

REQUEST FOR COUNCIL ACTION

SUBJECT: Reconsideration of Ordinance 14-31, adopted October 22, 2014, and approve Ordinance 14-34, amending the 2009 West Jordan Municipal Code making miscellaneous amendments and adding language relating to a new Cap and Grade requirements for certain types of multi-family residential developments; City-wide applicability; City of West Jordan, applicant [Mayor Rolfe]

After reviewing Ordinance 14-31, Mayor Rolfe realized that his motion approving the Ordinance as stated: “adopt Ordinance 14-31, as written, with one amendment to change the ratio from 83% - 17% to 77% - 23%, as it is today,” did not accomplish completely what he wanted. His desire is to have the following types of two-family and multi-family housing **subject** to the annual cap and time requirements of the Section:

1. Multi-family housing (2 or more housing units) in a Transit Station Overlay District (TSOD)
2. Senior housing for age 55 and older.
3. Owner occupied townhomes with an attached 2-car garage where all housing units shall be occupied by the building owners. This ownership arrangement must be recorded as part of the City-approved CC&R’s.
4. Owner occupied twin homes where at least one of the housing units shall be occupied by one or more of the building owners. This ownership arrangement must be recorded as part of the City-approved CC&R’s.
5. Multi-family for disabled persons
6. Low and moderate income housing owned by non-profit or a local Housing Authority.

Mayor Rolfe proposes the following text amendments to Title 13, Chapter 8:

13-8-23: ANNUAL CAP ON MULTI-FAMILY DEVELOPMENT APPLICATIONS

- A. Purpose: The Comprehensive General Plan supports a housing ratio of 83 percent single-family residential to 17 percent multi-family residential (“the General Plan Ratio”). Notwithstanding the General Plan, the City establishes a ratio of 77 percent single-family residential to 23 percent multi-family residential for the purpose of this section 13-8-23. The City of West Jordan has adopted a cap and grade procedure specific to non-owner occupied multi-family residential development to ensure the orderly growth of the city and foster a housing mix that is consistent with the General Plan.
- B. Exemptions: The following types of two-family and multi-family housing are **not** subject to the annual cap **and or to the** timing requirements of this Section:

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 14-34

[CAP AND GRADE]

AN ORDINANCE AMENDING TITLE 13, “ZONING REGULATIONS.”

WHEREAS, the City of West Jordan adopted a City Code in 2009, for the purpose of carrying into effect and discharging all powers and duties conferred by law upon the city and its officers, employees and inhabitants, and to provide for the safety, preserve the health, promote the prosperity, improve the morals, peace, good order, comfort and convenience of the city and its inhabitants, and to protect property in the city; and

WHEREAS, the adopted 2012 West Jordan City General Plan recommends the City maintain a housing ratio of 83% single-family residential to 17% multi-family residential; and

WHEREAS, although the 2012 General Plan supports a single-family residential to multi-family housing ratio of 83% to 17%, due to the significant number of applications for multi-family housing recently received which has negatively affected this ratio, it has become necessary to develop a new method to manage the number of multi-family housing units being developed in the City to meet the intent of the policies of the General Plan; and

WHEREAS, the West Jordan City Council finds and determines that the purpose of the 2012 General Plan, and the public health and welfare, will best be reached by adopting an annual cap on multi-family development by creating a new section of City Code, Section 13-8-23: Annual Cap on Multi-Family Development Applications; and

WHEREAS, the West Jordan City Council finds and determines that the six exemptions regarding the two-family and multi-family housing are subject to the annual cap and timing requirements of the section; and

WHEREAS, the West Jordan City Council finds and determines that the purpose of the 2009 City Code, and the public health and welfare, will best be reached by the adoption of the following amendments to Title 13, Chapter 8 of the 2009 City Code.

NOW THEREFORE, IT IS ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

Section 1. Title 13, Chapter 8, Section 23 of the 2009 City Code shall be adopted and hereafter read as follows:

13-8-23: ANNUAL CAP ON MULTI-FAMILY DEVELOPMENT APPLICATIONS

- A. Purpose: The Comprehensive General Plan supports a housing ratio of 83 percent single-family residential to 17 percent multi-family residential (“the General Plan Ratio”). Notwithstanding the General Plan, the City establishes a ratio of 77 percent single-family residential to 23 percent multi-family residential for the purpose of this section 13-8-23.

The City of West Jordan has adopted a cap and grade procedure specific to non-owner occupied multi-family residential development to ensure the orderly growth of the city and foster a housing mix that is consistent with the General Plan.

- B. Exemptions: The following types of two-family and multi-family housing are subject to the annual cap and timing requirements of this Section:
1. Multi-family housing (2 or more housing units) in a Transit Station Overlay District (TSOD)
 2. Senior housing for age 55 and older.
 3. Owner occupied townhomes with an attached 2-car garage where all housing units shall be occupied by the building owners. This ownership arrangement must be recorded as part of the City-approved CC&R's.
 4. Owner occupied twin homes where at least one of the housing units shall be occupied by one or more of the building owners. This ownership arrangement must be recorded as part of the City-approved CC&R's.
 5. Multi-family for disabled persons
 6. Low and moderate income housing owned by non-profit or a local Housing Authority.

Section 2. Additions or amendments to the 2009 City Code when passed in such form as to indicate the intention of the city council to make the same a part of the 2009 City Code shall be deemed to be incorporated in the 2009 City Code, so that reference to the 2009 City Code hereafter includes the additions and amendments.

Section 3. This Ordinance shall become immediately effective.

Passed and adopted by the City Council of the City of West Jordan, Utah this 5th day of November 2014.

CITY OF WEST JORDAN

By: _____
KIM V. ROLFE
Mayor

ATTEST:

MELANIE S. BRIGGS, MMC
City Clerk

Voting by the City Council

"AYE"

"NAY"

Jeff Haaga
Judy Hansen
Chris McConnehey
Chad Nichols
Ben Southworth
Justin D. Stoker
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 _____, 2014, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder

[SEAL]

Legislative

Chapter 8

SUPPLEMENTARY AND QUALIFYING STANDARDS

13-8-23: ANNUAL CAP ON MULTI-FAMILY DEVELOPMENT APPLICATIONS

- A. Purpose: The Comprehensive General Plan supports a housing ratio of 83 percent single-family residential to 17 percent multi-family residential (“the General Plan Ratio”). Notwithstanding the General Plan, the City establishes a ratio of 77 percent single-family residential to 23 percent multi-family residential for the purpose of this section 13-8-23. The City of West Jordan has adopted a cap and grade procedure specific to non-owner occupied multi-family residential development to ensure the orderly growth of the city and foster a housing mix that is consistent with the General Plan.
- B. Exemptions: The following types of two-family and multi-family housing are **not** subject to the annual cap **and or to the** timing requirements of this Section:
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