

COTTONWOOD HEIGHTS

ORDINANCE NO. 284

AN ORDINANCE AMENDING “MAP 19.51—PLANNED DEVELOPMENT DISTRICT AREAS AND TIERS” OF THE COTTONWOOD HEIGHTS CODE

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 may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

WHEREAS, pursuant to the Act, the municipality’s planning commission shall prepare and recommend to the municipality’s legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represents the planning commission’s recommendations for zoning the area within the municipality; and

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

WHEREAS, on 14 July 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) enacted its Ordinance No. 25 adopting a land use ordinance for the City and codifying such ordinance as Title 19 of the City’s code of ordinances (the “*Code*”); and

WHEREAS, thereafter, the City’s planning commission (the “*Planning Commission*”) formulated proposed amendments to Code “Map 19.51—Planned Development District Areas and Tiers” (“*Map 19.51*”) to address issues that arose following original adoption of Title 19 of the Code; and

WHEREAS, on 18 October 2017, a public hearing was held before the Planning Commission, where citizens were given the opportunity to provide written or oral comment concerning the proposed amendments to Map 19.51; and

WHEREAS, such public hearing before the Planning Commission was preceded by all required legal notices; and

WHEREAS, on 1 November 2017 the Planning Commission recommended Map 19.51, as amended, to the Council for adoption; and

WHEREAS, following additional public input and Council discussions concerning proposed amendments to Map 19.51, on 28 November 2017 the Council met in regular meeting to consider, among other things, amending Map 19.51; and

WHEREAS, after careful consideration of the recommendations of the Planning Commission, comments at the public hearing and at additional public meetings concerning Map 19.51, and further Council analysis and discussions, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to amend Map 19.51;

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

Section 1. **Adoption of Amended Map 19.51**. The Council hereby adopts amended Code Map 19.51 as shown on the attached exhibit. To the extent that the attached exhibit does not show all legally adopted changes to the immediately prior official version of Map 19.51, the Council hereby ratifies and affirms that the attached exhibit is intended to be, and is, the currently enacted version of Code Map 19.51.

Section 2. **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 (this "Ordinance"), whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. **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 4. **Repealer**. All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. **Effective Date**. This Ordinance, assigned no. 284, 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 28th day of November 2017.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By 
Paula Melgar, Recorder

By 
Kelvyn H. Cullimore, Jr., Mayor



VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the Recorder's office this 28th day of November 2017.

POSTED this 28th day of November 2017.

