

Agenda Item Number: 6a

Meeting Date: 7/8/2020

Presenter: Lisa Elgin

REQUEST FOR COUNCIL ACTION

45 - 5 : 5 : 5	
Requestor: Lisa Elgin	Meeting Date Requested: 7/8/2020
Department : Development Services	Date Final Action Required: 7/8/2020
Meeting Type: ☐Work Session ☐Public Hearing ☐E	Business Item Other Consent Item
Action Requested : □Provide Information □Request Fe	edback ⊠Decision □Other
Time Requested: Total Time: 5 Minutes (Presentation	Time:5 Council Discussion:
Signatures: Lisa Elgin Submitter: Lisa Elgin (Jun 29, 2020 14:52 MDT) Reviewed as to Form: Duncan Murray Duncan Murray (Jun 29, 2020 14:54 MDT) Council Office:	Dept. Head: Scorban Lee Korban Lee Executive: Korban Lee (Jun 30, 2020 15:27 MDT)
AGENDA SUBJECT General Land Use Map and Zoning Map Amendmen	t
PURPOSE FOR COUNCIL TIME	

Receive input and provide direction regarding a request for a General Land Use Map and Zoning Map amendment

SUMMARY (Brief synopsis of the of the issue)

General Land Use Map amendment at approximately 4701 West 6200 South redesignating approximately 5.5 acres from Neighborhood Commercial to Light Industrial; and a Zoning Map amendment rezoning approximately 14.3 acres from SC-2 (Community Shopping Center) Zone to M-1 (Light Manufacturing) Zone

TIME SENSITIVITY / URGENCY

None

BUDGET IMPACT

There is no impact to the budget

STAFF RECOMMENDATION

Approval

PLANNING COMMISSION RECOMMENDATION

The Planning Commission heard this item on April 21, 2020. A motion to forward a positive recommendation to the City Council for approval was seconded and passed 5-1.

MOTION RECOMMENDED

I move that the City Council APPROVE Ordinance No. 20-21 regarding a General Land Use Map Amendment at 4701 West 6200 South redesignating approximately 5.5 acres from Neighborhood Commercial to Light Industrial and a Zoning Map Amendment rezoning approximately 14.3 acres from SC-2 (Community Shopping Center) Zone to M-1 (Light Manufacturing) Zone.

MAYOR RECOMMENDATION

N/A

PACKET ATTACHMENT(S)

Staff Report Ordinance 20-21

OTHER INFORMATION (If Applicable)

INSTRUCTIONS

This document is intended as an aid for planning City Council agendas. The Council has expressed a desire to know what items need to be heard well before packets are prepared. Please submit this form to the City Council Director's office as soon as it is reasonably known that an item needs to be brought to the council. This is not required for routine special recognition or consent items, but is encouraged for anything that is not routine. Please provide as much information as reasonable, the requestor is authorized to alter the form to extend the sections below as appropriate. Additional attachments are encouraged and can be added as embedded attachments.

CITY COUNCIL STAFF REPORT

SUBJECT: WJ Airport, LLC Future Land Use Map Amendment and Zoning Map Amendment

SUMMARY: 4701 West 6200 South; Future Land Use Map Amendment for approximately 5.5 acres from Neighborhood Commercial to Light Industrial and Zoning Map Amendment for approximately 14.30 acres from SC-2 (Community Shopping Center) Zone to M-1 (Light Manufacturing) Zone; Legend Partners/John G. Taylor (applicant) [Lisa Elgin/Nathan Nelson #20787, 20788; parcel 21-19-100-027]

PLANNING COMMISSION RECOMMENDATION: The Planning Commission forwards a positive recommendation for approval of the Future Land Use Map Amendment for approximately 5.5 acres from Neighborhood Commercial to Light Industrial and the Zoning Map Amendment for approximately 14.30 acres from SC-2 (Community Shopping Center) Zone to M-1 (Light Manufacturing) Zone.

I. BACKGROUND:

The subject property has been owned by the current ownership group for decades and is the remaining acreage of a larger parcel. The current use is dry farming, but unfortunately there have been numerous incidents of illegal dumping on the parcel creating a nuisance for the owners and neighbors.

Approximately 5.5 of the acres are designated Neighborhood Commercial by the General Plan, while the remaining 8.55 acres are designated Light Industrial. The entire parcel is zoned SC-2 (Community Shopping Center).

II. GENERAL INFORMATION & ANALYSIS:

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

	Future Land Use	Zoning	Existing Land Use
	Kearns – Multi-family Residential/Light Industrial	R-M/M-1	Vacant
South	Light Industrial	M-1 (Light Manufacturing)	Government service
East	Public Facilities	A-SP (Airport Special Purpose)	Vacant
West	Parks and Open Land	SC-2 (Community Shopping Center)	Railroad

III. FINDINGS OF FACT

13-7-C-6 General Plan Amendments

Prior to recommending approval for an amendment to the Future Land Use Map, the Planning Commission shall make findings on the following criteria:

Criteria 1. The proposed amendment conforms to and is consistent with the adopted goals, objectives and policies set forth in the City General Plan.

Discussion: Implementation Measure 3 of Policy 3, Goal No. 1 of the Light Industrial Land Use Section of the General Plan states, "Logical grouping of industry should be encouraged with industries that benefit from access to rail or airport facilities located in close proximity to these amenities." This parcel lies between and adjacent to both a rail line and the South Valley Regional Airport.

Finding: The proposed amendment conforms to and is consistent with the adopted goals, objectives and policies set forth in the City General Plan.

Criteria 2. The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

Discussion: The southern half of the subject parcel is designated for Light Industrial. This is the last parcel of Light Industrial in the area that is undeveloped or unplanned. Implementation Measure No. 2 of Policy No. 3 supports the contiguous growth and completion of developing industrial areas before opening up new areas for industrial development. This application furthers this policy by allowing for contiguous growth in an existing industrial area which has no more available land for development. Also, as this is the last parcel available for development no more similar applications will be submitted asking for redesignation.

Finding: The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

Criteria 3. The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.

Discussion: The surrounding areas consist of light industrial to the south, a rail line to the west with existing commercial beyond that, Airport special purpose to the east, and the parcels to the north are vacant and situated in Kearns, zoned for multi-family residential and light industrial. The Light Industrial designation is compatible with the surrounding uses.

Finding: The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.

Criteria 4. The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.

Discussion: The proposed future land use map amendment improves the area by increasing the likelihood of near future development, eliminating the eyesore of illegal dumping and providing light industrial land which will create jobs and increase the tax base.

Finding: The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.

Criteria 5. The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to,

roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

Discussion: The proposed amendment is for the northerly 5.5 acres of a 14.05-acre parcel which the southerly 8.55 acres are already designated Light Industrial. There is light industrial to the south as well as one parcel across 6200 South in Kearns that is zoned for light industrial. No larger or more expensive public infrastructure projects are anticipated from this proposed 5.5 acre amendment to the Future Land Use Map.

Finding: The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

Criteria 6. The proposed amendment is consistent with other adopted plans, codes and ordinances. (2009 Code; amd. Ord. 11-35, 11-22-2011; Ord. 13-33, 11-13-2013)

Discussion: The proposed amendment is consistent with all other adopted plans, codes, and ordinances.

Finding: The proposed amendment is consistent with other adopted plans, codes and ordinances. (2009 Code; amd. Ord. 11-35, 11-22-2011; Ord. 13-33, 11-13-2013).

13-7D-7A: Zoning Map Amendments

Prior to recommending approval for a Zoning Map Amendment, the Planning Commission shall make findings on the following criteria:

Criteria 1. The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted General Plan and land use map.

Discussion: Implementation Measure 3 of Policy 3, Goal No. 1 of the Light Industrial Land Use Section of the General Plan states, "Logical grouping of industry should be encouraged with industries that benefit from access to rail or airport facilities located in close proximity to these amenities." This parcel lies between and adjacent to both a rail line and the South Valley Regional Airport.

Finding: The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted General Plan and land use map.

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

Discussion: The surrounding land uses of government services, rail road, parks, commercial, as well as vacant lands zoned for multi-family residential, light industrial, and airport special purpose are all compatible with the proposed zoning of M-1 (Light Manufacturing). Staff anticipates no adverse effects to adjacent 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: The M-1 (Light Manufacturing) Zone District has specific standards which will be met when the property is developed. Those standards promote the health, safety and general welfare of the population.

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: The applicant is proposing a Zoning Map Amendment that includes 14.30 acres from SC-2 (Community Shopping Center) Zone to M-1 (Light Manufacturing) Zone. There is light industrial to the south as well as one parcel across 6200 South in Kearns that is zoned for light industrial. No impacts to public services and facilities are anticipated by this proposed 14.30 acre Zoning Map Amendment.

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: A portion of the parcel is located in the 15-year Groundwater Protection Zone. When a development application is submitted the use will have to be consistent with the permitted use table for the overlay zone and all potential effects will be evaluated and mitigation measures will be implemented at that point.

The entire parcel lies within the Horizontal Zone of the South Valley Regional Airport. Any development application will have to be consistent with the permitted use table for the overlay zone. In addition, any development on this parcel will require an avigation easement be recorded before final approval.

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

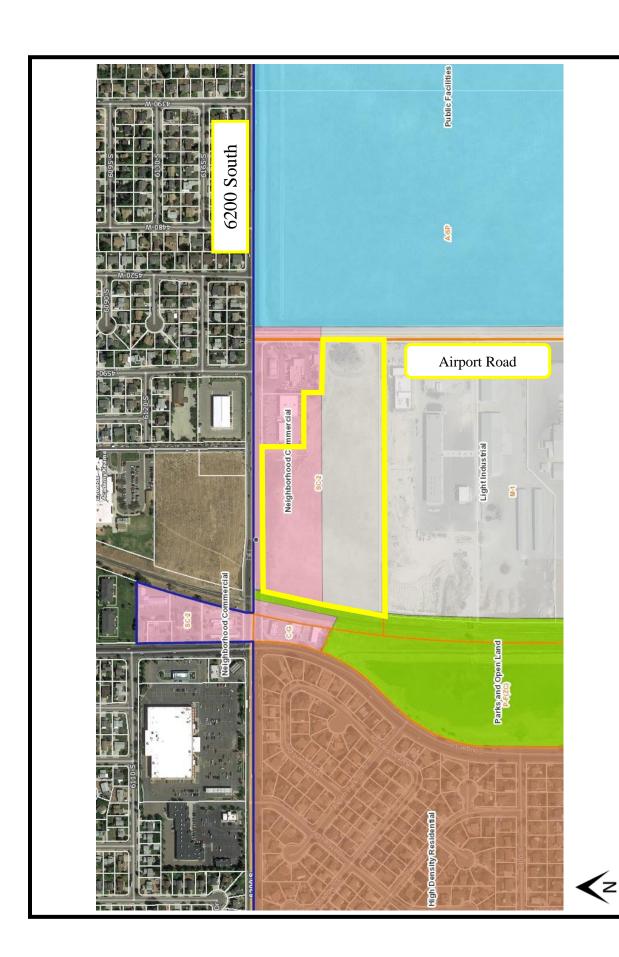
IV. CONCLUSION:

Subject to the findings discussed in this report all applicable requirements for the Future Land Use Map Amendment and the Rezone can be met.

V. ATTACHMENTS:

Exhibit A – Zoning and Future Land Use Map

Exhibit B – Letter of Intent



Zoning and Future Land Use Map

The subject property has been owned by the current ownership group for several decades. It is the remaining acreage of a larger parcel. It is currently used for Agricultural Purposes and is taxed as Greenbelt. The requested zone change will necessitate removing the property from the Agricultural Exemption and increase the tax base of West Jordan City. Currently the agricultural use is Dry Farming and the property appears vacant by area residents. In the past there has been numerous incidences of illegal dumping. This has been a nuisance to the Property Owners, Neighbors, and the City.

The property has been marketed for development for many years. The current commercial classification has been a deterrent to buyers. The general area is overserved for commercial uses, as called for in the SC-2 Zone with the Cougar Place Shopping Center to the northwest serving the neighborhood component of retail sales and the approximate 1.2 million square foot Jordan Landing to the southeast serving the community retail needs. There has been no expressed demand for additional retail or shopping needs for the past several years. Demand for development in the area has been strong for Light Industrial and Light Manufacturing uses consistent with West Jordan's M-1 classification. This is manifest by the recent and rapid development of properties south of the subject property.

The inclusion of the southern portion of the subject property in the M-1 (Light Industrial) as part of the General Plan shows the consistency of rezone for the balance of the property to be rezoned to the M-1 zone. This will cause no detrimental changes to City Services or Utility requirements. Actually, the use of services and traffic impacts would be reduced by development to the M-1 uses versus the current SC-2 uses. Without an update to the General Plan and Zoning Map the subject property will remain vacant for several more years and will continue to not contribute to the tax base and be a nuisance to the property owner, surrounding property owners, and the City. With the proposed General Land Use and Zone change to M-1 it is anticipated that the subject property will be developed within the next year with multiple smaller buildings that can allow new and existing business to grow in West Jordan.

In order to apply for a General Plan Map Amendment, the Applicant is asked to Explain how the required finding o the Municipal Code are met. In general, the application is to expand the general plan for the southern portion of parcel to the entire property, which is consistent with adjoining properties to the south. Further, the lack of demand for commercial uses on the northern portion of the property, consistent with the current SC-2 Zone, is evident from the lack of marketability of the site over the past several years. The proposed amendment is compatible with the adjacent uses and neighborhood along Airport Road. The proposed amendment is consistent with current land use patterns, and do not pose an increase in utility, public infrastructure, or roads. The M-1 Classification requested is a much lighter use on public infrastructure than uses allowed on the SC-2 Classification.

The Zoning Map Amendment Submittal Checklist asked for the Applicant to provide a development plan. This application is to rezone the property consistent with adjacent properties and at this time no development plan is in place. Any plan submitted at this point would be hypothetical and not likely consistent with what developer or owner will need to apply with the City in the future. It is not known if

the site will be subdivided or developed as a single parcel. These decisions will require approval with the City at the appropriate time.

To clarify, the public purpose for the amendment is to put the site into productive use. Current market conditions do not call for development to uses consistent with the current to SC-2 Zone. However, there is strong demand for uses allowed, and promoted, by the M-1 Zone. As vacant land it has promoted vandalism (illegal trash dumping) and the current interim use as agricultural allows blowing dust during certain times of the year.

The southern portion of the site is Planned for the Light Industrial Use. This application is to allow the entire parcel to be developed with uses consistent with that portion of the General Plan. This potential amendment will allow the General Plan to be consistent with development patterns already established by the City. As noted, development of this property, enhanced by this proposed amendment, will clean up some nuisance items caused by this property being vacant. The impacts on municipal services was addressed earlier. To restate the Light Industrial use is a lower intensity use on municipal services that are promoted by the current zone. In general, the potential rezone to a classification that is in demand will promote growth and jobs in this area of the city, as well as provide additional services to area residents.



Concept Plan

EXHIBIT C

THE CITY OF WEST JORDAN, UTAH

Ordinance No. 20-21

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP FROM NEIGHBORHOOD COMMERCIAL TO LIGHT INDUSTRIAL OF APPROXIMATELY 5.5 ACRES AND ALSO AMENDING THE ZONING MAP FROM SC-2 (COMMUNITY SHOPPING CENTER)(HORIZONTAL ZONE OF THE SOUTH VALLEY REGIONAL AIRPORT OVERLAY) ZONE DISTRICT TO M-1 (LIGHT MANUFACTURING) (HORIZONTAL ZONE OF THE SOUTH VALLEY REGIONAL AIRPORT OVERLAY) ZONE DISTRICT APPROXIMATELY 14.30 ACRES LOCATED AT 4701 WEST 6200 SOUTH, CITY OF WEST JORDAN, UTAH

WHEREAS, Approximately 5.5 acres of territory, located at 4701 West 6200 South in the City of West Jordan, Utah is designated on the City of West Jordan Future Land Use Map as Neighborhood Commercial, and an approximate additional 8.8 acres of the same parcel is designated on the City of West Jordan Future Land Use Map as Light Industrial; and

WHEREAS the total parcel totaling approximately 14.3 acres lies within the SC-2 (Community Shopping Center) (Horizontal Zone of the South Valley Regional Airport Overlay) Zone District; and

WHEREAS, the owners of the said territory have requested that the Future Land Use Map be amended to include the 5.5 acres in the Light Industrial Designation; and the entire parcel of approximately 14.3 acres be rezoned to the M-1 (Light Manufacturing) (Horizontal Zone of the South Valley Regional Airport Overlay) Zone District; and

WHEREAS, a public hearing, pursuant to public notice, was held before the City Council on July 8, 2020; and

WHEREAS, the West Jordan City Council finds it to be in the best interests of the health safety and welfare, of the residents of the City West Jordan to adopt this ordinance.

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

Section 1. The Future Land Use Map of the City of West Jordan, Utah, is hereby amended by changing the future land use designation 5.5 acres from Neighborhood Commercial to Light Industrial; more appropriately described below:

BEGINNING AT A POINT ON THE SOUTH LINE OF 6200 SOUTH, SAID POINT BEING S89°55'30"E ALONG THE SECTION LINE 396.15 FT AND S0°04'30"W 40 FT FROM THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S89°55'30"E ALONG SAID SOUTH LINE 597.55 FT; THENCE SOUTH 200 FT; THENCE S89°55'30"E 265 FT; THENCE SOUTH 80 FT; THENCE N89°55'30"W 1045.47 FT TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5679.65 FT FOR A DISTANCE OF 278.59 FT WHOSE LONG CHORD BEARS N11°14'21"E 278.56 FT TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE;

THENCE S89°55'30"E 27.45 FT; THENCE N85°53'14"E 91.87 FT; THENCE S89°55'30"E A DISTANCE OF 10.05 FT TO THE POINT OF BEGINNING.

Section 2. The Zoning Map of the City of West Jordan, Utah, is hereby amended by changing the zoning on 14.30 acres from SC-2 (Community Shopping Center) Zone to M-1 (Light Manufacturing) Zone on property generally located at 4701 West 6200 South; more appropriately described below:

BEGINNING AT A POINT ON THE SOUTH LINE OF 6200 SOUTH STREET, SAID POINT BEING SOUTH 89°55'30" EAST ALONG THE SECTION LINE 396.15 FEET AND SOUTH 0°04'30" WEST 40.00 FEET FROM THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°55'30" EAST ALONG SAID SOUTH LINE 597.55 FEET; THENCE SOUTH 200.00 FEET; THENCE SOUTH 89°55'30" EAST 265.00 FEET; THENCE SOUTH 80.00 FEET; THENCE SOUTH 89°55'30" EAST 255.00 FEET; THENCE SOUTH 773.93 FEET; THENCE NORTH 89°56'35" WEST 1380.54 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TO THE RIGHT THROUGH AN ANGLE OF 10°40'08" HAVING A RADIUS OF 5679.65 FEET AND WHOSE LONG CHORD BEARS NORTH 07°18'35" EAST 1056.07 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE SOUTH 89°55'30" EAST 27.45 FEET; THENCE NORTH 85°53'14" EAST 91.87 FEET; THENCE SOUTH 89°55'30" EAST A DISTANCE OF 10.05 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THE FOLLOWING:

BEGINNING AT A POINT ON THE EAST LINE OF AIRPORT ROAD, SAID POINT BEING SOUTH 89°55'30" EAST ALONG THE SECTION LINE 1513.65 FEET AND SOUTH 0°04'30" WEST 615.49 FEET FROM THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 478.49 FEET; THENCE NORTH 89°56'35" WEST 1380.54 FEET TO THE EAST LINE OF THE DENVER AND RIO GRANDE RAILROAD AND TO THE BEGINNING ON A NON-TANGENTIAL CURVE TO THE RIGHT THROUGH AN ANGLE OF 4°50'32" HAVING A RADIUS OF 5679.65 FEET AND WHOSE LONG CHORD BEARS NORTH 4°23'47" EAST 479.87 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE SOUTH 89°56'35" EAST 1343.75 FEET TO THE POINT OF BEGINNING.

Section 3. <u>Severability</u>. If any provision this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. <u>Effective Date</u>. This Ordinance shall become effective upon publication or upon the expiration of twenty days following passage, whichever is earlier.

WEST JORDAN CITY

ADOPTED THIS 8th DAY OF JULY, 2020.

By:	
	Christopher McConnehey
	Council Chair

ATTEST:		[SEAL]		
Alan R. Anderson Interim Council Of	fice Director			
Cou Cou Cou Cou Cou	Council ncil Member Kelvin Gr ncil Member Zach Jaco ncil Member Chad R. L ncil Member Chris McC ncil Member David Pac ncil Member Kayleen V ncil Member Melissa W	b amb Connehey k Vhitelock	"YES"	"NO"
TRANSMITTED T	O THE MAYOR ON _			·
Mayor's Ac	etion: App	rove	Veto	
	Burton, Mayor		Date	
ATTEST:		[SEAL]		
Cindy M. Quick, M. City Recorder	IMC			
	CERTIFICA	TE OF PUBL	ICATION	
I,		certify that I an	n	
of the City of Wes	t Jordan, Utah, and tha	t the foregoing	g ordinance was p	ublished in the Legal
Section, of the				, on the
day of	, 20, pur	suant to Utah (Code Annotated, 10	0-3-711.
By:Cindy M. Q	Duick, MMC ler	[SEA	AL]	

Item 6a - Land Use and Zoning Amendement - WJ Airport LLC

Final Audit Report 2020-07-01

Created: 2020-06-29

By: Cindy Quick (Cindy.quick@westjordan.utah.gov)

Status: Signed

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