

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 21-08

AN ORDINANCE 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;

AMENDING THE GENERAL PLAN LAND USE MAP FOR SAID 35.66 ACRES OF PROPERTY FROM COMMUNITY COMMERCIAL AND MEDIUM DENSITY RESIDENTIAL TO MIXED USE; AND

REZONING SAID 35.66 ACRES OF PROPERTY FROM P-C (PLANNED COMMUNITY) ZONE TO P-C (IOZ) (PLANNED COMMUNITY – INTERCHANGE OVERLAY ZONE) ZONE

WHEREAS, the City of West Jordan (“City”) adopted the Comprehensive General Plan (“General Plan”) in 2012, which provides for a general plan land use map (“General Plan Land Use Map”), which is periodically updated; and the City adopted the West Jordan City Code (“City Code”) in 2009, which provides for a zoning map (“Zoning Map”), which is periodically updated; and

WHEREAS, an application was made by CW Land Co., LLC (“Applicant”) for 35.66 acres of property (“Town Center at Copper Rim Development”), 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 (“Application” and “Property”) for a General Plan Land Use Map Amendment on said 35.66 acres from Community Commercial and Medium Density Residential to Mixed Use; and Rezone on said 35.66 acres from P-C (Planned Community) Zone to P-C (IOZ) (Planned Community – Interchange Overlay Zone) Zone (collectively the “General Plan Land Use Map Amendment and Rezone”); and

WHEREAS, on January 19, 2021 the Application was considered by the West Jordan Planning Commission (“Planning Commission”), which held a public hearing and which has made a positive recommendation to the West Jordan City Council (“City Council”) concerning the General Plan Land Use Map Amendment and Rezone; and

WHEREAS, public hearings, pursuant to public notice, were held before the City Council on February 24, 2021 and July 28, 2021 concerning the General Plan Land Use Map Amendment and Rezone; and

WHEREAS, consistent with City Code Section 13-7C-6, the City Council has determined the following concerning the General Plan Land Use Map Amendment:

1. The proposed amendment conforms to and is consistent with the adopted goals, objectives and policies set forth in the City General Plan;
2. The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment;
3. The proposed amendment will be compatible with other land uses, existing or planned, in

- the vicinity;
4. The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity;
 5. The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change; and
 6. The proposed amendment is consistent with other adopted plans, codes and ordinances; and

WHEREAS, consistent with City Code Section 13-7D-7A, the City Council has determined the following concerning the Rezone:

1. The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted General Plan and land use map;
2. The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties;
3. The proposed amendment furthers the public health, safety and general welfare of the citizens of the City;
4. The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways; and
5. The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and

WHEREAS, House Bill 1003 (2021 Utah Legislature, 1st Special Session), as codified at Utah Code Ann. Section 10-9a-534(3)(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; and

WHEREAS, the Applicant has agreed to and has executed an Amendment to the Copper Rim Master Development Agreement (“AMDA”), with the attached Preliminary Master Development Plan (“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 approved the AMDA and 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 following General Plan Land Use Map Amendment and Rezone.

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

Section 1. Amendment to General Plan Land Use Map. The General Plan Land Use Map of the City of West Jordan, Utah, is hereby amended by changing the general plan land use designation on said 35.66 acres of the Town Center at Copper Rim Development from Community Commercial and Medium Density Residential to Mixed Use; as per the legal description in the Town Center at Copper Rim

Development Preliminary Master Development Plan, which is attached to the Amendment to Master Development Agreement.

Section 2. Amendment to Zoning Map. The Zoning Map of the City of West Jordan, Utah, is hereby amended by changing the zoning on said 35.66 acres of the Town Center at Copper Rim Development from P-C (Planned Community) Zone to P-C (IOZ) (Planned Community – Interchange Overlay Zone) Zone; as per the legal description in the Town Center at Copper Rim Development Preliminary Master Development Plan, which is attached to the Amendment to Master Development Agreement, with the described property being hereafter subjected to the P-C (IOZ) (Planned Community – Interchange Overlay Zone) Zone land use restrictions, limitations, and other requirements, as are stipulated for this zone.


Section 3. Applicability of Building Design Elements. In accordance with Utah Code Ann. Section 10-9a-534(3)(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.

Section 4. 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 5. 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 checked="" type="checkbox"/>	<input 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 ~	~

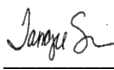

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON 8/4/21

Mayor's Action: Approve Veto

By: 
Mayor Dirk Burton

8/4/21
Date

ATTEST:



 
Tangee Sloan
City Recorder

STATEMENT OF APPROVAL OF PASSAGE (check one)

The Mayor approved and signed Ordinance No. 21-08.

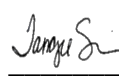

The Mayor vetoed Ordinance No. 21-08 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

Ordinance No. 21-08 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











Ordinance No. 21-08 Town Center at Copper Rim Rezone and FLUM Amd


Final Audit Report

2021-08-05


Created:	2021-07-29
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAutK6wWfwBLdSX6cA7CcKVwE3TYhM9trL

"Ordinance No. 21-08 Town Center at Copper Rim Rezone and FLUM Amd" History


-  Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)
2021-07-29 - 9:34:38 PM GMT- IP address: 98.202.140.103
-  Document emailed to Zach Jacob (zach.jacob@westjordan.utah.gov) for signature
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-  Document e-signed by Zach Jacob (zach.jacob@westjordan.utah.gov)
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Signature Date: 2021-08-05 - 6:55:28 PM GMT - Time Source: server- IP address: 207.225.200.66

 Agreement completed.

2021-08-05 - 6:55:28 PM GMT