions planned to foster and maintain affordable housing**

As the population and number of households continue to rise, the City will have a greater need to provide housing that meets the needs of residents and those interested in moving to the City. According to the City's 2019 Moderate Income Housing Plan, the current shortage plus that additional need each year means that (assuming current distributions of household incomes) the City will have a need of 10,370 affordable housing units by 2024. Approximately five years ago the City had an excess of affordable moderate-income housing, but—despite the City's best efforts—housing affordability is a major statewide issue presenting challenges for all communities.

Since the City receives a small amount of CDBG funds, the City has chosen to tackle affordable housing through other means.

In 2019, the City partnered with Ivory Homes to use RDA funds to provide affordable, deed-restricted units in a new neighborhood along a major transportation corridor (11400 S). The resulting Bingham Court development is now completed. The development includes nine units designated as workforce housing that are deed-restricted to low- and moderate-income families. The nine units have now been sold to a mix of qualified city and school district employees.

In November 2020, the City opened its Down Payment Assistance program to employees, using funds set aside for moderate-income housing from the RDA. The program is now open to anyone qualifying as low- and moderate-income. The goal of the DPA is to expand homeownership opportunities for eligible low- and moderate-income households and to increase home ownership within the City. The Program seeks to give assistance to households who otherwise would not be able to become homeowners, while ensuring home ownership as a successful long-term goal. Workforce Housing also used the DPA.

In 2022 the City Council approved an infill residential project with 30 residential units and required the developer to seek funding from the RDA for at least three low- to moderate-income, deed-restricted units.

The City continues discussions that began in 2022 with development partners to build a large “for rent” senior housing development and senior center using millions of the City’s RDA dollars. The City’s goal is that this project will have more than 150 deeply affordable units that would be deed- and low-income restricted.

The recently approved HTRZ application will allow for at least 470 affordable housing units in the center of the Daybreak community, with easy access to a light rail transit line and a mix of uses within walking distance. The City plans to continue using RDA funds rather than CDBG to pursue affordable housing.

### **Actions planned to reduce lead-based paint hazards**

According to the Housing Plan, the City has 21,839 units. Of these, the Department of Environmental Quality reports 2,601 units built prior to 1978, representing 12% of the City’s housing stock. Lead-based paint is not considered a widespread concern in the City. For similar reasons, the Salt Lake County Health Department has discontinued testing and mitigation programs. The Health Department is now focused on education. It is recommended that city residents in housing units built prior to 1978 become familiar with the dangers of lead-based paint and actions that can be taken to reduce those hazards. Information is available from the Salt Lake County Health Department.

### **Actions planned to reduce the number of poverty-level families**

The goals of the Consolidated Plan were created to support the underlying objectives of the City's CDBG program, specifically, the objective to support family and individual stability, self-reliance, and prosperity. In order to meet that objective, preferred public services serve essential immediate needs and provide case management and coordination with other agencies to assist families and individuals in achieving long-term stability. The City strives to fund its full 15% allotment for public services each year. Relatively speaking, poverty rates are low in South Jordan; 2.7% of the City population, an estimated 1,948 persons, live below the poverty level (ACS 2019 5-year estimates, Poverty Status in the Past 12 Months). Supporting limited clientele services through trusted subrecipients helps us target individuals and their needs.

### **Actions planned to develop institutional structure**

The City is constantly striving to most effectively utilize limited CDBG funds to address community needs. We have increased marketing efforts to increase recognition of our subrecipients and their ties to the City. Among City departments and divisions, awareness of the CDBG program and how it can be used is growing significantly, thanks to combined efforts by the CDBG Coordinator and the City's communication department. The City has undergone some staffing changes and is currently in the

process of updating the CDBG Coordinator position to better distribute the responsibilities and supervision.

**Actions planned to enhance coordination between public and private housing and social service agencies**

The CDBG Coordinator will serve on the HOME Consortium and coordinate with housing providers. In addition, the coordinator will attend the monthly nonprofit coordination meeting sponsored by NeighborWorks.

**Discussion**

See above.

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## Program Specific Requirements

### AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

#### Introduction

The City maintains a simple program due to low CDBG funding. Funding is only used to benefit persons of low- and moderate-income.

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%



## **Discussion**

The City maintains a simple program due to low CDBG funding. Funding is only used to benefit persons of low- and moderate-income.

## Attachments

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## Citizen Participation Comments

### SOUTH JORDAN CITY CITY COUNCIL MEETING

October 17, 2023

**Present:** Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Tamara Zander, Council Member Brad Marlor, Council Member Don Shelton, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Commerce Brian Preece, Director of Strategy & Budget Don Tingey, Fire Chief Chris Dawson, Director of Administrative Services Melinda Seager, Director of Public Works Raymond Garrison, Director of Recreation Janell Payne, CFO Sunil Naidu, Director of Planning Steven Schaefermeyer, City Engineer Brad Klavano, Police Chief Jeff Carr, Communications Manager Rachael Van Cleave, GIS Coordinator Matt Jarman, Senior Systems Administrator Phill Brown, IT Director Jon Day, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun, Planning Commissioner Laurel Bevans, Long Range Planning Analyst David Mann

**Absent:**

**Others:** Susanna Bruening, Travis Ferrin, Alicia Fairbourne, Ray Loo, Lephidar Leo, Brandon Crookston, Audrey Cullimore, Denise Woods, David Cannen, Kathie Johnson, Sam Bishop, Bryce Wilcox, Amanda Covington

6:40 P.M.

REGULAR MEETING

**A. Welcome, Roll Call, and Introduction to Electronic Meeting - By Mayor Dawn Ramsey**

Mayor Ramsey welcomed everyone and introduced the meeting.

**B. Invocation – By Director of Strategy & Budget Don Tingey**

Director Tingey offered the invocation.

**C. Pledge of Allegiance – Director of City Commerce Brian Preece**

Director Preece led the audience in the Pledge of Allegiance.

**D. Minute Approval**

**D.1.** September 19, 2023 City Council Study Meeting

**D.2.** September 19, 2023 Combined City Council & Redevelopment Agency Meeting

**D.3.** October 3, 2023 City Council Study Meeting

**D.4.** October 3, 2023 Combined City Council & Redevelopment Agency Meeting

**D.5.** October 10, 2023 City Council Special Meeting

**Council Member McGuire motioned to approve the following minutes:**

- September 19, 2023 City Council Study Meeting
- September 19, 2023 Combined City Council & Redevelopment Agency Meeting
- October 3, 2023 City Council Study Meeting
- October 3, 2023 Combined City Council & Redevelopment Agency Meeting
- October 10, 2023 City Council Special Meeting

**Council Member Marlor seconded the motion; vote was unanimous in favor.**

**Council Member Harris motioned to amend the agenda to switch Items H.1. and H.2. in order, as well as appoint Council Member Marlor as Mayor Pro Tempore when Mayor Ramsey has to leave the meeting tonight. Council Member Zander seconded the motion; vote was unanimous in favor.**

#### **E. Mayor and Council Reports**

**Council Member Jason McGuire**

- Attended the Special City Council Meeting on October 10.
- Arts Council had a meeting where they started looking at the budget for the next fiscal year.
- Was unable to attend, but shared about the Dueling Pianos Event hosted by the Arts Council.
- LPC.

**Council Member Tamara Zander**

- In addition to the events mentioned by Council Member McGuire, she attended a dinner at Council Member Shelton's home with the mayor, council and chiefs of staff.
- Yesterday attended the South Valley Mosquito Abatement District Board Meeting. Last month a new manager was installed, and things are going well.

**Council Member Brad Marlor**

- Architectural Review Committee Meeting on October 11, with only one item on the agenda for a law firm.
- Closed meeting previously mentioned.
- Ribbon cutting for the Western States Corporate Office Grand Opening down on the river front.
- Dinner at the Shelton's as well.
- Talked about his son Remington's large pumpkins, weighing in at over 100 pounds.

Council Member Patrick Harris

- Attended the dinner at the Shelton home.
- Special work session with the rest of the council.
- Met with a developer looking at potentially developing in District 1.
- Trunk or Treat at the Taekwondo Dojo.

Council Member Don Shelton

- Traveled up Big Cottonwood Canyon, saw the eclipse.
- Judged a lip sync competition at the Sagewood Retirement Community, which was held to raise money for the Alzheimer's Association.
- Zion's Bank 150 year anniversary at the local branch.
- Jordan River Commission.
- Discussed legislation around modifying zones to include riparian areas.
- Association of Municipal Councils, LPC, and other meetings already mentioned by other council members.

Mayor Dawn Ramsey

- Attended the dinner at the Shelton home.
- South Valley Chamber's Congressional Event, meeting with some of our congressional delegation.
- Zion's Bank 150<sup>th</sup> Anniversary.
- Western States ribbon cutting.
- Joint Policy Advisory Committee
- Major Brent Taylor Foundation Board Meeting, asked by the foundation if the city was still interested in hosting one of the future 9/11 events.
- Jordan Valley Water Conservancy District, many good things happening there.
- League Board Meetings.
- She is no longer on the official executive committee for the League of Cities and Towns. However, due to her ex-officio role representing the UEOC on the board she still goes with the executive committee to meet with anyone at the legislature, governor's office, etc.
- Live podcast on LinkedIn.
- Met with several different organizations.
- Utah Aerospace and Defense Launch Kickoff for the rebranding of G-47, the future of Utah's Aerospace and Defense.
- With so many other things happening in our city in the near future, she made the decision to not go on the trade mission with the state to Ukraine. She had already committed to some future events here in the city and she does not want to miss those.
- Many meetings with staff, with lots of good work going on.

## F. Public Comment

Mayor Ramsey opened the public comment portion of the meeting.

**Ray Loo (Resident)** – Provided paperwork to the council (Attachment A). I am here representing Cherry Grove Housing, LLC, located here in the City of South Jordan. The title of my memo is “Violations of my Fifth Amendment and Fourteenth Amendment Rights in an ADU case.” I bought the property in 2020 at 2532 W. Cherry Grove Way, South Jordan, and since then I have a short time and longtime rental business going on without having any problems or issues, my neighbors were okay, I never had any issues at all. This year in July, I was notified by the code compliance department about permits and plans being required, a valid building permit must be obtained for construction work completed on the property, including the accessory structure which is in the back; that it was unlawful to engage in any business without a license. According to state law and county law this petition is unlawful because I am not mandated to have a license within the city because of the housing crisis and the state law commands that. I met with Inspector Audrey Cullimore in July and she informed me that I have to apply for a permit application in order to keep the detached ADU, which I bought in 2020. Everything with the ADU on the back of my property was there at the time when I bought the property. I informed her about this and she told me that she is unaware of that. I told her I was aware of a permit application from the previous owner in 1997, and she told me she was unaware of that, but very condescendingly told me that if I liked, I could apply for a GRAMA record in regards to that. After I had been provided with a document, she told me that even though there was a permit, I have to apply for two permits; for a detached ADU and a building permission, even though I bought the property the way it was with the detached structure in place already. I told her that because of my lack of knowledge on this and because I didn’t want to have any legal contingencies within the City of South Jordan, where I reside, I asked her how I could get into compliance. She practically forced me to apply for permits that she knew, because of the outdated zoning ordinance, would be rejected. Before I went into the application process I mentioned to her whether I could go for the variance, because I knew this was going to be rejected and the variance would be my best option at the time. She told me no, you have to start from the beginning, applying for a building permit, an ADU permit, and we will see after that. She told me in a meeting that she was going to be flexible and work things out with me. After applying for my permits I was notified that they cannot grant the permits because of the outdated ordinances that are in place here. Again, as state and county law command, the creation of ADUs in the whole State of Utah are allowed in order to help mitigate the housing crisis. There is a list of cities that, at this moment, are updating their ordinances in an effort to get in compliance, and those are Salt Lake, Lehi, Cottonwood Heights, and the list goes on. I tried to follow the recommendations, and at some point she told me she doesn’t have anything else to talk with me about, and if I like I can communicate with the zoning and planning department to get my case addressed. I have been in contact with Greg Schindler through two phone calls, informing him about the state and county law. He told me that he is unaware as well about this new state and county law, and that if I like I can send him information about that. I sent him the information, and after that he never replied back to my emails, phone calls or voicemails. I got in contact with David Mann in the planning department and he told me they are going to have a meeting on October 3, in which they are going to try to update the ordinance in an effort to get in compliance

with the state law. He told me that I should be aware that there are more red flags, or properties in the same situation, within the State of Utah. I told him I have to get in compliance and he told me that I shouldn't be worried because they are going to close my case. On October 4, I received a letter from Inspector Cullimore saying that my four options are to destroy, remove, uninstall or start legal action against the city. I got in contact again with Mr. Mann and I expressed to him what happened, I was told the same thing and said that he never told me that my case would be closed or something like that. At this very moment I feel like my rights were violated, I feel like there is a discrimination case here because there is more properties within the area that have the same issue and have detached structures, including my neighbor, but they are using them as a scapegoat in order to make this outdated ordinance be fully enforced. I am coming to you today, in an effort to express to you that I didn't make the mistake to come to this meeting without talking with a lawyer before, I talked already with six different lawyers and each of them are interested and willing to take my case. However, I felt that I should come today and talk with the city council about my case, in order for you to take serious consideration of my case and behave according to law. I have a deadline of tomorrow to get into compliance, so I don't know if you guys can grant me an extension, or what the process would be until you can work with me to resolve this situation, but this is what's going on right now.

Mayor Ramsey thanked Mr. Loo and noted that they will read through the information presented in Attachment A. He will either hear back from the City Manager or the City Attorney if he is working with legal counsel.

City Manager Dustin Lewis noted that since Mr. Loo is working with an attorney, it would be in the best interest of the city to have the city attorney's office reach out and make contact.

City Attorney Ryan Loose told Mr. Loo to provide his attorney's information and his office would get in contact with that lawyer.

Mr. Loo asked about an extension or the deadline that is coming due tomorrow.

Mayor Ramsey responded that is not something that can be done during public comment, and it's not an agenda item. She asked him to give his information to Attorney Loose and his office will be in contact with Mr. Loo's attorney.

Mayor Ramsey closed the public comment portion of the meeting.

#### **G. Presentation Item**

**G.1.** Recognition of City Recorder, Anna Crookston, for obtaining the Certified Municipal Clerk (CMC) Certification and UMCA State Certification. (By UMCA Board Members)

Alicia Fairbourne and Denise Woods recognized and presented Anna Crookston with her certifications.

## **H. Action Items**

**H.1. Resolution R2023-47**, Authorizing a purchasing policy exemption for the procurement of a city contract for water sampling testing for the Pure SoJo project without competitive bidding. (By Director of Public Works Raymond Garrison)

**\*\*Continued to Item H.2. first, as amended previously in the meeting\*\***

Director of Public Works Raymond Garrison reviewed background information from the Council Report.

Council Member Shelton asked what the downsides would be of an open bid process.

Director Garrison responded that staff looked into that with a lot of discussions on how this could be bid. There are many difficulties with bidding this out because of the wide range of samples required, and the fact that not one lab can do all of them at once. They also want to make sure the lab has the credentials to do the samples with experience on projects similar to ours. They also have to ensure that the Division of Drinking Water is okay with the labs selected.

**Council Member Shelton motioned to approve Resolution R2023-47, Authorizing a purchasing policy exemption for the procurement of a city contract for water sampling testing for the Pure SoJo project without competitive bidding. Council Member Zander seconded the motion.**

### **Roll Call Vote**

**Yes – Council Member Shelton**

**Yes – Council Member Zander**

**Yes – Council Member McGuire**

**Yes – Mayor Pro Tempore Marlor**

**Yes – Council Member Harris**

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

**H.2. Resolution R2023-53**, Authorizing the Mayor to sign an agreement with the various Daybreak Corporations for the Third Amendment to the Master Development Agreement for the Kennecott Master Subdivision #1 Project. (By City Attorney Ryan Loose)

City Attorney Ryan Loose reviewed background information from the Council Report.

**Council Member Zander motioned to approve Resolution R2023-53, Authorizing the Mayor to sign an agreement with the various Daybreak Corporations for the Third Amendment to the Master Development Agreement for the Kennecott Master Subdivision #1 Project, as amended by City Attorney Ryan Loose. Council Member McGuire seconded the motion.**



### **Roll Call Vote**

**Yes – Council Member Zander**  
**Yes – Council Member McGuire**  
**Yes – Council Member Harris**  
**Yes – Council Member Marlor**  
**Yes – Council Member Shelton**

**Motion Passes 5-0, vote in favor.**

**Mayor Ramsey left the meeting and Brad Marlor stepped in as Mayor Pro Tempore as voted on previously in the meeting. The meeting continued with Item H.1.**

### **I. Public Hearing Items**

**I.1. Resolution R2023-49**, Approving the 2022 Consolidated Annual Performance and Evaluation Report and authorizing submittal to the U.S. Department of Housing and Urban Development and Community Needs Hearing for the 2024-25 Program Year. (By Long Range Planning Analyst David Mann)

Long Range Planning Analyst David Mann reviewed background information from the Council Report and his prepared presentation (Attachment B).

Mayor Pro Tempore Marlor opened the public hearing for comments. There were no comments and the hearing was closed.

**Council Member Harris motioned to approve Resolution R2023-49, Approving the 2022 Consolidated Annual Performance and Evaluation Report and authorizing submittal to the U.S. Department of Housing and Urban Development and Community Needs Hearing for the 2024-25 Program Year, along with opening an additional public hearing in February of 2024. Council Member McGuire seconded the motion.**

Council Member Shelton asked about the ADA ramps and reasons for not doing any this year.

Planner Mann responded that he believes staff was more focused on completing the Yorkshire project, since it has been on the books since 2020. He did receive an inquiry from the city's engineering department, checking in on how much funding was left for the ADA ramps and an update was given to them at that time.

Council Member Shelton noted that he saw something in the report about senior services and housing, and asked if any of these funds can be used for anything related to that.

Planner Mann responded that a few years ago when upgrades were being considered for the current senior center, they looked at using CDBG funding. They then discovered that if the building was used for anything else that didn't qualify for CDBG funding it would have to be repaid to HUD.

Council Member Shelton asked if any of these funds could be used for the new senior center that has been announced.

Planner Mann responded that can be looked at and discussed in the future.

Council Member Shelton asked if city staff is being used for installation of the ADA ramps versus contracting it out.

Planner Mann responded that typically that is contracted out.

#### **Roll Call Vote**

**Yes – Council Member Harris**

**Yes – Council Member McGuire**

**Yes – Mayor Pro Tempore Marlor**

**Yes – Council Member Shelton**

**Yes – Council Member Zander**

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

**I.2. Zoning Ordinance 2023-04-Z**, Rezoning property located at 11050 S. Bangerter Highway from A-1 Agricultural Zone to the OS-P Park Open Space Subdistrict Zone. (By Director of Planning Steven Schaefermeyer)

Director of Planning Steven Schaefermeyer reviewed background information from the most recently published Council Report (Attachment D) and his prepared presentation (Attachment C).

Mayor Pro Tempore Marlor opened the public hearing for comments. There were no comments and the hearing was closed.

**Council Member McGuire motioned to approve Zoning Ordinance 2023-04-A, Rezoning property located at 11050 S. Bangerter Highway from A-1 Agricultural Zone to the OS-P Park Open Space Subdistrict Zone. Council Member Shelton seconded the motion.**

Council Member Zander asked about the High Pointe Park Pavilion, and whether it was an HOA Park.

Director of Engineering Brad Klavano responded that it is a city park.

Council Member Zander asked about the Welby High Pointe Trail System, who maintains that trail.

Director Klavano responded that the city does.

Mayor Pro Tempore Marlor asked about lighting, and if this was solely intended for use during daytime hours.

Staff responded that it is intended solely for use during the daytime hours.

**Roll Call Vote**

**Yes – Council Member McGuire**

**Yes – Council Member Shelton**

**Yes – Council Member Harris**

**Yes – Council Member Zander**

**Yes – Mayor Pro Tempore Marlor**

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

**J. Staff Reports and Calendaring Items**

Council and staff discussed event on Thursday and the meeting time.

**Council Member McGuire motioned to adjourn the City Council Meeting. Council Member Zander seconded the motion; vote was 5-0 unanimous in favor.**

**ADJOURNMENT**

The October 17, 2023 City Council Meeting adjourned at 7:53 p.m.

**This is a true and correct copy of the October 17, 2023 City Council Meeting Minutes, which were approved on November 7, 2023.**

*Anna Crockett*

**South Jordan City Recorder**

Public Comment - Handout.

## Attachment A

### MEMORADUM

**TO:** South Jordan City Council.

**FROM:** Cherry Grove Housing LLC.

**DATE:** October 17, 2023.

**RE:** Violations of my Fifth Amendment and Fourteenth Amendment Rights in a ADU case.

#### FACTS

On July 7, 2020, I purchased the property located at 2532 W. Cherry Grove Way South Jordan Utah with Tax ID No. 27-16-201-023 (Exhibits A and B). Since then, I have run a short time rental business in the property right after the purchase date without any inconvenience and procuring not being a nuisance to my neighbors and area residents. Never did I have any complaint nor a warning during the time I have been running the rental business.

On July 12, 2023, I received a message by email stating that the Code Compliance had received a complaint against me. On this message, the complainor made vicious, groundless and puerile accusations against me such as a lot of traffic and noise during all hours of night. The complainor considers that rentals are prohibited without having read local statutes. In sum, a slanderous accusation of me and my business. On July 18, 2023, without any previous communication or on-site inspection, I received an email from Inspector Cullimore ([acullimore@sjc.utah.gov](mailto:acullimore@sjc.utah.gov)) from the Code Compliance stating that, "(1) PERMITS AND PLANS REQUIRED (...) A valid building permit must be obtained for all construction work completed on the property including the accessory structure located in the back of the property." And, "(2) UNLAWFUL TO ENGAGE IN BUSINESS WITHOUT A LICENSE." The above-mentioned notice stated a deadline for compliance on August 1, 2023.

On July 27, 2023, I met Inspector Cullimore at the South Jordan City offices and then I learnt I was notified because of the detached ADU that has been in the back of the property and my rental business. In a patronizing way, she stated that it does not matter whether or not the detached ADU was there by the time I bought the property, I have to get the detached ADU in compliance if I do not want my property to be sent for legal screening. During the meeting, I also told her that I know that a previous owner of the property back in 1990's had built the ADU. She replied that she was unaware of that and if I want, I can request a copy of the permit.

1. Under the Administrative Procedure Act of 1946, 5 U.S.C. Section 706(A), was the code compliance department's action lawful and their findings and conclusions not arbitrary and capricious in which I should obtain a building permit?

Yes, the code compliance department's actions are unlawful, and their findings and conclusions are arbitrary and capricious.

Both the Fifth Amendment and the Fourteenth Amendment state that no person shall be deprived of life, liberty and property. The Fourteenth Amendment emphasizes this point for local governments. This constitutional doctrine provides the concept of procedural due process of law that implies that official action must meet minimum standards of fairness to the individual, such as the right to adequate notice and a meaningful opportunity to be heard before a decision is made.

At this opportunity, my constitutional rights were violated since the beginning because Inspector Cullimore notified me without having met me first, conducted an on-site inspection to the property, and revised if there is a building permit for the Detached Structure issued to the previous homeowner. Please note that I obtained a copy of the building permit and the report states that inspection was passed and approved (Exhibit C). On the other hand, the Salt Lake County assessor reports in their CAMA data for the property, the condition of the detached ADU as EXCELLENT and its quality as GOOD. Even so, it states that the construction year was in 2020. (Exhibit B) No law in the land mandates a buyer to conduct in-depth inspections to a property if the purchase is in good faith and the ALTA homeowner policy is clean without any lien on it.

Under Utah Law, local governments can enforce the building permit code when "erect, construct, reconstruct, alter, or change the use of any building or other structures within a municipality" which is not the case here. The detached ADU was built before I purchased the property and had no knowledge of whether the ADU was built by complying with South Jordan City's codes and regulations; however, in the light of the evidence the previous homeowner did comply with the building permit. Requesting me to comply with an arbitrary and capricious mandate is a deprivation of my property without an adequate due process of law.

2. Under the Fourteenth Amendment, was the code compliance department's actions unlawful and inconsistent in which it states that my business was unlawful because I was conducting a rental business without a license?

Yes, the code compliance department's actions are unlawful and inconsistent.

The Fourteenth Amendment states that "nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Under Utah law, I am not required by the force of the law to comply with an unlawful mandate. Section 17-50-338 (2) states that "a legislative body may not:  
(a) enact or enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website; or  
(b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term rental on a short-term rental website."

Requesting me to comply with a non-existent municipal law is unlawful and inconsistent. The Code Compliance department demonstrates their lack of respect of my constitutional rights and their frequent abuse of power under the law.

During the meeting, Inspector Cullimore told me that even if there was a building permit for the ADU, I am required to apply for a second building permit and pay the fees for the ADU. My lack of understanding of the law in Utah and because I did not want to have any problems with the local government and after being told several times that if I do not comply my property would be sent to the legal department for compliance, I agreed to apply for an ADU building permit and paid the fees.

On August 21, 2023, I met for a second time with Inspector Cullimore who told me that the building of detached ADUs are prohibited within the borders of the City of South Jordan. She stated a city ordinance that is full force in South Jordan. She told me many times that she was unaware of Utah and Salt Lake County Municipal codes regarding ADUs and she was unaware of them being permitted in the state and the county.

I asked her if I can go straight to the variance process since my permit application will be denied anyway. Her reply was no. That I have to start from there, meaning, applying for a building permit that I was told that it would be denied anyway because the City of South Jordan prohibits the building of ADUs in residential areas. In other words, she told me that I have to apply for 2 permits, one for the building permit of the Detached Structure and a second one to make an Accessory Dwelling Unit. Each permit costed me \$100. Also, I paid for site, elevation and floor plans over \$2,000. I complied with her requirements under the threat of my property be sent to legal department and despite she knew that her requests of compliance were unlawful. My permits will not be approved. she told me that she will be flexible and work this case out with me. On both meetings, August 1 and 21 of 2023, I met Inspector Cullimore when my CPA was present.

8. Under Utah law, are ADUs prohibited?

Not, the construction of ADUs and the issuance of building permits for ADUs are not prohibited under Utah law.

Under Utah law, it states that "[I]n any area zoned primarily for residential use" (Utah Code Ann. 10-9a-530(2)), (a) "the use of an internal accessory dwelling unit is a permitted use." And, (b) "a municipality may not establish any restrictions or requirements for the construction or use of one of one internal accessory dwelling unit..." In Chapter 10-9a-103, the state law states that "(1) Accessory dwelling unit" means a habitable living unit added to, created within, or detached from a primary single-family dwelling and contained on one lot."

The Salt Lake County—Municipal Code, Chapter 19.15, Section 010, it states that "Salt Lake County recognizes that accessory dwelling units in single-family residential zones can be an important tool in the overall housing plan for Salt Lake County." And, "Detached ADUs are also permitted..." (*idem.* 19.15.030(A)).

Both Utah law and Salt Lake Municipal Code state that detached ADUs are permitted not only statewide but also county wide. Inspector Cullimore's pre-determined actions to have me apply for a building permit (which I did not need it) and for an ADU permit (which should be approved) that would ultimately be denied by the Code Compliance department are a violation of my constitutional rights and property rights across the table. The code compliance's actions are unilateral and discriminatory.

In a federal case law, the Court states that the plaintiff must demonstrate that some authoritative source of law "establishes a definite standard to guide the decisions... rather than confiding the decision to the discretion of the administering authorities." *Gilbert v. Frazier*, 931 F.2d 1581 (7<sup>th</sup> Cir. 1991). Therefore, Utah law and Salt Lake County—Municipal Code are the sources of law in which the administering authorities must direct for further reference in order for them to make decisions.

4. Under Federal law, was my right of due process of law violated?

Yes, under federal law my right of due process of law was violated.

As said before, both Utah law and Salt Lake County—Municipal Code state clearly that municipalities should issue permits for ADUs. Inspector Cullimore's and the Code Compliance's actions to require me to comply with a law that is outdated in the City of South Jordan and make me pay fees for 2 permits that she knew would end up being denied by the Planning department are violations of my right of due process of law.

The code compliance department and inspector Cullimore's actions are predetermined to harm my budget and deprive me of the right of property. The Gilbert Court states that "an impartial decision maker is essential" in order to make a decision. Local officials are to enforce laws and codes under their statutory authority. Requiring me to apply for a building permit when I do not need it, because I purchased the property AS-IS, that means with the detached unit in the back of my property and requiring me to apply for a ADU permit, knowing that their Planning department would deny me because they are not willing not comply with state and county statutes are violations of my right of due process of law with the purpose of depriving me of the right of property.

In a later date, I reached out to Inspector Cullimore and she told me that after getting my permits denied, my only option is to apply for the variance process and that she is done talking to me and I should reach out to Greg Schindler ([gschindler@sjc.utah.gov](mailto:gschindler@sjc.utah.gov)) and David Mann ([dmann@sjc.utah.gov](mailto:dmann@sjc.utah.gov)) at the Planning department. In different opportunities, both Mr. Schindler and Mr. Mann asked me to email them the Salt Lake County--Municipal Code, Chapter 19.15, then I reached Mr. Schindler and he told me he had received my email with the municipal code. He told he does not know anything about the current county law in a condescending way. He told me he would check the law with the city attorney and after he never reach me back and/or never answered my emails and phone calls since then. Then, I reached Mr. Mann who is a subordinate to Mr. Schindler in the Planning department.

Mr. Mann told me that after reviewing the statutes of Utah and Salt Lake County regarding the ADU regulations, he told the City of South Jordan will implement those statutes into the South Jordan City Code and permit the building and operation of detached ADUs in defined residential zones and in lots that are at least 0.33 acres. All that is met by my property. I asked Mr. Mann then what we are going to do with my property since I have a deadline set by Inspector Cullimore coming on August 1, 2023, and he literally told me not to worry about that because there are many other properties in the same condition. That is, properties with ADUs within their borders. He told me they will have a meeting on 10/3/2023 and they will close the case against my property. Then, I reached out to him after the meeting and he told me that I have 4 options now: remove, destroy, revert my property or start legal actions.

After listening carefully his options, I told him that he had told me before that under the light of the state and county statutes, they would close my case because there are other properties with the same condition in the City. He denied having said that and referred me to talk with the City Attorney. On an email dated on 10/04/2023, Inspector Cullimore informed of the options I have now regarding my property (Exhibit E).



5. Under Federal law and state law, is the Planning department's actions a violation of my Fourteenth Amendment Rights?

Yes, under federal law it is a violation of my Fourteenth Amendment Rights.

The Code Compliance and the Planning department's actions are a violation of my Fourteenth Amendment Rights because they are ignoring the state and county regarding the ADU statutes. They have also not assessed the case under the light of the law. The officials acknowledge there are other properties in the same condition in the city, but they chose me as scapegoat. The officials acknowledge that there is one state law on ADUs, and two county statutes on ADU that must be implemented in their Code, but they do not want to comply with the state and county law. They misled me to apply for two permits when I do not need to apply for those. Their actions were always patronizing and condescending all the time not willing to find a solution that is better for the citizen and his right of property. They denied me the option of variance without any explanation. Their actions damaged my budget by requiring me pay permit fees and floor plans costs. Thus, they are violating my constitutional rights all across the board.

Therefore, I hereby request to the City Council to heed my case and rule according to the law.

BECOMES PERMIT WHEN SIGNED

*Date of Application April 11, 1997		*Date Work Starts		Receipt No.		Date Issued 5-13-97		Permit Number 10047	
*Proposed Use of Structure Private Garage				BUILDING FEE SCHEDULE					
*Bldg. Address 2932 West Cherry Grove Way				Square Ft. of Building vs. Jason 63,000		Building Fees			
*Address Certificate No.				Assessors Parcel No.		Plan Check Fees		24 75	
*Lot #				*Block		*Subd. Name & Number		Electrical Fees	
*Property Location				*# of meters and bounds site instructions		Plumbing Fees		20 00	
*Total Property Area - In Acres or Sq. Ft. .33 acre				Total Bldg. Site Area Used		Mechanical Fees		180 94	
*Owner of Property William Block				Phone 254-5032		Subtotal		180 94	
*Mailing Address 2532 West Cherry Grove Way				City - Zip W. Jordan		Water			
*Business Name Address				Business Op. No.		Sewer			
*Architect or Engineer				Phone		Storm Sewer			
*General Contractor				Phone		Moving or Demo.			
*Business Address - City - Zip				*State Lic. No.		Temporary Conn.			
*Electrical Contractor				Phone		Rainspection			
*Business Address - City - Zip				*State Lic. No.		State Fee		1 51	
*Plumbing Contractor				Phone		Total		182 75	
*Business Address - City - Zip				*State Lic. No.		Fire Sprinkler		Yes No	
*Mechanical Contractor				Phone		Special Approvals		Required Received Approved	
*Business Address - City - Zip				*State Lic. No.		Board of Adjustment			
*Previous Usage of Land or Structure (Past 3 yrs.) Residential				*Accessory Bldgs. Now or Lot		Health Dept.			
*Type of Improvement/Kind of Const. <input type="checkbox"/> Sign <input checked="" type="checkbox"/> Build <input type="checkbox"/> Repair <input type="checkbox"/> Demolish				*Assessors Bldgs. Now or Lot		Fire Dept.			
*No. of offstreet parking spaces				Covered Uncovered		Soil Report			
SUB-CHECK				Zone		Zone Approved By			
Disapproved				Date		Sub-Chk. By			
Minimum setbacks to Foot				Prop. Line		Prop. Line			
Exhibit C				House or House & Garage Attached		STREET			
*Signature of Contractor or Authorized Agent				Date		*Signature of Owner (if owner)		Date	
*Signature of Owner (if owner)				Date		Census Tract		Traffic Zone	
*Signature of Owner (if owner)				Date		Coordinate Ident. No.			
*Signature of Owner (if owner)				Date		New S.L.U. Code No.		Old S.L.U. Code No.	

## Planning and Code Determination

Audrey Cullimore <ACullimore@sjc.utah.gov>

Wed 2023-10-04 14:25

To: Ray Loo <rayloo2@outlook.com>

Cc: David Mann <DMann@sjc.utah.gov>; Greg Schindler <GSchindler@sjc.utah.gov>; Steven Schaefermeyer <SSchaefermeyer@sjc.utah.gov>; Cory Day <CDay@sjc.utah.gov>; Ty Montalvo <TMontalvo@sjc.utah.gov>

1 attachment (2 MB)

Mailed Notice.pdf;

Ray Loo,

Following Planning and Code's meeting to discuss your case and property the following verdict was decided. Planning verified in the meeting that your unpermitted detached accessory dwelling unit cannot be approved/permitted. Also any future alleged amendment of the ADU code is not applicable to your property and your current code case. Planning has also verified and discussed with Code the options available to you for bringing the property into compliance. They are as follows:

- Obtain a valid/active detached accessory structure permit and convert the detached structure back to a standard accessory structure by the removal of all elements making the structure a dwelling.
- Structure removed from the property completely.
- Escalate case to the legal process, if you are unwilling/unable to come into compliance with either of the options noted above.

Attached you will see Code Enforcement's final notice of correction. This notice includes Planning's formal interpretation, which outlines that your property is not zoned for an external ADU. This notice also lists the violation reference for an unpermitted structure onsite and outlines the deadline of October 13<sup>th</sup>, 2023 in which all violations must be corrected. Please be advised that if the property is not in compliance by this deadline date your case will automatically be forwarded to our legal department.

Thank you!

Audrey Cullimore | Code Compliance | City of South Jordan  
1600 W. Towne Center Drive | South Jordan, UT 84095  
O: 801.253.5203 ext 1221 | F: 801.253.5235

[BLOCKEDfacebook%5b.%5dcom/cityofsouthjordan/BLOCKED]

[BLOCKEDtwitter%5b.%5dcom/SouthJordanUT/BLOCKED]

[BLOCKEDinstagram%5b.%5dcom/southjordancity/BLOCKED] [BLOCKEDyoutube%5b.%5dcom/channel/UCyb-dQqGhbNzvPFomeQBfQwBLOCKED]

Exhibit  
E

<https://outlook.live.com/mtl/0/d/AQXkADAwATE2MjMxLTgxZjI0ODhjNDhmAABMDAKABAA54pjqyReQfCLy%2FX3d%2BRynA%3D%3D>

1:1

SLC >>> Assessor >>> Parcel Search >>> Valuation Summary >>> Printable Version

**Parcel** 27-16-201-023-0000  
**Owner** CHERRY FRONT HOUSING, LLC  
**Address** 2332 W CHERRY GROVE WY  
**Total Acreage** 0.33  
**Above Ground sqft.** 2056  
**Property Type** 111 - SINGL FAM RES  
**Tax District** 38

#### Value History

Record	Land Value	Building Value	Market Value	Tax Rate
2023	\$ 211,400	\$ 476,100	\$ 687,500	
2022 1	\$ 207,300	\$ 498,100	\$ 700,400	.0163550
2021 1	\$ 159,500	\$ 344,700	\$ 504,200	.0112960
2020 1	\$ 159,500	\$ 296,000	\$ 455,500	.0120400
2019 1	\$ 124,400	\$ 317,500	\$ 441,900	.0122490
2018 1	\$ 124,400	\$ 286,100	\$ 410,500	.0123100



#### Land Record

Record ID 1	RESIDENTIAL	Influence Effect	RES-PRIMARY	Lot Shape	REGULAR	Traffic	LIGHT
Int Use	PRIMARY-LOT	Assmt. Class	RES-PRIMARY	Lot Location	APPROACH	Traffic Influence	TYPICAL
Lot Type	PRIMARY-LOT	Lot Depth		Neighborhood	872	Street type	CUL-DE-SAC
Land Class		Acres	0.33	Nbhs Type	STATIC	Street Finish	PAVEM
Income Flag		/one	1114	Nbhs Effect	TYPICAL	Curb Gutter	Y
Seasonal use		Sewer	PUBLIC	Topography	LEVEL	Sidewalk	Y
Influence Type		Number Lots	1				

#### Residence Record

Building Style	HN	Full Baths	2	Interior Condition	GOOD	Main Floor Area	2056
Assessment Classification	P	3/4 Baths	2	Exterior Condition	AVERAGE	Upper Floor Area	
Exterior Wall Type	BRICK	Hall Bath	1	Overall Condition	GOOD	Finished Attic Area	
Roofing	ASPHALT-SHKE	Number of Kitchens	1	Visual Appeal	AVERAGE	Above Ground Area	2056
Central AC	YES-FACT	Finished fire places	1	Maintenance	MINIMUM	Basement Area	2024
Heating	PRIMARY-CTRL	Year Built	1988	Conformity	EQUAL-IMPRVD	Finished Basement Area	1800
Owner Occupied		Effective Year Built	2008	Usability	AVERAGE	Finished Basement Grade	A
Number of Stories	1.0	Interior Grade	AVERAGE	Primary Kitchen	STANDARD	Garage L Surface Area	
Total Rooms	17	Exterior Grade	GOOD	Quality		Attached Garage S. Area	600
Bedrooms	7	Divers I Grade	AVERAGE	Primary Bath	STANDARD	Detached Garage S. Area	
				Quality		Basement Garage S. Area	
				Percent Complete	100		
						Above Grade Area + Basement Area	4080

#### Detached Structure

Structure	SHED ENCLSD	Effective Year Built	2021	Replacement Cost New	\$ 17,136
Description		Actual Year Built	2020	Replacement Cost New,	\$ 15,422
Assessment Class	RES-PRIMARY	Quality	GOOD	Less Depreciation	
Units	SQUARE FEET	Condition	EXCELLENT	Sound Value	\$ 0
Measure 1	24	Income Flag		Building Number	
Measure 2	21				

#### Legal Description

LOT 212, CHERRY HILL ESTATES 42 S.J.R. 6180-0971 6313-1448 6313-1449 0040-533 9050-3399 9052 3776 10202-5000 10601-8981 0927-901\*

[Click here for Classic Parcel Details Page](#)

[Search Again?](#)

This page shows the assessor's CIMA data as it was, on May 22, 2023.

Exhibit B.

Exhibit A.

My Map



October 14, 2023

The information displayed on this map is for informational purposes only and does not constitute an offer of insurance or any other financial product. Please consult your agent for more information.



WHEN RECORDED RETURN TO:  
CITY OF SOUTH JORDAN  
1600 W TOWNE CENTER DRIVE  
SOUTH JORDAN, UT 84095

Exhibit  
D

Accessory Dwelling Unit Affidavit...

Cherry Grove Housing LLC is the landowner of record of real property (the "subject property") located at 2832 W. Cherry Grove Way in the City of South Jordan, Utah (the "City"). The landowner is applying to construct an Accessory Dwelling Unit (as that term is defined in the ordinances of South Jordan City) on the subject property. I am either the owner or co-owner of the subject property or I am the beneficiary of a trust that owns the subject property or I am an owner of a legal entity that owns the subject property. As a condition of receiving all necessary permits and entitlements to construct and use an Accessory Dwelling Unit on the subject property I personally pledge that myself and any co-owners will comply with all regulations of the Accessory Dwelling Unit Floating Zone as set forth in the ordinances of the City and will personally occupy the property as a full time resident. As a further condition of receiving all necessary permits and entitlements to construct and use an Accessory Dwelling Unit on the subject property I authorize annual inspections of the Accessory Dwelling Unit by authorized South Jordan representatives. I understand that this affidavit must be signed, notarized and recorded at the Salt Lake County Recorder's Office before any permit is issued allowing the construction or use of the proposed Accessory Dwelling Unit.

  
(signature of property owner)

Dated this 18 day of September, 2023

State of Utah )

)ss

County of Salt Lake )

On the 18 day of September, 2023, personally appeared before me Roy Feveller the signer(s) of the above instrument, who duly subscribed and swore before me that they executed the same.


  
NOTARY PUBLIC  
Residing in Salt Lake County, Utah



Exhibit A

My Map



October 14, 2023

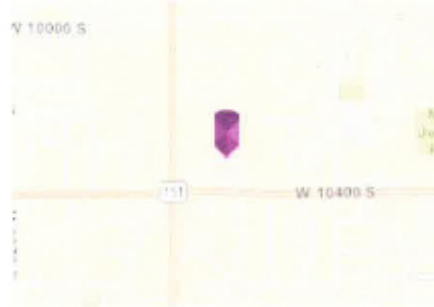
This map was created by the Office of the Mayor and City Clerk, City of South Jordan, Utah. It is not a legal document. For more information, please contact the City of South Jordan, Utah, at (801) 225-1234. The map is not a legal document. For more information, please contact the City of South Jordan, Utah, at (801) 225-1234.

SJCb -> Assessor -> Parcel Search -> Valuation Summary -> Printable Version

Parcel 27-16-201-023-0000  
 Owner CHERRY GROVE HOUSING, LLC  
 Address 7537 W CHERRY GROVE WY  
 Total Acreage 0.33  
 Above Ground sqft 2055  
 Property Type 111 - SINGL-FAM RCS  
 Tax District 38

#### Value History

Record	Land Value	Building Value	Market Value	Tax Rate
2023	\$ 211,400	\$ 476,100	\$ 687,500	
2022 1	\$ 207,300	\$ 493,100	\$ 700,400	.0103550
2021 1	\$ 159,500	\$ 344,700	\$ 504,200	.0112960
2020 1	\$ 159,500	\$ 296,000	\$ 455,500	.0120400
2019 1	\$ 124,400	\$ 317,500	\$ 441,900	.0122490
2018 1	\$ 124,400	\$ 288,100	\$ 410,500	.0123100



#### Land Record

Record ID 1	RESIDENTIAL	Influence Effect	RES PRIMARY	Lot Shape	REFUR AR	Traffic	LIGHT
Lot Use	PRIMARY-LOT	Assess Class		Lot Location	APPROACH	traffic Influence	TYPICAL
Lot Type		Lot Depth		Neighborhood	6/2	Street Type	CUL-DE-SAC
Land Class		Area	0.33	Neighborhood	STATE	Street Finish	PAVED
Income Flag		Zone	1114	Neighborhood	TYPICAL	Curb Curb	Y
Seasonal use		Sever	PUBUC	Topography	LEVEL	Sidewalk	Y
Influence Type		Number lots	1				

#### Residence Record

Building Style	RN	Full Baths	2	Interior Condition	GOOD	Main Floor Area	2056
Assessment Classification	P	3/4 Baths	2	Exterior Condition	AVERAGE	Upper Floor Area	
Exterior Wall Type	BRICK	Half baths	1	Overall Condition	GOOD	Finished Attic Area	
Roofing	ASPHALT-SHNG	Number of Kitchens	1	Visual Appeal	AVERAGE	Above Ground Area	2056
Central AC	YES-FA CUCL	Finished Fireplaces	1	Maintenance	MINIMUM	Basement Area	2024
Heating	PRIMARY-CENTRAL	Year Built	1988	Conformity	EQUAL/IMPROV	Finished Basement Area	1940
Owner Occupied		Effective Year Built	2009	Usability	AVERAGE	Finished Basement Grade	A
Number of Stories	1.0	Interior Grade	AVERAGE	Primary Kitchen	STANDARD	Carport Surface Area	
Total Rooms	17	Exterior Grade	GOOD	Quality		Attached Garage S. Area	600
Bedrooms	7	Overall Grade	AVERAGE	Primary Bath	STANDARD	Built-in Garage S. Area	
				Quality		Basement Garage S. Area	
				Percent Complete	100		
						Above Grade Area - Basement Area	4080

#### Detached Structure

Structure	SHED-ENCLOS	Effective Year Built	2021	Replacement Cost New	\$ 17,136
Description		Actual Year Built	2020	Replacement Cost New	\$ 15,422
Assessment Class	RES-PRIMARY	Quality	GOOD	Loss Depreciation	
Units	SQUARE-FEET	Condition	EXCELLENT	Sound Value	\$ 0
Measure 1	24	Income Flag		Building Number	
Measure 2	21				

#### Legal Description

LOT 212, CHERRY HILL ESTATES #2 S.W. 6188-09/1 E313-1448 6313-1449 9049-333 9050-3398 9052-5/76 \* 0202-6007 10601-6931 \* 0977-9011

Click here for Classic Parcel Detail Page Search Again

This page shows the assessor's CAMA data as it was, on May 22, 2023

Exhibit B



## BECOMES PERMIT WHEN SIGNED

#Date of Application April 11, 1997 Date Work Starts \_\_\_\_\_

#Proposed Use of Structure

Private Garage

#Bldg. Address

2532 West Cherry Grove Way

#Address Certificate No.

Assessors Parcel No.

#Lot # #Block # Subd. Name & Number

#Property Location

☐ Will notes and drawings include instructions

#Total Property Area - In Acres or Sq. Ft.

.33 acre

Total Bldg. Site Area Used

#Owner of Property

William Block

Phone

254-5032

#Mailing Address

2532 West Cherry Grove Way

A. Jordan

#Business Name Address

Business Lic. No.

#Architect or Engineer

Phone

#General Contractor

Phone

OWNER

#Business Address - City - Zip

#State Lic. No.

#City/Co. Lic. No.

#Electrical Contractor

Phone

OWNER

#Business Address - City - Zip

#State Lic. No.

#City/Co. Lic. No.

#Plumbing Contractor

Phone

#Business Address - City - Zip

#State Lic. No.

#City/Co. Lic. No.

#Mechanical Contractor

Phone

#Business Address - City - Zip

#State Lic. No.

#City/Co. Lic. No.

#Previous Usage of Land or Structure (Past 3 yrs.)

Residential

#Dwell. Units Now on Lot

#Accessory Bldgs. Now on Lot

#Type of Improvement/Kind of Const.

☐ Sign

☒ Build

☐ Remodel

☐ Addition

☐ Repair

☐ Move

☐ Commercial Use

☐ Demolish

#No. of offstreet parking spaces:

Garage

Uncovered

SUB-CHECK

Zone

R-2.5

Zone Approved By

Disapproved

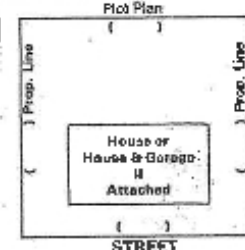
Approval

Dem

Sub-ck. By

Minimum Setbacks in Feet

Exhibit  
C



NOTE: All forms subject to revision for all jurisdictions

Receipt No.

Date Issued

5-13-97

Permit Number

11-23-10047

## BUILDING FEE SCHEDULE

Square Ft. of Building	Valuation	Building Fees
<input type="checkbox"/> Rough Basement	1.80	75
<input type="checkbox"/> Finish Basement	36	19
Common sq. ft.	20	00
Garden sq. ft.	5.25	
Type of Bldg.	Occ. Group	Mechanical Fees
VN	U-1	Subtotal
No. of Bldgs.	1	180
No. of Stories	1	94
No. of Bedrooms	0	Water
No. of Dwellings	1	Sewer
Type of Construction		Storm Sewer
<input checked="" type="checkbox"/> Frame <input type="checkbox"/> Brick <input type="checkbox"/> Block <input type="checkbox"/> Concrete <input type="checkbox"/> Steel		Moving or Demo.
Max. Occ. Load		Temporary Conn.
Fire Sprinkler <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Reinspection
		State Fee
		1
		81
		Total
		182
		75

Special Approvals	Required	Received	Approved
Board of Adjustment			
Health Dept.			
Fire Dept.			
Soil Report			
Water or Well Permit			
Traffic Engineer			
Flood Control			
Sewer or Septic Tank			
City Engineer (off site)			
Gas			
Comments:			

SOUTH JORDAN CITY  
MAY 13 1997  
PAID

ACTING CITY ENGINEER, KEVIN NICHOL APPROVED  
ENCROACHMENT INTO THE 6' UTILITY EASEMENT  
LETTER DATED MAY 9, 1997

Land Use Cert.  
Electrical Dept.  
HIBack C.G. & S.  
Other

Bond Required ☐ Yes ☒ No Amount

This application does not become a permit until signed below.

Per CHK. OK by

Signature of Approval \_\_\_\_\_ Date 5-12-97

This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury.

Signature of Contractor or Authorized Agent \_\_\_\_\_ Date 5-13-97

Signature of Owner (if owner) \_\_\_\_\_ (Date)

Census Tract \_\_\_\_\_ Traffic Zone \_\_\_\_\_ Coordinate Ident. No. \_\_\_\_\_

Now S.L.U. Code No. \_\_\_\_\_ Old S.L.U. Code No. \_\_\_\_\_

\_\_\_\_\_

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# 2022-23 Annual Accomplishment Report and Community Needs Hearing

## Community Development Block Grant

October 17, 2023  
David Mann, CDBG Coordinator



## What are CDBG Funds?

- CDBG = Community Development Block Grant
- CDBG-CV = funding for CDBG activities that prepare, prevent, and respond to the coronavirus
- Through the US Dept. of Housing and Urban Development (HUD)
- Must be used for eligible CDBG activities that benefit low- and moderate-income (LMI) persons
  - LMI = annual income ~ \$82K for a household of 4
  - Presumed LMI = seniors, persons experiencing abuse, disabled adults, homeless persons, illiterate adults, persons living with AIDS, and migrant farmworkers

**"To develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons."**

## 2020-24 Con Plan Goals

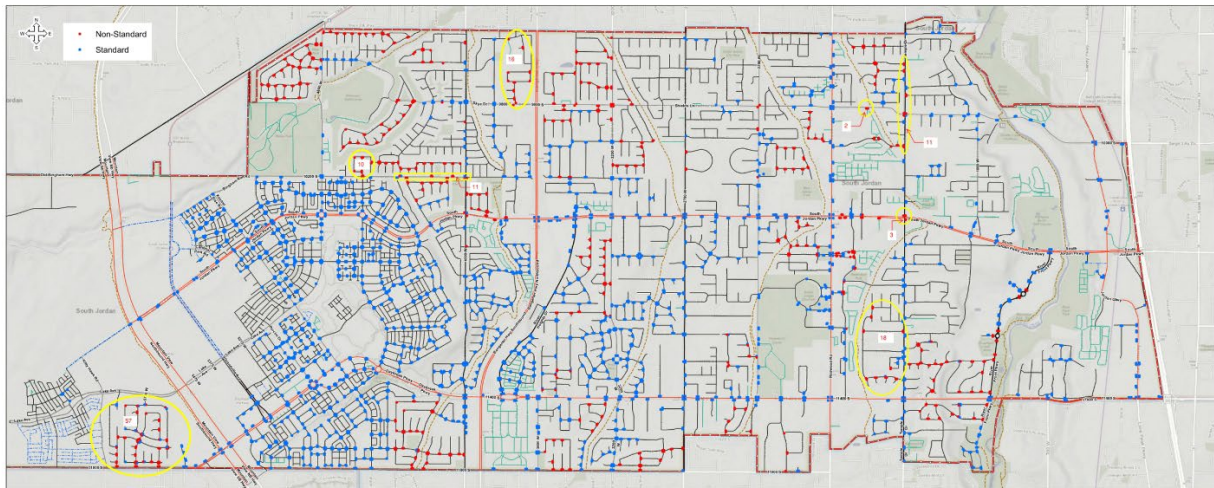
- Correct accessibility deficiencies
- Increase access to affordable housing
- Maintain existing housing
- Improve senior facilities and services
- Provide improvements in deficient neighborhoods
- Support services for vulnerable populations
- Support mental health programs and resources
- Support training, prevention, and education programs
- Support COVID-19 response efforts as needed

## 2022-23 AAP Goals

- **Correct accessibility deficiencies**
- Increase access to affordable housing
- Maintain existing housing
- Improve senior facilities and services
- Provide improvements in deficient neighborhoods
- **Support services for vulnerable populations**
- Support mental health programs and resources
- Support training, prevention, and education programs
- Support COVID-19 response efforts as needed

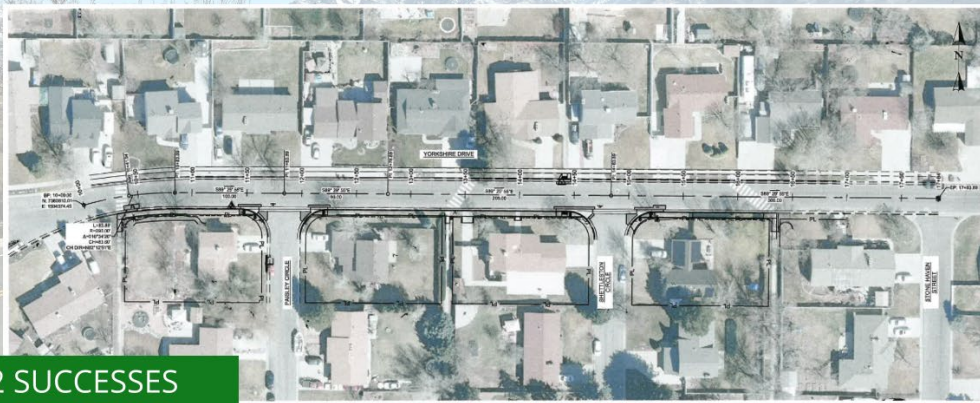


# ADA Ramp Project Map



## Yorkshire Drive Sidewalk

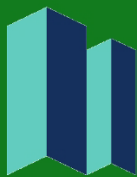
- Installed sidewalk, consolidated 2 school crossings into 1, and relocated existing fencing and utilities.



## Activities During the 2022 Program Year

Project/Activity	2022 Beneficiaries	2022 Expenditures	Remaining Funds
<b>Admin/Planning</b>	<b>N/A</b>	<b>\$ 45,140</b>	<b>\$ -</b>
2022 Admin & Planning	N/A	\$ 45,140	\$ -
<b>Infrastructure Improvements</b>	<b>129</b>	<b>\$ 151,059</b>	<b>\$ 186,706</b>
2022 ADA Ramps	129	\$ 151,059	\$ 151,059
2020 Yorkshire Crossing	0	\$ -	\$ 35,647
<b>Public Services</b>	<b>222</b>	<b>\$ 32,200</b>	<b>\$ 11,500</b>
2020 Roseman Dental Services	0	\$ -	\$ 3,000
2022 Community Health Centers - Mental Health	0	\$ -	\$ 3,000
2022 Legal Aid Society	41	\$ 3,000	\$ -
2022 South Valley Sanctuary	36	\$ 10,000	\$ -
2022 The Inn Between	0	\$ -	\$ 5,500
2022 The Road Home	13	\$ 8,000	\$ -
<b>CV Public Services</b>	<b>6</b>	<b>\$ 2,043</b>	<b>\$ 13,046</b>
CV Mortgage Assistance	6	\$ 2,043	\$ 13,046
<b>Total (CDBG)</b>	<b>273</b>	<b>\$ 137,790</b>	<b>\$ 198,206</b>
<b>Total (CV)</b>	<b>84</b>	<b>\$ 92,652</b>	<b>\$ 13,046</b>
<b>Grand Total</b>	<b>357</b>	<b>\$ 230,442</b>	<b>\$ 211,252</b>

## Need Help Now?



# Next Steps

- Open public hearing for comment on
  - the CAPER
  - needs for the upcoming 2023-24 program year
- Continue public comment through November 20 (30-day period)
  - Anyone can submit a comment via email, mail, or phone to the CDBG Coordinator
- Submit final CAPER to HUD
- HUD reviews and approves the CAPER. They may request revisions

## RUSHTON BIKE PARK REZONE

11050 S. Bangerter Hwy











**SOUTH JORDAN CITY  
CITY COUNCIL REPORT**

Meeting Date: 10/17/2023

**Issue:** RUSHTON BIKE PARK REZONE  
Rezone from Agricultural (A-1) to Park Open Space (OS-P) Subdistrict

**Address:** 11050 S. Bangerter Hwy.  
**File No:** PLZBA202300163  
**Applicant:** South Jordan City

**Submitted by:** Andrew McDonald, Planner I  
Ken Short, Supervising Senior Engineer  
**Presented by:** Steven Schaefermeyer, Planning Director

**Staff Recommendation (Motion Ready):** I move that the City Council **approve** Ordinance No. 2023.-04.Z, rezoning the subject property from Agricultural (A-1) to Open Space Park (OS-P).

**ACREAGE:** Approximately 8.26 (acres)  
**CURRENT ZONE:** A-1  
**FUTURE LAND USE PLAN:** OS (Open Space)  
**NEIGHBORING ZONES:** North – OS-P, R-M-5, & R-M-8  
South – R-M-6 & Bangerter Hwy  
West – R-M-5  
East – Bangerter Hwy & R-M-8

**STANDARD OF APPROVAL:**

**REZONE:**

The rezoning of property may not be considered if the proposed zoning does not conform to the general plan. The following guidelines shall be considered in the rezoning of parcels:

- A. The parcel to be rezoned meets the minimum area requirements of the proposed zone or if the parcel, when rezoned, will contribute to a zone area which meets the minimum area requirements of the zone.
- B. The parcel to be rezoned can accommodate the requirements of the proposed zone.
- C. The rezoning will not impair the development potential of the parcel or neighboring properties.

(City Code §17.22.020)

The Planning Commission shall receive public comment at the public hearing regarding the proposed rezoning and make a recommendation on the rezoning to the City Council (see City Code §17.22.040).

### **BACKGROUND:**

The City would like to develop some vacant property, which has a land use designation of Open Space (OS) in the General Plan, into what will be called the "Rushton Bike Park." The purpose of the application is to make the subject properties consistent with the zoning of other adjacent parcels owned by the City, and City Code requirements. This application involves four City parcels: 27-17-377-006, 27-17-377-010, 27-17-377-009 and 27-17-377-007.

The largest parcel involved is currently serving as a storm water retention basin for the neighboring R-M zoned subdivisions. The retention basin area of the parcel will not be developed as part of the project. The proposed zoning is consistent with another City owned parcel in the same vacant field, which is already zoned OS-P. A concept plan for the project is included.

The other parcels are between Bangerter Hwy. and the Welby-Jacob Canal. These parcels are adjacent to each other and currently zoned A-1. City Code §17.18.060 defines the proposed use as "Outdoor Recreation," which is not permitted in the A-1 Zone. The Park Open Space (OS-P) Subdistrict allows the Outdoor Recreation use as a conditional use. The City anticipates that the associated site plan and conditional use applications will be presented to the Planning Commission during the scheduled October 24, 2023 meeting, if the City Council approves this zone change. The Engineering and Public Works Parks Division hosted a Public Open House Event on September 21, 2023 at the High Pointe Park Pavilion. This event was noticed to the same notice recipients as the public hearing (see attached Notice of Public Open House). City staff has received one written public comment (see attached Public Comment Received).

### **PLANNING COMMISSION RECOMMENDATION:**

On October 10, 2023, the Planning Commission voted unanimously to recommend the City Council approve the zoning change.

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

#### **Findings:**

- The application meets the rezone standards of review.
- Rezoning the property will place the Rushton Bike Park in compliance with City Code requirements.
- The rezone from A-1 to OS-P is consistent with the General Plan.
- The Welby and High Pointe trail system provides pedestrian and bicyclist access to the project area. Rushton Park will serve as an amenity to the trail system.
- Oceano Dune Court provides additional access and vehicle parking. The cul-de-sac is built larger than City Standard, and can accommodate up to 10 vehicles. Engineering staff feels that this will allow sufficient parking on the cul-de-sac for the short duration of time visitors are using the park.
- Residents and visitors are able to walk from the cul-de-sac to the project area using a paved walkway that bridges the canal.

- The High Pointe Park Pavilion is not able to be privately reserved.
- Engineering is not anticipating Rushton Park attracting large crowds and use by surrounding mountain biking teams and clubs. Rushton Park is not designed or situated to meet the needs and demands of those groups.
- The project is designed to be sensitive to the neighboring subdivisions.
- If approved, the anticipated construction timeframe is between April and June 2024.

**Conclusion:**

The rezone is consistent with the General Plan and City Code §17.20.030.

**Recommendation:**

Based on the findings and conclusions listed in this report, Staff recommends that the City Council 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 proposed application
- Schedule the application for a decision on some future date

**SUPPORT MATERIALS:**

- Location & Current Zoning Map
- Rushton Bike Park Concept Plan
- Ordinance 2023-04-7
- Notice of Public Open House
- Public Mailing Notice
- Public Comment Received

Andrew McDonald

Andrew McDonald (Oct 10, 2023 09:41 MDT)

Andrew McDonald  
Planner I  
Planning & Zoning Department

**Department Approval**

Steven Schaefermeyer

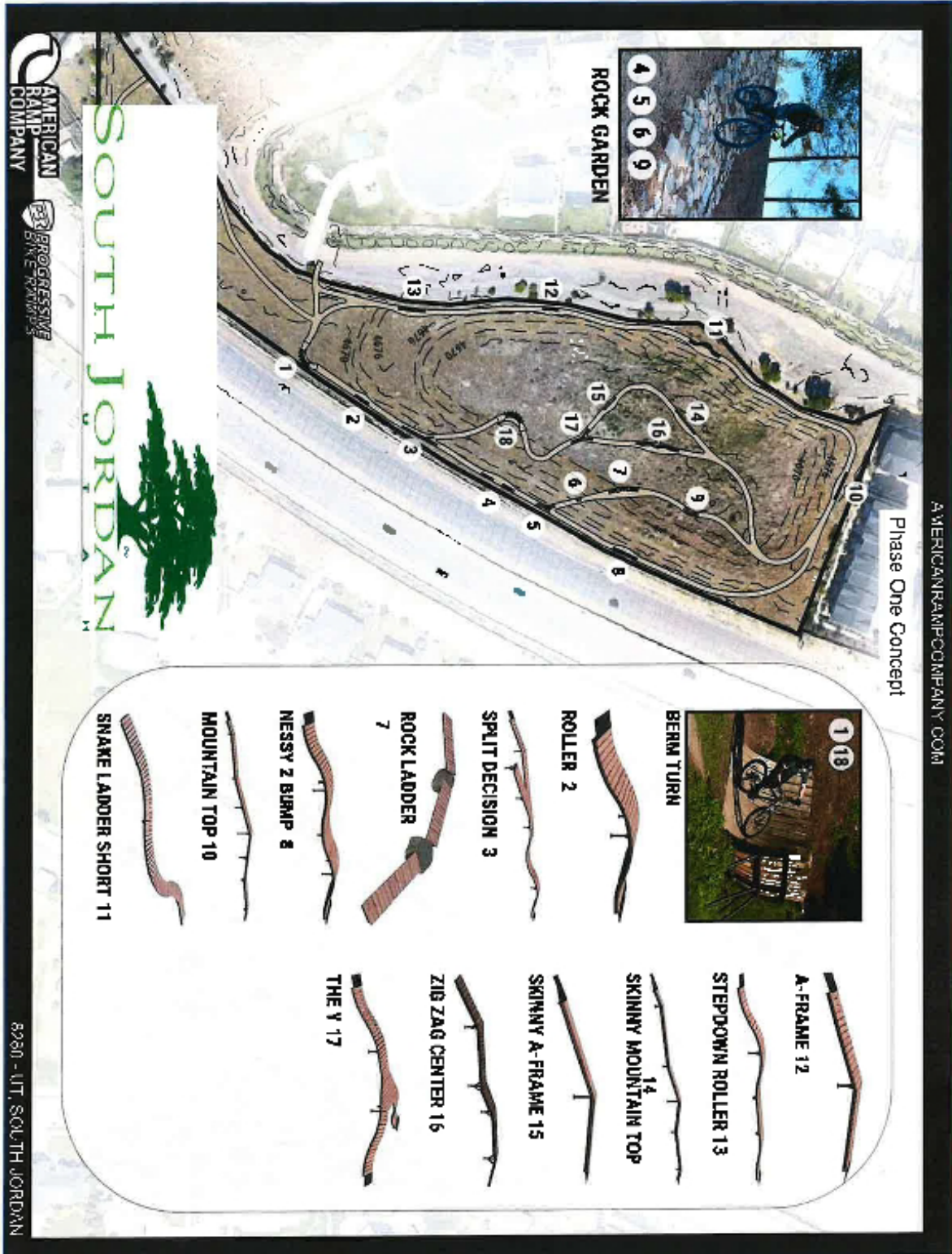
Steven Schaefermeyer (Oct 10, 2023 09:53 MDT)

Steven Schaefermeyer  
Director of Planning & Zoning









**ORDINANCE NO. 2023-04-Z**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT 11050 S. BANGERTEER HIGHWAY FROM THE A-1 AGRICULTURAL ZONE TO THE OS-P PARK OPEN SPACE SUBDISTRICT ZONE.**

**WHEREAS**, the City Council of the City of South Jordan ("City Council") has adopted the Zoning Ordinance of the City of South Jordan (Title 17 of the City Code) with the accompanying Zoning Map; and

**WHEREAS**, the Applicant, the City of South Jordan (the "City"), proposed that the City Council amend the Zoning Map by rezoning the below-described property; and

**WHEREAS**, the South Jordan Planning Commission reviewed the proposed rezoning and made a recommendation to the City Council; and

**WHEREAS**, the City Council held a public hearing concerning the proposed rezoning; and

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

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

**SECTION 1. Rezone.** The property described in Application PLZBA202300163, and located at 11050 S. Bangerter Highway, are hereby reclassified from the A-1 Agricultural Zone to the OS-P Park Open Space Subdistrict Zone, on property described/shown in the attached **Exhibit A**.

**SECTION 2. Filing of Zoning Map.** The Official Zoning Map showing such changes shall be filed with the South Jordan City Recorder.

**SECTION 3. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

**SECTION 4. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

Ordinance 2023-04-Z  
Page 1 of 2

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 BY THE FOLLOWING VOTE:**

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

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

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

Approved as to form:  
 \_\_\_\_\_



**EXHIBIT A**  
(Property Description)

Exhibit A to Ordinance 2023 04 2

Dawn R. Ramsey, *Mayor*  
Patrick Harris, *Councilman*  
Brad Marlor, *Councilman*  
Donald J. Shelton, *Councilman*  
Tamara Zander, *Councilman*  
Jason T. McGuire, *Councilman*



PH: 801.254.3742 EMAIL: [info@sjc.utah.gov](mailto:info@sjc.utah.gov) FAX: 801.254.3393

## NOTICE OF PUBLIC OPEN HOUSE

Dear Property Owner:

South Jordan City Parks and Engineering Departments will be holding an open house to present drawings showing the proposed bike trail improvements to the Welby and High pointe trail system at 11050 S Bangerter Highway. The improvements consist of adding primitive dirt trails with mountain biking specific features designed to enhance biking skill development.

You are receiving this letter because Salt Lake County records indicate that **you own property within 300 feet of the proposed project**. The Open House will give residents an opportunity to review the plans for the project, ask questions to city staff and provide feedback. City staff is expecting to start construction of the improvements in spring of 2024.

The open house scheduled to be held on **Thursday, September 21st from 5:00 pm to 6:00 pm at the High Pointe Park Pavilion located at 10960 South Oceano Dune Ct, South Jordan City**. All interested parties are invited to attend.

Should you desire further information, you may contact the Engineering Department Capital Improvements Projects Staff at the City offices or by telephone at (801) 254-3742 during regular business hours. Reasonable accommodations for special needs and/or translation services can be arranged upon timely request.

1600 WEST TOWNE CENTER DRIVE SOUTH JORDAN, UTAH 84095 [WWW.SJC.UTAH.GOV](http://WWW.SJC.UTAH.GOV)



BERM TURN



ROLLER 2



SPLIT DECISION 3



ROCK LADDER 7



MESSY 2 BUMP 8



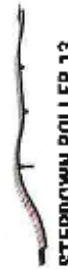
MOUNTAIN TOP 10



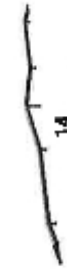
SNAKE LADDER SHORT 11



A-FRAME 12



STEPDOWN ROLLER 13



SKINNY MOUNTAIN TOP 14



SKINNY A-FRAME 15



ZIG ZAG CENTER 16



THE Y 17

Dawn R. Ramsey, Mayor  
Patrick Harris, Council Member  
Bradley B. Marlar, Council Member  
Donald J. Shelton, Council Member  
Tamara Zander, Council Member  
Jason T. McGuire, Council Member



PH: 801.446-HELP @SouthJordanUT

## **NOTICE OF PUBLIC HEARING**

September 29, 2023

Dear Recipient:

South Jordan City has filed an application (PJ.ZHA202300163) to rezone a collection City owned properties located at roughly 11050 S. Bangerter Hwy. The application is to rezone the current zoning designation of A-1 (Agricultural) to the Open Space-Park (OS-P) Subdistrict.

You are receiving this notice because Salt Lake County records indicate that you own property that is within 300' (feet) of the subject properties; or are listed as an affected entity. A map showing the property location is attached to this notice.

**The public hearing regarding this proposal that was originally scheduled before the City Council on October 3<sup>rd</sup>, 2023 has been postponed.**

The South Jordan City **Planning Commission** will hold another public hearing for this application **at 6:30 p.m. on Tuesday October 10<sup>th</sup>, 2023.**

The **City Council** will also hold a public hearing regarding this proposal **at 6:30 p.m. on Tuesday October 17<sup>th</sup>, 2023**

Both public hearings will be held in the South Jordan City Council Chambers (1600 W. Towne Center Drive). All interested parties are invited to attend. Virtual attendance can be done by following by providing instructions provided at: <https://www.sjc.utah.gov/254/Planning-Commission> and <https://www.sjc.utah.gov/241/City-Council> on the respective dates. Virtual attendance is contingent upon the user's internet access, not the city. For more information, the published agenda and packet with supporting material will be available to the public by 12 p.m. October 5<sup>th</sup>, 2023 for Planning Commission at: <https://www.sjc.utah.gov/254/Planning-Commission>; and by 12 p.m. October 13<sup>th</sup>, 2023 for City Council at: <https://www.sjc.utah.gov/241/City-Council>

Public comments for the Planning Commission may be submitted by in writing by mail; or by emailing Andrew McDonald at [amcdonald@sjc.utah.gov](mailto:amcdonald@sjc.utah.gov), **by 12:00 p.m. on October 5<sup>th</sup>, 2023; and by 3:00 p.m. on October 17<sup>th</sup>, 2023 for City Council.** This ensures that any comments received can be reviewed by the Commission, and included in the record prior to the meeting. Any emails or signed letters received will be placed on record. Comments may also be given, and added to the record, during the public comment portion of the hearing.

Should you desire further information, you may contact the South Jordan Planning (Andrew McDonald) or Engineering Departments (Ken Short): (801) 446-4357 during regular business hours or by contacting the email provided.

Respectfully,  
Andrew McDonald, Planner I

1600 WEST TOWNE CENTER DRIVE SOUTH JORDAN, UTAH 84095 SJC.UTAH.GOV



Location Map of Subject Properties



**From:** Jeff [REDACTED]  
**Sent:** Tuesday, October 3, 2023 3:43 PM  
**To:** Andrew McDonald  
**Subject:** PLZBA202300163

Hey Mr. McDonald,

My name is Jeff Cook and I live at [REDACTED] South Jordan, UT 84009, and unfortunately I cannot attend the public meeting today about putting in the bike track park.

I did want to share my thoughts however, I think the idea for the bike track is really fun, however, I am nervous about using our cul de sac as the parking for the track. We have a lot of little kids amongst all the neighbors and we enjoy the calm that a cul de sac brings. I am nervous about additional cars and people loitering at night.

Also, I know the townhomes right next to where the plan is to put the park are constantly having issues with parking because there is not enough of it. I would bet they would be more than willing to have a parking lot put in near them and potentially pay for part of it if they could use it. Anyways, I wanted to share my opinion, thank you for your time.

---  
Jeff Cook  
[REDACTED]



