

THE CITY OF WEST JORDAN, UTAH  
A Municipal Corporation

**ORDINANCE NO. 21-39**

**AN ORDINANCE FOR PROPERTIES LOCATED AT  
6099 WEST NEW BINGHAM HIGHWAY;**

**AMENDING THE GENERAL PLAN LAND USE MAP FOR 28.22 ACRES FROM  
REGIONAL COMMERCIAL TO LIGHT INDUSTRIAL; AND**

**REZONE FROM SC-3 (REGIONAL SHOPPING CENTER) ZONE TO  
M-1 (LIGHT MANUFACTURING) 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 MOCA, LLC (“Property Owner”) and Farzad Mohebbizadeh and MOCA, LLC (jointly referred to as “Applicant”) for property (“Property”) located at 6099 West New Bingham Highway (“Application”) for, in part, a General Plan Land Use Map amendment (“General Plan Land Use Map Amendment”) on 28.22 acres from Regional Commercial to Light Industrial; and

WHEREAS, the Application also included a request for a Zoning Map amendment or rezone (“Rezone”) for the same area from the SC-3 (Regional Shopping Center) Zone to the M-1 (Light Manufacturing) Zone (collectively the “General Plan Land Use Map Amendment and Rezone”); and

WHEREAS, on October 5, 2021 the Application was considered by the West Jordan Planning Commission (“Planning Commission”), which held a public hearing and which made a positive recommendation to the West Jordan City Council (“City Council”) concerning the General Plan Land Use Map Amendment and Rezone; and

WHEREAS, a public hearing was held before the City Council on October 27, 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, 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 is hereby amended by changing the general plan land use designation on approximately 28.22 acres, located at 6099 West New Bingham Highway, from Regional Commercial to Light Industrial, as per the legal description in “Attachment 1”, which is attached hereto.

**Section 2. Amendment to Zoning Map.** The Zoning Map is hereby amended by changing the zoning on the same approximately 28.22 acres from the SC-3 (Regional Shopping Center) Zone to the M-1 (Light Manufacturing) Zone; as per the legal description in “Attachment 1”, which is attached hereto, with the described property being hereafter subjected to the M-1 (Light Manufacturing) Zone land use restrictions, limitations, and other requirements, as are stipulated for this zone.

**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 upon (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 the Mayor.

*(Continued on next page)*

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 27<sup>TH</sup> DAY OF OCTOBER 2021.

CITY OF WEST JORDAN

By: Zach Jacob  
Zach Jacob  
Council Chair

ATTEST:

Cindy M. Quick  
Cindy M. Quick, MMC  
Council Office Clerk

**Voting by the City Council**

	<b>"YES"</b>	<b>"NO"</b>
Council Vice-Chair Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Chair Zach Jacob	<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	<input checked="" type="checkbox"/>	<input type="checkbox"/>


**PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON NOVEMBER 1, 2021.**

Mayor's Action:   X   Approve             Veto

By: Dirk Burton  
Mayor Dirk Burton

11/01/2021  
Date

ATTEST:



Tangee Sloan   
Tangee Sloan  
City Recorder

**STATEMENT OF APPROVAL OF PASSAGE** (check one)

X The Mayor approved and signed Ordinance No. 21-39.

\_\_\_\_\_ The Mayor vetoed Ordinance No. 21-39 on \_\_\_\_\_ and the City Council timely overrode the veto of the Mayor by a vote of \_\_\_\_\_ to \_\_\_\_\_.



\_\_\_\_\_ Ordinance No. 21-39 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 1st day of November, 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. 21-39**

**AN ORDINANCE FOR PROPERTIES LOCATED AT  
6099 WEST NEW BINGHAM HIGHWAY]**

**[Legal Description]**

BEG N 0d02'03" E 1450 FT FR S 1/4 COR OF SEC 2, T 3S, R 2W, S L M; N 89d48' W 1223.98 FT; N 1d04'23" E 12.07 FT; NW'LY 581.17 FT ALG CURVE TO L; N 31d44' W 79.51 FT M OR L; N 58d21'20" E 261.70 FT; E'LY 1060.76 FT AL;G A 1915 FT RADIUSCURVE TO R (CHORD N 74d13'28" E 1047.25 FT); S 89d54'25" E 193.03 FT; S 0d02'30" W 1139.82 FT M OR L TO BEG. 28.22 AC 5466-2842, 4829-107 THRU 112, 5921-1625, 5712-56, 5670-2364 5998-2553 6083-2733 6223-590 6597-291 9820- 1132 10401-1478











# Ordinance No. 21-39 Approving FLUM Amendment & Rezone for Papa Pita


Final Audit Report

2021-11-01


Created:	2021-11-01
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAelgQ-2NHHquShp3K3Jx_kxulaA_WA1r6

## "Ordinance No. 21-39 Approving FLUM Amendment & Rezone for Papa Pita" History

-  Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)  
2021-11-01 - 5:45:01 PM GMT- IP address: 207.225.200.66
-  Document emailed to Zach Jacob (zach.jacob@westjordan.utah.gov) for signature  
2021-11-01 - 5:50:53 PM GMT
-  Email viewed by Zach Jacob (zach.jacob@westjordan.utah.gov)  
2021-11-01 - 6:03:34 PM GMT- IP address: 172.58.73.124
-  Document e-signed by Zach Jacob (zach.jacob@westjordan.utah.gov)  
Signature Date: 2021-11-01 - 9:58:39 PM GMT - Time Source: server- IP address: 172.58.72.231
-  Document emailed to Cindy Quick (Cindy.quick@westjordan.utah.gov) for signature  
2021-11-01 - 9:58:40 PM GMT
-  Document e-signed by Cindy Quick (Cindy.quick@westjordan.utah.gov)  
E-signature obtained using URL retrieved through the Adobe Sign API  
Signature Date: 2021-11-01 - 10:00:01 PM GMT - Time Source: server- IP address: 207.225.200.66
-  Document emailed to Dirk Burton (dirk.burton@westjordan.utah.gov) for signature  
2021-11-01 - 10:00:03 PM GMT
-  Email viewed by Dirk Burton (dirk.burton@westjordan.utah.gov)  
2021-11-01 - 10:40:12 PM GMT- IP address: 67.172.235.7
-  Document e-signed by Dirk Burton (dirk.burton@westjordan.utah.gov)  
Signature Date: 2021-11-01 - 10:40:45 PM GMT - Time Source: server- IP address: 67.172.235.7
-  Document emailed to Tangee Sloan (tangee.sloan@westjordan.utah.gov) for signature  
2021-11-01 - 10:40:47 PM GMT

 Email viewed by Tangee Sloan (tangee.sloan@westjordan.utah.gov)

2021-11-01 - 10:40:55 PM GMT- IP address: 207.225.200.66

 Document e-signed by Tangee Sloan (tangee.sloan@westjordan.utah.gov)

Signature Date: 2021-11-01 - 10:41:28 PM GMT - Time Source: server- IP address: 207.225.200.66

 Agreement completed.

2021-11-01 - 10:41:28 PM GMT