

COTTONWOOD HEIGHTS

ORDINANCE No. 240-A

AN ORDINANCE APPROVING A GENERAL PLAN AMENDMENT FOR MEDIUM DENSITY RESIDENTIAL, AND DENYING A GENERAL PLAN AMENDMENT FOR RESIDENTIAL OFFICE, FOR REALTY AT 8559-8595 SOUTH WASATCH BLVD.

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

WHEREAS, the Act requires the municipality’s planning commission to prepare the general plan and submit it 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 general plan; and

WHEREAS, on 26 July 2005, following full compliance with the procedures for formulation, public hearing and recommendation specified in UTAH CODE ANN. §§10-9a-401 through -404, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) enacted its Ordinance No. 24 adopting a general plan (with all previous amendments, the “*Plan*”) for the City; and

WHEREAS, as authorized by statute, 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

WHEREAS, in response to an application by Christian and Shellee Neff (“*Applicant*”) to amend (the “*R-2 Amendment*”) the Land Use Element affecting certain realty located at approximately 8559-8595 South Wasatch Blvd. (the “*Property*”) in the City from Low Density Residential to Medium Density Residential, on 4 June 2014, following all required notices, a public hearing was held before the Planning Commission concerning the proposed R-2 Amendment, where citizens were given the opportunity to provide written or oral comment concerning the R-2 Amendment; and

WHEREAS, on 18 June 2014, the Planning Commission unanimously voted to recommend that the Council deny the R-2 Amendment, and thereafter recommended that the Council deny the R-2 Amendment; and

WHEREAS, the Council met in regular meeting on 22 July 2014 to consider, among other things, approving and adopting the R-2 Amendment; and

WHEREAS, at such public meeting, the Council voted to table the proposed R-2 Amendment and encouraged Applicant to work with City staff to determine whether another type of use of the Property would be appropriate; and

WHEREAS, on 3 December 2014, in response to a proposal to amend (the “*RO Amendment*”) the Land Use Element affecting the Property from Low Density Residential to Residential Office, a public hearing was held before the Planning Commission where citizens were given the opportunity to provide written or oral comment concerning the RO Amendment; and

COTTONWOOD HEIGHTS CITY COUNCIL



By *Kelvyn H. Cullimore, Jr.*
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Kory Solario
Kory Solario, Recorder

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 April 2015.

POSTED this 28 day of April 2015.

- Map Legend -

- Parcels
- Civic
- Religious
- Utility
- Office/R-D
- Residential Office
- Commercial
- Mixed Use
- Neighborhood Commercial
- Residential High Density
- Residential Medium Density
- Residential Low Density
- Residential Rural Density
- Open Space
- Sensitive Lands
- City Boundary



Exhibit A
Proposed Land Use
Medium Density

Published:
 08 June 2014

Residential
 Low Density
 8635

Wasatch Blvd
 8635

DISCLAIMER

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SUBJECT PROPERTY

