

MILLCREEK, UTAH
ORDINANCE NO. 20-21

**AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT
APPROXIMATELY 4372 & 4356-4358 S. 900 E. FROM R-1-8, R-1-5 (RESIDENTIAL
SINGLE FAMILY) & RM (RESIDENTIAL MULTI-FAMILY) TO C-2 (COMMERCIAL)**

WHEREAS, the Millcreek Council (“Council”) met in regular session on May 11, 2020 to consider among other things, an ordinance rezoning certain property located at approximately 4372, & 4356-4358 S. 900 E. from R-1-8, R-1-5 (Residential Single-Family) & RM (Residential Multi-Family) to C-2 (Commercial); 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 March 31, 2020 the required notice was published; and

WHEREAS, on April 15, 2020 the proposed amendment was submitted to the planning commission for its recommendation; and

WHEREAS, on April 15, 2020 the planning commission held the required public hearing with respect to this rezone; and

WHEREAS, at the April 15, 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 May 6, 2020 the Council caused the required notice to be given; and

WHEREAS, on May 11, 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 citizens of Millcreek to adopt the rezone/map change as recommended by the Planning Commission.

NOW THEREFORE, BE IT ORDAINED by the Council that the property described in File # ZM-20-004 filed by Washmore Laundry LLC located at 4372, & 4356-4358 S 900 E is hereby rezoned/reclassified from R-1-8, R-1-5 (Residential Single-Family) & RM (Residential Multi-Family) to C-2 (Commercial); such property being more particularly described as follows:

Legal Description

22-05-176-005

COM 720.89 FT N FR SE COR BLK 5, 10 AC PLAT "A", BIG FIELD SUR, N 90 FT; W 259 FT; S 90 FT; E 259 FT TO BEG. 0.535 AC. 5374-0326 7369-1655 7727-2814,2831

22-05-176-009

BEG N 563.13 FT & E 1053.35 FT & N 00°09'29" E 43.46 FT & N 89°54'51" E 410.046 FT & S 00°07'51" W 91.04 FT FR W 1/4 CORSEC 5, T 2S, R 1E, SLM; N 89°54'39" E 360.351 FT; S 00°06'24" W 24.36 FT; S 89°54'36" W 262.911 FT; S 76°11'55" W 100.403 FT; N 00°07'51" E 48.164 FT TO BEG. 0.228 AC M OR L.

22-05-177-001

BEG 696.53 FT N & 259 FT W FR SE COR BLK 5 10 AC PLAT A BIG FIELD SUR S 114.36 FT W 104.45 FT N 88.5 FT N 76°06'02" E 107.65 FT TO BEG 0.24 AC 5293-0946 6438-2817 6806-0537

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. 20-21, 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 11 day of May, 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 20-21: AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT APPROXIMATELY 4372 & 4356-4358 S. 900 E. FROM R-1-8, R-1-5 (RESIDENTIAL SINGLE FAMILY) & RM (RESIDENTIAL MULTI-FAMILY) TO C-2 (COMMERCIAL) was passed and adopted the 11th day of May, 2020 and certifies that a summary was published in the Deseret News and Salt Lake Tribune the __ day of _____, 2020.

Elyse Sullivan, City Recorder