

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 22-08

**AN ORDINANCE FOR PROPERTIES LOCATED AT APPROX. 7136 SOUTH 2200 WEST;
AND REZONE FROM THE R-1-10D ZONE (SINGLE-FAMILY RESIDENTIAL 10,000
SQUARE FOOT MINIMUM LOTS ZONE, WITH MINIMUM D SIZE UNITS) 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, as amended, 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, as amended, which provides for a zoning map (“**Zoning Map**”), which is periodically updated; and

WHEREAS, an application was made by Paxton Guymon (“**Applicant**”) for approximately 5.5 acres of property (“**Property**” or “**Hidden Cove Subdivision**”) located at approximately 7136 South 2200 West (“**Application**”) for, in part, a request for a Zoning Map amendment or rezone (“**Rezone**”) for the Property from the R-1-10D Zone (Single-Family Residential 10,000 square foot minimum lots Zone, with minimum D size units) to the R-1-8C Zone (Single-Family Residential 8000 square foot minimum lots Zone, with minimum C size units); and

WHEREAS, on March 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 April 13, 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 Hidden Cove Subdivision and has agreed that the City’s Building Design Elements are applicable to Hidden Cove Subdivision; 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 5.5 acres, located at approximately 7136 South 2200 West, from the R-1-10D Zone (Single-Family Residential 10,000 square foot minimum lots Zone, with minimum D size units) to the R-1-8C Zone (Single-Family Residential 8000 square foot minimum lots Zone, with minimum C size 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 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 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 13TH DAY OF APRIL 2022.

CITY OF WEST JORDAN

By: _____
Kayleen Whitelock
Council Chair

ATTEST:

Cindy M. Quick, MMC
Council Office Clerk

Voting by the City Council

	"YES"	"NO"
Council Chair Kayleen Whitelock	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Vice-Chair Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Pamela Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Zach Jacob	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Christopher McConnehey	~ absent	~
Council Member David Pack	<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 APRIL 14, 2022

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. 22-08.
- _____ The Mayor vetoed Ordinance No. 22-08 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.
- _____ Ordinance No. 22-08 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 _____ day of _____ 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. 22-08**

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AND REZONE FROM THE R-1-10D ZONE (SINGLE-FAMILY RESIDENTIAL 10,000
SQUARE FOOT MINIMUM LOTS ZONE, WITH MINIMUM D SIZE UNITS) TO THE R-1-
8C ZONE (SINGLE-FAMILY RESIDENTIAL 8000 SQUARE FOOT MINIMUM LOTS
ZONE, WITH MINIMUM C SIZE UNITS)**

LEGAL DESCRIPTION:

BEGINNING AT A POINT WHICH IS SOUTH 914.00 FEET AND WEST 33.00 FEET FROM THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 33 FEET; THENCE WEST 338.19 FEET TO THE WEST LINE OF THE SOUTH JORDAN CANAL; THENCE ALONG SAID CANAL THE FOLLOWING FOUR (4) COURSES, 1) ALONG THE ARC OF A 1046.52 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 8.87 FEET THROUGH A CENTRAL ANGLE OF 0°29'08" (CHORD BEARS SOUTH 07°29'02" WEST 8.87 FEET) TO THE POINT OF A 783.00 FOOT RADIUS REVERSE CURVE, 3) ALONG SAID CURVE A DISTANCE OF 224.38 FEET THROUGH A CENTRAL ANGLE OF 16°25'07" (CHORD BEARS SOUTH 00°28'58" EAST 223.61 FEET), 4) SOUTH 08°41'32" EAST 124.85 FEET, 5) SOUTH 16°23'54" EAST 30.60 FEET TO THE NORTHEAST CORNER OF HOMESTEAD COVE SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 95-5P, PAGE 122 OF PLATS; THENCE SOUTH 89°52'36" WEST ALONG THE NORTH LINE OF SAID SUBDIVISION A DISTANCE OF 424.73 FEET TO A POINT ON A PROLONGATION OF THE WEST LINE OF HARVEST ESTATES NO 3 PHASE 2 SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 76-3, PAGE 52 OF PLATS; THENCE NORTH 00°08'01" WEST ALONG SAID WEST LINE A DISTANCE OF 565.22 FEET TO THE SOUTH LINE OF SAID HARVEST ESTATES NO 3 PHASE 1 SUBDIVISION; THENCE NORTH 89°51'59" EAST ALONG SAID SOUTH LINE A DISTANCE OF 404.40 FEET TO A POINT BEING ON THE WEST LINE OF THE SOUTH JORDAN CANAL (BEING A 66 FOOT WIDE RIGHT OF WAY), AND RUNNING ALONG SAID WEST LINE THE FOLLOWING TWO (2) COURSES, 1) ALONG THE ARC OF A 692.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 51.48 FEET THROUGH A CENTRAL ANGLE OF 04°15'45" (CHORD BEARS SOUTH 01°57'11" EAST 51.47 FEET) TO THE POINT OF A 1046.52 FOOT RADIUS COMPOUND CURVE TO THE RIGHT, 2) ALONG SAID CURVE A DISTANCE OF 95.80 FEET THROUGH A CENTRAL ANGLE OF 5°14'42" (CHORD BEARS SOUTH 02°48'02" WEST 95.77 FEET); THENCE EAST 334.52 FEET TO THE POINT OF BEGINNING.
LESS AND EXCEPTING THEREFROM ANY LAND LYING WITHIN THE RIGHT OF WAY OF THE SOUTH JORDAN CANAL.