

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 21-07

AN ORDINANCE APPROVING AN AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT (FOR COPPER RIM), WITH THE ATTACHED PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE TOWN CENTER AT COPPER RIM FOR 35.66 ACRES OF PROPERTY, PART OF THE COPPER RIM DEVELOPMENT, LOCATED AT APPROXIMATELY 7800 SOUTH AND 5900 WEST/COPPER RIM DRIVE, ON THE EAST SIDE OF MOUNTAIN VIEW CORRIDOR AND NORTH OF 7800 SOUTH

WHEREAS, the City of West Jordan (“City”) adopted the West Jordan City Code (“City Code”) in 2009, which provides for master planned developments; and

WHEREAS, an application was made by CW Land Co., LLC for approval of a Preliminary Master Development Plan (“PDP”) and an Amendment to the Copper Rim Master Development Agreement (“AMDA”) to allow for certain amendments to 35.66 acres of property, part of the Copper Rim Development, located at approximately 7800 South and 5900 West/Copper Rim Drive, on the east side of Mountain View Corridor and north of 7800 South (“Town Center at Copper Rim Development” or “Property”); and

WHEREAS, on January 19, 2021, the PDP for the Town Center at Copper Rim Development was reviewed by the Planning Commission, which held a public hearing and which has forwarded a positive recommendation to the City Council for its approval of said PDP, which will allow for the Town Center at Copper Rim Development; and

WHEREAS, public hearings, pursuant to public notice, were held before the City Council on February 24, 2021 and July 28, 2021 regarding the PDP and AMDA for the Town Center at Copper Rim Development; and

WHEREAS, House Bill 1003 (2021 Utah Legislature, 1st Special Session), as codified at Utah Code Ann. Section 10-9a-534(3)(d and h), allows for a land use regulation, including “Building Design Elements”, as defined therein, to apply to property in exchange for an increase in density, as approved in a development agreement; and

WHEREAS, the Applicant has agreed to and has executed the AMDA, with the attached PDP, that will govern the development of the Property, should the City Council, in its sole legislative discretion, choose to adopt the General Plan Land Use Map Amendment and Rezone; and

WHEREAS, the City Council has reviewed and desires to approve the AMDA, with the attached PDP, subject to the adoption of the General Plan Land Use Map Amendment and Rezone; and

WHEREAS, the City Council has found it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the AMDA, with the attached PDP, subject to the adoption of the General Plan Land Use Map Amendment and Rezone.

WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and welfare to adopt the AMDA and PDP for the Town Center at Copper Rim Development; and

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

Section 1. Approval and Applicability. The AMDA and the attached PDP for the Town Center at Copper Rim Development, as shown and attached in Attachment 1 to this Ordinance, are hereby approved, subject to the City Council, in its sole legislative discretion, choosing to adopt the General Plan Land Use Map Amendment and Rezone. The AMDA and the attached PDP for the Town Center at Copper Rim Development are not effective unless and until the City Council, in its sole legislative discretion, chooses to adopt the General Plan Land Use Map Amendment and Rezone. If the City Council, in its sole legislative discretion, chooses to adopt the General Plan Land Use Map Amendment and Rezone, the Mayor is authorized to sign the AMDA.


Section 2. Applicability of Building Design Elements. In accordance with Utah Code Ann. Section 10-9a-534(3)(d and h), and at the request of the Property Owner and Applicant, and in consideration for the increase in density allowed by the Rezone, all applicable Building Design Elements of the City shall apply to the Property and to the dwellings, structures, and buildings constructed thereon, as set forth in the AMDA.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and either (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to him.


PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 28TH DAY OF JULY 2021.

CITY OF WEST JORDAN

By: 

Zach Jacob
Council Chair

ATTEST:




Cindy M. Quick, MMC
Council Office Clerk

VOTING BY THE CITY COUNCIL



	"YES"	"NO"
Council Chair Zach Jacob	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Council Vice Chair Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Chad R. Lamb	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Christopher McConnehey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member David Pack	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kayleen Whitelock	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Melissa Worthen	~ Absent ~	

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON 8/4/21

Mayor's Action: Approve Veto



By:  8/4/21
Mayor Dirk Burton Date

ATTEST:

 
Tangee Sloan
City Recorder



STATEMENT OF APPROVAL OR PASSAGE (check one)

- The Mayor approved and signed Ordinance No. 21-07.
- The Mayor vetoed Ordinance No. 21-07 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.
- Ordinance No. 21-07 became effective by operation of law without the Mayor's approval or disapproval.

 
Tangee Sloan
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the 6th day of August, 2021. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

 
Tangee Sloan
City Recorder

Attachment 1

AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT (FOR COPPER RIM), WITH THE ATTACHED PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE TOWN CENTER AT COPPER RIM

[Attachment to ORDINANCE NO. 21-07

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EXHIBIT 2

MASTER DEVELOPMENT PLAN

(Provided as Attachment 2)











Ordinance No. 21-07 Town Center at Copper Rim MDP and MDA


Final Audit Report

2021-08-05


Created:	2021-07-29
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
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 Agreement completed.

2021-08-05 - 6:54:54 PM GMT