



REQUEST FOR COUNCIL ACTION

Action: Provide information to Council

Meeting Date Requested : 6/9/2021

Presenter: Scott Langford

Deadline of item : 6/23/2021

Department Sponsor: Community Development

Agenda Type: New Business

Time Requested: 5 minutes presentation, 10 minute Council

(Council may elect to provide more or less time)

Approval Signatures *(required for all transmittals)*

Submitter: Scott Langford
Scott Langford (May 27, 2021 15:18 MDT)

Dept. Head: Scott Langford
Scott Langford (May 27, 2021 15:18 MDT)

Reviewed as to Form: Duncan Murray
Duncan Murray (May 27, 2021 15:37 MDT)

Executive: Dick Burton

Council Office: Cindy G. Drake

Council Committee: _____

1. AGENDA SUBJECT

Text Amendment – Interchange Overlay Zone (IOZ); Amend the 2009 City Code Sections 13-6K-1 and 13-6K-2

2. SUMMARY

New Business June 9th and Public Hearing June 23rd
Amend boundaries of Interchange Overlay Map (IOZ) and descriptive text of 13-6K-2.

3. TIME SENSITIVITY / URGENCY

No urgency.

4. BUDGET IMPACT

No budget impact.

5. DEPARTMENT RECOMMENDATION

Approval.

6. PLANNING COMMISSION RECOMMENDATION

The Planning Commission forwarded a positive recommendation to the City Council.

7. MOTION RECOMMENDED

Motion to approve Ordinance No. 21-23 amending the 2009 West Jordan City Code (Interchange Overlay Zone: Sections 13-6K-1 and 13-6K-2)

8. PACKET ATTACHMENT(S)

- A. Staff Report
- B. Ordinance No. 21-23
- C. Planning Commission Minutes

CITY COUNCIL STAFF REPORT

SUBJECT: Text Amendment – Amending Interchange Overlay Zone.

SUMMARY: Text Amendment – Interchange Overlay Zone (IOZ); Amend the 2009 City Code Section 13-6K-2; city-wide applicability; City of West Jordan (applicant) [Larry Gardner #24111]

I. BACKGROUND

The proposed ordinance is the request of the City Council Land Use Sub-committee. That body feels that it is appropriate to amend the IOZ map and ordinance to reflect a more realistic development of property using the IOZ ordinance.

II. GENERAL INFORMATION & ANALYSIS

The proposed ordinance will remove any reference to Bangerter Highway as the IOZ no longer impacts interchanges on Bangerter. The proposed ordinance reduces the number of areas from five to three. In the proposed ordinance areas D and E are unchanged in boundary and purpose and the letter reference is changed to areas B and C. All of the former area A has been removed as the committee felt there was little chance of development using this tool. Area B on the former map was altered by removing any potential overlay west of Mountain View Corridor. The east side boundary of MVC is unchanged other than Area C was removed. The resulting map better explains the alterations to the IOZ map. The proposed ordinance is as follows:

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) ~~and Bangerter Highway (SR-154)~~ 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. ~~and the Bangerter Highway.~~
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)

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. 90th South and Mountain View - a regional commercial area which may include vehicle sales as the anchor. At the north end of the area, the intent is to provide higher density housing 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 - the intent is to provide for additional higher density housing to the west of Mountain View and housing mixed with limited commercial uses to the east.
3. Area C. Highlands - area east and west of Mountain View off of 7800 South in the Highlands Master Planned development. Intent is a mix of housing, office and commercial.

~~A. This overlay is only allowed at specific locations that are impacted by the Mountain View Corridor and~~

~~Bangerter Highway. The locations where the IOZ may be adopted are shown on Figure 1—Interchange Overlay Zone Map. The overlay varies the allowed uses by interchange to assure improved market demand as per the following:~~

- ~~1. Old Bingham Highway and Mountain View—primarily manufacturing uses, commercial and transitoriented development (area A).~~
- ~~2. 90th South and Mountain View—a regional commercial area with vehicle sales as the anchor and the potential for mixed non residential uses and residential uses north of New Bingham Highway corridor (area B).~~
- ~~3. 90th South and Mountain View New Bingham Highway transition—the area located east of Mountain View, west of 5600 West, south of 8600 South and adjacent to the vacated New Bingham Highway. The intent is to provide higher density housing as a transition from commercial with vehicle sales to the single family homes to the north of 8600 South. This area also has the possibility of limited commercial uses. This area cannot receive IOZ overlay independent of area B (area C).~~

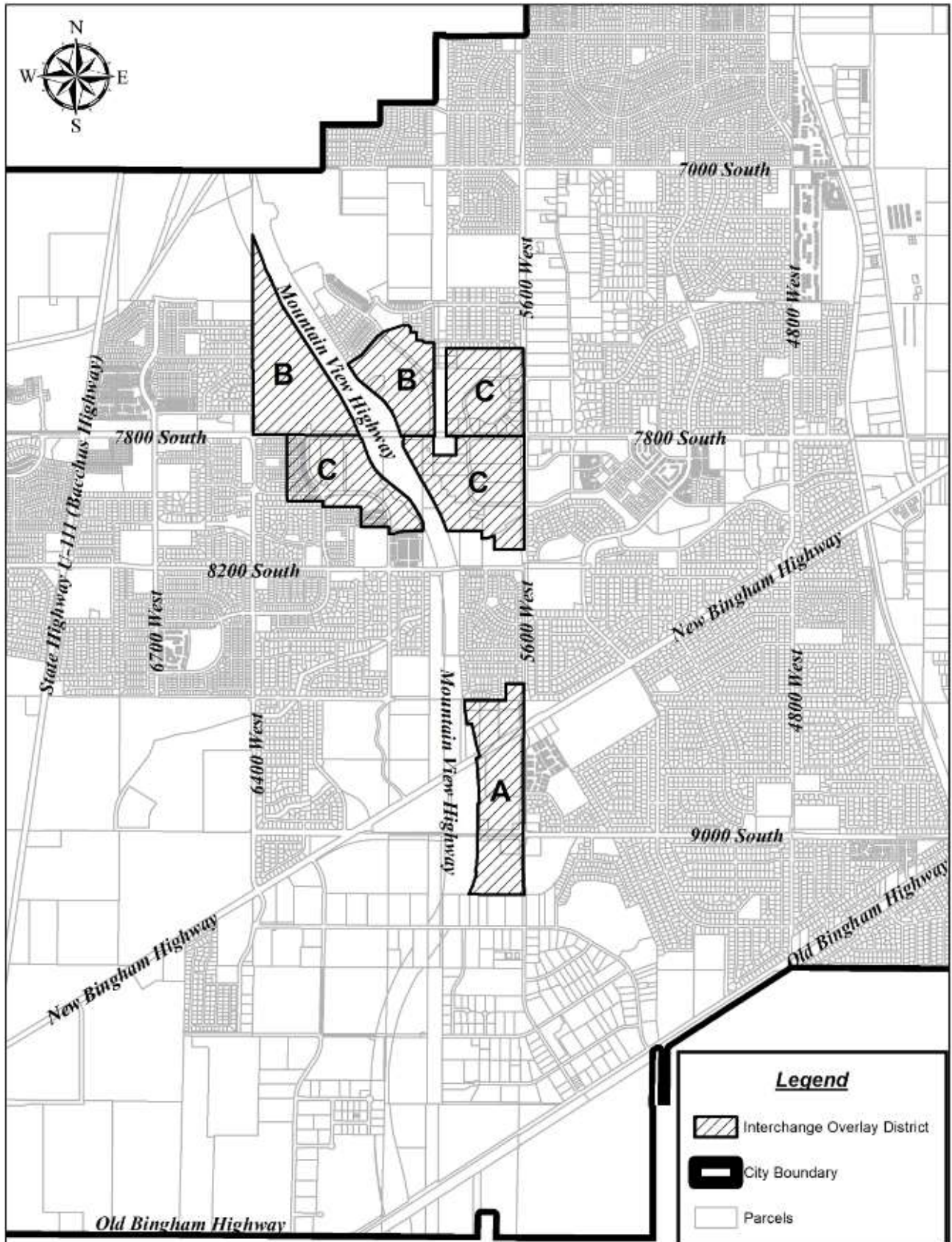
4. 7800 South Mountain View—the intent is to provide for additional higher density housing to the west of Mountain View and housing mixed with limited commercial uses to the east (area D):

5. Highlands—area east and west of Mountain View off of 7800 South in the Highlands Master Planned development. Intent is a mix of housing, office and commercial (area E).

5/12/2021
https://export.amlegal.com/api/export_requests/755742cf-75f1-48ba-90e9-050aedaad1b



Map to be removed from ordinance.



Map to be added

III. FINDINGS OF FACT

Section 13-7-D-7B, requires that prior approval the City Council must make the following findings:

Criteria 1: *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

Discussion: The General Plan supports keeping ordinances relevant and understandable. On Page 19 it states:

“GOAL 2. CONTINUALLY AND CONSISTENTLY UPDATE THE FUTURE LAND USE MAP, ZONING MAP, AND ZONING ORDINANCE FOR EASE OF REFERENCE AND ADMINISTRATION.

Policy 3. The Zoning Ordinance shall be updated to incorporate necessary changes that are consistent with State Code and reflect the best and most current land use. practices of the time. Zoning Ordinance modifications and updates shall be made. easy for the general public and City administration to understand.

1. Consistently review the Zoning Ordinance and edit where necessary in order to eliminate redundancy and replace technical jargon with plain English.”

Finding: The proposed amendment conforms to the General Plan and is consistent with the adopted goals, objectives and policies described therein.

Criteria 2: *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;*

Discussion: The proposed amendment will alter the IOZ ordinance to reflect more realistic development possibilities.

Finding: The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;

Criteria 3: *The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and*

Discussion: The proposed amendment will only impact properties that the City Council sees fit to apply the overlay to. The proposed ordinance will not conflict with any other adopted ordinance or with the General Plan.

Finding: The proposed amendment will not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4: *The proposed amendment does not relieve a particular hardship, nor does it 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.*

Discussion: The draft ordinance as written will have implication to properties on the proposed IOZ map and will not relieve a particular hardship or grant special privileges to any one person or entity.

Finding: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

ORDINANCE NO. 21-23

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(INTERCHANGE OVERLAY ZONE: SECTIONS 13-6K-1 AND 13-6K-2)**

WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in 2009; and

WHEREAS, titles 5, 8, 9, 10, 11, 12, 13, 14, and 15 of the City Code have been adopted as “Land Use Regulations”, as defined by Utah Code Ann. Subsection 10-9a-103(32) or successor provisions; and

WHEREAS, the City desires to amend and repeal certain sections of the City Code, which have been adopted as Land Use Regulations (“proposed City Code amendments”); and

WHEREAS, the Planning Commission of the City (“Planning Commission”) held a public hearing on May 18, 2021 regarding the proposed City Code amendments and forwarded a positive recommendation to the City Council of the City (“City Council”) regarding the proposed code amendments; and

WHEREAS, after reviewing the Planning Commission’s recommendation, and after the City Council held its own public hearing on June 23, 2021 regarding the proposed City Code amendments, the City Council finds it to be in the best interest of the public health, safety, and welfare to adopt the following amendments to the City Code.

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

Section 1. Amendment. The following two (2) sections of the City Code, both of which are land use regulation sections, are amended so that they shall now read as shown on Attachment 1 to this Ordinance:

§ 13-6K-1 and § 13-6K-2.

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 either (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 him.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
DAY OF _____, 2021.

CITY OF WEST JORDAN

By: _____

Zach Jacob
Council Chair

ATTEST:

Cindy M. Quick, MMC
Council Office Clerk

VOTING BY THE CITY COUNCIL

"YES"

"NO"

Council Chair Zach Jacob

☐☐

Council Vice Chair Kelvin Green

☐☐

Council Member Chad R. Lamb

☐☐

Council Member Christopher McConnehey

☐☐

Council Member David Pack

☐☐

Council Member Kayleen Whitelock

☐☐

Council Member Melissa Worthen

☐☐

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____.

Mayor's Action: _____ Approve _____ Veto

By: _____
Mayor Dirk Burton

Date

ATTEST:

Tangee Sloan
City Recorder

STATEMENT OF APPROVAL OE PASSAGE (check one)

_____ The Mayor approved and signed Ordinance No. 21-23.

_____ The Mayor vetoed Ordinance No. 21-23 on _____ and the
City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

_____ Ordinance No. 21-23 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 _____, 2021. 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 on the following page)

Attachment 1

[Attachment to ORDINANCE NO. 21-23
AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(INTERCHANGE OVERLAY ZONE: SECTIONS 13-6K-1 AND 13-6K-2)]

Legislative Version:

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) and Bangerter Highway (SR-154) 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 and the Bangerter Highway.

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)

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. 90th South and Mountain View - a regional commercial area which may include vehicle sales as the anchor. At the north end of the area, the intent is to provide higher density housing 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 - the intent is to provide for additional higher density housing to the west of Mountain View and housing mixed with limited commercial uses to the east.

3. Area C. Highlands - area east and west of Mountain View off of 7800 South in the Highlands Master Planned development. Intent is a mix of housing, office and commercial.

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Bangerter Highway. The locations where the IOZ may be adopted are shown on Figure 1 - Interchange Overlay Zone Map. The overlay varies the allowed uses by interchange to assure improved market demand as per the following:

1. Old Bingham Highway and Mountain View - primarily manufacturing uses, commercial and transitoriented development (area A).

2. 90th South and Mountain View - a regional commercial area with vehicle sales as the anchor and the potential for mixed non-residential uses and residential uses north of New Bingham Highway corridor (area B).

3. 90th South and Mountain View New Bingham Highway transition - the area located east of Mountain View, west of 5600 West, south of 8600 South and adjacent to the vacated New Bingham Highway. The intent is to provide higher density housing as a transition from commercial with vehicle sales to the single family homes to the north of 8600 South. This area also has the possibility of limited commercial uses. This area cannot receive IOZ overlay independent of area B (area C).

4. 7800 South Mountain View - the intent is to provide for additional higher density housing to the west of Mountain View and housing mixed with limited commercial uses to the east (area D).

5. Highlands - area east and west of Mountain View off of 7800 South in the Highlands Master Planned development. Intent is a mix of housing, office and commercial (area E).

Figure 1 - Interchange Overlay Zone Map [replace current figure with the figure below]

6.4. To apply for the IOZ, a property must be located in one of the areas shown on Figure 1 - Interchange Overlay Zone Map. The area must be minimum of 50 contiguous acres. One parcel must be adjacent to both an interchange of the Mountain View Corridor and the major road it accesses (78th South, 90th South, Old Bingham Highway or 5600 West). If the area is located in a current (not expired) adopted master planned project and lies within areas ~~D or E~~ B or C as shown on the Interchange Overlay Zone Map as of November 14, 2019, the proximity and acreage requirements do not apply.

186 **7.5.** Any new development within the specified interchange areas as defined on the zoning
187 map, meeting the restrictions of subsection 6 may apply for the IOZ. IOZ is an overlay and has no
188 required relationship to the underlying zone.

189 **8.6.** IOZ standards and requirements supersede any underlying zone, but not necessarily other
190 relevant chapters of the West Jordan code. This chapter reflects the minimum requirements and
191 where such requirements conflict with other requirements of the code, these shall prevail. A
192 development agreement may include provisions that enhance or conflict with the standards found
193 in this chapter. (Ord. 19-34, 11-13-2019)
194

195 **Clean Version:**

196
197 **13-6K-1: PURPOSE:**

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

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203 distinction, create jobs, and assure long term sustainable development that contributes to the
204 financial and social well-being of the City.

205 2. To manage and promote appropriate uses around specified interchanges along the Mountain View
206 Corridor.

207 3. To assure that market demand is strategically distributed between the potential interchanges.

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209 City within the corridors.

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211 intensification and densification where it is appropriate.

212 6. To establish standards with sufficient detail to assure quality architecture, site planning, enduring
213 neighborhoods, and commercial viability.

214 7. To provide a proactive series of expectations from developers and to avoid processes that are
215 reactive to development proposals.

216 8. To enhance the potential for compatible development with surrounding uses and a positive
217 appearance from the adjacent freeway and highway.

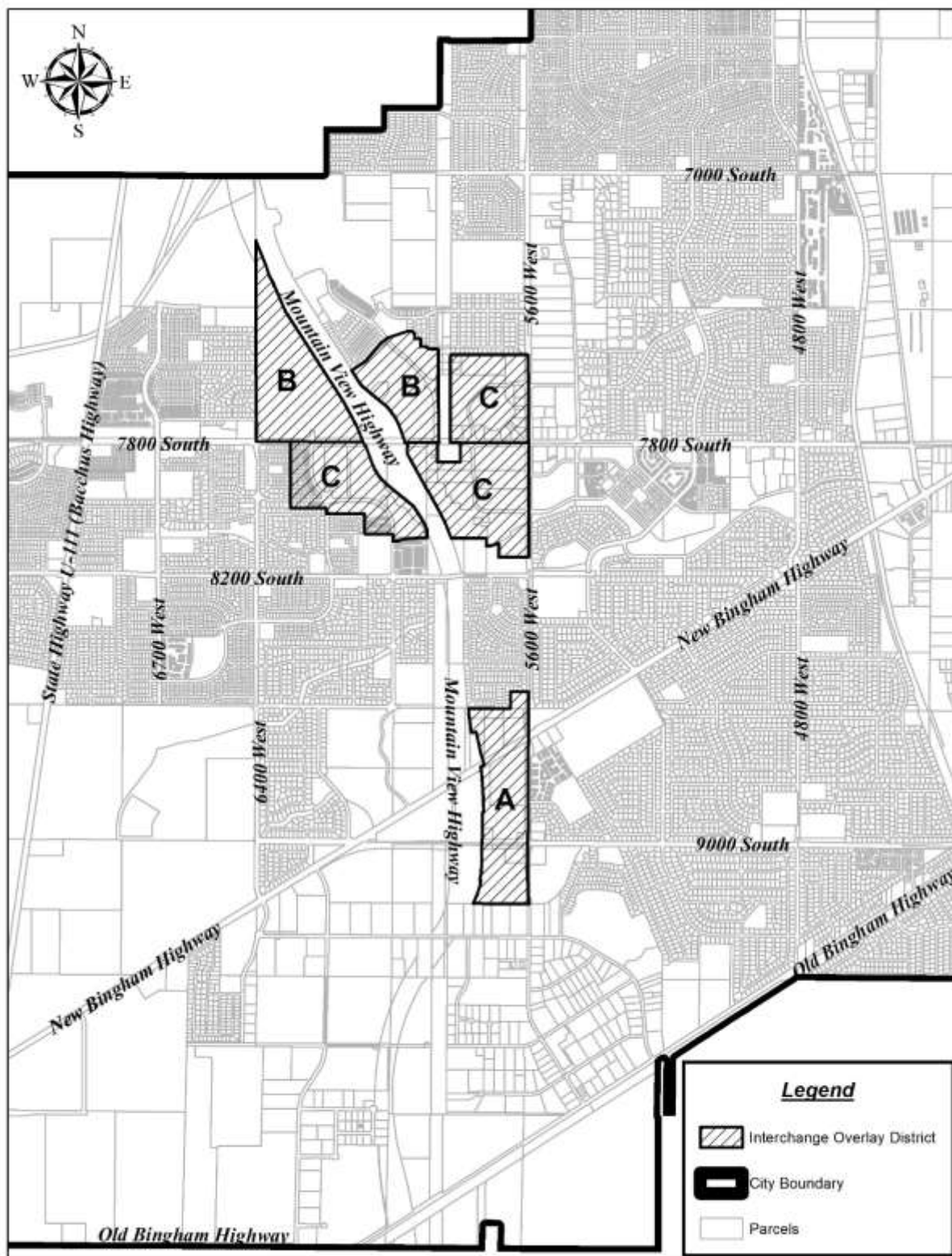
218 9. To design areas in a way that design off-sets any residential density impacts.

219 10. To assure walkable connected communities are designed from the ground up. (Ord. 19-34, 11-
220 13-2019)
221
222

223 13-6K-2: **APPLICABILITY:**

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

- 227 1. Area A. 90th South and Mountain View - a regional commercial area which may include
228 vehicle sales as the anchor. At the north end of the area, the intent is to provide higher
229 density housing as a transition from the commercial uses to the single family homes to
230 the north of 8600 South.
- 231 2. Area B. 7800 South Mountain View - the intent is to provide for additional higher
232 density housing to the west of Mountain View and housing mixed with limited
233 commercial uses to the east.
- 234 3. Area C. Highlands - area east and west of Mountain View off of 7800 South in the
235 Highlands Master Planned development. Intent is a mix of housing, office and
236 commercial.
- 237 4. To apply for the IOZ, a property must be located in one of the areas shown on Figure 1 -
238 Interchange Overlay Zone Map. The area must be minimum of 50 contiguous
239 acres. One parcel must be adjacent to both an interchange of the Mountain View
240 Corridor and the major road it accesses (78th South, 90th South, or 5600 West). If the
241 area is located in a current (not expired) adopted master planned project and lies within
242 areas B or C as shown on the Interchange Overlay Zone Map as of November 14, 2019,
243 the proximity and acreage requirements do not apply.
- 244 5. Any new development within the specified interchange areas as defined on the zoning
245 map, meeting the restrictions of subsection 6 may apply for the IOZ. IOZ is an overlay
246 and has no required relationship to the underlying zone.
- 247 6. IOZ standards and requirements supersede any underlying zone, but not necessarily other
248 relevant chapters of the West Jordan code. This chapter reflects the minimum
249 requirements and where such requirements conflict with other requirements of the code,
250 these shall prevail. A development agreement may include provisions that enhance or
251 conflict with the standards found in this chapter. (Ord. 19-34, 11-13-2019)



MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD MAY 18, 2021 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Trish Hatch, Jay Thomas, Corbin England, Matt Quinney, Ammon Allen, Pamela Bloom (remotely), Kent Shelton (remotely).

STAFF: Scott Langford, Larry Gardner, Duncan Murray, Dirk Burton, Julie Davis, Brian Berndt, Ray McCandless, Mark Forsythe

OTHERS: Steven Losee, Ron McDougal, Randy McDougal, Jake Woodward. Those attending remotely were Jeff Hammond, Susan Breinholt, Colonel, John Semnani, Ken Dodson, Satar Tabriz, Scott Howell

5. Text Amendment – Interchange Overlay Zone (IOZ); Amend the 2009 City Code Section 13-6K-2; city-wide applicability; City of West Jordan (applicant) [#24111]

Larry Gardner said that the City Council Land Use Subcommittee reviewed the map associated with the Interchange Overlay Zone and recommended that certain areas be eliminated, which he explained. He suggested that the Planning Commission consider whether Area A on the proposed map should be reduced to exclude the developed industrial parcels.

Trish Hatch opened the public hearing.

Further public comment was closed at this point for this item.

Matt Quinney agreed that the southern portion of parcel A should be eliminated since it is already developed with industrial uses. Corbin England agreed that parcel A should stop around the southern end of the apartments on 5600 West.

MOTION: Corbin England moved to forward a positive recommendation to the City Council to Amend the 2009 City Code Section 13-6K-2; Interchange Overlay Zone (IOZ), eliminating the far southern end of area A that is already developed. The motion was seconded by Matt Quinney and passed 7-0 in favor.












NB d IOZ Amendment

Final Audit Report

2021-05-28

Created:	2021-05-27
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJKhcPQPtex-f9Er7cDhzsUGRsBk7SCzA

"NB d IOZ Amendment" History

-  Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)
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-  Email viewed by Scott Langford (scott.langford@westjordan.utah.gov)
2021-05-27 - 9:18:28 PM GMT- IP address: 207.225.200.66
-  Document e-signed by Scott Langford (scott.langford@westjordan.utah.gov)
Signature Date: 2021-05-27 - 9:18:58 PM GMT - Time Source: server- IP address: 207.225.200.66
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Signature Date: 2021-05-28 - 0:02:24 AM GMT - Time Source: server- IP address: 207.225.200.66
-  Document emailed to Cindy Quick (Cindy.quick@westjordan.utah.gov) for signature
2021-05-28 - 0:02:26 AM GMT



Document e-signed by Cindy Quick (Cindy.quick@westjordan.utah.gov)

Signature Date: 2021-05-28 - 2:49:34 PM GMT - Time Source: server- IP address: 98.202.140.103



Agreement completed.

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