SOUTH JORDAN CIT
CITY COUNCIL REPORT

Meeting Date: 10/15/2013

Issue: **SOJO MARKETPLACE LAND USE AMENDMENT AND REZONE**
Amending Land Use from Village Mixed Use to Low Density Residential and Commercial and Rezone from A-5 to R-2.5, R-3 and C-C
Address: SW corner of 11400 South and Bangerter Highway
File No: LUA-2013.12 and REZ-2013.20
Applicant: Steven Usdan, Kornwasser Shopping Center Properties, LLC

Submitted by: Damir Drozdek, Planner II
Shane Greenwood, Associate City Engineer
Presented by: George Shaw, Community Development Director

Staff Recommendation (Motion Ready):

- Adopt Resolution No. R2013-67 approving an amendment to the Future Land Use Plan Map and to adopt Ordinance No. 2013-17-Z approving an amendment to the Zoning Map for property located approximately at the southwest corner of Bangerter Highway and 11400 South.

ACREAGE:	Approximately 32 Acre
CURRENT ZONE:	A-5 (Agricultural Zone, 5 acre min. lot size)
CURRENT USE:	Vacant Land
FUTURE LAND USE PLAN:	VMU (Village Mixed Use)
NEIGHBORING ZONES/USES:	North – R-M-6 / 11400 South South – A-5 and R-2.5 / Vacant Land and Single-Family Residences West – R-2.5 / Welby Jacob Canal East – BH-MU / Bangerter Highway

BACKGROUND:

The subject property is located at the southwest corner of Bangerter Highway and 11400 South. It contains approximately 32 acres. It is master planned for Village Mixed Use which is required to have a mix of at least two components of either office and residential or commercial/retail and residential. The current zoning allows for agricultural uses with minimum 5 acre lots required with development.

The current land use and zoning are proposed to be amended to allow for development of single-family homes and commercial/retail uses. It is proposed that the area west of 4000 West be developed as single-family homes with the exception of the immediate corner of 4000 West and 11400 South which is proposed to be developed as commercial/retail use. The residential component of the proposed development encompasses approximately 16 acres. The area located between 4000 West and Bangerter Highway, and from approximately 11600 South to 11400 South is proposed to be developed exclusively as commercial/retail development. This commercial area, including the southwest corner of 4000 West and 11400 South encompasses approximately 16 acres as well. The current Future Land Use Map designates this area for Village Mixed Use that essentially would mimic the proposed development with commercial/retail uses located at the street corners. Residential component would be adjacent to existing residential neighborhoods creating a buffer between existing residential neighborhoods and proposed uses.

Infrastructure analysis has been c pleted by the Engineering Staff which found that the existing utilities, with some minor upgrades/improvements as is typical with any development, will be sufficient for the scale and type of the proposed development.

The Application was reviewed by the Planning Commission on October 8th of 2013. It was unanimously recommended for approval. There was no public comment. The applicants were commended for working with the adjacent neighborhoods on finding a solution that works for all. Meeting minutes are not available at this time.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The proposed changes to the Future Land Use Map and the Zoning Map will reflect the boundaries of the single-family residential and commercial component of the proposed development.
- The proposed residential component of the development will be compatible with the immediate existing residential neighborhoods.
- The project complies with the Goals and Policies of the General Plan with the following:
  - LU-3.8 Designated properties adjacent to I-15, South Jordan Parkway, Redwood Rd, Jordan Gateway, 11400 South, 11800 South, Bangerter Highway, 9800 South and the Mountain View Corridor, should be considered for acceptable locations for major retail land uses. Proposals for commercial development or redevelopment should be encouraged in these areas as designated on the Future Land Use Plan Map.
  - ED-1.12 Seek a better balance of the 'jobs to dwelling unit' ratio in the City by promoting new businesses and job opportunities for City residents, including seasonal and part time jobs for youth.
  - ED-2.1 Maximize the economic development potential at key nodes within the City. Encourage commercial activities around major intersections with I-15, 1300 West, Redwood Rd, Bangerter Highway, Mountain View Corridor, South Jordan Parkway and 11400 South.

Conclusion:

- Based on the findings listed, the Application will reflect the current conditions and plans while still being consistent with the Goals and Policies of the General Plan.

Recommendation:

- Based on the Findings and Conclusions listed above, 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.

FISCAL IMPACT:

- The City will benefit from an increase in property taxes as well as from an increase in sales taxes. However the City will also be tasked with maintenance of public facilities and providing services for future residents.

ALTERNATIVES:

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

SUPPORT MATERIALS:

- Aerial Map
- Existing Future Land Use Map
- Existing Zoning Map
- Land Use Amendments and Rezone Development Projects – Infrastructure Analysis
- Resolution R2013-67
  - Exhibit 'A'
- Ordinance 2013-17-Z
  - Exhibit 'B'

Approved by:

George Shaw, AICP
Community Development Director

10/9/13
Date

Submitted by:

Damir Drozdek
Planner II

10-09-13
Date

IV. PUBLIC HEARINGS AND POTENTIAL *LEGISLATIVE ACTION ITEMS

*Legislative Action = More Discretion, Reasonably Debatable (Subjective Standard)

A.1. **Issue:** **SOJO MARKETPLACE LAND USE AMENDMENT AND REZONE, AMENDING LAND USE FROM VILLAGE MIXED USE TO LOW DENSITY RESIDENTIAL AND COMMERCIAL AND REZONE FROM A-5 TO R-2.5, R-3 AND C-C**

Address: Southwest corner 11400 South & Bangerter Hwy.

File No: LUA-2013.12 and REZ-2013.20

Applicant: Steven Usdan, Kornwasser Shopping Center Properties

Planning Commission Vote **Recommended Approval of Land Use Amendment and Rezone to City Council. (7-0)**		
Planning Commissioner	**Vote (yes/no)**	**Comments**
Beverly Evans Motion	Yes	
Jason Haymore	Yes	
Kathie Johnson	Yes	
Evan Jones	Yes	Question on the wording of proposed recommendation. Question about the disposal of building lots for construction.
Russ Naylor Second	Yes	
Steven Roberts	Yes	Question on 4000 West and a walkable commercial area. (Developer committed to orienting buildings to the street and making pedestrian connections.)
Alex Winder	Yes	
Public Comments of Note		
None.		

B.1. **Issue:** **HIGH RIDGE PHASE II LAND USE AMENDMENT AND REZONE, LAND USE AMENDMENT FROM RURAL RESIDENTIAL TO LOW DENSITY RESIDENTIAL AND REZONE FROM R-1.8 & A-5 TO R-2.5 & VMU, IN CONJUNCTION WITH A MASTER DEVELOPMENT PLAN (MDP)**

Address: Southeast corner 11400 South 3600 West

SOUTH JORDAN CITY
PLANNING COMMISSION REPORT

Meeting Date: 10/08/2013

Issue: **SOJO MARKETPLACE LAND USE AMENDMENT AND REZONE**
Amending Land Use from Village Mixed Use to Low Density Residential and Commercial and Rezone from A-5 to R-2.5, R-3 and C-C

Address: SW corner of 11400 South and Bangerter Highway
File No: LUA-2013.12 and REZ-2013.20
Applicant: Steven Usdan, Kornwasser Shopping Center Properties, LLC

Submitted by: Damir Drozdek, Planner II
Shane Greenwood, Assistant City Engineer

Staff Recommendation (Motion Ready):

- Forward a recommendation of approval to the City Council for adoption of Resolution No. R2013-67 approving an amendment to the Future Land Use Plan Map and recommend adoption of Ordinance No. 2013-17-Z approving an amendment to the Zoning Map on property located approximately at the southwest corner of Bangerter Highway and 11400 South.

ACREAGE:	Approximately 32 Acres
CURRENT ZONE:	A-5 (Agricultural Zone, 5 acre min. lot size)
CURRENT USE:	Vacant Land
FUTURE LAND USE PLAN:	VMU (Village Mixed Use)
NEIGHBORING ZONES/USES:	North – R-M-6 / 11400 South South – A-5 and R-2.5 / Vacant Land and Single-Family Residences West – R-2.5 / Welby Jacob Canal East – BH-MU / Bangerter Highway

BACKGROUND:

The subject property is located at the southwest corner of Bangerter Highway and 11400 South. It contains approximately 32 acres. It is master planned for Village Mixed Use which is required to have a mix of at least two components of either office and residential or commercial/retail and residential. The current zoning allows for agricultural uses with minimum 5 acre lots required with development.

The current land use and zoning are proposed to be amended to allow for development of single-family homes and commercial/retail uses. It is proposed that the area west of 4000 West be developed as single-family homes with the exception of the immediate corner of 4000 West and 11400 South which is proposed to be developed as commercial/retail use. The residential component of the proposed development encompasses approximately 16 acres. The area located between 4000 West and Bangerter Highway, and from approximately 11600 South to 11400 South is proposed to be developed exclusively as commercial/retail development. This commercial area, including the southwest corner of 4000 West and 11400 South encompasses approximately 16 acres as well. The current Future Land Use Map designates this area for Village Mixed Use that essentially would mimic the proposed development with commercial/retail uses located at the street corners. Residential component would be adjacent to existing residential neighborhoods creating a buffer between existing residential neighborhoods and proposed uses.

Infrastructure analysis has been completed by the Engineering Staff which has found that the existing utilities, with some minor upgrades/improvements as is typical with any development, will be sufficient for the scale and type of the proposed development.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The proposed changes to the Future Land Use Map and the Zoning Map will reflect the boundaries of the single-family residential and commercial component of the proposed development.
- The proposed residential component of the development will be compatible with the immediate existing residential neighborhoods.
- The project complies with the Goals and Policies of the General Plan with the following:
  - LU-3.8 Designated properties adjacent to I-15, South Jordan Parkway, Redwood Rd, Jordan Gateway, 11400 South, 11800 South, Bangerter Highway, 9800 South and the Mountain View Corridor, should be considered for acceptable locations for major retail land uses. Proposals for commercial development or redevelopment should be encouraged in these areas as designated on the Future Land Use Plan Map.
  - ED-1.12 Seek a better balance of the 'jobs to dwelling unit' ratio in the City by promoting new businesses and job opportunities for City residents, including seasonal and part time jobs for youth.
  - ED-2.1 Maximize the economic development potential at key nodes within the City. Encourage commercial activities around major intersections with I-15, 1300 West, Redwood Rd, Bangerter Highway, Mountain View Corridor, South Jordan Parkway and 11400 South.

Conclusion:

- Based on the findings listed, the Application will reflect the current conditions and plans while still being consistent with the Goals and Policies of the General Plan.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **recommend approval** of 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.

FISCAL IMPACT:

- The City will benefit from an increase in property taxes as well as from an increase in sales taxes. However the City will also be tasked with maintenance of public facilities and providing services for future residents.

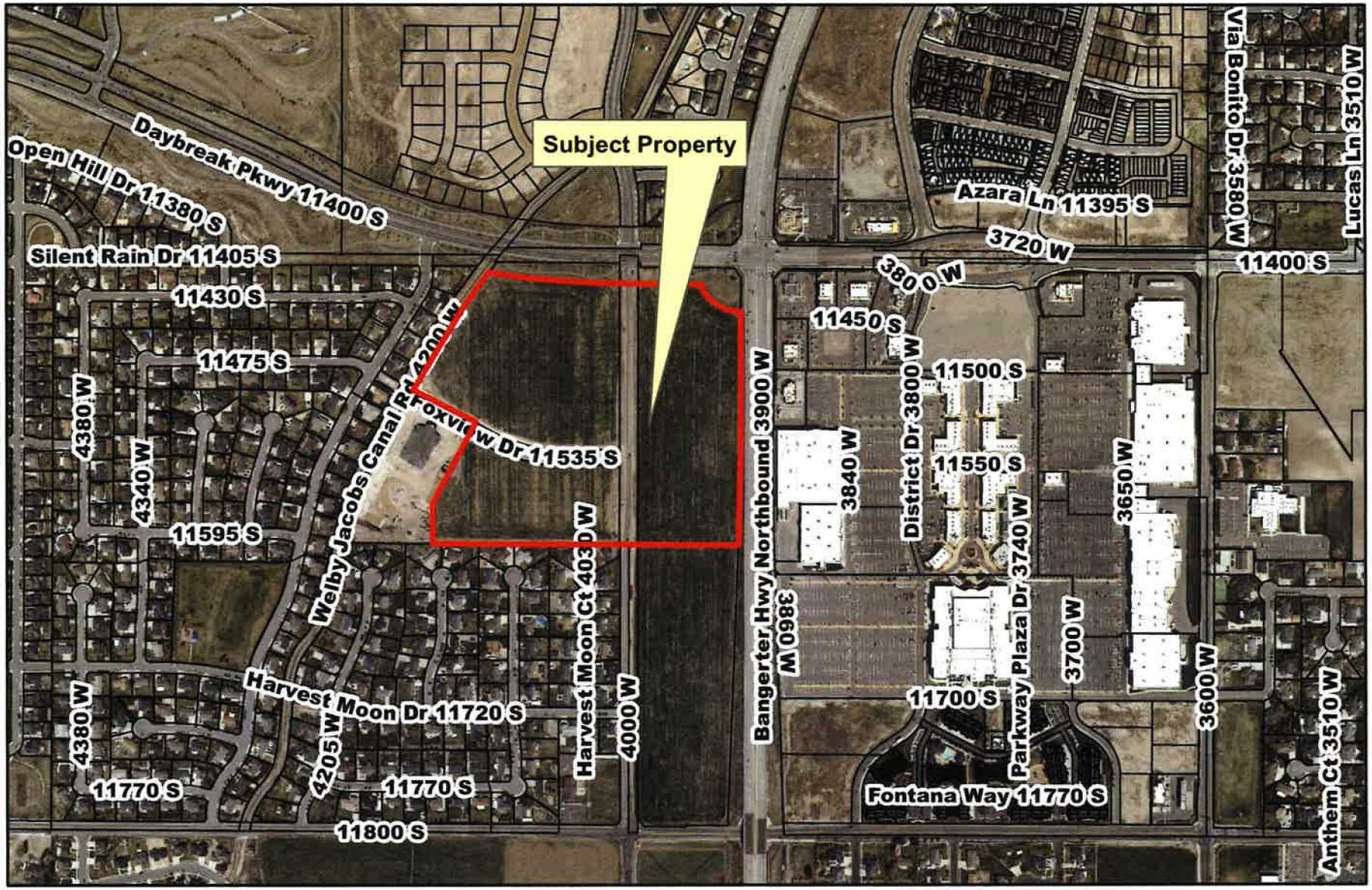
ALTERNATIVES:

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

SUPPORT MATERIALS:

- Aerial Map
- Existing Future Land Use Map
- Existing Zoning Map
- Land Use Amendments and Rezone Development Projects – Infrastructure Analysis
- Resolution R2013-67
  - Exhibit 'A'
- Ordinance 2013-17-Z
  - Exhibit 'B'

Damir Drozdek
Planner II
Community Development Department



Legend

STREETS

PARCELS

Aerial Map

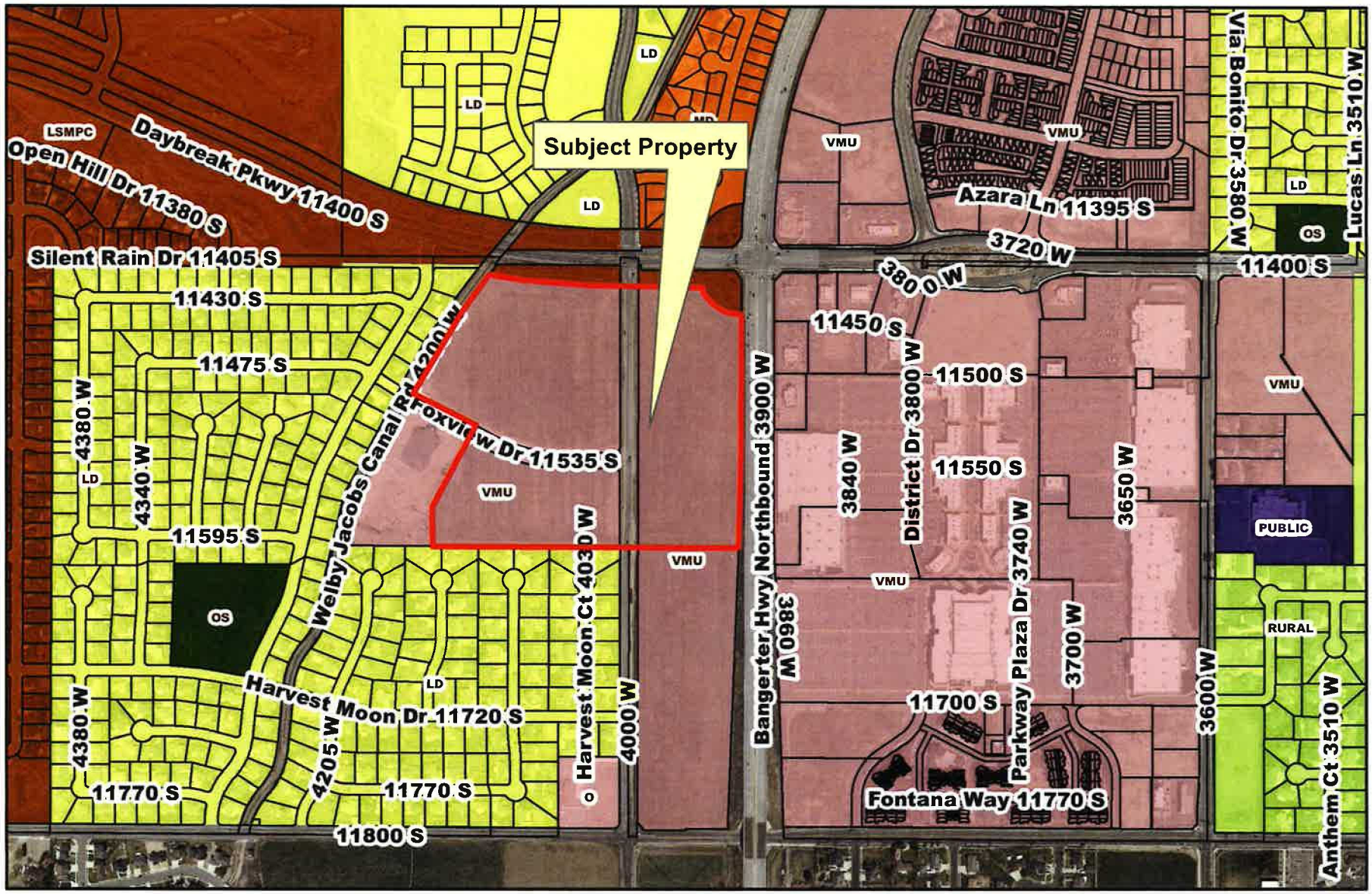
City of South Jordan

0 215 430 860 1,290 1,720 Feet

Aerial Imagery
April 2012

N W E S

ESRI



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STREETS

PARCELS

Future Land Use Map

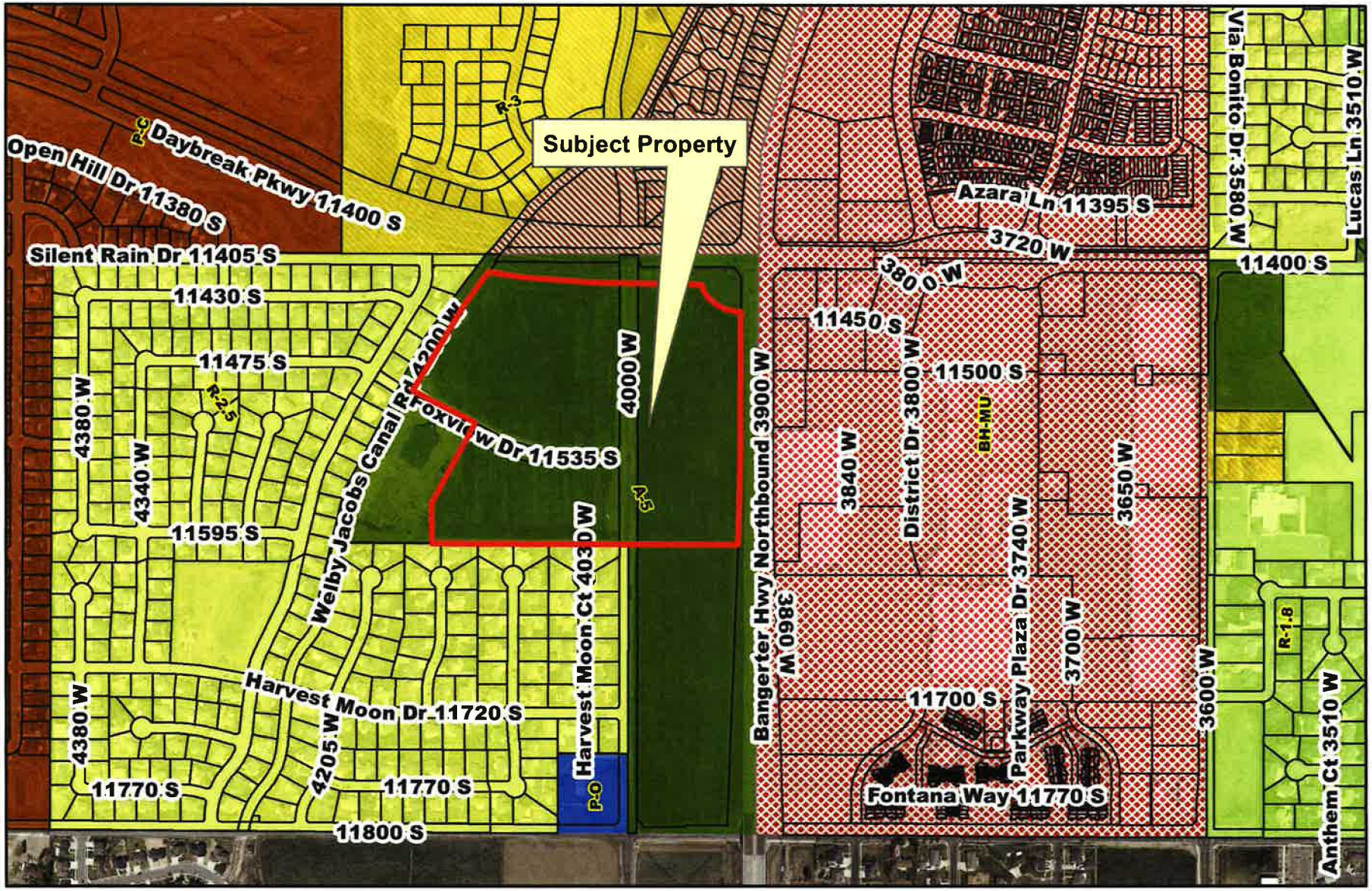
City of South Jordan

0 215 430 860 1,290 1,720 Feet

Aerial Imagery
April 2012

N W E S

ESRI



Legend

STREETS

PARCELS

Zoning Map

City of South Jordan

0 215 430 860 1,290 1,720 Feet

Aerial Imagery
April 2012

N W E S

ESRI

LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

Project Name/Number	SoJo Marketplace A-5 to CC, R-3, and R-2.5

Planner Assigned	Damir Drozdek
Engineer Assigned	Shane Greenwood

The Engineering Department has reviewed this application and has the following comments:

Transportation: ***(Provide a brief description of the access, transportation master plan and how this change affects Master Plan, condition/status of existing roadways. Determine whether a Traffic Study should be completed)***

The subject property is located south of 11400 South between Bangerter Highway and the Welby Jacob Canal (approximately 4200 West). The proposed access connections are 4000 West and Country Crossing Drive. Traffic Study is required prior to site plan approval. The Traffic Study will need to look at the intersection of 11400 South 4000 West to determine what improvements will be required as well as improvements to 4000 West between 11400 South and 11800 South. Also, there may be additional right of way needs required at the 11400 South Bangerter Highway interchange for future improvements to Bangerter Highway.

Culinary Water: ***(Provide a brief description of the water servicing the area, look into deficiencies, and determine if water modeling needs to be performed at this time, look at Water Master Plan and evaluate the change to the Master Plan)***

Subject property can be serviced by water mains in 4000 West and Foxview Drive. It's anticipated that water service loop will be required for adequate volume and pressure for proposed development. Per City standards, a water model submittal is required.

Secondary Water: ***(Provide a brief description of the secondary water servicing the area, briefly look into feasibility)***

Commercial/Retail development does not require secondary water service. Residential development requires feasibility study performed which will determine requirement for secondary water service or not.

Sanitary Sewer: ***(Attach letter from South Valley Sewer stating that this zone/land use change does not affect service and that any future project can be services by the District)***

Subject property can be serviced by sewer mains in 4000 West and Foxview Drive. At the time of Site Plan approval, the developer must submit approval letter from South Valley Sewer District stating sufficient capacity and connections for proposed development.

Storm Drainage: ***(How will this area be services for storm drainage, kept on site, Master Storm Plan, etc. any other issues with drainage)***

Storm drain design and calculations are required prior to site plan approval. The design will require storm water retention on site due to the lack of storm drain system in the area and no additional capacity in the UDOT system along Bangerter Highway. The City has interest in contributing to construction of the retention facilities such that drainage from Country Crossing Subdivision can be added.

Other Items: ***(Any other items that might be of concern)***

Report Approved:

Development Engineer — Date: 10/1/13

Brad Klavano, PE, PLS
Director of Engineering/City Engineer — Date: 10/1/13

RESOLUTION R2013-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE FUTURE LAND USE PLAN MAP OF THE GENERAL PLAN OF SOUTH JORDAN CITY.

WHEREAS, the Future Land Use Plan Map of the General Plan has previously been adopted by the City Council of South Jordan City; and

WHEREAS, an amendment to the Future Land Use Plan Map has been proposed as described in Exhibit A - Future Land Use; and

WHEREAS, in accordance with law, public hearings have been held by the Planning Commission and City Council in South Jordan City to present the proposed amendment to the Future Land Use Plan Map of the General Plan and to receive comments from the public, which comments were considered by the Planning Commission and City Council; and

WHEREAS, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed land use amendment will or may have on existing adjacent development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed land use amendment is in harmony with density, permitted uses, and other components of existing adjacent development project entitlements; and

WHEREAS, it has been determined that to promote the orderly growth of South Jordan City, to preserve property values, and to promote the public health, safety and general welfare of the residents of South Jordan City, the Future Land Use Plan Map of the General Plan should be amended to designate as Low Density Residential (LD) and Commercial (COM) property, generally located at the southwest corner of Bangerter Highway and 11400 South.

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

Section 1. Amendment and Adoption. The South Jordan City Council hereby adopts the proposed amendment to the Future Land Use Plan Map of the General Plan to adjust the boundary to Low Density Residential (LD) and Commercial (COM) as described in Exhibit A – Future Land Use, attached.

Section 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This resolution will be effective immediately upon passage.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, STATE OF UTAH, ON THIS _____ DAY OF_____, 2013, BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler	____	____	____	____
Larry Short	____	____	____	____
Chuck Newton	____	____	____	____
Brian C. Butters	____	____	____	____
Steve Barnes	____	____	____	____

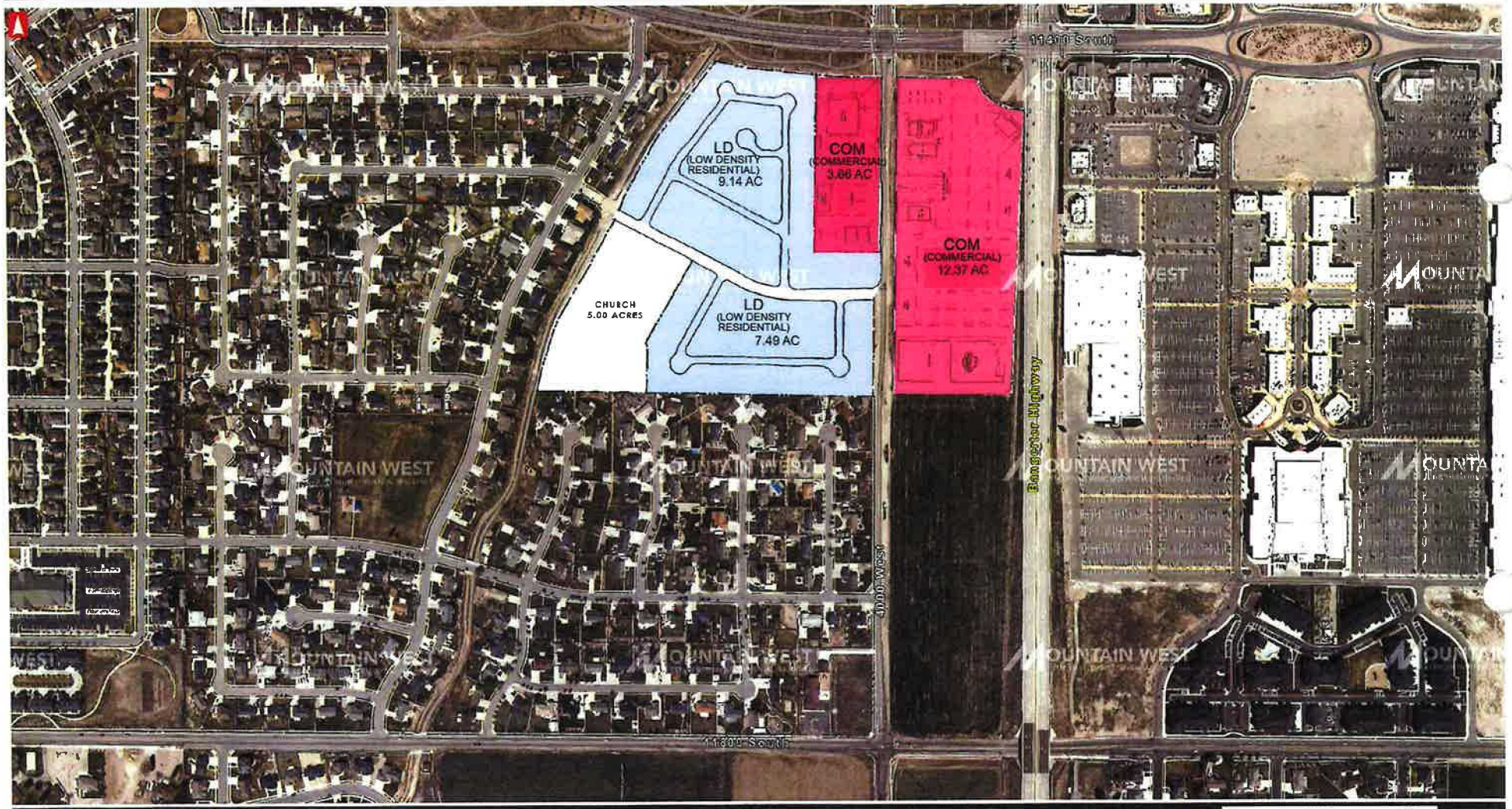
Mayor: _____
Scott L. Osborne

ATTEST: _____
City Recorder

SOUTH JORDAN PROPOSED DEVELOPMENT

SOUTH JORDAN, UTAH

EXHIBIT "A" - FUTURE LAND USE



MOUNTAIN WEST
RETAIL / INVESTMENT COMMERCIAL REAL ESTATE

PARTNER XTEAM

ORDINANCE NO. 2013-17-Z

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF SOUTH JORDAN; AMENDING THE ZONING MAP TO CHANGE THE ZONING FROM A-5 TO R-2.5, R-3 AND TO C-C, ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF BANGERTER HIGHWAY AND 11400 SOUTH, STEVEN USDAN AND GORDON KEIG (APPLICANT).

WHEREAS, the City Council has adopted a Zoning Map for the City; and

WHEREAS, the South Jordan Planning Commission has reviewed and made recommendations concerning this rezoning; and

WHEREAS, the City Council has held a public hearing concerning the proposed Zoning Map amendment; and

WHEREAS, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed rezoning will or may have on existing adjacent development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed rezoning is in harmony with density, permitted uses, and other components of existing adjacent development project entitlements; and

WHEREAS, the City Council has found and determined that the proposed amendment to the Zoning Map will help to implement the General Plan of the City; and

WHEREAS, the City Council has determined that said amendment will stabilize or improve property values and enhance the public health, safety and welfare.

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

SECTION 1. That Ordinance No. 7-1-1 entitled, Zoning Ordinance of South Jordan, Utah, as the ordinances of the City of South Jordan, is amended as follows:

The property described in Application REZ-2013.20 filed by Steven Usdan and Gordon Keig, located in the City of South Jordan, is hereby reclassified and adjusted from A-5 to R-2.5, R-3 and C-C on said property being described as follows and attached as "Exhibit 'B'- Zoning":

A-5 to R-3

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 784.50 FEET AND SOUTH 89°55'21" WEST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE SALT LAKE COUNTY MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 19; AND RUNNING THENCE SOUTH 0°04'18" EAST, ALONG THE WEST LINE OF SAID 4000 WEST STREET, A DISTANCE OF 81.93 FEET, TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 24.00 FEET, THROUGH A CENTRAL ANGLE OF 89° 59' 46", A DISTANCE OF 37.70 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 44°55'21" WEST, A DISTANCE OF 33.94 FEET, TO THE NORTH LINE OF FOXVIEW DRIVE; THENCE ALONG THE NORTH LINE OF FOXVIEW DRIVE THE FOLLOWING NINE (9) COURSES: (1) SOUTH 89°55'21" WEST, A DISTANCE OF 225.85 FEET; (2) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 714.50 FEET THROUGH A CENTRAL ANGLE OF 28° 10' 41", A DISTANCE OF 351.39 FEET, THE LONG CHORD OF WHICH BEARS NORTH 75°59'18" WEST, A DISTANCE OF 347.86 FEET; (3) NORTH 61°53'57" WEST, A DISTANCE OF 163.91 FEET; (4) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 350.50 FEET THROUGH A CENTRAL ANGLE OF 03° 48' 52", A DISTANCE OF 23.33 FEET, THE LONG CHORD OF WHICH BEARS NORTH 63°48'22 WEST, A DISTANCE OF 23.33 FEET; (5) NORTH 65°42'48 WEST, A DISTANCE OF 121.52 FEET; (6) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 289.00 FEET THROUGH A CENTRAL ANGLE OF 03° 48' 47", A DISTANCE OF 19.23 FEET, THE LONG CHORD OF WHICH BEARS NORTH 63°48'22 WEST, A DISTANCE OF 19.23 FEET; (7) NORTH 61°53'57 WEST, A DISTANCE OF 31.37 FEET; (8) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 724.00 FEET, THROUGH A CENTRAL ANGLE OF 03° 38' 59", A DISTANCE OF 46.12 FEET, THE LONG CHORD OF WHICH BEARS NORTH 60°04'28" WEST, A DISTANCE OF 46.11 FEET; (9)NORTH 58°14'59" WEST, A DISTANCE OF 5.85 FEET, TO THE EAST LINE OF THE JACOB WELBY CANAL; THENCE ALONG SAID EAST LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 27°58'15 EAST, A DISTANCE OF 171.11 FEET; (2)NORTH 31°58'52 EAST, A DISTANCE OF 121.94 FEET; (3) NORTH 36°17'09" EAST, A DISTANCE OF 352.21 FEET, TO THE SOUTHERLY LINE OF 11400 SOUTH STREET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3733.00 FEET, THENCE CENTER OF WHICH BEARS NORTH 9°31'22" EAST, THROUGH A CENTRAL ANGLE OF 05° 33' 50, A DISTANCE OF 362.50 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 83°15'33" EAST, A DISTANCE OF 362.35 FEET; THENCE SOUTH 00°04'39" EAST, PARALLEL WITH THE AFORESAID SECTION LINE, A DISTANCE OF 661.05 FEET; THENCE NORTH 89°55'21" EAST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 239.35 FEET TO THE POINT OF BEGINNING.

CONTAINS: 431,493 SQUARE FEET, OR 9.906 ACRES.

A-5 to C-C

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 132.64 FEET AND SOUTH 89°55'21" WEST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE EAST QUARTER CORNER OF SAID SECTION 19; AND RUNNING THENCE SOUTH 0°04'39" EAST, ALONG SAID WEST LINE OF 4000 WEST STREET, A DISTANCE OF 651.86 FEET; THENCE SOUTH 89°55'21"WEST, A DISTANCE OF 239.35 FEET; THENCE NORTH

0°04'39" WEST, PARALLEL WITH AFORESAID SECTION LINE, A DISTANCE OF 661.05 FEET, TO THE SOUTH LINE OF 11400 SOUTH STREET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3733.00 FEET, THE CENTER OF WHICH BEARS NORTH 3°57'33" EAST, THROUGH A CENTRAL ANGLE OF 03° 40' 37", A DISTANCE OF 239.57 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 87°52'46 EAST A DISTANCE OF 239.53 FEET, TO THE POINT OF BEGINNING.

CONTAINS: 156,815 SQUARE FEET, OR 3.600 ACRE

A-5 to C-C

A PARCEL OF LAND SITUATE IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 132.83 FEET, AND NORTH 89°55'21" EAST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE WEST QUARTER CORNER OF SAID SECTION 20; THENCE SOUTH 89°49'18" EAST, ALONG THE SOUTH LINE OF 11400 SOUTH STREET, A DISTANCE OF 286.45 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 200.00 FEET, THE CENTER OF WHICH BEARS NORTH 66°35'59" EAST, THROUGH A CENTRAL ANGLE OF 66°25'20", A DISTANCE OF 231.86 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 56°36'41" EAST, A DISTANCE OF 219.09 FEET, TO THE WEST LINE OF BANGERTER HIGHWAY; THENCE SOUTH 0°01'18" WEST, ALONG SAID WEST LINE, A DISTANCE OF 874.24 FEET; THENCE SOUTH 2°05'14" WEST, A DISTANCE OF 190.96 FEET; THENCE SOUTH 89°55'21" WEST, PERPENDICULAR TO AFORESAID SECTION LINE, A DISTANCE OF 460.49 FEET, TO THE EAST LINE OF AFORESAID 4000 WEST STREET; THENCE NORTH 0°04'39" WEST, ALONG SAID EAST LINE, A DISTANCE OF 1187.16 TO THE POINT OF BEGINNING.

CONTAINS: 539,081 SQUARE FEET, OR 12.376 ACRES

A-5 to R-2.5

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 985.43 FEET, AND SOUTH 89°55'21" WEST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE SALT LAKE COUNTY MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 19; AND RUNNING THENCE SOUTH 0°04'39" EAST, ALONG SAID WEST LINE OF SAID 400 WEST STREET, A DISTANCE OF 340.52 FEET, TO THE SOUTH LINE OF LOT 2 FOXVIEW DRIVE CHURCH SUBDIVISION; THENCE NORTH 89°51'00" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 855.60 FEET, TO THE WEST LINE THEREOF; THENCE NORTH 0°09'00" EAST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 189.82 FEET; THENCE NORTH 28°06'03" EAST, A DISTANCE OF 343.59 FEET, TO THE

SOUTHERLY LINE OF FOXVIEW DRIVE; THENCE SOUTH 61°53'57" EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 81.46 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 785.50 FEET, THROUGH A CENTRAL ANGLE OF 28° 10' 42", A DISTANCE OF 386.31 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 75°59'18"EAST, A DISTANCE OF 382.43 FEET; THENCE NORTH 89°55'21" EAST, A DISTANCE OF 225.86 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 24.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 37.70 FEET; THE LONG CHORD OF WHICH BEARS SOUTH 45°04-39" EAST, A DISTANCE OF 33.94 TO THE POINT OF BEGINNING.

CONTAINS: 326,168 SQUARE FEET, OR 7.488 ACRES.

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

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, ON THIS_____DAY OF_____, 2013 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Steve Barnes	___	___	___	___
Larry Short	___	___	___	___
Chuck Newton	___	___	___	___
Brian C. Butters	___	___	___	___
Mark Seethaler	___	___	___	___

Mayor: _____
Scott L. Osborne

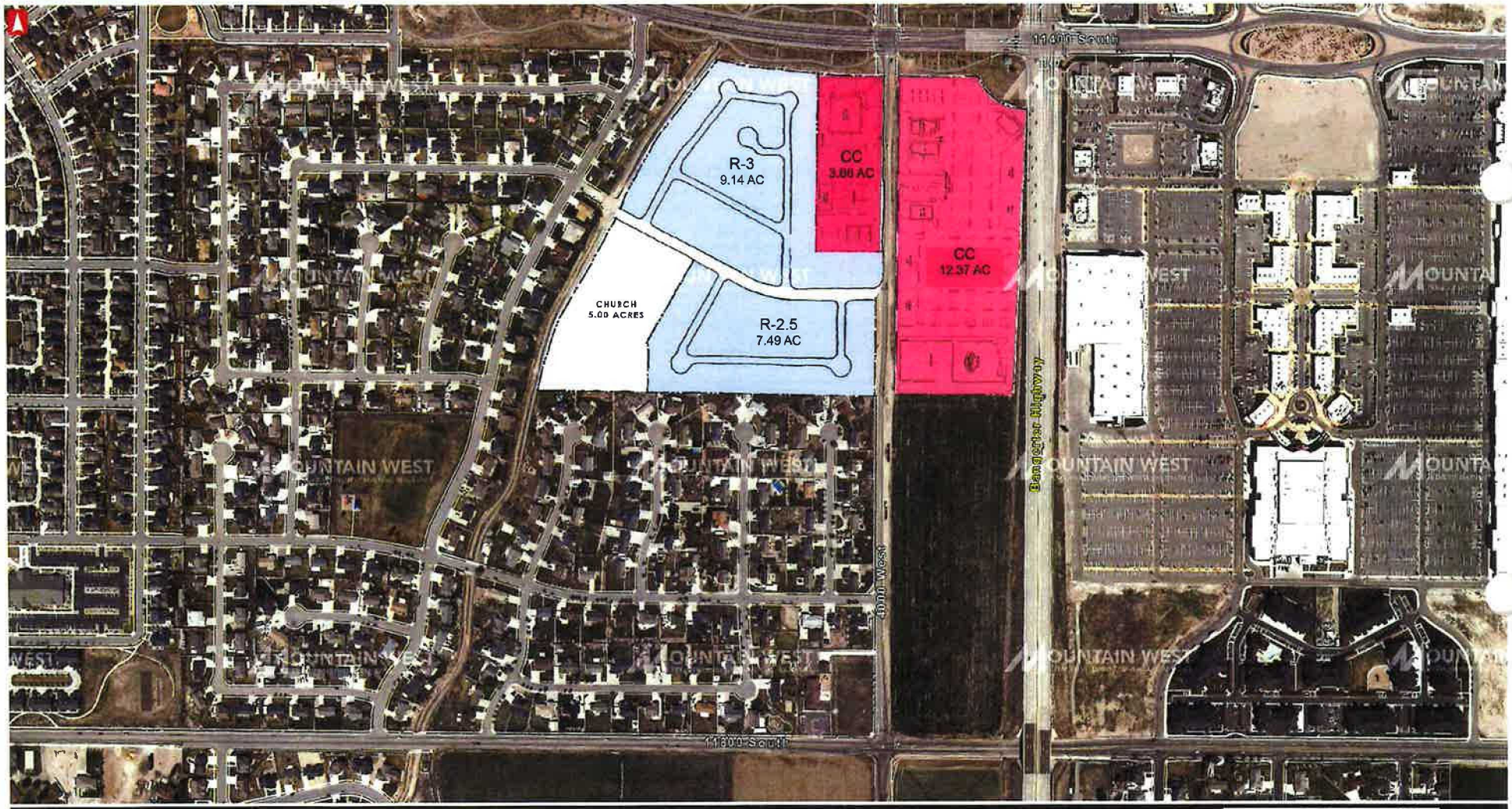
ATTEST: _____
City Recorder

Legal Review: _____
City Attorney, Assistant City Attorney

SOUTH JORDAN PROPOSED DEVELOPMENT

SOUTH JORDAN, UTAH

EXHIBIT "B" - ZONING



MOUNTAIN WEST
RETAIL / INVESTMENT COMMERCIAL REAL ESTATE

PARTNER X TEAM INTERNATIONAL

0 0.065 0.13 Miles

Scott L. Osborne, *Mayor*
Mark Seethaler, *Council Member*
Chuck Newton, *Council Member*
Brian Butters, *Council Member*
Steve Barnes, *Council Member*
Larry Short, *Council Member*

John H. Geilmann, *City Manager*

Money BEST PLACES TO LIVE 2012

SOUTH JORDAN UTAH

PH: 801.254.3742 EMAIL: info@sjc.utah.gov FAX: 801.254.3393

NOTICE OF PUBLIC HEARING

September 24, 2013

Dear Property Owner:

Kornwasser Shopping Center Properties LLC has filed an application to amend the Future Land Use Map and the Zoning Map for property located at the southwest corner of 11400 South and Bangerter Highway. The project area is approximately 32 acres. The proposal includes an amendment to the Future Land Use Map from VMU (Village Mixed Use) to LD (Low Density Residential) and COM (Commercial). The zoning is proposed to be amended from A-5 (Agricultural, 5 acre lots) to R-2.5 (single-family residential, 2.5 lots per acre), R-3 (single-family residential, 3 lots per acre) and C-C (Commercial Community). You are receiving this notice because Salt Lake County records indicate that you own property within 300 ft. of the subject property or, your agency may be affected by the proposal.

Public hearings regarding this proposal will be held before the South Jordan City Planning Commission at **6:30 p.m., Tuesday, October 8, 2013,** and before the South Jordan City Council at **6:00 p.m., Tuesday, October 15, 2013** at the South Jordan City Offices, 1600 West Towne Center Drive. All interested parties are invited to attend.

Please check the Planning Commission and City Council Agendas at City Hall or at the City's web site, www.sjc.utah.gov.

Should you desire further information, you may contact:

Project Applicant: **Steven Usdan** Phone: **(323) 965-1510**

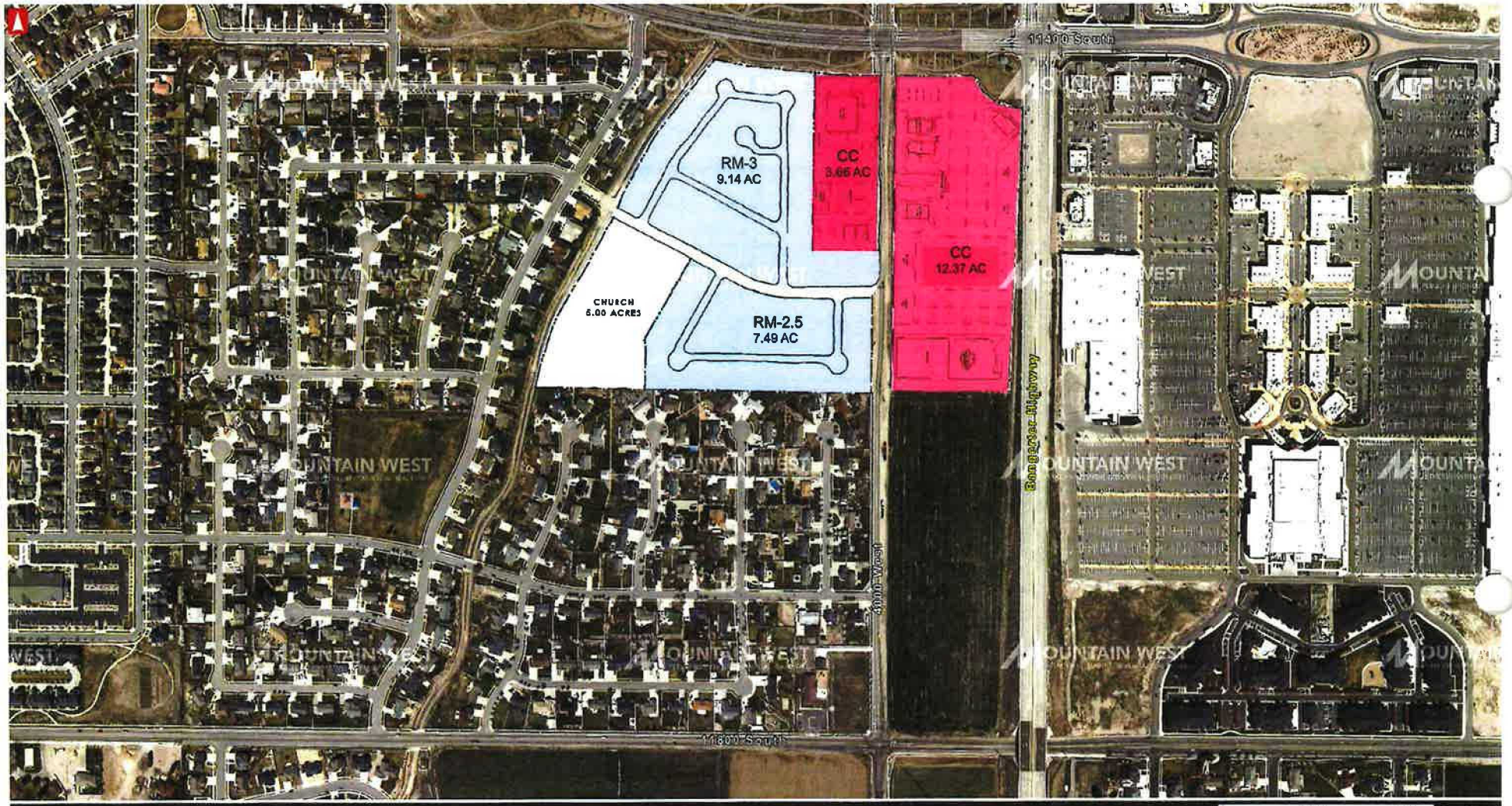
or the Planning and Zoning Staff at the City offices or by telephone at (801) 254-3742 during regular business hours.

Sincerely,

Damir Drozdek
Planner II
Community Development Department

SOUTH JORDAN PROPOSED DEVELOPMENT

SOUTH JORDAN, UTAH



MOUNTAIN WEST
RETAIL / INVESTMENT COMMERCIAL REAL ESTATE

PARTNER X TEAM INTERNATIONAL

0 0.065 0.13 Miles

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RESIDENT27192000060000
1600 W TOWNE CENTER DR
SOUTH JORDAN UT 84095

RESIDENT27192000070000
1600 W TOWNE CENTER DR
SOUTH JORDAN UT 84095

RESIDENT27192000110000
90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27192800130000
90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27192800140000
90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27192800150000
90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27194000020000
1156 S STATE ST # 201
OREM UT 84097

RESIDENT27194040090000
11492 COUNTRY CROSSING RD
SOUTH JORDAN UT 84095

RESIDENT27194040400000
11506 COUNTRY CROSSING RD
SOUTH JORDAN UT 84095

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11446 COUNTRY CROSSING RD
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11495 COUNTRY CROSSING RD
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RESIDENT27194300010000
1600 W TOWNE CENTER DR
SOUTH JORDAN UT 84095

RESIDENT27194300020000
50 E NORTHTEMPLE ST #2225
SALT LAKE CITY UT 84150

RESIDENT27194310010000
50 E NORTHTEMPLE ST #2225
SALT LAKE CITY UT 84150

RESIDENT27194310020000
50 E NORTHTEMPLE ST #2225
SALT LAKE CITY UT 84150

RESIDENT27194760150000
11616 S HARVEST MOON CT
SOUTH JORDAN UT 84095

RESIDENT27194760160000
11622 S HARVEST MOON CT
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11654 S HARVEST MOON CT
SOUTH JORDAN UT 84095

RESIDENT27194760190000
11674 S HARVEST MOON CT
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RESIDENT27194760200000
11686 S HARVEST MOON CT
SOUTH JORDAN UT 84095

RESIDENT27194760210000
11704 S HARVEST MOON CT
SOUTH JORDAN UT 84095

RESIDENT27194760220000
1226 W MEADOW RIDGE LN
SOUTH JORDAN UT 84095

RESIDENT27194760230000
11623 S HARVEST MOON CT
SOUTH JORDAN UT 84095

RESIDENT27194760240000
11639 S HARVEST MOON CT
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RESIDENT27194760250000
11657 S HARVEST MOON CT
SOUTH JORDAN UT 84095

RESIDENT27194760260000
11671 S HARVEST MOON CT
SOUTH JORDAN UT 84095

RESIDENT27194760270000
11687 S HARVEST MOON CT
SOUTH JORDAN UT 84095

RESIDENT27194760280000
11703 S HARVEST MOON CT
SOUTH JORDAN UT 84095

RESIDENT27194780020000
3337 S STATE ST
SOUTH SALT LAKE UT 84115

RESIDENT27194780030000
4027 W HARVEST MOON DR
SOUTH JORDAN UT 84095

RESIDENT27194780040000
4013 W HARVEST MOON DR
SOUTH JORDAN UT 84095

RESIDENT27194780100000
11562 S TARA WOODS LN
SOUTH JORDAN UT 84095

RESIDENT27201520110000
90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27201520130000
11362 S HEREFORD CT
SOUTH JORDAN UT 84095

RESIDENT27201520140000
382 E BRAMBLEBERRY LN
DRAPER UT 84020

RESIDENT27201520150000
11369 S HEREFORD CT
SOUTH JORDAN UT 84095

RESIDENT27201520160000
11363 S HEREFORD CT
SOUTH JORDAN UT 84095

RESIDENT27203010170000
PO BOX 10001
DALLAS TX 75301

RESIDENT27203010190000
90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27203010230000
90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27203010260000
90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27203020010000
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50 E NORTHTEMPLE ST #2225
SALT LAKE CITY UT 84150

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90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27203510230000
90 S 400 W # 200
SALT LAKE CITY UT 84101

RESIDENT27203510280000
299 S MAIN ST # 2400
SALT LAKE CITY UT 84111

RESIDENT27291010090000
PO BOX 37
TEASDALE UT 84773

RESIDENT27291030020000
3883 W 11800 S
RIVERTON UT 84065

RESIDENT27302000120000
9299 S 4000 W
WEST JORDAN UT 84088

RESIDENT27302000260000
9299 S 4000 W
WEST JORDAN UT 84088

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Feed Paper
Bend along line to expose Pop-up Edge™
AVERY® 5160®

SOUTH JORDAN

CITY OF SOUTH JORDAN ▪ PLANNING & ZONING
1600 W. TOWNE CENTER DRIVE ▪ SOUTH JORDAN UT 84095
TEL. (801) 254-3742 ▪ FAX. (801) 253-5235

PLANNING & ZONING APPLICATION

CHECK ONE:

Appeal		Minor Site Plan Amendment		Site Plan	
Concept		Land Use Amendment	✓	Other	
CUP		Rezoning	✓		

#REZ-2013.20

Project Name: SOJO Marketplace

Property Owner Name: Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints

Address: c/o Property Reserve, Inc., 79 South Main Street, Salt Lake City, Utah 84111

Phone (business, home or cell): (801) 321-7535 Email or Fax: mccayd@pripd.com

Agent Name: Steven Usdan and Gordon Keig Business: Kornwasser Shopping Center Properties, LLC

Address: 5670 Wilshire Boulevard, Suite 1250, Los Angeles, California 90036

Phone (business, home or cell): 323-965-1510 Email or Fax: stevenu@kornwasser.net

Engineer/Surveyor/Architect:

Name: Jere Planck Cert. Number 95-285993-0301

Firm Name: Archicon Address: 5055 E. Washington Street #201 Phoenix, AZ 85034

Phone (business, home or cell): (602) 222-4266 Email or Fax: Jerep@archicon.com

Subject Property Information:

Address/Location: SWC-114th South and Bangerter Highway Zone District: A-5

Property Size (acres): ± 45 Acres

Brief Description of Proposal and Proposed Use of Property:

± 16 Acres for CC zoning

± 16 Acres for R25 and R3

Property I.D. # 27-19-430-002-0000
27-19-431-002-0000
27-20-302-002-0000

If Rezoning or Land Use Change:

Proposed change from: Zoning A-5 to: CC, R25 and R3

Land Use VMU to Com/low density residential

Fee: $1,374.00
Date Paid: 09-24-13
Received By:

F/COMMON/APPLICATIONS/GENERAL APP.DOC

OWNERS AFFIDAVIT

I(we), Corporation of the Presiding Bishop am(are) the rightful owner(s) of property involved in this application. I acknowledge by my signature below that Kennecott Shopping Center Properties, LLC is authorized to represent me(us) and my(our) interests as
(print name of agent)
my(our) agent in the processes involved with this application. Further, I(we) agree to let the above named agent negotiate on my(our) behalf and I(we) acknowledge my(our) understanding that I(we) will be bound by all conditions specified in any approval of this Planning & Zoning application that is before the City of South Jordan. The foregoing statements and answers herein contained and the statements and answers contained in the attached plans and exhibits, to the best of my(our) knowledge and belief are true and correct.

Authorized Agent
(signature of property owner)

(signature of property owner)

Dated this 8th day of October, 2013

State of Utah)
) ss
County of Salt Lake)

On the 8th day of October, 2013, personally appeared before me Mark B. Gibbons 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
Commission expires: 4/22/16

Sarahi D. Soperanez
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 4/22/2016
Commission # 654879

CITY OF SOUTH JORDAN
REVENUE STATEMENT

RECEIVED FROM: CCA Acquisition Company LLC

DATE: 09-24-13

ACCOUNT #	DESCRIPTION	AMOUNT
	Land Use Amendment	$687.00
	Rezone	$687.00
	TOTAL	$1,374.00

COMMENTS:

CHECK # 13449

- CHECK ☑
- CASH ☐
- DB. CARD ☐
- CR. CARD ☐

RECEIVED BY:

CASH ONLY IF ALL *CheckLock*™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

CCA Acquisition Company, LLC
5670 Wilshire Blvd, Suite #1250
Los Angeles, CA 90036
(323) 965-1510

NATIONAL BANK OF CALIFORNIA
LOS ANGELES, CA 90036
16-3936/1220

13449

9/24/13

PAY TO THE ORDER OF City of South Jordan $ 1,374.00

One thousand three hundred and seventy four & 00/100 DOLLARS

TAMPER RESISTANT TONER AREA

PINK ICON DISAPPEARS WITH HEAT

MEMO

⑈013449⑈ ⑆122039360⑆ 002530309⑈

WHEN RECORDED RETURN TO:
1600 W TOWNE CENTER DR
CITY OF SOUTH JORDAN
SOUTH JORDAN, UTAH 84095

11767719
11/27/2013 02:38 PM $0.00
Book - 10195 Pg - 9373-9436
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SOUTH JORDAN
1600 W TOWNE CENTER DR
SOUTH JORDAN UT 84095-8265
BY: TMW, DEPUTY - WI 64 P.

DEVELOPMENT AGREEMENT

The City of South Jordan, a Utah municipal corporation (the "City"), and SJ Marketplace, LLC, a Delaware limited liability company ("the Developer"), enter into this Development Agreement (this "Agreement") this 12 day of November, 2013 ("Effective Date"), and agree as set forth below. The City and the Developer are jointly referred to as the "Parties".

RECITALS

WHEREAS, the Developer is the owner of certain real property identified as Assessor's Parcel Number(s) 27194310020000, 27194300020000, and approximately the north half of Parcel Number 27203020020000 specifically described in attached Exhibit A (the "Property") and intends to develop the Property consistent with the Concept Plan attached as Exhibit B (the "Concept Plan"); and

WHEREAS, the City, acting pursuant to (1) its authority under Utah Code Annotated 10-9a-102(2) *et seq.*, as amended, and (2) the South Jordan City Municipal Code (the "City Code"), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, has made certain determinations with respect to the proposed development of the Property and in exercise of its legislative discretion has elected to enter into this Agreement; and

WHEREAS, the Property is currently subject to the Planning and Land Use Ordinance of South Jordan City and is within the agricultural A-5 zone (the "A-5 Zone"). A copy of the provisions of such zone designation in the South Jordan City Code is attached as Exhibit C; and

WHEREAS, the Developer desires to make improvements to the Property in conformity with this Agreement and desires a zone change on the Property from the A-5 Zone to the Residential R-2.5 Zone (the "R-2.5 Zone"), the Residential R-3 Zone (the "R-3 Zone") and the Commercial-Community Zone (the "C-C Zone") as shown on Exhibit B, Concept Plan. A copy of the provisions of the R-2.5 Zone, the R-3 Zone, and the C-C Zone designations in the South Jordan City Code are attached as Exhibit D, Exhibit E, and Exhibit F respectively; and

WHEREAS, the Developer and the City acknowledge that the development and improvement of the Property pursuant to this Agreement will provide certainty useful to the Developer and to the City in ongoing and future dealings and relations among the Parties; and

WHEREAS, the City has determined that the proposed development contains features which advance the policies goals and objectives of the South Jordan City General Plan, preserve and maintain the open and sustainable atmosphere desired by the citizens of the City, or contribute to capital improvements which substantially benefit the City and will result in planning and economic benefits to the City and its residents; and

WHEREAS, this Agreement shall only be valid upon approval of such by the South Jordan City Council, pursuant to resolution R-2013-73 a copy of which is attached as Exhibit G; and

WHEREAS, the City and the Developer acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the South Jordan City Council, in its sole legislative discretion, approves a zone change for the Property currently zoned as A-5 to zones designated as R-2.5, R-3 and C-C zones.

NOW THEREFORE, based upon the foregoing recitals and in consideration of the mutual covenants and promises contained set forth herein, the Parties agree as follows:

TERMS

A. Recitals; Definitions. The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the Planning and Land Use Ordinance of South Jordan City.

B. Enforceability: The City and the Developer acknowledge that the terms of this Agreement shall be enforceable, and the rights of the Developer relative to the Property shall vest, only if the South Jordan City Council in its sole legislative discretion approves a zone change for the Property currently zoned as A-5 to zones designated as R-2.5, R-3 and C-C zones.

C. Conflicting Terms. The Property shall be developed in accordance with the requirements and benefits provided for in relation to the as R-2.5, R-3 and C-C zones under the City Code as of the Effective Date, except that in the event of a discrepancy between the requirements of the City Code including the requirements of the R-2.5, R-3 and C-C zones, and this Agreement, this Agreement shall control.

D. Developer Obligations:

1. Concept Plan. The Property shall be constructed consistent with the Concept Plan and the requirements set forth in this Agreement and the City Code; notwithstanding the Concept Plan the retail west of 4000 West shall abut 4000 West Street except to the extent otherwise agreed to by City Staff.

2. Parking. Except as shown on the Concept Plan (which is modified by Section D.1 above), all parking facilities in the C-C Zone shall be located in the rear and sides of commercial buildings. For this purpose, "rear" means the opposite side of a building to the side of the building that faces the nearest public street. No parking facilities will be allowed to be constructed between commercial buildings and the nearest public street, with the exception of (a) Bangerter Highway, and (b) the locations of the parking facilities shown on the Concept Plan. The City agrees that, as relates to the retail east of 4000 West only, the locations of the parking facilities shown on the Concept Plan are in compliance with the requirements of this Agreement and the City Code.

3. Architecture. All buildings in the C-C Zone will have similar architectural treatment on all sides. All buildings shall have a common architectural theme in respect to design and materials.

4. Walkability. All commercial pads and buildings in the C-C Zone will be connected by pedestrian friendly walks. Walks shall also connect to public sidewalks and the residential portion of the development to provide for walkable development.

5. Street Trees. Public streets in the R-2.5 Zone, R-3 and CC Zones shall have street trees planted in the parkstrip every 30' on center. Street trees in each will be of one species only.

6. Land Mark Sign. All signage in the C-C Zone will comply with the Master Sign Plan attached as Exhibit H (the "Sign Plan").; provided, however, notwithstanding the foregoing, the following modifications to the Sign Plan supersede the Sign Plan : (i) Pylon sign 1 Location 1 shall be a landmark sign that is no lower in height than The District signage and not higher than a height agreed to by City Staff, installed with the project that emphasizes development name (shopping center name) over tenant names, as shown in the Sign Plan and an emblem agreed to between the Developer and City Staff; (ii) Pylon Sign 1 Location 2 shall be comparable to, but not less than, the height of the

District Pylon signs; (iii) Pylon Sign 2 Location 1 shall be no higher than twenty feet (20') and (iv) all monument signage in the Sign Plan is hereby deleted; monument signage shall be per Code or as otherwise agreed upon by City Council.

E. City Obligations.

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

2. Sign Plan. The City agrees and accepts that all signage in the C-C Zone must comply with the Sign Plan instead of the City Code provisions relating to signage. Nothing herein changes any of the City Code requirements pertaining to signage in the R-2.5 Zone or R-3 Zone.

F. Vested Rights and Reserved Legislative Powers.

1. Vested Rights. Consistent with the terms and conditions of this Agreement, City agrees Developer has the vested right to develop and construct the Property in accordance with the R-2.5, R-3, and C-C zoning designations and the City Code in effect as of the Effective Date.

2. Reserved Legislative Powers. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer under this Agreement and with respect to use under the zoning designations as referenced in Recitals above under the terms of this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Property shall be of general application to all development activity in the City and Salt Lake County (the "County"); and, unless in good faith the City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine. The notice required by this paragraph shall be that public notice published by the City as required by State statue.

G. Term. This Agreement shall be effective as of the date of recordation, shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the parties mutually agree to extend the term, this Agreement shall not extend further than a period of 10 years from its date of recordation in the official records of the Salt Lake County Recorder's Office.

H. General Provisions.

1. Notices. All notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least 10 days before the date on which the change is to become effective:

City: ATTN: City Recorder

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

Developer: SJ Marketplace, LLC
c/o CCA Acquisition Company, LLC
5670 Wilshire Blvd, Suite 1250
Los Angeles, California 90036
ATTN: Steven Usdan
Email: StevenU@kornwasser.net

2. Mailing Effective. Notices given by mail shall be deemed delivered 72 hours following deposit with the U.S. Postal Service in the manner set forth above.

3. No Waiver. Any party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

4. Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only, and shall not control or affect the meaning or construction of any provision this Agreement.

5. Authority. The parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants it is fully formed and validly existing under the laws of the State of Delaware, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Developer and the City warrant to each other that the individuals executing this Agreement on behalf of their respective parties are authorized and empowered to bind the parties on whose behalf each individual is signing. Developer represents to the City that by entering into this Agreement Developer has bound all persons and entities having a legal or equitable interest to the terms of the Agreement as of the Effective Date.

6. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by the City for the Property contain the entire agreement of the parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the parties which are not contained in such agreements, regulatory approvals and related conditions.

7. Amendment. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the parties to this Agreement or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.

8. Severability. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developer's ability to complete the development of the Property as set forth in the Concept Plan is not defeated by such severance.

9. Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of the Agreement. The parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The Parties hereby expressly waive any right to object to such choice of law or venue.

10. Remedies. If any party to this Agreement breaches any provision of this Agreement, the non-defaulting party shall be entitled to all remedies available at both law and in equity.

11. Attorney's Fee and Costs. If any party brings legal action either because of a breach of the Agreement or to enforce a provision of the Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs.

12. Binding Effect. The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors in interest and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

13. No Third Party Rights. The obligations of the Developer and the City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise provided herein.

14. Assignment. Developer may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement and Developer shall be deemed released of its obligations in connection with this Agreement; provided, however, that Developer shall provide the City with notice of the assignment of this Agreement within a reasonable time after the occurrence of such assignment.

15. No Agency Created. Nothing contained in the Agreement shall create any partnership, joint venture, or agency relationship between the parties.

16. Closing Contingency. If Developer has not closed its acquisition of the Property by February 28, 2014, then either party shall have the right to terminate this Agreement by providing written notice of termination to the other party.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

{Signatures follow on next page}

CITY OF SOUTH JORDAN,
a Utah Municipal Corporation

APPROVED AS TO FORM:

By: _____
John H. Geilmann
City Manager

_____
Attorney for the City

State of Utah)
:ss
County of Salt Lake)

On this 12 day of ~~October~~ November, 2013, personally appeared before me John H. Geilmann, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he is the City Manager, of the City of South Jordan, a Utah municipal corporation, and said document was signed by him in behalf of said municipal corporation by authority of the South Jordan City Code by a Resolution of the South Jordan City Council, and he acknowledged to me that said municipal corporation executed the same.

NOTARY PUBLIC
MELANIE EDWARDS
Commission No. 581410
Commission Expires
JANUARY 28, 2014
STATE OF UTAH

_____
Notary Public

SJ MARKETPLACE, LLC,
a Delaware limited liability company

By: CCA Acquisition Company, LLC,
a California limited liability company,
its manager

By: _____

Name: Steven Usdan

Title: Managing Member

State of Utah)
:ss
County of Salt Lake)

On this 12 day of November 20 13 personally appeared before me Steven Usdan whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the Managing Member of CCA Acquisition Co., LLC limited liability company, by authority of its members or its articles of organization, and he/she acknowledged to me that said limited liability company executed the same.

NOTARY PUBLIC
MELANIE EDWARDS
Commission No. 581410
Commission Expires
JANUARY 28, 2014
STATE OF UTAH

_____
Notary Public

Exhibit A

(Legal Description of the Property broken down by areas to be rezoned)

A-5 to R-3

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 784.50 FEET AND SOUTH 89°55'21" WEST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE SALT LAKE COUNTY MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 19; AND RUNNING THENCE SOUTH 0°04'18" EAST, ALONG THE WEST LINE OF SAID 4000 WEST STREET, A DISTANCE OF 81.93 FEET, TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 24.00 FEET, THROUGH A CENTRAL ANGLE OF 89° 59' 46", A DISTANCE OF 37.70 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 44°55'21" WEST, A DISTANCE OF 33.94 FEET, TO THE NORTH LINE OF FOXVIEW DRIVE; THENCE ALONG THE NORTH LINE OF FOXVIEW DRIVE THE FOLLOWING NINE (9) COURSES: (1) SOUTH 89°55'21" WEST, A DISTANCE OF 225.85 FEET; (2) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 714.50 FEET THROUGH A CENTRAL ANGLE OF 28° 10' 41", A DISTANCE OF 351.39 FEET, THE LONG CHORD OF WHICH BEARS NORTH 75°59'18" WEST, A DISTANCE OF 347.86 FEET; (3) NORTH 61°53'57" WEST, A DISTANCE OF 163.91 FEET; (4) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 350.50 FEET THROUGH A CENTRAL ANGLE OF 03° 48' 52", A DISTANCE OF 23.33 FEET, THE LONG CHORD OF WHICH BEARS NORTH 63°48'22 WEST, A DISTANCE OF 23.33 FEET; (5) NORTH 65°42'48 WEST, A DISTANCE OF 121.52 FEET; (6) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 289.00 FEET THROUGH A CENTRAL ANGLE OF 03° 48' 47", A DISTANCE OF 19.23 FEET, THE LONG CHORD OF WHICH BEARS NORTH 63°48'22 WEST, A DISTANCE OF 19.23 FEET; (7) NORTH 61°53'57 WEST, A DISTANCE OF 31.37 FEET; (8) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 724.00 FEET, THROUGH A CENTRAL ANGLE OF 03° 38' 59", A DISTANCE OF 46.12 FEET, THE LONG CHORD OF WHICH BEARS NORTH 60°04'28" WEST, A DISTANCE OF 46.11 FEET; (9)NORTH 58°14'59" WEST, A DISTANCE OF 5.85 FEET, TO THE EAST LINE OF THE JACOB WELBY CANAL; THENCE ALONG SAID EAST LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 27°58'15 EAST, A DISTANCE OF 171.11 FEET; (2)NORTH 31°58'52 EAST, A DISTANCE OF 121.94 FEET; (3) NORTH 36°17'09" EAST, A DISTANCE OF 352.21 FEET, TO THE SOUTHERLY LINE OF 11400 SOUTH STREET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3733.00 FEET, THENCE CENTER OF WHICH BEARS NORTH 9°31'22" EAST, THROUGH A CENTRAL ANGLE OF 05° 33' 50, A DISTANCE OF 362.50 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 83°15'33" EAST, A DISTANCE OF 362.35 FEET; THENCE SOUTH 00°04'39" EAST, PARALLEL WITH THE AFORESAID SECTION LINE, A DISTANCE OF 661.05 FEET; THENCE NORTH 89°55'21" EAST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 239.35 FEET TO THE POINT OF BEGINNING.

CONTAINS: 431,493 SQUARE FEET, OR 9.906 ACRES.

A-5 to C-C

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 132.64 FEET AND SOUTH 89°55'21" WEST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE EAST QUARTER CORNER OF SAID SECTION 19; AND RUNNING THENCE SOUTH 0°04'39" EAST, ALONG SAID WEST LINE OF 4000 WEST STREET, A DISTANCE OF 651.86 FEET; THENCE SOUTH 89°55'21"WEST, A DISTANCE OF 239.35 FEET; THENCE NORTH 0°04'39" WEST, PARALLEL WITH AFORESAID SECTION LINE, A DISTANCE OF 661.05 FEET, TO THE SOUTH LINE OF 11400 SOUTH STREET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3733.00 FEET, THE CENTER OF WHICH BEARS NORTH 3°57'33" EAST, THROUGH A CENTRAL ANGLE OF 03° 40' 37", A DISTANCE OF 239.57 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 87°52'46 EAST A DISTANCE OF 239.53 FEET, TO THE POINT OF BEGINNING.

CONTAINS: 156,815 SQUARE FEET, OR 3.600 ACRE

A-5 to C-C

A PARCEL OF LAND SITUATE IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 132.83 FEET, AND NORTH 89°55'21" EAST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE WEST QUARTER CORNER OF SAID SECTION 20; THENCE SOUTH 89°49'18" EAST, ALONG THE SOUTH LINE OF 11400 SOUTH STREET, A DISTANCE OF 286.45 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 200.00 FEET, THE CENTER OF WHICH BEARS NORTH 66°35'59" EAST, THROUGH A CENTRAL ANGLE OF 66°25'20", A DISTANCE OF 231.86 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 56°36'41" EAST, A DISTANCE OF 219.09 FEET, TO THE WEST LINE OF BANGERTER HIGHWAY; THENCE SOUTH 0°01'18" WEST, ALONG SAID WEST LINE, A DISTANCE OF 874.24 FEET; THENCE SOUTH 2°05'14" WEST, A DISTANCE OF 190.96 FEET; THENCE SOUTH 89°55'21" WEST, PERPENDICULAR TO AFORESAID SECTION LINE, A DISTANCE OF 460.49 FEET, TO THE EAST LINE OF AFORESAID 4000 WEST STREET; THENCE NORTH 0°04'39" WEST, ALONG SAID EAST LINE, A DISTANCE OF 1187.16 TO THE POINT OF BEGINNING.

CONTAINS: 539,081 SQUARE FEET, OR 12.376 ACRES

A-5 to R-2.5

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 985.43 FEET, AND SOUTH 89°55'21" WEST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE SALT LAKE COUNTY MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 19; AND RUNNING THENCE SOUTH 0°04'39" EAST, ALONG SAID WEST LINE OF SAID 400 WEST STREET, A DISTANCE OF 340.52 FEET, TO THE SOUTH LINE OF LOT 2 FOXVIEW DRIVE CHURCH SUBDIVISION; THENCE NORTH 89°51'00" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 855.60 FEET, TO THE WEST LINE THEREOF; THENCE NORTH 0°09'00" EAST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 189.82 FEET; THENCE NORTH 28°06'03" EAST, A DISTANCE OF 343.59 FEET, TO THE SOUTHERLY LINE OF FOXVIEW DRIVE; THENCE SOUTH 61°53'57" EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 81.46 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 785.50 FEET, THROUGH A CENTRAL ANGLE OF 28° 10' 42", A DISTANCE OF 386.31 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 75°59'18"EAST, A DISTANCE OF 382.43 FEET; THENCE NORTH 89°55'21" EAST, A DISTANCE OF 225.86 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 24.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 37.70 FEET; THE LONG CHORD OF WHICH BEARS SOUTH 45°04-39" EAST, A DISTANCE OF 33.94 TO THE POINT OF BEGINNING.

CONTAINS: 326,168 SQUARE FEET, OR 7.488 ACRES.

Exhibit B

CONCEPT PLAN

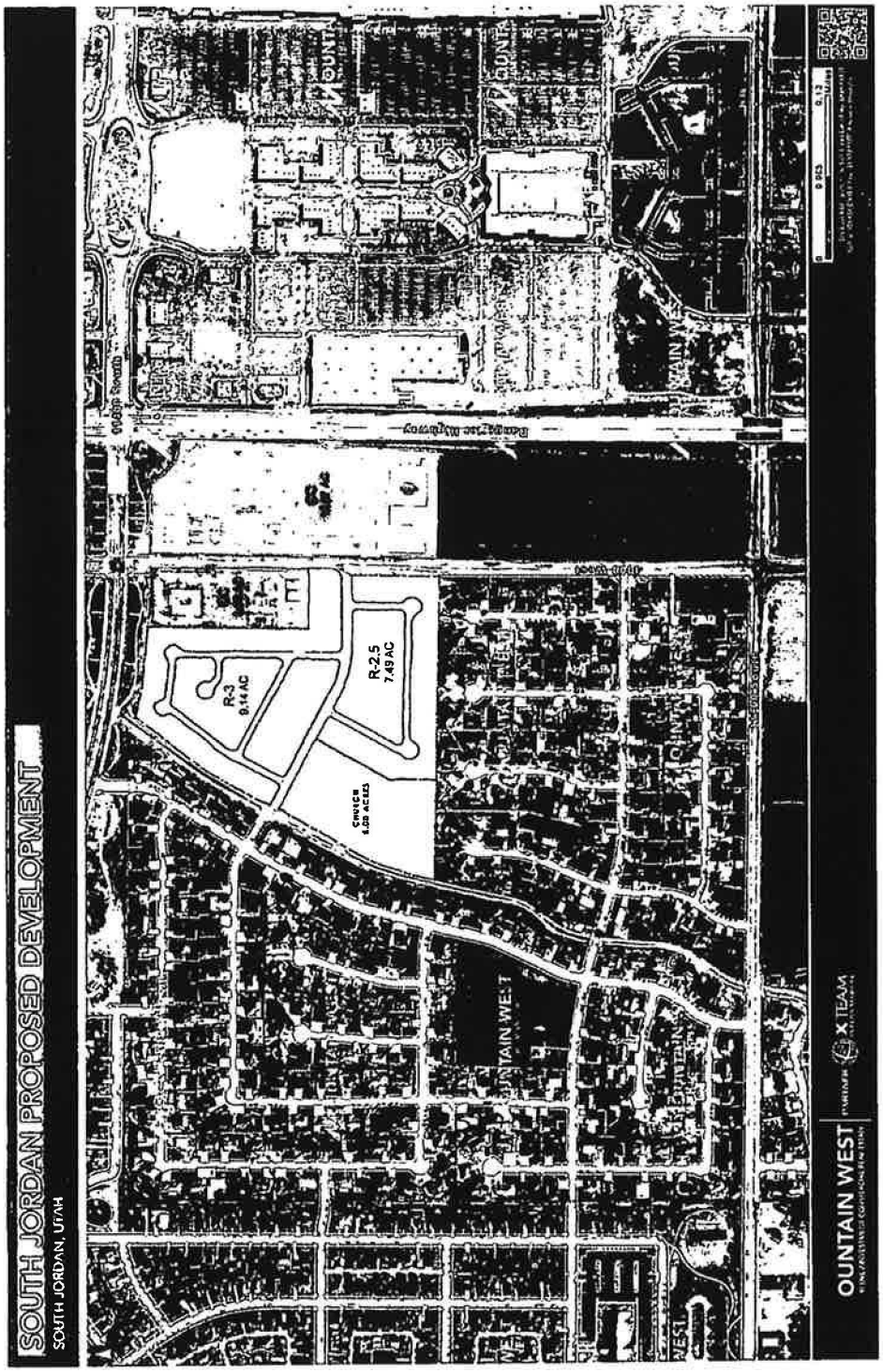

Exhibit B

CONCEPT PLAN

Exhibit C

A-5 ZONE City Code Provisions

Chapter 17.24
AGRICULTURAL A-5 ZONE

17.24.010: PURPOSE:

17.24.020: PERMITTED USES:

17.24.030: CONDITIONAL USES:

17.24.040: USE REGULATIONS:

17.24.050: DEVELOPMENT REVIEW:

17.24.060: LOT AREA:

17.24.070: LOT WIDTH AND FRONTAGE:

17.24.080: PRIOR CREATED LOTS:

17.24.090: DWELLING DENSITY:

17.24.100: LOT COVERAGE:

17.24.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

17.24.120: PROJECTIONS INTO YARDS:

17.24.130: FARM ANIMALS1 (REP. BY ORD. 2011-18, 3-6-2012):

17.24.140: PARKING AND ACCESS:

17.24.150: FENCING, SCREENING AND CLEAR VISION:

17.24.160: ARCHITECTURAL STANDARDS:

17.24.170: LANDSCAPING:

17.24.180: LIGHTING:

17.24.190: OTHER REQUIREMENTS:

17.24.010: PURPOSE:
The agricultural A-5 zone (minimum 5 acre lot), may be cited as the "A-5 zone" and is established to allow for the continuation of agriculture in an expanding urban community and to complement the existing rural residential environment in the city. The regulations of this chapter are intended to allow for the orderly expansion of residential and commercial developments into agricultural lands while encouraging compatibility of new growth with existing agricultural uses. (Ord. 2007-02, 1-16-2007)

17.24.020: PERMITTED USES:
The following uses may be conducted in the A-5 zone as limited herein:
Agricultural and residential accessory uses and buildings.
Agricultural buildings not exceeding five thousand (5,000) square feet.
Crop production, horticulture.
Farm animals as regulated in section 17.130.040 of this title.
Home occupations according to city ordinances.
Produce stand, maximum three hundred (300) square feet, maximum one per parcel or lot for selling only produce grown on the premises.
Single-family dwelling, detached, maximum one per lot or parcel. (Ord. 2011-18, 3-6-2012)

17.24.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the A-5 zone:
Agricultural buildings exceeding five thousand (5,000) square feet in area.
Animal husbandry, unique or exotic animal specialties or other animal uses not otherwise regulated by this chapter.
Building other than single-family dwelling as a main building on the lot.
Commercial or public corrals, arenas, stables, silos, barns, equestrian or rodeo facilities and other commercial agricultural related structures and uses.
Cultural exhibits and activities.
Daycare center facility on minimum one acre lot.
Educational facilities that have direct access to a collector street.
Golf courses and driving ranges.
Nature or zoological exhibits.
Parks and recreational activities.
Preschool center facility on minimum one acre lot.
Public facilities.
Religious activities. (Ord. 2012-12, 10-2-2012)

17.24.040: USE REGULATIONS:

Uses may be conducted in the A-5 zone only in accordance with the following regulations:

A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in the A-5 zone. A conditional use permit must be obtained prior to the establishment of a conditional use.

B. Accessory uses may be conducted in the A-5 zone only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, caretakers, nurses, nannies, maids, barns, garages, silos, corrals, sheds, stables, paddocks, swimming pools, recreational equipment, greenhouses, windmills, wells and water storage facilities and other structures and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.

C. There shall be no open storage of trash, debris, used materials, commercial goods or wrecked or neglected materials, equipment or vehicles in the A-5 zone.

D. It shall be unlawful to park, store or leave, or to permit the parking, storing or leaving of any vehicle of any kind, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, whether attended or not, upon any private or public property within the A-5 zone for longer than seventy two (72) hours, except that up to two (2) such vehicles or parts thereof may be stored completely within an enclosed building or within an opaque fence enclosure which is completely screened from view of public streets and neighboring properties.

E. No commercial vehicle or commercial earthmoving or material handling equipment shall be parked or stored in the A-5 zone, except in conjunction with temporary development or construction activities or in conjunction with an approved use which requires such vehicles. Commercial vehicles shall include semitrucks and trailers, trucks and trailers equaling or exceeding eight thousand (8,000) pounds' curb weight, delivery vehicles, dump trucks, backhoes, graders, loaders, farm implements, cement trucks, bulldozers, belly dumps and scrapers, forklifts, or any similar vehicle or apparatus.

F. Watercraft, trailers, campers, motor homes and other utility or recreational vehicles shall be stored within lawfully constructed buildings or behind the front line of the main building on the lot or parcel in an A-5 zone, except that said vehicles may be stored temporarily in front or street side yards for no longer than seventy two (72) hours. Recreational and utility vehicles may be stored permanently in the street side

yard of a corner lot only if stored completely behind the front line of the main building and at least eight feet (8') from the street right of way line and if enclosed with a six foot (6') high solid vinyl or masonry fence. Travel trailers, campers and motor homes may not be occupied as living quarters in the A-5 zone, except that a vehicle owned by a guest of the resident may be stored and occupied in the required front yard or side yard of the permanent dwelling for no more than seven (7) days per calendar year. (Ord. 2007-02, 1-16-2007)

17.24.050: DEVELOPMENT REVIEW:

Uses proposed in A-5 zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in A-5 zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as allowed under state law. (Ord. 2007-02, 1-16-2007)

17.24.060: LOT AREA:

The minimum area of any lot or parcel in the A-5 zone shall be five (5) acres. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat. (Ord. 2007-02, 1-16-2007)

17.24.070: LOT WIDTH AND FRONTAGE:

Each lot in the A-5 zone shall have a minimum width of one hundred feet (100'), measured at the minimum front yard setback at a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance of one hundred feet (100'), except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right of way a minimum distance of sixty feet (60'). (Ord. 2007-02, 1-16-2007)

17.24.080: PRIOR CREATED LOTS:

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of an A-5 zone shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this chapter. (Ord. 2007-02, 1-16-2007)

17.24.090: DWELLING DENSITY:

Only one single-family dwelling may be placed upon a lot or parcel of land in the A-5 zone. (Ord. 2007-02, 1-16-2007)

17.24.100: LOT COVERAGE:

A maximum of twenty percent (20%) of the area of lots or parcels in the A-5 zone may be covered by buildings. (Ord. 2007-02, 1-16-2007)

17.24.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

The following yard requirements shall apply in A-5 zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements, setbacks of the proposed accessory building and other information as needed shall be submitted for review:

A. Minimum yard requirements for main buildings are as follows:

1. Front yard, interior and corner lots: Thirty feet (30').

2. Front yard, cul-de-sac lot adjacent to turnaround: Twenty five feet (25').

3. Side yard, interior lots: Ten feet (10').

4. Side yard, corner lots: Ten feet (10') on the side adjoining another lot, thirty feet (30') on the side adjoining the street.

5. Rear yard, interior lot: Twenty five feet (25').

6. Rear yard, corner lot: Ten feet (10').

B. Minimum yard requirements for accessory buildings are as follows:

1. Accessory Buildings: Accessory buildings may not be located between a street and the front building line of a main building.

2. Side Yard Accessory Building: An accessory building may be located in a side yard no closer than ten feet (10') from the side property line or boundary and no closer than six feet (6') from the dwelling or main building.

3. Street Side Yard Accessory Building, Corner Lot: An accessory building may be located between a street and the side of the dwelling or main building on a corner lot but not within the required minimum main building side yard and no closer than six feet (6') from the dwelling or main building.

4. Rear Yard Accessory Building: An accessory building may be located in a rear yard no closer than six feet (6') from the dwelling or main building and no closer than three feet (3') from the side or rear property line or boundary, except as required in subsection B5 of this section.

5. Height Considerations: The minimum setback from property lines or boundaries for accessory buildings or structures exceeding sixteen feet (16') in height shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

C. All buildings shall be separated by a minimum distance of six feet (6').

D. Buildings used for the housing or shelter of animals shall be located a minimum distance of forty feet (40') from any existing dwelling or neighborhood street right of way line and, if approved with a conditional use permit, a minimum of twenty feet (20') from any collector street right of way line. (Ord. 2007-02, 1-16-2007)

17.24.120: PROJECTIONS INTO YARDS:

The following may be erected on or projected into any required yard space in A-5 zones:

A. Fences and walls in conformance with city ordinances.

B. Agricultural crops and landscape elements, including trees, shrubs and other plants.

C. Utility or irrigation equipment or facilities.

D. Decks not more than two feet (2') in height.

E. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to the building extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.

F. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard. (Ord. 2007-02, 1-16-2007)

17.24.130: FARM ANIMALS[2]:

(Rep. by Ord. 2011-18, 3-6-2012)

17.24.140: PARKING AND ACCESS:

Parking areas and vehicle access in A-5 zones shall meet the requirements of title 16, chapter 16.26 of this code. (Ord. 2007-02, 1-16-2007)

17.24.150: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in A-5 zones. A permit shall be obtained from the community development department prior to construction of any fence in the A-5 zone. An application form and the location, height and description of the proposed fence shall be submitted for review.

A. Utility Screening: In nonsingle-family residential developments requiring conditional use approval in A-5 zones, all mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.

B. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as determined with development approval.

C. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.

D. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or vinyl fence may be constructed along a side lot line to the right of way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be used along side lot lines to the right of way or sidewalk, but may not exceed three feet (3') in height. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the four foot (4') fence panel.

E. Clear Vision: Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and the street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the city engineer based upon traffic speeds, flow, volumes and other traffic related variables.

F. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right of way in A-5 zones shall be constructed according to standards found in section 16.04.200 of this code. (Ord. 2009-12, 3-16-2009)

17.24.160: ARCHITECTURAL STANDARDS:

The following exterior materials and architectural standards are required in A-5 zones:

A. Each dwelling in A-5 zones shall be constructed with brick or stone in the minimum amount of two feet (2') times (x) the perimeter of the foundation (including garage). Dwellings shall be constructed with minimum five to twelve (5:12) roof pitch and a minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent).

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

C. Buildings in A-5 zones may not exceed thirty five feet (35') in height, except for structures not intended for human occupancy.

D. Signs shall meet requirements of title 16, chapter 16.36 of this code and shall be constructed of materials which are consistent with the buildings which they identify.

E. The minimum floor area, finished and unfinished, of any single-family dwelling in A-5 zones shall be two thousand four hundred (2,400) square feet.

F. The exteriors of buildings in the A-5 zone shall be properly maintained by the owners.

G. Attached garages on single-family residential corner lots may be located on the interior side of the lot or on the street side of the lot only if the garage is accessed directly from the side street. (Ord. 2007-02, 1-16-2007)

17.24.170: LANDSCAPING:

The following landscaping requirements shall apply in A-5 zones:

A. The front and side yards of lots shall be landscaped and properly maintained with lawn and other acceptable plant material unless otherwise approved with a conditional use permit.

B. All areas of nonresidential developments not approved for parking, buildings, recreation facilities, access or other hard surfacing or otherwise exempted with development approval, shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

C. In nonresidential developments, a minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped area, excluding landscaped sports or play areas, is required. A minimum of thirty percent (30%) of required trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced except as required in parking areas and in park strips, but shall be distributed throughout the required yard areas on the site.

D. All collector street and other public and private park strips in A-5 zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval.

E. In nonresidential developments in A-5 zones, the following landscaping requirements shall apply:

1. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.

2. Minimum five foot (5') landscaped planters shall be provided along street sides of building foundations except at building entrances.

3. All landscaped areas shall be curbed.

F. Developments which are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. If approved by the city engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

G. All required landscaping in yard areas and open spaces shall be installed (or escrowed on a case by case basis) prior to occupancy.

H. All landscaped areas, including adjoining public right of way areas not maintained by the city, shall be properly irrigated and maintained by the owners.

I. Required trees may not be topped nor may any required landscape material be removed in A-5 zones without city approval. Any dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval. (Ord. 2007-02, 1-16-2007)

17.24.180: LIGHTING:

The following lighting requirements shall apply in A-5 zones:

A. A lighting plan shall be submitted with all new developments in A-5 zones. Where required by the city, lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

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

C. Lighting fixtures on public property shall be architectural grade. A single streetlight type, approved by the city engineer, will be used on the same street. (Ord. 2007-02, 1-16-2007)

17.24.190: OTHER REQUIREMENTS:

The following requirements shall apply in A-5 zones:

A. All developments shall be graded according to the city engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.

B. All areas of lots shall be properly maintained by the owners.

C. A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city. (Ord. 2007-02, 1-16-2007)

Exhibit D

R-2.5 City Code Provisions

Chapter 17.36
RESIDENTIAL R-2.5 ZONE

17.36.010: PURPOSE:

17.36.020: PERMITTED USES:

17.36.030: CONDITIONAL USES:

17.36.040: USE REGULATIONS:

17.36.050: DEVELOPMENT REVIEW:

17.36.060: LOT AREA:

17.36.070: LOT DENSITY:

17.36.080: LOT WIDTH AND FRONTAGE:

17.36.090: PRIOR CREATED LOTS:

17.36.100: LOT COVERAGE:

17.36.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

17.36.120: PROJECTIONS INTO YARDS:

17.36.130: PARKING AND ACCESS:

17.36.140: FENCING, SCREENING AND CLEAR VISION:

17.36.150: ARCHITECTURAL STANDARDS:

17.36.160: LANDSCAPING REQUIREMENTS:

17.36.170: LIGHTING:

17.36.180: PLANNED UNIT DEVELOPMENT OR CONDOMINIUM PROJECT:

17.36.190: OTHER REQUIREMENTS:

17.36.010: PURPOSE:

The residential R-2.5 zone (single-family residential, 2.5 lots per acre), may be cited as the "R-2.5 zone" and is established to provide areas for low density single-family housing without farm animal uses. This zone is intended to represent the standard for residential development in the city. (Ord. 2007-02, 1-16-2007)

17.36.020: PERMITTED USES:

The following uses may be conducted in the R-2.5 zone as limited herein:
Home occupations according to city ordinances.
Residential accessory buildings, the footprints of which do not exceed sixty percent (60%) of the footprint area of the dwelling.
Residential accessory uses.
Single-family dwelling, detached, maximum one per lot or parcel. (Ord. 2011-01, 2-1-2011)

17.36.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the R-2.5 zone:
Daycare center facility on minimum one acre lot.
Educational facilities that have direct access to a collector street.
Golf courses.
Parks and recreational activities.
Preschool center facility on minimum one acre lot.
Public facilities.
Religious activities.
Single-family dwelling planned unit development (PUD) or condominium project. (Ord. 2012-12, 10-2-2012)

17.36.040: USE REGULATIONS:

Uses may be conducted in the R-2.5 zone only in accordance with the following regulations:

A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in the R-2.5 zone. A conditional use permit must be obtained prior to the establishment of a conditional use.

B. Accessory uses may be conducted in the R-2.5 zone only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, caretakers, nurses, nannies, maids, garages, sheds, swimming pools, recreational equipment, gardens, greenhouses and other structures and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.

C. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles in the R-2.5 zone.

D. It shall be unlawful to park, store or leave, or to permit the parking, storing or leaving of any vehicle of any kind, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, whether attended or not, upon any private or public property within the R-2.5 zone for longer than seventy two (72) hours, except that up to two (2) such vehicles or parts thereof may be stored completely within an enclosed building or within an opaque fence enclosure which is completely screened from view of public streets and neighboring properties.

E. No commercial vehicle or commercial earthmoving or material handling equipment shall be parked or stored on any lot or parcel in the R-2.5 zone except in conjunction with temporary development or construction activities on the lot. Commercial vehicles shall include semitrucks and trailers, trucks and trailers equaling or exceeding eight thousand (8,000) pounds' curb weight, delivery vehicles, dump trucks, backhoes, graders, loaders, farm implements, cement trucks, bulldozers, belly dumps and scrapers, forklifts or any similar vehicle or apparatus.

F. Watercraft, trailers, campers, motor homes and other utility or recreational vehicles shall be stored within lawfully constructed buildings or behind the front line of the main building on the lot or parcel in an R-2.5 zone, except that said vehicles may be stored temporarily in front or street side yards for no longer than seventy two (72) hours. Recreational and utility vehicles may be stored permanently in the street side yard of a corner lot only if stored completely behind the front line of the main building and at least eight feet (8') from the street right of way line and if enclosed with a six foot (6') high solid vinyl or masonry fence. Travel trailers, campers and motor homes may not be occupied as living quarters in the R-2.5 zone except that a vehicle owned by a guest of the resident may be stored and occupied in the required

front yard or side yard of the permanent dwelling for no more than seven (7) days per calendar year. (Ord. 2007-02, 1-16-2007)

17.36.050: DEVELOPMENT REVIEW:

Uses proposed in R-2.5 zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in R-2.5 zones. All uses shall be conducted according to the approved plan, map or plat and any conditions of approval. Plans, maps or plats may not be altered without prior approval of the city except as allowed under state law. (Ord. 2007-02, 1-16-2007)

17.36.060: LOT AREA:

The minimum area of any lot or condominium private ownership space (unit in which building dimensions are not recorded) in R-2.5 zones shall be fourteen thousand five hundred twenty (14,520) square feet, except where smaller lots or units are allowed in a PUD or condominium project, in which case the minimum lot or unit size shall be ten thousand (10,000) square feet. Every portion of a parcel being subdivided or recorded as a condominium project shall be included as a lot or lots in the proposed subdivision plat or as common, limited common or private ownership area in a condominium project. (Ord. 2007-02, 1-16-2007)

17.36.070: LOT DENSITY:

The maximum gross density in any residential development in R-2.5 zones shall be 2.5 lots or dwelling units per acre. (Ord. 2007-02, 1-16-2007)

17.36.080: LOT WIDTH AND FRONTAGE:

Each lot or parcel in the R-2.5 zone shall have a minimum width of ninety feet (90') measured at the minimum front yard setback at a point which corresponds to the midpoint of the front lot line. Each lot or parcel, except in condominium projects and PUDs, shall abut the right of way line of a public street a minimum distance of ninety feet (90'), except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right of way a minimum distance of fifty feet (50'). (Ord. 2007-02, 1-16-2007)

17.36.090: PRIOR CREATED LOTS:

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of an R-2.5 zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter. (Ord. 2007-02, 1-16-2007)

17.36.100: LOT COVERAGE:

A maximum of forty percent (40%) of the area of lots or private ownership areas in R-2.5 zones may be covered by buildings. (Ord. 2007-02, 1-16-2007)

17.36.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

The following yard requirements shall apply in R-2.5 zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas in condominium projects. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building, and other information as needed shall be submitted for review.

A. Minimum yard requirements for main buildings are as follows:

1. Front yard, interior and corner lots: Thirty feet (30').

2. Front yard, cul-de-sac lot adjacent to turnaround: Twenty five feet (25').

3. Side yard, interior lots: Ten feet (10').

4. Side yard, corner lots: Ten feet (10') on the side adjoining another lot; thirty feet (30') on the side adjoining the street.

5. Rear yard, interior lot: Twenty five feet (25').

6. Rear yard, corner lot: Ten feet (10').

B. Minimum yard requirements for accessory buildings are as follows:

1. Location: Accessory buildings may not be located between a street and the front building line of a main building.

2. Side Yard: An accessory building may be located in a side yard no closer than ten feet (10') from the side property line or boundary and no closer than six feet (6') from the dwelling or main building.

3. Street Side Yard, Corner Lot: An accessory building may be located between a street and the side of the dwelling or main building on a corner lot but not within the required minimum main building side yard and no closer than six feet (6') from the dwelling or main building.

4. Rear Yard: An accessory building may be located in a rear yard no closer than six feet (6') from the dwelling or main building and no closer than three feet (3') from the side or rear property line or boundary, except as required in subsection B5 of this section.

5. Minimum Setback: The minimum setback from property lines or boundaries for accessory buildings or structures exceeding sixteen feet (16') in height shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

C. All buildings shall be separated by a minimum distance of six feet (6'). (Ord. 2007-02, 1-16-2007)

17.36.120: PROJECTIONS INTO YARDS:

The following may be erected on or projected into any required yard space in R-2.5 zones:

A. Fences and walls in conformance with city ordinances.

B. Agricultural crops and landscape elements, including trees, shrubs and other plants.

C. Utility or irrigation equipment or facilities.

D. Decks not more than two feet (2') in height.

E. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to the building extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.

F. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard. (Ord. 2007-02, 1-16-2007)

17.36.130: PARKING AND ACCESS:

Parking areas and vehicle access in R-2.5 zones shall meet requirements of title 16, chapter 16.26 of this code. (Ord. 2007-02, 1-16-2007)

17.36.140: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in R-2.5 zones. A permit shall be obtained from the community development department prior to construction of any fence in the R-2.5 zone. An application form and the location, height and description of the proposed fence shall be submitted for review.

A. Utility Screening: In nonsingle-family residential developments requiring conditional use approval in R-2.5 zones, all mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.

B. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as determined with development approval.

C. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.

D. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or vinyl fence may be constructed along a side lot line to the right of way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be used along side lot lines to the right of way or sidewalk but may not exceed three feet (3') in height. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the four foot (4') fence panel.

E. Clear Vision: Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and the street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the city engineer based upon traffic speeds, flow, volumes and other traffic related variables.

F. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right of way in R-2.5 zones shall be constructed according to standards found in section 16.04.200 of this code. (Ord. 2009-12, 3-16-2009)

17.36.150: ARCHITECTURAL STANDARDS:

The following exterior materials and architectural standards are required in R-2.5 zones:

A. Each dwelling in R-2.5 zones shall be constructed with brick or stone in the minimum amount of two feet (2') times (x) the perimeter of the foundation (including garage). Dwellings shall be constructed with minimum five to twelve (5:12) roof pitch and a minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent).

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

C. Signs shall meet requirements of title 16, chapter 16.36 of this code and shall be constructed of materials which are consistent with the buildings which they identify.

D. The minimum total floor area, finished and unfinished, of any single-family dwelling in R-2.5 zones shall be two thousand four hundred (2,400) square feet.

E. Main buildings in R-2.5 zones may not exceed thirty five feet (35') in height. Accessory buildings may not exceed twenty five feet (25') in height.

F. The exteriors of buildings in the R-2.5 zone shall be properly maintained by the owners.

G. Attached garages on single-family residential corner lots may be located on the interior side of the lot or on the street side of the lot only if the garage is accessed directly from the side street. (Ord. 2007-02, 1-16-2007)

17.36.160: LANDSCAPING REQUIREMENTS:

The following landscaping requirements shall apply in the R-2.5 zones:

A. The front and street side yards of single-family lots shall be landscaped and properly maintained with lawn or other acceptable plant material unless otherwise approved with a conditional use permit.

B. All areas of PUD, condominium project and nonresidential developments not approved for parking, buildings, recreation facilities, access or other hard surfacing or otherwise exempted with development approval, shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

C. In PUD, condominium project and nonresidential developments, a minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped area, excluding landscaped sports or play areas, is required. A minimum of thirty percent (30%) of required trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.

D. All collector street and other public and private park strips in R-2.5 zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval.

E. In nonresidential developments in R-2.5 zones, the following landscaping requirements shall apply:

1. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.

2. Minimum five foot (5') wide landscaped planters shall be provided along street sides of building foundations, except at building entrances.

3. All landscaped areas shall be curbed.

F. Developments which are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required open space for the development. If approved by the city engineer, waterways which traverse developments may be left open if properly

landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

G. All required landscaping in yard areas and open spaces shall be installed (or escrowed on a case by case basis) prior to occupancy.

H. All landscaped areas, including adjoining public right of way areas not maintained by the city, shall be properly irrigated and maintained by the owners.

I. Required trees may not be topped nor may any required landscape material be removed in R-2.5 zones without city approval. Any dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval. (Ord. 2007-02, 1-16-2007)

17.36.170: LIGHTING:

The following lighting requirements shall apply in R-2.5 zones:

A. A lighting plan shall be submitted with all new developments in R-2.5 zones. Where required by the city, lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

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

C. Lighting fixtures on public property shall be architectural grade. A single streetlight type, approved by the city council and city engineer, will be used on the same street. (Ord. 2007-02, 1-16-2007)

17.36.180: PLANNED UNIT DEVELOPMENT OR CONDOMINIUM PROJECT:

As used in this chapter, "planned unit development (PUD) or condominium project" shall mean a single-family residential development in the R-2.5 zone which meets the requirements of this section as well as other pertinent provisions of this title.

A. A PUD or condominium project may be allowed only with a conditional use permit in the R-2.5 zone. Uses allowed in a PUD or condominium project shall be the same as those allowed in the R-2.5 zone.

B. Each PUD or condominium project shall contain a minimum of five (5) acres.

C. Any open space provided within a PUD or condominium project shall be labeled and recorded as common area to be jointly owned and maintained as permanent common farmland, landscaped open space and/or recreation by the owners. Private yard areas may not be counted as open space. The city may determine the location of open space in the PUD or condominium project in consideration of topography, drainage or other land features. The city may also determine the acceptability of proposed recreational amenities. The city may require a cash bond or a letter of credit to guarantee installation of the open space improvements.

D. The following standards shall apply in PUDs and condominium projects:

1. A consistent architectural theme for all buildings, landscaping, streetscape, signs, street furniture, lighting, fencing and other design components shall be provided for review and applied throughout the PUD or condominium project.

2. Each dwelling shall contain a total of at least three thousand six hundred (3,600) square feet of floor area and a minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent).

3. All buildings shall be constructed with minimum six to twelve (6:12) roof pitches.

4. All dwellings shall be constructed of brick or stone in the minimum amount of three feet (3') times (x) the perimeter of the foundation (including garage).

5. Public and private street construction improvements in PUDs and condominium projects shall be constructed according to public street construction widths, cross section, and construction standards. Street widths, curbs, and pavement/subbase shall be designed and built as required in subsection 16.04.180A of this code.

6. For private streets, setbacks shall be measured from the back of the curb.

7. Two (2) parking spaces minimum, per unit shall be provided for all dwelling units within the PUD or condominium project. At least one space per unit shall be covered. One space per every four (4) dwelling units shall be provided for guest parking. Parking spaces shall be scattered throughout the project, so as to minimize the walking distance to the dwelling units. This requirement may be waived by the planning commission if the applicant can show that the design of the project makes this requirement unnecessary.

E. The minimum yard, width and frontage requirements of lots and units in the R-2.5 zones may be altered in a PUD or condominium project.

F. Before final plat approval, all PUD or condominium projects shall have approved by the staff of the city of South Jordan and recorded with the Salt Lake County recorder's office, a declaration of restrictive covenants containing, at a minimum, provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to city conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by city staff and approved by the planning commission. Said restrictive covenants shall also comply with section 17.04.300 of this title. (Ord. 2007-02, 1-16-2007)

17.36.190: OTHER REQUIREMENTS:

The following requirements shall apply in R-2.5 zones:

A. Developers of condominium or PUD projects shall submit a proposed declaration of covenants to the city attorney for review, including an opinion of legal counsel licensed to practice law in the state that the condominium or PUD meets requirements of state law, and record the covenants with the condominium or PUD plat for the project.

B. All improvements in PUDs and other developments, including buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the city or accepted for ownership or maintenance by the city shall be perpetually owned by the homeowners and maintained by the owners or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the city.

C. All development shall be graded according to the city engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.

D. All private areas of lots or parcels shall be properly maintained by the owners.

E. A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city. (Ord. 2007-02, 1-16-2007)

Exhibit E

R-3 City Code Provisions

Chapter 17.40
RESIDENTIAL R-3 ZONE

17.40.010: PURPOSE:

17.40.020: PERMITTED USES:

17.40.030: CONDITIONAL USES:

17.40.040: USE REGULATIONS:

17.40.050: DEVELOPMENT REVIEW:

17.40.060: LOT AREA:

17.40.070: LOT DENSITY:

17.40.080: LOT WIDTH AND FRONTAGE:

17.40.090: PRIOR CREATED LOTS:

17.40.100: LOT COVERAGE:

17.40.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

17.40.120: PROJECTIONS INTO YARDS:

17.40.130: PARKING AND ACCESS:

17.40.140: FENCING, SCREENING AND CLEAR VISION:

17.40.150: ARCHITECTURAL STANDARDS:

17.40.160: LANDSCAPING REQUIREMENTS:

17.40.170: LIGHTING:

17.40.180: PLANNED UNIT DEVELOPMENT OR CONDOMINIUM PROJECT:

17.40.190: OTHER REQUIREMENTS:

17.40.010: PURPOSE:

The residential R-3 zone (single-family residential, 3 lots per acre), may be cited as the "R-3 zone" and is established to provide areas for medium density single-family housing in the city. (Ord. 2007-02, 1-16-2007)

17.40.020: PERMITTED USES:

The following uses may be conducted in the R-3 zone as limited herein:
Home occupations according to city ordinances.
Residential accessory buildings, the footprints of which do not exceed the footprint area of the dwelling.
Residential accessory uses.
Single-family dwelling, detached, maximum one per lot or parcel. (Ord. 2011-01, 2-1-2011)

17.40.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the R-3 zone:
Daycare center facility on minimum one acre lot.
Educational facilities that have direct access to a collector street.
Golf courses.
Parks and recreational activities.
Preschool center facility on minimum one acre lot.
Public facilities.
Religious activities.
Single-family dwelling planned unit developments (PUD) or condominium projects. (Ord. 2012-12, 10-2-2012)

17.40.040: USE REGULATIONS:

Uses may be conducted in the R-3 zone only in accordance with the following regulations:

A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in the R-3 zone. A conditional use permit must be obtained prior to the establishment of a conditional use.

B. Accessory uses may be conducted in the R-3 zone only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, caretakers, nurses, nannies, maids, garages, sheds, swimming pools, recreational equipment, gardens, greenhouses and other structures and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.

C. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles in the R-3 zone.

D. It shall be unlawful to park, store or leave, or to permit the parking, storing or leaving of any vehicle of any kind, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, whether attended or not, upon any private or public property within the R-3 zone for longer than seventy two (72) hours, except that up to two (2) such vehicles or parts thereof may be stored completely within an enclosed building or within an opaque fence enclosure which is completely screened from view of public streets and neighboring properties.

E. No commercial vehicle or commercial earthmoving or material handling equipment shall be parked or stored on any lot or parcel in the R-3 zone, except in conjunction with temporary development or construction activities on the lot. Commercial vehicles shall include semitrucks and trailers, trucks and trailers equaling or exceeding eight thousand (8,000) pounds' curb weight, delivery vehicles, dump trucks, backhoes, graders, loaders, farm implements, cement trucks, bulldozers, belly dumps and scrapers, forklifts or any similar vehicle or apparatus.

F. Watercraft, trailers, campers, motor homes and other utility or recreational vehicles shall be stored within lawfully constructed buildings or behind the front line of the main building on the lot or parcel in an R-3 zone except that said vehicles may be stored temporarily in front or street side yards for no longer than seventy two (72) hours. Recreational and utility vehicles may be stored permanently in the street side yard of a corner lot only if stored completely behind the front line of the main building and at least eight feet (8') from the street right of way line and if enclosed with a six foot (6') high solid vinyl or masonry fence. Travel trailers, campers and motor homes may not be occupied as living quarters in the R-3 zone, except that a vehicle owned by a guest of the resident may be stored and occupied in the required front yard or side yard of the permanent dwelling for no more than seven (7) days per calendar year. (Ord. 2007-02, 1-16-2007)

17.40.050: DEVELOPMENT REVIEW:

Uses proposed in R-3 zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in R-3 zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as allowed under state law. (Ord. 2007-02, 1-16-2007)

17.40.060: LOT AREA:

The minimum area of any lot or condominium private ownership space (in which building dimensions are not recorded) in R-3 zones shall be ten thousand (10,000) square feet, except where smaller lots or units are allowed in a PUD or condominium project, in which case, the minimum lot or unit size shall be eight thousand (8,000) square feet. Every portion of a parcel being subdivided or recorded as a condominium project shall be included as a lot or lots in the proposed subdivision plat or as common, limited common or private ownership area in a condominium project. (Ord. 2007-02, 1-16-2007)

17.40.070: LOT DENSITY:

The maximum gross density in any residential development R-3 zones shall be three (3) lots or dwelling units per acre. (Ord. 2007-02, 1-16-2007)

17.40.080: LOT WIDTH AND FRONTAGE:

Each lot or parcel in the R-3 zone shall have a minimum width of ninety feet (90') measured at the minimum front yard setback at a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance of ninety feet (90'), except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right of way a minimum distance of fifty feet (50'). Minimum lot width and frontage may be reduced or waived in PUDs and condominium projects. (Ord. 2007-02, 1-16-2007)

17.40.090: PRIOR CREATED LOTS:

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of an R-3 zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter. (Ord. 2007-02, 1-16-2007)

17.40.100: LOT COVERAGE:
A maximum of forty percent (40%) of the area of lots or private ownership areas in R-3 zones may be covered by buildings. Maximum lot coverage will be increased to sixty percent (60%) in PUDs and condominium projects. (Ord. 2007-02, 1-16-2007)

17.40.110: YARD REQUIREMENTS; MAIN AND ACCESSORY BUILDINGS:

The following yard requirements shall apply in R-3 zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas in condominiums. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review.

A. Minimum yard requirements for main buildings are as follows:

1. Front yard, interior and corner lots: Thirty feet (30').

2. Front yard, cul-de-sac lot adjacent to turnaround: Twenty five feet (25').

3. Side yard, interior lots: Ten feet (10').

4. Side yard, corner lots: Ten feet (10') on the side adjoining another lot, thirty feet (30') on the side adjoining the street.

5. Rear yard, interior lot: Twenty five feet (25').

6. Rear yard, corner lot: Ten feet (10').

B. Minimum yard requirements for accessory buildings are as follows:

1. Location: Accessory buildings may not be located between a street and the front or side building line of a main building.

2. Side Yard: An accessory building may be located in a side yard no closer than ten feet (10') from the side property line or boundary and no closer than six feet (6') from the dwelling or main building.

3. Street Side Yard, Corner Lot: An accessory building may be located between a street and the side of the dwelling or main building on a corner lot but not within the required minimum main building side yard and no closer than six feet (6') from the dwelling or main building.

4. Rear Yard: An accessory building may be located in a rear yard no closer than six feet (6') from the dwelling or main building and no closer than three feet (3') from the side or rear property line or boundary, except as required in subsection B5 of this section.

5. Minimum Setback: The minimum setback from property lines or boundaries for accessory buildings or structures exceeding sixteen feet (16') in height shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

C. All buildings shall be separated by a minimum distance of six feet (6'). (Ord. 2007-02, 1-16-2007)

17.40.120: PROJECTIONS INTO YARDS:

The following may be erected on or projected into any required yard space in R-3 zones:

A. Fences and walls in conformance with city ordinances.

B. Agricultural crops and landscape elements, including trees, shrubs and other plants.

C. Utility or irrigation equipment or facilities.

D. Decks not more than two feet (2') in height.

E. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to the building extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.

F. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard. (Ord. 2007-02, 1-16-2007)

17.40.130: PARKING AND ACCESS:

Parking areas and vehicle access in R-3 zones shall meet the requirements of chapter 16.26 of this code. (Ord. 2007-02, 1-16-2007)

17.40.140: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in R-3 zones. A permit shall be obtained from the community development department prior to construction of any fence in the R-3 zone. An application form and the location, height and description of the proposed fence shall be submitted for review.

A. Utility Screening: In nonsingle-family residential developments requiring conditional use approval in R-3 zones, all mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.

B. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as determined with development approval.

C. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.

D. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or vinyl fence may be constructed along a side lot line to the right of way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be used along side lot lines to the right of way or sidewalk but may not exceed three feet (3') in height. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the four foot (4') fence panel.

E. Clear Vision: Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and the street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the city engineer based upon traffic speeds, flow, volumes, and other traffic related variables.

F. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right of way in R-3 zones shall be constructed according to standards found in section 16.04.200 of this code. (Ord. 2009-12, 3-16-2009)

17.40.150: ARCHITECTURAL STANDARDS:

The following exterior materials and architectural standards are required in R-3 zones:

A. Each dwelling in R-3 zones shall be constructed with brick or stone in the minimum amount of two feet (2') times (x) the perimeter of the foundation (including garage). Dwellings shall be constructed with minimum five to twelve (5:12) roof pitch and a minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent).

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

C. Signs shall meet requirements of title 16, chapter 16.36 of this code and shall be constructed of materials which are consistent with the buildings which they identify.

D. The minimum total floor area, finished and unfinished, of any single-family dwelling in R-3 zones shall be two thousand four hundred (2,400) square feet.

E. Main buildings in R-3 zones may not exceed thirty five feet (35') in height. Accessory buildings may not exceed twenty five feet (25') in height.

F. The exteriors of buildings in the R-3 zone shall be properly maintained by the owners.

G. Attached garages on single-family residential corner lots may be located on the interior side of the lot or on the street side of the lot only if the garage is accessed directly from the side street. (Ord. 2007-02, 1-16-2007)

17.40.160: LANDSCAPING REQUIREMENTS:

The following landscaping requirements shall apply in the R-3 zone:

A. The front and street side yards of single-family lots shall be landscaped and properly maintained with lawn or other acceptable plant material unless otherwise approved with a conditional use permit.

B. All areas of nonresidential developments not approved for parking, buildings, recreation facilities, access or other hard surfacing or otherwise exempted with development approval, shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

C. In nonresidential developments, a minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped area, excluding landscaped sports or play areas, is required. A minimum of thirty percent (30%) of required trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.

D. All collector street and other public and private park strips in R-3 zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval.

E. In nonresidential developments in R-3 zones, the following landscaping requirements shall apply:

1. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.

2. Minimum five foot (5') wide landscaped planters shall be provided along street sides of building foundations, except at building entrances.

3. All landscaped areas shall be curbed.

F. Developments which are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required open space for the development. If approved by the city engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

G. All required landscaping in yard areas and open spaces shall be installed (or escrowed on a case by case basis) prior to occupancy.

H. All landscaped areas, including adjoining public right of way areas not maintained by the city, shall be properly irrigated and maintained by the owners.

I. Required trees may not be topped nor may any required landscape material be removed in R-3 zones without city approval. Any dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval. (Ord. 2007-02, 1-16-2007)

17.40.170: LIGHTING:

The following lighting requirements shall apply in R-3 zones:

A. A lighting plan shall be submitted with all new developments in R-3 zones. Where required by the city, lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

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

C. Lighting fixtures on public property shall be architectural grade. A single streetlight type, approved by the city council and city engineer, will be used on the same street. (Ord. 2007-02, 1-16-2007)

17.40.180: PLANNED UNIT DEVELOPMENT OR CONDOMINIUM PROJECT:

As used in this chapter, "planned unit development (PUD) or condominium project" shall mean a single-family residential development in the R-3 zone which meets the requirements of this section as well as other pertinent provisions of this title.

A. A PUD may be allowed only with a conditional use permit in the R-3 zone. Uses allowed in a PUD shall be the same as those allowed in the R-3 zone.

B. Each PUD or condominium project shall contain a minimum of five (5) acres.

C. Any open space provided within a PUD or condominium project shall be labeled and recorded as common area to be jointly owned and maintained as permanent common farmland, landscaped open space and/or recreation by the owners. Private yard areas may not be counted as open space. The city may determine the location of open space in the PUD or condominium project in consideration of topography, drainage or other land features. The city may also determine the acceptability of proposed recreational amenities. The city may require a cash bond or a letter of credit to guarantee installation of the open space improvements.

D. The following standards shall apply in PUDs and condominium projects:

1. A consistent architectural theme for all buildings, landscaping, streetscape, signs, street furniture, lighting, fencing and other design components shall be provided for review and applied throughout the PUD or condominium project.

2. Each dwelling unit shall contain a total of at least three thousand six hundred (3,600) square feet of floor area and a minimum two (2) car garage (minimum 22 feet by 22 feet, or approximate approved equivalent).

3. All buildings shall be constructed with minimum six to twelve (6:12) roof pitches.

4. All dwellings shall be constructed of brick or stone in the minimum amount of three feet (3') times (x) the perimeter of the foundation (including garage).

5. Public and private street construction improvements in PUDs and condominium projects shall be constructed according to public street construction widths, cross section, and construction standards. Street widths, curbs, and pavement/subbase shall be designed and built as required in subsection 16.04.180A of this code.

6. For private streets, setbacks shall be measured from the back of the curb.

7. Two (2) parking spaces minimum, per unit shall be provided for all dwelling units within the PUD or condominium project. At least one space per unit shall be covered. One space per every four (4) dwelling units shall be provided for guest parking. Parking spaces shall be scattered throughout the project, so as to minimize the walking distance to the dwelling units. This requirement may be waived by the planning commission if the applicant can show that the design of the project makes this requirement unnecessary.

E. The minimum yard, width and frontage requirements of lots and units in the R-3 zones may be altered in a PUD or condominium project.

F. Before final plat approval, all PUD or condominium projects shall have approved by the staff of the city of South Jordan and recorded with the Salt Lake County recorder's office, a declaration of restrictive covenants containing, at a minimum, provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to city conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by city staff and approved by the planning commission. Said restrictive covenants shall also comply with section 17.04.300 of this title. (Ord. 2007-02, 1-16-2007)

17.40.190: OTHER REQUIREMENTS:

The following requirements shall apply in R-3 zones:

A. All developments shall be graded according to the city engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.

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

C. A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city.

D. All improvements in PUDs and other developments, including buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the city or accepted for ownership or maintenance by the city shall be perpetually owned by the homeowners and maintained by the owners or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the city. (Ord. 2007-02, 1-16-2007)

Exhibit F

C-C City Code Provisions

Chapter 17.52
COMMERCIAL-COMMUNITY (C-C) ZONE

17.52.010: PURPOSE:

17.52.020: PERMITTED USES:

17.52.030: CONDITIONAL USES:

17.52.040: USE REGULATIONS:

17.52.050: DEVELOPMENT REVIEW:

17.52.055: PERFORMANCE DEVELOPMENT:

17.52.060: LOT WIDTH AND FRONTAGE:

17.52.070: AREA AND DENSITY REQUIREMENTS:

17.52.080: PRIOR CREATED LOTS:

17.52.090: YARD REQUIREMENTS:

17.52.100: PROJECTIONS INTO YARDS:

17.52.110: PARKING AND ACCESS:

17.52.120: FENCING, SCREENING AND CLEAR VISION:

17.52.130: ARCHITECTURAL STANDARDS:

17.52.140: LANDSCAPING:

17.52.150: LIGHTING:

17.52.160: OTHER REQUIREMENTS:

17.52.010: PURPOSE:

The commercial-community (C-C) zone may be cited as the "C-C zone" and is established to provide areas for large scale community or regional retail and service uses. These areas will generally be located near major transportation hubs but should be designed to buffer neighboring residential areas. Coordinated circulation, architecture and landscaping and a balance of uses should be incorporated in developments in the C-C zone. (Ord. 2010-08, 6-15-2010)

17.52.020: PERMITTED USES:

The following uses may be conducted in the C-C zone:
Apparel, footwear, sewing supplies retailing.
Auto and equipment parts retailing (no service).
Books, videos, media, copies, photography, art and drafting supplies, office supplies, stationery retail.
Department, discount and food stores.
Furniture, electronics, appliances and home furnishings retailing.
Hardware and home improvement retailing.
Health, beauty and medical products retailing; prescription drugs retailing.
Hobbies and crafts retailing.

Household goods retailing.
Miscellaneous retail sales.
Restaurants, eating establishments.
Shopping centers and malls with only allowed uses.
Sporting goods, toy retailing. (Ord. 2010-08, 6-15-2010)

17.52.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the C-C zone:
Automotive services, including lube, tune up, wash, inspection, tires, mufflers, minor repairs.
Banks, credit unions, financial institutions, freestanding banking kiosks.
Beauty and fitness centers.
Bed and breakfast inn.
Daycare center facility.
Drive-through facilities for allowed uses.
Educational and training activities.
Electronic vending machines.
Equipment and appliance light repairs and service enclosed within a building.
Fast food with no eating accommodations.
Gas stations, convenience stores.
Laundry.
Lumber, building materials and landscaping retail sales yards.
Medical, health or dental services.
Mortuary, funeral home.
Office service.
Pharmacy.
Preschool center facility.
Public or quasi-public facilities.
Religious activities.
Secondhand goods retailing.
Self-storage facilities, maximum total of six (6) acres.
Theaters, amusement, recreational activities.
Title loan, check cashing or other similar deferred deposit loan businesses no closer than one mile from a similar business. (Ord. 2012-12, 10-2-2012)

17.52.040: USE REGULATIONS:

Uses may be conducted in C-C zones only in accordance with the following regulations:

A. Only allowed permitted, conditional or accessory uses as set forth in this chapter may be conducted in C-C zones. A conditional use permit must be obtained prior to the establishment of a conditional use. Sexually oriented business is prohibited in C-C zones.

B. All uses in C-C zones shall be conducted within completely enclosed buildings, unless otherwise allowed in this chapter, except those temporary uses customarily conducted in the outdoors, including Christmas tree lots, fireworks stands and parking lot sales associated with an approved use on the property. Parking lot sales may be conducted up to four (4) 1-week periods per year.

C. Accessory uses and buildings may be conducted in C-C zones only in conjunction with allowed permitted and conditional uses. Accessory uses include, but are not limited to, parking lots and terraces, properly screened utility and loading areas and other buildings and activities which are incidental and subordinate to the principal permitted or conditional use on the premises.

D. One electronic vending machine (i.e., food, beverage, kiosks, etc.) may be located outside of the building of an established business if the building has a minimum main level footprint or floor area of five thousand (5,000) square feet and a minimum facade width of fifty (50) linear feet. One additional outdoor electronic vending machine may be allowed for every additional ten thousand (10,000) square feet of main level floor area. All outdoor vending machines shall be located adjacent to the building and within fifty feet (50') of the building's main entrance. Electronic vending machines shall not exceed fifteen (15) square feet in area and no more than seven feet (7') in total height. Electronic vending machines shall not impede or obstruct vehicular and/or designated pedestrian pathways or access.

E. Freestanding banking kiosks may be conducted in C-C zones with a site plan and conditional use permit approval. Freestanding banking kiosk shall not be allowed on parcels less than three (3) acres in size and shall be separated by a minimum distance of four hundred (400) linear feet from all other outdoor accessory banking or freestanding banking kiosks. Freestanding banking kiosks shall not be allowed within required landscaped yard areas, building setbacks, or within thirty feet (30') of the public right of way. Freestanding banking kiosks shall not exceed twenty (20) square feet in area nor ten feet (10') in height and shall incorporate materials and colors of surrounding buildings as determined by the city community development director.
Freestanding kiosks shall be designed to allow for a minimum of two (2) vehicles to be queued at any one given time without obstructing drive aisles or other functionality of other parking stalls as determined by the city engineer. There shall be multiple twenty four (24) hour video surveillance and adequate illumination as determined by the city's public safety department. All freestanding banking kiosks shall be securely mounted and anchored to the ground as determined by the city's building official.

F. There shall be no open storage of trash, debris, used, wrecked or neglected materials, equipment or vehicles in C-C zones. No commercial materials, goods or inventory may be stored in open areas in C-C zones, except for temporary display items which are removed daily and which may be located only on private property no closer than ten feet (10') from any public right of way. No more than twelve (12) small party balloons and six (6) weatherproof placards, each not exceeding two feet (2') square, per business may be attached to the displays and shall be removed daily with the displays. All other signs and devices are prohibited. Outdoor storage of inventory or products such as firewood, water softener salt, garden supplies and building materials is permitted only in screened areas approved for such purpose with site plan review.

G. No vehicle, boat or trailer, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, attended or not, may be parked or stored in C-C zones for longer than seventy two (72) hours unless stored within a completely enclosed building.

H. No commercial vehicles such as earthmoving or material handling equipment, semitrucks or trailers or any commercial truck, trailer or vehicle may be stored in C-C zones for longer than seventy two (72) hours except in conjunction with an approved use, or approved development or construction activities on the property.

I. Utility trailers and recreational vehicles such as motor homes, travel trailers, watercraft, campers and all-terrain vehicles, may not be stored in any area in C-C zones. (Ord. 2010-08, 6-15-2010)

17.52.050: DEVELOPMENT REVIEW:

All uses proposed in C-C zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in C-C zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may

not be altered without prior approval of the city, except as allowed under state law. (Ord. 2007-02, 1-16-2007)

17.52.055: PERFORMANCE DEVELOPMENT:

A. The land use standards of this chapter and of any other section of this title or of the development code pertaining to development in the C-C zone may be altered or waived for a "performance development" by the planning commission, only with the positive recommendation of city staff, with a conditional use permit. "Performance development" shall be defined as any development in the C-C zone which is exempted from certain land use and development requirements but which demonstrates superior design and function. Variations in the standard requirements of the C-C zone will be based on additional enhancements provided in the development and the desirability of the proposed development relating to one or more of the following: amenities, economic benefit, additional architectural features, resolution of neighbors' concerns, and the development's contribution to principles of quality growth suggested by "Envision Utah's Urban Planning For Quality Growth". The following provisions will govern the review of a proposed performance development:

1. The minimum area of a performance development shall be five (5) acres unless otherwise recommended by city staff and approved by the planning commission.

2. The conditional use permit/site plan application shall delineate the requested exceptions and variations from city ordinances and the offsetting upgrades and benefits proposed. Possible exceptions may include, but are not limited to, unlisted uses, yard requirement reduction, building height increase, alternative screening technique, and reduced parking requirements. Possible upgrades may include, but are not limited to, improved landscape design, architectural enhancements and coordination with adjoining development. Staff will make a determination as to the reasonableness of the proposed exceptions and upgrades and make recommendations to the planning commission. Proposed upgrades and enhancements must clearly exceed what would normally be expected for development in the C-C zone.

3. Uses which significantly diverge from the character and purpose of the C-C zone, such as industrial uses, are prohibited.

4. All nonretail uses proposed shall be supportive of retail uses in the development as described in section 17.52.010 of this chapter.

5. Integrated residential use with "village" style design, building height, architecture, and connectivity, and office uses may be incorporated as components of mixed use commercial developments.

6. Sexually oriented businesses are prohibited.

B. The following standards and regulations may not be varied for performance developments:

1. Building and infrastructure construction standards.

2. Use regulations as set forth in section 17.52.040 of this chapter, except for office use restrictions in subsection A of this section.

3. Required landscaping as set forth in section 17.52.140 of this chapter.

4. Sign regulations as set forth in title 16, chapter 16.36 of this code.

5. Requirements of section 16.24.050 of this code.

6. Requirements of section 16.24.070 of this code.

7. Any standards relating to the public health, safety and welfare. (Ord. 2011-03, 11-15-2011)

17.52.060: LOT WIDTH AND FRONTAGE:

No minimum lot width is required for lots in C-C zones, except for the initial lot of a development which shall have a minimum width of one hundred fifty feet (150') measured at the minimum front yard setback at a point which corresponds to the midpoint of the front lot line. The initial lot shall abut the right of way line of a public street a minimum distance of one hundred fifty feet (150'). Lots not fronting on a street must be accessible to the public via a recorded easement or right of way. (Ord. 2007-02, 1-16-2007)

17.52.070: AREA AND DENSITY REQUIREMENTS:

The following area and density requirements shall apply in the C-C zone:

A. Minimum Zone Area: The minimum area of a C-C zone shall be five (5) acres.

B. Minimum Project Area: "Project" shall be defined as any development in C-C zones for which preliminary plat or site plan approval has been proposed or granted. The minimum area of any project in C-C zones shall be one acre.

C. Minimum Lot Area: There shall be no minimum lot area in C-C zones.

D. Density: C-C zones shall be established in conformance with commercial designations on the future land use plan. (Ord. 2007-02, 1-16-2007)

17.52.080: PRIOR CREATED LOTS:
Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of a C-C zone shall be brought into conformance with the requirements of this chapter prior to development. (Ord. 2007-02, 1-16-2007)

17.52.090: YARD REQUIREMENTS:

The following yard requirements shall apply on lots in C-C zones:

A. Front Yard, Interior And Corner Lots: The minimum landscaped front yard for lots in C-C zones shall be twenty feet (20').

B. Side Yard, Interior Lots: No minimum side yard is required adjacent to nonresidential or nonagricultural zones. The minimum side yard for lots adjacent to residential or agricultural zones shall be thirty feet (30'), of which at least ten feet (10') adjacent to the property line shall be landscaped.

C. Side Yard, Corner Lots: The minimum landscaped street side yard for corner lots shall be twenty feet (20').

D. Rear Yard: No minimum rear yard is required adjacent to nonresidential or nonagricultural zones. The minimum rear yard for lots adjacent to residential or agricultural zones shall be thirty feet (30'), of which at least ten feet (10') adjacent to the property line shall be landscaped.

E. Reduction Of Requirements By Approval: Should an adjacent property have a future land use designation that is commercial, office or industrial, the required minimum interior side and/or rear yard may be reduced if approved by the planning commission with site plan review. (Ord. 2008-08, 6-3-2008)

17.52.100: PROJECTIONS INTO YARDS:

The following may be erected on or projected into any required yard space in C-C zones:

A. Fences and walls in conformance with city codes and ordinances.

B. Landscape elements, including trees, shrubs and other plants.

C. Utility or irrigation equipment or facilities.

D. Decks not more than two feet (2') in height.

E. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to the building extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.

F. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard. (Ord. 2007-02, 1-16-2007)

17.52.110: PARKING AND ACCESS:

Parking areas and access in C-C zones shall meet requirements of chapter 16.26 of this code. (Ord. 2007-02, 1-16-2007)

17.52.120: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in C-C zones:

A. All mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.

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

C. No wall, fence or screening material shall be erected between a street and a front or street side building line in C-C zones, except as required in subsection A of this section.

D. Landscape materials, except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and a street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. (Ord. 2007-02, 1-16-2007)

17.52.130: ARCHITECTURAL STANDARDS:

The following exterior materials and architectural standards are required in C-C zones:

A. Architectural drawings and elevations, exterior materials and colors of all buildings shall be submitted in conjunction with site plan review. In projects containing multiple buildings, a design book containing architectural theme, features, exterior materials and colors governing the entire project shall be submitted.

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

C. Exterior walls of buildings in excess of sixty feet (60') in length shall have relief features at least four inches (4") deep at planned intervals. All sides of buildings shall receive design consideration.

D. Signs shall meet requirements of chapter 16.36 of this code and shall be constructed of materials which complement the buildings which they identify.

E. Buildings and structures in the C-C zone shall not exceed thirty five feet (35') in height unless otherwise allowed in this title.

F. The exteriors of buildings in C-C zones shall be properly maintained by the owners. (Ord. 2007-02, 1-16-2007)

17.52.140: LANDSCAPING:

The following landscaping requirements and standards shall apply in C-C zones:

A. The front, side and rear yards of lots in C-C zones, as described in section 17.52.090 of this chapter, shall be landscaped and properly maintained with grass, trees and other plant material.

B. All areas of lots in C-C zones not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

C. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in C-C zones in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.

D. All collector street and other public and private park strips in C-C zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval.

E. Trees may not be topped nor may any landscape material be removed in C-C zones without city approval. Any dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

F. The following landscaping requirements shall apply in parking areas in C-C zones:

1. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.

2. Shade trees shall be planted between double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum intervals of three (3) stalls and no farther than six feet (6') from the parking area. Shade trees are not required in parking rows which are adjacent to buildings.

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

G. Developments which are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required yard space for the development. If approved by the city engineer, waterways which traverse developments may be left open if properly

landscaped and maintained by the adjacent owners. Waterways may not be altered without written approval of any entity or agency having jurisdiction over said waterways.

H. All required landscaping in C-C zones, shall be installed (or escrowed due to season) prior to occupancy.

I. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners. (Ord. 2007-02, 1-16-2007)

17.52.150: LIGHTING:

The following lighting requirements shall apply in C-C zones:

A. A lighting plan shall be submitted with all new developments in C-C zones. Site lighting shall be shielded to prevent glare on adjacent properties.

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

C. Lighting fixtures on public property shall be architectural grade. A single streetlight design, approved by the city engineer, will be used on the same street. (Ord. 2007-02, 1-16-2007)

17.52.160: OTHER REQUIREMENTS:

The following provisions shall apply in C-C zones:

A. Private Covenants: The developer of a condominium project in a C-C zone shall submit a proposed declaration of covenants to the city attorney for review, including an opinion of legal counsel licensed to practice law in the state that the condominium meets requirements of state law, and record the covenants with the condominium plat for the project.

B. Grading And Drainage: All development sites in C-C zones shall be graded according to the city engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.

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

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

E. Phasing Plan: A project phasing plan shall be submitted for review at the time of preliminary plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city. (Ord. 2007-02, 1-16-2007)

Exhibit G

RESOLUTION R-2013-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE CITY MANAGER TO EXECUTE THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF SOUTH JORDAN AND SJ MARKETPLACE.

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

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

WHEREAS, The South Jordan City Council finds it in the best interest of the public welfare to enter into a development agreement with SJ Marketplace.

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

SECTION 1. Authorization. South Jordan City Manager, John H. Geilmann is authorized to sign the Development Agreement by and between the City of South Jordan and SJ Marketplace, LLC.

SECTION 2. Severability. If any section, clause, or portion of the Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

SECTION 3. Effective Date. This Resolution shall become effective immediately upon passage.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 15th DAY OF October, 2013 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler			X	
Chuck Newton	X			
Brian C. Butters	X			
Steve Barnes	X			
Larry Short	X			

Mayor: Scott L. Osborne

Attest: City Recorder

Approved as to form:

Attorney for South Jordan

City of South Jordan CORPORATE Seal State of Utah

EXHIBIT H

MASTER SIGN PLAN

(SIGN CRITERIA)

FOR

PROPOSED SHOPPING CENTER

S.W.C. BANGERTER HIGHWAY AND W 11400 S
SOUTH JORDAN, UTAH

PREPARED BY:

CCA ACQUISTION COMPANY, LLC
5670 WILSHIRE BOULEVARD, SUITE 1250
LOS ANGELES, CALIFORNIA 90036

WITH:

YESCO®
ROCKY MOUNTAIN REGION
1605 GRAMERCY ROAD
SALT LAKE CITY, UTAH 94104

BK 10195 PG 9417

Revised 12-Nov-2013

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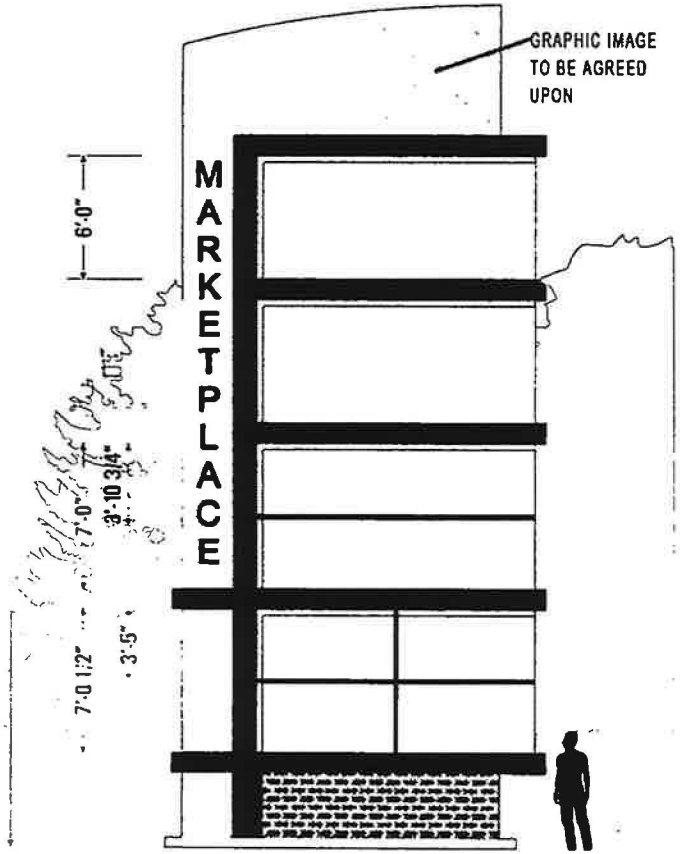
EXHIBIT H

PLYON SIGN (PS 1)

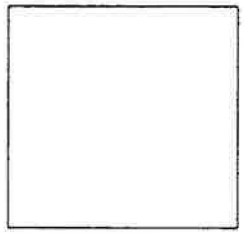
FOR ILLUSTRATIVE PURPOSES



1 LARGE MULTI TENANT

LOCATION: SOUTHEAST CORNER (PS 1 LOC 1)

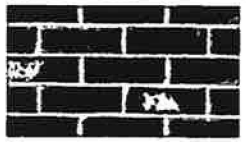
PAINT FINISHES



1124 SADDLE TAN
BENJAMIN MOORE

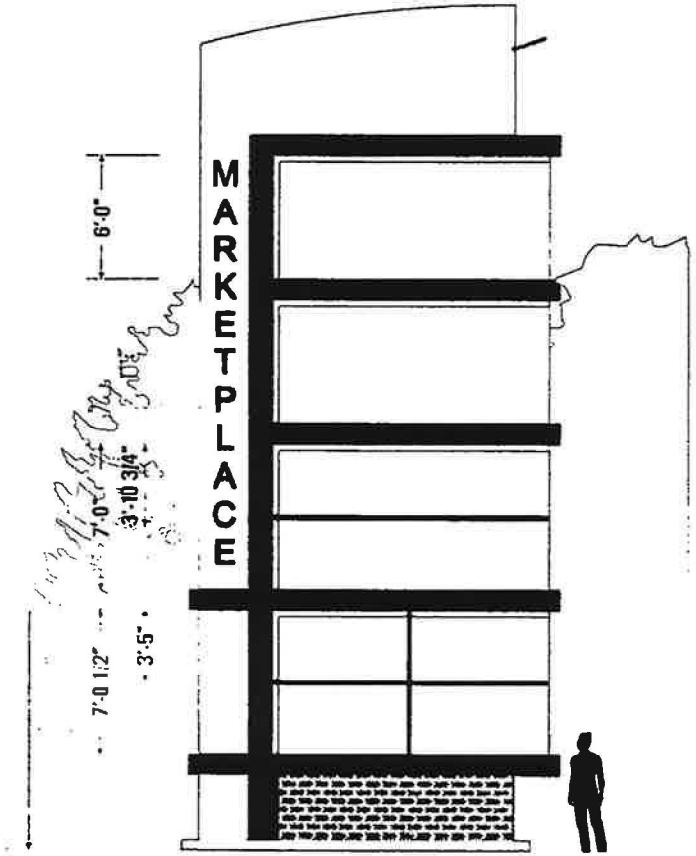
2116-10 NIGHT SHADE
BENJAMIN MOORE

BRICK VENEER



PLANTATION BLEND
PINE HALL BRICK

FOR ILLUSTRATIVE PURPOSES



1 LARGE MULTI TENANT

LOCATION: SOUTHEAST CORNER (PS 1 LOC 1)

BK 10195 PG 9419

EXHIBIT H

PLYON SIGN (PS 1)

FOR ILLUSTRATIVE PURPOSES

1 LARGE MULTI TENANT

LOCATION: SOUTHEAST CORNER (PS 1 LOC 1)

PAINT FINISHES

1124 SADDLE TAN
BENJAMIN MOORE

2116-10 NIGHT SHADE
BENJAMIN MOORE

BRICK VENEER

PLANTATION BLEND
PINE HALL BRICK

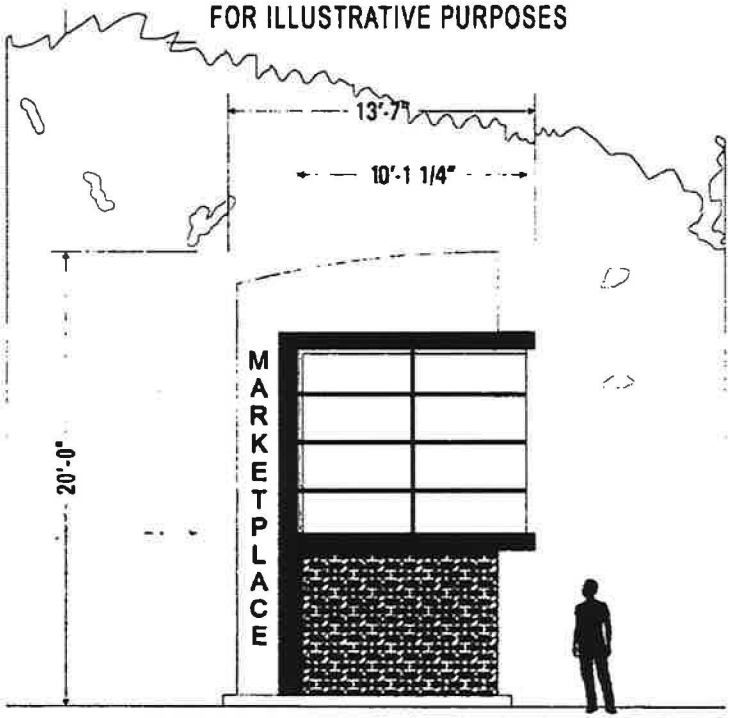
FOR ILLUSTRATIVE PURPOSES

1 LARGE MULTI TENANT

LOCATION: SOUTHEAST CORNER (PS 1 LOC 1)

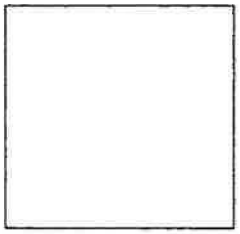
EXHIBIT H

PLYON SIGN (PS 2)



2 SMALL MULTI TENANT
LOCATION: 11400 (PS 2, LOC 1)

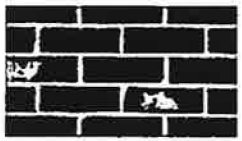
PAINT FINISHES



1124 SADDLE TAN
BENJAMIN MOORE

2116-10 NIGHT SHADE
BENJAMIN MOORE

BRICK VENEER

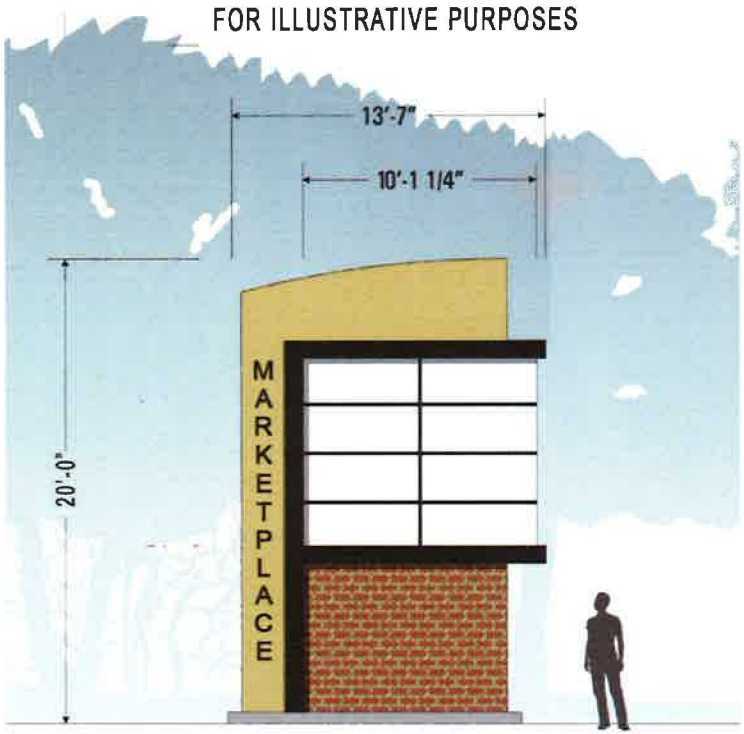


PLANTATION BLEND
PINE HALL BRICK

BK 10195 PG 9420

EXHIBIT H

PLYON SIGN (PS 2)



2 SMALL MULTI TENANT

LOCATION: 11400 (PS 2, LOC 1)

PAINT FINISHES

1124 SADDLE TAN
BENJAMIN MOORE

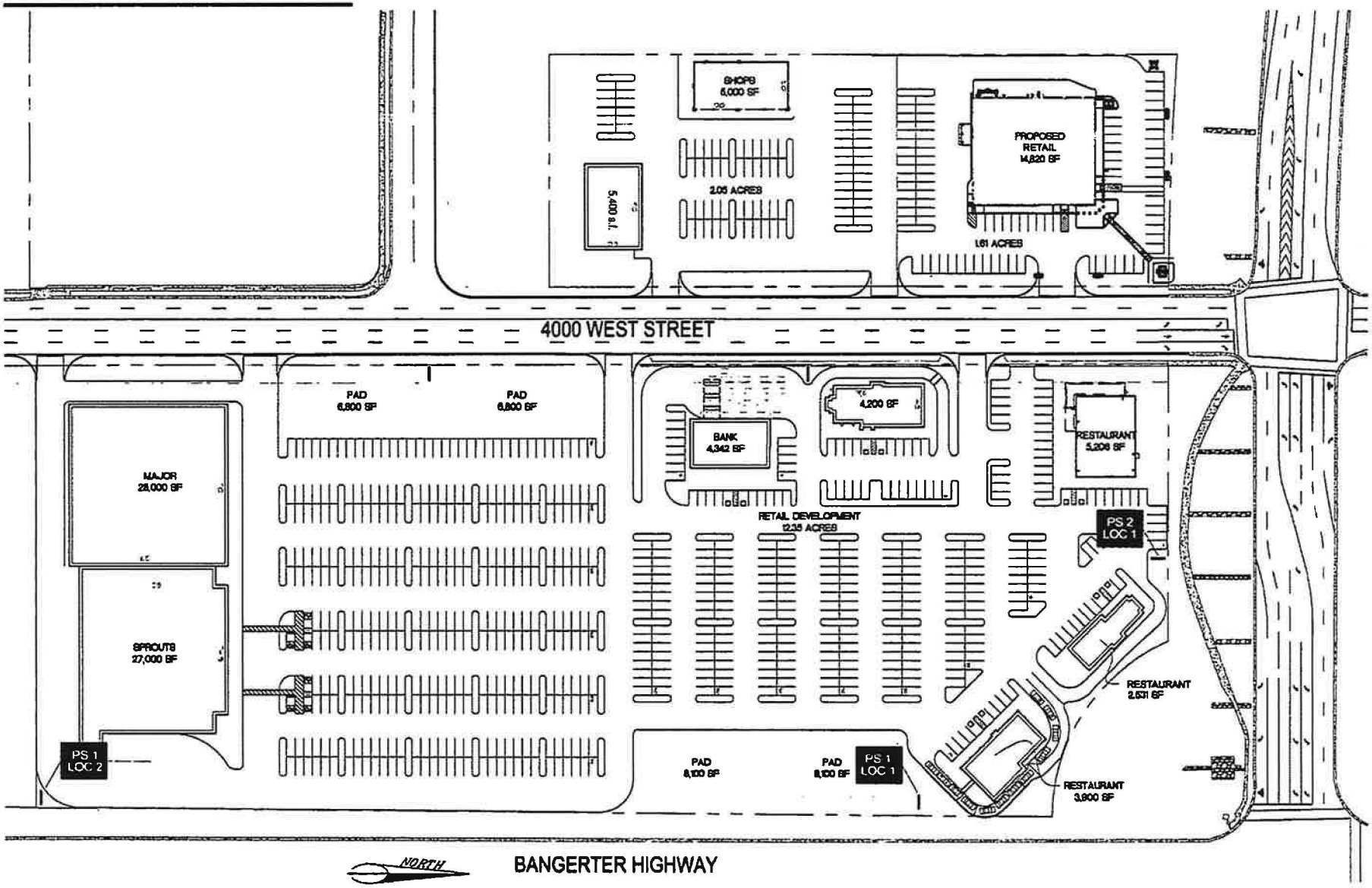
2116-10 NIGHT SHADE
BENJAMIN MOORE

BRICK VENEER

PLANTATION BLEND
PINE HALL BRICK

EXHIBIT H

MASTER SITE PLAN



BK 10195 PG 9421

EXHIBIT H

SIGN CRITERIA GENERAL REQUIREMENTS, TYPE OF SIGN

The purpose of this Master Signage Plan is to create a graphic environment that is individual and distinctive in identity for the merchant and also compatible with other signs within the Property. The total concept should give an impression of quality and professionalism, as well as, instill a good business image.

The following specifications shall be used for the design of all signage within the Property; however, in all cases, final written approval by Owner is required prior to manufacturing and installation of all signs.

For purposes of this Master Signage Plan, any reference herein to "Owner" shall also include all tenants, subtenants, licensees and other occupants of Owner's Parcel.

PROCEDURE:

All signage drawing proposals will be submitted in three (3) copies to Owner for written approval, prior to application for sign permit from the City of South Jordan.

NOTICE:

WRITTEN APPROVAL AND CONFORMANCE WITH THE REQUIREMENTS SET FORTH HEREIN DOES NOT IMPLY CONFORMANCE WITH APPLICABLE LAWS, CODES, RULES, AND REGULATIONS PROMULGATED BY THE CITY OF SOUTH JORDAN OR ANY OTHER APPLICABLE GOVERNMENTAL AGENCY OR BODY (COLLECTIVELY, THE "LAWS"). ALL SIGNAGE LOCATED WITHIN THE PROPERTY SHALL BE APPROVED IN WRITING BY OWNER, SHALL COMPLY WITH THE APPLICABLE LAWS AND RECEIPT BY OWNER OF A SIGN PERMIT MUST BE RECEIVED PRIOR TO MANUFACTURING AND INSTALLATION OF ANY SIGNAGE.

A. GENERAL PROVISIONS

1. All signs and signage programs must confirm to the requirements of this Master Signage Plan, the City of South Jordan, and all applicable Laws. Applications and submittals for signage permits shall be per the City of South Jordan's procedure and requirements.
2. Signs shall identify the person or company operating the use conducted on the Parcel. No off-premises advertising is permitted.

B. GENERAL REQUIREMENTS

1. No signs, advertisements, notices, or other lettering shall be displayed, exhibited, inscribed, painted or affixed in any manner to any part of the building exterior except as approved in writing by Owner.
2. Each electrical sign, and the installation thereof, shall comply with all applicable Laws. Double back connections must be utilized for all electrical connections through the building structure.
3. Tenant shall obtain all necessary permits for signs and the construction and installation of signs.
4. No labels shall be placed on the exposed surfaces of signs except those required by applicable Laws. Required labels shall be applied in inconspicuous locations.
5. All penetrations of the building structure required for sign installation shall be neatly sealed in a watertight manner.

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6. Sign copy shall be limited to Tenant's proper firm name and shall not include the names of items, goods, products, or service lines. The use of a crest, shield, logo, or other established corporate insignia or modifier which has been displayed or associated with Tenant's firm name shall be permitted subject to Owner's written approval.
7. Any sign that does not conform to the requirements of this Master Sign Plan or was not approved by the Owner as required hereby shall be immediately removed or brought into conformance at the Tenant's expense.
8. Any sign type not discussed or addressed herein shall be covered by the City of South Jordan sign code.

C. TYPE OF SIGN

1. All signs shall contain individual, pan channel, internally illuminated, wall mounted letters. Letters shall not be mounted on an exposed raceway.

D. SPECIFIC REQUIREMENTS FOR BUILDING SIGNAGE

1. Major Tenants (Greater than 5,000 square feet)

A. Size Guidelines
   1. Each Major will be allowed one & one-half (1.5) square feet of building signage per foot of linear building frontage when frontage is greater than 75 feet from Property Line/Street Frontage. If frontage is less than 75 feet, one (1) square foot of building signage per foot of linear building frontage.
      A. Each frontage will be calculated independently (Example: If a Major has 3 elevations, each elevation is entitled to have a building sign based on that elevation frontage).
   2. The square footage for an individual sign will be calculated by using multiple rectangles that contain the entire sign (Letter descender do not have to be included in the calculating rectangle; for example, the letters "y", "p", "q", "j", "g", all have descender that do not get calculated as a part of the total signage area.
   3. Pan Channel Letters must be a minimum of three (3) inches in depth and a maximum of ten (10) inches in depth.
   4. Length: The overall length of spread of letters shall not exceed 80% of the total leased frontage as specified by lease. (Example: Maximum spread for a sign for a space thirty (30) feet wide will be twenty-four (24) feet).
   5. Height: Sign may not exceed 80% of SIGN BAND height.
   6. National chain businesses shall be allowed to use their standard signage. This includes letter style, colors, logos and lighting method.
   7. Stylized Logo/Cabinet sign not to exceed 10 square feet.

2. Minor Tenants (Less than 5,000 square feet)

A. Size Guidelines
   1. Each Minor will be allowed one & one-quarter (1.25) square feet of building signage per foot of linear building frontage when frontage is greater than 75 feet from Property Line/Street Frontage. If frontage is less than 75 feet, one & one-quarter (1.25) square foot of building signage per foot of linear building frontage.
      A. Each frontage will be calculated independently for square footage. (Example: If a Minor has 3 elevations, each elevation is entitled to have a building sign based on that elevation frontage).
   2. The square footage for an individual sign will be calculated by using multiple rectangles that contain the entire sign

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(Letter descender do not have to be included in the calculating rectangle; for example, the letters "y", "p", "q", "j", "g", all have descender that do not get calculated as a part of the total signage area.

3. Pan Channel Letters must be a minimum of three (3) inches in depth and a maximum of ten (10) inches in depth.
4. Length: The overall length of spread of letters shall not exceed 80% of the total leased frontage as specified by lease. (Example: Maximum spread for a sign for a space thirty (30) feet wide will be twenty four (24) feet).
5. Height: Sign may not exceed 80% of SIGN BAND height.
6. Stylized Logo/Cabinet sign not to exceed 8 square feet.

3. Pad Tenants

A. Size Guidelines
   1. Each Pad will be allowed one & one-quarter (1.25) square feet of building signage per foot of linear building frontage when frontage is greater than 75 feet from Property Line/Street Frontage. If frontage is less than 75 feet, one & one-quarter (1.25) square foot of building signage per foot of linear building frontage.
      A. Each frontage will be calculated independently (Example: If a Pad has 4 elevations, each elevation is entitled to have a building sign based on that elevation frontage)
   2. The square footage for an individual sign will be calculated by using multiple rectangles that contain the entire sign (Letter descender do not have to be included in the calculating rectangle; for example, the letters "y", "p", "q", "j", "g", all have descender that do not get calculated as a part of the total signage area.
   3. Pan Channel Letters must be a minimum of three (3) inches in depth and a maximum of ten (10) inches in depth.
   4. Length: The overall length of spread of letters shall not exceed 80% of the total leased frontage as specified by lease. (Example Maximum spread for a sign for a space thirty (30) feet wide will be twenty four (24) feet).
   5. Height: Sign may not exceed 80% of SIGN BAND height.
   6. Stylized Logo/Cabinet sign not to exceed 8 square feet.

4. Shops & Inline Tenants

A. Size Guidelines
   1. Each Tenant will be allowed one & one-quarter (1.25) square feet of building signage per foot of linear building frontage when frontage is greater than 75 feet from Property Line/Street Frontage. If frontage is less than 75 feet from Property Line, one & one-quarter (1.25) square foot of building signage per foot of linear building frontage.
      A. Each frontage will be calculated independently for square footage calculation and frontage measurement. (Example: If a Shop or Inline Tenant has 3 elevations, each elevation is entitled to have a building sign based on that elevation frontage)
   2. The square footage for an individual sign will be calculated by using multiple rectangles that contain the entire sign (Letter descender do not have to be included in the calculating rectangle; for example, the letters "y", "p", "q", "j", "g", all have descender that do not get calculated as a part of the total signage area.
   3. Pan Channel Letters must be a minimum of three (3) inches in depth and a maximum of ten (10) inches in depth.

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4. Length: The overall length of spread of letters shall not exceed 80% of the total leased frontage as specified by lease. (Example Maximum spread for a sign for a space thirty (30) feet wide will be twenty-four (24) feet.
5. Height: Sign may not exceed 80% of SIGN BAND height.
6. Any Shop or Inline suite is guaranteed a minimum of thirty two (32) square feet of signage
7. Shops A & B shall be allowed signage on all elevations.
8. Each frontage will be calculated independently for allowable square footage.
9. Stylized Logo/Cabinet sign not to exceed 6 square feet.

E. LIGHTING

1. All lighting shall be illuminated with LED's, Neon or Fluorescent's.
   A. Neon must be 30MA and between 12mm & 15mm glass tubing
   B. LED must be Slone or Gelcor brand.
   C. Fluorescent lighting will be allowed. No exposed bulbs.
2. All electrical will be U.L. or equivalent approved.
3. Penetration of structure and graphics beams shall be kept to a minimum and must have proper insulation for voltage cable and must be approved in writing by Landlord.
4. Power supplies shall be concealed behind fascia and mounted in metal boxes.

F. DETAIL DRAWING

1. Three copies of a complete and detailed drawing by Owner's sign company shall be submitted to Owner for final review and written approval.
2. Elevation of building fascia and sign shall be drawn using a minimum 1/4" to 1" scale.
3. Drawing shall indicate the following specifications:
   a. Type, thickness, and color of Plexiglas type of material used for backs, returns, and trim caps, including color.
   b. Finish used on returns.
   c. Type of illumination and mounting method.
4. Drawing must include fascia cross section showing electrical connections.

G. WINDOW SIGNAGE

Window signs must comply with The City of South Jordan Sign Code and must be approved by Owner in writing.

Window signs to be created in a professional manner.

H. GRAND OPENING BANNERS

Grand Opening banners are allowed with Owner approval.

I. ADDRESS SIGNS

Each store is required to display a street address and suite number above storefront door and service door of four (4) inch white exterior vinyl.

J. THE FOLLOWING ARE NOT PERMITTED

a. Roof signs.
b. Cloth signs or streamers hanging in front of business.
c. Exposed seam tubing.
d. Animated or moving components.
e. Intermittent or flashing illumination.
f. Iridescent painted signs.

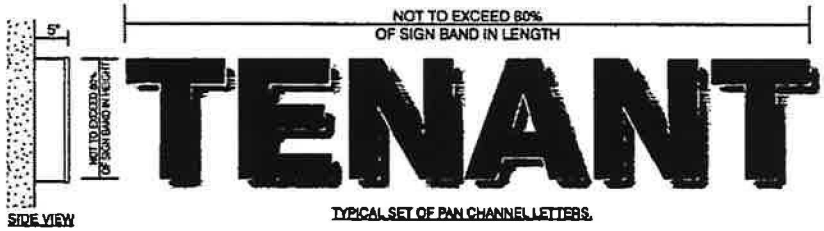
g. Letter mounted or painted-on illuminated panels.
h. Signs or letters painted directly on any surface.
i. Signs will not be permitted to be installed or placed along perimeter of Property.

K. CONTACT INFORMATION

Bill Sandre
CCA Acquisitions Company, LLC
5670 Wilshire Boulevard, Suite 1250
Los Angeles, California
323.965.1510
BillS@kornwasser.net

BK 10195 PG 9426

SIGN EXAMPLES & DETAILS



TYPICAL SET OF PAN CHANNEL LETTERS.

FABRICATE & INSTALL
TYPCIAL SET OF ILLUMINATED PAN CHANNEL LETTERS.

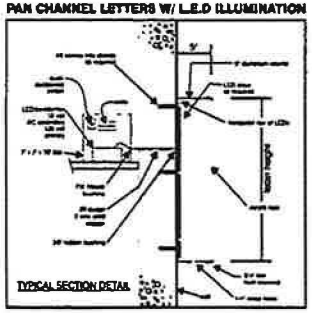
CONSTRUCTION
.063" ALUMINUM BACKS.
.040" ALUMINUM RETURNS, 5" DEEP COLOR TO BE DETERMINED BY TENANT.
3/4" TRIM CAP COLOR TO BE DETERMINED BY TENANT.

VINYL
COLOR TO BE DETERMINED BY TENANT. PER TENANTS CORPORATE COLORS.

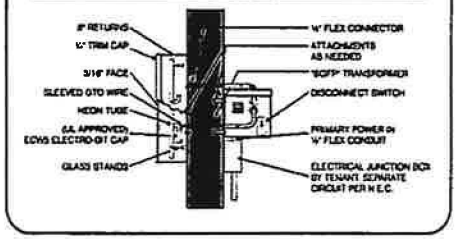
FACE
COLOR TO BE DETERMINED BY TENANT. PER TENANTS CORPORATE COLORS.

ILLUMINATION
SINGLE TUBE, DOUBLE TUBE AND OR GRID - 4" MAX STROKE BETWEEN TUBES.
DOUBLE BACKS W/ELECTRO-BIT RUBBER BOOTS.
30MA REMOTE TRANSFORMERS.
OR L.E.D's W/ REMOTE POWER PACKS.

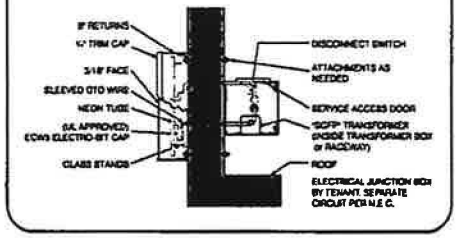
PAN CHANNEL LETTERS W/ L.E.D ILLUMINATION



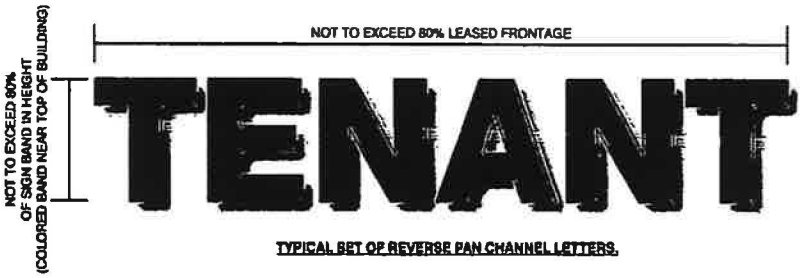
PAN CHANNEL LETTERS WITH TRANSFORMER BEHIND WALL



PAN CHANNEL LETTERS WITH REMOTE RACEWAY (ABOVE ROOF)



NOTE: ALL SIGNS MUST HAVE U.L. LABEL.



TYPICAL SET OF REVERSE PAN CHANNEL LETTERS.

FABRICATE & INSTALL
TYPICAL SET OF HALO-ILLUMINATED REVERSE CHANNEL LETTERS

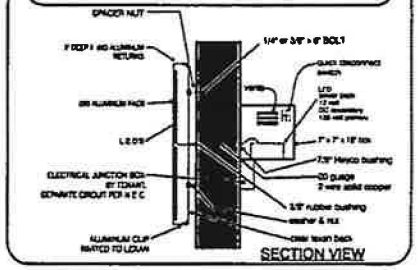
CONSTRUCTION
.090" ALUMINUM FACES.
.063" ALUMINUM 3" DEEP RETURNS, COLOR AS PER TENANT.

3/16" CLEAR LEXAN BACKS

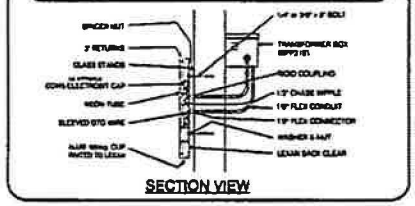
MOUNTING
1" SPACE MOUNTED FROM WALL.

ILLUMINATION
SLOAN OR GEL-COR L.E.D.'S OR NEON TUBING,
SINGLE OR DOUBLE STROKE.
1 STROKE PER 4"
WITH REMOTE TRANSFORMER.

L.E.D. HALO-ILLUMINATED REVERSE PAN CHANNEL LETTERS



NEON HALO-ILLUMINATED REVERSE PAN CHANNEL LETTERS



BK 10195 PG 9427

SIGN EXAMPLES & DETAILS

TYPICAL SET OF PAN CHANNEL LETTERS.

FABRICATE & INSTALL
TYPCIAL SET OF ILLUMINATED PAN CHANNEL LETTERS.

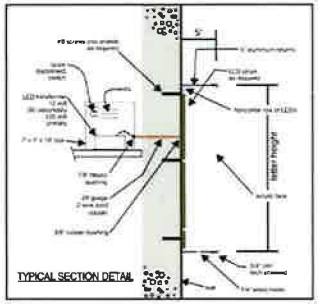
CONSTRUCTION
.063" ALUMINUM BACKS.
.040" ALUMINUM RETURNS, 5" DEEP COLOR TO BE DETERMINED BY TENANT.
3/4" TRIM CAP COLOR TO BE DETERMINED BY TENANT.

VINYL
COLOR TO BE DETERMINED BY TENANT. PER TENANTS CORPORATE COLORS.

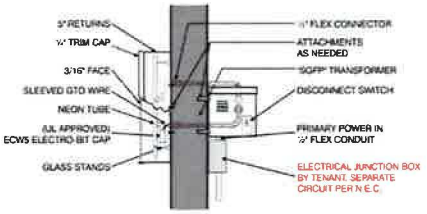
FACE
COLOR TO BE DETERMINED BY TENANT. PER TENANTS CORPORATE COLORS.

ILLUMINATION
SINGLE TUBE, DOUBLE TUBE AND OR GRID - 4" MAX STROKE BETWEEN TUBES.
DOUBLE BACKS W/ELECTRO-BIT RUBBER BOOTS.
30MA REMOTE TRANSFORMERS.
OR L.E.D's W/ REMOTE POWER PACKS.

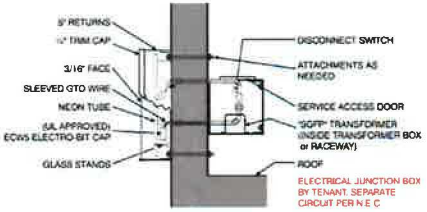
PAN CHANNEL LETTERS W/ L.E.D ILLUMINATION



PAN CHANNEL LETTERS WITH TRANSFORMER BEHIND WALL



PAN CHANNEL LETTERS WITH REMOTE RACEWAY (ABOVE ROOF)



NOTE: ALL SIGNS MUST HAVE U.L. LABEL.

TYPICAL SET OF REVERSE PAN CHANNEL LETTERS.

FABRICATE & INSTALL
TYPICAL SET OF HALO-ILLUMINATED REVERSE CHANNEL LETTERS

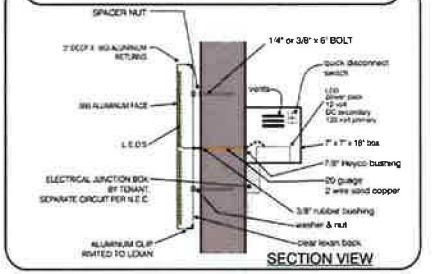
CONSTRUCTION
.090" ALUMINUM FACES.
.063" ALUMINUM 3" DEEP RETURNS, COLOR AS PER TENANT.

3/16" CLEAR LEXAN BACKS

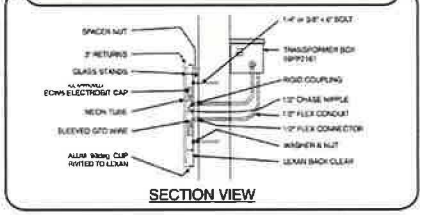
MOUNTING
1" SPACE MOUNTED FROM WALL.

ILLUMINATION
SLOAN OR GEL-COR L.E.D 'S OR NEON TUBING, SINGLE OR DOUBLE STROKE.
1 STROKE PER 4"
WITH REMOTE TRANSFORMER.

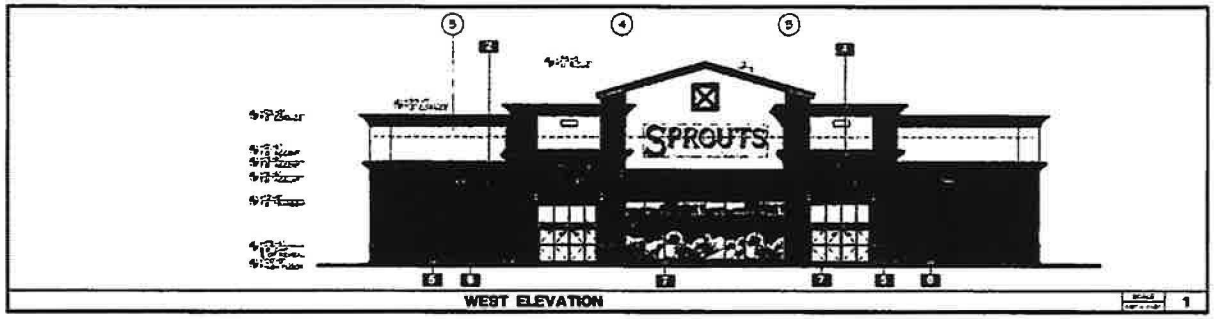
L.E.D. HALO-ILLUMINATED REVERSE PAN CHANNEL LETTERS

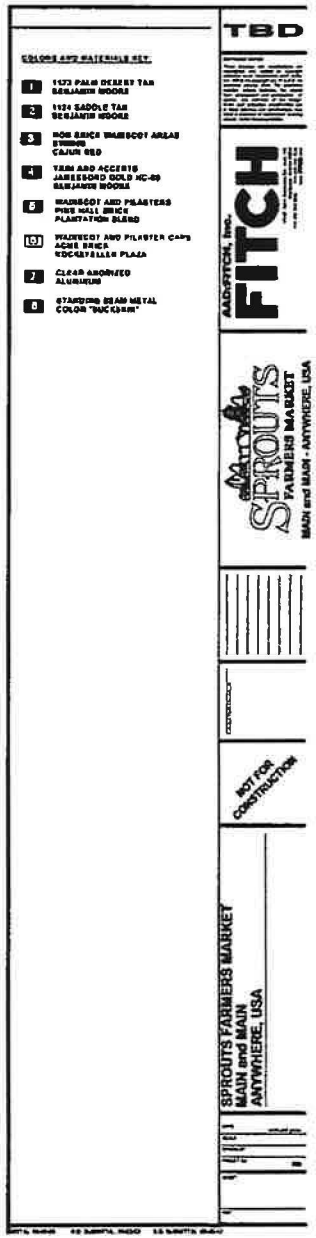


NEON HALO-ILLUMINATED REVERSE PAN CHANNEL LETTERS



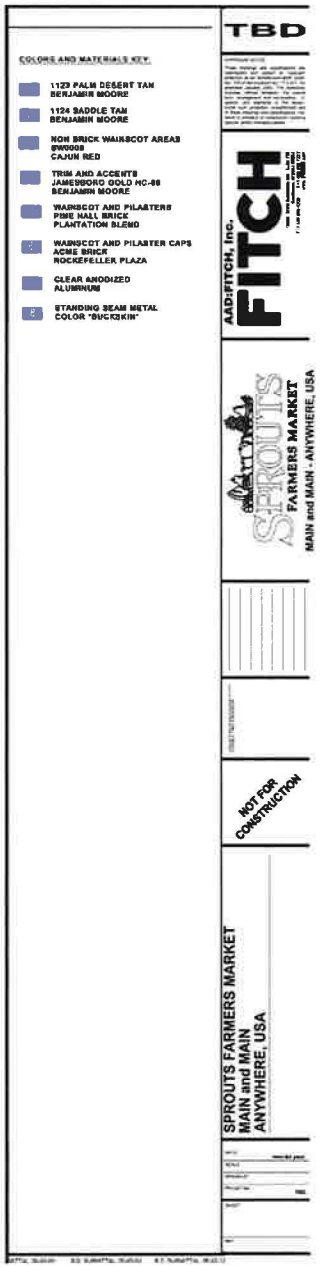
SPROUT'S COLORED BUILDING ELEVATIONS





BK 10195 PG 9428

SPROUT'S COLORED BUILDING ELEVATIONS



COPY

RESOLUTION R2013-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE FUTURE LAND USE PLAN MAP OF THE GENERAL PLAN OF SOUTH JORDAN CITY.

WHEREAS, the Future Land Use Plan Map of the General Plan has previously been adopted by the City Council of South Jordan City; and

WHEREAS, an amendment to the Future Land Use Plan Map has been proposed as described in Exhibit A - Future Land Use; and

WHEREAS, in accordance with law, public hearings have been held by the Planning Commission and City Council in South Jordan City to present the proposed amendment to the Future Land Use Plan Map of the General Plan and to receive comments from the public, which comments were considered by the Planning Commission and City Council; and

WHEREAS, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed land use amendment will or may have on existing adjacent development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed land use amendment is in harmony with density, permitted uses, and other components of existing adjacent development project entitlements; and

WHEREAS, it has been determined that to promote the orderly growth of South Jordan City, to preserve property values, and to promote the public health, safety and general welfare of the residents of South Jordan City, the Future Land Use Plan Map of the General Plan should be amended to designate as Low Density Residential (LD) and Commercial (COM) property, generally located at the southwest corner of Bangerter Highway and 11400 South.

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

Section 1. Amendment and Adoption. The South Jordan City Council hereby adopts the proposed amendment to the Future Land Use Plan Map of the General Plan to adjust the boundary to Low Density Residential (LD) and Commercial (COM) as described in Exhibit A – Future Land Use, attached.

Section 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This resolution will be effective immediately upon passage.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, STATE OF UTAH, ON THIS 15th DAY OF October, 2013, BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler			X	
Larry Short	X			
Chuck Newton	X			
Brian C. Butters	X			
Steve Barnes	X			

Mayor: Scott L. Osborne

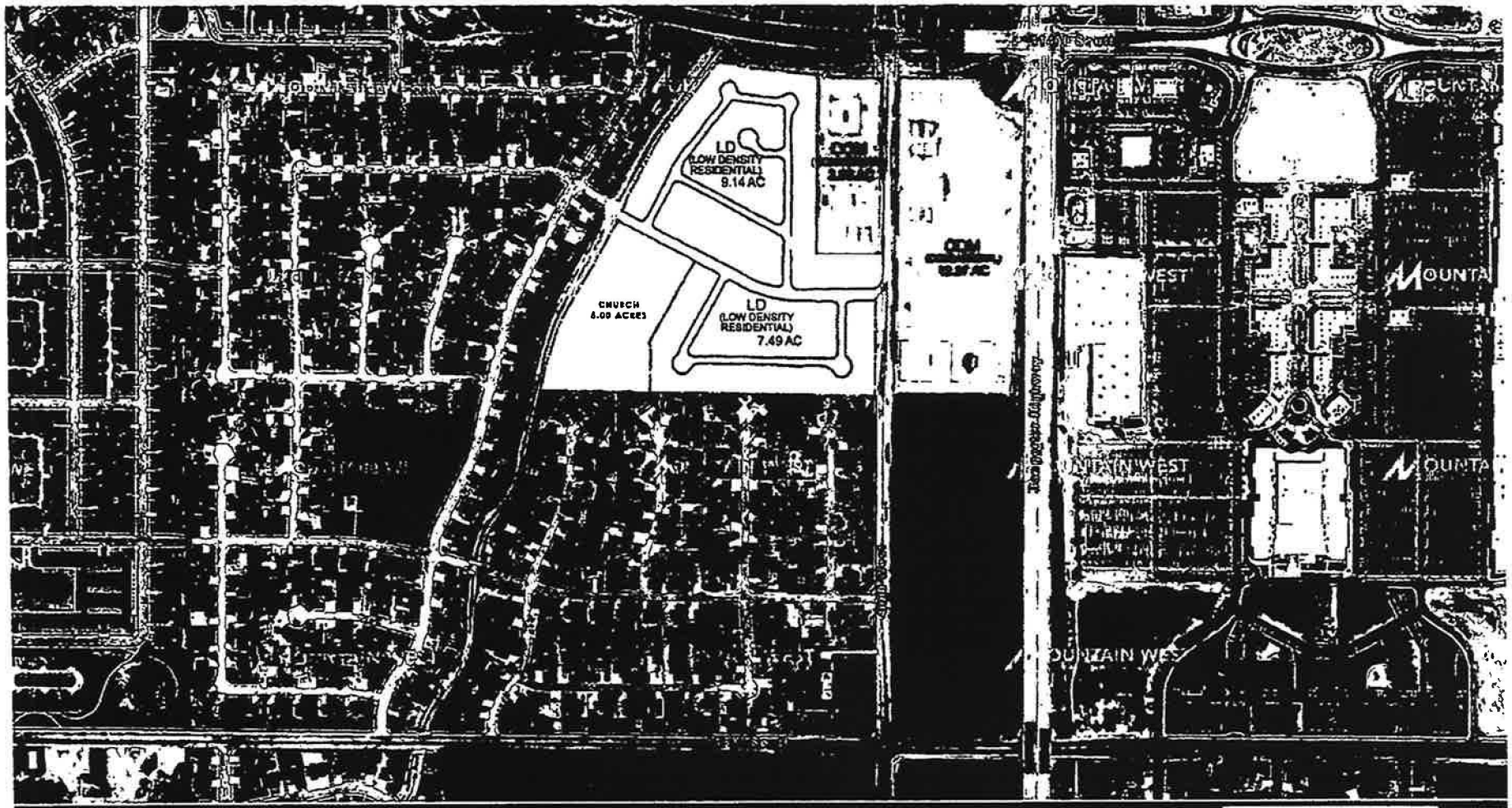
ATTEST: Anna M. West
City Recorder

City of South Jordan
CORPORATE
Seal
State of Utah

SOUTH JORDAN PROPOSED DEVELOPMENT

"SOUTH JORDAN, UTAH"

EXHIBIT "A" - FUTURE LAND USE



OUNTAIN WEST

X TEAM

COPY

ORDINANCE NO. 2013-17-Z

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF SOUTH JORDAN; AMENDING THE ZONING MAP TO CHANGE THE ZONING FROM A-5 TO R-2.5, R-3 AND TO C-C, ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF BANGERTER HIGHWAY AND 11400 SOUTH, STEVEN USDAN AND GORDON KEIG (APPLICANT).

WHEREAS, the City Council has adopted a Zoning Map for the City; and

WHEREAS, the South Jordan Planning Commission has reviewed and made recommendations concerning this rezoning; and

WHEREAS, the City Council has held a public hearing concerning the proposed Zoning Map amendment; and

WHEREAS, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed rezoning will or may have on existing adjacent development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed rezoning is in harmony with density, permitted uses, and other components of existing adjacent development project entitlements; and

WHEREAS, the City Council has found and determined that the proposed amendment to the Zoning Map will help to implement the General Plan of the City; and

WHEREAS, the City Council has determined that said amendment will stabilize or improve property values and enhance the public health, safety and welfare.

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

SECTION 1. That Ordinance No. 7-1-1 entitled, Zoning Ordinance of South Jordan, Utah, as the ordinances of the City of South Jordan, is amended as follows:

The property described in Application REZ-2013.20 filed by Steven Usdan and Gordon Keig, located in the City of South Jordan, is hereby reclassified and adjusted from A-5 to R-2.5, R-3 and C-C on said property being described as follows and attached as "Exhibit 'B'- Zoning":

A-5 to R-3

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 784.50 FEET AND SOUTH 89°55'21" WEST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE SALT LAKE COUNTY MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 19; AND RUNNING THENCE SOUTH 0°04'18" EAST, ALONG THE WEST LINE OF SAID 4000 WEST STREET, A DISTANCE OF 81.93 FEET, TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 24.00 FEET, THROUGH A CENTRAL ANGLE OF 89° 59' 46", A DISTANCE OF 37.70 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 44°55'21" WEST, A DISTANCE OF 33.94 FEET, TO THE NORTH LINE OF FOXVIEW DRIVE; THENCE ALONG THE NORTH LINE OF FOXVIEW DRIVE THE FOLLOWING NINE (9) COURSES: (1) SOUTH 89°55'21" WEST, A DISTANCE OF 225.85 FEET; (2) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 714.50 FEET THROUGH A CENTRAL ANGLE OF 28° 10' 41", A DISTANCE OF 351.39 FEET, THE LONG CHORD OF WHICH BEARS NORTH 75°59'18" WEST, A DISTANCE OF 347.86 FEET; (3) NORTH 61°53'57" WEST, A DISTANCE OF 163.91 FEET; (4) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 350.50 FEET THROUGH A CENTRAL ANGLE OF 03° 48' 52", A DISTANCE OF 23.33 FEET, THE LONG CHORD OF WHICH BEARS NORTH 63°48'22 WEST, A DISTANCE OF 23.33 FEET; (5) NORTH 65°42'48 WEST, A DISTANCE OF 121.52 FEET; (6) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 289.00 FEET THROUGH A CENTRAL ANGLE OF 03° 48' 47", A DISTANCE OF 19.23 FEET, THE LONG CHORD OF WHICH BEARS NORTH 63°48'22 WEST, A DISTANCE OF 19.23 FEET; (7) NORTH 61°53'57 WEST, A DISTANCE OF 31.37 FEET; (8) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 724.00 FEET, THROUGH A CENTRAL ANGLE OF 03° 38' 59", A DISTANCE OF 46.12 FEET, THE LONG CHORD OF WHICH BEARS NORTH 60°04'28" WEST, A DISTANCE OF 46.11 FEET; (9)NORTH 58°14'59" WEST, A DISTANCE OF 5.85 FEET, TO THE EAST LINE OF THE JACOB WELBY CANAL; THENCE ALONG SAID EAST LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 27°58'15 EAST, A DISTANCE OF 171.11 FEET; (2)NORTH 31°58'52 EAST, A DISTANCE OF 121.94 FEET; (3) NORTH 36°17'09" EAST, A DISTANCE OF 352.21 FEET, TO THE SOUTHERLY LINE OF 11400 SOUTH STREET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3733.00 FEET, THENCE CENTER OF WHICH BEARS NORTH 9°31'22" EAST, THROUGH A CENTRAL ANGLE OF 05° 33' 50, A DISTANCE OF 362.50 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 83°15'33" EAST, A DISTANCE OF 362.35 FEET; THENCE SOUTH 00°04'39" EAST, PARALLEL WITH THE AFORESAID SECTION LINE, A DISTANCE OF 661.05 FEET; THENCE NORTH 89°55'21" EAST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 239.35 FEET TO THE POINT OF BEGINNING.

CONTAINS: 431,493 SQUARE FEET, OR 9.906 ACRES.

A-5 to C-C

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 132.64 FEET AND SOUTH 89°55'21" WEST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE EAST QUARTER CORNER OF SAID SECTION 19; AND RUNNING THENCE SOUTH 0°04'39" EAST, ALONG SAID WEST LINE OF 4000 WEST STREET, A DISTANCE OF 651.86 FEET; THENCE SOUTH 89°55'21"WEST, A DISTANCE OF 239.35 FEET; THENCE NORTH

0°04'39" WEST, PARALLEL WITH AFORESAID SECTION LINE, A DISTANCE OF 661.05 FEET, TO THE SOUTH LINE OF 11400 SOUTH STREET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3733.00 FEET, THE CENTER OF WHICH BEARS NORTH 3°57'33" EAST, THROUGH A CENTRAL ANGLE OF 03° 40' 37", A DISTANCE OF 239.57 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 87°52'46 EAST A DISTANCE OF 239.53 FEET, TO THE POINT OF BEGINNING.

CONTAINS: 156,815 SQUARE FEET, OR 3.600 ACRE

A-5 to C-C

A PARCEL OF LAND SITUATE IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 132.83 FEET, AND NORTH 89°55'21" EAST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE WEST QUARTER CORNER OF SAID SECTION 20; THENCE SOUTH 89°49'18" EAST, ALONG THE SOUTH LINE OF 11400 SOUTH STREET, A DISTANCE OF 286.45 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 200.00 FEET, THE CENTER OF WHICH BEARS NORTH 66°35'59" EAST, THROUGH A CENTRAL ANGLE OF 66°25'20", A DISTANCE OF 231.86 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 56°36'41" EAST, A DISTANCE OF 219.09 FEET, TO THE WEST LINE OF BANGERTER HIGHWAY; THENCE SOUTH 0°01'18" WEST, ALONG SAID WEST LINE, A DISTANCE OF 874.24 FEET; THENCE SOUTH 2°05'14" WEST, A DISTANCE OF 190.96 FEET; THENCE SOUTH 89°55'21" WEST, PERPENDICULAR TO AFORESAID SECTION LINE, A DISTANCE OF 460.49 FEET, TO THE EAST LINE OF AFORESAID 4000 WEST STREET; THENCE NORTH 0°04'39" WEST, ALONG SAID EAST LINE, A DISTANCE OF 1187.16 TO THE POINT OF BEGINNING.

CONTAINS: 539,081 SQUARE FEET, OR 12.376 ACRES

A-5 to R-2.5

A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SOUTH JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 4000 WEST STREET, SAID POINT BEING SOUTH 0°04'39" EAST, ALONG THE SECTION LINE, A DISTANCE OF 985.43 FEET, AND SOUTH 89°55'21" WEST, PERPENDICULAR TO SAID SECTION LINE, A DISTANCE OF 42.50 FEET, FROM THE SALT LAKE COUNTY MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 19; AND RUNNING THENCE SOUTH 0°04'39" EAST, ALONG SAID WEST LINE OF SAID 400 WEST STREET, A DISTANCE OF 340.52 FEET, TO THE SOUTH LINE OF LOT 2 FOXVIEW DRIVE CHURCH SUBDIVISION; THENCE NORTH 89°51'00" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 855.60 FEET, TO THE WEST LINE THEREOF; THENCE NORTH 0°09'00" EAST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 189.82 FEET; THENCE NORTH 28°06'03" EAST, A DISTANCE OF 343.59 FEET, TO THE

SOUTHERLY LINE OF FOXVIEW DRIVE; THENCE SOUTH 61°53'57" EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 81.46 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 785.50 FEET, THROUGH A CENTRAL ANGLE OF 28° 10' 42", A DISTANCE OF 386.31 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 75°59'18"EAST, A DISTANCE OF 382.43 FEET; THENCE NORTH 89°55'21" EAST, A DISTANCE OF 225.86 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 24.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 37.70 FEET; THE LONG CHORD OF WHICH BEARS SOUTH 45°04-39" EAST, A DISTANCE OF 33.94 TO THE POINT OF BEGINNING.

CONTAINS: 326,168 SQUARE FEET, OR 7.488 ACRES.

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

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, ON THIS 15th DAY OF October, 2013 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Steve Barnes	X			
Larry Short	X			
Chuck Newton	X			
Brian C. Butters	X			
Mark Seethaler			X	

Mayor: Scott L. Osborne

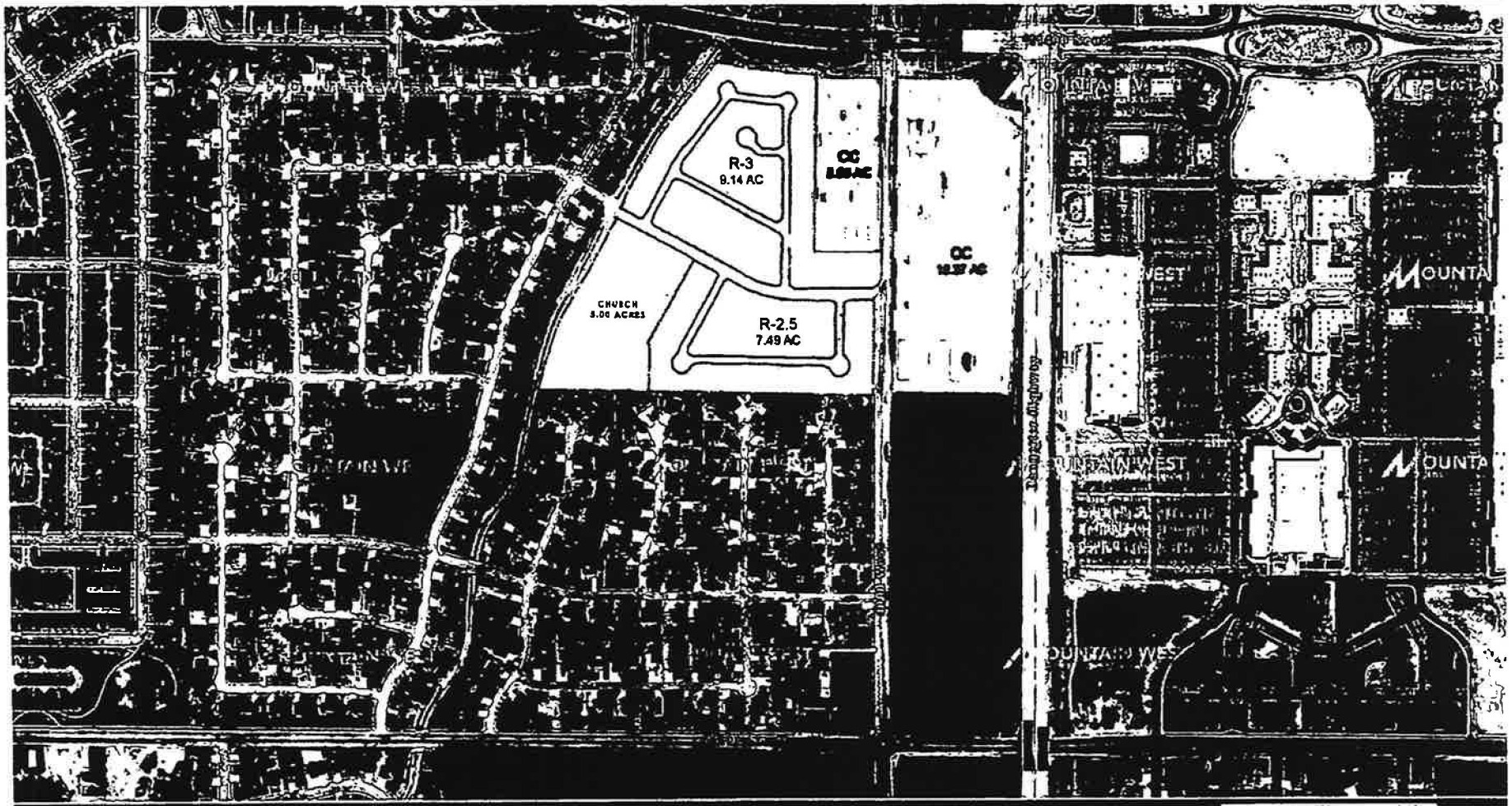
ATTEST: City Recorder

Legal Review: City Attorney, Assistant City Attorney

City of South Jordan CORPORATE Seal State of Utah

SOUTH JORDAN PROPOSED DEVELOPMENT EXHIBIT "B" - ZONING

SOUTH JORDAN, UTAH



OUNTAIN WEST