

ORDINANCE NO. 2008-19

AN ORDINANCE AMENDING THE PLANNING AND LAND USE CODE, SECTIONS 17.50.030, 17.52.030, 17.54.030, 17.54.090, 17.54.110, 17.54.120, 17.54.130, 17.54.140, 17.56.030, 17.60.030, 17.64.030, 17.68.030, 17.70.030 OF THE SOUTH JORDAN MUNICIPAL CODE PERTAINING TO RELIGIOUS ACTIVITIES AND PUBLIC OR QUASI-PUBLIC FACILITIES AND AN AMENDMENT TO SECTION 17.08.010 PERTAINING TO THE DEFENITION OF “QUASI-PUBLIC” USES AS LISTED IN THE PLANNING AND LAND USE CODE SECTION OF THE MUNICIPAL CODE.

WHEREAS, the South Jordan City Council has previously adopted Chapters 08, 50, 52, 54, 56, 60, 64, 68 and 70 of Title 17 of the South Jordan City Municipal Code, which authorizes the regulation of uses in the City zones; and

WHEREAS, the South Jordan Planning Commission, after holding a public hearing, has reviewed the proposed text amendment to Sections 17.08.010, 17.50.030, 17.52.030, 17.54.030, 17.54.090, 17.54.110, 17.54.120, 17.54.130, 17.54.140, 17.56.030, 17.60.030, 17.64.030, 17.68.030, 17.70.030; and

WHEREAS, the City Council has held a public hearing and has reviewed the proposed amendment and considered the recommendation of the Planning Commission regarding the proposed amendment; and

WHEREAS, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed amendment will or may have on existing or future development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed amendment meets the purposes and objectives of the Planning and Land Use Code; and

WHEREAS, the City Council desires to amend the Planning and Land Use Code as proposed; and

WHEREAS, the City Council has found and determined that the proposed amendment to Sections 17.08.010, 17.50.030, 17.52.030, 17.54.030, 17.54.090, 17.54.110, 17.54.120, 17.54.130, 17.54.140, 17.56.030, 17.60.030, 17.64.030, 17.68.030, 17.70.030 of the South Jordan Municipal Code will support the best interests of the City and will promote the public health, safety and welfare.

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

Section 1. Amendment. Chapter 17.08.010 of Title 17, “Planning and Land Use Code”, of the South Jordan Municipal Code is hereby amended as follows:

17.08.010: DEFINITIONS:

QUASI-PUBLIC USE: Any use conducted by a nonprofit, religious or charitable organization for the benefit of the general public or having partial government involvement or ownership.

Section 2. Amendment. Chapter 17.50.030 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.50.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the O-S zone:

Assisted living centers, maximum two (2) stories.

Banks, credit unions, financial institutions.

Buildings exceeding two (2) stories with only allowed O-S uses.

Care centers, maximum two (2) stories.

Computer software and media production and distribution.

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Educational and training activities.

Electronics and computer hardware production and distribution.

Golf courses.

Group daycare center.

Health and fitness centers.

Hospitals.

Hotels, motels.

Mortuary, funeral home.

Nature or zoological exhibits.

Parks.

Personal or business services.

Personal or business services within an office building.

Public, quasi-public facilities.

Publishing, printing.

Religious activities

Research and development with ancillary manufacturing and distribution.

Restaurants (not fast food). (Ord. 2007-02, 1-16-2007)

Section 3. Amendment. Chapter 17.52.030 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.52.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the C-C zone:

Automotive services, including lube, tune up, wash, inspection, tires, mufflers, minor repairs.

Banks, credit unions, financial institutions.

Beauty and fitness centers.

Bed and breakfast inn.

Drive-through facilities for allowed uses.

Educational and training activities.

Equipment and appliance light repairs and service enclosed within a building.

Fast food with no eating accommodations.

Gas stations, convenience stores.

Group daycare center.

Laundry.

Lumber, building materials and landscaping retail sales yards.

Medical, health or dental services.

Mortuary, funeral home.

Office service.

Pharmacy.

Public or quasi-public facilities.

Religious activities.

Secondhand goods retailing.

Self-storage facilities, maximum total of six (6) acres.

Theaters, amusement, recreational activities.

Title loan, check cashing or other similar deferred deposit loan businesses no closer than one mile from a similar business. (Ord. 2008-07, 6-3-2008)

Section 4. Amendment. Chapter 17.54.030 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.54.030: USES:

Uses may be conducted in the MU zones only in accordance with the following regulations:

H. Religious activities may be allowed in ~~buildings in residential areas in~~ MU zones with approval of a conditional use permit. (Ord. 2007-02, 1-16-2007)

Section 5. Amendment. Chapter 17.54.090 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.54.090: MIXED USE-NORTH GATEWAY (MU-NGATE) ZONE:

C. Conditional Uses: The following uses may be allowed in the MU-Ngate zone with approval of a conditional use permit:

Active parks, recreation facilities.

~~Buildings for religious activities.~~

Group daycare.

Medical or dental office.

Office or commercial PUD or condominium, minimum five (5) acres.

Office service.

Passive parks.

Project smaller than five (5) acres, except residential PUD or condominium.

Public or quasi-public facilities.

Residential facility for disabled or elderly persons qualified under Utah Code Annotated.

Residential PUD or condominium with attached or detached single-family dwellings, not stacked, maximum eight (8) units per acre, project minimum five (5) acres, maximum ten (10) acres total in the zone.

Schools. (Ord. 2007-02, 1-16-2007)

Section 6. Amendment. Chapter 17.54.110 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.54.110: MU-CITY CENTER (MU-CITY) ZONE:

B. Permitted Uses: The following uses may be conducted in the MU-City zone:

Health, beauty and fitness services.

Offices with customers on the premises.

~~Public facilities.~~

Retail uses.

Section 7. Amendment. Chapter 17.54.120 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.54.120: MU-HISTORIC AND LANDMARK (MU-HIST) ZONE:

C. Conditional Uses: The following uses may be allowed in the MU-Hist zone with approval of a conditional use permit:

Active parks, recreational activities.

~~Buildings for religious activities.~~

Cultural facilities.

Minor business services.

Office or commercial PUD or condominium, minimum five (5) acres.

Office service.

Passive parks.

Project smaller than five (5) acres.

Public or quasi-public facilities.

Residential facility for disabled or elderly persons qualified under the Utah Code Annotated.

Schools.

Second or third story residential use above office or retail use on main level. (Ord. 2007-02, 1-16-2007)

Section 8. Amendment. Chapter 17.54.130 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.54.130: MU-COMMUNITY CENTER (MU-COMM) ZONE:

B. Permitted Uses: The following uses may be conducted in the MU-Comm zone:

Cultural facilities.

Office service.

~~Public and quasi-public facilities.~~

Restaurants.

Retail business.

C. Conditional Uses: The following uses may be allowed in the MU-Comm zone with approval of a conditional use permit:

Active parks, recreational facilities.

Buildings for religious activities.

Drive-through service.

Group daycare.

Health, beauty and fitness services.

Office or commercial PUD or condominium, minimum five (5) acres.

Passive parks.

Project smaller than five (5) acres.

Public or quasi-public facilities.

Residential facility for disabled or elderly persons qualified under Utah Code Annotated.

Residential PUD or condominium with attached or detached single-family dwellings, maximum eight (8) units per acre, minimum ten (10) acres.

Schools.

Second or third story residential use above office or retail use on main level. (Ord. 2007-02, 1-16-2007)

Section 9. Amendment. Chapter 17.54.140 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.54.140: MU-SOUTH CENTER (MU-SOUTH) ZONE:

B. Permitted Uses: The following uses may be conducted in the MU-South center zone:

Health, beauty and fitness services.

Offices with customers on the premises.

~~Public facilities.~~

Restaurants.

Retail uses.

Section 10. **Amendment.** Chapter 17.56.030 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.56.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the C-N zone:

Banks, credit unions.

Bed and breakfast inn.

Drive-through establishments such as fast food, financial institution, pharmacy, but excluding auto services such as lube, stand alone car wash, tune up, tires, repairs.

Gas stations/convenience stores.

Office, no larger than three thousand (3,000) square foot building.

Public or quasi-public facilities.

Restaurants. (Ord. 2007-02, 1-16-2007)

Section 11. **Amendment.** Chapter 17.60.030 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.60.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the C-I zone:

Fuel stations, convenience stores, car wash, other suitable retail uses.

Manufacturing, processing and/or distribution of the following items and those not listed elsewhere:

Agricultural products.

Chemical products.

Metal products.

Paper, cardboard and packaging products.

Rubber and plastic products.

Wood products.

Personal and business services such as:

Building and maintenance services.

Catering, food services.

Coating, plating, engraving.

Laundry.

Public or quasi-public facilities.

Special training.

Storage units and services.

Vehicle and equipment service and repair.

Printing and publishing. (Ord. 2007-02, 1-16-2007)

Section 12. **Amendment.** Chapter 17.64.030 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.64.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the C-F zone:

Automobile sales, new and ancillary used.

Automobile sales, used; minimum eight thousand (8,000) square foot building required.

Automotive services enclosed within a building including lube, tune up, automatic wash, inspection, tires, mufflers, minor repairs.

Bed and breakfast inn.

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Drive-through facilities for allowed use.

Educational and training activities.

Entertainment, amusement, recreational activities.

Equipment and appliance light repairs and service enclosed within a building.

Fast food with no eating accommodations.

Gas stations, convenience stores.

Golf courses and ranges.

Group daycare center.

Laundry.

Lumber, building material and landscaping retail sales yards.

Medical, health or dental services.

Nature or zoological exhibits.

Office buildings with commercial office uses.

Parks.

Pharmacy.

Public or quasi-public facilities.

Recreational vehicle and boat sales, new and ancillary used.

Religious activities.

Secondhand goods retailing. (Ord. 2007-19, 12-4-2007)

Section 13. Amendment. Chapter 17.68.030 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.68.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the I-F zone:

Manufacturing, processing and/or distribution of the following items and those not listed elsewhere:

Agricultural products.

Chemical products.

Metal products.

Paper, cardboard and packaging products.

Rubber and plastic products.

Wood products.

Personal and business services:

Automotive services enclosed within a building including lube, tune up, automatic wash, inspection, tires, mufflers, minor repairs.

Bed and breakfast inn.

Building and maintenance services.

Catering, food services.

Coating, plating, engraving.

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Drive-through facilities for allowed uses.

Educational and training activities.

Entertainment, amusement and recreational activities.

Equipment and appliance light repairs and service enclosed within a building.

Golf courses and ranges.

Group daycare center.

Laundry.

Medical, health or dental services.

Nature or zoological exhibits.

Parks.

Public or quasi-public facilities.

Printing and publishing.

Religious activities.

Retailing:

Agricultural products.

Automobile sales, new and ancillary used.

Automobile sales, used; minimum eight thousand (8,000) square foot building required.

Fast food with no eating accommodations.

Gas stations, convenience stores.

Lumber, building material and landscaping sales yards.

Recreational vehicle and boat sales, new and ancillary used.

Secondhand goods retailing. (Ord. 2007-02, 1-16-2007)

Section 14. Amendment. Chapter 17.70.030 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.70.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the BH-MU zone:

Assisted living centers.

Automobile sales, new and ancillary used, maximum three (3) acres per business, no closer than four hundred feet (400') from residential development.

Automobile sales, used; minimum eight thousand (8,000) square foot building required, maximum three (3) acres per business, no closer than four hundred feet (400') from residential development.

Automotive services enclosed within a building, including lube, tune up, automatic wash, inspection, tires, mufflers, minor repairs.

Bed and breakfast inn.

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Daycare center.

Drive-through facilities for allowed uses.

Entertainment, amusement, recreational activities.

Equipment and appliance light repairs and service enclosed within a building.

Fast food.

Gas stations, convenience stores.

Golf courses and ranges.

Hospitals.

Laundry.

Lumber, building material and landscaping retail sales yards.

Nature or zoological exhibits.

Office buildings.

Parks.

Public or quasi-public facilities.

Recreational vehicle and boat sales, new and ancillary used.

Religious activities.

Schools, educational and training activities.

Single-family residential PUD or condominium - maximum eight (8) units per acre.

Street vendors.

Upper floor residential condominium combined with commercial and/or office use on the main floor in the same building. (Ord. 2008-05, 4-1-2008)

Section 15. Amendment. Chapter 17.70.030 of Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

17.72.030: PERMITTED USES:

The following uses may be conducted anywhere within the P-C zone:

~~Churches.~~

Daycare facilities.

Healthcare facilities.

Home based occupations according to chapter 17.98 of this title.

Industrial and manufacturing uses.

Mix of permitted uses (including, without limitation, office/commercial, office/residential, retail/residential) within individual structures.

Open space, including landscaped areas and areas in natural vegetation, golf courses, parks, recreational areas.

Public facilities, such as schools, playgrounds and trails.

Religious activities.

Residential uses of all types on a range of lot sizes including, without limitation, single-family detached; single-family attached; multi-family residential; townhomes; loft apartments; residential units above ground floor retail, commercial or office uses; condominiums; and group homes as required by state law.

Retail, service, office, hotel, restaurant, entertainment and all other commercial uses of any type.

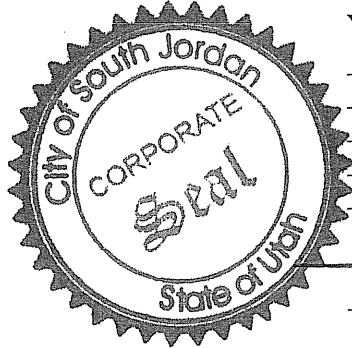
Other accessory uses which are ancillary to, and designed to serve, any of the foregoing uses. (Ord. 2007-02, 1-16-2007)

Section 16. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 17. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, ON THIS 18 DAY OF November, 2008 BY THE FOLLOWING VOTE.

	YES	NO	ABSTAIN	ABSENT
Brian Butters	___	___	___	___
Kathie L. Johnson	___	___	___	___
Larry Short	___	___	___	___
Aleta A. Taylor	___	___	___	___
Leona Winger	___	___	___	___



W. Kent Money
W. Kent Money, Mayor

ATTEST: Anna M. West
Anna M. West, City Recorder

Approved as to form:
[Signature]
Assistant City Attorney

770 S. 5600 W.
 O. POX 704005
 EST VALLEY CITY, UTAH 84170
 ED.TAX I.D.# 87-0217663

CUSTOMER'S COPY

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
SOUTH JORDAN CITY, 1600 TOWN CENTER DR	9001350317	10/27/2008
SOUTH JORDAN UT 84095		

ACCOUNT NAME	
SOUTH JORDAN CITY,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8012543742	0000378683 /
SCHEDULE	
Start 10/26/2008	End 10/26/2008
CUST. REF. NO.	
CAPTION	
NOTICE OF PUBLIC HEARING Notice is here	
SIZE	
28 Lines	2.00 COLUMN
TIMES	RATE
4	
MISC. CHARGES	AD CHARGES
TOTAL COST	
99.08	

NOTICE OF PUBLIC HEARING
 Notice is hereby given that public hearings will be held before the South Jordan City Planning Commission on Wednesday, November 12, 2008 at 6:30 p.m. and before the South Jordan City Council on Tuesday, November 18, 2008 at 6:00 p.m. in the South Jordan City Hall, located at 1600 W. Towne Center Drive, South Jordan, Utah, for the purpose of receiving public input regarding the following:

1. An amendment to Title 17, Sections 17.08.010, 17.50.030, 17.52.030, 17.54.030, 17.54.090, 17.54.110, 17.54.120, 17.54.130, 17.54.140, 17.56.030, 17.60.030, 17.64.030, 17.66.030, 17.70.030 and 17.72.030 of the South Jordan Municipal Code pertaining to churches, religious activities and quasi-public uses.

All those interested are invited to attend.
 Questions may be addressed Monday through Friday during regular business hours at the South Jordan City Offices at 254-3742.

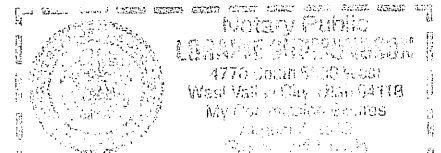
Damir Drozdek
 Planner
 378683 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF NOTICE OF PUBLIC HEARING Notice is here FOR SOUTH JORDAN CITY. WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION, AGENT FOR THE SALT LAKE TRIBUNE AND DESERT NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH.

PUBLISHED ON Start 10/26/2008 End 10/26/2008
 SIGNATURE *Amy Craft* *J. Smith*
 DATE 10/27/2008

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
 PLEASE PAY FROM BILLING STATEMENT



PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
SOUTH JORDAN CITY, 1600 TOWN CENTER DR SOUTH JORDAN UT 84095	9001350317	10/27/2008

ACCOUNT NAME	
SOUTH JORDAN CITY,	
TELEPHONE	ADORDER# / INVOICE NUMBER
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SCHEDULE	
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Damir Drozdek
Planner
378683 UPAxLP

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PUBLISHED ON Start 10/26/2008 End 10/26/2008
SIGNATURE *Amy Craft* *J. Smith*
DATE 10/27/2008

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