

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 22-07

**AN ORDINANCE FOR PROPERTIES LOCATED AT APPROX. 1517 WEST 8600 SOUTH;
AND REZONE OF ONE PARCEL FROM THE RR-1A ZONE (RURAL RESIDENTIAL 1-
ACRE LOTS MINIMUM LOTS ZONE) AND THREE LOTS FROM THE R-3-8 (ZC) ZONE
(MULTI-FAMILY RESIDENTIAL ZONE, WITH CONDITIONS OF ZONING) TO THE R-1-
8C ZONE (SINGLE-FAMILY RESIDENTIAL 8000 SQUARE FOOT MINIMUM LOTS ZONE,
WITH MINIMUM C SIZE UNITS)**

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 P.H.D. Construction/Paul H. Duehlmeier and City of West Jordan (“**Applicants**”) for approximately 1.143 acres of property (“**Property**” or “**PHD Estates**”) located at approximately 1517 West 8600 South (“**Application**”) for, in part, a request for a Zoning Map amendment or rezone (“**Rezone**”) for the Property from the RR-1A Zone (Rural Residential 1-acre lots minimum lots zone) and R-3-8 (ZC) Zone (Multi-family Residential Zone, with Conditions of Zoning) to the R-1-8C Zone (Single-Family Residential 8000 square foot minimum lots zone, with minimum C size residential units); and

WHEREAS, on February 1, 2022 the Application was considered by the West Jordan Planning Commission (“**Planning Commission**”), which held a public hearing and which made a recommendation to the West Jordan City Council (“**City Council**”) concerning the Rezone; and

WHEREAS, a public hearing was held before the City Council on March 9, 2022 concerning the Rezone; 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 the Applicant has requested an increase in density for PHD Estates and has agreed that the City’s Building Design Elements are applicable to PHD Estates; and

WHEREAS, in its sole legislative discretion, the City Council now finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following Rezone.

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

Section 1. Amendment to Zoning Map. The Zoning Map is hereby amended by changing the zoning designation on approximately 1.143 acres, located at approximately 1517 West 8600 South, from the RR-1A Zone (Rural Residential 1-acre lots minimum lots zone) and the R-3-8 (ZC) Zone (Multi-family Residential Zone, with Conditions of Zoning)) to the R-1-8C Zone (Single-Family Residential 8000 square foot minimum lots zone, with minimum C size residential units), as per the legal description in “Attachment 1”, which is attached hereto.

Section 2. Applicability of Building Design Elements. In accordance with Utah Code Ann. Section 10-9a-534(3)(h), and at the request of the Applicants, 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 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.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 9TH DAY OF MARCH 2022.

CITY OF WEST JORDAN

By: Kayleen Whitelock
Kayleen Whitelock (Mar 11, 2022 09:56 MST)
Kayleen Whitelock
Council Chair

ATTEST:

 
Cindy M. Quick, MMC
Council Office Clerk

(Continued on the following pages)

Voting by the City Council

"YES"

"NO"

Council Chair Kayleen Whitelock

Council Vice-Chair Kelvin Green

Council Member Pamela Bloom

Council Member Zach Jacob

Council Member Christopher McConnehey

Council Member David Pack

Council Member Melissa Worthen


PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON MARCH 11, 2022

Mayor's Action: X Approve Veto

By: 
Mayor Dirk Burton

 03/15/2022
Date

ATTEST:



Tangee Sloan
City Recorder

STATEMENT OF APPROVAL OF PASSAGE (check one)

 The Mayor approved and signed Ordinance No. 22-07.

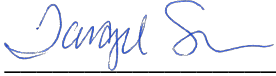
 The Mayor vetoed Ordinance No. 22-07 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

 Ordinance No. 22-07 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 20th day of March, 2022. 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 to
ORDINANCE NO. 22-07**

**AN ORDINANCE FOR PROPERTIES LOCATED AT APPROX. 1517 WEST 8600 SOUTH;
AND REZONE FROM THE RR-1A ZONE (RURAL RESIDENTIAL 1-ACRE LOTS
MINIMUM LOTS ZONE) TO THE R-1-8C ZONE (SINGLE-FAMILY RESIDENTIAL 8000
SQUARE FOOT MINIMUM LOTS ZONE, WITH MINIMUM C SIZE UNITS)**

LEGAL DESCRIPTION:

COMMENCING AT A POINT S89°52'25"W 1325.117 FEET FROM THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN TO THE POINT OF BEGINNING; THENCE RUNNING S0°07'35"E (R = SOUTH) 327.34 FEET; THENCE S0°01'49"W 14.760 FEET; THENCE SOUTHWESTERLY 49.56 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25 FEET WHOSE LONG CHORD BEARS S56°44'35"W A DISTANCE OF 41.83 FEET WITH A CENTRAL ANGLE OF 113°34'44"; THENCE N66°28'03"W 36.78 FEET; THENCE NORTHWESTERLY 71.41 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 178.64 FEET WHOSE LONG CHORD BEARS N77°55'09"W 70.93 FEET WITH A CENTRAL ANGLE OF 22°54'11"; THENCE N89°22'14"W 101.50 FEET; THENCE N0°18'20"W 5.690 FEET; THENCE N89°40'26"E 99.60 FEET; THENCE N0°07'35"W (R = NORTH) 327.83 FEET; THENCE N89°52'27"E (R = EAST) 140.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 1.14 ACRES (49,659 SF)










Ordinance No. 22-07 PHD Estates Rezone


Final Audit Report

2022-03-15


Created:	2022-03-11
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
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"Ordinance No. 22-07 PHD Estates Rezone" History


-  Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)
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Signature Date: 2022-03-15 - 5:02:00 PM GMT - Time Source: server- IP address: 207.225.200.66

 Agreement completed.

2022-03-15 - 5:02:00 PM GMT