

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 23-27

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(AMEND CITY CODE SECTION 13-5F-2 TO ALLOW DAY CARES IN THE M-1 ZONE)**

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 a certain section of the City Code, regarding and related to allowing Day Care in the M-1 Zone as a permitted use (“proposed City Code amendments”); and

WHEREAS, the Planning Commission of the City (“Planning Commission”) held a public hearing and provided a recommendation on August 1, 2023, regarding the proposed City Code amendments, which are all land use regulations in the land use titles, including amending City Code Section 13-5F-2 to allow Day Care in the M-1 Zone as a permitted use; 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 the land use titles;
3. The proposed City Code amendments will not create a conflict with any other section or part of the land use titles 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 they are only necessary to make a modification to the land use titles in light of corrections or changes in public policy; and

WHEREAS, the City Council held a public hearing on September 13, 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 Section 13-5F-2 is amended to read as shown in Attachments 1 (legislative version) and 2 (clean version) 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.

(See the following pages)

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 13TH DAY OF SEPTEMBER 2023.

CITY OF WEST JORDAN

By: 
Christopher McConnehey
Council Chair

ATTEST:


 
Cindy M. Quick, MMC
Council Office Clerk

Voting by the City Council

	"YES"	"NO"
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 SEPTEMBER 14, 2023.

Mayor's Action: X Approve Veto

By: 
Dirk Burton
Date: Sep 15, 2023

ATTEST:

 
Tangee Sloan, CMC
City Recorder

STATEMENT OF APPROVAL/PASSAGE (check one)

 X The Mayor approved and signed Ordinance No. 23-27.

 The Mayor vetoed Ordinance No. 23-27 on _____ and the
City Council timely overrode the veto of the Mayor by a vote of _____ to _____.



 Ordinance No. 23-27 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 18th day of September 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

(Attachments on the following pages)

1 **Attachment 1 to**

2
3 **ORDINANCE NO. 23-27**

4
5 **AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE (AMEND CITY**
6 **CODE SECTION 13-5F-2 TO ALLOW DAY CARES IN THE M-1 ZONE)**

7
8 **Legislative Version**

9
10 **13-5-F-2: PERMITTED AND CONDITIONAL USES:**

11 Uses allowed in Manufacturing Zones are listed in the table below. Those uses identified as
12 "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this
13 article, and all other applicable requirements of this title. Uses identified as "conditional" (C) must
14 be approved by the Planning Commission pursuant to the standards and procedures for conditional
15 uses set forth in chapter 7, article E of this title and title 15 of this Code and comply with all other
16 applicable requirements of this title.

17 Uses identified as "administrative conditional uses" (AC) shall be approved by the Zoning
18 Administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the
19 public hearing shall be conducted by the Zoning Administrator, and shall comply with title 15 of this
20 Code, and all other applicable requirements of this title. Uses not specifically listed in this section
21 shall not be allowed in Manufacturing Zones.

22 **PERMITTED AND CONDITIONAL USES IN MANUFACTURING ZONES**

23 **GENERAL NOTE:** Any permitted or conditional alcoholic beverage uses allowed in these zones are
24 listed in the use table in section 17-10-4, with any applicable definitions, starting with the words
25 "alcoholic beverage," being listed in section 17-1-6.

26
27 Legend:

28 P = Permitted use

29 C = Conditional use

30 AC = Administrative conditional use

31

Use	M-P	M-1	M-2
Agricultural sales and service		P	P
Animal Crematorium		P	
Animal crematorium located within 100 feet of any residential zone or structure		C	
Basic industry (nonhazardous or offensive)		P	
Building moved from another site (see section 13-8-12 of this title)	C	C	C
Business, equipment rental and supplies		P	P
Business service	P	P	P
Cannabis production establishments:			P ²
Church or place of worship	AC	AC	
College or university	P	P	P
Construction sales and rental		P	P

Use	M-P	M-1	M-2
Data center		P	
<u>Daycare, General</u>		<u>P</u>	
<u>Daycare, Limited</u>		<u>P</u>	
Freight terminal		P	P
Gasoline and fuel storage sales		P	P
Gasoline service station		P	P
Government service	P	P	P
Helipads ³	C	C	C
Junk or salvage yard		C	C
Large scale public utilities	C	C	C
Laundry service		P	
Manufacturing, general	P	P	P
Manufacturing, limited	P	P	P
Mass transit railway system	P	P	P
Massage therapy	P	P	P
Media service	P	P	P
Medical or dental laboratory	P	P	
Military facility		C	
Motor vehicle sales and service, new and used		AC	
Office	P	P	P
Parking, commercial		P	
Parking, commercial (no fee)	P	P	
Personal care service	P	P	P
Personal instruction service	AC	C	
Pet boarding	C	C	C
Pet groomer		P	
Printing, general:	P	P	P
Public park:	P	P	P
Recreation and entertainment, indoor:	C		
Recycling collection station:	C	C	C
Recycling facility:	C	C	C
Repair services, general:		P	P
Repair services, limited:		P	P
Research service:	P	P	P
Restaurant, fast food (general):		AC	AC
Restaurant, fast food (limited):		AC	AC
Schools, K-12:	C	C	C
Schools, vocational:	P	P	P
Sexually oriented business:			C ¹
Small equipment rental:	P	P	P
Temporary office:	P	P	P
Transportation service:		P	P
Transportation service (office only):		P	P
Utility, major:	C	C	C
Utility, major (office only):	P	P	P
Vehicle and equipment repair, general:		P	P

Use	M-P	M-1	M-2
Vehicle and equipment repair, limited:		P	P
Warehouse, self-service storage:		C	
Wholesale and warehousing, general:		P	P
Wholesale and warehousing, limited:	P	P	P

32

33 Notes:

34 1. See also section 4-2I-6 of this Code.

35 2. A cannabis production establishment may not be located:

36 a. Within 1,000 feet of a public or private school, a licensed child-care facility or preschool, a
37 church, a public library, a public playground, or a public park; or

38 b. In a district, or within 600 feet of a district that is zoned as primarily residential.

39 The proximity requirements shall be measured from the nearest entrance to the cannabis
40 production establishment by following the shortest route of ordinary pedestrian travel to the
41 property boundary of the community location or residential area.

42 3. See code sections 13-19-1 through 13-19-6; a helipad shall not be located within 1,000 feet of
43 the nearest residential building or the site of a public or private school.

44 (2001 Code § 89-3-703; amd. 2009 Code; Ord. 10-09, 2-24-2010; Ord. 11-35, 11-22-2011; Ord. 12-
45 05, 2-22-2012; Ord. 14-09, 5-14-2014; Ord. 16-31, 7-13-2016; Ord. 17-25, 6-28-2017; Ord. 19-18, 5-
46 1-2019; Ord. 19-35, 11-13-2019; Ord. 21-31, 8-25-2021; Ord. 22-03, 1-27-2022; Ord. 22-15, 4-27-
47 2022; Ord. 22-32, 9-14-2022)

Attachment 2 to

ORDINANCE NO. 23-27

AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE (AMEND CITY CODE SECTION 13-5F-2 TO ALLOW DAY CARES IN THE M-1 ZONE)

Clean Version

13-5-F-2: PERMITTED AND CONDITIONAL USES:

Uses allowed in Manufacturing Zones are listed in the table below. Those uses identified as "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this article, and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the Planning Commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this Code and comply with all other applicable requirements of this title.

Uses identified as "administrative conditional uses" (AC) shall be approved by the Zoning Administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the Zoning Administrator, and shall comply with title 15 of this Code, and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in Manufacturing Zones.

PERMITTED AND CONDITIONAL USES IN MANUFACTURING ZONES

GENERAL NOTE: Any permitted or conditional alcoholic beverage uses allowed in these zones are listed in the use table in section 17-10-4, with any applicable definitions, starting with the words "alcoholic beverage," being listed in section 17-1-6.

Legend:

P = Permitted use

C = Conditional use

AC = Administrative conditional use

Use	M-P	M-1	M-2
Agricultural sales and service		P	P
Animal Crematorium		P	
Animal crematorium located within 100 feet of any residential zone or structure		C	
Basic industry (nonhazardous or offensive)		P	
Building moved from another site (see section 13-8-12 of this title)	C	C	C
Business, equipment rental and supplies		P	P
Business service	P	P	P
Cannabis production establishments:			P ²
Church or place of worship	AC	AC	
College or university	P	P	P
Construction sales and rental		P	P
Data center		P	

Use	M-P	M-1	M-2
Daycare, General		P	
Daycare, Limited		P	
Freight terminal		P	P
Gasoline and fuel storage sales		P	P
Gasoline service station		P	P
Government service	P	P	P
Helipads ³	C	C	C
Junk or salvage yard		C	C
Large scale public utilities	C	C	C
Laundry service		P	
Manufacturing, general	P	P	P
Manufacturing, limited	P	P	P
Mass transit railway system	P	P	P
Massage therapy	P	P	P
Media service	P	P	P
Medical or dental laboratory	P	P	
Military facility		C	
Motor vehicle sales and service, new and used		AC	
Office	P	P	P
Parking, commercial		P	
Parking, commercial (no fee)	P	P	
Personal care service	P	P	P
Personal instruction service	AC	C	
Pet boarding	C	C	C
Pet groomer		P	
Printing, general:	P	P	P
Public park:	P	P	P
Recreation and entertainment, indoor:	C		
Recycling collection station:	C	C	C
Recycling facility:	C	C	C
Repair services, general:		P	P
Repair services, limited:		P	P
Research service:	P	P	P
Restaurant, fast food (general):		AC	AC
Restaurant, fast food (limited):		AC	AC
Schools, K-12:	C	C	C
Schools, vocational:	P	P	P
Sexually oriented business:			C ¹
Small equipment rental:	P	P	P
Temporary office:	P	P	P
Transportation service:		P	P
Transportation service (office only):		P	P
Utility, major:	C	C	C
Utility, major (office only):	P	P	P
Vehicle and equipment repair, general:		P	P
Vehicle and equipment repair, limited:		P	P

Use	M-P	M-1	M-2
Warehouse, self-service storage:		C	
Wholesale and warehousing, general:		P	P
Wholesale and warehousing, limited:	P	P	P

Notes:

1. See also section 4-2I-6 of this Code.
2. A cannabis production establishment may not be located:
 - a. Within 1,000 feet of a public or private school, a licensed child-care facility or preschool, a church, a public library, a public playground, or a public park; or
 - b. In a district, or within 600 feet of a district that is zoned as primarily residential.

The proximity requirements shall be measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the community location or residential area.

3. See code sections 13-19-1 through 13-19-6; a helipad shall not be located within 1,000 feet of the nearest residential building or the site of a public or private school.

(2001 Code § 89-3-703; amd. 2009 Code; Ord. 10-09, 2-24-2010; Ord. 11-35, 11-22-2011; Ord. 12-05, 2-22-2012; Ord. 14-09, 5-14-2014; Ord. 16-31, 7-13-2016; Ord. 17-25, 6-28-2017; Ord. 19-18, 5-1-2019; Ord. 19-35, 11-13-2019; Ord. 21-31, 8-25-2021; Ord. 22-03, 1-27-2022; Ord. 22-15, 4-27-2022; Ord. 22-32, 9-14-2022)











Ordinance No. 23-27 Text Amendment for Day Cares in the M1 Zone

Final Audit Report

2023-09-17

Created:	2023-09-14
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAmDSyKBi1b-4Ey3flrB6ZRA_OV7c_QVbH

"Ordinance No. 23-27 Text Amendment for Day Cares in the M1 Zone" History


-  Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)
2023-09-14 - 8:49:46 PM GMT- IP address: 73.98.254.78
-  Document emailed to chris.mcconnehey@westjordan.utah.gov for signature
2023-09-14 - 8:52:26 PM GMT
-  Email viewed by chris.mcconnehey@westjordan.utah.gov
2023-09-14 - 10:43:50 PM GMT- IP address: 173.226.103.219
-  Signer chris.mcconnehey@westjordan.utah.gov entered name at signing as Christopher McConnehey
2023-09-14 - 10:46:40 PM GMT- IP address: 173.226.103.219
-  Document e-signed by Christopher McConnehey (chris.mcconnehey@westjordan.utah.gov)
Signature Date: 2023-09-14 - 10:46:42 PM GMT - Time Source: server- IP address: 173.226.103.219
-  Document emailed to Cindy Quick (Cindy.quick@westjordan.utah.gov) for signature
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2023-09-15 - 3:27:32 AM GMT- IP address: 73.98.254.78
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-  Document emailed to dirk.burton@westjordan.utah.gov for signature
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 Signer dirk.burton@westjordan.utah.gov entered name at signing as Dirk Burton


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 Agreement completed.

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