

**MILLCREEK, UTAH**  
**ORDINANCE NO. 20-18**

**AN ORDINANCE ADOPTING THE COMMERCIAL (C-3) ZONE AND THE CITY CENTER OVERLAY ZONE (CCOZ) FOR CERTAIN PROPERTY TO BE TRANSFERRED INTO MILLCREEK'S JURISDICTIONAL TERRITORY LOCATED AT 3135 SOUTH RICHMOND STREET, 1350 EAST MILLER AVENUE, 1354 EAST MILLER AVENUE, 3142 SOUTH HIGHLAND DRIVE, 3144 SOUTH HIGHLAND DRIVE, 1345 EAST WOODLAND AVENUE, 1337 EAST WOODLAND AVENUE, AND 1311 EAST WOODLAND AVENUE**

**WHEREAS**, the Millcreek Council ("Council") met in regular session on April 27, 2020, to consider among other things, an ordinance adopting the Commercial (C-3) and City Center Overlay Zone (CCOZ) for certain property to be transferred into Millcreek's jurisdictional territory located at 3135 South Richmond Street, 1350 East Miller Avenue, 1354 East Miller Avenue, 3142 South Highland Drive, 3144 South Highland Drive, 1345 East Woodland Avenue, 1337 East Woodland Avenue, and 1311 East Woodland Avenue; and

**WHEREAS**, Utah Code Ann. § 10-9a-503 provides in part that the Council may make zoning map amendments; and

**WHEREAS**, Utah Code Ann. § 10-9a-503 also provides that the Council may not make any amendment to its land use ordinances unless the amendment was first submitted to the planning commission for its recommendation; and

**WHEREAS**, Utah Code Ann. § 10-9a-503 also provides that the Council shall comply with the procedure specified in Utah Code Ann. § 10-9a-502 in preparing and adopting an amendment to a land use regulation; and

**WHEREAS**, Utah Code Ann. § 10-9a-502 provides planning commission shall provide notice as required by Subsection 10-9a-205(1)(a) and, if applicable, Subsection 10-9a-205(4) and hold a public hearing on the proposed land use ordinances; and

**WHEREAS**, on November 25, 2019, the Council adopted Ordinance 19-52 adjusting the municipal boundary between Salt Lake City and Millcreek, pursuant to an interlocal agreement with Salt Lake City and subject to Utah Code Ann. § 10-2-419 to incorporate property located at 3135 South Richmond Street, 1350 East Miller Avenue, 1354 East Miller Avenue, 3142 South Highland Drive, 3144 South Highland Drive, 1345 East Woodland Avenue, 1337 East Woodland Avenue, and 1311 East Woodland Avenue into Millcreek's jurisdictional territory; and

**WHEREAS**, on February 28, 2020, the required notice was published; and

**WHEREAS**, on March 18, 2020, the proposed amendment was submitted to the planning commission for its recommendation; and

**WHEREAS**, on March 18, 2020, the planning commission held the required public hearing with respect to this rezone; and

**WHEREAS**, at the March 18, 2020 planning commission meeting the Millcreek Planning Commission recommended approval of the proposed rezone; and

**WHEREAS**, the Millcreek Code of Ordinances, provides among other things, that before finally adopting any such rezone, the Council shall consider the application during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act; and

**WHEREAS**, on April 22, 2020 the Council caused the required notice to be given; and

**WHEREAS**, on April 27, 2020, the Council considered the rezone during a public meeting; and

**WHEREAS**, Section 19.06.020 of the Millcreek Code of Ordinances provides that each of the sections of the City which are amended or zoned be shown on the maps on file with Millcreek City.

**WHEREAS**, Council finds that it is in the best interest of the residents of Millcreek to adopt the rezone/map change as recommended by the Planning Commission.

**NOW THEREFORE, BE IT ORDAINED** by the Council that the Council hereby applies the land use zone of Commercial (C-3) Zone and the City Center Overlay Zone (CCOZ) to the property described in File # ZM-20-002 located at at 3135 South Richmond Street, 1350 East Miller Avenue, 1354 East Miller Avenue, 3142 South Highland Drive, 3144 South Highland Drive, 1345 East Woodland Avenue, 1337 East Woodland Avenue, and 1311 East Woodland Avenue; such property being more particularly described in the Richmond Street and Miller Avenue Boundary Adjustment Final Local Entity Plat on file under Book 2019P Page 36, Entry Number 13159740 at the Salt Lake County Recorder's Office, and as attached hereto as Exhibit "A".

**BE IT FURTHER ORDAINED**, that the adoption of the Commercial (C-3) Zone and City Center Overlay Zone (CCOZ) for the property described above shall be effective immediately upon the effective date of the boundary adjustment.

**BE IT FURTHER ORDAINED**, that pursuant to Section 19.06.020 of the Millcreek Code of Ordinances that the official zoning map showing the change enacted hereby be filed as provided in Section 19.06.020.

This Ordinance, assigned Ordinance No. 20-18, 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.

**PASSED AND APPROVED** this 27<sup>th</sup> day of April, 2020.

**MILLCREEK COUNCIL**

By: \_\_\_\_\_  
Jeff Silvestrini, Mayor

**ATTEST:**

\_\_\_\_\_  
Elyse Sullivan, City Recorder

Roll Call Vote:		
Silvestrini	Yes	No
Marchant	Yes	No
Jackson	Yes	No
Catten	Yes	No
Uipi	Yes	No

**CERTIFICATE OF POSTING**

I, the duly appointed recorder for Millcreek, hereby certify that:  
**ORDINANCE 20-18: AN ORDINANCE ADOPTING THE COMMERCIAL (C-3) ZONE AND THE CITY CENTER OVERLAY ZONE (CCOZ) FOR CERTAIN PROPERTY TO BE TRANSFERRED INTO MILLCREEK'S JURISDICTIONAL TERRITORY LOCATED AT 3135 SOUTH RICHMOND STREET, 1350 EAST MILLER AVENUE, 1354 EAST MILLER AVENUE, 3142 SOUTH HIGHLAND DRIVE, 3144 SOUTH HIGHLAND DRIVE, 1345 EAST WOODLAND AVENUE, 1337 EAST WOODLAND AVENUE, AND 1311 EAST WOODLAND AVENUE**  
was passed and adopted the 27<sup>th</sup> day of April, 2020 and certifies that a summary was published in the Deseret News and Salt Lake Tribune the \_\_ day of \_\_\_\_\_, 2020.

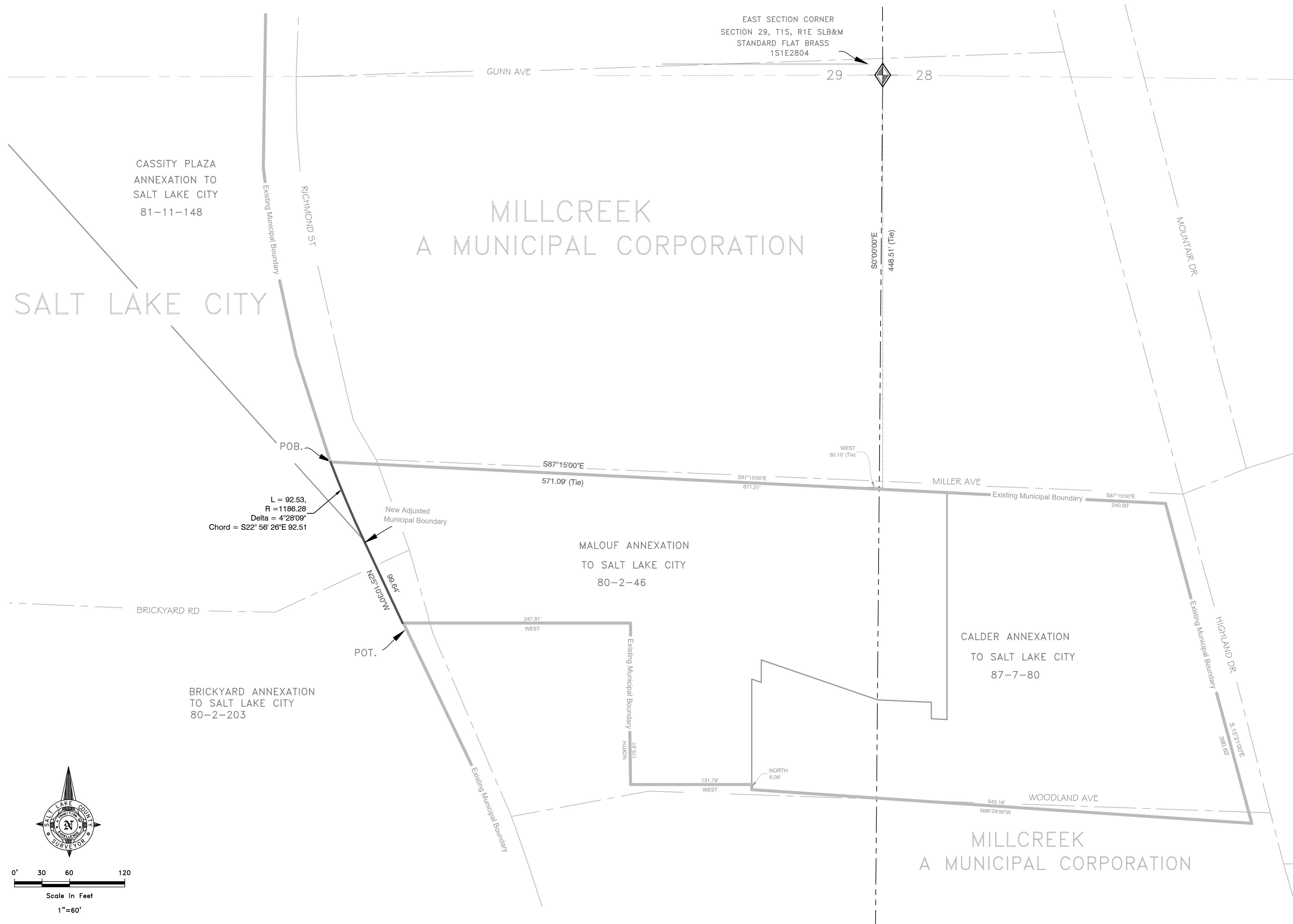
\_\_\_\_\_  
Elyse Sullivan, City Recorder

Exhibit "A"

# THE MILLER-WOODLAND BOUNDARY ADJUSTMENT FINAL LOCAL ENTITY PLAT

## BOUNDARY LINE ADJUSTMENT BETWEEN SALT LAKE CITY & MILLCREEK A MUNICIPAL CORPORATION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND BLOCK 27, 10 ACRE PLAT "A"



### Richmond Street & Miller Avenue Boundary Line Adjustment Discription

That area described as the Malouf Annexation to Salt Lake City as depicted on that Annexation Plat recorded in Book 1980, at Page 46 in the Office of the Salt Lake County Recorder, and the Calder Annexation to Salt Lake City as depicted on that Annexation Plat recorded in Book 1987, at Page 80, being located in the Southeast Quarter of Section 29, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and Block 27, 10 Acre Plat 'A'. The new boundary between Millcreek a Municipal Corporation and Salt Lake City is described as follows:

Beginning at a point in the existing Salt Lake City/Millcreek a Municipal Corporation boundary at the Northwest corner of said Malouf Annexation and the West right of way of Richmond Street being 448.51 feet South, 30.10 feet West, and N. 87°15'00" W. 571.09 feet from the East Corner of said Section 29; thence along said West right of way and the East line of that Cassidy Plaza Annexation to Salt Lake City as depicted on that Annexation Plat recorded in Book 1980, at Page 148, and the East line of that Brickyard Annexation as depicted on that Annexation Plat recorded in Book 1980, at Page 203 the following two (2) courses; 1) Southerly 92.53 feet along the arc of a non tangent 1186.28 foot radius curve to the left through a central angle of 4°28'09" (long chord bears S. 22°56'26" E. 92.51 feet) more, or less; 2) S. 25°10'30" E. 99.64 feet, more, or less, to a point on the existing Salt Lake City/Millcreek a Municipal Corporation boundary at a Southwest corner in said Malouf Annexation and the point of terminus.

The above described boundary line adjustment effects 5.97 acres, more, or less.

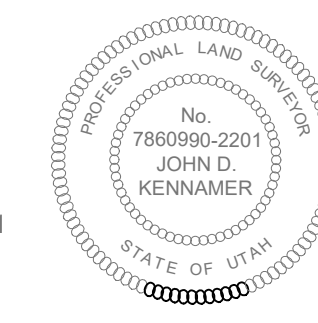
### NARRATIVE:

The purpose of this Final Local Entity Plat is to provide a visual and written description for the Miller-Woodland boundary adjustment between Salt Lake City and Millcreek a Municipal Corporation, furthermore, to transfer the jurisdictional authority of those areas currently located in Salt Lake City as depicted on that Malouf Annexation to Salt Lake City plat recorded in Book 1980, at Page 46, and that Calder Annexation to Salt Lake City plat recorded in Book 1978, at Page 80, to Millcreek a Municipal Corporation. No measurements were taken in the field. The Annexations shown on this plat along with the Final Local Entity Plat recorded in Book 2016, at Page 344 depicting the Millcreek a Municipal Corporation were used to establish the boundary.

### SURVEYOR CERTIFICATE

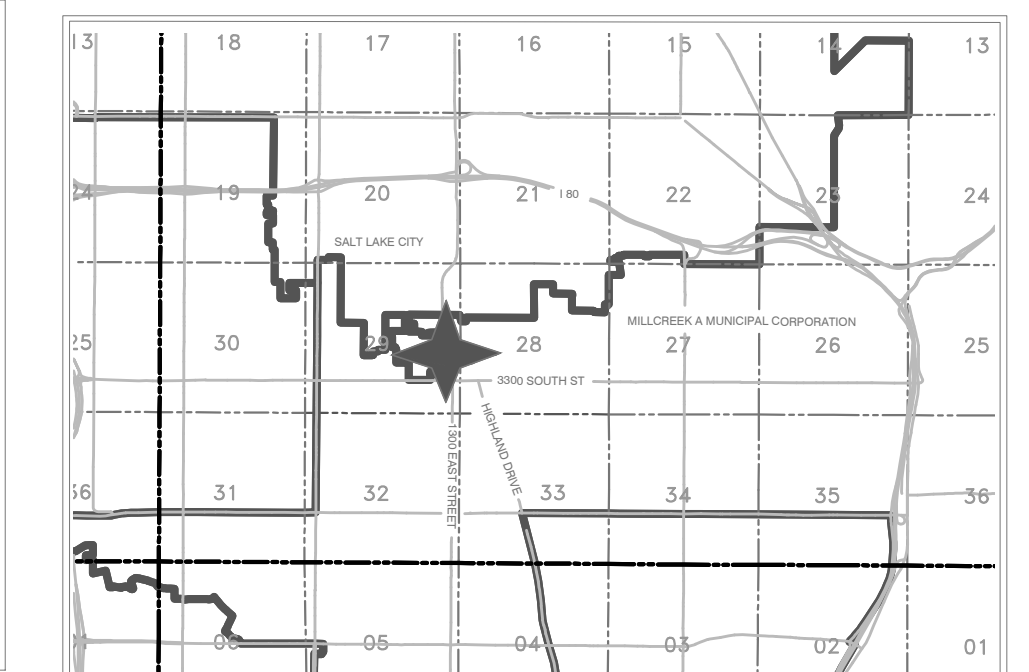
I, John D. Kenamer, P.L.S. a Professional Land Surveyor licensed in the State of Utah under Title 58, Chapter 22, Professional Engineers and Professional Surveyors Licensing Act, holding License No. 7860990-2201, do hereby certify that the Final Local Entity Plat shown hereon was made by me or under my direction in accordance with Section 17-23-20 is a true and correct representation of said Final Local Entity Plat.

John D. Kenamer, P.L.S.  
License No. 7860990-2201  
State of Utah

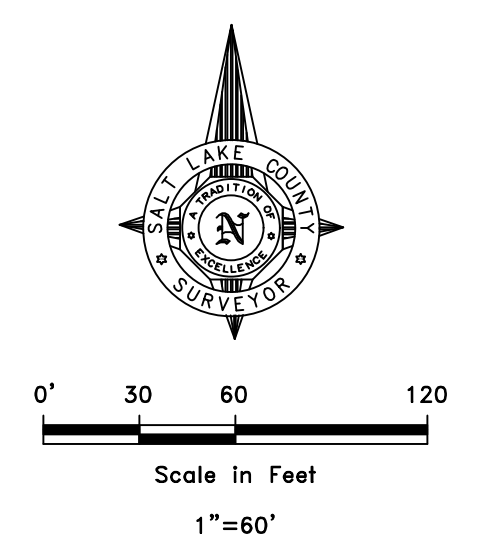


DATE \_\_\_\_\_

### VICINITY MAP



	SALT LAKE CITY/MILLCREEK A MUNICIPAL CORPORATION BOUNDARY LINE ADJUSTMENT
	EXISTING SALT LAKE CITY/MILLCREEK A MUNICIPAL CORPORATION BOUNDARY
	ANNEXATION LINE
	SECTION LINE
	QUARTER SECTION LINE
	EXISTING MOUNUMENT



Prepared By <b>John D. Kenamer, P.L.S.</b> 2001 S. State St. #N1-400 Salt Lake City, Utah 84114-4575 (385) 468-8240	SALT LAKE CITY MAYOR APPROVED THIS ____ DAY OF _____ 20__ _____ SALT LAKE CITY MAYOR	APPROVAL AS TO FORM SALT LAKE CITY ATTORNEY APPROVED THIS ____ DAY OF _____ 20__ _____ SALT LAKE CITY ATTORNEY	MILLCREEK A MUNICIPAL CORPORATION MAYOR APPROVED THIS ____ DAY OF _____ 20__ _____ MILLCREEK A MUNICIPAL CORPORATION MAYOR	APPROVAL AS TO FORM MILLCREEK A MUNICIPAL CORPORATION ATTORNEY APPROVED THIS ____ DAY OF _____ 20__ _____ MILLCREEK A MUNICIPAL CORPORATION ATTORNEY	SALT LAKE COUNTY SURVEYOR APPROVED THIS ____ DAY OF _____ 2016 AS A FINAL LOCAL ENTITY PLAT BY SALT LAKE COUNTY SURVEYOR. _____ SALT LAKE COUNTY SURVYOR	SALT LAKE COUNTY RECORDER RECORDED # _____ STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____ DATE: _____ TIME: _____ BOOK: _____ PAGE: _____ FEE \$ _____ _____ DEPUTY, SALT LAKE COUNTY RECORDER
	_____					