

REQUEST FOR COUNCIL ACTION

SUBJECT: Jones Family Rezone

SUMMARY: Rezone – Rezone 248.97 acres located at U-111 Old Bingham Highway (230.69 acres of private property plus 18.28 acres of adjacent right-of-way) from A-20 (Agricultural; 20 acre minimum lot size) Zone to M-1 (Light Manufacturing) Zone; Bob Burns (applicant) [Scott Langford #ZC201600009; parcels 26-103-00003, 26-104-00001]

FISCAL IMPACT AND/OR ASSET IMPACT: None.

STAFF RECOMMENDATION: Based on the analysis and findings contained in the Staff Report, Staff recommends that the City Council amend the rezone the property as addressed in this report.

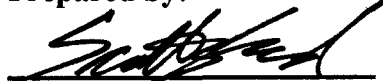
PLANNING COMMISSION RECOMMENDATION: On May 17, 2016 the Planning Commission, in a 7 to 0 vote, recommended that the City Council approve the requested rezone.

MOTION RECOMMENDED: Staff recommends that the City Council take final action on this rezone request and approve Ordinance 16-**32**.


Public Hearing Requirement Completed May 18, 2016 and May 25, 2016

Roll Call vote required

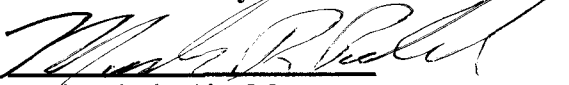
Prepared by:


Scott Langford, City Planner

Reviewed by/Concur with:


David Oka, Development Director

Recommended by:


Mark Palesh, City Manager

Reviewed as to legal form:


Duncan Murray, Deputy City Attorney

I. BACKGROUND/ANALYSIS

The subject property is currently zoned A-20 (Agricultural; 20 acre minimum lot size). The property has never been developed and has been used for dry farming for decades.

The subject property's surrounding zoning and land uses are as follows:

	Existing Land Use	Future Land Use Designation	Zoning
North	Dry farm	Medium Density Res./Public Facilities	A-20
South	Industrial/Vacant	Industrial (South Jordan)	A-20
East	Vacant	Industrial	M-1
West	Dry farm	Medium Density Res./Public Facilities	A-20 (across U-111)

The applicant is seeking approval to rezone the property from A-20 to M-1 (Light Manufacturing) to accommodate a new data center facility on the property.

On May 25, 2016, the owners of the property requested that final rezoning action by the City Council be continued to a date uncertain after a public hearing was held. The reasoning behind the requested delayed final action from the Jones family was they did not want to officially rezone the property until they were under contract with the company looking to purchase their property.

Now that the property is under contract, the Jones family has requested that the City Council officially rezone the property.

Because this rezoning action was recently discussed as a public hearing (May 25, 2016) there is no need for additional discussion unless the Council chooses to do so.

II. FINDINGS OF FACT

Section 13-7D-7(A): Amendments to the Zoning Map

Prior to making a positive recommendation to the City Council for an amendment to the Zoning Map, the Planning Commission made the following findings:

Criteria 1: *The proposed amendment is consistent with the purposes, goals, objectives, and policies of the City's General Plan.*

Discussion: The subject property has a Light Industrial Land Use designation on the General Plan's Future Land Use Map. The Light Industrial designation is applied to areas suited to general manufacturing, assembly, repair, and storage (page 48). This land use designation was designed to facilitate the more intensive industrial uses within the city. The M-1 zone is consistent with this definition.

Industrial uses are commonly found along major arterial streets such as U-111 and Old Bingham Highway which both directly abut the subject property.

Finding: The proposed amendment is consistent with the purposes, goals, objectives, and policies of the City's General Plan.

Criteria 2: *The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.*

Discussion: The proposed rezoning is compatible with adjacent properties. The table shown on page #1 indicates that there is potential housing that may be built in the future to the north and west of the site; however, in both cases the future residential development will be separated from this property by significant transportation corridors (U-111 and Wells Park Road). The attached zoning map, Exhibit B shows the current and proposed zoning on the subject property and neighboring properties.

Finding: The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.

Criteria 3: *The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.*

Discussion: Industrial uses are often symbiotic in nature, and therefore are frequently found in groupings or "parks". The proposed amendment to the M-1 zone will allow the property to be utilized in a more like manner to that of most industrial properties in the surrounding area. Coordinating supportive uses serves to enhance the public health, safety, or general welfare of the citizens of the City.

Finding: The proposed amendment furthers the public health, safety and general welfare of the citizens of the City.

Criteria 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.*

Discussion: Any new services required for the new data center will be reviewed as part of the site plan review process. However, the city's engineers have been highly involved in determining water, sewer, and storm water needs for this proposed data center and they have determined that the needed public services can be provided to the site.

Finding: 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.

Criteria 5: *The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.*

Discussion: Approximately 18.8 acres of the site is located within the 15 year recharge area of the Drinking Water Source Protection Overlay Zone. Based on the proposed location and use of the property shown on the concept plan, there is no need to require a Conditional Use Permit.

Finding: The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Conclusion:

The proposed Zoning Map Amendment to rezone the property to the M-1 zoning district is warranted and is not contrary to any current goals and policies in the General Plan or conflicting with Title 13 (Zoning Code) of the 2009 City Code.

VII. ATTACHMENT:

- Exhibit A – Aerial Map
- Exhibit B – Zoning Map
- Exhibit C – Future Land Use Map
- Exhibit D – Concept Site Plan
- Exhibit E – Draft Rezone Ordinance

Lamar Jones & Vicky Jones
PO Box 1068
Pendleton, OR 97801

July 12, 2016

Paul Coates
City of West Jordan
8000 South Redwood Road
West Jordan, Utah 84088

RE: Rezone

Dear Mr. Coates:

Please proceed with the rezoning of Parcel #s 26-10-300-003 and 26-10-400-001. Original application was dated May 11, 2016 and signed by Robert M. Burns. The zoning process was started in May in order to expedite the rezoning of these parcels when the property was under contract.

The property is under contract, therefore, I asked that the rezoning be completed.

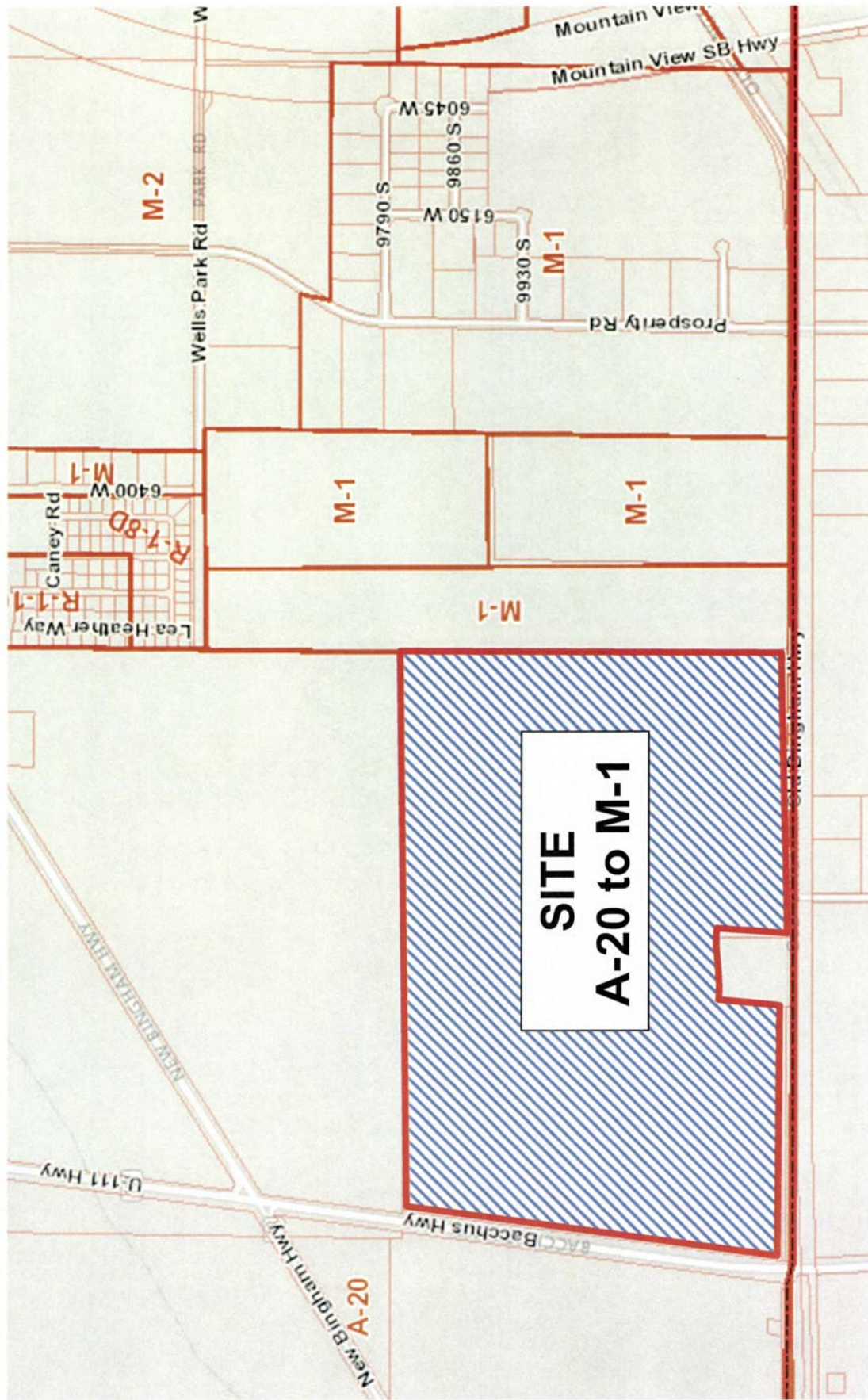
Sincerely,


Vicky R. Jones, Trustee.



Aerial Map

Exhibit A



Zoning Map

Exhibit B

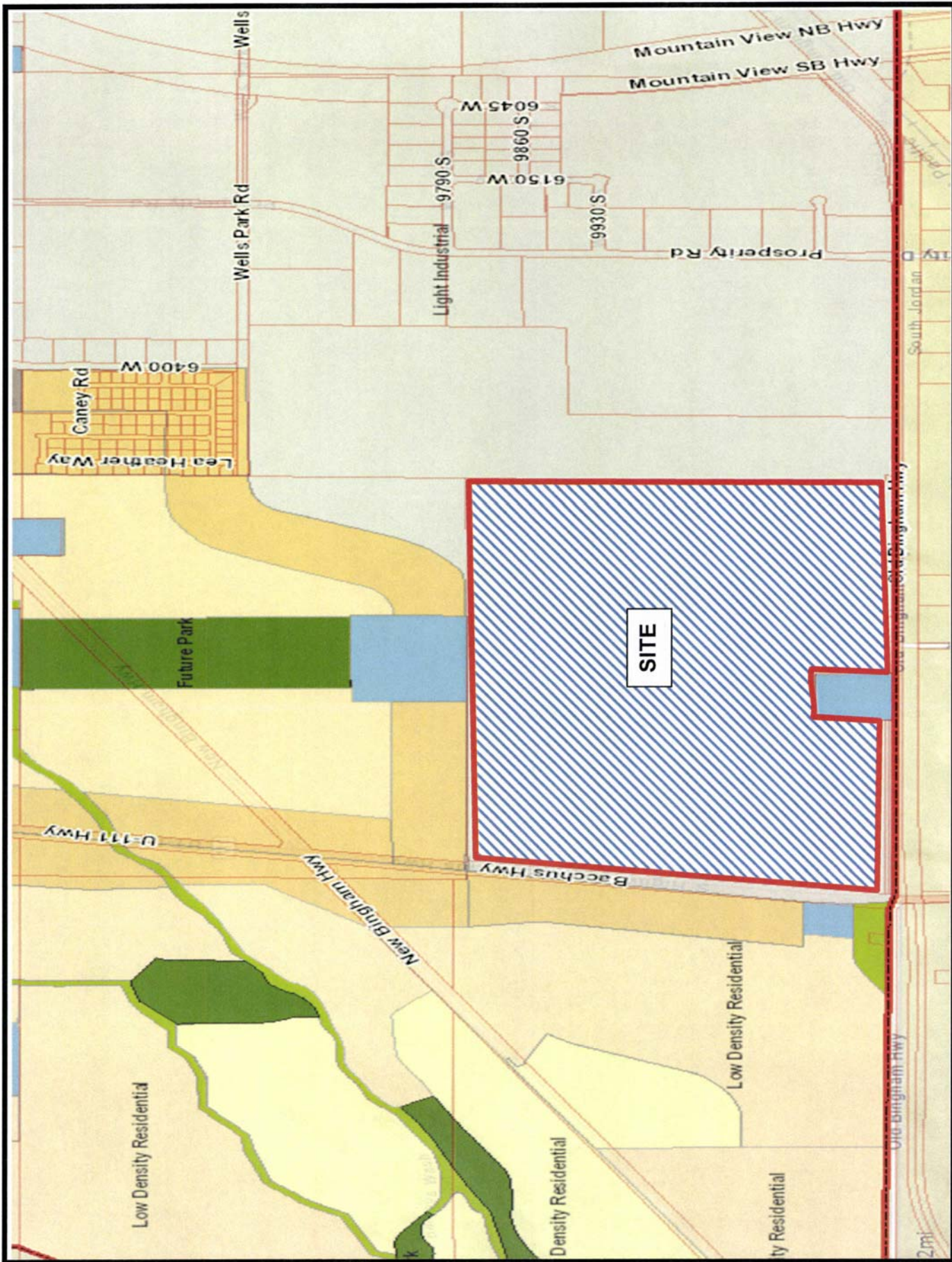


Exhibit C Future Land Use Map

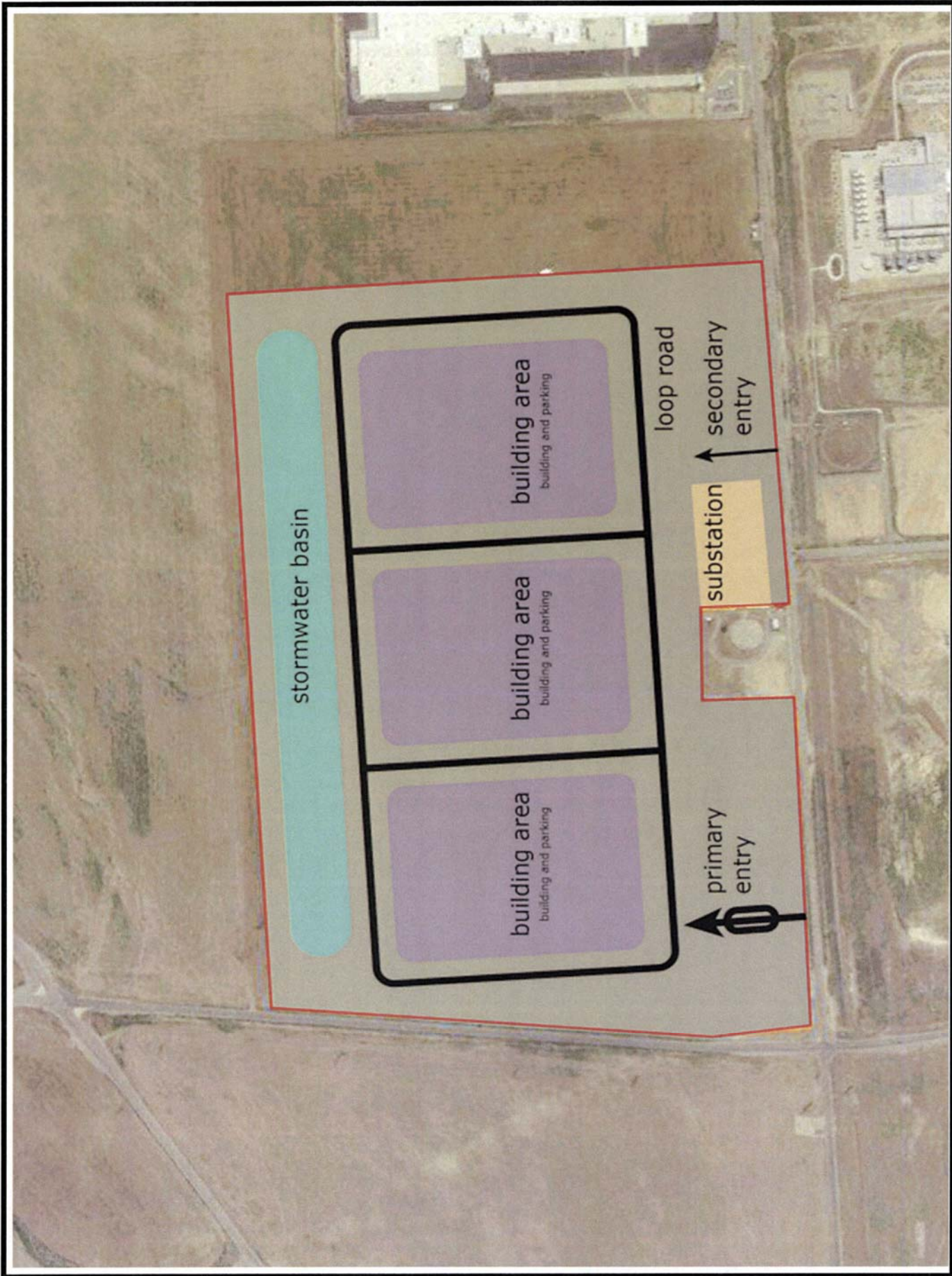


Exhibit D Concept Site Plan

Attached

Exhibit E Draft Ordinance

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 16-32

AN ORDINANCE AMENDING THE ZONING MAP FROM A-20 (AGRICULTURAL; TWENTY ACRE LOT MINIMUM LOT SIZE) TO M-1 (LIGHT INDUSTRIAL) ZONE FOR 248.97 ACRES OF PROPERTY LOCATED AT U-111 OLD BINGHAM HIGHWAY.

WHEREAS, an application was made by Robert Burns on behalf of Vicky Jones to amend the Zoning Map from A-20 (Agricultural; 20 acre minimum lot size) to M-1 (Light Industrial) zone for 248.97 acres of property located at U-111 Old Bingham Highway.

WHEREAS, on May 17, 2016, the Zoning Map amendment was considered by the Planning Commission, which has made a positive recommendation to the City Council concerning the Zoning Map from A-20 (Agricultural; 20 acre minimum lot size) to M-1 (Light Industrial) zone for 248.97 acres of property located at U-111 Old Bingham Highway; and,

WHEREAS, a public hearing, pursuant to public notice, was held before the City Council on May 25, 2016; and,

WHEREAS, the City Council of the City of West Jordan finds, subject to the specified conditions, that:

1. the proposed amendments to the zoning map are consistent with the purposes, goals, objectives, and policies of the City's General Plan; and,
2. the proposed amendments to the zoning map are harmonious with the overall character of existing development in the immediate vicinity of the subject property; and,
3. the proposed amendments to the zoning map will not adversely affect adjacent properties; and,
4. the proposed amendments to the zoning map are consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and,
5. public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection, are now, or will be made by the Developer, adequate.

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

Section 1. The Zoning Map of the City of West Jordan, Utah, is hereby amended by changing the zoning from A-20 (Agricultural; 20 acre minimum lot size) to M-1 (Light Industrial) zone for 248.97 acres of property located at U-111 Old Bingham Highway, Parcels: 26-103-00003, 26-104-00001 [plus adjacent right-of-way]; more appropriately described below:

Beginning at South Quarter Corner of Section 10, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running thence West 558.00 feet more or less along the section line to the southeast corner of parcel which is recorded in the Salt Lake County Recorder Office under Entry Number 2773112, in Book 4066, at Page 225; thence North 496.965 feet along said property line; thence West 470.00 feet along said property line; thence South 495.839 feet along said property line to the Section line; thence North 89°37'13" West

1885.30 feet more or less along said Section line to the west line of State Road 111; thence North 7°33'30" East 2706.09 feet along said State Road to the east-west center section line of said Section 10; thence South 89°36'41" East 3924.43 feet more or less to the west property line of RWK Subdivision which is recorded in the Salt Lake County Recorder Office under Entry Number 9534417, in Book 2005p, at Page 3374; thence South 01°05'18" East 2690.18 feet more or less along said subdivision line to the south line of said Section 10; thence North 89°11'15" West 1418.27 feet more or less along said Section line to the point of beginning. Contains 248.97 ac.

The described property shall hereafter be subjected to the M-1 land-use restrictions and limitations as are stipulated for this zone.

Section 3. This Ordinance shall become effective upon publication or upon the expiration of twenty days following passage, whichever is earlier.

Passed by the City Council of West Jordan, Utah, this 27th day of July 2016.

CITY OF WEST JORDAN

By: _____
 Kim V. Rolfe
 Mayor

ATTEST: _____

MELANIE S. BRIGGS, MMC
 City Clerk

Voting by the City Council	"AYE"	"NAY"
Councilmember Haaga	_____	_____
Councilmember Rice	_____	_____
Councilmember Nichols	_____	_____
Councilmember Jacob	_____	_____
Councilmember Burton	_____	_____
Councilmember McConnehey	_____	_____
Mayor Kim V. Rolfe	_____	_____

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2016, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
 City Clerk/Recorder

[SEAL]
