

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 21-32

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(BUILDING DESIGN ELEMENTS, SECTIONS 13-5B-3 AND 13-5B-6)**

WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in 2009; and

WHEREAS, titles 5, 8, 9, 10, 11, 12, 13, 14, and 15 of the City Code have been adopted as “Land Use Regulations”, as defined by Utah Code Ann. Subsection 10-9a-103(32) or successor provisions; and

WHEREAS, the City desires to adopt, amend, and/or repeal certain sections of the City Code, which have been and/or which are being adopted as Land Use Regulations (“proposed City Code amendments”); and

WHEREAS, the Planning Commission of the City (“Planning Commission”) held a public hearing(s) on July 6, 2021 regarding the proposed City Code amendments and forwarded a positive recommendation to the City Council of the City (“City Council”) regarding the proposed code amendments; and

WHEREAS, after reviewing the Planning Commission’s recommendation, and after the City Council held its own public hearings on August 11, 2021 and November 16, 2021 regarding the proposed City Code amendments, the City Council finds it to be in the best interest of the public health, safety, and welfare to adopt the following amendments to the City Code.

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

Section 1. Amendment. City Code Sections 13-5B-3 and 13-5B-6, which are Land Use Regulation sections, are hereby amended, so that they shall now read as shown on Attachment 1 to this Ordinance.

Section 2. 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 3. 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.

(Continued on the following pages)

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH,
THIS 16TH DAY OF NOVEMBER, 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 Chris 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON NOVEMBER 17, 2021.

Mayor's Action: _____ Approve _____ Veto

By: _____
Mayor Dirk Burton Date _____

ATTEST:

Tangee Sloan
City Recorder

STATEMENT OF APPROVAL OF PASSAGE (check one)

_____ The Mayor approved and signed Ordinance No. 21-32.

_____ The Mayor vetoed Ordinance No. 21-32 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

_____ Ordinance No. 21-32 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 _____ day of _____, 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 on the following page)

Attachment 1

[Attachment to ORDINANCE NO. 21-32 AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE (BUILDING DESIGN ELEMENTS, SECTIONS 13-5B-3 AND 13-5B-6)]

Legislative Version:

13-5B-3: LOT AND BULK STANDARDS:

A. Lot Size, Setbacks and Building Height Standards: Creation of lots and location of buildings on such lots shall be subject to the following standards:

Zone	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Corner Side Yard	Minimum Interior Side Yard	Minimum Rear Yard	Rear Yard Corner Lot	Maximum Building Height	Maximum Building Coverage	Separation Between Buildings On Same Lot
R-1-5	5,000 sq. ft.	55'	25' (20' on cul-de-sacs)	20'	5' on 1 side and 8' on the other	20'	15'	30'	45%	6'
R-1-6	6,000 sq. ft.	60'	25' (20' on cul-de-sacs)	20'	8'	20'	15'	30'	40%	6'
R-1-8	8,000 sq. ft.	75'	30' (20' on cul-de-sacs)	20'	8'	25'	20'	30'	40%	6'
R-1-9	9,000 sq. ft.	80'	30' (20' on cul-de-sacs)	20'	8'	25'	20'	30'	40%	6'
R-1-10	10,000 sq. ft.	85'	30' (20' on cul-de-sacs)	20'	8'	25'	20'	30'	40%	6'
R-1-12	12,000 sq. ft.	90'	30' (20' on cul-de-sacs)	20'	8'	25'	20'	30'	35%	6'
R-1-14	14,000 sq. ft.	95'	30' (20' on cul-de-sacs)	20'	8'	25'	20'	30'	35%	6'
R-2	Duplex: 8,000 sq. ft. Twin home: 4,000 sq. ft.	80'	30' (20' on cul-de-sacs)	20'	8'	25'	20'	30'	40%	6'
R-3	Single-family home: 4,000 sq. ft.	50'	25' (20' on cul-de-sacs)	20'	5' on one side and 8' on the other	20'	15'	30'	50%	6'
	Duplex: 8,000 sq. ft.	80'	25' (20' on cul-de-sacs)	20'	8'	20'	15'	30'	40%	6'
	Twin home: 4,000 sq. ft.	40'	25' (20' on cul-de-sacs)	20'	8'	20'	15'	30'	40%	6'
	Multi-family or townhome development site: 1 acre	70' Not applicable for townhome	30' Exception: 18' minimum front setback	20'	One-story multi-family or townhome: 15'	One-story multi-family: 15' 2 or more stories multi-family: 30'	Multi-family: 30' Townhome: 20'	30'	n/a	One-story multi-family or townhome: 8'

		development	from back of sidewalk for townhomes fronting on private streets		2 or more stories multi-family or townhome: 30'					Two-story multi-family or townhome: 12' Multi-family or townhome over 2 stories: 18'
R-R-20, R-E-20	20,000 sq. ft.	100'	30' (20' on cul-de-sacs)	20'	8'	25'	20'	30'	35%	6'
R-R-30, R-E-30	30,000 sq. ft.	120'	30' (20' on cul-de-sacs)	20'	8'	25'	20'	30'	35%	6'
R-R-40, R-E-40	40,000 sq. ft.	150'	30' (20' on cul-de-sacs)	20'	8'	25'	20'	30'	35%	6'
R-M	Single-family: 6,000 sq. ft. Mobile home park: 10 acres	80' ¹	20' ¹	20' ¹	6' ¹	Single-family ¹ : 25' One-story multi-family: 15' 2 or more stories multi-family: 30'	20' ¹	30' ¹	n/a	6'

Note:

1. The replacement of existing nonconforming single-family mobile home structures is permitted; wherein the replacement structure may be situated in the same location on the parcel or lot as the previous structure, so long as ADA requirements are met.

B. Lot Area for Corner Lots: The minimum lot area for corner lots in residential zones shall be one thousand (1,000) square feet greater than the minimum required for each subzone.

C. Lot Frontage:

1. Except as specified in subsection C2 of this section, each lot in a residential zone shall have not less than fifty feet (50') of frontage on a public street, not including townhomes in the R-3 zone.
2. Notwithstanding the minimum lot frontage required above, irregular shaped lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of thirty five feet (35') of lot frontage at the right of way line of a public street. Lots with the allowed reduction in lot frontage shall meet the minimum lot width required by this section at the minimum setback line per this section. The lot width and setback shall be recorded on the subdivision plat.

D. Minimum Living Space **for R-1, RR and RE zones:**

1. The minimum living space of any **new** single-family dwelling constructed **after November 22, 2014** within a subdivision or on a parcel that received: (a) final approval from the city after May 5, 2021; and (b) is located within a zone that resulted in an increase in density from the previous zone or is subject to provisions outlined in a development agreement; shall be as indicated by the alphabetical subzone, as shown in this subsection, used in conjunction with the zoning designation (e.g., R-1-10E):

Subzone	Dwelling Type	Minimum Living Space (In Sq. Ft.)	Zone To Which The Subzone Typically Applies ¹
A	1 level dwelling (rambler or split entry)	2,000	R-1-5, RR, RE
	Split level dwelling	1,500	
	Multi-story dwelling (2 or more)	1,800	
B	1 level dwelling (rambler or split entry)	2,200	R-1-6, RR, RE
	Split level dwelling	1,800	

	Multi-story dwelling (2 or more)	2,100	
C	1 level dwelling (rambler or split entry)	2,400	R-1-8, <u>RR, RE</u>
	Split level dwelling	2,100	
	Multi-story dwelling (2 or more)	2,400	
D	1 level dwelling (rambler or split entry)	2,600	R-1-9, <u>RR, RE</u>
	Split level dwelling	2,200	
	Multi-story dwelling (2 or more)	2,700	
E	1 level dwelling (rambler or split entry)	3,000	R-1-10, <u>RR, RE</u>
	Split level dwelling	2,400	
	Multi-story dwelling (2 or more)	3,000	
F	1 level dwelling (rambler or split entry)	3,400	R-1-12, <u>RR, RE</u>
	Split level dwelling	2,800	
	Multi-story dwelling (2 or more)	3,300	
G	1 level dwelling (rambler or split entry)	3,800	R-1-14, <u>RR, RE</u>
	Split level dwelling	3,200	
	Multi-story dwelling (2 or more)	3,800	

Note:

1. Subject to the discretion of the City Council during a process regarding a petition or application for a zoning map amendment.

2. Notwithstanding the applicability of the minimum living space table of this section, under no circumstances shall a new single-family dwelling that has less than one thousand (1,000) square feet of living space be constructed in an R-1, RR or RE zone.

E. Utility Equipment: There are no specific setbacks for utility equipment in residential zones.

13-5B-6: RESIDENTIAL EXTERIOR MATERIALS AND DESIGN:

A. Applicability:

1. This section applies to any new dwelling constructed within a subdivision or on a parcel that received: (a) final approval from the city after May 5, 2021; and (b) is located within a zone that resulted in an increase in density from the previous zone or is subject to provisions outlined in a development agreement.

2. This section does not apply to a dwelling that is constructed within a subdivision or on a parcel that received final approval from the city prior to May 5, 2021 and is not subject to provisions outlined in a development agreement.

AB. Exterior Masonry Required: ~~Brick or stone shall be required on the exterior of all dwellings.~~ As applicable, the minimum area (A) of brick or stone required (measured in square feet) shall be determined by multiplying the outside perimeter (P) of the foundation (measured in feet), including the garage, by two feet (2') ($P \times 2 = A$).

BC. Exception To Masonry Requirement: In order to encourage a variety of architectural design in residential construction, the requirement for exterior masonry may be modified if not less than four (4) of the following architectural features are combined in a design to create an overall architectural style for a residential building:

1. Gabled, gambrel or hipped roof with a pitch of not less than six to twelve (6:12) and heavy architectural shingles or tile.
2. Cornices.
3. 6/6 or 12/12 double hung windows with shutters.
4. Portico, sidelights and fan light.
5. Pediment entry with transom window.
6. Dormers.
7. Towers with conical roof.
8. Scallops or sunbursts.
9. Attached gazebos integrated into the front porch.
10. Front porches not less than six feet (6') in width with an integrated decorative railing.

ED. Approval Of Alternate Exterior Materials: If it is determined that an architectural style has been established using the features described above, City planning staff may either:

1. Approve the use of clapboard, hardiboard or similar siding of not less than six inches (6") in height, with corner boards on one hundred percent (100%) of the exterior of the building (no aluminum or vinyl siding shall be permitted); or
2. Reduce the square footage or percentage of required brick, stone or stucco.

DE. Appeal: A housing design meeting the requirements of this section should have an easily identifiable architectural style, whether that style be Victorian, colonial, bungalow, Cape Cod, Tudor, etc. The planning staff shall determine whether this has been accomplished. If it is determined by staff that a proposed design does not establish an identifiable architectural style, the applicant shall be required to meet the brick requirement in subsection A of this section. If the applicant wishes to appeal the decision of planning staff, the appeal shall first be heard by the Zoning Administrator and, if further appeal is made, then the Board of Adjustment.