

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING REFERENCES TO DEPARTMENTS AND DELETING CONTRADICTIONARY BUILDING REQUIREMENTS IN TITLE 17 OF THE SOUTH JORDAN CITY MUNICIPAL CODE.

WHEREAS, Utah Code § 10-9a-102 grants the City Council of the City of South Jordan (the “City Council”) authority to enact ordinances that it considers necessary or appropriate for the use and development of land in the City of South Jordan (the “City”), including the City’s aesthetics; and

WHEREAS, the City Council has adopted Title 17 (Planning and Zoning Code) of the South Jordan City Municipal Code (“City Code”), which regulates zoning and use of land in the City; and

WHEREAS, from time to time the City’s departments are reorganized with the most recent change being the creation of the Planning Department, which previously performed its function as the Planning Division of the Development Services Department; and

WHEREAS, the Development Services Department and the Planning Department recommended that the City Council amend Title 17 to reflect the reorganization and to allow future reorganizations to occur without creating ambiguity in Title 17 or the need for future text amendments; and

WHEREAS, on May 15, 2018 the City Council passed Ordinance 2018-07 that, among other things, amended Title 16 of the City Code to reflect the reorganization; and

WHEREAS, City staff recommended that the City Council delete a building separation requirement in the agricultural and residential zones that contradicts the requirements of the building code adopted by the City; and

WHEREAS, the South Jordan Planning Commission held a public hearing, and reviewed and made a recommendation to the City Council regarding the text amendment; and

WHEREAS, the City Council held a public hearing and reviewed the text amendment; and

WHEREAS, the City Council finds that this Ordinance will enhance the public health, safety and welfare, and will promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Adoption. The City Council hereby adopts the amendments to Title 17 of the City Code as shown in Exhibit A and as listed below:

A. Any instances of the words “community development” in the following chapters and sections of Title 17 are changed to “planning”:

- 17.04.050: INTERPRETATION AND CLARIFICATION
- 17.08.010: DEFINITIONS
- 17.12: GENERAL PLAN
- 17.16.010: PLANNING COMMISSION
- 17.20.030: LOCATIONS OF ZONE BOUNDARIES
- 17.22: ZONING AMENDMENTS
- 17.54: REDWOOD ROAD MIXED USE (MU) ZONES
- 17.70.090: PARKING AND ACCESS
- 17.72: PLANNED COMMUNITY (P-C) ZONE
- 17.74: MIXED USE (MU) ZONE
- 17.108: WIND ENERGY CONVERSION SYSTEMS
- 17.130: OVERLAY AND FLOATING ZONES

B. Any instances of the words “or his or her designee” and “or his or her designees” in the following subsections of Title 17 are deleted:

- 17.04.050: INTERPRETATION AND CLARIFICATION
- 17.04.240: PUBLIC UTILITIES
- 17.16.020.030: VARIANCES

C. Any instances of the words “development services” in the following sections or subsections of Title 17 are changed to “planning”:

- 17.16.020: APPEAL AUTHORITY
- 17.18: USES
- 17.30.020: DEVELOPMENT AND DESIGN STANDARDS
- 17.40.020: DEVELOPMENT AND DESIGN STANDARDS
- 17.60.020: DEVELOPMENT AND DESIGN STANDARDS
- 17.62.020: DEVELOPMENT AND DESIGN STANDARDS
- 17.84: CONDITIONAL USES
- 17.90.020: DEVELOPMENT AND DESIGN STANDARDS
- 17.130: OVERLAY AND FLOATING ZONES

D. Any instances of the words “development services department” in the following subsections of Title 17 are changed to “city engineer”:

- 17.30.030: OTHER REQUIREMENTS
- 17.40.030: OTHER REQUIREMENTS
- 17.62.020.I: Grading and Drainage
- 17.90.020.I: Grading and Drainage

E. Delete any instances of the word “transportation” in the following subsections of Title 17:

- 17.74.060.D: Signage
- 17.74.060.J: Parking Areas

F. Delete Section 17.16.030 (COMMUNITY DEVELOPMENT DIRECTOR) and renumber Section 17.16.040 (LAND USE ORDINANCE ENFORCEMENT) from 17.16.040 to 17.16.030.

G. Delete Sections 17.30.020.F.2.d (Separation) and 17.40.020.F.2.d (Separation).

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication and posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 5th DAY OF March, 2019 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	<u>X</u>	___	___	___
Bradley Marlor	<u>X</u>	___	___	___
Donald Shelton	<u>X</u>	___	___	___
Tamara Zander	___	___	___	<u>X</u>
Jason McGuire	<u>X</u>	___	___	___

Mayor: Bradley G. Marlor
Pro Tempore Dawn R. Ramsey Bradley Marlor

Attest: Anna M. Woss
City Recorder

Approved as to form:

[Signature]
Office of the City Attorney



EXHIBIT A

The following definitions are added to Section 17.08.010 (DEFINITIONS):

CITY ENGINEER: The City Engineer of the City of South Jordan, or the person(s) engaged by the City and authorized to perform the duties assigned to the City Engineer, regardless of official job title, and shall include any deputies, assistants, representatives and designees.

PLANNING DEPARTMENT: The department, division or group, regardless of name, charged with the responsibility of directing all activities associated with the planning, implementation and review of all land use controls and zoning in the City.

PLANNING DIRECTOR: That person charged with the responsibility of directing all activities and responsibilities of the Planning Department, regardless of official job title, and shall include any deputies, assistants, representatives and designees, including but not limited to the City Planner.