

**THE CITY OF WEST JORDAN, UTAH  
ORDINANCE NO. 23-18**

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE  
(AMENDING INTERCHANGE OVERLAY ZONE (IOZ) PROVISIONS;  
CITY CODE SECTIONS 13-6K-1 THROUGH 13-6K-6 INCLUSIVE)**

WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in 2009; and the City Council of the City (“Council” or “City Council”) desires to amend certain sections of the City Code, regarding and related to Interchange Overlay Zone (IOZ) Provisions (“proposed City Code amendments”); and

WHEREAS, the Planning Commission of the City (“Planning Commission”) held a public hearing and provided a recommendation on April 4, 2023, regarding the proposed City Code amendments, which are all land use regulations, including City Code Sections 13-6K-1 through 13-6K-6 inclusive; and determined the following:

1. The proposed City Code amendments conform to the General Plan and are consistent with the adopted goals, objectives and policies described therein;
2. The proposed City Code amendments are appropriate given the context of the request and there is sufficient justification for a modification to this title;
3. The proposed City Code amendments will not create a conflict with any other section or part of this title or the General Plan; and
4. The proposed City Code amendments do not relieve a particular hardship, nor do they confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy; and

WHEREAS, the City Council held a public hearing on June 28, 2023, and an additional public meeting on July 26, 2023, regarding the proposed City Code amendments; and

WHEREAS, the City Council 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 proposed City Code amendments.

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

**Section 1. Amendment of Code Provisions.** City Code Sections 13-6K-1 through 13-6K-6 inclusive are amended to 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 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 26th DAY OF JULY 2023.

CITY OF WEST JORDAN

By:   
Christopher McConnehey  
Council Chair

ATTEST:


   
Cindy M. Quick, MMC  
Council Office Clerk

**Voting by the City Council**

	<b>"YES"</b>	<b>"NO"</b>
Council Chair Christopher McConnehey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Vice-Chair Pamela Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Zach Jacob	<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 JULY 27, 2023 .**

Mayor's Action:  Approve  Veto

By:   
Mayor Dirk Burton

Jul 28, 2023  
Date

ATTEST:

   
Tangee Sloan, CMC  
City Recorder

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



The Mayor approved and signed Ordinance No. 23-18.



The Mayor vetoed Ordinance No. 23-18 on \_\_\_\_\_ and the City Council timely overrode the veto of the Mayor by a vote of \_\_\_\_\_ to \_\_\_\_\_.



Ordinance No. 23-18 became effective by operation of law without the Mayor's approval or disapproval.

Tangee Sloan, CMC  
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 31 day of July 2023. 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, CMC  
City Recorder

*(Attachment on the following pages)*

**Attachment 1 to**

**ORDINANCE NO. 23-18**

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE  
(AMENDING INTERCHANGE OVERLAY ZONE (IOZ) PROVISIONS;  
CITY CODE SECTIONS 13-6K-1 THROUGH 13-6K-6 INCLUSIVE)**

*(See the following pages)*

## ARTICLE K. INTERCHANGE OVERLAY ZONE (IOZ)

### SECTION:

13-6K-1: Purpose

13-6K-2: Applicability

13-6K-3: Process For IOZ And Project Approval 13-6K-4: Uses

13-6K-5: Development And Design Requirements 13-6K-6: Administration

#### **13-6K-1: PURPOSE:**

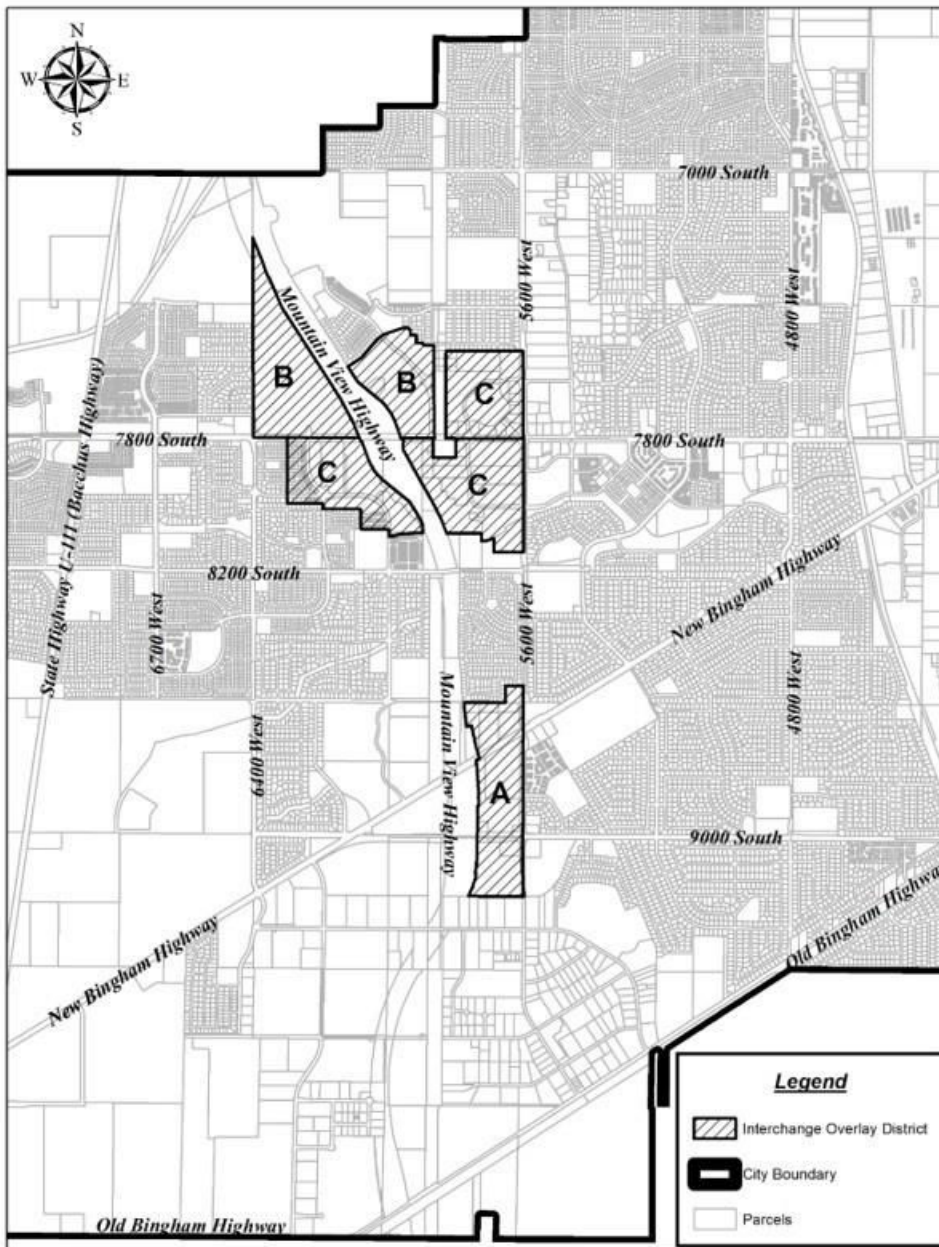
A. General Purpose. The general purpose of the Interchange Overlay Zone (IOZ) is to promote and facilitate the development and redevelopment of large properties with an influx of new residential, commercial and mixed-use development to promote and maintain the viability of interchange areas. It is the intent:

1. To utilize the Mountain View Corridor (SR-85) to enhance the City image, build communities of distinction, create jobs, and assure long term sustainable development that contributes to the financial and social well-being of the City.
2. To manage and promote appropriate uses around specified interchanges along the Mountain View Corridor.
3. To assure that market demand is strategically distributed between the potential interchanges.
4. To improve property and sales tax generation by locating and attracting land uses that benefit the City within the corridors.
5. To reinforce the land use relationship between interchanges which will allow appropriate intensification and densification where it is appropriate.
6. To establish standards with sufficient detail to assure quality architecture, site planning, enduring neighborhoods, and commercial viability.
7. To provide a proactive series of expectations from developers and to avoid processes that are reactive to development proposals.
8. To enhance the potential for compatible development with surrounding uses and a positive appearance from the adjacent freeway and highway.
9. To design areas in a way that design off-sets any residential density impacts.
10. To assure walkable connected communities are designed from the ground up. (Ord. 19-34, 11-13-2019; amd. Ord. 21-23, 6- 23-2021)

#### **13-6K-2: APPLICABILITY:**

A. This overlay is only allowed at specific locations that are impacted by the Mountain View Corridor. The locations where the IOZ may be adopted are shown on Figure 1 - Interchange Overlay Zone Map.

1. Area A. 9000 South and Mountain View Corridor - a regional commercial area. The primary intent of this area is for regional commercial uses in all parts of the area and the secondary intent is for additional housing at the north end of the area as a transition from the commercial uses to the single family homes to the north of 8600 South.
2. Area B. 7800 South Mountain View Corridor - the intent is to provide for hospital, medical offices, neighborhood commercial and additional housing to the west of Mountain View Corridor and housing mixed with limited commercial uses to the east of Mountain View Corridor.
3. Area C. Highlands - area east and west of Mountain View Corridor off of 7800 South in the Highlands Master Planned development. Intent is a mix of housing, office and commercial.



**Figure 1 - Interchange Overlay Zone Map**

4. To apply for the IOZ, a property must be located in one of the areas shown on Figure 1 - Interchange Overlay Zone Map. The parcel must also be adjacent to an interchange of the Mountain View Corridor or a major road that has access to an interchange of Mountain View Corridor which are 7800 South, 9000 South, and 5600 West. If the area is located in a current (not expired) adopted master planned project and lies within areas B or C as shown on the Interchange Overlay Zone Map as of November 14, 2019, the proximity and acreage requirements do not apply.

5. Any new development within the specified interchange areas as defined on the zoning map, meeting the restrictions of subsection 6 may apply for the IOZ. IOZ is an overlay and has no required relationship to the underlying zone.

6. IOZ standards and requirements supersede any underlying zone, but not necessarily other relevant chapters of the West Jordan code. This chapter reflects the minimum requirements and where such requirements conflict with other requirements of the code, these shall prevail. A development agreement may include provisions that enhance or conflict with the standards found in this chapter. (Ord. 19-34, 11-13-2019; amd. Ord. 21-23, 6-23-2021)

**13-6K-3: PROCESS FOR IOZ AND PROJECT APPROVAL:**

A. Feasibility preapplication meeting: Before application is made for a zone change to the IOZ overlay zone, the entity proposing the change shall first meet with the city staff to review and assess the feasibility of

the change and to refine the potential application.

B. Application: An application for a zone change to an IOZ zone shall include a Master Development Plan ("MDP") and shall be submitted, according to section 15-3-8 and title 13, chapter 7, article I of this code, concurrently with and as part of the application for a zone change. A Master Development Agreement ("MDA") in a form acceptable to the city shall also be required and presented to the planning commission as part of the application review prior to consideration of the application by the city council. The MDP shall follow the expiration time frames of title 13, chapter 7, article I, or as modified by the MDP and/or the MDA. The MDP shall be attached to and be part of the MDA. And MDP shall include, as a minimum:

1. A conceptual site plan or plans, including sketches of the types of buildings proposed, elevations of proposed buildings, parks, plazas, trails, oblique sketches of the project to show any view related issues, and conceptual street cross sections using this IOZ chapter as a guide to items that should be addressed.

2. Design Guidelines: Design Guidelines shall be submitted with each MDP and shall be approved by the city council, after receiving a recommendation from the planning commission and the design review committee.

3. A written explanation of the project that describes the thematic elements of the project, the place making concepts, one or more signature features, proposed residential density, commercial and mixed-use designs (if applicable), and other details that will provide reasons that the development will create a long-term benefit to the city.

4. Master Development agreement - on a form acceptable to the city: (a) specify and describe the proposed development through text, site plans and elevations (b) detail the major concepts, building types, amenities, residential density and other benefits being provided to the city and its residents. A master development agreement approval runs with the land and is a recorded document.

5. A preliminary traffic study that defines potential traffic generation, the integration of the new development with the adjacent highway corridors, traffic capacity/level of service issues on adjacent roads and intersections, and suggested solutions for anticipated traffic congestion problems.

6. Other information or documentation the planning department/and or West Jordan City may deem necessary, as described on the application form, for proper review and analysis of a particular application.

C. Phase Sub-Area Development Plans: Each phase described in an MDP shall be submitted in the form of a Phase Sub-Area Development Plan, following the standards and guidelines established in the MDP, and shall be approved by city staff.

D. Residential density shall be established by the City Council, after receiving a recommendation from the Planning Commission and shall be adopted with the master development plan and agreement.

E. Ownership at Time of Application: Each Master Development proposal under the IOZ shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property. (Ord. 19-34, 11-13-2019; amd. Ord. 22-13, 5-11-2022)

#### **13-6K-4: USES:**

A. Specific uses and categories of use are listed below. Use categories are subject to the definitions found in section 3. The definitions are meant to describe typical uses in the category. Not all potential uses for the category are listed. Uses not mentioned may be added through an interpretation of the Zoning Administrator. Uses shall vary between the specified interchanges. "P" indicates that a use is permitted within the IOZ. No letter (i.e., a blank space), or the absence of the use from the table, indicates that use is not allowed within the Overlay or is only allowed in certain areas of the Overlay. Uses may be subject to additional restrictions and limitations found in Table 2.

B. Permitted uses, including categories of use, are defined in the following table:

**Table 1**

<b>USES</b>	<b>IOZ</b>	<b>SPECIFIC USE STANDARDS</b>
Indoor entertainment	P	
Residential facility for the elderly or persons with a disability, assisted care facility, nursing facility	P	
Hotel, Motel, Bed & Breakfast	P	
Public, quasi-public use, schools (public, charter, private) and Civic uses	P	
Hospital and all other medical, dental facilities	P	
Neighborhood Retail	P	No commercial building over 12,000 square feet is allowed. In addition, no business shall occupy a space greater than 5000 square feet.
General Retail and Entertainment	P	See table 2 for additional limitations
Automobile, motorcycle, recreational vehicle sales	P	Only allowed in area A
Retail Food Trucks, Farmers Market including vegetable stands	P	As an accessory use on private property and not within a front or side yard setback. On-street locations may be allowed on a non-UDOT street
Drive up uses with outside order windows or structures, such as restaurants, banks, convenience stores with gas pumps, etc.	P	No order window or structure is allowed within 150 ft. of a residential use. Speakers to be oriented away from adjacent residential uses. No drive-ups facing the required front yard and all gas pumps shall not be located in the front yard.
Neighborhood Service	P	See definition
General Service	P	See definition
Office	P	See building types section for standards
Mixed-Use (commercial, or office and/or residential use within the same building or located adjacent within a unified site plan)	P	Non-residential uses are required for at least 50% of the ground floor facing a public street. This commercial space shall have a minimum depth of 30 ft.
Multi-family condominiums, townhouses, or apartment buildings	P	See building types section for standards.
Single family detached homes including small lot single family detached homes	P	See building types section for standards.



Notwithstanding the permitted uses in Table 1, the following specific prohibitions and/or limitations apply:

**Table 2**

<b>USES</b>	<b>SPECIFIC USE LIMITATIONS</b>
Detention facility/jail as a principal use	Not allowed
Industrial equipment sales and rental	Not allowed
Commercial wireless communication facilities	Only stealth type towers, stealth roof/wall structures, and stealth accessory structures are allowed
Kennel	Not allowed
Sexually oriented businesses	Not allowed
Mobile Home/Manufactured Home park or manufactured home subdivision	Not allowed
Flea markets, swap meets	Not allowed
Outdoor commercial recreation, outdoor commercial amusement, or outdoor commercial entertainment	Not allowed within 150 ft. of a residential use or zone. This limitation excludes outdoor music as part of a bonafide restaurant.
Recreational vehicle campgrounds	Not allowed
Impound, Vehicle Recycling, outdoor storage lots, and/or junk yards	Not allowed

C. Definitions.

1. Neighborhood Retail - A use in this category occupies a space of less than 12,000 square feet. Neighborhood retail includes: Antique Shop, Apparel & Accessory Store, Art & Education Supplies, Bakery, Retail Bicycle Sales & Repair, Book, Magazine, & Newspaper Store, Garden Supply, Camera & Photo Supply, China & Glassware Shop, Convenience Store, Drug Store/Pharmacy, Fabric & Craft Store, Florist, Gift, Novelty, & Souvenir Shop, Grocery Store, Hardware Store, Hobby Shop, Jewelry Sales & Repair, Luggage & Leather Goods, Music Store and Musical Instrument Repair, Office Supply, Optical Goods, Paint & Wallpaper, Party Supply Shop, Pet & Pet Supply, Specialty Food Market (Butcher, Candy, Fish Market, Produce, etc.) Sporting Goods Sales & Rental, Stationary & Paper Store, Toy Shop, Video/Game Sales & Rental, etc.

2. General Retail and Entertainment - includes: All Neighborhood Retail with no restriction on size, Appliance & Electronic Sales & Service, Automotive Service and Supply, Building Supplies, Computer Software Sales & Leasing, Convenience Store with or without gas pumps, Department Store, Home Furnishings & Accessories, Automobile Sales, Medical Supply Store & Rental, Motorcycle & Motor Scooter Sales, Heating, Air Conditioning & Plumbing Supplies, Sales, & Service, Cabinet Supply (display only), Machine Sales and Rental, Agriculture Equipment and Supply, Electrical Supplies and Merchandise, Vending Machines, Medical Supply Store & Sales, etc.

3. Neighborhood Service - A use in this category occupies a space of less than 12,000 square feet. Neighborhood Service

includes: Bank or other Financial Service, Barber Shop, Beauty Salon, Spa, Catering, Day Care (Adult or Child), Dry Cleaning & Laundry, Emergency Care Clinic, Fitness, Dance Studio, Gym, Framing, Home Furniture & Equipment Repair, Locksmith, Mailing Services, Microbrewery, Pet Grooming, Photocopying & Printing, Photography Studio & Supplies (on-site processing permitted), Restaurants, (refer to state law for alcoholic beverage requests) Shoe Repair, Tailor & Seamstress, Tanning Salon, Theater, Training Center Travel Agency & Tour Operator, Veterinarian, Vehicle service excluding body work, etc.

4. General Service - A use in this category includes all Neighborhood Service uses and: All Neighborhood Services, Aquatic Facilities, Batting Cages, Bowling Alley, Concert Hall, Exterminating & Disinfecting Service, Funeral Home, Miniature Golf Course, Commercial Indoor Recreation, Repair of Small Goods & Electronics, Restaurants with drive up windows, Shooting & Archery Ranges (indoor only), Skating Rink, Vehicle Service, etc. (Ord. 19-34, 11-13-2019)

**13-6K-5: DEVELOPMENT AND DESIGN REQUIREMENTS:**

All development in the IOZ shall follow the adopted Interchange Overlay Zone (IOZ) design and development standards and requirements on file with the City. This section is intended to provide standards and requirements for the variety of building types suggested for the IOZ. Defining building types focuses the process on design and creates an understanding of what sort of development will be found in the IOZ. All drawings are meant to represent design features and not a style or theme that needs to be adhered to. (Ord. 19-34, 11-13-2019)

**13-6K-6: ADMINISTRATION:**

A. The Community Development Director or his/her designee shall enforce this title.

B. Work to commence - after final approval is granted and a final development agreement recorded, work shall commence within 3 years. "Work" is defined by the construction of foundations and access from surface roads. If work has not begun within that time frame, the overlay zone will revert to the underlying zone and the development agreement will be null and void. The three-year limitation may be extended for good cause through a written request to the City Council. Good cause should include substantial reasons such as financing issues, delays resulting from issues of the land, and/or lack of material availability, etc.

C. Minor plan modifications - as a plan is constructed, the Zoning Administrator may approve modifications to the site approved site plan for up to 10% of the physical layout. For any particular building, the façade materials and relief, may be modified up to 10% but the height and setbacks shall not be varied from the approved plans. (Ord. 19-34, 11-13-2019)











# Ordinance 23-18 Code Text Amendment for IOZ Overlay Zone for 072623 Council Mtg

Final Audit Report

2023-07-31


Created:	2023-07-27
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAuAzbgxNkYamYWu4I9ZQ_SIFU3T6KzkPf


## "Ordinance 23-18 Code Text Amendment for IOZ Overlay Zone for 072623 Council Mtg" History


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2023-07-27 - 7:47:27 PM GMT
-  Email viewed by chris.mcconnehey@westjordan.utah.gov  
2023-07-28 - 3:52:24 PM GMT- IP address: 173.226.103.219
-  Signer chris.mcconnehey@westjordan.utah.gov entered name at signing as Christopher McConnehey  
2023-07-28 - 3:52:36 PM GMT- IP address: 173.226.103.219
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 Signer dirk.burton@westjordan.utah.gov entered name at signing as Dirk Burton  
2023-07-28 - 4:01:48 PM GMT- IP address: 162.226.144.107

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Signature Date: 2023-07-28 - 4:01:50 PM GMT - Time Source: server- IP address: 162.226.144.107

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