

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD MARCH 18, 2025, IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Jay Thomas, Tom Hollingsworth, John Roberts, Trish Hatch, Ammon Allen, and Emily Gonzalez, and Jimmy Anderson.

STAFF: Scott Langford, Larry Gardner, Ray McCandless, Duncan Murray, Julie Davis, Paul Brockbank

The briefing meeting was called to order by Jay Thomas with a quorum present. The agenda was reviewed and clarifying questions were answered. Training in Due Process was provided by Duncan Murray.

The regular meeting was called to order at 6:00 p.m. with a quorum present.

Pledge of Allegiance

1. Approve Minutes of March 4, 2025

MOTION: Emily Gonzalez moved to approve the minutes of March 4, 2025. The motion was seconded by John Roberts and passed 7-0 in favor.

2. Terraine Plat 7; 7400 South and SR-111; Preliminary Subdivision Plat (101 residential lots, 1 Transferred Development Open Space (TDOS) lot, and 6 Park lots on 19.339 acres) and Sub-Area Development Plan; PCH/MDA Zone; Third Cadence/Gary Langston (applicant) [#34320, 34321; parcel 20-27-100-009; 20-28-200-011]

Gary Langston, with Third Cadence and developer on behalf of Terraine, said that this plat includes larger single-family lots and some townhome lots. The overall project now has a full offering of lot types. In reviewing the proposal, he felt that it is compliant with the obligations of the MDA and PCH zone and that this plat is a logical extension of existing and future infrastructure. He stated that they opened the community at the end of January and eight homes have been sold so far, some being over \$1 million. Responding to a question about alleyways, Mr. Langston stated that all roads in the development are public streets. The lanes are owned by the City of West Jordan but maintained by the HOA. Alleyways are restricted from parking or blocking in any way to maintain access for emergency services, garbage, etc. Driveways are designed to be either long enough to park cars perpendicular to the door or not at all.

Ray McCandless explained that the applications before them tonight are for preliminary subdivision approval and approval for the subarea plan for Terraine Plat 7. The proposal meets the criteria under the master development agreement and master development plan.

Based on the analysis and findings contained in the staff report, staff recommended that the Planning Commission approve the Preliminary Major Subdivision Plat for Terraine Plat 7 Subdivision and

Preliminary Sub Area Plan located on approximately 19.339 acres at 7400 South and SR-111, with the conditions and requirements of approval listed.

Conditions and Requirements of Approval:

1. All redline review comments from city staff are corrected.
2. The preliminary subdivision shall remain valid for one year following the date of approval (14-3-8).
3. Final approval for Terraine Phase 7 Subdivision will not be granted until all city utility plans are approved by the Engineering Division, and Public Works Department.
4. The subdivision and subarea plan shall comply with all relevant standards of the Master Development Agreement.
5. The proposed subdivision plat shall meet all applicable Zoning Ordinance requirements including City Code, Section 13.5L.7. specifically relating to building area, width, frontage and setback requirements.
6. The preliminary and final subdivision plat must meet all zoning or subdivision standards and requirements of the Engineering, Fire and Utilities Departments.

Jay Thomas opened the public hearing.

Further public comment was closed at this point for this item.

MOTION: Trish Hatch moved to approve the Preliminary Major Subdivision Plat and Preliminary Sub Area Plan for Terraine Plat 7 Subdivision located on approximately 19.339 acres at 7400 South and SR-111, with the conditions and requirements of approval listed in the staff report. The motion was seconded by Tom Hollingsworth and passed 7-0 in favor.

3. **Text Amendment – Conditional Use Permits; Amend the West Jordan Code Section 13-7E-10 Status of Conditional Use Permit, adding automatic revocation language for non-use of conditional use permit; City-wide applicability; City of West Jordan (applicant) [#34450]**

Larry Gardner said the city code states that conditional use permits run with the land, which will still be the case if the property is in compliance with the conditions imposed at the time of approval. However, currently the only way a conditional use permit can be terminated is to revoke it through the Administrative Law Judge. Some of the conditional use permits are very old and have not been used for a long time. If the conditional use becomes abandoned, the conditions that applied before may not be what is needed for mitigation years later. Rather than the requirement to go through a revocation process through the ALJ for permits that are not being used, this amendment would create an automatic termination provision. This provision is legally okay if there is criteria. He reviewed the criteria. This provision does not apply to applicants who are living up to the approved conditions.

Based on the analysis and findings contained in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council for this application.

Jimmy Anderson gave three suggested changes that he had also mentioned in the pre-meeting:
13-7E-10A: “A conditional use permit shall automatically terminate without notice if the applicant fails to do any one of the following within 24 months of planning commission approval.”
13-7E10B: “ ... shall automatically terminate upon 60 days’ notice to the property owner.”

John Roberts asked if there should be a provision for a longer period than 12 months should non-use be caused by a catastrophic event such as a fire, etc.

Duncan Murray said they could add a clause that addresses if the non-use is something outside of the applicant’s control.

There was also a discussion regarding changing ‘shall’ automatically terminate to ‘may’, or to remove the word automatically if notice is given. The original intent for the word ‘shall’ is so that another document or method to effectuate the termination, such as a notice of recording against the property would not be required. Commissioner Anderson suggested ‘terminates without further filing’ or ‘without further action’ by the City upon 60 days’ notice to the applicant’.

It was noted that there is an appeal process in the code within 15 days through the Administrative Law Judge.

Jay Thomas opened the public hearing.

Further public comment was closed at this point for this item.

MOTION: Jimmy Anderson moved to table the application to amend the West Jordan Code Section 13-7E-10 to the April 15, 2025, meeting with the revised language. The motion was seconded by Trish Hatch and passed 7-0 in favor.

MOTION: Emily Gonzalez moved to adjourn.

The meeting was adjourned at 6:21 p.m.

JAY THOMAS
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development Department

Approved this _____ day of _____, 2025