

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 24-59

AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(REPLACING “NEWLY ANNEXED TERRITORIES” WITH “ANNEXATIONS OF
REAL PROPERTY INTO THE CITY (NEW AND EXISTING DEVELOPMENT)”;
AMENDING SECTION 13-5-4

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 Section 13-5-4 in the City Code (“proposed City Code amendments”); and

WHEREAS, the Planning Commission of the City (“Planning Commission”) held a public hearing and provided a recommendation on November 19, 2024, regarding the proposed City Code amendments, which are all land use regulations in the land use titles; and determined the following, pursuant to City Code Section 13-7D-6B:

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 December 18, 2024, regarding the proposed City Code amendments, and finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the 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 City Code Provisions. City Code Section 13-5-4 is amended as shown in Attachment A (Legislative Version) and Attachment B (Clean Version) to this Ordinance.

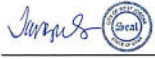
Section 2. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

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 next page.]

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 3rd day of January, 2025 ^{ASC} ~~2024~~. 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.)

Attachments A and B to

ORDINANCE NO. 24-59

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(REPLACING “NEWLY ANNEXED TERRITORIES” WITH “ANNEXATIONS OF
REAL PROPERTY INTO THE CITY (NEW AND EXISTING DEVELOPMENT)”;
AMENDING SECTION 13-5-4**

Attachment A – Legislative Version

Attachment B - Clean Version

(See the following pages for the attachments.)

Attachment 1 to Ordinance 24-59

(Legislative Version)

13-5-4: ~~NEWLY ANNEXED TERRITORIES~~ ANNEXATIONS OF REAL PROPERTY INTO THE CITY:

~~—A. Concurrent Consideration Of Zoning: Territories for which the City has received an annexation petition shall be considered by the City for a designation of zoning concurrently with the annexation petition. The Planning Commission shall consider a zone designation request along with an annexation petition and forward its recommendation regarding the proposed annexation and zoning to the City Council.~~

~~—B. Public Hearings: Subsequent to Planning Commission recommendation, the City Council shall set two (2) public hearings to be held on the same date; one for the annexation of territories, and one for the requested zone designation of these territories. The hearing for the zone designation shall follow immediately after the hearing considering the annexation, if the annexation is approved.~~

~~—C. Binding Vote: The City Council shall delay any binding vote on the zone designation until a vote on the annexation has occurred.~~

~~—D. Compliance With General Plan: In order to ensure due process and to protect the rights of the citizens of the City, property shall be zoned in accordance with the designated future land use in the general plan unless it can be demonstrated to the City Council that some other zoning classification is appropriate and compatible with the general plan. No official of the City shall utilize reclassification commitments as a means of bargaining for the annexation of property into the City.~~

A. New Development. For any set of complete development applications submitted to the city on or after December 18, 2024, which includes an annexation application, the planning commission shall not consider or have any role in the annexation application process unless specifically required by state law or by the city council, except that the planning commission shall provide a zoning recommendation (and a future land use map designation recommendation) to the city council for the real property proposed to be annexed. The process for such an annexation shall also be guided by Utah Code section 10-2-403 and other applicable sections, starting with a notice of intent to file an annexation petition ("notice of intent").

B. Existing Development. For property proposed to be annexed that has already been developed and for which no new development application is being submitted, and for which a notice of intent was submitted to the city on or after September 18, 2024, the planning commission shall not consider or have any role in the annexation application process unless specifically required by state law or by the city council, except that the planning commission shall provide a zoning recommendation (and a future land use map designation recommendation) to the city council for the real property proposed to be annexed. The process for such an annexation shall also be guided by Utah Code section 10-2-403 and other applicable sections.

Attachment 2 to Ordinance 24-59

(Clean Version)

13-5-4: ANNEXATIONS OF REAL PROPERTY INTO THE CITY:

A. New Development. For any set of complete development applications submitted to the city on or after December 18, 2024, which includes an annexation application, the planning commission shall not consider or have any role in the annexation application process unless specifically required by state law or by the city council, except that the planning commission shall provide a zoning recommendation (and a future land use map designation recommendation) to the city council for the real property proposed to be annexed. The process for such an annexation shall also be guided by Utah Code section 10-2-403 and other applicable sections, starting with a notice of intent to file an annexation petition ("notice of intent").

B. Existing Development. For property proposed to be annexed that has already been developed and for which no new development application is being submitted, and for which a notice of intent was submitted to the city on or after September 18, 2024, the planning commission shall not consider or have any role in the annexation application process unless specifically required by state law or by the city council, except that the planning commission shall provide a zoning recommendation (and a future land use map designation recommendation) to the city council for the real property proposed to be annexed. The process for such an annexation shall also be guided by Utah Code section 10-2-403 and other applicable sections.












Ordinance No. 24-59 Amd 13-5-4 annexations


Final Audit Report


2025-01-03

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-  Email viewed by zach.jacob@westjordan.utah.gov
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