

COTTONWOOD HEIGHTS

ORDINANCE NO. 243

AN ORDINANCE APPROVING A GENERAL PLAN AMENDMENT AND A ZONING MAP AMENDMENT FOR THE “OLD COVENTRY” ANNEXATION AREA

WHEREAS, the “Municipal Land Use, Development, and Management Act,” UTAH CODE ANN. §10-9a-101 *et seq.*, as amended (the “Act”), provides that each municipality shall prepare and adopt a comprehensive, long-range general plan and also may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

WHEREAS, the Act requires the municipality’s planning commission to prepare the proposed general plan and land use ordinance/zoning map, or amendments thereto, which represents the planning commission’s recommendations and submit them to the municipality’s legislative body; and

WHEREAS, the Act also provides certain procedures for the municipality’s legislative body to adopt and amend the city’s general plan and land use ordinance/zoning map; and

WHEREAS, on 26 July 2005, following full compliance with the procedures for formulation, public hearing and recommendation specified in the Act, the city council (the “Council”) of the city of Cottonwood Heights (the “City”) enacted (a) its Ordinance No. 24 adopting a general plan (with all previous amendments, the “Plan”) for the City, and (b) its Ordinance No. 25 adopting a land use ordinance (codifying such ordinance as Title 19 of the City’s code of ordinances [the “Code”]) and adopting a zoning map for the City (the “Zoning Map”); and

WHEREAS, as authorized by the Act, (a) the Plan includes a land use element and an official map (collectively, the “Land Use Element”) allocating to each parcel of land in the City a specific land use designation authorized by the Plan, and (b) the Zoning Map allocates to each parcel of Land in the City a specific zoning designation authorized by the Land Use Element and the Code; and

WHEREAS, pursuant to its Ordinance No. 228 dated 9 September 2014, the Council annexed an area of approximately 26 acres (the “Property”) located near 1900 East Creek Road, which is commonly known as the Old Coventry annexation, and imposed temporary zoning regulations on the Property pursuant to UTAH CODE ANN. 10-9a-504 for up to six months after the effective date of the annexation; and

WHEREAS, such annexation became effective 1 January 2015; and

WHEREAS, in response to a City-initiated application to (a) amend (the “General Plan Amendment”) the Land Use Element to include the annexed Property, and (b) amend (the “Zoning Map Amendment”) the Zoning Map to also include the annexed Property, following all required notices, a public hearing was held before the Planning Commission concerning the proposed General Plan Amendment and the proposed Zoning Map Amendment (collectively, the “Amendments”), where citizens were given the opportunity to provide written or oral comment concerning the Amendments; and

WHEREAS, on 3 June 2015, the Planning Commission voted to recommend that the Council approve both of the Amendments, and thereafter recommended that the Council approve the Amendments; and

WHEREAS, the Council met in regular meeting on 9 June 2015 to consider, among other things, approving and adopting the Amendments; and

WHEREAS, after careful consideration of the recommendations of the Planning Commission, the comments at the public hearings and public meetings, and other pertinent information, and otherwise being fully advised, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to approve Amendments by amending the Land Use Element and the Zoning Map as shown on the exhibits (the "Exhibits") that are attached to this ordinance (this "Ordinance") and are incorporated herein by this reference;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. Amendment of Land Use Element and Zoning Map. The Council hereby adopts the Amendments to the Land Use Element and the Zoning Map that are shown on the Exhibits, and hereby ratifies (a) the Plan, as so amended, as the City's general plan, and (b) the Zoning Map, as so amended, as the City's Zoning Map. From and after the effective date of this Ordinance, the Plan and the Zoning Map shall be deemed amended by the Exhibits, as applicable, for all purposes.

Section 2. Future Amendments. Pursuant to the authority granted in the Act, the Council shall have, and hereby expressly reserves, the right to hereafter further amend the Plan and the Zoning Map at any time or from time to time for any purpose upon recommendation by the Planning Commission following all appropriate public notices and hearings required by the Act.

Section 3. Action of Officers. All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. Severability. All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 5. Repealer. All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6. Effective Date. This Ordinance, assigned no. 243, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's Recorder, or such later date as may be required by Utah statute.

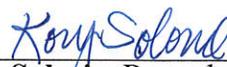
PASSED AND APPROVED this 9th day of June 2015.

COTTONWOOD HEIGHTS CITY COUNCIL



By  _____
J. Scott Bracken, Mayor Pro Tempore

ATTEST:


Kory Solonio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.
Michael L. Shelton
J. Scott Bracken
Michael J. Peterson
Tee W. Tyler

Absent
Yea Nay
Yea Nay
Yea Nay
Yea Nay

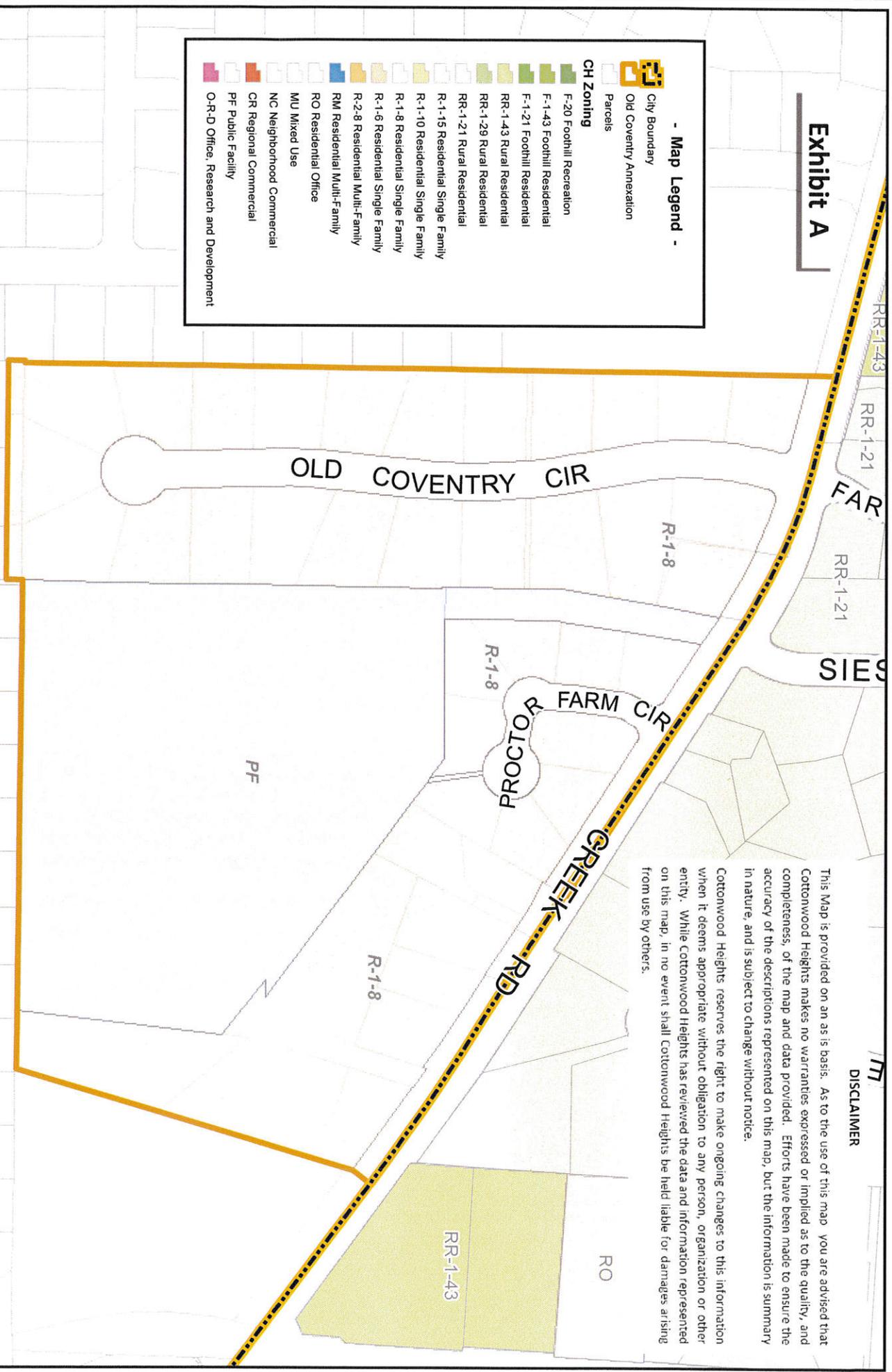
DEPOSITED in the Recorder's office this 9th day of June 2015.

POSTED this 9 day of June 2015.

Exhibit A

- Map Legend -

	City Boundary
	Old Coventry Annexation
	Parcels
CH Zoning	
	F-20 Foothill Recreation
	F-1-43 Foothill Residential
	F-1-21 Foothill Residential
	RR-1-43 Rural Residential
	RR-1-29 Rural Residential
	RR-1-21 Rural Residential
	R-1-15 Residential Single Family
	R-1-10 Residential Single Family
	R-1-8 Residential Single Family
	R-1-6 Residential Single Family
	R-2-8 Residential Multi-Family
	RM Residential Multi-Family
	RO Residential Office
	MU Mixed Use
	NC Neighborhood Commercial
	CR Regional Commercial
	PF Public Facility
	O-R-D Office, Research and Development



DISCLAIMER

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Cottonwood Heights reserves the right to make ongoing changes to this information when it deems appropriate without obligation to any person, organization or other entity. While Cottonwood Heights has reviewed the data and information represented on this map, in no event shall Cottonwood Heights be held liable for damages arising from use by others.



Proposed Zoning Classifications for the Old Coventry Annexation



Published: 08 September 2014

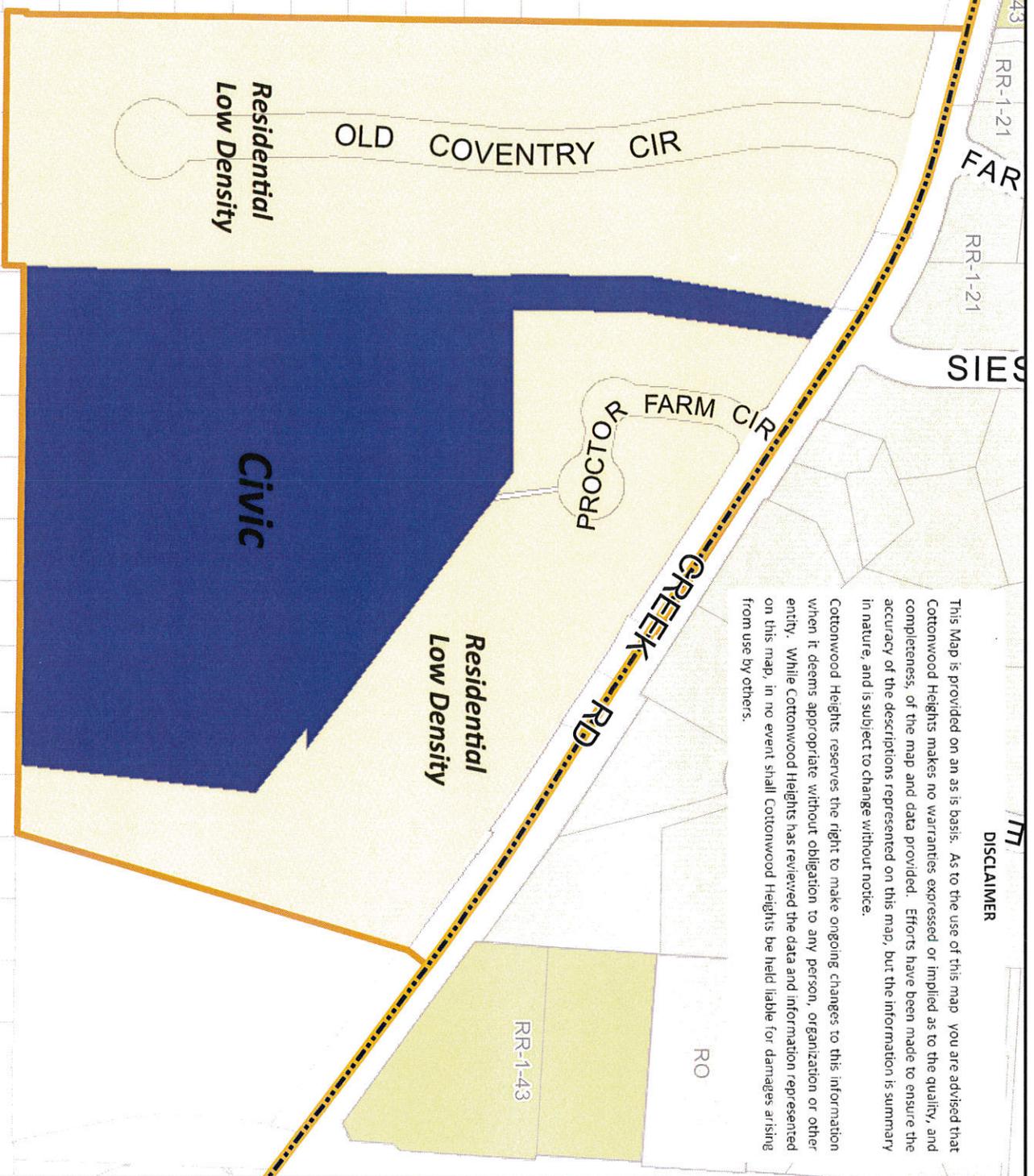
Exhibit A

 City Boundary
 Old Coventry Annexation

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City between the canyon

Proposed Land Use Classifications for the Old Coventry Annexation

Published: 9 June 2015

