

# COTTONWOOD HEIGHTS

## ORDINANCE No. 328

### AN ORDINANCE ADOPTING A WASATCH BLVD. MASTER PLAN ELEMENT OF THE CITY'S GENERAL PLAN

**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 “*General Plan*”) for the City; and

**WHEREAS**, as authorized by statute, the General Plan includes various topical “elements” or divisions, including a transportation element and an urban trails element which address, among other things, transportation choices and alternate modes of travel; and

**WHEREAS**, the City’s planning staff and its planning commission (the “*Planning Commission*”) have formulated a master plan for the Wasatch Blvd. area of the City (the “*Master Plan*”) to serve as a standalone comprehensive document that effectuates and fulfills various goals and objectives of the General Plan by adopting policies to help guide the future development and implementation of improvements in the area of the City; and

**WHEREAS**, following all required notices, on 11 July 2018 and 1 August 2018, public hearings were held before the Planning Commission concerning the proposed Master Plan, where citizens were given the opportunity to provide written or oral comment concerning the Master Plan; and

**WHEREAS**, a photocopy of the Master Plan is attached as an exhibit to this ordinance and is incorporated herein by this reference; and

**WHEREAS**, following the public hearing, on 5 September 2018 the Planning Commission voted to recommend that the Council approve the Master Plan, and thereafter recommended that the Council approve and adopt the Master Plan; and

**WHEREAS**, at the Council's regular meeting on 25 September 2018, the Council solicited additional public comment concerning the Master Plan; and

**WHEREAS**, the Council met in regular meeting on 13 November 2018 to consider, among other things, approving and adopting the Master Plan; and

**WHEREAS**, at its 13 November 2018 meeting, the Council voted to continue consideration of adoption of the Master Plan; and

**WHEREAS**, thereafter, the Council further discussed the Master Plan and directed staff to modify it; and

**WHEREAS**, on 2 July 2019, the Council met in regular meeting to consider, among other things, approving and adopting the Master Plan, as modified by the Council pursuant to UTAH CODE ANN. §10-9a-404(3); 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 so adopt the modified Master Plan as proposed;

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

Section 1. **Adoption of Master Plan.** The Council hereby approves and adopts the attached modified Master Plan. From and after the effective date of this ordinance (this “*Ordinance*”), the Master Plan shall be deemed to augment the General Plan.

Section 2. **Future Amendment of General Plan.** Pursuant to the authority granted in the Act, the Council shall have, and hereby expressly reserves, the right to hereafter further amend the Master Plan and/or the General Plan at any time or from time to time hereafter 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. 328, 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 2<sup>nd</sup> day of July 2019.

ATTEST:

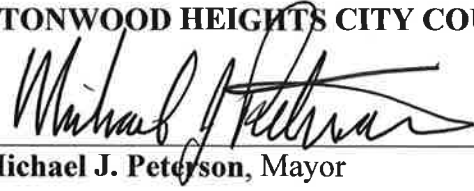
COTTONWOOD HEIGHTS CITY COUNCIL

By:

  
Paula Melgar, Recorder



By:

  
Michael J. Peterson, Mayor

VOTING:

Michael J. Peterson	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"/>
• Tali C. Bruce	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
• Christine Watson Mikell	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

DEPOSITED in the Recorder's office this 2<sup>nd</sup> day of July 2019.

POSTED this 2 day of July 2019.

**PROOF OF PUBLICATION CUSTOMER'S COPY**

CUSTOMER NAME AND ADDRESS

COTTONWOOD HEIGHTS,  
PAULA MELGARD  
2277 E BENGAL BLVD

ACCOUNT NUMBER

9001356263

DATE

COTTONWOOD HEIGHTS UT 84121

7/15/2019

ACCOUNT NAME

COTTONWOOD HEIGHTS,

TELEPHONE

8019447000

ORDER # / INVOICE NUMBER

0001260942 /

PUBLICATION SCHEDULE

START 07/14/2019 END 07/14/2019

CUSTOMER REFERENCE NUMBER

Ordinance 328

CAPTION

COTTONWOOD HEIGHTS PUBLIC NOTICE Notice is hereby given that during a City C

SIZE

17 LINES

1 COLUMN(S)

TIMES

3

TOTAL COST

33.56



AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **COTTONWOOD HEIGHTS PUBLIC NOTICE** Notice is hereby given that during a City Council meeting of July 2, 2019, the Cottonwood Heights City Council adopted ORDINA FOR COTTONWOOD HEIGHTS, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, 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. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 07/14/2019 End 07/14/2019

DATE 7/15/2019

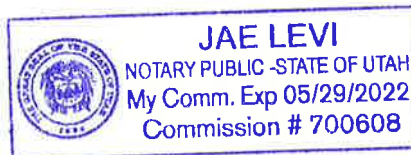
SIGNATURE *Gudmundson*

STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 14TH DAY OF JULY IN THE YEAR 2019

BY LORAIN GUDMUNDSON.



*Jae Levi*  
NOTARY PUBLIC SIGNATURE

4770 S. 5600 W.  
WEST VALLEY CITY, UTAH 84118  
FED. TAX I.D.# 87-0217663  
801-204-6910

Deseret News



The Salt Lake Tribune

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**COTTONWOOD HEIGHTS PUBLIC NOTICE**  
Notice is hereby given that during a City Council meeting of July 2, 2019, the Cottonwood Heights City Council adopted ORDINANCE 328 AN ORDINANCE ADOPTING A WASATCH BLVD. MASTER PLAN ELEMENT OF THE CITY'S GENERAL PLAN. A complete copy of the ordinance can be found at [www.ci.utah.gov](http://www.ci.utah.gov).  
1260942 UPAXLP

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COUNTY OF SALT LAKE )

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